

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

INTERVIEW OF: JEREMY BASH

Wednesday, January 13, 2016

Washington, D.C.

The interview in the above matter was held in HVC-302, Capitol
Visitor Center, commencing at 9:05 a.m.

Present: Representatives Gowdy, Westmoreland, Jordan, Pompeo,

Brooks, Roby, and Schiff.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

PHILIP G. KIKO, STAFF DIRECTOR AND GENERAL COUNSEL

CHRIS DONESA, DEPUTY STAFF DIRECTOR

DANA CHIPMAN, CHIEF INVESTIGATIVE COUNSEL

CARLTON DAVIS, INVESTIGATOR

SHERIA CLARKE, COUNSEL

KIM BETZ, MEMBER OUTREACH LIAISON

SUSANNE SACHSMAN GROOMS, MINORITY STAFF DIRECTOR/GENERAL COUNSEL

PETER KENNY, MINORITY SENIOR COUNSEL

SHANNON GREEN, MINORITY COUNSEL

LAURA RAUCH, MINORITY SENIOR PROFESSIONAL STAFF

For JEREMY BASH:

HOWARD M. SHAPIRO, ESQ.

WilmerHale

Wilmer Cutler Pickering Hale and Dorr LLP

1875 Pennsylvania Avenue NW

Washington, D.C. 20006



For the U.S. DEPARTMENT OF DEFENSE:

BILL HUDSON, ESQ.

EDWARD RICHARDS, ESQ.



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

This is a transcribed interview of Jeremy Bash conducted by the House Select Committee on Benghazi. This interview is being conducted voluntarily as part of the committee's investigation into attacks on U.S. diplomatic facilities in Benghazi, Libya, in September 2012, and related matters pursuant to House Resolution 567 of the 113th Congress and House Resolution 5 of the 114th Congress.

Sir, could you please state your full name for the record?

Mr. Bash. Yes, sir. Jeremy Bash.

Mr. Chipman. Jeremy Bash.

On behalf of the committee and Chairman Gowdy, we appreciate your time and willingness to come in and talk to us today. My name is Dana Chipman. I'm a counsel on the committee staff. I'll ask everyone in the room to introduce themselves as well at this point.

Chairman Gowdy. Trey Gowdy, South Carolina.

Mr. Schiff. Adam Schiff, California.

Mr. Pompeo. Mike Pompeo, Kansas.

Mrs. Brooks. Susan Brooks, Indiana.

Mr. Richards. Ed Richards, DOD Office of the General Counsel.

Mr. Hudson. Bill Hudson, DOD Office of the General Counsel.

Mr. Shapiro. Howard Shapiro, WilmerHale.

Mr. Bash. Jeremy Bash.

Mr. Kiko. Phil Kiko, committee on the majority.

Mr. Davis. Carlton Davis. I'm with Chairman Gowdy.

Ms. Clarke. Sheria Clarke with the majority.

Ms. Sachsman Grooms. Susanne Sachsman Grooms with the minority.

Ms. Green. Shannon Green with the minority staff.

Ms. Rauch. Laura Rauch with the minority staff.

Mr. Kenny. Peter Kenny with the minority staff.

Mr. Chipman. Thank you.

I'd like to go over some of the ground rules and explain how the interview will proceed. Generally the way the questioning proceeds is that a member from the majority staff will ask questions first for up to an hour and then the minority will have an opportunity to ask questions for an equal period of time, if they so choose.

We will also take a break whenever convenient. This can be after every hour of questioning, after a couple of rounds, whatever you prefer. During a round of questioning, if you need anything -- a glass of water, use of the facilities, to confer with counsel -- please just let us know and we'll go off the record and stop the clock.

As you can see, we've got an official reporter transcribing this interview. So we ask that you give verbal responses to all questions, yes and no, as opposed to nodding your head. I'll ask the reporter to jump in if you do respond nonverbally. Do you understand that?

Mr. Bash. Yes.

Mr. Chipman. Also, I will try to not talk over you and ask that you try to do the same so that we can get a clear record. I would ask that you answer all questions in the most complete and truthful manner possible. We will take our time and repeat or clarify questions if necessary.

If you have any questions or if you do not understand any of our questions, please let us know and we will give it another try. If you honestly don't know the answer to a question or do not remember, please indicate that as your response.

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

Mr. Bash. Yes.

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

Mr. Bash. Yes.

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

Mr. Bash. Yes.

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

Mr. Bash. No.

Mr. Chipman. Okay. That's the end of my preamble. Does the minority have anything to add at this point?

Ms. Sachsman Grooms. I just wanted to thank you for coming in voluntarily.

Mr. Bash. Thank you.

Mr. Chipman. The clock reads 9:08, and we'll get started with the first hour of questioning.

At this point, I'd like to introduce as exhibits 1 and 2 a timeline

[REDACTED]

of key events and decisions.

[Bash Exhibits Nos. 1 and 2

Were marked for identification.]

Mr. Chipman. It's a product prepared by the Republican committee staff. It's not an official DOD timeline. And I would like to also introduce an email dated September 11, 2012. It's sent by you at 7:19 p.m. And so I would like to have those marked as our first exhibits and passed out.

Ms. Sachsman Grooms. Dana, for the record, which one is exhibit 1 and which one is exhibit 2?

Mr. Chipman. Exhibit 1 would be the unclassified timeline of key events and decisions. Exhibit 2 would be the email reference.

Ms. Betz. The whole chain?

Mr. Chipman. The whole chain. And, again, that chain consists of two pages. Exhibit 2 consists of four pages, pages 11 through 14. It's for select committee use only. This was produced by the Department of Defense in an email production on January 7 of 2016.

And at this point, I'll turn it over to Chairman Gowdy for questions.

Chairman Gowdy. Thank you, General.

Mr. Bash, thank you for coming in voluntarily. And I also want to compliment your counsel, who is very easy to work with.

I'm going to ask you a series of questions. If any of them strike you as trick questions, either I haven't asked it correctly or you haven't heard it correctly, because these are not trick questions. I'm

[REDACTED]

[REDACTED]

trying to find out what you know. You are an important witness, and you have information that the committee would benefit from. And I'll start chronologically and go that way to the extent I can.

When did you learn of the attack in Benghazi?

Mr. Bash. On the date of the attack. Are you asking precisely what time?

Chairman Gowdy. Yes, sir.

Mr. Bash. My recollection is that as the Secretary of Defense, Secretary Panetta, was preparing to leave for a prescheduled meeting with the President in the Oval Office -- he and the chairman had a weekly regular meeting with the President -- he was kind of getting his things together and getting ready. I don't precisely remember what time that was, but it would've been, you know, some period of time that accounts for travel time over to the White House.

And I have a general recollection that General Kelly, who was the senior military assistant in the Office of the Secretary of Defense, sort of my military counterpart, if you will, was telling the Secretary, as he was gathering his things up, that he had gotten an initial report of an event at the U.S. facility in Benghazi.

And what I specifically recall from that quick initial take briefing were two things that kind of stuck in my mind. One is, I remember General Kelly talking about a fire, and I remember there was discussion about a fire at the facility. And then I recall him stating something about the Ambassador was unaccounted for or possibly missing or possibly a hostage.

[REDACTED]

And those were the two things that kind of have endured in my memory from more than 3 years ago as the Secretary was getting ready to go to this meeting at the White House.

Chairman Gowdy. And that meeting was scheduled for 5 p.m. Is that your recollection?

Mr. Bash. Yes. Yeah, that's my understanding. That's my recollection.

Chairman Gowdy. All right. So this conversation necessarily would have taken place at some point prior to that?

Mr. Bash. Yeah. Probably around 4:30 or 4:25, you know, somewhere in that timeframe. I sort of have a general recollection the Secretary was packing up his things to go.

Chairman Gowdy. All right. And were you part of the conversation or were you just in a position to overhear the conversation?

Mr. Bash. My general recollection, it's not totally clear, but was that we were in the hallway or the Secretary's door was open and I was standing there. So, I mean, I was certainly more than within earshot, but I was part of a group of, you know, a few people who were helping get the Secretary ready to get out the door.

You know, sometimes when you kind of run into a meeting your staff is kind of getting around you, telling you a couple things as you leave.

Chairman Gowdy. And you have -- and I don't want to put words in your mouth -- but you have specific recollection of hearing about a fire and perhaps some uncertainty as to the whereabouts of the

Ambassador?

Mr. Bash. Yeah. I recall General Kelly mentioning those issues.

Chairman Gowdy. What else, if anything, do you recall in that initial first hearing about Benghazi?

Mr. Bash. I can't recall what I knew at the time versus what I've obviously since learned and read a great deal about since then and analyzed since then, but those were the things that are in my mind from that initial SITREP.

Chairman Gowdy. Did you ask General Kelly any questions, or do you recall Secretary Panetta asking any questions?

Mr. Bash. I don't really specifically recall what happened after General Kelly gave him the quick update. It's probable that there was some quick back-and-forth conversation: Keep me posted, you know, let's learn more or find out more, stay on top of this. But that would be Secretary Panetta's general mode.

Chairman Gowdy. And then what happened next?

Mr. Bash. With regard to me or with regard to Secretary Panetta or --

Chairman Gowdy. Both, if you know.

Mr. Bash. Secretary Panetta went to the White House and had the meeting with the President, along with the Chairman of the Joint Chiefs. And then Secretary Panetta returned to the Pentagon probably shortly before 6, maybe, you know, a few minutes before 6 or so. And as I think Secretary Panetta has testified about before the Senate Armed Services

Committee and as part of the DOD timeline that was released, we held a series of meetings in the Secretary's office from about 6 to about 8.

Chairman Gowdy. So I'm assuming from your chronology you did not attend the White House meeting?

Mr. Bash. That's correct, sir.

Chairman Gowdy. So you stayed in the office. Did you have any conversations with anyone else in the absence of Secretary Panetta? Did you call anyone to find out more information? Did anyone call you?

Mr. Bash. I don't remember. I don't remember what conversations I had or what General Kelly was specifically doing at the time.

Chairman Gowdy. Was General Kelly with you or did he accompany the Secretary to the White House?

Mr. Bash. He would not have accompanied Secretary Panetta to the White House. Generally, Secretary Panetta and the Chairman went together and they had the meeting down there and they would return. Occasionally, if the Secretary was riding around D.C., maybe a junior military assistant would accompany, but it would be very unusual for General Kelly to have accompanied,

Chairman Gowdy. So you do not recall Secretary Panetta saying: "Find out everything you can. I'm on the way to the White House." You don't recall what you did from the time he left until the time you came back?

Mr. Bash. I don't recall the words spoken, but obviously it was

[REDACTED]

a SITREP of a serious situation, a crisis, so I'm quite certain that people were on top of it. We were trying to find out everything we could.

Chairman Gowdy. When you say people were on top of it trying to find out everything they could --

Mr. Bash. Sorry. I should clarify that. I'm quite certain that General Kelly continued to be in touch with other folks on the Joint Staff to understand what we could learn.

Chairman Gowdy. But that would not have been a role that you played?

Mr. Bash. As a general matter or in this specific case?

Chairman Gowdy. This specific case.

Mr. Bash. Because there were occasions when I would have dialogue with folks on the Joint Staff. In this case, I don't recall specifically what conversations I had.

Chairman Gowdy. Is it that you recall having them but can't recall who it's with, or you just don't recall whether you had them?

Mr. Bash. The next thing I remember is Secretary Panetta coming back and us having meetings about this thing. I just don't have a recollection at all of what I did when Secretary Panetta was at the White House.

Chairman Gowdy. All right. Well, then let's go with the next recollection you do have. He comes back from the White House. Tell us about that.

Mr. Bash. Around 6:00 we mustered in the Secretary's office

[REDACTED]

senior officials from the Department of Defense. And I recall being present at that meeting, which was, I would characterize it sort of as like a rolling meeting, you know, some people kind of flowing in and out with information updates.

And I remember the Chairman was there, the Vice Chairman was there, and General Ham was there, the combatant commander for U.S. Africa Command was there. And I'm almost certain General Kelly was there as well for some portion or all of it. I was in for -- I recall being in the meeting at times, I think it's fair to characterize maybe in and out.

But -- so he held a series of meetings -- or he held a meeting in his office that kind of ran for a while. And the thrust of the meeting, if you want me to kind of go there, sir, or you want to -- the thrust of the meeting was what do we know about the situation, but also, I remember a lot of conversation about what the threat looked like to U.S. forces, installations, and personnel in the region generally.

There was a lot of discussion about what might happen in Egypt and what might happen in elsewhere, in Tunisia and elsewhere around the region. And there was a lot of discussion about what little information we knew about what was happening in Benghazi might portend for a broader series of threats to U.S. interests around the region.

With regard to Benghazi specifically, my recollection is that the characterization of what the situation was, was that it was a potential hostage rescue situation, where the Ambassador potentially was being held by terrorists, and that the question on the table, as it kind of

was laid out over that next little while, was how would we, how could we respond to the situation if we found ourselves, heaven forbid, in the situation in which the Ambassador was being held hostage.

Chairman Gowdy. Help me understand this. You have an active situation in Benghazi which you know about, which to just -- the minimum amount of information you would've had at the time was that fire was involved, you have a missing ambassador, that at 6:00 when the Secretary returns is still missing, you think it may be a hostage situation.

How much of your time was spent discussing potential threats as opposed to the one that you actually knew about?

Mr. Bash. I don't recall the time differential. I just know that both were talked about.

Chairman Gowdy. You were in the meeting; I was not. And common sense may or may not have a role in situations like this. But if you have an ambassador who was missing and maybe a hostage, would that not dominate the discussion as opposed to theoretical risks that don't exist?

Mr. Bash. Well, I would characterize it a little differently, which is that the first and primary concern was obviously the whereabouts of the Ambassador and his wellbeing. And also the Chairman and the Vice Chairman and others were also concerned and talking to the Secretary about other threats to U.S. personnel in the region. I think it's fair to say both were of concern.

I can't delineate the time devoted to each problem set, and in some ways they were interlaced. They weren't thought of as distinct

problems. They were thought of actually as part of a -- as one problem together.

And the conversation, my recollection is not that it was, you know, topic one and topic two. It was sort of a -- it was kind of an impromptu meeting, right, because it was a crisis, and it was kind of a crisis discussion about all the different things that could impact U.S. personnel.

Chairman Gowdy. But it strikes me the crisis was the fact that you had a missing ambassador and a facility in Benghazi that had been attacked. Were there other crises that were active or were they theoretical at that point?

Mr. Bash. I think it's -- I would characterize it as more than theoretical. I think the operating assumption was that there could be other threats, serious threats to U.S. personnel and interests across the region.

Chairman Gowdy. You had had an incident in Cairo earlier, protest? Protest in Cairo?

Mr. Bash. Earlier that day?

Chairman Gowdy. Right.

Mr. Bash. I don't specifically recall when that occurred. My recollection is that there was some concern about Cairo.

Chairman Gowdy. But not enough to convene a special meeting. That was only after you learned of Benghazi.

Mr. Bash. I don't remember when the Secretary was made aware of the Cairo situation and what discussions he had. I don't know that

I would characterize it as a special meeting. He wouldn't just say let's have a special meeting. It sort of depended on the circumstances.

Chairman Gowdy. I'm not being critical. I would think that you would have a special meeting if there was an ambassador missing.

Mr. Bash. Yeah. Well -- and we did.

Chairman Gowdy. I guess it's not super important. I'm just trying to get a sense of why that would not have dominated that meeting. If Cairo didn't even warrant a meeting and that happened, and then Benghazi, which is more problematic than Cairo, how much time are you going to spend talking about things that haven't happened when you have a missing ambassador?

Mr. Bash. Well, first, I want to make sure the record is clear. I'm not sure I said that a meeting on Cairo didn't happen. I don't remember if a meeting on Cairo happened or who had a meeting --

Chairman Gowdy. Fair enough.

Mr. Bash. -- or what discussions the Secretary had, because sometimes his conversations and his discussions with senior uniformed military was not in a meeting, per se. It was a phone call or conversation as a general matter. I don't specifically recall what happened with regards to Cairo.

But I think your characterization is -- or the predicate is correct that the dominant crisis there was the unaccounted-for ambassador. That was the main focus of the conversation. But I want to make sure the record is also complete; the conversation did

incorporate and include threats to other personnel.

