

RPTR KERR

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

INTERVIEW OF: [REDACTED]

THURSDAY, DECEMBER 17, 2015

Washington, D.C.

The interview in the above matter was held in Room HVC-205,
Capitol Visitor Center, commencing at 10:05 a.m.

Present: Representative Westmoreland.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

SHERIA CLARKE, COUNSEL

HEATHER SAWYER, MINORITY CHIEF COUNSEL

PETER KENNY, MINORITY SENIOR COUNSEL

RONAK DESAI, MINORITY COUNSEL

DANIEL REBNORD, MINORITY PROFESSIONAL STAFF

ERIN O'BRIEN, MINORITY DETAILEE

For the U.S. DEPARTMENT OF STATE:

ERIC SNYDER, SENIOR COUNSEL

LAURA DECK, ATTORNEY-ADVISED

For [REDACTED] :

RAEKA SAFAI, ESQ.

Ms. Clarke. Good morning. This is a transcribed interview of Ms. [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.

Could you please state your name for the record?

Ms. [REDACTED]. My name is [REDACTED].

Ms. Clarke. Thank you. And, again, the committee appreciates your appearance at this interview today.

Ms. [REDACTED]. Yes.

Ms. Clarke. My name is Sheria Clarke. I'm with the majority staff. And we'll just take a moment to go around the room and have everyone introduce themselves.

Mr. Missakian. I'm Craig Missakian. I'm also with the majority staff.

Mr. Desai. Ronak Desai with the minority staff.

Ms. Sawyer. Heather Sawyer with the minority staff.

Mr. Rebnord. Dan Rebnord with the minority staff.

Mr. Kenny. Peter Kenny with the minority staff.

Mr. Snyder. Eric Snyder, State Department.

Ms. Deck. Laura Deck, State Department.

Ms. Safai. Raeka Safai, AFSA.

Ms. Clarke. Okay.

Before we begin, I just want to go over the ground rules and explain how the interview will proceed.

Ms. [REDACTED]. Sure.

Ms. Clarke. Generally, the way the questioning proceeds is that a member of the majority will ask questions for up to an hour, and then the minority will also have an opportunity to ask questions.

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

Ms. [REDACTED]. Okay.

Ms. Clarke. Unlike a testimony or deposition in Federal court, the committee format is not bound by the rules of evidence, and the witness or their counsel may raise objections for privilege, subject to review by the chairman of the committee.

Ms. [REDACTED]. Okay.

Ms. Clarke. If these objections cannot be resolved in the interview, the witness may 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 session is going to begin in an unclassified setting.

Ms. [REDACTED]. Okay.

Ms. Clarke. We have arranged a classified setting for this afternoon should there be questions that the answers to those questions

call for a classified setting.

Ms. [REDACTED]. I understand.

Ms. Clarke. You're welcome to confer with counsel at any time throughout the interview. And if something needs to be clarified, just let us know. We'll do our best to clarify the questions.

Ms. [REDACTED]. Okay.

Ms. Clarke. If you need to discuss anything with your counsel, just let us know. We can go off the record and give you a moment to do so.

Ms. [REDACTED]. Thank you.

Ms. Clarke. We'd like to take a break whenever it's convenient for you. This can be after every round of questioning or whatever you prefer. If you need anything, a glass of water, coffee, just let us know, and we'll take a break and allow you the opportunity to get that.

Ms. [REDACTED]. Thank you.

Ms. Clarke. We just want to make this as comfortable a process as possible.

As you can see, an official reporter is taking down everything you say today to make a written record. So we ask that you give verbal responses to all questions, yes and no, as opposed to nods of the head.

Ms. [REDACTED]. Uh-huh.

Ms. Clarke. And I'm going to ask the reporter to jump in if you do respond nonverbally.

Ms. [REDACTED]. Got it.

Ms. Clarke. Also, I'd ask the reporter to remind us, if we begin

talking over each other, not to do so so that we'll have a clear record.

If you have a question, again, or if you don't understand any of our questions, let us know. Again, we're happy to clarify or repeat the questions. And we just want you to -- if you don't honestly know the answer to a question, we just ask that you give us your best memory, but we don't want you to guess. If there are things you do not know or can't remember, just say so, and please inform us who, to the best of your knowledge, may be able to provide the answer to our questions.

Ms. [REDACTED]. I understand.

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

Ms. [REDACTED]. I do.

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

Ms. [REDACTED]. Yes, ma'am.

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

Ms. [REDACTED]. Yes, ma'am.

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

Ms. [REDACTED]. No.

Ms. Clarke. Thank you.

That's the end of our introduction. Does the minority have anything they'd like to add?

Ms. Sawyer. We just thank you for being here. We appreciate your willingness to appear voluntarily.

It is my understanding, are you currently posted in the United States?

Ms. [REDACTED]. [REDACTED]. I had to fly back this week.

Ms. Sawyer. Okay. So you flew back in order to be able to appear before the committee?

Ms. [REDACTED]. I did.

Ms. Sawyer. So we appreciate that very much.

Ms. [REDACTED]. Of course.

Ms. Sawyer. We also appreciate the work of the State Department to help make that happen.

Ms. [REDACTED]. Thank you.

Ms. Sawyer. Thank you for being here.

Ms. Clarke. Thank you.

The clock now reads 10:09, so we'll go ahead and get started.

EXAMINATION

BY MS. CLARKE:

Q If you could, Ms. [REDACTED], could you just give us a brief overview of your career at the State Department?

A Okay. Sure. I am a foreign service officer, ma'am. I joined the State Department as an FSO in 1999. I am a political officer by specialization, but, like all foreign service officers, I've done a variety of assignments both in Washington and overseas.

I began my career as a consular officer in Thailand; then we moved on to Kosovo. My early Washington assignments were as a country desk officer for Armenia and Georgia. Then I worked for an office that no longer exists called -- it was in the Office of the Secretary for stabilization and reconstruction operations that's since become the SCO Bureau, Conflict and Stabilization Operations. I was then a special assistant to the Deputy Secretary when it was Bob Zoellick.

I was fortunate to have the opportunity to be sent back for Arabic language training for 2 years and then served in Cairo and Baghdad, then the State Department Operations Center as a senior watch officer. Following that assignment, I was the Deputy Director for Maghreb Affairs, 2011 to 2013, as you know.

Then I went up to Boston as the diplomat in residence for New England, where I spent a year. It was, you know, an academic and recruiting assignment.

And, since June of 2014, I have been [REDACTED] as the Deputy Director of our [REDACTED].

That's right. And I'm assigned to be [REDACTED].

Q How long were you a senior watch officer in the Ops Center?

A Thirteen months, ma'am. That's the normal Ops assignment.

Q Okay. Did your time overlap with [REDACTED]?

A It did. Yes, ma'am.

Q Was it concurrent time? Or how much time did you overlap?

A If I recall correctly, we probably overlapped for about

9 months, 9 or 10 months.

Q And when you began as the Deputy Director of the Maghreb Affairs, was that at the beginning of 2011, or was it --

A No, ma'am. It was in middle of August 2011.

Q So your time in the Ops Center ended sometime in July-August 2011?

A Right. Right at the beginning of August, yeah.

Q So I want to talk to you in a little bit of reverse chron order, so --

A Okay.

Q -- I want to talk with you -- we are going to start with what you were doing, what you heard, what you learned on the night of the attacks. So if you could just walk us through what you recall about the night of the attack. When did you first learn about it? How did you learn about it? What did you do in response to what you learned?

A Okay.

On September 11 of 2011, I was in my office that afternoon in NEA/MAG, and the first I recall of hearing about the attack was late afternoon around 4 p.m. I got a call from a friend and colleague who's the Deputy Director of the Executive Office of NEA. She called me and she's like, "Hey, I saw something in the press. Sounds like there is an attack on the mission in Benghazi. What are you hearing?" And I said, "Look, nothing yet. I'll get back to you."

So I shouted out to the office. I sat kitty-corner from the Director of the office and the Libya desk officers. And, like, "Hey,

guys, have we heard anything from post? You know, [REDACTED] is hearing this in the press."

We started checking all the news sources, and that's when the information from different press sources started coming in about what appeared to be an attack on the special mission in Benghazi.

Q And did you receive any alerts from the Ops Center or any other alerts from within the State Department?

A I recall receiving an alert from the Operations Center, but I don't recall exactly what time that came in, ma'am. So it was sometime late afternoon, early evening.

Q And once you became aware of the attack, what did you do?

A It was a very trying day. So we, as a team, kind of huddled and were like, okay, how do we want to approach this within NEA/MAG. And my director went up to work with Assistant Secretary Jones in her office. They were reaching out to our DCM in Tripoli.

The team in our office, not just the Libya desk officers but the desk officers for our other three countries in Maghreb Affairs, started looking at the press, started pulling information from Twitter, you know, Arabic language social media, et cetera.

We were all fielding calls. People across the State Department and friends of ours who knew Ambassador Stevens started calling us. They're like, "What's going on, guys? Do you know anything?"

In the early evening, I suggested that [REDACTED] go upstairs, go back up to the Operations Center since she and I were both experienced with the practices of the Operations Center. One of the key

responsibilities of the Ops staff is to help conduct the Secretary's telephone diplomacy.

Ms. Clarke. Thank you. We'll pause right there. Just for the record, let it reflect that Mr. Westmoreland has joined us.

Mr. Westmoreland. How are you?

Ms. [REDACTED]. I'm well, sir. Thank you.

Mr. Westmoreland. Thanks for being here.

Ms. [REDACTED]. Thank you, sir.

So [REDACTED] went up to the Operations Center to help the team there prepare what we call a call sheet. We were aware that the Secretary of State would want to start calling Libyan officials as soon as possible, reaching out to get clarification from them, seek assistance, et cetera. And so she helped prepare the call sheet for the Secretary's phone call to Magariaf.

And she was on the call. It's the practice of the Operations Center to be -- several colleagues on the floor listen to the Secretary's phone call. We don't participate, obviously, in her conversations, but just help with the notes and the notes for the record.

BY MS. CLARKE:

Q And did you also listen in on the call?

A No, ma'am. It's not appropriate. You must be on the Operations Center floor --

Q Oh, understood.

A -- to be part of that.

Q Okay.

And was [REDACTED] in the Ops Center for the remainder of the night?

A I don't recall how long she was up there. I mean, frankly, a lot of what I was doing was fielding calls from -- and reaching out also. You've got to recall, this was a really, really tough week. The region was generally in turmoil during the Arab Spring. I was reaching out to my other three embassies in the region to find out if they were okay, if they were concerned about security developments.

And one or two of those DCMs and ambassadors reached out to me proactively to be like, hey, you know, good luck with what's happening. Let us know if we can help in any way from the region if the team needs help, if there's going to be any evacuations, if we can provide any support, et cetera.

[REDACTED]
[REDACTED]
[REDACTED]

So it was just that kind of -- so it's a little bit foggy, exactly -- but I was there until early hours of the morning. I think my office director and a couple of desk officers went home and showered and ate, so I stayed behind. And then we swapped out so everybody could freshen up and come back.

Q So was there someone from the office there throughout the night?

A Yes. Absolutely. Yeah.

Q Once you were alerted to the attack, did you reach out to

anyone outside of the State Department? Did you talk to anyone with the White House or the NSS?

A I don't recall. Our focus was internal, our team in Libya and my other posts in the region. I did have a number of emails from friends around the world, you know, friends, other diplomats from around the world, not Americans, people who were reaching out that were like, "Are you okay? We're just hearing this in the press." Or, "Do you happen to be in Libya right now?" They weren't sure what my role was. So yeah.

Q After you received the initial alert or the initial information that there was an attack, did you receive subsequent updates from the Ops Center or from [REDACTED] about what was happening on the ground?

A Frankly, a lot of the updated information was coming in from the media. And then we started receiving information, as well, from our DCM in Tripoli, Mr. Hicks, as well as information was coming in on the classified system, not very much. But colleagues, different agencies were checking on different avenues to look for more information on the Ambassador's whereabouts.

Q And did you have access to that? Is it classified information?

A Ma'am, we -- yes. For -- I don't want to say most, but as the Deputy Director of NEA, I had two computers on my desk. I had access to unclassified email and classified email. And we were receiving, you know, updates or questions on both sides.

Q I think earlier you mentioned that the Director, Mr. [REDACTED], went upstairs to the Assistant Secretary's office --

A Yes.

Q -- and that at some point during the night she began to have conversations with the DCM in Tripoli?

A I believe so. Yes, ma'am.

Q Did you receive any information about the substance of those conversations? Were they providing updates to the rest of the NEA staff about what they were learning from the people on the ground?

A If I recall correctly, yes. You know, Mr. Hicks and our team were trying to figure out what was happening in Benghazi, trying to engage with Libyan officials, engage with contacts across Libya, and seek the assistance of the Libyan authorities.

Q And, if you recall, at that time in the evening, what was your understanding of what was transpiring and what had transpired at the mission in Benghazi?

A Ma'am, at that time in the evening, that evening was very unclear. I mean, there was conflicting information in the press and on social media. We were just trying to figure out exactly what was going on. I had no definitive understanding that evening.

Q And did the reports that were coming in from Tripoli on the ground, was there anything relayed by those individuals about what they thought had occurred?

A I don't recall that. I think I and my colleagues in the field were trying to figure out what was happening. I don't think

anybody ventured a specific guess. It was just, let's figure out what's happening.

Q Did you personally talk to anyone that was in Libya that night?

A I don't think I did, ma'am.

In my role, I mean, we had thought about, okay, how do we divvy this up. You know, I'll field the calls from Washington and from our colleagues, and I'll focus on email. [REDACTED] went up to Ops. Other desk officers were looking at media. [REDACTED] was up helping Assistant Secretary Jones and reaching out to post.

So I don't recall calling anyone in Libya. And they were pretty much flat out, so --

Q And when you say you fielded calls from others in Washington, was that from other agencies? Or who were you fielding calls from?

A A lot of the calls were from friends of Ambassador Stevens and other colleagues who were in Libya at the time, as well as other friends in NEA or, you know, friends who had once been a foreign service officer. Just people calling to see how we were doing. "I just heard this in the press. How are you guys doing?"

A lot of calls with the Executive Office in NEA that work on, you know, remembering, okay, we have this many folks here, you know, thinking about how do we do the best we can for this post. Do we need to think about an evacuation? Is there a security concern in Tripoli, as well? Do we need to worry about our colleagues there? Do we need

to evacuate? Once folks come out of Benghazi to Tripoli, how do we get them -- so a lot of the practical, like, what are our next steps, what are our checklists for our next steps.

Q And so that was kind of your responsibility that evening, to field those types of calls?

A Yes. And just in general, I mean, we were all trying to support one another. And we had a wider concern, you know, [REDACTED] and I, for what else was happening in the region with our other posts, but primarily for Libya that evening.

Q Did you have any discussions within NEA about whether to and how to evacuate the individuals in Benghazi?

A That was already underway. I mean, DCM Hicks and our regional security professionals in Tripoli had already made a game plan for how folks were going to come out and come back to Tripoli.

And then we were looking at the, you know, core diplomatic staff we had in Tripoli, like, okay, who should we send out? Does everybody still need to remain here while we assess the circumstance? Do we need an order of departure to get them out? So those were some of the conversations we were having.

But, again, I'm on the policy side. I was not directly involved with decisions about planes or -- I was there to help the resources people think about, okay, if we had, like -- I don't recall exactly how many, ma'am, but if we have -- okay, the DCM is going to need this person. He's got really good Arabic; he can engage with the press and do the reporting support. These other people are not emergency staff

for this -- you know, kind of helping that discussion.

Q So I just want to understand, were you a part of the discussions to determine who were going to be evacuated and at what point? Or were you just relayed that information and then you would relay it on?

A No. I was explaining, kind of, the different roles of the staff there to the Executive Office folks, the guys who were doing resources and planning. And I was not -- it was the DCM and the NEA leadership who ultimately made the call, like, who do we evacuate at this time, who do we get to Germany, and who stays to support the DCM -- who, unfortunately, became charge the next day.

Q And when you say the NEA leadership, is that at --

A The Assistant Secretary.

Q Okay.

A Yeah. Yeah.

Q Thank you.

During that night, did you participate in any conference calls, interagency conference calls?

A I don't remember participating in those. I'm sorry.

Q Okay. Do you remember participating in any SVTC calls?

A I don't remember that that evening, ma'am.

Q There was a SVTC around 7 p.m. on the evening of September 11, and do you recall hearing about the SVTC or being updated about what was discussed during that SVTC?

A No, I don't. I don't. No, I don't.

Q Okay.

I want to show you an exhibit. We'll mark this as exhibit 1.

[██████████ Exhibit No. 1

Was marked for identification.]

BY MS. CLARKE:

Q And just take your time to read it.

A Okay. Do you have copies for --

Q Yes.

A Thank you, ma'am.

Q For the record, this is exhibit 1. It has a document number SCB 000029, and it's an email chain on September 11, 2012. And it begins with an email from Ben Fishman to you and ██████████ and ██████████ ██████████ about a statement from the GNC.

And, for the record, who is Ben Fishman?

A Ben was our Libya director at the National Security Council at the time.

Q And we've seen other emails on this evening where you're corresponding back and forth with Ben Fishman about various aspects of the attack. Does this refresh your memory about some of the people that you may have corresponded with on that night?

A Yes, it does. It looks like Ben and I had several exchanges that evening.

Q And can you explain to us, kind of, your relationship, working relationship, with Mr. Fishman and what would have prompted his reaching out to you and your reaching out to him on that evening?