And I, again, want to emphasize, I don't recall them being thought of as theoretical or hypothetical or maybe, maybe not, or speculative. Everyone was very seriously focused on what could potentially happen to U.S. personnel and what responses would be required should other U.S. personnel and interests and facilities come under attack.

Mr. Shapiro. As well as deployment of troops.

Mr. Bash. I will add that the conversation -- I think we're going to get to this, which is the decisions that the Secretary made about deployment of forces -- the conversation incorporated discussions about where we might deploy forces --

Chairman Gowdy. We're getting there.

Mr. Bash. Yeah.

Chairman Gowdy. We're getting there.

I don't want to put words in Secretary Panetta's mouth. Whatever his testimony was it was, and that's the record. But a loose characterization, I suppose, is the President told the Secretary do everything you can to help our people. Is that also your understanding, that the President said do everything you can?

Mr. Bash. Yeah. And Secretary Panetta has testified about that publicly and written about that in his memoir and spoken publicly about that.

Chairman Gowdy. All right. So the President told the Secretary of Defense do everything you can. And what did the Secretary tell you or General Kelly or General Dempsey or anyone else who would need to

be told?

Mr. Bash. Well, as I started to recount, the Secretary returned to the building, and at about 6:00 we had a meeting that was in the Secretary's office with the players that I previously identified. And the discussion was about what can we do and what can the response options be, and we can go into those in some specificity.

Chairman Gowdy. Yeah. I would love it if you could tell me every asset from the practical to the impractical that you considered.

Mr. Bash. I don't know that I could do that by memory, what I considered at the time. But I know what assets the Secretary ultimately directed to be deployed, and we can go through those.

Chairman Gowdy. Well, let's start there. We'll start there.

Mr. Bash. Well, both my recollection but also it's from Secretary Panetta's public discussions of this in his testimony, his memoir and such, he directed the deployment of four elements, and those are the ones that are reflected on the timeline. And I can verbalize those if it's useful for the record.

Chairman Gowdy. Yeah, if you would.

Mr. Bash. Okay. So he directed a FAST platoon from Rota, Spain, to prepare to deploy to Benghazi; a FAST platoon from Rota to prepare to deploy to Tripoli; a EUCOM -- and it says here Special Operations Force. I think we referred to it as a Commanders In-extremis Force, which was conducting training in -- and the timeline says Central Europe, but just to put a finer point, my understanding was that was training in Croatia -- to prepare to deploy and to possibly operate

[REDACTED]

out of an intermediate staging base. And it says here Southern Europe. My recollection is that was Sigonella.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Chairman Gowdy. Are those the only four elements or assets, whichever is the proper word, that you were aware of that might be at our disposal generally?

Mr. Bash. I have a recollection from the meeting that the Joint Staff leadership, and I believe it was the Vice Chairman, presented a kind of comprehensive laydown of what all the different elements in the area would look like. I generally recall us looking at maps and things that would show where different forces were and what the time distances were to different -- to Libya.

I don't specifically recall if it was like, you know, here is the whole menu -- actually, let me just back up for a moment. I don't think it was like here is the whole menu of everything available, like in one shot, like, you know, shortly after the meeting began.

I kind of remember it as a rolling discussion and people come in with bits of information. Or I recall there being a lot of discussion with units downrange, like, hey, we've talked to these guys, they're

[REDACTED]

[REDACTED]

ready, or they have a force that can respond, or this team might fit the bill, or this is our hostage rescue element that's on standby, because sometimes these things tended to rotate.

So my sense was there was a lot of discussion between the Joint Staff and the relevant combatant commanders and the elements downrange that would be get ready, spinning up to get ready to respond.

And so the conversation with the Secretary was sort of a rolling set of updates about, yeah, we've talked to these people, they're ready, these people can get going, these people will drop what they're doing, you know, whatever the situation was.

Chairman Gowdy. Who's the single best resource for us to talk to about the full panoply of assets that could have been -- again, from the practical to the impractical?

Mr. Bash. Yeah. I saw a map recently from the Pentagon that had the laydown, and that was probably prepared by the Joint Staff. So someone on the Joint Staff would probably be a sense. The J-3 probably would be the best positioned element, I can't tell you a name of an individual, but an element that would keep track of where U.S. military forces were deployed on any given day -- and, obviously, we're interested in this day -- and what the response time and what their capabilities and what their indigenous logistics capabilities would be and so forth.

Chairman Gowdy. All right. And I ask for two reasons. Number one, I think every member of the committee, at least on the Republican side, has been asked and is still asked, even as recently as within

[REDACTED]

[REDACTED]

the last week, a colleague who serves in the House heard from someone who heard from someone who heard from someone that they were geared up, ready to go, waiting on the call, the call never came.

And the only way I know to address that, which is a serious allegation, is access to the full panoply of assets so that can either be contradicted or corroborated.

Mr. Bash. I completely agree. I think this is an incredibly important issue because it has been much in discussion in the public domain. It's the reason why I think Secretary Panetta wrote about so much of it in his book and why he's talked about it whenever he's had the chance and why he and General Dempsey testified about it. You know, I don't get asked to testify or write books or anything, but obviously people ask me questions as well, and I like to answer it as kind of directly as possible.

And I'd like to maybe go through the timeline and just talk about what ended up evolving, you know, over the course of the evening, I'm sure that's the nature of your questions, but I can kind of give you the bottom line and then we can unpack it a little bit.

But everything that I saw on that day, and I was there, everything I saw led me to conclude that everybody at the Department of Defense, the senior officials, the Secretary of Defense, the Chairman and all of the uniformed military, did everything they could to respond to the crisis and to get a rescue mission staged to help save our people.

And they could not have gotten there in time. They did not get there in time. But we tried, and we did not stop at anything, and we

[REDACTED]

did not slow down, and we tried everything we could to get there on time.

Chairman Gowdy. All right. Hold that thought for a second, because there wound up, I believe, being DOD assets that even the Secretary was unaware of in Tripoli, which leads me to wonder was that not on the map you referenced. Were there other assets that even the Secretary of Defense would not have been aware of?

Mr. Bash. I don't recall that element, that Tripoli team that came from Tripoli to Benghazi, which we now know quite a bit more about, I don't recall that at all being discussed in the meeting or being presented to the Secretary as an option.

Chairman Gowdy. Was it because no one was aware of it being an option or was someone aware of it and just concluded that that was not a viable option?

Mr. Bash. I don't know.

Chairman Gowdy. All right. So the President tells Secretary Panetta do everything you can to save our people, and Secretary Panetta's instructions to you and others was what?

Mr. Bash. Well, when it came back it was, first, let's get all the right players in the room here. And that's what we did. We got the Chairman, the Vice Chairman, and as I noted, the commanding general of U.S. Africa Command. And there were others in the room likely, as I said, General Kelly was probably there, but I don't recall the exact manifest of everyone who was in and out of that discussion.

So the first thing that he directed was let's get everyone

[REDACTED]

together. And then, as I noted previously, there was discussion about the situation in Benghazi, the broader threats and the deployment of forces. And throughout the conversation, different options and elements were being discussed and presented ultimately to the Secretary.

Chairman Gowdy. And ultimately the Secretary's instructions were what?

Mr. Bash. Ultimately, at the end of it all, you know, after that kind of -- by the end of that rolling meeting, if you will, he made the directives that I previously referenced.

Chairman Gowdy. The Secretary -- again, his testimony will speak for itself, it's not my place to characterize it -- but my recollection is that he said: I ordered that those forces or elements be deployed, not prepared to deploy, but deployed. Is that also your understanding?

Mr. Bash. Yes. And my understanding, just having looked into that question, that distinction, because that was asked of Chairman Dempsey in a public hearing, is that essentially they're the same thing. And --

Chairman Gowdy. Well, I don't have a military background, and lawyers have been known to hyper-analyze words, but it does strike me that there is a difference between deploy, which is an active tense word, and prepare to deploy, which suggests something else has to happen.

Mr. Bash. I didn't think of those as anything distinct. The

[REDACTED]

[REDACTED]

order was deploy. Go, obviously, an element of going is preparing, and, in fact, my sense is that preparations were already underway. People were already having conversations about and discussions downrange about what's required to respond to the situation. So the preparations were going on and the deployments were ordered.

And maybe, Mr. Chairman, if I could just spend a moment on kind of the usual deployment situation versus the very unique situation we found ourselves in that evening, because I think it's appropriate for the context. And I'll try to be very condensed here. I know time is limited.

But, in general, the Secretary of Defense made deployment decisions every Thursday at a deployment orders meeting that he would have staffed by the Joint Staff. And the Joint Staff -- and usually the Chairman or the Vice Chairman would attend that, it would be in the Secretary of Defense's conference room, and I attended many of those. And General Kelly would attend, and General Waldhauser, who succeeded him, would attend many of those.

In that meeting the Secretary was provided a binder. In each binder there was a page of here is a unit or an element or a battalion or such, and we propose that this element be deployed to this area of operations for this duration with these conditions and these coordinations having been done.

It was a very orderly process. I mean, it was just -- it was the way you'd expect, as Dana knows, the Pentagon to do something. It was just very thoroughly staffed, and it was done very well in terms of

[REDACTED]

[REDACTED]

just being very organized.

There were other situations that I experienced at the Pentagon where that normal deployment order process was not followed. And the examples that I can think of was when there was a specific special operations mission that was used to conduct operations, and the examples I'm thinking of involved Africa.

So if you think about -- the State of the Union actually reminded me of the operation in January of 2012 to rescue Jessica Buchanan -- that was an operation that was planned and that was briefed to the Secretary and the Chairman. There were discussions with interagency officials. And it was over a couple of days' period, but there was a rolling set of discussions. Even there we had, like, a lot of time, relatively speaking, to think through the deployments, and the Secretary gave orders and such.

This night nothing was normal. There were no protocols. There were no standard procedures for how to make deployment decisions on the fly in a crisis. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This was a real-time, very fluid, very dynamic set of meetings in which the Secretary, with his senior military, uniformed military advisers, the Chairman, the Vice, and the combatant commanders and others, were making real-time decisions.

So I just want to set that context, because I'm sure some people

[REDACTED]

[REDACTED]

could look at this and say: Why were these words used or that discussion or this phrase used, "prepare to deploy" or "deploy"? My recollection was he was told of the situation, he was told about which units could respond, and he said: Go get them, do it, move.

Chairman Gowdy. So there would've been no further order necessary from him?

Mr. Bash. Correct.

Chairman Gowdy. Wheels could have taken off and he would not have had to say another single, solitary word?

Mr. Bash. Correct, and I believe that actually was the case.

Chairman Gowdy. All right. So he never amplified, clarified, withdrew, changed his instructions, which were deploy?

Mr. Bash. He did not.

Chairman Gowdy. Okay. And to the best of your recollection, that order would have been given when?

Mr. Bash. Well, as I said, the meetings wrapped up, The meetings were going on until about 8:00 in his office, and at that point or shortly thereafter, again, from the timeline, and that's my recollection too, the orders went out formally. But it was a rolling --

Chairman Gowdy. When you say formally, you mean verbally or in writing or --

Mr. Bash. Well, I rely on the timeline that the Department produced at the time to note when the formal written authorization occurred.

[REDACTED]

██████████

Throughout the meeting, the Secretary was leaning very far forward. He was saying: If we've got people that can respond, let's respond. What do we have? And more updates were coming into him about, okay, we talked to this unit and this element, and we have these people that might be able to respond.

And as I mentioned, there was this situation where a force that was normally stationed in Stuttgart, the Commanders In-extremis Force, actually happened to be located much further south, and they were on a training mission. They were in Croatia. But that was a potential element that could be responding.

So, you know, there was a lot of -- my recollection is there was a lot of conversation back and forth with the field, and they were getting ready. And he was basically saying: Go, deploy.

And so I don't have a specific time, you know, time clock recollection of what time he said it. But, again, I also just want members of the committee to understand, it wasn't like a Hollywood moment where he said: I hereby deploy. It was an intense crisis meeting over the course of the better part of 2 hours, in which the sum total of that was these units should deploy.

Chairman Gowdy. All right. Well, that brings me to an email that you authored on 7:19. And, again, the record will speak for itself. Whatever Secretary Panetta said he said. We were left with the impression that his order to deploy predated this email. Do you have a different impression?

Mr. Bash. Well, my recollection is that there were meetings

██████████

still going on in the Secretary's office and that the senior uniformed military leadership was still having conversations with the Secretary. And so my sense, having my recollection refreshed when this email was released as part of a FOIA lawsuit and I saw it, was -- and knowing, obviously, that the timeline, as I recalled, it was that there was this rolling meeting in the Secretary's office -- was that there were still meetings going on.

And I was in and out of the meeting, so it's possible I didn't hear something that happened in the meeting that happened. That's possible. But as I'm communicating here with State Department officials and with cc's to the DOD leadership, I think my mode was the Secretary and his senior military advisers are still making decisions, and assuming those principal officials, the Secretary, the Chairman, the Vice Chairman, the combatant commander, the relevant combatant commanders approved these elements to deploy, that will be done. But my training --

Chairman Gowdy. We'll get to that in a second. I don't want to fast forward. I also don't want to interrupt you, but I don't want to fast forward. We'll go through it in chronological order.

But to the best of your recollection, the attack in Benghazi began when, using eastern standard time?

Mr. Bash. Well, according to the timeline, it began at 3:42 p.m.

Chairman Gowdy. All right. And the Secretary would have known about it shortly before he left or at some point before he left to go to the White House at 5:00?

Mr. Bash. That's right. And just to clarify, the information he would have had at the time was about the fire and about the unaccounted-for Ambassador.

Chairman Gowdy. Both of which would've been serious?

Mr. Bash. Very serious.

Chairman Gowdy. All right. And sometime between 5 and 6, President of the United States, who also doubles as the Commander in Chief, said do everything you can to help these people?

Mr. Bash. Yes, sir.

Chairman Gowdy. And that was before 6?

Mr. Bash. He said it before 6, if that's your question, yes.

Chairman Gowdy. Right. And Secretary Panetta then came back for this rolling meeting that you describe. And if I understood your testimony correctly, by 7:19, which was an hour and 19 minutes later, there was still ambiguity about whether or not he had ordered to deploy?

Mr. Bash. I wouldn't say that. I just said that my testimony was that I was in and out of the meeting and that I had stepped out roughly an hour and a few minutes into it and that the meetings were still going on in the Secretary's office.

And I knew where Secretary Panetta's mindset was. I worked for him for a while. I knew there was no doubt that he was going to order the deployment and that, in his mind, he had already made up his mind, he already made his decision to deploy any element that could help respond to the situation and could help rescue any Americans who were in danger. There was no doubt about that.

And everybody, in fact, that I encountered had that same mindset. So there was no ambiguity. You used the word "ambiguity." There was no ambiguity about that. But the meetings were still going on. And I think, if at some point you want me to address the email, the substance of the email, I can --

Chairman Gowdy. We're going to do it in a second. We'll do it in a second.

Your email is -- and, again, and this is 7:19 p.m. -- your email begins: "State colleagues." Had you had previous telephone conversations with them? Was this your initial --

Mr. Shapiro. About this issue, sir?

Chairman Gowdy. Yes, sir.

Mr. Bash. I don't remember if I spoke to him on the phone or had other email communication with him before this email.

Chairman Gowdy. Right. The second sentence says: "I just tried you on the phone but you were all in with S."

How did you try him? Is there a switchboard you called? Did you call their desk?

Mr. Bash. I don't remember how I tried them. I could tell you the different ways I would have tried them, if that's useful. I could have asked SecDef Cables to try to reach them. They're the element that places telephone calls for the Secretary of Defense's office -- Secretary of Defense and his office.

I could have tried State Ops, which handles the corresponding responsibility at the State Department. It's possible I had their

phone numbers, you know, handy. I don't recall.

Chairman Gowdy. But your recollection is you tried how many folks at the State Department?

Mr. Bash. I don't remember.

Chairman Gowdy. Next paragraph: "After consulting with General Dempsey, General Ham and the Joint Staff, we have identified the forces" -- "we" being whom?

Mr. Bash. The senior leadership of the United States Department of Defense.

Chairman Gowdy. Would it include any names that you did not list in that series, Dempsey, Ham, and Joint Staff?

Mr. Bash. Admiral Winnefeld, and General Kelly, as I said, probably was there as well.

Chairman Gowdy. "-- forces that could move to Benghazi. They are spinning up as we speak." What does the phrase "spinning up" mean?

Mr. Bash. Preparing.

Chairman Gowdy. Why not use the word "preparing"?

Mr. Bash. I don't know, sir. It was a crisis situation. I was banging out an email pretty fast. I don't know that I spent too much time choosing every word carefully. But "spinning up" is a phrase that I tended to use a lot when I referred to people preparing to do something.

I want to make clear, I don't think I was referring to -- because it wouldn't have made sense -- you know, a rotor of a helicopter spinning, like, I think, physically spinning through space. I think

it was more of a colloquialism of "spinning up" meaning preparing, getting ready.

Chairman Gowdy. Do you understand how somebody might take it that that's how you meant it?

Mr. Bash. Yes, except, obviously, as the committee knows, though, you can't fly a helicopter unrefueled from Rota, Spain, to Benghazi. It's 1,500 miles. So that wouldn't make any logical sense. If someone thought that there was a helicopter spinning in Rota, Spain, to prepare to deploy to Libya, that obviously doesn't comport with anything I've experienced in the military, in my experience with the military. I served in the military.

Chairman Gowdy. So "spinning up" is another word for preparing?

Mr. Bash. Yes, sir.

Chairman Gowdy. "They included an SOF element that was in Croatia." You see that?

Mr. Bash. Yes, sir.

Chairman Gowdy. What did you mean by "was"?

Mr. Bash. As opposed to "is"?

Chairman Gowdy. Yeah.

Mr. Bash. I don't know. I think they're the same. They were at the time in Croatia. Writing contemporaneously, I could have used "is."

Chairman Gowdy. You would agree that those words mean two different things?

Mr. Bash. I would, except I don't think that bears relevance to

where they physically were at the time. Let me --

Chairman Gowdy. I'm not arguing relevance. I didn't write it. I'm asking the author of it. "They include an SOF element that was" --

Mr. Bash. Yeah.

Chairman Gowdy. -- "in Croatia." Did you mean to say "is in Croatia"?

Mr. Bash. "Is" would've been correct. My understanding from everything I recall about the event and everything that's been discussed is that at the moment the email was written they were physically in Croatia. So I think your -- the premise of your question, is "is" more accurate than "was," is true.

Chairman Gowdy. I guess, the premise of my question is what is accurate and what is not. If it was still in Croatia then it was in Croatia.

Mr. Bash. "Is" is more accurate than "was," given when this email was written.

Chairman Gowdy. All right. Going back to the sentence before: "They are spinning up." What did you mean by "they"?

Mr. Bash. The forces that were identified.

Chairman Gowdy. All of the ones that were identified?

Mr. Bash. I don't remember if all of the forces were getting ready. As I said, this was kind of a rolling discussion about different elements that could respond. And there was -- my recollection is there was slightly different information about each of the different elements. And there was communications downrange, as I noted, with

different commanders in the field about what elements were ready, what elements had to get ready, what elements had to drop what they were doing and so forth.

So I don't think the "they" was meant to specifically refer to all of them or some of them or none of them. It was just a quick banging out of an email to note that we identified some forces, they're getting ready.

Chairman Gowdy. And who was your source of information?

Mr. Bash. The people who briefed the Secretary, the senior uniformed military of the United States Department of Defense.

Chairman Gowdy. So they were your source that these elements or assets or forces were spinning up?

Mr. Bash. Yes.

Chairman Gowdy. Did any of your sources use the phrase "spinning up"?

Mr. Bash. I've heard that jargon at the Pentagon. I don't recall if someone used it that evening.

Chairman Gowdy. All right, next paragraph. "Assuming Principals agree to deploy these elements -- " what principals were you referring to?

Mr. Bash. Secretary Panetta, Chairman Dempsey, Vice Chairman Winnefeld, and the relevant combatant commanders. General Ham was there that evening. Other combatant commanders would be affected, obviously the commanding general of U.S. Special Operations Command, the commanding general of U.S. European Command, and Lieutenant General

[REDACTED]

John Kelly, was, as I noted, probably in those discussions as well.

Chairman Gowdy. Refresh my recollection on what -- or not my recollection. What is your understanding of the chain of command?

Mr. Bash. The chain of command is enshrined by law, and it's very clear in my mind. It goes from the Commander in Chief, the President of the United States, to the Secretary of Defense, to the combatant commander.

Chairman Gowdy. All right. And how many principals are in that series, to your --

Mr. Bash. And by principals, do you mean the way I was referring to in this email or by some other definition?

Chairman Gowdy. No, just yours.

Mr. Bash. The SecDef and the combatant commander, those two individuals.

Chairman Gowdy. If the Secretary of Defense says to do something, can anyone countermand that order?

Mr. Bash. Can anyone countermand that order lawfully?

Chairman Gowdy. Other than the President.

Mr. Bash. No. The Secretary is in the chain of command. He can deploy forces into harm's way.

As a practical matter, I can tell you the way Secretary Panetta operated, and I think this is the way other secretaries of defense have operated, and, in fact, the way I saw Secretary Panetta operate on September 11, 2012, which is that he received the advice from the senior uniformed military of the Department of Defense. And he relied on very

[REDACTED]

heavily the military advice of the Chairman, of the Vice Chairman, and the relevant combatant commanders, and others.

And so while under the law he certainly could just say deploy and he could order forces into harm's way, as a practical matter, he was doing it with the advice and informed military advice of the senior uniformed military. And that was the process that he used on every single deployment I ever saw him decide on.

Without exception, I never saw him make a deployment decision without the advice -- and concurrence, actually -- of the senior uniformed military, and in particular the Chairman and the Vice Chairman. And they are the principal military advisers to the Secretary of Defense. They are not, as you noted, formally -- or as I noted -- formally in the chain of command. They are, however, an indispensable part of the Secretary of Defense's military decisionmaking.

Chairman Gowdy. Well, it's not that they're not formally in the chain of command. They're not in the chain of command.

Mr. Bash. They're not in the chain of command, but they are an indispensable part of the Secretary's decisionmaking process.

Chairman Gowdy. Only because he chooses to make them so, correct?

Mr. Bash. He and -- as my understanding is, is that other secretaries of defense have similarly utilized.

Chairman Gowdy. Mr. Bash, I can't speak to that. I am limited only to what Secretary Panetta said.

Mr. Bash. Okay. My understanding --

Chairman Gowdy. That's how I'm hamstrung, is just by what he said.

Mr. Bash. I understand.

Chairman Gowdy. And what he said was you needed no further instruction from him, that he was clear, deploy, nothing else was needed. And I am reading a sentence that says: "Assume Principals agree --" He's one of the principals, agreed?

Mr. Bash. So he is the chain of command authority that can authorize the deployment of forces, and he did. He also was still, when I wrote this email, in conversation with the other senior uniformed military of the Department of Defense.

And a point that I wanted to make is my training in talking about my bosses actually comes from my time working with some members of the staff on Capitol Hill. When you sort of characterize your boss' position, you should do so, in my view, with appropriate humility and say: Assuming my boss agrees, if my boss agrees.

Even if you know in your mind that they've already agreed or they've made a tentative agreement or they've made a tentative decision, the way you communicate that to others is to say: It's my boss for announce the decision, not for me to announce the decision.

And I just know my style. I don't remember exactly how I was thinking that evening, but I know my style is to, especially when talking about serious issues like deployment of U.S. military forces in a crisis and the chain of command, just to be appropriately humble

[REDACTED]

and say: You know, assuming my boss here and senior folks here, you know, make this final call, this is what's going to happen. And that's the way I communicated it.

Chairman Gowdy. It's not my intent to cross-examine or impeach your humility or your style. I'm just going based on what you wrote, and I'm trying to reconcile it with other testimony. And, again, Secretary Panetta's testimony will speak for itself. I don't think he could have been any more unambiguous that he gave an order to deploy.

And when he was asked what you could have meant by "Assuming Principals agree," he doesn't know, because he thought they had. He thinks there are two principals: One is the President of the United States and one is the Secretary of Defense. And they had both already said what they wanted done. So we're trying to figure out who else you needed to hear from.

Mr. Bash. Just to clarify, I don't know that the specific units and elements were briefed to the President. They were part of this discussion that was happening over this 2-hour period.

So I think in the email I'm referring to not the broad decision of go get them and go rescue our people in harm's way. That obviously was the general intent and directive set forth by the President.

Chairman Gowdy. Are you saying that the President needed to be briefed on these --

Mr. Bash. Oh, no.

Chairman Gowdy. -- specific elements?

Mr. Bash. Oh, no. No, that's not what I'm saying. What I'm

[REDACTED]

saying is that you were recounting that the principals of the President and the Secretary of Defense had already agreed. That's what you stated as the predicate. And I'm --

Chairman Gowdy. It's not what I said. It's what the Secretary testified.

Mr. Bash. It's how you're recounting, I understand that, it's how you're recounting that the Secretary testified. And what I'm saying is that the principals that I'm referring to here included the Secretary, but also included others.

Chairman Gowdy. Well, I would just note, and the email speaks for itself, you said you were in a hurry, but you took the time to capitalize "Principal." And we're not going to quarrel over it, but my understanding of the chain of command is there are only two principals.

Mr. Bash. Well, three if you include the combatant commander, and then it actually goes down the line, down to the deployed elements.

Chairman Gowdy. And it's my understanding that once on down the line, there's one boss, and he says move, and then the next guy says move, and then everybody moves.

Mr. Bash. Yes. But as I previously stated, the Secretary makes those decisions in consultation with the Chairman and the Vice Chairman and others. And I can't tell --

Chairman Gowdy. Well, let's try it this way, then. Did you have to go back to Secretary Panetta and get further permission before any of these things went into motion?

Mr. Bash. Did I?

Chairman Gowdy. Did anyone?

Mr. Bash. Well, it wouldn't be me that would have to go back to him. But once the deployment orders were given, no.

Chairman Gowdy. So there was nothing to assume at the time you wrote this email because you didn't have to go back to him and get him to agree to deploy because you didn't go back and get him to agree to deploy.

Mr. Bash. Well, as I stated previously, this email was sent while the meeting was going on, and the meetings were still happening in the Secretary's office. So the meeting hadn't -- the meetings hadn't concluded in the Secretary's office about the deployment decisions.

Chairman Gowdy. So your testimony is at 7:19 p.m. the Secretary of Defense had not instructed you to deploy at that point?

Mr. Bash. He wouldn't instruct me. I'm a staff element supporting the Secretary. I'm not in the chain of command. And I think if you're saying did he instruct any -- that he did not instruct anybody, that's not my testimony. I didn't say he didn't. I'm saying I was in and out of the meeting, and at the time I wrote this email the meetings in the Secretary's office about deployment decisions were still going on.

And the way I characterized it was to state -- and, again, operating in a hurry, banging out a quick email, although I don't recall exactly why I capitalized a word or not -- my sense was that decisions were still -- issues were still being discussed in the Secretary's

office.

And I think exercising appropriately the proper humility of not announcing decisions of the chain of command, which was not my job to do, it was appropriate to characterize it as the Secretary and his principal military advisers are making these decisions.

Chairman Gowdy. Speaking of humility, some of us are trying to understand what precisely you were asking the State Department for: "-- we will ask State to secure the approval from host nation." What country were you talking about?

Mr. Bash. I don't remember if this was something that was discussed in the meeting specifically or if someone from the Joint Staff said, "Hey, we should talk to State about this," or how this issue came about. And I don't remember this element until the email was made public and I had a chance to look at it.

But my understanding is that there is a -- like a ministerial or bureaucratic process of -- that happens in parallel when you're deploying military forces -- of notifying a host nation. But I want to make clear, I don't want to leave any misimpression that that was never going to slow up the United States Department of Defense, that was never going to slow up any elements responding.

Mr. Shapiro. Which country?

Mr. Bash. I presume Libya. Although, I also later saw some email traffic in preparation for today in which the Joint Staff is working to secure some approvals from Spain as well. So it's possible that that was what I had in mind as well, but I --

Chairman Gowdy. Did we already --

Mr. Bash. Sorry?

Chairman Gowdy. Did we already have an element in Spain?

Mr. Bash. The two FAST teams?

Chairman Gowdy. Yeah. So we would be asking them permission for what, to stay? To leave?

Mr. Bash. I'm a little bit outside of the lane of what I remember from that night versus what I remember from reviewing documents in preparation for today. But in preparation for today I saw some email traffic from Admiral Winnefeld and others talking about asking for approval for airlift to enter Spain, to marry up with the forces that were in Spain. And so that would have been subject to that same dip clearance process.

Chairman Gowdy. I'm more interested in what you knew before you sent this email --

Mr. Bash. Yeah.

Chairman Gowdy. -- than preparation for today or anything else. "-- we will ask State to secure the approval from host nation," and I am trying to figure out approval for what and from whom.

Mr. Bash. I don't remember what the bureaucratic process entailed specifically, but someone must have said let's have State do the request of the Government of Libya.

Chairman Gowdy. Is that a legal requirement that we secure permission from a host nation before we do something?

Mr. Bash. I don't know what the law states on that. I've not

reviewed that recently.

Chairman Gowdy. If it's not a legal requirement, why were you worried about it?

Mr. Bash. I don't remember that I was worried about it or what generated that note to State colleagues. Someone must have referenced it. It wasn't something that I worked on most of the time. Again, in the context, this was a highly unusual crisis-oriented deployment --

Chairman Gowdy. I'm with you.

Mr. Bash. -- set of discussions.

Chairman Gowdy. I'm with you.

Mr. Bash. So in the ordinary course, it would not have been me communicating with State about the clearance issues, but something --

Chairman Gowdy. I'm not second guessing you, Mr. Bash. I can't imagine how frenetic it was. You have a missing ambassador, you have uncertainty, the President has said do everything you can, the Secretary of Defense has said deploy, you said you hurriedly wrote this email, but yet you took the time to say "-- we will ask State to secure the approval from host nation."

I'm just trying to figure out, given all those factors, why was it that important that you included an email that you were under a lot of pressure at the time you included it?

[10:05 a.m.]

Mr. Bash. Because it was not my regular job to communicate with the State on clearance issues for the deployment of military forces. Someone must have suggested that we latch up with State on that issue.

Chairman Gowdy. Who at the --

Mr. Bash. I don't recall.

Chairman Gowdy. -- Department of Defense thought we needed permission to do that?

Mr. Bash. Well, I don't recall anyone saying that we had permission to rescue our people.

Chairman Gowdy. What does the word "ask State to secure the approval," what does that mean?

Mr. Bash. There was a -- there was a -- there's a dip clearance process that happens in parallel and does not, in my experience, slow down, and certainly would not have slowed down the arrival or the deployment and the arrival of U.S. Military Forces.

Chairman Gowdy. Well, "Please advise how you wish to convey that approval to us" is your next sentence, not we're going to do it no matter what the hell you find out. It is --

Mr. Bash. So we were going to do it no matter what the hell we found out.

Chairman Gowdy. Well, then why did you say that? Why did you say, "Please advise how you wish to convey that approval to us"? You've got a missing ambassador. You've got fire. You've got uncertainty. You've got a region of the world that is on fire. And you were talking

about securing permission from host nations and how to convey that

Mr. Bash. Well, to clarify, what I was doing was informing State that we had forces that were prepared -- that were preparing to respond and that we were going to do that. There was an element of what in that process State had a role in doing, and that was a note in my email, as you noted that, as you noted, but I could just tell you from my recollection and the intent of the Secretary and what was discussed, there was no intent to wait on anything. And, in fact, nothing did hold up the deployment of forces in this regard.

Chairman Gowdy. We're not to that point. We're not to the actual deployment. I'm just trying to understand the picture between the time we learned what was happening in Benghazi until the time you sent this email, and you spent, near as I can tell, about as much space in your email talking about diplomatic permission as you did the spinning up of assets, and I'm just trying to figure out why.

Mr. Bash. I think the reason is because it was communication with State, and that was their element in this.