A Well, in general, you know, as the Deputy Director of NEA/MAG, my role was to kind of mentor our country desk officers for the four countries, you know, as having some Washington experience, having been a desk officer myself, and helping make sure they were supporting our posts properly in the field, writing the right paper to support our Assistant Secretary and the State Department principals, and occasionally you know, weighing in on particular substantive areas in support of the Director if he needed my help in a particular area.

So Ben, as the director for Libya, was responsible for coordinating all of the USG agencies working on that country on those issues, so calling meetings, et cetera. He would occasionally reach out to the desk informally or to me informally and say, "Hey, how are things? I saw that cable from post. That was interesting. Do you guys have further" -- so, you know, it was very informal.

In this case, I don't recall reaching out to him. It looks like he wanted to make sure we were aware of information he got from this contact.

Q Okay.

About halfway down on the first page, he emails you and asks if there has been any thought to reach out to Turkey about what they may have present in Benghazi.

A Sure.

Q And then your response was, "I'll check in with Ops."

Do you recall checking in with Ops about Turkey or any other countries that were in Benghazi and what their presence was like and

whether or not they could provide any information or provide assistance?

A I don't remember in depth. What I remember is, internally, in our team, in NEA/MAG, and then Ops asking what other countries have diplomatic missions there, who else might know what's happening on the ground. So it was just a very brief -- and I didn't pursue it further after that.

Q Did you have any other discussions with anyone, with [REDACTED] or Assistant Secretary Jones, about the other diplomatic presence in Benghazi?

A I imagine -- and I don't recall exactly -- but I imagine I probably forwarded this chain to [REDACTED], as well, and to consider -- I had not visited Benghazi myself, but we were aware that the Turkish Government had several consulates, several commercial facilities in Libya.

Q And I will note for the record, at the very top you do actually forward it to [REDACTED] and [REDACTED].

Outside of this email, do you recall any other interaction with Mr. [REDACTED] about the presence of other countries in Benghazi and the resources or information that they may have had about what was happening?

A I don't recall that, ma'am.

Q At the very top, you write, "Ops tells us Jeff is already on the phone with Beth." I assume this is referring to the Assistant Secretary, Beth Jones?

A Yes, that would have been Beth Jones.

Q And who is Jeff?

A If I recall correctly, it would be Jeff Feltman, who had been our Assistant Secretary recently and who had moved on to the U.N. I'm pretty sure that's what I was referring to.

Q And it indicates that she had gleaned some information from him, and it also indicates that Qatar might be a good avenue.

Do you recall any further discussion with [REDACTED] or with Assistant Secretary Jones about the information that Mr. Feltman provided?

A I do not. I do not.

Q If you look back on the first page, at the very, very top, it's an email from Ben Fishman to you. And on the first page, it says, "I don't know why Pat Kennedy is so concerned about what extra security folks are wearing. Does that come from Greg?"

And then your response is, "I bet Kennedy is worried about further repercussions and attacks if U.S. military is too obvious."

What did you base your response to Ben Fishman on?

A I based my response on the recent historical context. So, in Libya, as with many other countries, we're very sensitive to host-nation concerns about whether U.S. military are in uniform or not. And Libya, if I recall correctly, they were -- the folks who were there were not in uniform. They wore civilian dress suits to sort of blend in.

And I think that's what I was referring to, you know, people were blending in more.

Q So it was based off of recent events, and it wasn't necessarily a conversation that you had had with Secretary Kennedy --

A No, no, no.

Q -- or any discussion that you may have?

A No. Certainly not. My role was not to have special conversations with the Under Secretary about that, yeah.

Q So it wasn't a remark that he made during a meeting or anything that you were privy to.

A No, ma'am. Well, if there was, I wasn't privy to it. I was referring to the historical context of what our military -- you know, how people looked in the field at that time.

Q And, within NEA, did the individuals within NEA share Under Secretary Kennedy's concern about whether or not these individuals that evening were dressed in military attire versus civilian attire?

A I wouldn't necessarily know.

Q Did you share the same concern?

A I'll be honest with you, ma'am; that wasn't my focus that evening. My focus was are our people okay, what exactly is happening, you know. So I don't recall having that conversation with anyone.

Q Okay.

During the evening, were you aware or were you updated on any deployment of any military assets to assist in Benghazi?

A I'm not comfortable discussing that here. Is it possible to discuss that in a different setting?

Q Yes.

A Okay.

Q Can you share with us here how you became aware of that information?

A If I recall correctly, I received an email on my classified email beginning to discuss that issue -- not in great depth, again, as I was the policy person, I was not the military advisor. So, yeah.

Q And did you participate in any phone calls discussing that issue?

A I don't recall being on a phone call. I apologize. I don't recall that. No.

Q Later in that evening, there was a subsequent attack on the CIA Annex in Benghazi. And were you made aware of that incident, as well?

A Yes, I was, ma'am. I believe I and my team first heard of it through the media because it was very public very quickly. Yeah.

Q And what did you do in response to that information?

A I don't recall exactly what I did in response to that information. People knew about it very quickly throughout our building because every press outlet -- it was widely covered.

Q Did that change any of your responsibilities for the evening? I think before you said you were fielding calls and email requests about, kind of, the people who were there and who might need to stay and who might need to be evacuated. Once you learned about the attack on the Annex after all of the State people had been moved to the Annex, did that change any of your responsibilities for the

evening?

A I think the immediate goal was to figure out what the heck is going on and who's still around to help. That was sort of the immediate goal. Once we saw that news, I saw that news, I'm like, okay, let's keep focused on what we've been doing and see what else transpires.

Q And so did you reach out to any additional people for more information, anybody within the interagency? Did you brief Assistant Secretary Jones about any more information you gleaned? I am just trying to understand, once you received this information, what were you doing following that?

A We continued, ma'am, what we continued to do, was track different local media sources and international media sources to try to figure out what we could piece together about what happened.

I did not personally need to reach out to other agencies for information because, if I recall correctly, that started feeding in to the Assistant Secretary and to NEA, like, "Here is what we're hearing from different sorts of people in the field."

Q Were you privy to that information?

A I don't recall exactly what -- I don't remember what I was privy to. I mean, I -- I apologize.

Q Throughout the evening, what -- what I'm trying to understand is kind of how the evening progressed in NEA. So, throughout the evening, did you all have subsequent meetings where you gathered and said, "This is what we're learning"? How were people

updated in NEA throughout the evening about what was happening on the ground, what were the decisions being made about the people on the ground, et cetera?

A If I recall correctly, what we were doing was the folks in -- you know, our desk officers and others who were tracking the media were feeding that information, help the Ops Center pull together alerts on what was being heard and what was being learned through the media.

And that information was coming in. The DCM, the defense attache, and others in Tripoli were sending back information to Assistant Secretary Jones, so we were receiving information on what the Libyans were doing and on what they were seeing on the ground in Tripoli.

I mean, any bit of information we were receiving was, you know, forwarding that back up to, kind of, the NEA command center, to Assistant Secretary Jones and to [REDACTED]. NEA/EX, our Executive Office, was doing, kind of, the logistics to help people as they needed to be moved.

Q Are you familiar with the FEST?

A Can you remind me? Is that an acronym for a military team?

Q I think it's a State Department asset, the Foreign Emergency Support Team?

A Okay. So it's a Diplomatic Security team?

Q I believe it has --

[Discussion off the record.]

Ms. [REDACTED]. Okay. Yeah, I'm not completely familiar with it.

BY MS. CLARKE:

Q Okay. Do you recall if you were involved in any discussions that evening regarding deploying the FEST in response to the attack?

A I recall -- it was probably with Executive Office colleagues -- the discussion of, we'll post requests for additional Diplomatic Security or other resources for Tripoli once people have left Benghazi that are in Tripoli and then for the remaining presence in Tripoli. But I don't recall exactly how those conversations went.

Again, I'm not a DS professional, so our Executive Office folks would have consulted directly with -- like, we're expecting to get this information, if we get this request from post or people in Washington are thinking this is a good idea. So I would not have been privy to all of those discussions.

Q Do you know who Mark Thompson is?

A If I recall correctly, he was a colleague in the Counterterrorism Bureau.

Q Do you recall having a discussion with him that evening about whether or not the FEST should be deployed?

A I don't recall a specific conversation. I believe that I exchanged several emails with him or with others in the CT Bureau that evening about the situation in Benghazi.

Q In the days following the attack, what was your awareness of or any role that you played in helping to put together what has come to be known as the "talking points" -- the talking points that were issued by the CIA and that were subsequently used by Ambassador Susan

Rice on the Sunday morning talk shows? Did you have any input into that process?

A No. No role.

Q During that timeframe, did you draft any other type of talking points for the Director or for the Assistant Secretary regarding NEA's view about what happened that night?

A No.

So, ma'am, as the Deputy Director, normally our press office colleagues in the regional bureau took a lead on directing press points. Our role in NEA/MAG, my role and my desk officers' role, would have been making sure they had accurate information, the latest information we have, to make sure the talking points are as complete as they could be, keeping in mind -- or flagging sensitivities like, hey, we don't want to put that out to the press yet because it's sensitive, you know.

So that would have been our role. It's unlikely that I would have been drafting talking points directly.

Q Okay.

A Yeah.

Q All right.

BY MR. MISSAKIAN:

Q I think you just said, you described generally what your role would be in giving information and guidance to the NEA press shop. Do you recall specifically what occurred in this instance with regard to any press points they may have drafted about the Benghazi attacks?

A No, I don't remember exactly. Really, press guidance and

talking points are, at that time and in general, a very small part of what we were responsible for. I know we were barraged, our press office was barraged with questions from the media. So I recall we were constantly passing them updates, and they were sending us language to clear, to look at, like, do you think this is accurate. But I don't recall drafting anything myself.

Q What updates did you send them?

A Any information we were receiving from post that was -- you know, just making sure that our colleagues in NEA who were responsible for every aspect of this were -- you know, we were all on the same page about what we were hearing from post, from Libyan contacts.

Q Take us through that, just the process of getting information from post and then passing it on to your press people. How did that work on September 11?

A On the day of?

Q Yeah.

A On the day of, our press colleagues were -- if I recall correctly, they were cc'd on, they were copied on -- either they were copied on or I or one of our desk officers would have forwarded -- if I recall correctly, would have forwarded them updates from post, including from the public affairs officer in Tripoli at the time, who was, himself, beginning to receive questions from press outlets, local and Western.

Q Again, you used the term "would have."

A Yeah.

Q I'm asking what you specifically recall.

A I don't recall specifically, sir. I'm sorry. It was a very traumatic day.

Q I understand that.

So, for example, do you recall information being passed by somebody on the phone in Tripoli to somebody on the phone in the State Department and having that information put into an email and then sent to the press people in NEA? Do you recall that happening?

A I do not recall exactly how we engaged the press shop that night.

Q Okay. So, as you sit here today, you have no general or specific recollection of how information that was received from field was conveyed to the press shop in NEA. Is that fair?

A It is fair, sir.

Q Okay. Thank you.

Ms. Clarke. On September 16, Ambassador Susan Rice appeared on the Sunday morning talk shows. Did you watch those talk shows when they first aired?

Ms. [REDACTED]. I remember we were working all weekend. And so all I recall is scrolling through, you know, kind of, the channels that morning. I noticed that she was on, and then I turned off the TV and tried to get some rest before I went back to office. So I didn't watch the shows.

Mr. Westmoreland. Excuse me. I've got to go vote.

Ms. [REDACTED]. Thank you, sir.

BY MS. CLARKE:

Q And, following the shows, did you receive and read the transcripts of the shows?

A I remember seeing not full transcripts but, kind of, just snippets the next day. They were excerpted by either our press office or some State Department, like, here's what the principals said on the Sunday morning talk shows.

Q Do you recall having any discussions with NEA about the substance of what was said on the talk shows and whether there was an agreement or disagreement with what was conveyed?

A Yes, ma'am. I recall that I was a little bit surprised. The description of what was said -- and, again, I didn't watch the program myself -- it just sounded more definitive of what potentially had happened. But, again, I didn't watch the show myself, and I didn't read the full transcript. I was too busy that day to do that.

Q When you say you're a bit surprised, what were you surprised regarding?

A I was surprised in the way that they were described in the press clips, that there was an indication that there was some connection to the anti-Muslim video of concern that had been circulating online, that there was some connection to that. In the press clips that I read, I remember seeing, like -- okay.

Q And I think, before, you just said that that was a pretty definitive statement.

A In the way that I saw it excerpted in the press clips, it

seemed like the connection had been made to the video more definitively.

Q Were you concerned about there being a definitive connection to the video?

A Ma'am, at the time, what I was most concerned about was that we didn't know exactly what had happened and that there was an ongoing investigation. We knew the FBI was about to have an investigation. So I think our job as, you know, kind of officers in NEA and my job, specifically, is to be like, okay, let's not speculate, let's let the professionals do their jobs, the intel and the law enforcement folks. So we were very, you know, mindful of that.

Q Did you feel that, based on what you had seen in the clips, the press clips, and the description that had been given to you about what was said, that that was a bit of speculation that Ambassador Rice had stated on the talk shows?

A Ma'am, I can't speak for other people. I can just speak for what -- you know, I was a little bit surprised. And, at the time, I remember thinking, "Oh, maybe there's other information I'm not privy to." But that was just my reaction at the time.

Q Right. And my question was, did you think there was speculation?

A At the time, I thought there was some speculation going on.

Q Thank you.

I'm going to mark this as exhibit 2.

[██████████ Exhibit No. 2

Was marked for identification.]

Ms. Clarke. And just take your time to read through it.

And just for the record, this is document number C05580617.

And for the witness, I believe it's an email chain of some language that was forwarded. I don't think that you are on the email chain until the second page, near the top, when it's forwarded to you.

Ms. [REDACTED]. Okay. I got it. Okay.

Ms. Sawyer. Just a moment. Just to double-check, I mean, the first email is NEA Libya desk. Would you have received that?

Ms. [REDACTED]. No, I would not have received NEA/Libya desk. That was just the desk officers.

Ms. Sawyer. Okay. Thanks.

Ms. [REDACTED]. If I remember correctly, yeah, I don't think I know about this. We all got way too many emails.

BY MS. CLARKE:

Q All right. So just to take you back to the second page, it's an email response that you -- you respond to this chain. You address it to [REDACTED]. And you said, "[REDACTED] -- per my call. Not sure we want to be so definitive. What does Assistant Secretary Jones say?"

And do you recall, when you say, "per my call," do you recall what your discussion with [REDACTED] was that evening?

A I don't remember exactly what we said on the call, but I suspect, just based on, you know, this chain and what would have been in my mind at the time, just trying to figure out, you know, are we ready to be this definitive, you know, should we walk it back a bit,

make it more -- because we didn't have the investigation yet. We didn't know exactly what had happened.

Q And for the purpose of the record, who is [REDACTED], or [REDACTED] [REDACTED]?

A [REDACTED], ma'am, I think he was the Deputy Director of the NEA press shop at the time. He worked for [REDACTED].

Q You also ask him what the Assistant Secretary had to say about such a definitive statement. Do you recall whether you received a response or whether you were made aware of her view of a statement as definitive as the one that had been made?

A I don't remember, ma'am. I don't remember.

I'm going to be frank. There was so much going on; press guidance, talking points was the least of our worries on the regional desk. We had awesome press colleagues. We trusted them to kind of get the guidance they needed. We helped with information and let them run with it.

Q So, previously, when we were having our discussion, you said that, based on the press clips you received, that you were concerned about there being such a definitive statement, and then you also used the same word in this email. Could you explain to us what you were referring to when you said, "Not sure we want to be so definitive?" What part of the press guidance that was forwarded to you were you concerned about?

A I don't remember exactly at the time. But, in looking at it now, I mean, it's good that we say that information is being collected

and analyzed. The first point would have been the point of concern, "The currently available information suggests the demonstrations were inspired by the protests at the U.S. Embassy in Cairo." The investigation was just beginning at the time. I don't think we knew enough to say that at the time.

Q At the time, did you have any information to indicate that this statement may not have been true? In other words, at the time, did you have any indication that there was something other than what had occurred in Cairo that may have --

A At the time, we weren't sure what was true. We didn't know exactly what had happened. And, again, I'm a cautious person. I'm like, let's let the FBI, let's let the intel guys do their investigation. That wasn't my role.

Mr. Missakian. I just want to ask a followup question.

This is now September 17, 2012.

Ms. [REDACTED]. That's right.

Mr. Missakian. Did you have any information by that date to suggest there was a protest in Benghazi prior to the attack?

Ms. [REDACTED]. No. No.

BY MS. CLARKE:

Q Do you recall around this time there being a disagreement amongst agencies, the interagency, about whether or not the attack was preplanned or spontaneous?

A I don't recall an argument. I recall discussions about what happened and people feeding in information, not speculating in

press but speculating amongst us about what could have happened. But I don't recall an argument about this. I recall a normal kind of debate about it.

Q When you say "amongst us," do you mean amongst the individuals within the NEA Bureau?

A Within NEA and with colleagues at -- you know, kind of, the normal interagency colleagues we'd work with -- the DOD, et cetera.

Q And was this discussion via email? Was this discussion during a meeting? How was this discussion conducted?

A There was a lot of email. Of course, you know, we love email in this profession.

I don't recall. We must have had -- I don't recall what meetings we were having, but we must have been having meetings at that time to kind of hash out, like, here's the information we have. You know, we would have been keeping updated on the intel that was coming in, reading the stuff from our colleagues across the river.