Chairman Gowdy. Well, I'm out of time, but the Secretary of Defense could not have been more clear that Secretary of State nor the secretary of Treasury nor the secretary of Health and Human Services are in the chain of command

Mr. Bash. Of course they are not in the chain of command. The chain of command, as I noted, goes from the President to the Secretary to the combatant commander. Even in the deployment of forces, in a routine matter as I described before, even in an exigent matter, like

in a counterterrorism mission, there is coordination with other agencies. Would that ever stop, slow down, hold up, or somehow abort a U.S. military mission? Never in my experience and certainly not on that evening. So the fact that there was discussion with State --

Chairman Gowdy. I am with you, but "Please advise how you wish to convey that approval to us" certainly could suggest, to a detached observer, that something else had to happen. You can see how someone might take that from that sentence, right?

Mr. Bash. But that observation would be incorrect, and it's important for the clarity of the record and the completeness of the committee's review that people reviewing this matter understand that nothing slowed down the United States military response with regards to what happened in the Pentagon that evening.

Chairman Gowdy. Am I out of time, General?

Mr. Chipman. Sir, we've reached the first hour in.

Chairman Gowdy. Thank you.

Mr. Chipman. Off the record, please

[Recess.]

Mr. Jordan. All right. I'm going to try and move quickly then. Okay. So Mr. Bash --

Mr. Shapiro. Sir, I'm sorry. I don't think we're on the record yet. Are we?

Ms. Betz. Yes.

Mr. Shapiro. Oh, sorry.

Mr. Jordan. So tell me where you were getting your information

on the night of September 11.

Mr. Bash. With regard to which specific time of the --

Mr. Jordan. That night, were you getting information directly from personnel in -- walk me through the way you -- how you were getting your information, wherever you were getting it.

Mr. Bash. As I stated previously to the chairman, the first reports came in as the Secretary of Defense was preparing to leave for a meeting with the President.

Mr. Jordan. All right.

Mr. Bash. That report came from General John Kelly, who is the senior military assistant to the Secretary of Defense, and he normally -- his practice was to be in touch with folks from the Joint Staff and probably the National Military Command Center.

Mr. Jordan. Okay. And were those people getting direct reports from folks in Tripoli?

Mr. Bash. I don't know.

Mr. Jordan. Were you getting any direct information from -- at some point that night, there was a Predator drone from over top. Were you getting any information from the drone?

Mr. Bash. I don't remember at all getting any information about the Predator or the content of the information that was collected by the Predator.

Mr. Jordan. How about directly from State Department?

Mr. Bash. At some point that evening, there was a secure video teleconference -- secure video teleconference, SVTC, that included

State Department and other officials from the interagency.

Mr. Jordan. Right.

Mr. Bash. Organizations, departments, and agencies.

Mr. Jordan. What time?

Mr. Bash. And -- excuse me?

Mr. Jordan. What time was that?

Mr. Bash. From reviewing some of the material to prepare for today, I see that the SVTC began around 7:30 p.m. I don't remember --

Mr. Jordan. Okay.

Mr. Bash. -- exactly what time I joined --

Mr. Jordan. Were you part of that?

Mr. Shapiro. Were you part of it?

Mr. Bash. Was I part of it? Yes.

Mr. Jordan. Okay. Who else was there?

Mr. Bash. From the Department of Defense or the general?

Mr. Jordan. General.

Mr. Bash. I want to be precise in what I remember versus what I had my recollection refreshed from when I looked at some materials in preparation for today, so I'll start with the former.

Mr. Jordan. Uh-huh.

Mr. Bash. I remember that there were folks from the State Department on the screen, and I remember at some point Secretary Clinton joined the video teleconference.

Mr. Jordan. Was Cheryl Mills?

Mr. Bash. I recall Cheryl Mills, the chief of staff, was one of

the State Department officials there. I think that --

Mr. Jordan. Jake Sullivan?

Mr. Bash. I don't remember if Jake was there. I think I remember that Wendy Sherman, the Under Secretary, was there, and at some point the Secretary of State joined, and then just to complete the answer, the -- you asked who is else was on there?

Mr. Jordan. Uh-huh.

Mr. Bash. I have a recollection that there were others from other agencies and departments, but I don't remember -- I didn't remember specifically who now in preparation for today. I have seen more detail about the manifest of the secure video teleconference, and I have a better sense of who was on it.

Mr. Jordan. Any discussion of the video in that SVTC?

Mr. Bash. Which video?

Mr. Shapiro. The Predator video?

Mr. Bash. Predator video?

Mr. Jordan. Excuse me. The video -- that video that was supposedly the spontaneous video that prompted the protest and prompted the attack.

Mr. Bash. I don't remember the video per se being discussed on that SVTC. I can tell you when -- or I can tell you how the video came about in other conversations.

Mr. Jordan. Okay. We'll get to that. Any discussion of Mitt Romney on that -- in that SVTC?

Mr. Bash. I don't remember any discussion of Mitt Romney.

Mr. Jordan. Okay. Any discussion of the 1008 statement that went out later that night?

Mr. Bash. Could you be more precise and tell me which statement?

Mr. Jordan. The 1008 statement that went from the State Department and became the official statement of our government that night, any discussion of a statement that was going to be put out by our government that the State Department would draft?

Mr. Bash. I don't remember if that was discussed.

Mr. Jordan. Okay. I'm going to switch gears, and I know our time is limited. I know that in the last hour -- well, let me ask one other question.

Any discussion of military assets going to help where they would have to go in civilian attire versus uniform?

Mr. Bash. I don't remember that issue being discussed. I don't know that it wasn't. I just don't remember it.

Mr. Jordan. Okay. I know you spent the last hour, I'm talking about the chairman, on the email that we have called the spinning up email, and you talk about assets are being -- are spinning up as we speak, forces that could move to Benghazi. Tell me those forces again, real quickly, if you could.

Mr. Bash. As the DOD timeline notes, there were four elements that the Secretary of Defense ordered deployed to respond to the crisis. They were the two FAST teams operating out of Rota --

Mr. Jordan. Okay.

Mr. Bash. -- stationed in Rota, Spain.

[REDACTED]

Mr. Jordan. Yeah.

Mr. Bash. The Commander's In-extremis Force that was in Croatia.

Mr. Jordan. Right.

Mr. Bash. Training force on a training mission, and the --

Mr. Jordan. [REDACTED]

Mr. Bash. [REDACTED]

[REDACTED]

[REDACTED]

Mr. Jordan. Where were they going?

Mr. Bash. Well, they were going to Libya.

Mr. Jordan. They -- so the orders -- so the orders were given to go where?

Mr. Bash. I want to rely a little bit on what Secretary Panetta and Chairman Dempsey have testified to previously. They were -- my recollection is they were ordered to respond to the crisis but that there might have to be some places where they stage from an intermediate staging base, and as I think the timeline notes and the other public information about this notes, one of the station bases was going to be Sigonella.

Mr. Jordan. Okay. So they were ordered to go to Sigonella, or they were ordered to go to Libya?

Mr. Bash. Well, they were ordered to respond to the crisis in Libya but that they might have to stage out of an intermediate staging base.

Mr. Jordan. And was that the initial order?

[REDACTED]

Mr. Bash. The orders were: Deploy the forces that can respond to the crisis.

Mr. Jordan. Okay. Now, did those orders change at anywhere in the night? So, in other words, was the initial order "take the hill," the initial order was given some time between 6 o'clock and 7:19, where they initially said to -- ordered to go to Libya, and then did that change?

Mr. Bash. Well, you asked a couple of questions in there. I just want to unpack it a little bit.

Mr. Jordan. Uh-huh.

Mr. Bash. You said the initial orders were given between 6 o'clock and 7:19. My recollection, I was there, was that there was a rolling meeting in the Secretary's office with the Secretary and senior military officials. Over the course of that roughly 2-hour timeframe that the meeting was happening, we were getting different intelligence, different information, and different information about the readiness and possibility that certain forces could respond.

At some point that evening at -- after those meetings with the Secretary and senior military advisors, the orders were formally transmitted. I had stepped out of the meeting at some point shortly after 7:00, or you know, 7:15, I don't exactly remember when I stepped out, but at some point, maybe about an hour or something change, and I stepped out, so there might have been conversations that happened in the meeting that I didn't hear. I knew that the intent of the Secretary -- worked from for awhile was we were going to deploy

[REDACTED]

everything, move everything as fast as we could to try to rescue our people in Libya.

Mr. Jordan. Yeah. Forces moved to go to -- the order is forces move to go to Benghazi. No forces ever get to Benghazi. I'm asking, did the order some time change? So it's: Go to Benghazi to save and to help.

No one ever gets to Benghazi, and only one of the four forces deployed ever actually gets to Libya.

Mr. Bash. Now, your characterization is correct about who landed where and when, and that's exactly what happened. As the timeline notes, all U.S. personnel were evacuated from Benghazi before any of the elements that were deployed could arrive there.

Mr. Jordan. I'm not asking that. I'm saying when they were sent, were they sent to Benghazi, or were they sent to Libya?

Mr. Bash. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Jordan. I know where they went. I'm saying, did that change? Was the initial order to go the Libya, and at some point in the night, did it change? And if it did change, why?

Mr. Bash. Did the -- I don't think the order changed, if that's your question.

Mr. Shapiro. That's the question

Mr. Bash. Yeah. I don't think the ordered changed, no.

[REDACTED]

[REDACTED]

Mr. Jordan. Okay. Did it slow down? Was there a slow down -- so the order initially was, when you sent the Special Operation Forces, one from Croatia and one from the United States, they knew that they were getting on a plane and not going directly to Libya?

Mr. Bash. I can't speak to what they knew.

Mr. Jordan. Was the order not to go directly to Libya?

Mr. Shapiro. For those two units?

Mr. Jordan. Yeah.

Mr. Bash. [REDACTED]

[REDACTED]

Mr. Jordan. Yes.

Mr. Bash. The order was: You're going into Libya because we have a potential situation where we have an Ambassador potentially being held hostage, and we might have to stage a hostage rescue.

The planning for that included them landing at an intermediate staging base, so that I believe they could unload and stage the assault force that might be necessary.

Mr. Jordan. Your testimony is that they definitely knew -- the order was definitely at the start to go to an intermediate staging base? That was definitely part of the initial order?

Mr. Bash. The order, as I recall, wasn't -- didn't incorporate where our forces would stage at or where they would unload. It was -- the order was: Deploy to rescue our people in Libya.

There were aspects of the -- I guess the execution of the order that, based on the advice of the senior uniformed military, which

[REDACTED]

included use of intermediate staging bases.

Mr. Jordan. Okay. I know our time is short, and I don't want to -- I'm going to -- can I -- can we just stop for 1 second?

[Discussion off the record.]

Mr. Jordan. All right. Did you speak with -- speak with Cheryl Mills and -- that night, the night of the attacks, Mr. Bash?

Mr. Bash. She was on the secure video teleconference, and so we were both on that. I don't remember if I spoke to her separately from that,

Mr. Jordan. So that was the only time you spoke with her that evening?

Mr. Bash. I don't remember if I spoke to her separately from that.

Mr. Jordan. Don't remember? Is it likely you did? She's the chief of staff of the Secretary of State and you're chief of staff with the Secretary of Defense.

Mr. Bash. I don't remember if, separate from that secure video teleconference, I had a separate conversation with her.

Mr. Jordan. Did you speak with Jake Sullivan that night?

Mr. Bash. I don't remember if I had a separate conversation with Jake.

Mr. Jordan. So he was in the SVTC?

Mr. Bash. I don't remember if he was or not.

Mr. Jordan. So you had one conversation with him that night, but you don't know if you had more?

Mr. Bash. I don't remember if I had a conversation with him that

night.

Mr. Jordan. Okay. Anyone else in the State Department you spoke with that evening?

Mr. Bash. I don't remember talking to folks -- I don't remember who I talked to that evening from the State Department, if anybody, other than from the call, the conference call.

Mr. Jordan. Okay.

Mr. Bash. Secure video teleconference

Mr. Jordan. You had some email exchanges with Ms. Mills and Mr. Sullivan that night, correct?

Mr. Bash. The email that you previously referenced, yes.

Mr. Jordan. And you have another one from where one it's from Jeremy Bash to Jake Sullivan, subject matter, "Any word from the hospital."

Mr. Bash. I'm sorry, I'm not seeing that.

Mr. Shapiro. We don't that, sir.

Ms. Betz. Exhibit 3.

Mr. Chipman. Exhibit 3.

Mr. Jordan. Are these the only two, the spinning up email and this one, are these the only two times you communicated with the State via email that night or were there other?

Mr. Bash. I don't know if there were other communications. May I ask about exhibit 3? Is this redacted, or is this the only -- is the only words in the email the subject line?

Mr. Jordan. My understanding, the email is as it appears, but

yeah, as it appears.

Mr. Bash. Okay. Shall I provide context on the "Any word from the hospital email"?

Mr. Jordan. That was my next question.

Mr. Bash. I remember on the SVTC, one of the things that came up was the Secretary of State came into the meeting room on the screen, and at some point in the conversation, somebody passed her senior team and I think her a note or gave her some information that -- and then she -- she kind of told folks what the substance of the message was, and it was that a blond-haired individual had been found at the hospital. And I remember her saying, and I think others saying, well, that must be Ambassador Stevens, you know. We know Chris. We know what he looks like, and how many blond-haired people are kind of running around Benghazi, Libya, who might be in the hospital that evening. And they didn't specify whether he was a live, dead, injured, or what. I left that set of meetings with the impression that he was injured but not dead.

Mr. Jordan. Uh-huh.

Mr. Bash. And, actually, I didn't find out that he had died until, I think, early the next morning. So I hadn't previously seen this email until just this moment, but it strikes me that I was checking with Jake to see whether or not they got any definitive word from the hospital about whether that was Ambassador Stevens.

Mr. Jordan. You were checking because you were on notice that the Ambassador's body had been found. Whether he was alive or dead, you

did not know, but that was communicated to everyone on that SVTC at 7:30?

Mr. Bash. Yes, and I want to be very precise. I wasn't given information that the Ambassador was at the hospital. I was giving information that someone who potentially matched his description.

Mr. Jordan. But it was your understanding that was likely the Ambassador?

Mr. Bash. That was what the State Department folks suggest -- hypothesized onto everyone on the conference call, and so I was keenly interested in that.

Mr. Jordan. Okay. Did you do any of the preparation for the background press briefing that Department of Defense did on September 12th? I believe it was Mr. Little who gave that. Did you participate in that, the briefing part, the background of the press release, did you participate in preparing him for that, or did you participate in the actual briefing itself?

Mr. Bash. I don't remember.

Mr. Jordan. There was a background press briefing given on September 12th?

Mr. Bash. I don't recall that.

Mr. Jordan. Okay.

Mr. Bash. I'm not saying there wasn't. I just don't have a memory of it.

Mr. Jordan. Okay, I think we're out of time.

Mr. Chipman. Off the record, please.

[Discussion off the record.]

Ms. Sachsman Grooms. Let's go back on the record.

EXAMINATION

BY MS. SACHSMAN GROOMS:

Q Mr. Bash, I wanted to reintroduce myself. My name is Susanne Sachsman Grooms. Before I start asking you questions today, I think in the last round, there were a number of very specific questions about the force laydown and military issues. I think we, as a Congress, have received quite a bit of information about that, and we, as a committee, were transmitted that information that has been provided to us through numerous transcribed interviews and testimony of not only Secretary Panetta, but in more specificity, General Dempsey and Mr. Roberson who I think --

A General Roberson.

Q General Roberson, who I think is a J-3 that you were sort of referencing in transcribed interviews.

Ms. Sachsman Grooms. So what I wanted to put into the record as exhibit 4 is the Department of Defense posture laydown.

[Bash Exhibit No. 4

Was marked for identification.]

Ms. Sachsman Grooms. And this is a document that was turned over to HASC, and therefore, we -- and HASC provided it to us. It has all of the potential military forces in the entire region with both the end times and the transit times, so that's information that we, in fact, have.

Then I also want to pass out to you, just so you can use it later,

exhibit 5, which is going to be the letter that the Department of Defense provided to the chairman of the Armed Houses of the House, Chairman McKeon, with the Department of Defense timeline.

[Bash Exhibit No. 5
Was marked for identification.]

Mr. Bash. Yeah.

BY MS. SACHSMAN GROOMS:

Q I think you referred to it quite a bit during the previous round, and so I just wanted to put that into the record. That would be exhibit 5.

I know we're asking you a lot of questions today about stuff that happened a number of years ago, and that -- and that, to some degree, it appears that you're relying relatively heavily on the Department of Defense's timeline that it created for Congress a number of years ago. Is that accurate?

A This was produced, I think, in the weeks and maybe days, weeks, maybe months after the events of September 11, 2012.

Q Uh-huh. I think you also were asked a number of questions sort of specific to military operations. Can you explain to us, as chief of staff to the Secretary of Defense, what your responsibilities were with regards to the military response on the night of the attacks?

A Well, that night, as I noted, he had the benefit of the chairman's advice, the vice chairman's advice, and it turns out that the combatant commander where the events were happening of that specific area of responsibility, commanding General Carter Ham, who

was the commanding general of U.S. Africa Command, happened to be in the Pentagon. He also had a senior military assistant, lieutenant general at the time, now General John Kelly, who is now the U.S. Southern Command commander until tomorrow, and others.

And so, you know, I would say that the Secretary had the principal military advisers to him there that evening at his disposal, and so my role as a advisor on military issues really was marginal to their central role. That's not the civilian chief of staff's job to advise on what forces are available to be deployed, for example.

Q Sure. So you were not the operational military advisor on the scene that night?

A No.

Q And you're a civilian?

A Yes.

Q And you had worked for Secretary Panetta as his chief of staff at the CIA also. Is that right?

A Yes.

Q Is it fair to say that your job as the chief of staff is more of a -- that night, in terms of these issues, was more a liaison role?

A No, I would say my responsibilities, including providing the Secretary whatever support he needed to carry out his statutory responsibilities, that including -- that included participating in the discussions. That included advising him on matters, and that included liaising with others in the interagency.

I want to just clarify one thing, which is that earlier today, earlier in the interview, we talked about the way things happened in the normal course, and then we kind of talked about the ways things happened in more of a crisis situation to do a hostage rescue or a counterterrorism mission. And then there was this third bucket, which was the realtime crisis where there was no playbook, and in this situation, this third bucket, some of the players weren't there.

So, for example, normally the individual that would take the lead on interagency discussions would be the Under Secretary of Defense For Policy, a Senate confirmed senior executive civilian official who was a direct report to the Secretary of Defense. That individual was not in the Pentagon that evening, and so I tried, as best as I could, to sort of step in the breach and participate in the interagency and do the latch up with others around the government because it was a crisis and because just to try to cut through any bureaucracy, even if we could just save 5 or 10 minutes, if I could reach out directly and have conversation or discussion with others, I was going to do that.

Q And that was Mr. Miller that you're referring to?

A Dr. Miller.

Q Dr. Miller. And Dr. Miller was out of the Pentagon with a family issue. Is that accurate?

A Yes.

Q And I think we saw email communication showing that Dr. Miller sort of latched back up with you later that evening when he was able to. Is that accurate?

A I saw that email as well.

Q When Secretary Panetta -- we understand, from Secretary Panetta's prior Senate testimony, as well as what he has told us, and I think the chairman sort of alluded to this also, or described it also, that when he returned from the White House, he conferred with those senior military officials, that included General Dempsey, General Ham to discuss the response options for Benghazi, that they made a recommendation, and that he immediately ordered them to act on that recommendation and moved forces.

And he was very clear, and I think the chairman described this the same way that I recall it, that he told them not just to prepare the forces to move but to actually move the forces and take the hill. Is that consistent with your recollection?

A Yes.

Q And Secretary Panetta was also very clear that the authority to make the decision to move the forces was his and his alone and that he moved the forces that were under his authority. Is that consistent with your recollection?

A Yes.

Q Secretary Panetta explained that the only person who could have overruled his order to move the forces was the President of the United States and that he's certain that the President did not do so, and in fact, that the President's orders and directions were entirely consistent with the orders that he in fact issued, "he" meaning Secretary Panetta. Is that consistent with your recollection also?

A Yes. And I would just add, no one could have and no one did overrule the Secretary of Defense's orders and nothing slowed down the deployment of U.S. Military Forces to try to rescue our people.

Q And Secretary Panetta's order to deploy forces, that would not have been given to you. It would have been given to the generals that were in the room. Is that accurate?

A Generals and admirals, general officers and flag officers, yes.

Q And the generals and admirals would then have been responsible for fulfilling those orders. Is that accurate?

A Yes.

Q And so even if we were working off of the assumption that you had not heard them or that you had entirely misunderstood them, would that have affected the actual orders and their enforcement in any way?

A No. I was not in the chain of command. That position is certainly not in the chain of command, and as a staff element supporting the secretary, and an order that he gives, whether it's in a regular deployment order situation or in the counterterrorism situation or in a crisis situation, those get directly executed to, via the combatant commander, down to the element in the unit.

Q So if you had stepped out of the room when he made the order, if you had misunderstood that he was still debating over the order, but he had actually already given the order, that wouldn't have made any difference. Is that right?

[REDACTED]

A It certainly wouldn't have made any difference in the execution of the order, and actually, if I could just go a little further here, I mean, I think -- let's think about just the timeline, and let's imagine for a moment that this is sort of a "what if" kind of a Monday morning quarterback exercise that I'm -- that I want to think through here, but I think it's useful, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] So let's posit that. Let's posit that that unit was actually co-located with aircraft that could take them to Libya because obviously they can't fly a helicopter from Spain to Libya. So let's posit that that was the case, even though we now know that it was not the case.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Then that force would land at the airfield in Benghazi and have to unload and stage a assault or counterassault. By that time, as the timeline notes, the attack on the Annex, in which we lost the second group of two Americans, had occurred like 2 hours previous. So even had this succession of miracles occurred and the meeting time was shrunk down twice as fast as it actually was [REDACTED]

[REDACTED]

[REDACTED] and the aircraft is co-located, what we now know -- of course, we didn't know at the time -- but we now know that they would not have gotten there to prevent the loss of life.

And I just -- I want to mention that because I've gone through the sort of heart-wrenching, gut-wrenching exercise of thinking, is there anything we could have done that night to go faster? Is there anything that we could have done in the little world that we controlled here in the Pentagon of accelerating all the activities and actions, and I just -- I've come to the conclusion, and I think Secretary Panetta has said this publicly and has written about this, that we tried. We did our very best. We did our dead level best, but that it turns out that the tyranny of time and distance did not allow us to respond in time to save those four Americans.

Q I appreciate that, although you did sort of posit a number of hypothetical then situations that actually were not the case.

A Right. And so I just -- I state that because now we have the benefit of hindsight. We know actually what the facts were.

[REDACTED]
[REDACTED] We know that the aircraft was not co-located. We know that the meetings did occur over the course of 2 hours as opposed to 1 hour, so I just -- I only flag it because I think when people say, well, the Secretary gave an order at 7:00, that means you could posit, if he had, if he had, if this happened, or if this happened, that still doesn't get our forces on the ground in time to save those four Americans.

Now, again, we didn't know it at the time, which is why everyone was moving with all deliberate speed, but with alacrity to the objective, and that's, I think, the cornerstone of responsibility of any U.S. Government official in a crisis like this, which is why we carried out that duty in that fashion, but I just want the record to be clear that even had those things been in place that people are suggesting could have been or should have been, that would not have gotten our military there in time to save the four Americans.

Q So consistently with the statements that Secretary Panetta gave about his order to move forces, General Carter Ham, who would have been in the room and you describe being in the room, he's also testified repeatedly to that sequence of events. On June 26, 2013, he described to the House Armed Houses Committee, and I quote, "The Secretary of Defense gave me clear direction at the outset, you know, to deploy forces, again in anticipation that the first mission was potential hostage rescue of the U.S. Ambassador, recovery and evacuation of wounded and other persons from Benghazi." Is that consistent with your recollection?

A Yes.

Q General Ham further explained to the House Armed Houses Committee and the Oversight and Government Reform Committee in a transcribed interview on April 9th, 2014, when he was re-interviewed, that, and I quote, "my recollection is, in one of my earlier conversations with the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, I had asked for and was approved for the alert

notification and deployment of the Commander's In-extremis Force and the fleet antiterrorism support, so my recollection is that the Secretary gave verbal approval shortly after the attacks began, and then a formal written execution order came sometime after that, but the wheels had already been put in motion."

Is that consistent with what you described to us?

A Yes.

Q And General Ham further stated in that same interview that, and I quote, "but in the conversation with the Secretary of Defense, with the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, as all of us were, trying to gain better understanding. His basic guideline to me is, what do you need, and he gave me every force that I asked for."

Is that consistent with your recollection?

A Yes.

Q Were there any forces that General Ham or General Dempsey suggested using that Secretary Panetta refused to authorize the use of?

A I am not aware of any forces that were identified that could possibly or potentially respond that were not employed -- not deployed. Sorry.

Q Why don't we go to the email that we spent quite a bit of time on, exhibit 2, in the last round. So in the last round, you explain that you wrote this email in the middle of a lot of different things going on, and it sounds like, I think you described it, you banged

it out. Is that right?

A Yeah, I mean, it's a crisis. You're moving fast. You're trying to do everything you can to latch up with others in the interagency. I think -- I had the opportunity to work in Congress with some folks like Phil and Chris on the lessons learned from 9/11. And the shorthand was that there was a lot of dots that were unconnected, and the agencies weren't talking to each other. And so when I came to the executive branch in 2009, I always kind of thought to myself: All right, let's not forget these lessons, and let's try to communicate as much as possible to others in the interagency. Even if it's not the right protocol, the formality, just cut through all that and just try to tell people what's going on.

And I try to do that a lot. That was part of my role and responsibility, and I think the email latch up with State reflects that.

Q And in the last round, we spent a bit of time over the sort of difference between the word "was," which I think more accurately you said would have been -- you would have used the word "is," and it appears that in a number of places here in this email, you know, you might not have used exactly the terms you would have used if you had thought about it for some time. Is that accurate?

A Yeah. That's right. I think just thinking now for a moment about the "was" and "is," which is something I hadn't focused on before, they were training in Croatia. That's kind of the reason they were there, and so maybe these are past tense was to suggest that they had gone to Croatia to do this training but that they are now

potentially available. It wasn't to suggest that they had left Croatia or left Croatia behind. It's just that they were sent to Croatia for the purposes of training.

Q Is it fair to say, when you wrote the email, you weren't spending a lot of time looking at each word and trying to make sure that it was perfect?

A That's very fair, as evidenced by the fact that I misspelled "Rota."

Q And that --

A Embarrassingly.

Q And that while you were trying to be accurate, you were -- you know, is it fair to say that there might be some stuff in this email that is not accurate?

A You know, when you're operating in a crisis and American lives are on the line, I don't think people stop and make their emails as polished as can be, nor would we want them to. And I actually didn't even remember this email until it was surfaced in the public domain and started trending on Facebook. And I got calls from my siblings and nieces and nephews saying, Hey, what is this? And I didn't even remember having this. I mean, the events of that night were kind of a blur in many respects.

I remember some fundamental elements of it, which I've talked to the chairman about, and certainly remember that -- the key points that Secretary Panetta has written about and talked about publicly. So it shocks me now that all that -- that email I wrote contained errors,

misspellings, incorrect capitalizations, and words that may not have -- be totally precise.

Q Can you describe, to the extent that you remembered or you've been refreshed by it, what the general point of the email was?

A To latch up with the State Department on the United States military's response to a situation in which a U.S. diplomatic facility was being assaulted and attacked and the potential hostage rescue of a missing U.S. Ambassador.

Q You were just trying to tell your counterparts at State that you guys were moving forward and doing what you could?

A Yeah, they were going in to get America's people. They're the United States Department of State. They're the ones who have people overseas, in addition to other agencies and departments, and the word that we got was that it involved a U.S. Ambassador. I don't recall at the time hearing about other agency personnel or other intelligence community elements in others. I think that's something that I learned about later, and it's possible, again, Monday morning quarterbacking, that had I known about that, I would have reached out to those people as well. I used to work at CIA, but from what we knew at the time was that an ambassador was unaccounted for.

Q And I think you were asked in the last round about how the email reads to a sort of detached outside observer. Did you have any sense that when you were writing it or sending it, was your audience ever going to be a detached outside observer?

A Of course not.

Q Your point was just to communicate some information as it was evolving over to the State Department. Is that right?

A Some realtime information about a crisis to senior leadership of the United States Department of State about it, about a U.S. military operation to go help our people. That's it.

Q And is it fair to say that even if your boss had already said, in a room where you were, "go forth with all deliberate speed, deploy those forces," but that you knew the meeting was still ongoing, that in order to not get essentially in front of your boss, you would have fudged the language a little when you sent it over to State?

A Yeah. And as I noted earlier, and for those who -- I apologize if this is repeating, but you know, my mode, and I think I got this sort of from my training on Capitol Hill, where I used to tell staff members of the House Intelligence Committee, when I was chief counsel, the first rule of being a staffer to a Member of Congress is you're not the Member -- you're staff -- and don't announce things for the Member before they do, and don't get ahead of your Member.

So I think my mode and my practice has been, in my government service, has been to be circumspect and be appropriately judicious in announcing things certainly about the deployment of military forces in a crisis, and I just know that's my style, and that, I think, is reflected here.

Q And you use the term "spinning up." Is that a colloquialism in the Department of Defense?

A It's jargony. I don't know if I heard it first in the IC

[REDACTED]

or in DOD or where. But, unfortunately, jargon is bludgeoned into everything that you do at DOD. But, again, to clarify, and for the completeness of the record, what I meant -- I think what I meant, as best as I can recollect, is that people were always preparing. They weren't -- it wasn't some Hollywood moment where it's the Secretary stands up and says, "I hereby order," and then people who didn't hear anything about this situation start to move from a cold start.

There had already been a lot of conversations. And, in fact, I can recall Admiral Winnefeld, the Vice Chairman, coming into discussions and sort of saying, all right, we've reached down -- down range to these people, and these people -- these elements can respond. We talked to the -- you know, we talked to -- I'm assuming this is -- was sort of the conversation. I don't remember the exact words. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We weren't the only ones having conversations about these questions in the Department of Defense. So the clear sense that I got from even just an hour and change into that meeting is that people were already getting ready, people were already getting ready, and that was good and appropriate because the minute they had the capability to go, they would go.

Q And while the Secretary of Defense early on in the conversation ordered, you know, deploy forces with all deliberate -- go, take the hill, there are, in fact, a number of

[REDACTED]

complicated and sort of detailed pieces that go into which forces and how, and you know, how to get the plane to the right place and how to get it fueled. Is that sort of an accurate description?

A Yeah. I mean, the conversation is truncated into deploy, but it's obviously a much richer, more complicated conversation, which there was discussion around the table by the senior uniform military leadership of the Department of Defense about what the elements have, what they can do, what the range of aircraft is, what their capabilities are, how much time they could be in a location, all the things that you would expect to be part of the discussion, the evaluation of the risk to the force, the risk to the mission, all the criteria that's usually very well long discussed and thought through and analyzed and there are slides upon slides about it in the regular course. This is all truncated into like, you know, 2 hours.

Q So I'm sure you've seen a number of -- a number of individuals who sort of commented about your email. That's exhibit 2. There's a Fox News story that claimed that, and I quote, "the revelation appears to contradict testimony Defense Secretary Leon Panetta gave lawmakers in 2013 when he said there was no time to get forces to the scene in Libya."

To your knowledge, does your email contradict Secretary of Defense Panetta's previous testimony? Does it identify any military assets that he had not already testified about before the Senate in 2013?

A The email is totally consistent with what he testified.

Why do I say that? Because the Fox News reporter, wherever the report came out, I don't remember it being Fox, but it said that the Secretary said that we could not get forces there in time, but then they lopped off the second sentence -- part of the sentence of this, but we tried. The email shows we tried. We had forces getting ready, and they were going to be deployed.

They were -- we were on the move, and the orders went out, and they did move. Now, we can have a conversation at some point about the N+ times and the marrying up with aircraft and their arrival, which I think is an important part of that to complete the record, but on his particular statement that we couldn't get forces there on time, if you just stop listening to the rest of this testimony, you're left with the impression we didn't try, but of course, we did.

Q And Judicial Watch, which released the email, stated that it, quote, "leaves no doubt military assets were offered and ready to go and awaiting State Department signoff, which did not come," end quote.

When you wrote the email, did you intend to state or imply within it that the State Department needed to approve or sign off on the deployment of military assets?