BY MR. MISSAKIAN:

Q I just want to make sure I understand your answer.

Regardless of whether it rose to the level of a fight, do you recall a disagreement within the intelligence community about whether or not the attack in Benghazi was preplanned or spontaneous?

A No. No, not the intelligence community. What I recall -- and if I may provide a bit of other context, sir.

In the region, the day of Benghazi and throughout the region, there were protests in other places. There were demonstrations.

There was violence. There was an attack on several of our missions around the world, in Yemen, in Cairo, et cetera. So there was a lot of speculation in the press and a lot of speculation about what various extremists groups in all these countries were doing.

So I think -- I don't recall -- if there was an argument in the intel community, I, as Deputy Director of MAG, would not have been privy to it. But what I was seeing was, you know, in, kind of, the intel book that I had access to and, kind of, the various emails, information about what potentially could have happened. I don't recall seeing an argument.

Q Again, don't get hung up on the word "argument" or "fight."

A Sure.

Q I'm just talking about, did you see a disagreement in the opinion within the intelligence community over whether or not the attack was spontaneous or preplanned. I believe you said you were not aware of any disagreement within the intelligence community.

A No, I was not aware. I was not aware.

Q So how about within the State Department? Were you aware of any disagreement between individuals or factions of individuals as to whether or not the attack in Benghazi was spontaneous or preplanned?

A No. I don't remember a disagreement.

What I remember was we were all sifting through a lot of information from our posts, you know, different Libyan contacts offering their speculation and theories about what had happened to our defense attache, to our political officer, to Greg, et cetera, and

different folks speculating in the media and elsewhere about what had happened.

I think it was that barrage of information, with an inability to go back and see exactly, you know, what had happened that night in Benghazi.

Q So you got this barrage of information that you and others within the State Department are receiving and sifting through, as you say.

A Yeah.

Q Do you recall people coming to different conclusions about whether or not the attack was spontaneous or preplanned among the people in the group that you were communicating with?

A I can't speak for the wider group. I think my position was, okay, we've got a lot of information coming in. We were doing our best at the time to try to get the FBI out to Libya and try to get the professionals who were going to do the investigation to do the investigation. That was our focus at the time, not making a decision ourselves.

Q That's fair. I'm not asking you to speak for others. But to the extent you were involved in the discussion --

A Yeah.

Q -- about what the information you received meant, do you recall a difference of opinion among the people that you were discussing it with about whether the attack was spontaneous or preplanned?

A I don't recall disagreements.

Q Okay. So what was the opinion?

A My opinion, sir, or --

Q No, no, the opinion of the people that you were talking about it with. If there was no disagreement, what was the opinion?

A I mean, again, my opinion at the time was -- I did not have information that indicated there was a demonstration at the special office, so my opinion was some terrorist group has targeted us. That was my opinion at the time.

Q Okay. Did anybody else express an opinion? Again, I know you can't speak for somebody. I'm not asking you to read their mind. But to the extent you participated in discussions --

A No.

Q -- where they expressed an opinion about the information they had received, do you recall any of those?

A I don't recall that.

Q Okay.

A I don't recall that.

Q Thank you.

A Thank you.

BY MS. CLARKE:

Q Okay. Switching to a different topic, a somewhat related topic, did you play any role in assisting the FBI in their investigation, whether that's helping them get into Libya or helping them get visas or any type of clearance that they may need to get into Libya?

A So, ma'am, I did not help them with the investigation proper. What I did was, early on, the Libya desk and I both helped them figure out, okay, you need visas; what else do you need from the Libyan Government to get in, and how do you coordinate with Embassy Tripoli once you were there. So we helped facilitate -- connected them with the DCM. [REDACTED] and the desk helped with, you know, figuring out how to apply and get their visas from the Libyan embassy.

So it was really the logistics of getting them in. I did not participate in their investigation.

Q And were there any issues with them getting their visas from the Libyan Government?

A As I recall, we wanted to get them there as soon as possible, and I think -- I don't recall exactly. [REDACTED] might have asked the Libyan embassy to open on the Sunday. That was the 16th, I think. But I don't recall exactly. I remember there was just the logistics of it. The timing was tough to make it work with the Libyan embassy in Washington. So trying to push, you know, to make the logistics work as quickly as possible.

Q And was there any delay in the FBI arriving into Libya?

A I don't recall exactly.

Q Was there any delay in them obtaining their visas to travel to Libya?

A I don't recall exactly. I think that we pushed pretty hard. I believe, if I recall correctly -- again, this was a very busy time -- there was a discussion -- I think the FBI had to figure out

who they wanted to send, and that took them a few days, as well. So it was, you know, which experts from where, which field offices. So that took a couple days to sort out, for them to get back to us.

Q After you assisted and some of the other individuals in your office assisted in them obtaining their visas and other logistics of actually getting to Libya, did you provide any other assistance to the FBI team that went to Libya?

A No. No. That would not have been my role.

Q Would that have been anyone in NEA's role?

A I don't recall that. I don't recall that.

Q I'm going to mark exhibit 3.

[REDACTED] Exhibit No. 3

Was marked for identification.]

BY MS. CLARKE:

Q For the record, this is document number C05580192. And it's a chain of emails that begins on September 14 from Greg Hicks to the witness and other individuals. And he's discussing several matters, including the FBI's trip to Benghazi -- or trip to Libya.

A Right.

Q What I wanted to focus on was the top half of the first page. Well, first, he makes note in his information that he relays to you that when individuals visited the compound from the Libyan Government, they indicated a safe had been removed.

And then [REDACTED] -- you're still on the chain -- follows up and asks if he knows of what classified information or any sensitive information

had been taken from Benghazi. His response was that an individual was heading to Washington today or tomorrow and that he believed that person was most likely to know what was contained in the safe.

My question is, first, do you know who the person was that he is referring to?

A No, I don't know.

Q Do you recall whether [REDACTED] may have known about the contents of the safe?

A No.

Q Do you recall whether or not there was any information obtained subsequent to this email about the contents of the safe?

A I don't recall that, ma'am.

Q Would that have been something -- [REDACTED] indicates that there is great interest here on what computers and classified or sensitive information might have been taken from Benghazi.

A Yes.

Q Was that something you all would have followed up on?

A I believe that's something the Diplomatic Security would have followed up on with the agents.

RPTR DEAN

EDTR HOFSTAD

[11:04 a.m.]

BY MS. CLARKE:

Q Okay. And why is [REDACTED] relaying that information to Greg Hicks versus Diplomatic Security?

A Because -- again, I can't put words in her mouth, but this was -- we were all very concerned about, obviously, the people had been lost but also what was left behind. So, since we had received this email from Greg, she relayed that. That is the only reason why I can imagine she relayed that information with "we're concerned, do you know."

Q And so when she says "we're concerned," is she referring to NEA or is she referring to Diplomatic Security?

A I don't know.

Q In the normal procedure of responding to information like this, would she have been responding on behalf of Diplomatic Security?

A No. No. She would not have been responding on behalf of them.

Q So, typically, she would have been expressing concerns that were held within NEA?

A If I may be frank, this would have been all of our concerns. You know what I mean? You want to make sure you know what was left behind. So it was the State Department's concern what was left behind, but it would have been DS's responsibility to follow up.

Q And once DS had followed up, would they have provided that information to anyone within NEA about what information was contained in the safe?

A Ordinarily, I think that they might have in the course of duties if they required our help in identifying, like, what were these documents, were they personal records, whatever the case may be. I just don't recall learning what was in the safe.

Q Thank you.

Ms. Clarke. I see that I am close to the end of my hour. I think now is a good time to take a break. So we can go off the record.

[Recess.]

Mr. Kenny. The time is 11:23.

And, Ms. [REDACTED], again, thank you for appearing here today, just on behalf of the select committee minority staff, the ranking member and our Democratic members. Thank you for your appearance for coming voluntarily to speak with us today. We appreciate your willingness to appear, both voluntarily and, again, want to thank you for your continuing service to the country.

Ms. [REDACTED]. Thank you.

Mr. Kenny. This may have been mentioned at the outset of the last hour, as well, but we do understand that appearing before Congress is a daunting process. So we just want you to be sure that we want to work with you to make this as simple and as straightforward as possible.

Ms. [REDACTED]. Thank you.

EXAMINATION

BY MR. KENNY:

Q So, while the discussion is still fresh, I would like to return to exhibit 2.

You were asked a series of questions in the last round about your specific response to this threat, which was an email that you wrote at 1:59. It appears at the bottom of the first page and continues on the top of the second page. And I thought you'd very helpfully explained for us what your understanding was at the time of what you wrote.

A Right.

Q But one of the things I was hoping to return to and

clarify -- because there was both a discussion about what appears to be press guidance included in this email, as well as Ambassador Rice's statements and some other talking points that may have been generated over the course of that week.

And I would just like to ask if we can connect up your comments here, where you say, "Not sure we want to be so definitive," whether that was specifically in reference to the points that were included in the email two emails previous in the chain.

A Yes, sir, I was referring to what was offered earlier in the chain as NEA press guidance.

Q Okay. And so that would be the 12:36 p.m. email --

A That's right.

Q -- where it says "Libya: Update."

A That's right.

Q Okay.

And specifically, then, there are three key points that are listed there. Do you see that?

A I do.

Q Okay. And I think you had also indicated that your specific concern had to do with the first point here. Is that correct?

A That's right, sir.

Q Okay.

And you were asked also in the last round about your awareness or familiarity with what has been referred to as the HPSCI talking points. Those were talking points requested by and prepared for

Congress by the intelligence community.

A Yes.

Q Do you recall that discussion?

A I do.

Q Okay. And I had it noted here, but I just wanted to make sure that the record was absolutely clear on this, but you did not participate in any way in the drafting --

A No.

Q -- or preparation of those talking points?

A I did not. I did not.

Q Okay.

And, at this point in time -- so this is September 17, so this is several days, actually, after those talking points had been prepared, or, as we understand it, they were prepared at that time -- did you have an awareness at this point in time that the IC had provided an assessment to Congress?

A No. I was unaware of that.

Q Okay.

Ms. Sawyer. With regard to that language in the email, that "key point" language, did you have an understanding of where that language came from, who had crafted that language?

Ms. [REDACTED]. No, I was not aware of where that specific formulation came from.

Mr. Kenny. I think that is all the questions I have on this particular exhibit. I think we would like to move our discussion

forward, and, in order to do that, we will introduce exhibit No. 4.

[REDACTED] Exhibit No. 4

Was marked for identification.]

BY MR. KENNY:

Q I will give you a moment to review this document.

A Yes, sir.

Q Okay. And, just for the purposes of the record, I am going to read some identifying information.

A Yes.

Q So exhibit 4 is an email from [REDACTED] to you. It's dated February 9, 2012. The subject is, quote, "RE: draft email for your clearance: (SBU) Lack of Security Staffing at Benghazi undermining mission." The document ID here is C05390170-MOU.

And this is an email that was used as an exhibit at the select committee's October 22nd hearing with Secretary Clinton. It's also a document that now appears on the majority's Web site.

Do you recall this email?

A I do.

Q Okay.

And, again, this is February 2012. I would just like to clarify at the outset here, Ambassador Cretz was the Ambassador to Libya at this time?

A He was, sir.

Q Okay.

And I would like to focus the first part of the discussion on the

beginning of this email chain, where you wrote to [REDACTED]. And I'd just like to ask generally if you could describe for us what this email is.

A My email to [REDACTED] you mean?

Q Yes.

A My email to [REDACTED] was just suggested points for him to use with the NEA front office and with the Executive Office with regard to the needs for a temporary mission in Benghazi, sort of a justification about why we were there, some of the things that we would like to try to do from there, and some concerns that post had expressed about their ability to pursue their mission.

Q Okay. And so, just to summarize, this is a draft note that you had prepared --

A For my director.

Q -- for Mr. [REDACTED]?

A That's right, in case he wanted to move that discussion forward.

Q So, just to summarize, this is an email with a cover, and then there appear to be hashmarks. Below the hashmark are a draft note that you prepared for your director to send to either NEA/EX or the NEA front office. Is that correct?

A That is correct, sir.

Q And you mentioned that you raised some concerns in this draft note, and we'll get to those in a moment. I would just like to begin, though -- you had mentioned that you started with a

justification, and I'd like to just discuss or walk through that with you.

I note that in the first paragraph here there is some language -- and I would just like to ask -- and I will preface this by saying that there have been some lingering questions about the purpose or the role of the special mission in Benghazi --

A Yes, sir.

Q -- in 2012. And, at least here, there appears to be some, as you described it, justification. And I was hoping you could just explain for us why it was important to be in Benghazi in 2012.

A Yes, sir.

It was our opinion in 2012, in early 2012, that even with the move of the Libyan interim government to Tripoli there was an important need to understand both halves of the country. The revolution had begun in eastern Libya. A lot of the key people, the key actors who led the revolt against Qadhafi remained in the east. A lot of the grievances that led eastern Libyans to seek to overthrow Qadhafi lingered, such as the lack of resources for eastern Libya and the preponderance of natural resources like oil and gas in the east.

So the United States had an interest in understanding the political actors in eastern Libya, the economic issues, particularly because we had a lot of American companies who were interested in doing business in eastern Libya, American oil and gas companies who had been there before and who wanted to go back.

It is very hard to cover such a big country from just the capital.

You know, it is very hard to meet all the people that you need to meet.

In addition, there were some other national security issues, such as nonproliferation concerns because of the issue with various types of weapons that Qadhafi had stockpiled for years.

So we wanted to make sure we understood what the various weapons concerns were and what the concerns of the civil society were, as well, whether this attempt at a new political process was moving forward. So that was our justification for remaining in the east.

Q All right.

And we have heard eastern Libya described, to us at least, as it's separate. Historically --

A Yes.

Q -- it's part of Libya, eastern Libya being very much different from western and southern Libya. But we've also heard it described as sort of a barometer of sorts for Libya writ large. And I was wondering if had you a similar sense of eastern Libya, the role or influence that it played to the country writ large?

A Yes, I would agree with that assessment. And because a lot of the key actors or the key phenomena that would shape Libya writ large came from the east. So a lot of the most educated Libyans, a lot of the universities, a lot of the core -- I won't say institutions, but, you know, there's a very strong lawyers' association that sort of formed in revolt to Qadhafi over time. That was centered in eastern Libya, and they were one of the key players in the revolution. A lot of the oil and gas resources were in eastern Libya. So the presence of a lot

of very strong tribes was in eastern Libya, who had grievances with tribes in western Libya.

So you had to understand -- you had to take the pulse in eastern Libya to kind of have a sense of what was, like, going to happen across the wider country.

The eastern Libyans had a lot of connections with Egypt, as well. So, I mean, there were other relationships they were cultivating, as well.

Q And you mentioned a few moments ago that it was something that would have been difficult to observe or measure, I think, from Tripoli.

A That's right.

Q Could you just explain that dynamic for us?

A Yes, sir.

The responsibilities of an embassy are frequently to make sure they understand what is happening with the host government and, kind of, the new interim institutions that were centered in Tripoli. However, a lot of the important actors in Libya's future that pushed for the revolution, that were important in the future, remained in Benghazi and remained in eastern Libya, cities like Tobruk, Derna, et cetera. A lot of the weapons depots that we were concerned about were in eastern Libya.

So, with a very small -- because we had evacuated in February of 2011, we went back in September of 2011, we had a very small embassy in Tripoli. We didn't have a big, robust mission where we could send

a bunch of public diplomacy officers and political officers, economic experts, defense attache personnel to Benghazi on a regular basis. It was skeleton staffing in Tripoli, as well.

So if you wanted coverage in the east, if you wanted to engage contacts in the east, if you wanted to be influential and shape developments in the east, it was more appropriate and more feasible to do it with a presence in eastern Libya, in Benghazi.

Q You had also mentioned nonproliferation concerns coming out of eastern Libya.

A Yes, sir.

Q And, at a very high level, could you just explain for us why it would have been important for the U.S. Government to pursue nonproliferation objectives in Libya?

A Yes, sir.

The United States had been quite interested in weapons and nonproliferation concerns in Libya for many years prior to the Libyan revolution in 2011 because Qadhafi's government had possessed chemical and other forms of nonconventional weapons and had stockpiled weapons throughout the country. The United States Government was always concerned about the ability of Qadhafi's security services to store and control these weapons.

So, following the revolution and, sort of, the dissolution of Qadhafi security services, the question was, who's got eyes on these things? Who's controlling them? Can we help make sure they don't fall into the wrong hands?

And the interim Libyan Government didn't have one national army, one good national police force. So various security groups were forming and coalescing. So the same concerns we had about nonconventional weapons in the early 2000s and conventional weapons flowing out of Libya to other groups in the region we continued to have in 2011 and 2012.

Q Okay.

And, again, this is February of 2012 --

A That's right.

Q -- at the time of this draft note. Do you recall at this time whether there were discussions or any expectations about a planned or upcoming national election in Libya?

A If I recall correctly, sir, the plan was for a parliamentary election to happen in the spring, early summer of 2012.

Q Okay. Did that have any implications for eastern Libya?

A It did, sir. It had implications for eastern Libya because it was very important to the success of a democratic and kind of a secure transition for all parts of Libya to be appropriately represented -- minority groups, tribes, all of the major cities. And so there had to be an ability for the nascent political parties and groups to campaign, to get their message out, to caucus with one another.

And so what our colleagues -- one of things we were doing in eastern Libya at the time was trying to meet with new political groups, meet with political candidates, encouraging civil society to play a

good role as watchdogs to the process, election monitors, talking to women's groups, like, you know, encouraging -- you know, there should be minorities, women, others running for this new legislative assembly. So that was one of the roles we were taking in the east, as well.