A Of course not. I think the Secretary has written about this and has testified about this, and the Chairman's testified about this. The assets were identified, they were deployed, and they went. They -- we now know, in hindsight, how far they got.

Q And sometimes Principals, in a capital, refers to the

██████████

Principals Committee, which is obviously an interagency group, when you wrote the email, did you intend to state or imply within it that members of the President's Principals Committee needed to approve or sign off on the deployment of military assets?

A That's not the way -- no. The answer to your question is no.

Q And did Secretary Panetta ever say or do anything to indicate that he did not want military officials to do everything possible to help the State Department personnel on the ground that night in Benghazi?

A On the contrary, he stated and directed that everything be done within the power of the United States military to help our people.

Q During the Senate hearing, February 7, 2013, where Secretary Panetta and General Dempsey testified about the forces, Secretary Panetta ordered to move on the night of the attack. General Dempsey explained, and I quote: "I want to make just one comment related to your chronology because I think it's important. Once we started moving forces, nothing stopped us, nothing slowed us. The only adaptation we thought about making was for a period of time we thought we were going to be entering a hostage rescue because we didn't know where the Ambassador was, but once we started forces moving, they don't slow, they didn't stop," end quote.

Do you agree with General Dempsey that once the forces were moving, they never slowed or stopped?

A Obviously, at some point, they did stop, I mean, just to

██████████

[REDACTED]

be completely accurate. But if the implication is that some outside force or either enemy force or a U.S. Government official told them to stop or told them to stand down or told them to wait, that never happened. That did not happen at all.

Q And they didn't stop until after the U.S. personnel had been evacuated from Benghazi. Is that right?

A All U.S. personnel -- my understanding from the timeline is all U.S. personnel had been evacuated from Benghazi before any outside non-Libya based U.S. military element actually arrived in Libya.

Q And in that same testimony, General Dempsey stated something that I think you referred to earlier about the difference between prepared to -- the lack of a difference between prepared to deploy and deploy.

He said, and I quote: "If I could just help with that one, Senator, the process as you tell the unit to prepare to deploy, when they report readiness, you tell them to move, that's just a piece of the process. There was nothing that held them up."

Is that your understanding of the concept?

A Yes. And I've heard commentary or questions about, well, was there a second go order required, no. Once the deployment order is issued, no second deployment order is issued.

Q And, General Dempsey, you've already said, was in the room with Secretary Panetta to receive the order to move the forces directly, right?

[REDACTED]

A General Dempsey was in the room? Yes.

Q And General -- and General Dempsey and Vice Chairman Winnefeld, who was also in the room, would have moved immediately to work with the military chain of command to implement those orders. Is that accurate?

A My recollection is that they were in constant touch with the Joint Staff and the National Military Command Center to execute those orders.

Q But that wouldn't have been your role. Is that right?

A That would not have been my role.

Q So there have also been questions about -- there have been questions about country clearance and whether military response was delayed because of country clearance. Congress has interviewed --

A There was not.

Q Yes. Congress has interviewed the defense attache, who is a senior defense official on the ground in Libya on the night of the attack, and he told us, and this would be back in January 2014, before the Select Committee existed, that the Libyan Government had approved the flight and that he had communicated that fact to the deputy chief of missions in Tripoli.

He stated, and I quote: "We had a green light from the government of Libya to bring it in. It's just a question of when we're going to know the specific information that goes into a standard flight clearance request," end quote.

During Secretary Panetta's hearing with General Dempsey, General

[REDACTED]

Dempsey stated that even if he had not received country clearance, he would have acted. He stated, and I quote: I want to assure you, had we been able to -- there has been a whole bunch of speculation about were we risk-averse -- we needed a country's permission to come in. If we had been able to get there with anything, we would have gone in there under the command of the Commander of U.S. Africa Command." Do you have any reason to doubt General Dempsey's statement that he would not have waited for country clearance if he had been able to go in and save lives?

A I have no reason to doubt that. I think the Chairman of the Joint Chiefs' statement on that is correct and is consistent with my understanding.

[REDACTED]

[11:15 a.m.]

BY MS. SACHSMAN GROOMS:

Q But, certainly, there was an effort to get country clearance as part of the sort of requirements of The Hague Conventions. If it was possible to get it, you wanted to get it? Is that an accurate understanding?

A You know, I don't really remember that looming large in the discussion. Most of the discussion was about the military efforts. There was some conversation with State about that dip clearance issue, and I had since reviewed some email correspondence with Admiral Winnefeld in which he talks about dip clearance issue for the U.S. Forces to go and stay in Tripoli for an extended period of time and for aircraft to reposition from elsewhere in Europe into Spain. But that's not to suggest that that would stop, slow, veto, or in any way compromise our ability to stage a rescue, a hostage rescue or any other rescue if we had the ability to do that. It's impossible to prove the negative, and so that's why I understand why this theory or concern proliferates, but we didn't not do something because that issue was unresolved in some way.

Q And did the statement from General Dempsey that he would have gone in regardless of country clearance, depict the sentiments through out the State Department the night of the attacks, that you all were passionate and determined to get whatever resources you could to Libya that night to protect and stabilize?

A I mean, who wouldn't be?

Q Was protecting American lives the top priority for you and everyone you worked with and spoke to that night?

A Every day, and certainly on that day.

Q And does that include everyone you spoke to at the Department of Defense?

A We are making sweeping statements here, but everybody that I worked with and in the United States Department of Defense, to include the senior uniform military and others, had one objective that night, which was to do everything we could to try to save our people.

Q And I understand you were on the SVTC and you had some communications throughout the interagency. Was that also the primary objective of everyone else that you had communications with throughout the interagency that night?

A That was my impression, yes.

Q There have been a lot of sort of questions and theories over the years that speculate that there were more resources that weren't sent to Benghazi on the night of the attack. And they imply that you or other officials within the military or the interagencies had resources at your disposal that you chose not to send. Can you respond to that?

A That's false. And as Secretary Panetta and as Chairman Dempsey and as other senior officials have spoken about multiple times to Congress and to the public, and Secretary Panetta wrote about in his memoir, any available unit, asset, with the ability that could respond to the situation in Libya that night was deployed. The force

[REDACTED]

posture laydown that you referred earlier delineates the transit times, the N+ transit times, and although this is somewhat hard to decipher for an average observer -- because there are a lot of acronyms and unit names and shorthand on the slide -- I think if we were to translate this into English, it would show that even had the available forces been deployed [REDACTED]

[REDACTED] the flight time to Libya would have meant that they would have arrived there, unfortunately, after the four Americans had been killed. And so the suggestion in the commentary about the availability of forces is that somehow we were too slow or didn't deploy assets that -- there were available assets that weren't around, that doesn't comport with the facts as the forces were postured that day.

Now, you could have conversations about why the forces were postured that day in that manner. I think that has been talked about in the hearings that I have seen with General Dempsey and Secretary Panetta, talking about the intelligence warning, talking about the availability of other forces that would need to be built to respond to a threat from terrorism, and if you ask me, I'm going to consider myself a national security professional. I do believe that terrorism is the single greatest threat to the United States, our people, personnel installations abroad, and that we need to have a quick reaction force that can respond in extremis situations in which our people and our facilities are under attack.

And I think one of the main lessons learned from Benghazi, and I know the committee will focus on this, is what forces need to be

[REDACTED]

created and what the resources need to be provided to the Department of Defense to ensure that we don't have a situation where we can't get to someone in time if we have the ability to do that.

Q But regardless of what forces could be built, there always would be some distance and time issue, is that sort of an accurate --

A Yeah, and other than Djibouti, we don't have bases in Africa. We don't have military bases. Tripoli, Benghazi, Tunisia, these are thousands of miles, or 1,500 miles from places like Rota, Spain, and several hundred miles from other military bases. And I also worry, what if something were to happen in Sezwa (ph) that's even further. So I just, people need to look at the map when they analyze whether our forces could have responded that evening.

Q Was it your sense that Defense Department officials were doing everything in their power to respond to the situation in Libya that night?

A Yes.

Q And was it also your sense that personnel from across the interagency were doing everything they could to assist in the crisis that night?

A Yes.

Q Did the Secretary of State ever tell the Secretary of Defense to stand down or slow down the Department of Defense's response?

A No.

Q And you saw her and her staff on the SVTC. Do you recall -- I think she has testified that she was pushing stringently

[REDACTED]

and strongly for a FAST response to save her people. Can you describe what you recall her, sort of, doing?

Mr. Shapiro. Is somebody knocking at the door?

Mr. Bash. As I stated previously, I don't specifically remember what was stated on the SVTC with regard to that issue. I remember she was seeking any latest information we had on the situation on the ground. And I remember at one point a message was passed to her about the fact that a blond-haired individual was found at the hospital, and I remember she and her team said, that must be Chris, because they knew Chris Stevens, and they knew that that person probably would be matching the description of the Ambassador. They didn't note whether he was injured or dead or alive. I think the sense that I had was that he was alive, but probably injured.

And I read in an email in preparation for today that said that they said on the SVTC that, at that point, they had already -- they knew that the other individual who was co-located with Ambassador Stevens, the communicator, had already died from smoke inhalation. If they knew that already, I don't remember that from that SVTC, but that's not something that stands out in my -- I'm sorry, strike that. I don't remember that being discussed, but the whole mode of operation of the interagency was, let's try to respond as fast as humanly possible to this crisis, and that's exactly what we did.

BY MS. SACHSMAN GROOMS:

Q And that was the sentiment during that SVTC call, was we need to respond as quickly as possible to the crisis in Benghazi and

[REDACTED]

Tripoli?

A Everyone that I heard speak made that point.

Q And just because we keep doing this and we will keep -- I will just keep doing it. Did the Secretary of State's staff ever communicate to you that they wanted to stand down or slow the military's response?

A No.

Q Did the President ever tell the Secretary of Defense to stand down or slow the military's response?

A No.

Q Did the President's staff ever communicate to you that they wanted to stand down or slow the military's response?

A No.

Q I will mark I think the email that you were referring to earlier as exhibit 6.

[Bash Exhibit No. 6

Was marked for identification.]

BY MS. SACHSMAN GROOMS:

Q We will pass it out, but the email that I'm putting into the record, it was an email from James Winnefeld who is the Vice Chairman of the Joint Chiefs to Denis McDonough, Wendy Sherman, James Miller who you referenced before from OSD Policy, John Brennan, Ben Rhodes, a number of others and yourself. In it -- it's from Wednesday, September 12, at 1:19 a.m. and it states: "Understand we now have dip clearance for the FAST platoon into Tripoli. Working to accelerate

[REDACTED]

the airlift; have spoken personally with USAFE commander; will advise if it can be accelerated. We are also working the issue of ground transport from the Tripoli airport to the Embassy (the platoon is capable, but it's light and does not bring its own transportation), as well as the issue of how to (and whether we need to) help recover the COMs and the communications officer's remain."

Does this email from your memory and, reading it, show that the dip clearance in Libya was actually received that evening?

A I don't remember the dip clearance issue really being a big issue at all. And it was, at best, a derivative or subordinate issue to the overall issue of the military response. I don't remember this email per se. I mean, I have this cc that I'm copied on it, but it's not one that I remembered -- or it's not one that I remember. But I know Admiral Winnefeld and I would trust him to accurately characterize the situation in the deployment of military forces. And if he says that there's no issue with the dip clearance, then I think he is correct; there was no issue with the dip clearance.

Q And just from the email it appears that Admiral Winnefeld and then throughout the night was -- and sort of, he says here, working to accelerate the airlift, talking personally with people. He was doing everything in his efforts to try to make the response of the military faster that night.

Is that sort of an accurate characterization?

A It certainly appears to. Although, of course, in hindsight, we all now tragically know that at the time this email was

[REDACTED]

sent, the attack on the Annex that took the lives of the second two Americans had already happened like 2 hours previous. So notwithstanding his great efforts to accelerate the military's response, even had he been able to snap his fingers and make them arrive in Libya at that moment, it would not have saved those two individuals. But he continued to try because, of course, at the time, we didn't know. And, of course, at the time, we were operating under the assumption that our people were still under threat and that we needed to ensure their safety. So that's my, you know, that's my analysis of the email as I read it today.

Q So we talked a fair amount about the forces that Secretary Panetta ordered to move forward. But even before that happened, there were DOD assets that were put into motion almost immediately by people in the field making those decisions. One of those was the ISR that moved the drone that moved to help out, and the other was the, sort of, first DOD forces that actually responded to Benghazi immediately after the attack.

According to the DOD timeline, at approximately 6:30 p.m. eastern standard time, a DOD-led security team that was located at the U.S. Embassy in Tripoli departed for Benghazi, and it landed in Benghazi at approximately 7:30 p.m. eastern standard time. So that would have been really during the time period that the Secretary was returning, and then you all were having your meetings. Is that sort of accurate?

A Yes. But I should add that that team -- I don't recall that team being discussed or presented to the Secretary as an option for

[REDACTED]

him to deploy. We now know in hindsight that it was at the same time that meetings were happening in the Pentagon. But we shouldn't understand from the fact that it happened at the same time that it was known to the people in the Pentagon or the senior leadership of the Pentagon that that was happening.

Q And the Secretary didn't have to order those forces to deploy because on the ground, under their command structure, they made a decision to deploy immediately, and they deployed. Is that accurate?

A Yes. And he didn't know about them, so he couldn't have deployed them. Let me clarify. He couldn't have. He didn't know about them. You can't deploy something you don't know about.

Q Sure. Although, I think my question is more to the side of regardless of whether he knew about them, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] which is what we would expect from military forces in the field.

A And God bless them. Honestly, they had the initiative and courage to do the right thing, and they did it.

Q In Secretary Panetta's testimony to the Senate he said, and I quote: "The quickest response option available was a Tripoli-based security team that was located at the Embassy in Tripoli, and to their credit, within hours, the six-man team, including two U.S. military personnel, chartered a private airplane and deployed to Benghazi. Within 15 minutes of arriving at the Annex facility, they came under

[REDACTED]

[REDACTED]

attack by mortar and rocket-propelled grenades. Members of this team, along with others at the Annex facility provided emergency medical assistance in support of the evacuation of all personnel."

So the security team in Tripoli would have been actually the closest available DOD resource to respond to attack. Is that right?

A I think they were, in fact.

Q And the way we understand it is --

A I'm sorry, could you just restate your question again?

Q Sure.

A I'm sorry, I want to make sure I'm precise about it.

Q Sure. And maybe I wasn't precise in my language.

A Okay.

Q There were individuals -- the first DOD asset that assisted with the response would have been the ISR drone that was moved and that was done almost immediately. After that, the closest available Department of Defense officials who -- Department of Defense military operators who were Special Forces and actually capable of assisting, were those folks in Tripoli. Is that right?

Mr. Chipman. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ms. Sachsman Grooms. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Bash. I don't know their official status. And to General Chipman's point, I don't know what the command relationship was at the time. I know what we know now, which is that people went there. Some of them happened to be from the Department of Defense. I can't speak to what their specific operational chain of command was?

Ms. Green. [REDACTED]

[REDACTED]

[REDACTED]

BY MS. SACHSMAN GROOMS:

Q Do you recall when you first learned about them?

A No.

Q We have seen email traffic that shows that, I think, a number of individuals in the interagency were aware of them pretty early in the evening. Is that consistent with your recollection, or you just don't recall at all?

A I don't recall when I or when others in the area became aware of them.

Q But that particular group got to the Annex before the mortar attack. Some of its members were casualties in that, or some of the group's members were casualties in that attack, not necessarily the DOD folks. Is that right?

A I think that's been well established in the factual record that two of the individuals who responded from Embassy Tripoli to the

[REDACTED]

[REDACTED]

Benghazi Annex, the CIA Annex, were two of the individuals who were killed that night.

Q How important do you think that the DOD-led Tripoli group was in saving lives in Benghazi that night?

A I don't know that I'm in a position to assess that.

Q And would it be unusual that a Secretary of Defense would not be aware of DOD, like every DOD individual assigned throughout the world, especially those assigned in -- as part of, sort of, CIA operation?

A The United States Department of Defense is comprised of roughly 3 million people, 1.4 million on Active Duty, some 800,000 Reserves, and remainder civilian. Those numbers might be off a bit, but it gives you a sense of the enormity of the United States Department of Defense, and it would be highly unusual for the SecDef to be knowledgeable about the composition or capability of the United States military officials serving in embassies around the world.