Q Were there any concerns that if eastern Libya were disenfranchised, say, in the national election that that would have implications for the future of the Libyan state?

A Yes, sir, it did. Since the impetus for overthrowing the Qadhafi government came from the east, eastern Libya is -- one of their grievances and one of the reasons why they revolted against Qadhafi was the lack of resources, the lack of jobs, the lack of money, the lack of opportunity in eastern Libya and for the groups traditionally from eastern Libya. So there with a worry that western Libya and the areas around Tripoli and Misrata would be disproportionately represented in new government institutions such as a legislature. That was a very particular concern of easterners.

Q Okay.

In the draft note below the hashmarks, it starts off, "We determined early on that it was important to make a presence in Benghazi to engage with the TNC and keep an eye on political and security developments in the east," close quote.

I would like to ask just for your personal opinion on whether you felt it was important for the U.S. Government to remain present in Benghazi in 2012.

A Yes, sir, very much so. So, as a foreign service officer

and a diplomat myself and a person with a long interest in the Middle East, from my shoes, I understood what Ambassador Cretz and what Special Envoy Stevens and others were saying at the time, which is there is so much happening across this country; if we don't have eyes on what's happening in the east, we're going to miss something, we're going to miss an opportunity to influence these actors, get to truly understand what the security situation is as well.

So I know, having served in Iraq and other places like this, it is very hard to understand what is happening outside of the wire if you don't get out and actually meet people and be open to hearing what's going on. So I agreed 100 percent.

Q And "outside the wire" in this context would mean outside of Tripoli?

A Outside of Tripoli, outside of the capital.

Q Do you recall Ambassador Cretz's views on a continuing U.S. presence in Benghazi at this time?

A He agreed with continuing the presence to some extent. I mean, the question that we all had was what should it look like. You know, he agreed, as did I, that it needed to be open from the short to medium term. Nobody had decided at that point what the needs would be very long term because things were still evolving.

Q Okay. That's helpful.

And can you just help us understand, because State Department planning processes might be slightly different --

A Sure.

Q -- how far out those discussions were going, in terms of time?

A At the time, our discussions were going through the end of 2012, early 2013, to get us through the elections that were anticipated that summer and 6 months out to see, okay, will the election be successful, will a legislature be seated, you know, what happens as a result. Are these remaining revolutionary institutions that have been set up in Derna and Benghazi and other parts in the east, will they move to Tripoli? Will these different Libyan actors who were opposition, who opposed Qadhafi, but who aren't necessarily tied together, will they be tied together by the end of 2012 or early 2013?

Q I see. So the discussion to extend through 2012 and into 2013 or discussions about continuing the presence for that time period, those incorporated or had some build-in for some sort of buffer? Is that right?

A Exactly, following the election.

Q Okay. Just in case things didn't go exactly as planned?

A Exactly, sir.

Q Okay.

I would like to return to exhibit 4, and this will be on the second page here.

A Okay.

Q And, actually, before we move on to the exhibit, I did just want to ask one more question about discussions about the mission.

A Yes, sir.

Q Though he wasn't in Libya at the time, were you aware of Chris Stevens' views on whether the U.S. should continue its presence in Benghazi?

A Yes, sir. He had left Libya in November, but he was very much involved in discussions within NEA about the region and about Libya specifically.

Q And what do you recall of his views?

A His views were very much in favor of maintaining a presence in Benghazi.

Q All right.

So, within at least your office, NEA/MAG, it sounded like there was a general agreement that -- and please correct me if I --

A Yes, sir.

Q There was some agreement -- I just want to summarize -- some agreement that the U.S. should maintain a presence in Benghazi, but it was unclear exactly what the staffing footprint would look like.

A Exactly. That's right.

Q Okay.

And so now on the second page here, the second paragraph down reads -- and I am going to read a portion of this into the record.

Quote, "Unfortunately, DS staffing is becoming a recurring problem in Benghazi. At the current security threat level, Benghazi needs a minimum of four agents to support moves out of town (3 to accompany the Principal Officer or TDY officer, and 1 to remain on compound with the IRM/management person). Post needs a minimum of

three agents to facilitate one movement at a time in town, and one to remain on compound.

"DS staffing has dropped to two agents several times over the last few months between rotations, which has prevented the PO from leaving the compound," close quote.

And I would like to first ask, why was it at this time that you felt that DS staffing was becoming a recurring problem in Benghazi?

A Sir, I'm not completely sure. I'm not responsible for DS staffing at this post or any other post.

What we heard from DS -- again, this was a temporary mission, and, you know, in my role in NEA/MAG, as Deputy Director, you know, I helped ensure, kind of, the assignment process and filling assignments for our normal posts across the region in the normal Foreign Service personnel cycle.

We didn't have a normal Foreign Service personnel cycle for Benghazi. So we had to pull -- we, as policy, wanted to pull temporary duty, you know, Foreign Service officers from other posts to support the mission. And it was my understanding Diplomatic Security had to do the same thing, but I don't want to speak for them.

Q Okay. But that was a concern that was conveyed to you at some point in time?

A Yes, you know, that it was the same situation we were facing on the policy side they were facing on the DS side.

Q Okay.

Again, there's an indication here that DS staffing had dropped

two agents several times in the past few months. There is a line at the very end that reads, quote, "There is very little reason to maintain the expense if our people are going to be trapped on the compound and unable to get around," close quote.

And I'd just like to ask, from a mission perspective, why was the ability of the principal officer to leave the compound a concern?

A From a mission perspective, the principal officer had responsibility for keeping in close touch with contacts -- the Benghazi security services, the people campaigning for office, various political parties, the civil society leaders such as the head of lawyers association, who was one of the people who was a driving force behind the revolution, business contacts, you know, American and other business contacts who sought meetings. Some of those meetings could happen on the compound; some, more appropriately, would happen outside of the compound.

So if the principal officer did not have a security detail, they would not be able to leave the compound.

Q Sure. Okay. And that makes sense.

And this appears to us to capture some sort of reality that if the mission is only staffed with two DS agents at a time that the principal officer wouldn't be able to leave the compound to conduct that outreach that you just described. Is that accurate?

A According to my -- again, I'm not a security expert, so this information -- I didn't make up the number four. So that information I would've received from an RSO colleague from DS.

Q Okay.

A So that was their assessment.

Q Okay. But that assessment, again, you would have received from somebody within Diplomatic Security, not, for instance, NEA or --

A No, we would not -- I mean, I do not have the expertise to determine how many agents you need to secure a road, for example.

Q Okay.

And then, by the flip side, you're not expressing a concern here that while on the compound the principal officer lacks adequate security coverage. Is that --

A No, that's not what I was expressing here. That was not a concern that we had at the time.

Q Okay. But if it was a concern you had time at the time, do you think you would have acknowledged it in this note?

A Again, I -- perhaps. I don't recall exactly. I can't speak for what -- you know, what I did at the time, my recollection is I packaged together our core justification, our core concerns to move forward to the NEA front office.

Q Okay.

BY MS. SAWYER:

Q And is it a fair characterization to say that the justifications that you are expressing there about the mission and the importance of the mission and the desire to have a presence is something within the core expertise of your bureau?

A Yes, ma'am, I would agree with that. NEA is the regional

bureau with responsibility for guiding and developing the policy towards the Middle East and the policy recommendations to the Secretary on the Middle East.

Q And then both the factual information that you're providing as well as the assessment as to the security needs would have come to you from the experts within the Diplomatic Security Bureau?

A Yes, ma'am. The language that I put together here was derived from, you know, conversations with post, kind of, discussions in Washington with the Executive Office of NEA, and DS and other colleagues who are responsible for how we were staffing the mission on the ground.

The last sentence is my assessment. That was my opinion at the time. That was purely my analysis and my commentary. So when I figured there is little reason to maintain the expense if our people were going to be trapped on the compound, that was purely my commentary.

Q Your commentary as to the potential negative impact on the mission.

A Exactly. Exactly. So you could have a mission where everybody stays inside, or you could have a mission where people can get out.

Q And having a mission where everyone was required to stay inside and have meetings solely on compound, as you have indicated earlier, from your perspective, would have made it more difficult to do the outreach that individuals within the bureau, including Ambassador Cretz, including Special Envoy Stevens, believed was

critical to be able to conduct out of Benghazi.

A Yes, ma'am, that is right.

BY MR. KENNY:

Q So you had indicated that you didn't have a lot of visibility into the DS staffing side of things. And I'd just like to ask, I mean, you are here preparing a note to send onward, to send up to your superior, raising these concerns. And I appreciate you had discussed some of the TDY staffing challenges, I think, across the board. Do you recall preparing any similar note related to staffing challenges for the IRM position, for instance?

A No, I do not.

Q Okay.

A I do not.

Q And is that because, while they may have had their own challenges staffing an IRM position on a TDY basis in Benghazi, was your sense that DS had a more acute problem with staffing at this time period than, say, other bureaus that were also staffing on a TDY basis?

A The IRM requirement was only one individual, which is less of a burden on the IT experts to provide. So the DS was required to provide more individuals, so a heavier lift.

Q Okay.

I'd like to move just to the top portion, your cover note to [REDACTED], where you write, quote, "[REDACTED], let me know if this works and whether you want to consult with [REDACTED] or EX before sending this to the FO," close quote.

And, again, just for the record, does "[REDACTED]" here refer to DCM [REDACTED]?

A Yes.

Q And "the FO" here refers to the front office?

A That's right.

Q Okay.

Do you know if [REDACTED] ever consulted with DCM [REDACTED] regarding the concerns raised in this note at this time?

A I don't recall if they discussed this language, but he did have a few phone calls a week with our DCM, with [REDACTED]. But I don't know precisely.

Q Okay.

And do you know whether he would have also had some conversations with [REDACTED] in EX around this period regarding these concerns?

A I don't know.

Q Okay.

Do you know whether [REDACTED] sent this note to -- there is a reference to "JDF" here.

A Right.

Q I assume that means the Assistant Secretary?

A That's right, at the time.

Q Okay. Do you know whether [REDACTED] sent this note to the ^{Assistant} Secretary?

A I don't recall, sir. I don't recall.

Q Do you know whether the Assistant Secretary raised this

issue to -- there's reference here to "M" -- to the M Bureau?

A I don't recall. I don't recall.

Q Okay.

And, in a circumstance like this, why would it have been useful -- you make the proposal to possibly go to M, but why would that have been useful, to appeal directly to the M Bureau regarding a DS staffing concern?

A Okay. The rationale for putting this together and making the suggestion to [REDACTED] was because ultimately Under Secretary Kennedy and the M world are responsible for our resources and big-picture strategy and policy on human resources, on personnel cycles, on facilities. That's within their bailiwick.

So the idea was to kind of remind our colleagues we're responsible for resources, here's our policy justification again, here's what seems to be lacking on the resource side, can we square the circle, if possible. So you have responsibility for policy, you have responsibility for resources, let's try to make the best of it.

Q Okay. And, again, you don't recall if Assistant Secretary Feltman did raise this issue with the Secretary?

A I don't know if he did. I don't know.

Q Okay.

Do you recall whether there were any other steps in this timeframe taken that were designed to address the concerns raised here? For instance, do you recall if DCM [REDACTED] was back in Washington, D.C., and may have set up meetings, met with the DAS in DS?

A I believe [REDACTED] did come back to Washington that spring, you know, for normal consultations. And she did include meetings with Diplomatic Security, as well as our Executive Office, as well as other agencies, like USAID, while she was in Washington.

Q Do you recall anything specific about her discussions with DS when she was back for consultations?

A I do not. I do not.

Q Okay.

And, again, referring to the sentence that you indicated that you had included at the bottom of the draft note -- I'm sorry, the sentence before there, where it reads, "If there is no recourse, we should reconsider whether we keep the mission going," close quote, do you recall whether that conversation was ever had?

A No. I don't remember. I don't remember.

Ms. Sawyer. And, again, with regard to that particular sentence, was that because of the concern that, with regard to the policy objectives, you would not be able to fulfill them in the way that you had hoped and others had hoped in Benghazi?

Ms. [REDACTED]. Yes, ma'am. And to reiterate, that is my commentary, that is my opinion that I am expressing there, if there is no recourse. It was driven by a concern that we would not be able to meet our objectives with the staffing situation being what it was.

Ms. Sawyer. It was not intended to reflect and it did not reflect a belief that it was unsafe otherwise for individuals on the ground in Benghazi to remain there and you should reconsider the presence

because just simply being there was too dangerous?

Ms. [REDACTED]. No. It was purely reflecting my opinion. As a diplomat, I want to get out and meet people and shape policy and be influential on the ground and show the flag, because that's what we're there for. That reflected my firm opinion on that.

BY MR. KENNY:

Q So if I could just direct your attention to the top email here, the discussion seems to shift in a slightly different direction, and I would just like to ask you about that.

This specific portion of the email, again, was discussed during the select committee's October 22nd hearing with the Secretary, and Ms. [REDACTED] was also asked for her recollection of what are, in effect, her words here and not yours. But I would just like to read it for the record.

Ms. [REDACTED] wrote, quote, "Also, the Secretary asked last week if we still have a presence in Benghazi -- I think she would be upset to hear that yes we do but because we don't have enough security they are on lockdown, "close quote.

And just first I would like to ask you if you recall having a conversation about this with Mr. [REDACTED] at this time.

A I do.

Q Okay. And what do you recall about that conversation?

A What I recall is that this email was -- again, I don't want to put words in [REDACTED] mouth, but my recollection of this was this was a slightly sarcastic email, this was a slightly sarcastic

conversation -- ha ha, you know? Of course the Secretary knows we have a presence in Benghazi, you know? I mean, so it was a slightly sarcastic exchange.

I think we were all frustrated working long hours and that that came out a little bit in the tone of this email.

Q Sure. And so when you say that there was some sarcasm that you perceived here, that refers to the first sentence, that the Secretary asked last week if we still have a presence in Benghazi?

A Yes, exactly. Yes.

Q Okay. And do you recall just the basis for your belief? You said of course the Secretary knew that we had a presence there.

A Again, so I can't put myself in the Secretary's shoes at that time, but there was a lot of information coming from our team in Benghazi and from Tripoli reporting back to Washington. There was a lot of information that we know was filtering up to senior officials.

So it was my opinion at the time, my assumption, that the Secretary knew that we still had a physical presence in Benghazi because of all of the information that our team was sending forward back to Washington from Benghazi.

Q And do you recall how that reporting was received in Washington, at least within your office, reporting specifically from the special mission? Was it viewed as generally helpful --

A Yes. So --

Q -- to policymakers?

A I'm sorry to interrupt.

Q Please.

A Yes, sir. It was viewed as very helpful because it was giving us eyes on kind of a situation and a range of contacts -- political contacts, civil society contacts, business folks, you know, folks with opinions of what different militia groups and tribes were up to.

People were commenting -- we were asking, you know, do you think this election will be a success? Do you think this political process will succeed? What are your thoughts on whether there is going to be a constitution, and what should be in this constitution? What are your thoughts on the economic circumstances?

And so there was a lot -- the reporting that was feeding back was, you know, people still have legitimate concerns, and they were really worried that with the TNC and, kind of, institutions moving to Tripoli that they were going to be left behind again. So, you know, that was a big concern on everybody's mind.

So the reporting was considered very helpful to piece in everything we were hearing from the media and other sources.

Q Thank you. I think that's a helpful clarification for us.

This email, again, it seems to have become a little bit of political fodder --

A Right.

Q -- and, at least to us, appears that it's been used or cited as evidence that the Secretary's level of interest in Libya dropped or fell off in 2012. And I would like to just ask you, was there a

drop in the Secretary's interest level in Libya and Benghazi in 2012?

A Sir, I don't know.

What I know is that the seventh floor, what we refer to as the seventh floor, keep asking NEA/MAG for memos and for reporting on what's happening across North Africa, particularly in Libya and Tunisia, which were the states that had undergone revolutions in 2011.

So, from my perspective as the NEA/MAG Deputy Director, it seemed that the Secretary and all the senior officials were still very focused on Libya. But I can't put myself in her shoes.

Q Okay. So, referring to the seventh floor writ large, though, was it your sense that they were closely following Libya matters?

A Yes, it was.

Q Okay. And that continued in 2012?

A Yes, very much so.

Q Okay.

BY MS. SAWYER:

Q Just that portion of the remark there that says, "I think she would be upset to hear that yes we do but because we don't have enough security they are on lockdown," you know, there has been some implication -- and it was certainly was raised at the hearing with the Secretary -- that the Secretary was either disregarding or disinterested in resource issues with regard to Benghazi.

Was that the sense from where you were sitting, that there was a disinterest in whether or not adequate resources -- both to be able

to do the mission, which we have already talked about, but certainly with a deeper question of just sufficient security for personnel on the ground?

A May I ask you to clarify? Was it whose concern that the --

Q Was it just your impression? You know, the implication was been that the Secretary was either disregarding or disinterested in whether or not her post, in particular Benghazi post, had sufficient resources. We've talked about resources to be able to do the mission.

A Right.

Q You know, the deeper question is even just security resources at all.

A Yes.

Q Was it ever your sense, just from where you sat, that the Secretary was either disregarding or disinterested in making sure the post had resources?

A No, it was not my sense.

Q Were you aware of any specific requests on the resource front that went to the Secretary?

A No, I'm not aware of resource requests to the Secretary. As NEA/MAG Director, my responsibility on resources was limited, but resource requests normally went through the chain to M.

Q But certainly there was nothing in your experience that would have led you to believe that she would have ignored or disregarded any requests, had they gone to her?

A No. I have no information to that regard.

BY MR. KENNY:

Q I'd just like to ask one clarifying question based on a discussion I was having with you.

A Yes.

Q So you had mentioned you didn't have any specific knowledge of the Secretary's level of involvement or interest in Libya, but you had an understanding that the seventh floor was closely tracking it. Is that correct?

A Yes, sir.

Q Okay. And when you say "seventh floor," who does that refer to?

A When I say "seventh floor," I mean the Under Secretary for Political Affairs, definitely the Under Secretary for Management, the special assistants for -- we use acronyms at the State Department -- so P, M. The deputy secretaries were very key on the cables and the emails that came from post.

People were tracking it very closely. And, in particular, they were interested in all of North Africa because it was a sensitive region, but Libya was getting a lot of requests for information all the time.

[Discussion off the record.]

BY MR. KENNY:

Q So I would just like to briefly, if I may, return to the discussion we were having about the days and weeks following the attacks and some of the public statements, the press statements, and some of

the press guidance that was developed during that time.

I had written down in my notes that the press guidance was one focus, not the only focus, of what you were working on in the days and weeks after the attack. I was wondering if you could just elaborate for us, for those countries in your portfolio, what was happening during this time period and how busy was that period for you and your office.

A Sir, the September and October, particularly following the Benghazi attack, September and October were extraordinarily busy. You'll recall on September 14 there was a very violent attack on Embassy Tunis, where our colleagues were in the safe haven for hours while they were waiting for additional Tunisian security services to come to their assistance. There were violent demonstrators that had crossed the walls into the embassy.

The Tunisia desk officer and I were unable to go to the ceremony at Andrews Air Force Base on September 14 to welcome home Ambassador Stevens' and our other colleagues' remains because Tunis was literally on fire and we were working to figure out what was happening and then supporting the Secretary and senior officials on that day.

There were demonstrations in Morocco and Algeria. We didn't cover Egypt per se, but I had served in Cairo, I had good friends in Cairo at the time. So the wider region was of deep concern to us, and the security of our colleagues across the region was a deep concern. So there were daily meetings to talk about what do we know about is happening; do our other posts, meaning, you know, Tunisia, have what they need to protect our personnel; do we need to think about drawing

down staff in those places, as well.

On Libya, we were extraordinarily busy because we had evacuated the bulk of civilian colleagues from Tripoli up to Germany, and one of the issues I was dealing with in the aftermath of the attack was figuring out what to do with our personnel in Germany. Do we bring them back to Washington and give them temporary assignments here while we wait out and see what happens in Tripoli? Do we keep them in Germany a little bit longer and have them work remotely from the consulate in Frankfurt, you know, give them assignments, have the political officer keep working on the human rights report, for example, remotely?

You know, so I was closely involved in, kind of, giving them taskings, keeping people busy, you know, waiting for the security colleagues and others to be like, okay, some people can come back, or better to break some assignments and give people new assignments.

So the immediate personnel picture for the traditional diplomatic stuff and then the security situation of those other posts were, kind of, my overwhelming focus.

Q Okay. So it sounds like it was an incredibly busy period.

A It was a very busy period, yeah.

Q Okay. And so the responses to press inquiries and the development of press guidance, that was only a portion of the work that you were working on.

A That was a very small portion, honestly. In general, as I mentioned to your colleagues earlier, we had a very strong press office in NEA. They did a good job of recommending the best way to

respond, you know, to kind of be prepared for press inquiries in as fulsome a way as possible.

So they would turn to us for help in understanding what is too sensitive. Should we include that, or is that too sensitive for whatever policy reason? So that was our role.

And, frankly, the desk officers, Libya, Tunisia, other desk officers, were very good. They did the bulk of it themselves. It was rare that it needed to come back to [REDACTED] or myself. Sometimes we would take a quick look at it to make sure we were aware of what was going forward.

Q Thank you. That's helpful.

Part of the reason why I'm asking that question is, you know, we're more than 3 years removed from the attacks, and there has been a significant amount of attention and scrutiny paid to some of the public statements, the press statements, made by the administration in the days and the weeks after the attacks --

A Yes, sir.

Q -- and to include Ambassador Rice's comments on the five Sunday talk shows on September 16. I would just like to ask you a series of questions about that period generally.

Did you have a sense or ever get the sense that State Department spokesperson Ambassador Nuland or anyone else in her press shop was trying to conceal facts for political advantage?

A No.

Q Did you ever have the sense that they were concealing the

truth in order to avoid embarrassment or perpetuate a false narrative about the attacks?

A No.

Q Okay.

What about press officers in the White House? Did you get a sense that they were trying to conceal facts for political advantage?

A No.

Q Did you ever have the sense that they were concealing the truth in order to avoid embarrassment or perpetuate a false narrative about the attacks?

A No.

Q Were you ever pressured to conceal facts about the Benghazi attacks?

A No. And I'd like to add that I'm not particularly easy to pressure. So I just wanted to put that on the record.

Q That's certainly admirable.

Were you ever asked or pressured to conceal the truth about the attacks?

A No. No.

Q Okay. Were you ever asked to perpetuate a false narrative about the attacks?

A No.

Q With specific regard to some of the statements made by Ambassador Rice, you had raised some concern about what was said or your reading of excerpts of what was said. Did anyone ever instruct

you or tell you to be quiet about any of those concerns?

A No.

Q Okay.

Do you have any reason to believe that anyone else in the press shop, whether in NEA or the White House press office, was doing anything other than their best, good-faith effort to determine the truth and convey that information accurately without divulging sensitive information?

A No.

BY MS. SAWYER:

Q Just returning to something you were explaining to us about the region and you indicated -- you specifically mentioned Tunis and the attack on the 14th where personnel were in a safe haven for hours. I think you mentioned Morocco, you mentioned --

A Algeria.

Q -- Algeria.

A Uh-huh.

Q What was your understanding and the understanding within the Department as to what was causing the unrest and what -- you know, we can speak specifically to Tunis -- what caused that, you know, what happened there, what was the cause of what happened there?

A Our understanding in those early days was that there were a lot of grievances in Tunisia, as well, following that revolution. And there were a lot of complaints about the interim government and about the role of the United States, in particular, some Islamist groups

that felt the United States was playing an inappropriate role or that the West was playing an inappropriate role in Tunisia's political transition.

In Tunisia and across the region, there was a lot of discontent because of the anti-Islam video that had been posted, I believe it was the previous week, online and a lot of anti-Muslim propaganda and messages that were floating around online. That created a lot of anger. If I recall correctly, there was a protest that was inspired by a burning of Korans. They harkened back to Pastor Jones in one of those incidents, which was deeply offensive to people.

And there were emerging -- you know, kind of the political changes. And Tunisia, in particular, had weakened security services. I mean, the security services had been singled out for abuse -- police and army -- abuse of citizenry. So they were far more cautious. You know, they were being reorganized, and they were far more cautious about responding. So there was a concern about the rise of Islamist extremist groups like Ansar al-Sharia in Tunisia, as well.

Q And then, in Egypt and Morocco, what was the sense of the unrest there? And what had sparked or triggered the unrest, in particular, you know, kind of, that week of September 11th through the 16th?

A Again, ma'am, I didn't have specific responsibility for Cairo. It was not in our portfolio. I kept an eye on it because I had served there. I had good friends in Cairo, and we are friends to this day.

My understanding of what sparked the specific attack on the embassy was a demonstration fueled, in part, by that video. People were very upset about the anti-Islamic video.

In Morocco, there were smaller protests -- you know, much stronger security services, much more organized government. But there were protests about the lack of an Arab Spring response in Morocco. You know, do we need more reform in our country? Do we need more help for young people in our country?

So there was some concern about the anti-Muslim propaganda online, but there was also concerns about, are we getting anything out of the Arab Spring ourselves? You know, have we had the constitutional reforms? Have we had the jobs, the economic growth that we needed?

So it was just a morass of good and bad things that were motivating people to be very angry in that period.

Q And in discussing that generalized regional unrest, would it have been surprising to you that, in discussing the region in general, that there would have been discussions of protests and protests related to the anti-Muslim video?

A That did not surprise me. That did not surprise me.

Mr. Kenny. With that, I think that concludes our round. We'll go off the record.

[Recess.]

RPTR BAKER

EDTR SECKMAN

[12:22 p.m.]

BY MS. CLARKE:

Q Ms. [REDACTED], I wanted to continue our discussion that in the last hour we left off in early February 2012 talking a little bit about the mission in Benghazi. I just wanted to talk with you a little bit more about the spring of 2012 and the summer of 2012.

A Yes, ma'am.

Q And some of the events that occurred in Benghazi and in Libya.

A Yes.

Q Were you aware of some of the incidents that occurred at the mission in Benghazi. For instance, the April 5 incident, IED attack, and then the June attacks in Benghazi?

A Yes, ma'am. Our colleagues -- excuse me.

Q Go ahead.

A Our colleagues reported those incidents to us.

Q By "colleagues," are you referring to the principal officer?

A To the principal officer in Benghazi, yes.

Q And when you became aware of those incidents, were there any actions taken within NEA regarding what was happening on the ground?

A Insofar as Washington was concerned, insofar as NEA MAG was concerned, we ensured that kind of our leaders in the NEA office and

the operations center had all of the updates we received as well to ensure there was a familiarity with what had happened on the ground.

Q And were you concerned about the violent incidences that had begun to occur in Benghazi?

A Yes, ma'am. I was concerned, and we kept in very close touch with our colleagues in Benghazi and with Tripoli to keep a close eye on what happened at those times and of the mood on the street following all those incidents.

Q And following those incidents, did you ever have a discussion with an NEA MAG about whether or not there needed to be a pause in the mission or whether or not the mission should close, given the number of incidences that had occurred in Benghazi?

A Ma'am, could I ask you to specify which incident?

Q Following -- so you have the April attack, and then subsequently there are additional incidences that aren't necessarily against the mission, but then there is the June attack against the mission as well as the U.K. Envoy attack. Following that particular incidence, were there any discussion between yourself and others in NEA MAG about whether or not the mission should pause to assess the security environment or whether or not the mission should close?

A Yes, ma'am. We had discussions within my office. So, as you know, there were a series of incidents, and in June we had an talk on the U.K. Ambassador and some damage to the wall at our mission in Benghazi, and we asked the question -- you know we had a 2- or 3-week break between principal officers, and I recall my boss at the time

asking Ambassador Stevens the question like is this a good time to take a break, reassess, see how security is playing out in Benghazi. So that discussion was had, or there was an email exchange with post about that issue in June.

Q And did you take advantage of the natural pause in the break between the principal officers?

A As I recall, we did, ma'am, for several weeks.

Q And was there an assessment done regarding the security environment and the decision to determine whether or not the principal officer should return?

A I don't recall specifics, ma'am. I would direct you to Diplomatic Security for specifics of an assessment. I don't remember.

Q Was there anything relayed to you that you were aware of was relayed to Mr. [REDACTED] about whether or not the concerns had been, the concern that there was a decline in the security environment had changed, whether that had improved? Since you had asked for a pause, why was there a decision to continue to send the principal officers to Benghazi?

A Yes, ma'am. Our understanding, my understanding of the situation at the time and what we were getting from our colleagues in Libya was that the east was very unpredictable. There were security incidents, but they weren't tied to one specific focus, or they weren't tied to anti-Americanism. It was a degraded security environment in part because the whole country was undergoing a lot of uncertainty following -- you know, there was an interim government; there was an

election, you know; figuring out what next steps were. Again, I don't recall specifics of a security assessment at the time.

Q Do you recall any other discussions within NEA MAG about whether or not there should be any additional pauses or breaks in between the principal officers to again reassess the environment in late July or early August?

A No, ma'am, I don't recall that.

Q Did you express your concerns about the security environment to anyone outside of NEA MAG? Following the June attacks, did you relay any of your concerns to maybe Diplomatic Security counterparts or anyone outside of NEA MAG?

A I don't recall.

Q Did you have any concerns about the number of Diplomatic Security agents that were going to Benghazi during that timeframe?

A I don't recall specifically.

Q Following, we discussed exhibit 4, which was in the February timeframe, and there was some discussion in that exhibit about Diplomatic Security not providing the number of DS agents that had been indicated would be provided. Did that issue continue to occur throughout the remaining of the spring and the summer of 2012?

A I recall that -- again, I don't remember specifically. I recall that throughout that entire period, that summer, the issue of staffing both on the DS side and on our side, on the policy side, remained a challenge because of the TDY nature of the assignments, but I don't recall specific numbers.

Q If there were concerns by the principal officer regarding whether or not they were able to conduct movements, et cetera, because of the number of DS agents that were present, they would have relayed those concerns to you, correct?

A Yes, on several occasions, principal officers replayed concerns to NEA MAG about their ability to move.

Q And outside of exhibit 4, where you are proposing talking points to [REDACTED] about the information that could be shared to the front office and potentially to M, did you have any discussions with your counterparts in DS about the number of TDY DS agents that were going to Benghazi?

A I don't recall specifically, no.

Ms. Clarke. I'm going to mark this as exhibit 5.

[REDACTED] Exhibit No. 5
was marked for identification.]

BY MS. CLARKE:

Q And if you'll take a moment to look at this?

A Yes. If I could have a moment to read through this, ma'am.

Q Sure.

A Yes, ma'am.

Q For the record, this is document No. C05390124, and it's an information memo for the Secretary, dated August 17, 2012. Do you recall this memo?

A I do recall this memo, ma'am.

Q And did you participate in drafting this memo?

A No, I did not draft this memo. One of my colleagues did, and I cleared the memo.

Q And when you say "you cleared the memo," what does that mean?

A What that means in our context is that we review the information in the memo and make sure the drafters included all the relevant information and also that it reflected, you know, kind of our priority concerns. Information memos for the Secretary are not meant to be laundry lists or exhaustively long. They are meant to be key issues, priorities, topic information the Secretary needs to know.

Q And what were your priority concerns expressed in this memo?

A Our concerns here was making sure that there was an understanding of the, you know, kind of the spike in violence in the east, but also kind of the context. You know, the lack of the new government's ability to consolidate security services, competing elements still present in the country, you know, causing some instability. It was key to kind of convey it is an unsettled situation, but there is not one specific driving factor driving instability. There are many sources that are contributing to this, following the election.

Q And do you recall what prompted this memo to be drafted?

A No, I don't recall specifically.

Q Was it typical to send an information memo? Was that a recurring type of way you relay information on a quarterly or a monthly basis, or were they sporadic and usually prompted by some event or some request by the front office in NEA perhaps?

A Yes. So, in general, information memos are not like decision memos where you're asking the Secretary or another Under Secretary to take a specific action. We sent them fairly regularly on countries where there is a lot of change. So it is very normal to send an information memo to update the Secretary and senior leaders after an election when there is a significant change in a political or security situation. So this is in line with that. We had an election that had happened in early July, and we wanted to make sure the Secretary was aware of the different elements in place following the election. The security services had not consolidated. The government was still struggling to pull things together following the election.

Q Following the election, did you have any discussions with post about their view of how the security situation was shaping, given the government's inability to kind of coalesce the different security elements?

A May I ask you to specify? You're asking me if I had conversations with Tripoli?

Q With anyone in Tripoli or even anyone in Benghazi about their view of what was actually happening on the ground.

A So what our -- I recall that throughout the summer that both Benghazi and Tripoli were sending frequent updates, frequently daily emails and occasional cables on what their context, what different influential people in Libya were thinking about the security situation, about the political situation, so that post was updating us really

regularly with their reporting.

Q Were there any additional requests for security equipment or security personnel as a result of this information?

A I don't recall specific requests for equipment or additional personnel.

Q Would you have been aware of such requests?

A Yes. Ordinarily, I would have been copied by email, of course, because we love email in this institution, on requests that would have gone to the executive office of NEA.

Q Once this memo was submitted, did you receive any requests from seventh floor principals or even from NEA office to follow up on the information that was provided?

A I don't recall a specific request, ma'am.

Q I think in the last hour there was a discussion about your view of whether or not it was necessary to have a presence in Benghazi, and you talked about at least through a short-term and a midterm presence.

A Yes, ma'am.

Q In August or in the fall of 2012, was there any discussion within NEA MAG or between NEA MAG and post about the view of whether or not the presence of the mission in Benghazi should continue past 2012?

A Yes, ma'am, there was. There was an email, a communication with Ambassador Stevens, laying out the case for continuing the mission in Benghazi beyond the end of 2012, and I don't recall exactly the full

depth of kind of all of the elements of why, but there was a concern that because the government was not consolidated, there were still a lot of factions in the south, in the east, in the west. There were a lot of -- there was a lot of churn across Libya. There were a lot of U.S. interests that we wanted to make sure we could effectively represent on, and the Ambassador made the case at the time that we needed to remain present and very involved in Benghazi to understand what's happening in the east. It's not enough to cover it from the capital.

Q Did you and others within NEA MAG agree with his recommendation?

A Yes, we did agree with his recommendation. At the time, he laid out a very good case. I think that and my opinion as the Deputy Director was there's a lot of resources involved in setting up a permanent presence anywhere or asking for or figuring out how long you needed to be somewhere, so my opinion was really important now that we're there, that we can be there, that we can do this important work. Not sure how long we're going to need to be there. It may be in 5 years, things will be very settled, and we can work very effectively out of an embassy. So my thing at the time was the Ambassador is absolutely right. There is so much happening now; we need to understand this and be present, and I'm going to keep saying, show the flag, because it meant a lot that we were there, and we were present and trying to influence events. It was my personal opinion that we couldn't predict into the long term how long we would need to have a presence there.