Q And by the time the Secretary of Defense just, sort of, in our timeline would have been able to give an order -- even if he had known about them, and he was going to order them to go -- these particular guys were, sort of, already out the door. Is that right?

A Yes, I mean. Apparently, according to the timeline that DOD developed, they were departing as of 6:30 p.m., which is, you know, from the timeline, was toward the end of the first half-hour of a rolling 2-hour meeting that the Secretary hosted in his office to discuss the deployment of United States Military Forces to respond.

[REDACTED]

Mr. Chipman. I'm sorry, did you mean to ask whether the SecDef had intended to order the two-man team in Tripoli to respond to the incident in Benghazi. Is that what your question related to?

Ms. Sachsman Grooms. No. That wasn't my question.

Mr. Chipman. Okay. You said, by 6:30, they had already deployed. You said the SecDef had intended to order them to go?

Mr. Shapiro. I believe it was, even if he had intended to, they were already going.

Mr. Chipman. Okay, thank you.

BY MS. SACHSMAN GROOMS:

Q So what really happened was the people on the ground, the interagency, really, people on the ground, CIA and DOD together, did what I think you would have expected them to do, which is respond as quickly as possible without seeking approval up. Is that accurate?

A I don't know what approvals they were required to get or what they sought. Or I'm not familiar with what approvals were lingering in the air that evening, but I know that they departed. They went. They did so on their initiative and courage. And God bless them for doing it.

Q So I think we can go off the record then.

[Discussion off the record.]

Mr. Chipman. Okay, back on the record. Mr. Chairman, it's over to you.

Chairman Gowdy. Yeah, Mr. Bash, when you and I last talked, I think one of my last questions was in reference to this email dated

9-11-2012 at 7:19 that you and I were discussing: "We will ask State to secure the approval from host nation." And as I recall, you and I were trying to determine who that nation might be. You may have answered it, but would you humor me and do it again?

Mr. Bash. Libya, and I would add that I saw email traffic later in which Admiral Winnefeld was noting that a dip clearance was also being sought for the arrival of the U.S. aircraft into Spain.

Chairman Gowdy. But you would not have known that because you used the word "nation" singular?

Mr. Bash. Yeah, I think my -- as I can reconstruct it, my -- what had been discussed was any Libya Government dip clearance. I now know that there was also an issue with regard to Spain. But I don't believe I was referring to that in that note.

Chairman Gowdy. Do you know who, with specificity, was going to be consulted in Libya?

Mr. Bash. I do not.

Chairman Gowdy. Does it strike you as reasonable that if you have time to consult them about landing in their country or using their airspace, you might have time to ask them to please help rescue your people who are under siege?

Mr. Bash. Yes.

Chairman Gowdy. But you don't know who we were going to ask for permission to land?

Mr. Bash. I do not.

Chairman Gowdy. Is that a requirement, that you receive

[REDACTED]

permission from a, quote, "host nation"?

Mr. Bash. We talked about this a little bit earlier. It's not a -- my understanding is it is not a legal requirement for the deployment of the United States Military Forces. There is a policy or practice of doing so when U.S. Military Forces are introduced into a sovereign country. But, you know, require -- stating that it's a requirement, I wouldn't want to leave the impression that if somehow the approval was -- request for approval wasn't answered or that it was rejected or negatively returned, that that would prevent the United States military from responding. And I want to make clear that that would not prevent the U.S. military from responding.

Chairman Gowdy. Do you know from whom we secured permission from in Pakistan before the Bin Laden raid?

Mr. Bash. [REDACTED]
[REDACTED]
[REDACTED]

Chairman Gowdy. And that would be different from an attempt to rescue an ambassador in what way?

Mr. Bash. Well, in multiple ways.

Chairman Gowdy. I will just settle for one.

Mr. Bash. Excuse me?

Chairman Gowdy. I will just settle for one.

Mr. Bash. In the bin Laden operation, the President directed that no individual in any foreign government, to include Pakistan, be notified of the planning and the execution of the operation. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Chairman Gowdy. Is it your testimony that, absent that explicit instruction from the President, that you have to receive permission from a host nation?

Mr. Bash. No.

Chairman Gowdy. So there was no requirement that we receive permission from Libya to do whatever we wanted to do in Libya with respect to our missing Ambassador?

Mr. Bash. Nothing was going to stop the United States military from going in and trying to rescue our unaccounted for missing Ambassador.

Mr. Shapiro. I just want to be clear. I think the record is clear. Mr. Bash isn't expressing a legal opinion as to what might or might not be required. But right --

Mr. Bash. Yes.

Chairman Gowdy. Fair enough. All right, so at 7:19, I want us to move, I guess, to -- there was a SVTC. Am I pronouncing that right?

Mr. Shapiro. You have to answer out loud.

Mr. Bash. I'm sorry; you're asking for my pronunciation of the --

Chairman Gowdy. You're familiar with it. I'm not.

Mr. Bash. Secure video teleconference, SVTC, yes.

Mr. Chapman. For the record, this is exhibit 7. It is an email

[REDACTED]

[REDACTED]

titled "Libya SVTC readout Tuesday, September 11, 9:54 p.m." Document No. Charlie 05580538. And that's exhibit 7.

[Bash Exhibit No. 7

Was marked for identification.]

Ms. Sachsman Grooms. And for the record, this witness is not on this email chain.

Chairman Gowdy. Did you participate in that SVTC?

Mr. Bash. Yes.

Chairman Gowdy. And this is 9:44 p.m., which is more than 2 hours after you sent the email to the State Department saying that you were spinning up and waiting on approval from the host nation?

Mr. Bash. I just want to state my testimony with clarity. I did not state that we were waiting on approval from the host nation to deploy the United States Military Forces.

Chairman Gowdy. I apologize for putting words in your mouth. If there is a different characterization, please advise how you wish to convey that approval. "We will ask State security approval." It will speak for itself, whether it asks permission or notice. How about we go with notice? Waiting on notice?

Mr. Bash. You stated "waiting," and I just want to clarify. "Waiting" implies that it would have to be sequenced; that until dip clearance occurred, no military action could occur. And my testimony is the opposite, that we would not wait for dip clearance to try to rescue the Ambassador.

Chairman Gowdy. We are going to get to that in a second. So this

[REDACTED]

is more than 2 hours later you participate in a SVTC and while minority counsel wanted to know that you were not on the email chain, were you actually involved in the SVTC itself?

Mr. Bash. Yes.

Ms. Sachsman Grooms. I have an exhibit if it's helpful.

Mr. Chairman, I have an exhibit with a full email chain if you want to enter it.

Chairman Gowdy. I am happy, under the rule of completeness, to augment this record with whatever record you think ought, in the interest of fairness, be considered alongside it. But I don't know that we need it for purposes of the conversation you and I are going to have.

Would you look at the second page of what appears to be a three-page document?

Are you with me? It's the paragraph that begins "The U.S. military." Do you see that?

Mr. Bash. Yes.

Chairman Gowdy. "The U.S. military has begun notifying special units of likely deployment." This is, conservatively, 3 hours and 44 minutes after Secretary Panetta has been told by the Commander in Chief to deploy; conservatively, about 3 hours after he told whomever you believe needed to be told to deploy; and the U.S. military has begun notifying special units of likely deployment.

"With ultimate disposition pending, State coordination with the Libyan Government and final approval by the White House." What does

"State coordination" mean?

Mr. Bash. I don't know.

Chairman Gowdy. Well, "State" is upper case S. Do you think that could be State Department, or --

Mr. Bash. Oh, yes, yes. I think "State" refers to the State Department, but in terms of the substance of the coordination, I don't know.

Chairman Gowdy. All right, so it could -- it doesn't, but it could -- read "with ultimate disposition pending Department of State coordination with the Libyan Government."

And I believe your testimony is you don't know who they would have been coordinating that with?

Mr. Bash. I don't.

Chairman Gowdy. And you don't know why that coordination could not have just as easily consisted of how to actually help the people who were under siege as opposed to receiving permission or providing notice to enter their territory?

Mr. Bash. Can you restate the question, please?

Chairman Gowdy. I may just get the court reporter to read it back. That way I don't mischaracterize.

Mr. Shapiro. I apologize for interrupting. I just want to make sure that Mr. Bash looks at the whole document.

Chairman Gowdy. That's all right. If you need time -- I'm not trying to rush you. I'm not trying to trick you. The document is in front of you. We are going to read over it together.

Mr. Bash. Okay.

Chairman Gowdy. Madam Court Reporter, could you read that question back for Mr. Bash?

[The reporter read back the record as requested.]

Mr. Bash. I don't know that it did not.

Chairman Gowdy. Is there -- well, I think that's consistent with your earlier answer because I think your earlier answer is you don't have any idea who they were talking to in the Libyan Government.

Mr. Bash. Yes, I don't know the individuals and I don't know the content of the coordination, so, therefore, I don't know the nature of the request.

Chairman Gowdy. All right, let's focus on that last clause, "and final approval by the White House."

This is new to me. May not be new to anyone else, but it had been my understanding from previous testimony that there was no more approval that need be given by the White House. The Commander in Chief said: Do whatever you need to do to help these people.

So what were we waiting on?

Mr. Bash. That's my understanding as well, that once the directive had been given by the President and the decisions were made by Secretary of Defense, that's the chain of command, and the decisions to deploy the United States Military Forces were in effect.

Chairman Gowdy. All right, so I'm back to my question, "final approval by the White House" for what?

Mr. Bash. I don't know.

Chairman Gowdy. Well, you were on the SVTC.

Mr. Bash. But that's not my understanding of what occurred that evening.

Chairman Gowdy. So you think the summary is incorrect?

Mr. Bash. I don't think it's correct that there was some need to go back to the White House. I think that's incorrect.

Chairman Gowdy. And these summaries are prepared by whom?

Mr. Bash. The person's name is redacted, so maybe that could be used.

Ms. Sachsman Grooms. Mr. Chairman, would you like the version with the person's name unredacted that prepared the summary?

Chairman Gowdy. Sure.

Ms. Sachsman Grooms. And would you like to mark it?

Mr. Chipman. We will mark that as exhibit 8.

[Bash Exhibit No. 8

was marked for identification.]

Mr. Chipman. And, apparently, it is an email.

Chairman Gowdy. I think the copy, ironically enough, heavily redacted except for the name because our exhibit is not redacted, but the name is. I'm sure there's an explanation for that, but that escapes me, an [REDACTED] [REDACTED] [REDACTED]. Do you know her?

Mr. Bash. She is an official -- or she was an official in the OSD policy area.

Chairman Gowdy. And I assume -- and ordinarily I don't ask witnesses to assume -- but I'm going to ask you to assume that the folks

who provided these summaries make an effort for it to be as accurate as possible.

Mr. Bash. I think that's valid.

Chairman Gowdy. No one benefits from an inaccurate summary, would they?

Mr. Bash. I'm not aware of anyone who would benefit from an inaccurate summary.

Chairman Gowdy. Are you aware of anyone who, since this summary was provided, has sought to clarify or correct it in any way?

Mr. Bash. I only reviewed this note from the last few hours, so I'm not aware of any effort to change -- to do what you described might be done.

Chairman Gowdy. All right, during our initial hour, you were being modest, and I think you were continuing to be modest because we skipped over, you were complimented in the very first paragraph of this summary. Do you see that on the first page?

Mr. Bash. I think.

Chairman Gowdy. "Special thanks to" -- blank -- "for providing excellent support to Jeremy during the SVTC and for the summary."

Mr. Bash. I think, just to be clear, I think the people who supported me were complimented. I wasn't complimented.

Chairman Gowdy. I'm going to assume that you both were. All right, so you don't know what final approval they would be waiting on from the White House?

Mr. Bash. I'm not aware of any final approval that was being

waited upon by the White House.

Chairman Gowdy. All right, I'm going to skip to the next paragraph. "State remains concerned that any U.S. military intervention be fully coordinated with the Libyan Government and convey Libyan concerns" -- this is grammatically challenged but "that about U.S. military presence, to include concerns that wheeled military vehicles should not be" -- that is a high degree of specificity with respect to their concern.

Do you recall who that concern came from in the SVTC?

Mr. Bash. No.

Chairman Gowdy. Who from the State Department was on that SVTC?

Mr. Bash. The State Department officials that I recall were Cheryl Mills; at some juncture, Secretary Clinton came into the discussion, and I think we talked earlier about what she reported on the SVTC; I believe I recall Wendy Sherman, the Under Secretary, there; and I can't recall who else. And I just want to clarify that I recall participating in the SVTC, but I can't say for certain whether I was there for the whole time or not.

Chairman Gowdy. Well, given the fact that you included in an earlier email two sentences about approval from the host nation, it would have been something that you would have been on the alert for. You were smart enough to include it in your 7:19 p.m. email.

Mr. Bash. I flagged the issue in the 7:19 email, and I don't recall, as I noted earlier, I don't remember if someone suggested that I do that, if that came up in the meeting with the Secretary. The issue,

based on the summary, was discussed on the SVTC, but I don't recall it being discussed on the SVTC. I'm not saying it wasn't. I just don't recall it being discussed.

Chairman Gowdy. Who was Wendy Sherman?

Mr. Bash. The Under Secretary of State.

Chairman Gowdy. And you think you would have remembered it if she had raised it while the chief of staff and the Secretary of State herself were also on the SVTC and did not raise it?

Mr. Bash. I don't remember if she raised it.

Chairman Gowdy. Do you think you would have remembered it had the third in command raised something while the first two in command kept their mouths shut?

Mr. Bash. I don't know.

Chairman Gowdy. Do you remember State raising that concern?

Mr. Bash. I don't remember the issue of the dip clearance issues being raised on the SVTC. Again, I'm not saying they weren't. I just don't remember them being raised.

Chairman Gowdy. "State remains concerned that any U.S. military intervention be fully coordinated with the Libyan Government and convey the Libyan concerns," let's just say about U.S. military presence, "to include concerns that wheeled military vehicles should not be used and U.S. Military Forces should consider deploying in civilian attire."

I've got to go back to Secretary Panetta and his assessment before the committee. He was very clear, at least I understood him to be clear, that the State Department was not in the chain of command. Is

that also your understanding?

Mr. Bash. Absolutely.

Chairman Gowdy. So can you help me understand why the hell anybody would care about the paragraph I just read if the President of the United States said "do everything you can" and the Secretary of Defense said "deploy"?

Can you explain to me why what color shirt our military folks may have had on would have risen to the level of a concern to be included in the summary?

Mr. Bash. I don't remember that discussion, but I just will tell you what I told you earlier, which is that issue never slowed down the United States Department of Defense or the senior leadership of the Department to deploy military forces to Libya. So you know, your question was, who would care? I don't know if the implication is that caring would slow down or the caring would stop, but it didn't.

Chairman Gowdy. I'm just trying to understand what role it played.

Mr. Bash. In my view, none. Not in terms of the speed with which the United States military, the U.S. military could response to the crisis.

Chairman Gowdy. What does a VADM mean? Is that Vice Admiral.

Mr. Bash. Yes.

Chairman Gowdy. And who is Mr. Tidd?

Mr. Bash. Admiral Tidd, his current job on his then job?

Chairman Gowdy. Then.

Mr. Bash. I believe he was the J-3.

Chairman Gowdy. If you are correct that it didn't matter, and it didn't slow anybody down, and it wouldn't have been one of your considerations, why did he agree to look into the possibility of deploying units in civilian attire?

Mr. Bash. I don't know.

Chairman Gowdy. Well, you were on the SVTC. The rest of us weren't. You do not --

Mr. Bash. I don't remember Admiral Tidd agreeing to look into the possibility of deploying units in civilian attire.

Chairman Gowdy. Do you remember it being discussed?

Mr. Bash. No.

Chairman Gowdy. Would it have been brought up by the Department of Defense? Was it something that you all were concerned about?

Mr. Bash. I don't remember it being discussed, so I can't speculate as to how it was raised.

Chairman Gowdy. You would have remembered if Secretary Panetta said, "Hey, we might want to check what kind of clothing the folks have on that deployed to Libya"?

Mr. Bash. He didn't, so that was not --

Chairman Gowdy. So you would have remembered it if he did, and he didn't?