Q So once Ambassador Stevens had laid out the case for a more

permanent presence in Benghazi, what would be the natural next steps for there to be a decision whether or not to actually approve a permanent presence in Benghazi?

A There's no one process, ma'am, but his request would have prompted and did prompt, I believe -- I don't recall exactly -- but should have prompted a discussion with our executive office and with the Bureau leadership and then moving on to the other relevant parts of our team, obviously Diplomatic Security, obviously the intelligence community and the interagency parts that would be involved in deciding, do we need to be there in the longer term, and how do we do it?

Q And do you recall if there was a discussion with Diplomatic Security about extending the presence of the mission in Benghazi?

A I don't recall that, ma'am.

Q Do you recall if anyone within NEA MAG or the larger NEA Bureau disagreed with having a more permanent presence in Benghazi?

A I don't recall a disagreement.

Q So fast forwarding in time to after the attacks, were you ever asked to provide documents to the Accountability Review Board that was stood up to look into the attacks?

A Yes, ma'am.

Q And did you, in fact, provide those documents?

A Yes, yes.

Q And were you ever asked to review documents of any other individuals who provided documents to the Accountability Review Board?

A May I ask you to clarify your question?

Q Were you asked to look, to review, or sift through documents that other individuals may have gathered to provide to the Accountability Review Board?

Ms. Safai. So you're specifying only to the Accountability Review Board? Can you give us a timeframe maybe that you're thinking about?

BY MS. CLARKE:

Q So just to step back, did you ever collect documents that you may have had possession of in response to requests for documents?

A I responded to the request for documents, and I sent that forward.

Q And then did you ever assist other individuals in collecting documents and reviewing those documents in response, the request for documents?

A I never assisted in collection of other documents. I did assist in a document review in early October. It was my understanding this was the document production for the ARB.

Q And you said that you recall that this happened in early October, and your understanding was that this was a document production for the ARB?

A Yes. If I may clarify, I believed it was for the ARB and potentially other subsequent purposes, but I wasn't sure kind of the length of what exactly the document production was going to be used for.

Q And how do you recall that happened in early October?

A So, yes, I received a call from our Principal Deputy Assistant Secretary in NEA. It was Columbus Day weekend. I recall it because I changed my plans for the weekend very quickly as a result of her request. And she noted that I believe it was a group in H, was the Legislative Affairs Bureau, was reviewing all of the -- was preparing documents to be provided for, I thought it was the ARB, and then whatever subsequent use, presumably congressional review or whatever the case may be. But I wasn't sure. They were going through the documents for release, and she said could I join the group the following day and look at, you know, kind of looking whether we needed to redact any sensitive information. That was my role to help in the release of those documents, and she indicated that night, you know, depending on how big of a task it is, could you help me setting up a work flow like other officers from NEA who could be involved in, you know, going through and looking for sensitive information that we might recommend for redaction.

Q And you said, you recall that it was Columbus Day weekend?

A Or close to Columbus Day weekend, because I had plans [REDACTED] that I cancelled.

Q And so you cancelled plans. Did this document review occur on the weekend, during the weekend?

A Yes. It had started before that weekend, but DAS Dibble learned of it, or she realized there wasn't an NEA participant on that Saturday, so she called me and I went in the following morning, yeah.

Q And did you go any other days other than that Saturday

morning? Were you also there on Sunday? Did you continue on Monday?

A I went in on Sunday and Monday and then through that first week, and then I helped develop a rotation schedule for other colleagues from NEA to kind of make sure we had an NEA colleague. There were colleagues from DS and IRM. You know, other subject matter experts were in the room as well, kind of looking and looking at documents for I can't recall how long that lasted, but I helped develop the work schedule.

Q So when you arrived on Saturday --

A Sunday, Sunday, ma'am.

Q So you did not go on Saturday?

A Saturday night is when Deputy Assistant Secretary Dibble called. I remember because I had plans [REDACTED] the following day.

Q Okay. So you arrived on Sunday. Do you recall the number of people that were participating in this document review?

A I don't recall.

Q Do you recall any particular individuals that were participating in this document review?

A No. Just that I knew there were colleagues from DS. There were colleagues from IRM. There were colleagues from H.

Q And you said that you helped assist in putting together sort of like a workflow to ensure that there was always an NEA representative during this process?

A Yes, ma'am.

Q Do you recall how long the process of reviewing those documents took?

A I know that it lasted into November. I don't recall how long overall it lasted.

Q And did you ever have another opportunity, other than the first Sunday on Columbus Day weekend, to participate in reviewing those documents?

A Yes. I believe, if I recall correctly, I was there the whole first week, through Friday or the next Saturday.

Q And then following the whole first week, did you participate in this document review following that?

A I might have one or two times after that, but I was so busy in NEA MAG, our other colleagues throughout NEA stepped up. Every other NEA regional director stepped and offered us desk officers to help us cover that duty so that myself and NEA MAG could focus on our core job.

Q Can you explain when you arrived on that first Sunday, can you kind of walk us through how the process was developing? Was there someone who was in charge of reviewing and did they provide instructions to you and to other people about what specifically you were reviewing?

A If I recall correctly, and it's my understanding that H was in charge of this, we were doing this down in the A Bureau, and my guidance was, you know, we're going through -- my guidance was we need an NEA subject matter expert to explain to folks in the room who were not Foreign Service officers what do certain things mean, like what

is a SITREP? Literally, what is a diplomatic cable? Why did post send this email? So it explained, okay, the political officer met with a representative of an American company who was interested in doing business in Libya. He didn't know how to go about it because there is an interim government. He was asking for mission's thoughts on, is there an economic ministry? Who does one engage to get whatever, start a new business, for example, or to resuscitate what they had before? So I would tell them, this is perfectly normal. It's something we do all around the world is meet with American business representatives and talk about local conditions, risks of doing business in a country or whatever. That was partly my role, was explaining like: Here is what we do at an embassy. Here is what this post was doing. And, you know, recommending like: Okay, this is a private American business person, or this is a Libyan activist. These are names that I would recommend be redacted if materials are going to be made public because you don't want to endanger people who continue to live in Libya or need to do business in Libya.

Q And you said it was your understanding that H was in charge. What were you basing that understanding on?

A To be honest, I knew it wasn't the A Bureau that normally does FOIA requests. I thought there were staffers from H that were helping organize us. That's what led me to believe that it was H who was organizing.

Q You also said you received guidance about looking for things that should be redacted. Who gave you that guidance?

A I don't recall exactly who. It was when I arrived, you know, people like: Here, this is the document production. We want your expertise on what things mean, and if there's issues here that you have with if something is publicly released, what would you be concerned about being publicly released? That was my role.

Q You said that you arrived on Sunday morning?

A Yes, ma'am.

Q Was it your understanding that this document review had already been taking place, or was Sunday morning the first day that everyone had begun reviewing the document?

A It was my understanding from PDAS Dibble the previous evening. She's like: You know, this has started. They just realized they didn't have an NEA person.

And of course, they called me, and of course, I said yes. Of course, you need an NEA person to explain if there's substantive questions and to help determine what's sensitive, what should be redacted if it's publicly released.

Q Do you recall whether there was an indication about how long this process had been going on before the NEA person arrived?

A I don't recall, but it was my sense that it was pretty new. "New" meaning a couple of days. I didn't have the sense that it was, you know, really well-established, but I'm not sure.

Q So you worked from, you indicated you worked from Sunday through the following Friday?

A Or the following Saturday up to the next weekend, if I recall

correctly.

Q And that was my question. Did the document reviews continue throughout the weekend to your knowledge through the rest of the process?

A I don't recall. I think there were limited hours. I think they did long days during the weekday and limited hours during the weekend. It was mainly on the weekdays.

BY MR. MISSAKIAN:

Q Just a few followups. I just want to understand the chronology. If I understood you correctly, Liz Dibble gave you a call on Saturday night and asked you to participate in this document review?

A That's correct. Yes, sir.

Q As best you can recall, what did she tell you about the nature of the review and your role in it in that first call?

A I think she wasn't completely clear. She was like: This is, they're looking at the documents that everyone has contributed for the document production, and they realized they didn't have an NEA person in the room, and they realized we need subject-matter experts from the kind of people that would be at post. And they wanted expertise of people who work in NEA, in DS, and IRM. She's like: Can you start it off tomorrow and then help me if this has got to continue? Let me know what you recommend in terms of any representation. I'll back you up. I'll make sure we have a roster of people to help carry this task on if it needs to continue. I don't recall, and understanding initially was that I likened it to a FOIA request in that when we're

reviewing, when the A Bureau sends us things for FOIA review, we look at documents, and we say, okay, what has national security or sensitivity, or what would we recommend be redacted before public release of a document?

Q Did she give you any specifics about the type of information that would be considered sensitive in the documents you were going to be reviewing, or did she rely on your past experience?

A I think she relied on, you know, trust your judgment. I do recall calling on her the following day or my DAS, who was Ray Maxwell, speaking to them the following day to say one of my concerns personally was that I thought it was appropriate to redact the names of drafting officers of junior officers at post, everybody below the level of Ambassador. Ambassadors are confirmed by the Senate. They're a very senior rank. They have a public presence. Other more junior people at post ~~from the State Department~~, I thought their names and phone numbers and titles should not be included and should be redacted. That was my recommendation, and it continued to be my recommendation. I don't know if that's ultimately what happened or not.

Q So did anybody, putting Ms. Dibble aside, did anybody give you any guidance on what type of information would be considered sensitive and that should be redacted or protected as well?

A No. We looked at the FOIA guidance, and I forget exactly what that is now, but to the best of my recollection I was going over what is sensitive in terms of where it would compromise U.S. interests,

what is deeply sensitive because the individual mentioned is a private citizen, whether they're American or Libyan. We knew that the security situation following Ambassador Stevens and our other colleagues, the attack on the mission, was very difficult. So like these were, there were cables and emails that included information from our contacts who were still in Libya. You don't want to expose people to harm if it's known that they're talking to American diplomats, right. There's a sensitivity there, like we saw after WikiLeaks. So it is what can harm us, U.S. interests, and what could harm individuals, or what is not germane as well.

Q Explain that to me. Did you on your own initiative go get the FOIA guidelines and apply those guidelines in your review of the documents, or was it somebody that was part of this broader team provide those guidelines to you and say, "This is what we should be following"? How did the FOIA guidelines make its way into this review?

A I don't recall exactly. It was either -- honestly I don't recall. I don't recall if I looked at it that morning on my own volition or if it was provided in that first day.

Q One thing I'm just not understanding is if your belief was these documents were going to the ARB, in other words, this was an internal panel constituted by the Secretary of State, the documents were not going to be released publicly, why would the FOIA guidelines be relevant to what you were doing? Why would you use those guidelines to protect information that was going to the ARB?

A Sir, if I can recall my --

Ms. Safai. Do you want to clarify?

Ms. [REDACTED]. As I clarified, I didn't know what the ultimate document production, whether it would be just ARB or subsequent to other investigations, other government investigations.

BY MR. MISSAKIAN:

Q If you disagree with me, just tell me. If they were just going to the ARB, then the FOIA guidelines would not be relevant. Correct?

A That's right, because presumably the ARB would keep it in house.

Q Correct. So were you preparing two sets, one for the ARB, and one that might potentially be released to the public?

A No, not to my knowledge were we preparing two sets. I was not completely clear on the purpose of this document review, but my limited understanding was this was a document review for ARB and any other investigations of the incident.

Q To your knowledge, did the documents that the ARB received, did they have FOIA redactions in them, or were they clean?

A I don't know, sir.

Q You don't know one way or the other?

A I don't know.

Q Okay. Take us through the process of how you did this review physically. In other words, did you look at documents on a computer? Did you have a stack of physical documents? How did you do the review?

A To my recollection, I had a stack of physical documents and highlighters, and I highlighted any information that I thought should be redacted, and then I wrote on a sticky note, if I recall correctly, the reason for the redaction, either name of private citizen, name of junior USG official, not germane. And there were a lot of emails in these piles of paper that were a cable about, you know, I can't remember exactly, but things that were not relevant to Benghazi in any way. There was a cable from Tripoli about, you know, economic roundtable in Tripoli, whatever, a few months before the attacks. It didn't seem germane to our operations in Libya.

Q So when you suggested that information should be redacted that wasn't germane, were you, again, applying your own personal standards, or were there common standards that everybody was applying?

A I was applying my understanding as the NEA person.

Ms. Safai. Can we get one second? I apologize.

Mr. Missakian. Sure. Do you recall the question?

Ms. [REDACTED]. I believe if you could repeat the question.

BY MR. MISSAKIAN:

Q Sure. It sounded like at some point you suggested that information should be redacted based on what I would refer to as relevance?

A Yes.

Q So, in your mind, relevant to what?

A And, again, my responsibility was just recommending production. There wasn't anything else.

Q I understand.

A It was my standard as the NEA person at the table was, is this relevant to the way we operated in Libya, to kind of embassy and special office operating to attacks of the security situation, and there were documents in there, there was an email of, you know, holiday closing schedule for example; or the kitchen; somebody had copied someone on kitchen equipment for the Embassy. There were things like that that did not seem germane.

Q Did not seem germane to the issue --

A To me as an NEA MAG officer.

Q These are documents that you're not going to be using. These documents are going to be going to the ARB and possibly to others?

A Right.

Q I'm just trying to understand how you decided what was relevant and what wasn't. Was it as broadly as saying you were going to suggest redacting everything that did not relate to security at the facility, or was it some other standard?

A My recollection, sir, of the standards was anything to do with embassy and mission operations, day-to-day operations, anything to do with the wider security situation in Libya at the time, and anything to do specifically with the attacks in Benghazi. If I recall correctly, because I haven't thought about this in some time, those were the standards I was applying.

Q Right. And where did you get those standards?

Ms. Safai. If you remember.

Ms. [REDACTED]. I don't remember, no. I'm sorry.

BY MR. MISSAKIAN:

Q Do you have a sense of whether you personally reviewed all the documents that were being produced, or did you just review a subset of all the documents that were being produced?

A I reviewed a subset.

Q Approximately how many documents?

A It felt like millions at the time, millions of pages of email. I don't know, sir. I was there for about a week.

Q Okay. As best you can, can you recall the types of information that you suggested should be redacted from the documents that was --

A Yes, sir. I was primarily focused myself on redacting names and titles of individuals who were private citizens, either Libyan, American, U.N. staff, other internationals who were in Libya doing work, because they were talking to American diplomats. That's a sensitive thing that could endanger people if that's generally known in some circumstances. So that's primarily what I was recommending redacting. And then I also recommended redacting the names of junior people who were drafting emails or cables as well.

Q I'm sure you're aware of some allegations made by a gentleman by the name of Ray Maxwell regarding the review of documents that were produced to the ARB. Are you familiar with those allegations?

A If I could specify, sir, what you're referring to.

Q You're not aware of any allegations that he has made with regard to the review of the documents produced at the ARB?

A I'm aware of an article with an interview with DAS Maxwell, but I don't recall specifically what the content of the article was.

Q Have you ever read the article?

A I did, about a year ago, but I don't recall anything specific.

Q I haven't read it in a while either. My best recollection is that his allegation is that you participated in a review of documents that were being produced to the ARB, and in the course of that review, removed documents that might be, for lack of a better word, embarrassing to the State Department?

A That is not accurate. People can correct me if that's not an accurate summary.

Mr. Snyder. I don't know if he specifically alleged that she removed.

Ms. Safai. Right. I don't know if there were any names in there.

BY MR. MISSAKIAN:

Q If there weren't any names, I'll withdraw that part, but that's the allegation, that documents were removed from documents produced to the ARB. So you are aware of that allegation generally?

A I recall reading the article. I recall that he touched on document production. I don't recall exactly what was in his statement.

Q Let's just go into some of the specifics then.

A Sure.

Q In the course of the review of the documents you did, did Raymond Maxwell ever, was he ever there with you during that review?

A Yes, sir. He visited on the Sunday. I let him and [REDACTED] and the Libya desk officers -- [REDACTED] was the office director. He was in Libya at the time. He was on temporary duty in Libya helping after the attack. I let them know, look, Liz asked me to do this. I'm going to start helping, and I'll probably call on the desk officers and others to help as time goes by. He's like, can I help in any way? Can I drop by? I'm like, yeah, please. He dropped by to see what was going on, [REDACTED], so he was checking in with me to see how I was doing.

Q Is that the Sunday immediately after the Saturday where you spoke to Liz Dibble and she asked you to do this?

A Right. I got in on Sunday morning, as I recall. He stopped by during the day on Sunday.

Q Again, I'm not familiar with the layout of the State Department. Where were you doing this review?

A It was a room somewhere in the basement of the State Department. I believe it was somewhere in the A Bureau.

Q Can you give me any more details about the room?

A It was a large room with a bunch of computers and desks in it, coffee pots, like a big conference room sort of thing with a lot of computers.

Q Approximately how long did Mr. Maxwell stay with you that

day?

A I don't recall. It wasn't very long, maybe an hour.

Q About an hour?

A Maybe half an hour, maybe an hour.

Q Under an hour?

A Yeah, if I recall correctly.

Q Was there anybody there with you at the time when Mr. Maxwell showed up?

A I mean, there were other people around us, but I don't remember who exactly.

Q Do you know the name [REDACTED] (ph), I believe his name is?

A Yes. [REDACTED] was one of my colleagues in NEA MAG.

Q At any time did Mr. [REDACTED] (ph) take part in this document review?

A I don't recall.

Q It's possible, but you don't recall?

A It's possible because we set up an NEA roster of desk officers to come in and help, but I don't recall if he was one of the people that supported.

Q Was he in NEA at the time, Mr. [REDACTED] (ph)?

A Yes, he was.

Q What was he doing at the time?

A He was our regional desk officer in NEA MAG, meaning he was supporting all four country desks and looking at transnational issues.

Q After you reviewed the documents that you reviewed and you made your highlights and wrote your notes, did you see them after that?

A No, I did not.

Q Where did they go, to your knowledge?

A I'm not sure. I don't know where they went.

Q Did you ever review documents on a computer as opposed to a physical copy of the document?

A I don't recall reviewing documents on a computer, only in hardcopy.

Q Tell us the process by which you personally collected the documents that you contributed to this project?

A There was a request to produce documents, and I don't recall exactly. I think that we were given, you know, kind of the general search terms to look for and scan in our computer and files.

Q So you eventually, did you produce a PST file, or did you produce hard copies in response to that request?

A We produced hardcopies in response to that request.

Q So you physically would have identified the documents that were responsive, printed them out from your computer, and then handed that stack over to somebody?

A That's what I recall.

Q Do you believe that's how the document collection occurred for everybody, if you know?

A I'm not sure. I don't know.

Q Do you recall any conversation that you had with Mr. Maxwell

on that Sunday when he stopped by the document review?

A I don't recall our conversation.

Q At any point during the time that Mr. Maxwell was there with you, do you recall either Cheryl Mills or Jake Sullivan stopping by?

A I recall seeing them at other times in the document review room. I don't recall seeing them on that day.

Q So it's possible that they did show up that day. You just don't know as you sit here today. You can't remember?

A Right. Right.

Mr. Missakian. Thank you.

Ms. Safai. Sheria, can I ask you how much you guys anticipate?

Ms. Clarke. Not much longer. In fact, we're finished. I think those are all the questions that we have. Thank you. We can go off the record.

[Discussion off the record.]

Mr. Kenny. Back on the record. The time is 1:17 p.m.

Ms. [REDACTED], again, thank you for your patience today. We're hoping we can conclude with this round, at least our portion of the questions, and then have you back on your way, return you to your post as quickly as possible.

Ms. [REDACTED]. Thank you.

Mr. Kenny. I'd like to pick up where we left off in the last round of discussion about a document review session, a series of document review sessions that is you participated in in the weeks after the attack, and there was a reference to an article that you indicated you

may have read a year or so ago, and we thought it would be helpful if we just went ahead and introduced that article into the record.

This is going to be exhibit 6. There you go.

[██████████ Exhibit No. 6
Was marked for identification.]

Ms. ██████████. Thank you.

BY MR. KENNY:

Q I'll give you a moment to review the article.

A Thank you.

Q Just for the purposes of the record, I'm going to identify this document. This is exhibit No. 6. This is an article dated September 15, 2014 that appeared in the online publication The Daily Signal. It's entitled, quote, "Benghazi Bombshell: Clinton State Department Official Reveals Details of Alleged Document Review," close quote. And according to this article, Ray Maxwell, former DAS for Maghreb Affairs, came forward with a, quote, "startling allegation," close quote, and this is from the first paragraph specifically that, quote, "Hillary Clinton confidants were part of an operation to separate damaging documents before they were turned over to the Accountability Review Board," close quote. You indicated again that you are familiar with this article. Is that right?

A Yes, I am.

Q I just would like to read a portion of it into the record and ask for your response because there are some fairly specific allegations in here. The article describes the document review

session from the perspective of Mr. Maxwell, and I'm going to read from the middle of the page under the section "Basement Operation." The second paragraph there begins, quote, "When he arrived, Maxwell says he observed boxes and stacks of documents. He says the State Department office director, whom Maxwell described as close to Clinton's top advisers, was there. Though the office director technically worked for him, Maxwell says he wasn't consulted about a weekend assignment. She told me, 'Ray, we are to go through these stacks and pull out anything that might put anybody in the [Near Eastern Affairs] front office on the seventh floor in a bad light,' says Maxwell. He says "seventh floor" was State Department shorthand for then Secretary Clinton and her principal advisers. I asked her, 'But isn't that unethical?' She responded, 'Ray, those are our orders,'" close quote.

And I'd first like to ask, there is a reference here to an office director. It indicated that your office director at the time was in Libya?

A That's right.

Q Backfilling at Embassy Tripoli, is that accurate, as the CDA?

A Yes.

Q Is your understanding of this article that Ray Maxwell or that this article is referring to you when it refers to the office director?

A That's my understanding. That's what it appears to be.

Q Okay. And there's a direct quote from Mr. Maxwell that's included in here where he states that you told him that the purpose of the document review was to, quote, again, quote, "go through these stacks and pull out anything that might put anybody in the [Near Eastern Affairs] front office of the seventh floor in a bad light," close quote. Is that accurate?

A No, it is not accurate.

Q And do you know what may have given him this impression that you said these words to him?

A I don't know.

Q Okay. Did anyone ever order you to pull out any information that might put the NEA front office or the seventh floor in a, quote, "bad light," close quote?

A No.

Q And was this review process part of any effort to withhold or conceal information from the Accountability Review Board, to your understanding?

A That was not my understanding.

Q Okay. And we discussed in the last round your understanding of what the purpose of this document review was. You indicated that you were somewhat unclear, but you applied some standards that I think you had through your experience in performing FOIA reviews. Is that accurate?

A That's right, sir.

Q So you had performed document reviews in the past?

A A few limited ones with regard to FOIA requests.

Q Okay. And in those types of document reviews, what sorts of information were you asked to review and flag?

A In the FOIA reviews, you're referring to?

Q Yes.

A We were looking for, as subject-matter experts, information of sensitivity that would be damaging if it was released publicly.

Q So that would include information like the names of Libyans that might be working with the U.S. Government?

A Exactly, or pre-decisional information. If it was information about something that was, the deliberations between government officials before a decision was made.

Q Okay. And you indicated that you applied some of that guidance to this document review, which started on a Sunday and I believe ended within that week for you personally?

A For my purposes, yes. I believe it extended beyond that.

Q And did you apply any other guidelines other than the ones that you describe for us in conducting that review?

A No, that's basically what I was relying on. That's my recollection, but that's it. There was nothing such as what is being implied here.

Q And you mentioned that you had raised a concern that one type of information be redacted, that of the names of junior officers?

A Exactly, the names and their contact information and titles.

Q Okay. Did you make a recommendation for any other type of information to be redacted from the documents you were reviewing?

A Basically, I mean, kind of my memory is most of what I highlighted and recommended for redaction was, again, names of Libyan American, other international contacts that the mission or Tripoli had. That was the bulk of it, yeah.

Q And you mentioned that you performed some limited FOIA reviews in the past?

A Yes.

Q And you applied similar guidelines when conducting this review. Did you have any specific concern about performing the review that you were performing in reviewing for the sensitive information that you were looking for?

A No. It made sense to me. We were preparing information to be released.

Q Okay. And when you say prepared to be released, did you have an understanding that this information would be publicly released?

A No, I did not. At the time, I wasn't clear on where the document production was going, to the ARB, beyond the ARB. But, again, I was thinking about FOIA, and if things are publicly released, would there be damage to the United States Government or to individuals that we should protect.

Q You mentioned it was your belief that the H Bureau had led this effort or was participating in this effort in some way?

A I thought it was H.

Q Can you describe what H is?

A H is the Bureau of Legislative Affairs at the State Department.

Q Would H typically be involved in a process of reviewing documents that would be turned over to the Accountability Review Board, to your understanding?

A I don't know. I've never been involved in an ARB before.

Q Okay. That's helpful. Were you aware that there was a congressional request for information that preceded the convening of the ARB?

A No. I was not aware of that, or I don't recall that.

RPTR KERR

EDTR SECKMAN

[1:30 p.m.]

Mr. Kenny. Returning to the article, one of the implications in what Mr. Maxwell describes here is that you didn't notify him about your weekend work beforehand. The one implication there being that you were probably participating in some sort of covert, possibly nefarious document review. Would that be an accurate characterization?

Ms. [REDACTED]. No.

Ms. Safai. Did you say "accurate" or "inaccurate"?

Mr. Kenny. Accurate.

Ms. [REDACTED]. No, that's not an accurate description.

BY MR. KENNY:

Q And why not?

A I recall notifying not just Ray, but my Libya desk officers and [REDACTED] that I'm like: Look, [REDACTED] called me, and I'm going to be involved in this, and I'll probably have to rope more people in from any to help as time goes by.

So -- and I can't recall exactly when -- if I emailed the folks that morning or after I arrived, but I let them know.

Q Did you ever receive any feedback or instruction back that you were not to inform others of the existence of this document review?

A No. I know no one listed had asked me to do that; no one in the room asked me to do that.

Q Okay. So you didn't understand this to be some secret operation --

A No.

Q -- that was secretly going to be done?

A Certainly not. No.

Q Okay. And the fact that it was scheduled outside of business hours or began outside of business hours, it wouldn't be fair to then assume that this was done to conceal or hide this activity?

A To be frank, we worked every weekend anyway, so to me -- I don't mean to make light of this. It didn't strike me as unusual.

Q Okay. Also, according to this, there is a direct quote here where Maxwell seems to describe a quote to you.

A Uh-huh.

Q He raises an ethical concern or claims to raise an ethical concern to you. Do you recall him doing that?

A I don't recall him raising an ethical concern, but again, I don't remember the specifics of our conversation, but I don't recall that.

Q Okay. If he had raised a concern about the ethics of the activity, what -- how would you have dealt with that?

A I was not uncomfortable with what I was asked to do in that room, my understanding of what I was supposed to do or the fact that ■ asked me to help out to represent NEA in this process, so I would not -- had he asked me about it, I probably would have said: This seems perfectly normal or this seems like we want to -- we want NEA to be

involved if there is -- if we're looking at information and recommending redactions, then we should be here.

Q Uh-huh.

A Yeah.

Q And do you recall if anyone else, to include people participating in the review whom you may have been working alongside, whether any of them expressed any concerns about the document review?

A No. I mean, again, not to make light of it, people were quite tired. It was the weekend. That was the only --

Q It was a holiday.

A It was griping. It was the holiday weekend. There was a bit of griping. A lot of plans changed that weekend, but that's all I recall.

Q Okay. A little later in the article, I'll direct you to the third page in. The top of the page there, the second sentence reads, "He views" -- quote, "He views the after-hours operation he witnessed in the State Department basement as an 'exercise in misdirection,'" close quote.

A Yes.

Q Do you agree with Mr. Maxwell's characterization here?

A I do not, no.

Q Okay. Again, can you just explain for us? And I appreciate your indulgence.

A No. In terms of what I had done before with FOIA, I mean, there's always a need for subject-matter experts to -- if there's going

to be a document production for any purpose and that could potentially make documents public, you want to make sure that you take a very careful look at what the documents are to protect people or information that could do damage to the United States or could endanger people. That's always something. And I think I'm even more sensitive to that after WikiLeaks, to be frank, what had occurred just a few -- a year before this, you know, the incident in Benghazi.

So we're very sensitive to, you know, if documents are made public, are people going to be endangered, or are there national security issues here that we don't want known?

Q Sure. You were asked in the last round about whether the Secretary's chief of staff, deputy chief of staff, was ever present for a document review session, and I believe you indicated at some point they may have showed up --

A Yes.

Q -- during the week.

A Yes.

Q But you couldn't recall exactly when. This article spawned a series of spinoff articles where the allegation was that Cheryl Mills had somehow ordered the destruction and removal of documents before they were turned over to the Accountability Review Board, and it's a serious allegation, so we'd just like to follow up with you --

A Yes.

Q -- and ask if you have any information or evidence. So do you have any evidence that Cheryl Mills or Jake Sullivan personally

removed or destroyed or ordered anyone else to remove or destroy documents related to Benghazi?

A No.

Q Did you see anyone destroy, remove, or attempt to destroy and/or remove any Benghazi related information?

A No.

Q Did anyone, including the Secretary, ever ask you or order you to remove or destroy potentially damaging documents about the attacks in Benghazi before they were provided to the ARB?

A No.

Q And you had indicated that you did speak with the ARB in the course of its investigation. Is that right?

A That's correct.

Q Okay. Did you ever feel that you couldn't be as forthcoming with the ARB as you wanted or felt you needed to be?

A No, not at all.

Q Okay. Did anyone ever ask or instruct you to withhold any evidence from the ARB?

A No.

Q And this is a more broader question.

A Uh-huh.

Q And we may have touched on it, so I'm just getting at it a different way.

A Sure.

Q But did anyone ever ask or instruct you to withhold

documents or any other evidence in response to a congressional request for information related to the Benghazi attacks?

A No.

BY MS. SAWYER:

Q So before we leave this article, I did just want to ask you a couple of quick questions. My colleague touched on it, but there is, on that front page, a direct quote wherein Mr. Maxwell indicates, quote, "I asked her," meaning you, "but isn't that unethical? She responded 'Ray, those are our orders.'"

You indicated earlier that certainly nothing like what is implied here happened?

A Yes, ma'am.

Q That goes beyond an implication. It actually indicates that you may have engaged in something unethical. What is your response to that potential charge?

A My response to that is it's completely nonsensical and inaccurate.

Q And you would --

A And I would embellish that if there wasn't a court reporter in the room, but this article made me extremely angry.

Q And you indicated earlier in the day, you kind of pointed out in response to another question that, on another issue entirely, that you are not the type of person who would succumb to pressure.

A That's right.

Q Had you felt that someone was asking you to do anything that

was unethical, what would you have done at that point in time?

A I would have, frankly, told that person that I felt uncomfortable and that I needed to consult with my colleagues and that I would leave the process, that I would not participate in the process if I thought there was something wrong with the process, what we were being asked to do.

Q So certainly with regard to this document review, had you felt there was anything unethical or inappropriate, you would have raised that as an issue up the chain?

A I would have raised that, and I would have gotten up to leave.

Q Aside from this article, have you ever heard this allegation from any other source that there was a document review and documents were reviewed for the purposes of determining whether or not it was painting the NEA or the seventh floor in a bad light?

A No, I've never heard that allegation separately. Only in this article.

Q And did Mr. Maxwell himself ever raise this allegation to you, other than when you saw it appear in this article?

A No.

BY MR. KENNY:

Q I'd like to redirect your attention.

A Yes.

Q Back to exhibit 5, which is the information memo to the Secretary, dated August 17th. And, again, in the last hour, I think

you touched on this, but I just wanted to ask if you could explain for us a little bit -- in a little bit more depth, for those of us outside of the State Department -- or bureaucracy, rather, that this is an information memo, and we've seen a series or examples of what I refer to as action memos, and if you could just explain for us what the difference is between the two.

A Sure. An information memo is something that we send up to provide an update, additional background information on a country or a development, you know, the Syria peace negotiations, whatever may happen. A decision memo is you tee up specific decisions for the Secretary or the relevant Under Secretary to -- and you provide a recommendation for each decision you're recommending. Like so, for example, this IM, this info memo, has no specific trigger points or decisions. We're not asking the Secretary to make specific decisions. We are getting her up to speed on what happened following the election.

The decision memo always triggers a kind of decision, a kind of action item with our recommendations inside.

An action memo can be just from one bureau that's cleared through others, or it could be multiple bureaus seeking action.

Q No, thank you, that's a helpful distinction for us.

So if there had been a specific recommendation for the Secretary to take based on the information presented here, that would have been more appropriately packaged in an action memo?

A That would have been packaged in an action memo. That's right.

Q Okay. And my colleagues had asked about some of the specific content in here. I would just like to ask about the -- both the subject line as well as the first line, and also, just to be clear on the record, so this is a -- this document has been recently declassified, so you may see --

A It has been declassified?

Q This is declassified, yes. We're in an unclassified setting.

A Of course, yes.

Q Sure. It's undergone a sensitivity review, so I just want to make sure the record is clear because there are some markings that appear in here.

A Yeah.

Q And so I'd just like to direct your attention to the subject itself is presented as a question, and the very first paragraph begins, quote, "Libya has experienced an upward trend in violence, primarily but not exclusively in the east, since May. It is not yet clear if this trend will reverse itself as earlier ones have over the past year or if in eastern Libya, at least, it constitutes a new normal," close quote.

A Uh-huh.

Q And what I'd like to ask you is, at this point in time, which is the middle of December -- the middle of August --

A Right.

Q -- rather, of 2012, whether it was unclear that the security

situation would naturalize, would improve itself over time in Libya or if it would remain. Is that -- was it unclear at this time what would happen with the security situation?

A It was unclear.

Q Okay. And we'll direct you to the last page -- sorry, the second page, the very bottom, the last paragraph begins, quote, "Despite the worrisome aspects of this increase in violence, there is no coordinated organization behind the incidents," close quote.

I believe you touched on this a little bit in your explanation in the last round, but again, just at this point in time, it was unclear whether the security incidents were connected or linked in any way. Is that correct?

A That's right. That's right.

Q Okay.

Mr. Kenny. So at this point we'd like to introduce what will be marked as exhibit 7.

[██████████ Exhibit No. 7

Was marked for identification.]

Ms. ██████████. Thank you. Is this missing a page? Oh. Oh, I see. Yes, sir.

BY MR. KENNY:

Q And for the purposes of the record, to identify this document, exhibit 7 is an email, dated August 29, 2012, from Gregory Hicks to Ambassador Stevens. Subject line reads, quote, "Draft Benghazi Proposal," close quote. It then appears to contain a 3-page

attachment bearing document No. C05578322-MOA, and again, for the purposes of the record, this is a document that has been recently declassified by the State Department.

I would like to begin just reading the first line of this email, which is from Gregory Hicks. It reads, quote, "Chris: Attached is the draft proposal. It's not quite final, but I think it's close," close quote.

And I'd just ask, what was your understanding of what this proposal was?

A So my understanding, we knew that Ambassador Stevens and post were preparing a memo justification for extending the presence in Benghazi, making it more permanent in some aspect, and it -- this was information that post, we knew, was pulling together to justify, you know, kind of why we needed to remain in the east and what the staffing requirements would be to cover it.

So this includes, you know, kind of the policy justifications as well as a snapshot about what kind of personnel you would need to do this job, and it touches on, you know, the beginning of discussion they were having with DOD on who else would be there.

Q Okay. And this appears to be a draft, as you described.

A Yes.

Q Do you recall that a draft was at one point sent to NEA/MAG? Is that correct? Or submitted by post?

A I remember conversations with post, that they were going to send us a draft. I don't recall -- I don't recall getting the draft.

Q Okay.

A The specific draft from Greg.

Q Okay.

A Yeah.

Q But it's possible that Ambassador Greg may have send it to Director [REDACTED], for instance?

A It's possible, yes.

Q And the date here, this is August 29?

A That's right.

Q So this is a couple of weeks after the information memo is sent up to the Secretary. Is that right?

A That's right.

Q Okay. I would just like to direct -- direct your attention to the third page.

A Uh-huh.

Q And attempt not to spend the --

A The third page of the memo?

Q Third page of the document, so second page of the memo.

Ms. Safai. Peter, can we put on the record that Ms. [REDACTED] name is not on this?

Mr. Kenny. Yes.

Ms. Safai. Did you want to establish --

Mr. Kenny. Of course.

Ms. Safai. -- for the rest of the document?

BY MR. KENNY:

Q That's right. So the email is between DCM Hicks, Ambassador Stevens. Your name doesn't appear on here, but you were aware of discussions ongoing at the time?

A Yes, I was aware that post was going to send us a memo.

Q Okay. And I'd just like to ask, the third paragraph, there's a quote here, reads, quote, "A permanent Embassy branch office in Benghazi would enable us to continue to monitor political activity in this extremely important region in the country. It would allow us a base from which to track Islamist and other extremist terrorist activities at and to develop effective countermeasures against them," close quote.

And what I'm hoping to understand or -- first of all, I'll just ask, do you recall that specific justification ever being made by post to NEA/MAG?

A Not the specific justification. The wider justification of needing to be present to understand security developments in the absence of kind a national army, a national police force, you know, kind of unified security, like what's going on out there that could be of concern.

Q Okay. And the reason I'm asking about this --

A Yeah.

Q And I realize there's a lot of content here, and I keyed in on a specific section?

A Yeah.

Q But --

A Yeah.

Q -- what we're trying to understand is you have an information memo that the desk office, through NEA/MAG, sends up to the Secretary --

A Uh-huh.

Q -- and several weeks later, you see a justification for continuing the presence. One of the things we're hoping to link up is what the understanding of -- at post was of the threat, not just at Main State.

A Uh-huh.

Q And from here, it seems to at least, to us, that there was a desire to continue U.S. presence in Benghazi?

A Yes.

Q Despite the security situation in Libya. Is that a fair reading?

A That's right.

Q Okay. And, in fact, it appears that this memo, at various points, there's references to AQ and AQIM.

A Yes.

Q It does acknowledge that there was a security concern in Libya and eastern Libya.

A And the presence of extremist groups, yes.

Q So one of the things I was hoping you could help us understand is, it may sound a little counterintuitive, but you know, some may want to argue that because you had a challenging security

situation in eastern Libya, that was a reason to close post there; whereas, here, it seems to be the opposite, perhaps somewhat counterintuitive rationale being put forward that we need to be there because of those developments. And maybe you could help us understand, is that -- am I clear?

A If I could ask you sort of to clarify. You're pointing out that there's two contrary opinions.

Q Yes.

A Yes.

Q Yes. So can you help us just explain that other view that is important or why it would be important for the U.S. to be present in an area where there is extremist activity?

A Yes. So kind of my understanding and kind of the our role from NEA/MAG, we were -- we were aware that the Ambassador and our team in Libya were very -- very much understood the balance, you know, how the risks-rewards balance or interests-risks balance that we have to constantly think about for every diplomatic post in the world in a country that's undergoing change.

I mean, it's not Mexico. It's not France. It's a country undergoing significant changes after a revolution where we have a now Rolodex, new contacts we have to make contact with. It's not the normal set of people that you work with as diplomats.

So it was clear to us through, you know, what post was reporting and what the media was reporting, what other, you know, international partners were advising us that there were extremist groups present in

Libya. Some of those guys were connected to Al Qaeda, right. I mean, that was -- some were connected to Islamist groups that had been fighting Qadhafi for a long time but that he had managed to repress pretty violently but that they had risen -- you know, they had a presence, again, following the revolution, as Qadhafi's security services and kind of his repressive rule dissipated.

So the point that -- again, I don't recall seeing this memo in this form specifically until today. I knew it was coming, but the argument is, in addition to kind of the political context and the women leaders and kind of the -- you know, the academics, you are also talking to security services when you're in a country and people that have knowledge of who's doing what in a country.

So it's better to be present and active and listening to what's going on and sharing that information back with Washington, and you know, with Washington's instruction, you know, taking specific actions. That it was worth it to us to be in Libya at this time and in eastern Libya as well as in Tripoli to have a better understanding of the security as well as the other developments.

It is very hard to track terrorism from -- just from ISR, right, just from intelligence resources or just from Washington or just from capitals, yeah.

Q And just to clarify one point. So at this point in time -- and again, this is a few weeks after the info memo goes up.

A That's right, sir.

Q The discussion at post was not whether to close the Special

Mission in Benghazi, but it was to in fact extend it and make it a permanent presence. Is that --

A There was no discussion of closing Benghazi from post. It was all like it is more important than ever that we get a handle on what's going on and that we are influential and present to understand what's going on and to influence what happens in eastern Libya.

Q Okay. So at this point -- and this will just take a few minutes.

A Sure.

Q So I'll ask you to please bear with us.

A Sure.

Q We are going to shift gears a little bit.

A Okay.

Q And I'll preface by saying that this is -- I'll let her ask one more question.

A Yes.

Ms. Sawyer. Give me a moment, and I'll always think of one other question.

Ms. [REDACTED]. Give us a minute, we'll always write another email. Sorry.

Ms. Sawyer. Yeah. Let the record reflect we were just joking.

You know, there have been some allegations. This memo indicates a pretty active effort on the part of the individuals on the ground --

Ms. [REDACTED]. Uh-huh.

Ms. Sawyer. -- to be advocating a particular recommendation to

both keep and then extend the presence.

Ms. Safai. Heather, I apologize. Are you still referring to 7?

Ms. Sawyer. I'm sorry, I'm referring back to exhibit 7.

Ms. Safai. Okay.

Ms. Sawyer. Toward the end of August 2012.

BY MS. SAWYER:

Q You know, there have been allegations that the both presence in Benghazi and the desire to remain in Benghazi did not come from the ground up but instead came from the top down, that it was truly -- that the Secretary of State at the time, Hillary Clinton's desire to be there and her directive to be there, or if not Secretary Clinton, then someone in the White House or the White House National Security Council.

A Right.

Q Is that true? Is that allegation true?

A No.

Q That it was being driven from the top down?

A No, not at all. It was very much, you know, from -- from early -- from 2011 onwards through 2012, it was post really leading the charge and making -- because they were on the ground. They saw how important it was, and they had the hunger to be like: There is a lot going on here. We need to be responsible diplomats and stewards of American interests. We have to understand what's happening. We have to be present to understand what's happening.

And it was not a fun place to live, so it's not like -- I don't mean, again, to make light of this, but we took this very seriously.

And obviously, the Assistant Secretaries and the seventh floor always take seriously the recommendations of our ambassadors because it's not like he was asking to open up a Club Med or something. This was a difficult place in which to work, but it was worth to us to make the case to remain in Libya and to make sure we stay in eastern Libya as well as Tripoli to keep the mission going.

Q And on the very last page of this exhibit 7.

A Yes, ma'am.

Q Down in that bottom paragraph, there's just a mention in the first few -- in the first sentence right there: "The Embassy's facilities manager and," redacted," colleagues, have conducted site surveys in multiple compounds that could properly house a co-located mission."

So in terms of discussing that and just at a high level, not in detail --

A Uh-huh.

Q -- the ability to co-locate different entities from U.S. Government, to me, indicates that enhancing security for folks on the ground --

A Yes.

Q -- was being considered and being considered very seriously, and steps were actually proactively being taken in that direction.

A Yes, ma'am.

Q Was that accurate? Is that accurate?

A Yes, that is absolutely my understanding.

Q So it's not that individuals were unaware of the security challenges or ignoring the security challenges.

A No. They were very much aware, and this memo -- this discussion reflects to me that post was thinking very clearly about the risk-reward, the risk-interest balance, like: If we do this, we will need RSOs; we will push for ^{adequate personnel} ~~publication~~; we will -- you know, these are what we'll recommend to Washington, the steps that we take.

Q So those steps and that discussion was well under way and ongoing at the time that the attacks then occurred?

A It was beginning. It wasn't -- you know, post had just -- and the Ambassador and his team had had the discussion with their interagency colleagues in Libya, and they were coming back to Washington to say -- the Ambassador was like: This is my concerted recommendation of where we need to go forward.

Q And just from a personal perspective, you know, hindsight is always 20/20 vision, but at the time, did you agree with the recommendations that were being made to continue a presence and extend it, you know, with the considerations that were under way, the presence in Benghazi?

A Yes, ma'am. I agreed 100 percent. As I stated earlier, that as a Foreign Service officer and someone who has worked in the Middle East and tough places, you know, I saw the immediate benefit of contact building and being present and meeting people and kind of helping to shape, you know, decisions on the ground or activities on

the ground and pushing American perspectives and interests along the way.

So I agreed with this 100 percent. To be frank, when I -- when they first mentioned this memo to me, and we knew the Ambassador was a strong proponent, but my stomach sank a little bit because there is, bureaucratically, until we had the bureaucratic agreement that this would be extended for a period of time, I knew that the difficulty of staffing would continue, kind of the TDY, the need to pull people from other places. Mainly, I'm ^{on the policy side} ~~a policy sec~~ because that was what I was responsible, not the DS staffing, so I'm like, absolutely, 100 percent, and like 5 percent was like -- you know, to reflect to the court reporter -- 5 percent of me was like: Wow, this is -- we're going to have to think very carefully bureaucratically with our resource people how this would -- how we try to regularize the staffing for this.

So a little bit of me was a scrooge, was uncomfortable, but not for any security reasons, mainly for the bureaucracy itself. The logistics are tough.

Q And despite the fact that you realized that there would be some period of time where those logistics would remain a challenge --

A Absolutely.

Q You still thought --

A Absolutely, 100 percent. This absolutely had to be done, and I believe that to this day, despite our losses.

BY MR. KENNY:

Q And just a moment ago when you were referring to the

difficulties of the TDY, were you referring to that in the context of the December 2011 decision to extend for 1 year?

A No. Well, I was more referring to this, the 2012, the beginning of the discussion to continue to extend because at the end of 2011, when the memo came out, you know, we're like: Okay, we're going to keep this going for a year. It's fine. We've got our game. I know how to do this. I know how to -- who to draw from to do our principal officers and the policy staff.

Q But to be clear, this exhibit 7 is a recommendation to make a permanent post, not to re-extend. Is that how you viewed it?

A Yes, sir. That's what the Ambassador -- it looks like that's what they were setting forth in the cable. Of course, Washington ultimately makes the decision. They take the Ambassador's recommendation into -- absolutely, it's a very strong element of this, but it also takes time to determine that you set up a permanent mission. So in the interim, it doesn't happen overnight.

Q Okay. And this was the beginning of that process?

A This was the beginning of that process. That's right.

Q Okay. So shifting gears a little bit.

A Yes.

Q This will be our last portion of our interview, and I'll just preface by saying that this is the eighth congressional investigation into the Benghazi attacks. It's our intent and hope that it's the last, and we, therefore, have been asking every witness a series of public -- about a series of public allegations that have been

made about the attacks. And while anybody can speculate about the Benghazi attacks, plenty of people have, there is only a limited universe of people who have direct specific knowledge of what happened both before, during, and after the attacks, and so what I'm asking for here is not your speculation, not your opinion but whether you have any firsthand knowledge on these allegations. If not, we'll just move on to the next allegation.

So there's several of them, so it takes a little bit of that time to get through those, but I appreciate --

A I understand.

Q -- your patience. First, 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," close 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 resources to Libya. The

Washington Post Fact Checker evaluated the claim and gave it Four Pinocchio's, 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, I do not.

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

Do you have any evidence that Secretary Clinton misrepresented or fabricated intelligence on the risk posed by Qadhafi to his own people in order to garner support for military operations in Libya in 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 "CIA was not collecting and shipping arms from Libya to Syria," close quote, and that they found, quote, "no support for this allegation," close quote. Those were the unclassified findings from the report.

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

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

A No.

Q Putting aside whether you personally agree with the decision to delay them 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 No.

Q Concern has been raised by one individual 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 materials that were provided to the ARB?

A No.

Q Do you have any evidence 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.

Q I'll ask these questions for documents 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.

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," close quote.

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

A No, I do not.

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

A No.

Q Next. It has been alleged that Ambassador Susan Rice made an intentional misrepresentation 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," close quote, on the night of that attacks and that he was, quote, "missing in action," close quote.

Do you have any evidence to support the allegation that the President was, quote, "virtually AWOL as Commander in Chief," close quote, or quote, "missing in action," close quote, 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 were considering flying on the second plane to Benghazi, were ordered by their superiors to, quote, "stand down," close quote, meaning cease all operations.

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 standdown order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi," close quote.

Do you have any evidence to contradict the conclusion of the House Armed Services Committee that there was no standdown order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi?

A No.

Q Last one.

A Okay.

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," close quote.

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

A No.

Q Do you have any evidence that the Pentagon had military assets available to them on night of the attacks that could have saved

lives but that the Pentagon leadership intentionally decided not to deploy?

A No.

Q Okay.

Ms. Sawyer. Thank you for the time that you've given us today. You came a long way to answer our questions. We appreciate it very much, and I just wanted to give you an opportunity if there is anything that we didn't ask or that you felt would be important to this committee for us to understand or to know, to give you the opportunity to, you know, explain anything further.

Ms. [REDACTED]. Thank you. I have nothing further to offer with regard to the investigation. I think the one thing that I'd like to say, since it's on the record, is that, you know, for better or for worse, I think we're going to continue living and working in a very unpredictable world, and ultimately, our resources come from you, from Congress. And so I'd like to say that as a Foreign Service officer -- and I hope I'll continue to have the privilege to work in positions of greater responsibility. I hope at some point to potentially be DCM or, you know, a leader in a bureau.

It's very important that we have the ability to surge and flex as we need to in the field. It is not just the military that has to surge for crises, but it's also your civilians. That will entail -- I think it's going to be -- it's difficult. We're going to -- and it's difficult for Congress to address these changing resource requests, but it shouldn't be a surprise to any of the staffers here today or

to your Members that this is a very unpredictable world we live in.

We will continue to want to represent the American people and defend our interests in places that change. I have never served in Western Europe, you know. I've never served in a garden post, other than Thailand early in my career, and so I anticipate that I will probably continue to have the opportunity to work on the Washington side and overseas in places that are slightly unpredictable. And we welcome kind of the dialogue with Congress and the flexibility and the resources that we need to change staffing as needed.

And it's a tall order, but we can't predict exactly what's happening in the world, but I believe it's very important that in addition to military intelligence and other colleagues, that diplomats are in the lead in representing the United States and interpreting and shaping what happens overseas, so I -- Ambassador Stevens was an amazing diplomat and an amazing friend, and he understood the Middle East like very few other people.

It was very important that the United States had his leadership there, and there are many -- this is very hard to go through again, but it's worth it that we continue to do this work. And it's very important that we continue to have that dialogue with the Congress on what's needed to make this work possible because, ultimately, the money doesn't come from within the State Department.

So thank you very much, and thank you very much to my colleagues from the State Department as well, and Raeka.

Ms. Sawyer. Well, thank you. We truly appreciate it. You

know, on behalf of all the members of the committee, we thank you both for being here today, obviously, but also for the tremendous service that you have given to the country, that you have pledged -- and it is on the record -- that you will continue giving to the country.

It is very much appreciated, and we certainly do hope that Congress will continue to partner in a meaningful way with the State Department to help continue the really important work that you all do and that you all do on our behalf, as you said, not in garden situations, but in ones that are not garden-like and can be very unstable, so thank you.

Ms. [REDACTED]. Thank you, ma'am.

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

[Whereupon, at 2:10 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 and certified its accuracy by providing the following corrections. These corrections are reflected in the transcript as identified below.

<u>PAGE</u>	<u>LINE</u>	<u>CORRECTION</u>
63	23	Added "Assistant" before "Secretary." Change made by witness.
96	14	"from the State Department" was stricken. Change made by witness.
132	7	Replaced "publication" with "adequate personnel." Change made by witness.
133	9	Replaced "a policy sec" with "on the policy side." Change made by witness.