Mr. Bash. I probably would have, but I can't state with certainty what I would remember if someone said something that wasn't said. And I want to make sure I'm being complete here.

Chairman Gowdy. Did the White House raise any concerns about --

Mr. Bash. The White House raise any concerns about, excuse me?

Chairman Gowdy. About wheeled military vehicles and the kind of uniforms?

Mr. Bash. On this SVTC or at all, I don't remember.

Chairman Gowdy. At all.

Mr. Bash. I don't remember any concerns being raised by the White House about that.

Chairman Gowdy. I want to ask you about the fourth point. Somebody else will handle the first three. "State and White House will work on statements for SecState and other senior government officials to condemn violence in Pastor Jones video."

I don't recall you bringing up the video yet today. And I haven't brought it up. Was that a big part of the SVTC?

Mr. Bash. I don't remember it being mentioned in the SVTC, but I do remember it being mentioned at the Pentagon, and I can talk to you about how it was mentioned, if you like.

Chairman Gowdy. Well, we may get to that. I want to focus on the SVTC right now. It was important enough to be listed as the kind of fourth takeaway.

Mr. Bash. I don't remember the Pastor Jones video, which I just want to note for the record, I think it was ultimately concluded it wasn't a Pastor Jones video. It was a video not connected to Pastor Jones, so I don't want to leave any misimpression. But I don't remember that video issue being talked about in the SVTC.

Chairman Gowdy. All right. So I want to fairly characterize your testimony, and if I do it incorrectly, the record will correct it, and you can correct it.

You do not recall any conversation on this SVTC about needing any more approval from the White House to act?

Mr. Bash. Sitting here today, I do not.

Chairman Gowdy. And you do not recall who raised State Department concerns about the type of vehicles, the uniforms that would be worn, and making sure that it is fully coordinated with the Libyan Government?

Mr. Bash. I have a few recollections from the SVTC, and that's not one of them.

Chairman Gowdy. And you don't recall if there would have been -- if you or someone else would have said, "look, we are coordinating whether these are two-wheel or four-wheel drive vehicles; can we also coordinate maybe their response to our facility?"

Mr. Bash. I don't recall that issue being discussed?

Chairman Gowdy. Okay.

I want to go to another email string, if we can. And I will let the general tell us what exhibit this is.

Mr. Chipman. That will be exhibit 9, but before we go through exhibit 9, I just want to make sure the record is clear on exhibit 8. Exhibit 8 consists of two pages. It is an email from Ronald Lewis BG to Kathleen Hicks, dated Wednesday, September 12, 2012, at 7 a.m. Exhibit 9 is an email consisting of three pages. It's State Department

document No. Charlie 05562060.

[Bash Exhibit No. 9

Was marked for identification.]

Chairman Gowdy. Do you have that exhibit in front of you, Mr. Bash?

Mr. Bash. Exhibit 8 or 9, which one?

Chairman Gowdy. This is an email string, I think it is going to be 9. Is that right, General?

Mr. Shapiro. That's No. 9, the email string. Yes, sir.

Chairman Gowdy. We will go kind of backwards to frontwards. Do you see an email originating from a Denis McDonough at 11:45 p.m.?

Mr. Bash. Yes.

Chairman Gowdy. And that would be how many hours after you first received notice that something had happened in Benghazi?

Mr. Bash. Well, according to the timeline, the notice came in shortly before the Secretary departed for the first meeting with the White House. The meeting was at 5 o'clock, so rough math, 4:30-ish to 11:45-ish, 7, 7-15 if I'm doing the math right.

Chairman Gowdy. So 7 hours later, there is an email from Denis McDonough, and he would have had what role at that time?

Mr. Bash. Deputy National Security Advisor to the President.

Chairman Gowdy. Go to the third paragraph with me: "Ambassador Stevens remains unaccounted for."

Did you know at the time whether he was dead or alive and his remains had been unaccounted for, or did you not know whether he was

dead or alive?

Mr. Bash. I don't remember seeing this email -- let me back up. I believe I remember hearing that he was dead not until like early the next morning. So, at 11:45 that night, the impression I probably had was that he was potentially at the hospital, but I didn't know if he was injured, alive, without injury, or deceased.

Chairman Gowdy. So we have a possible living, unaccounted for United States Ambassador, 7 hours later. Is that fair?

Mr. Bash. Yes.

Chairman Gowdy. Okay. Go to the last sentence of that paragraph five, "DOD personnel arrived in Benghazi about an hour ago from Tripoli to reinforce security there." Was that one of the assets that you had asked to move?

Mr. Bash. By me, you mean Secretary Panetta?

Chairman Gowdy. Yes.

Mr. Bash. No. That was not one of the elements that Secretary Panetta deployed. It was not presented to him as an option to deploy. We talked about this a little bit with -- in the last section whether it was a unit or what it was.

Chairman Gowdy. Well, you and I agree that it is very important that the public be left with a crystal clear impression on this.

Mr. Bash. Yes.

Chairman Gowdy. And that was not an asset that was brought to your attention?

Mr. Bash. That's correct. The Secretary's attention or mine.

Chairman Gowdy. Okay. Do you think it is -- it would be fair for someone to question the fullness and completeness of that asset picture if whoever provided it to you and the Secretary had not included that?

Mr. Bash. Do I think it would be fair to question why they didn't provide that picture to the Secretary?

Chairman Gowdy. I'm not even doing that because that implies motive.

Mr. Bash. Okay.

Chairman Gowdy. If our position is the full picture of assets was provided to the Secretary of Defense, that's not accurate.

Mr. Bash. I don't recall that being one of the DOD elements at the time. However, I recall some discussion afterwards when it was clear that those individuals had taken the initiative and courage and done the right thing to try to help our people in Benghazi.

There was some discussion about whether they were a DOD element or an ad hoc element, and I'm not in a position today to opine what the final resolution of that issue was. And I don't know how they would be characterized in hindsight. I just can tell you the fact that they were not presented to the Secretary as a response option.

Chairman Gowdy. I want you to look at what would be the middle page, at the top right. My copy says: "On our people in Libya, the Joint Staff is deploying three sets of teams in the region appropriate to the mission (S)." Do you see that?

Mr. Bash. My copy, the middle of the page says "transportation,

as well as the issue."

Mr. Shapiro. Sorry, the next page. I believe the chairman is referring to this.

Mr. Bash. I'm sorry. Give me a moment to read it, please. Yes, I see that.

Chairman Gowdy. So nothing had deployed as of almost midnight on the 11th?

Mr. Bash. Well, I would refer to the DOD timeline on the times that units deployed. The email you refer is not the definitive word of whether units had deployed at the time. I'm not saying it's incorrect. I would just rather rely on the DOD timeline.

Chairman Gowdy. Well, I don't know that anything is the definitive word. But this is certainly the word of Denis McDonough, who again, held what position at the time?

Mr. Bash. Deputy National Security Advisor.

Chairman Gowdy. Would he be in a position to know whether or not assets deployed?

Mr. Bash. He would, except I would just note that, because it's a fluid and dynamic situation, it's possible something happened that he wasn't up-to-date on. My only point is, it's a knowable fact when a unit went wheels up, and I would rely on the Department of Defense's account, not necessarily this email.

Chairman Gowdy. That's a fair point. But let's test it and see whether or not he was right or not.

At 11:45 p.m., had anything deployed?

[12:25 p.m.]

Mr. Bash. Let me look at the timeline real quick. 7:45 eastern?

Chairman Gowdy. Yep.

Mr. Bash. Nope.

Chairman Gowdy. I want you look at the first page. This is from a James Winnefeld. I think he was on your initial email, if I'm not mistaken. Yep, he was. And this is at 1:19 a.m. Do you see that?

Mr. Bash. Yes.

Chairman Gowdy. "Understand we now have dip clearance for the FAST platoon into Tripoli." What do you think dip clearance would refer to?

Mr. Bash. My understanding was it's that diplomatic clearance that we've been discussing.

Chairman Gowdy. Mr. Bash, we're working on 9 or 10 hours into it at this point. That didn't strike you as being a long period of time to have to secure something that you don't have to secure in the first place?

Mr. Bash. I think that that question suggests that that was the holdup, and I think the facts show that that was not the holdup. There was no holdup from that process. We can talk about what the holdup might have been or what the timelines might have been, but I don't --

Chairman Gowdy. You're the expert; I'm not. I'm just trying to figure out why there are so many references to something you tell me doesn't matter.

Mr. Bash. That did not slow down the response of the FAST team

[REDACTED]

into Tripoli, or it would not have slowed down any team into Benghazi or any effort to rescue our people. And, in fact, I think that --

Chairman Gowdy. Well, that kind of gets me to my next point, which is if we're having all of these conversations about clearance with whoever was the Libyan Government at the time, were there any conversations about what aid they could bring?

Mr. Bash. I don't know whether those conversations occurred. But I just want to finish something about that email, which is just glancing at the email, it notes -- I think it notes that the dip clearance actually occurred before the element was even capable of going wheels up because it was not co-located with aircraft.

So, in my view, if someone wants to know the fundamental issue of why couldn't the FAST team lift up from Rota, Spain, to Libya, there's one important aspect, [REDACTED]

[REDACTED] they would not have gotten there before we lost four Americans.

But even had they been able to and were ready to do so, they didn't have the aircraft there to leave. And you can't fly a helicopter, obviously, from Rota, Spain, to Libya, so they needed fixed-wing aircraft.

Chairman Gowdy. All right. Move up, Admiral Winnefeld to you and others: "Aircrews are on the ramp at Ramstein." What's your understanding of what that means?

Mr. Bash. Ramstein Air Force Base in Germany.

Chairman Gowdy. I got that part of it.

[REDACTED]

Mr. Bash. Yeah, sorry.

Chairman Gowdy. The first part of it, the air crews are on the ramp.

Mr. Bash. The next sentence refers to two C-130s, so I presume it refers to the air crews that are flying the two -- manning the two C-130s.

Chairman Gowdy. So what does 0600Z mean?

Mr. Bash. Zulu.

Chairman Gowdy. Translate that for me in eastern time.

Mr. Bash. I think it's Greenwich mean time.

Mr. Chipman. Is it possible that was 8:00 local time in either Ramstein and/or Benghazi, Libya, based on the timeline?

Mr. Bash. I would defer to General Chipman's translation of Zulu Greenwich mean time into eastern standard time.

Mr. Shapiro. I don't think he was translating it. Eastern European.

Mr. Chipman. Eastern European time, so the record is clear.

Chairman Gowdy. What I'm trying to do is reconcile a 1:40 a.m. email with a reference to 0600Z, and I'm trying to figure out how far in the future that is.

Mr. Shapiro. Well, if General Chipman is right, then it's 8 a.m. Eastern European time. I believe, from the timeline, that makes it 2 a.m. eastern standard time. Six-hour difference?

Mr. Chipman. That would be my view of the time.

Chairman Gowdy. All right. So one is going to leave in --

Mr. Bash. So departing 2 a.m.?

Mr. Shapiro. Yeah.

Chairman Gowdy. One is going to leave in 20 minutes and one is going to leave in an hour and 20 minutes. Is that how you understand that?

Mr. Bash. Yes.

Chairman Gowdy. All right. "3+40 transit time to Rota. 1-hour load time. Estimated arrival at Tripoli is 1300Z," which help me with the math. What time would that have been?

Mr. Bash. May I confer with counsel on the math?

Chairman Gowdy. Sure.

Mr. Shapiro. I get 9 a.m. --

Mr. Bash. I was a political science major.

Mr. Shapiro. -- 9 a.m. eastern standard time.

Mr. Bash. 9 a.m. eastern?

Mr. Chipman. 9 a.m. local Washington, D.C. time, eastern standard time.

Chairman Gowdy. Can you read the next sentence for me?

Mr. Bash. Just a moment. So 9 a.m. on the 12th is --

Mr. Shapiro. These show eastern time and then local Libya time. So the question was, can you read the next sentence?

Mr. Bash. "One departs at 0600Z, the other at 0700Z. 3+40 transit time to Rota Spain. 1-hour load time. Estimated arrival at Tripoli is 1300Z. We now have country clearances for Spain and Libya."

Chairman Gowdy. You know, Mr. Bash, see, it comes up again, this

country clearance issue. It's coming up from the State Department. It's coming up from Admiral Winnefeld, who worked for whom?

Mr. Bash. He was the Vice Chairman of the Joint Chiefs of Staff, Chairman Gowdy. Okay. Clearance from whom and for what?

Mr. Bash. I'm not sure I'm the best person to answer that, but my reading of the email is clearance for the C-130s to marry up with our assets in Spain and for a FAST platoon to secure the U.S. Embassy in Tripoli.

But, again, I want to stress that if the implication is that the dip clearances was the holdup, as Admiral Winnefeld's email makes clear, the aircraft wasn't even married up with the asset yet, and the arrival of the entire package into Tripoli was not going to occur until -- let me get this exactly correct -- according to his email, 9 a.m. eastern time, the next day, September 12, which was -- excuse me, 9 a.m. eastern time? So that was -- 9 a.m. eastern time, which is around 3 p.m. in Libya, just for the completeness of the record.

So that's 3 p.m. That is -- and this is an important issue, a really important issue -- that element would not have arrived until 3 p.m. when the -- local, local in Libya -- when the second facility had been attacked at 5:15 a.m.

Chairman Gowdy. I'm with you.

Mr. Bash. So we're almost 10 hours after that attack, which is consistent with what Secretary Panetta and Chairman Dempsey has testified to all along.

Chairman Gowdy. I'm with you. And General Chipman is going to

go into all of that and if that really is the best the world's greatest military could do. And if it is, then we need to let people know that that's the best we can do; and if it's not the best we can do, if there's some lessons that need to be learned, that's why we're here.

But I'm going to let General Chipman do that. I'm just going to remind you again, because you have stressed that it didn't slow anything up and everything was rocking right along, other than constant reference to it, I'm trying to -- "State remains concerned that any U.S. military intervention be fully coordinated with the Libyan Government -- " Who at State? Who speaks for the State Department?

Mr. Bash. I don't know who that was referring to, but I just want to clarify, because the question said nothing was held up because of the dip clearance issue.

Chairman Gowdy. Right.

Mr. Bash. The position of the assets, the tyranny of the distance, the airplanes, that did impact the ability to respond in Libya.

Chairman Gowdy. And the general is going to get into all of that. But your testimony is, having to get permission from the Libyan Government, whatever it may have been, did not contribute to the response time.

Mr. Bash. Not in my view.

Chairman Gowdy. All right. And I'm back to now asking you about a SVTC that happened a couple hours after you first learned that something had happened in Benghazi. "State remains concerned," which

suggests to me that they had initially been concerned and still are concerned. Is that how you read that?

Mr. Bash. I don't know what was meant by that.

Chairman Gowdy. "-- that any U.S. military intervention be fully coordinated with the Libyan Government -- "

Ms. Sachsman Grooms. For the record, we're back to Exhibit 7.

Chairman Gowdy. Got it in front of you?

And I guess I'm just going back to Civics 101. I was always under the impression that the President was the Commander in Chief and that he issues orders and the Secretary of Defense carried those orders out. And I'm just not aware of the State Department having a role in the chain of command.

Mr. Bash. The State Department does not have a role in the chain of command, but it is important to add --

Chairman Gowdy. Well, then why were they expressing concern that a military decision be fully coordinated with another government? Why wouldn't DOD decide that?

Mr. Bash. It is important to add that in the regular course, in the regular deployment of U.S. military forces, there are issues of dip clearances that are worked at the interagency level. I'm not an expert because it wasn't my job to coordinate those, but that is a feature. If someone is surprised to learn that, they haven't been following the way U.S. military forces are deployed.

It's important to note, however, that in a crisis situation, when someone's life is on the line and there's a quick reaction force that

is deployed into a country, nothing would stop the United States military from going in and protecting Americans. And I don't want to leave anyone with the impression that the --

Chairman Gowdy. Neither do I, Mr. Bash.

Mr. Bash. -- that the bureaucratic process of dip clearance or whatever it is would prevent that.

Chairman Gowdy. Neither do I. But at the time of this SVTC you had an ambassador who was unaccounted for, you knew something really bad had happened in Benghazi, the Commander in Chief had already given you the broadest authority you need, which is do whatever you need to do to protect or save or help our people.

The Secretary of Defense could not have been more clear. He didn't say get ready to deploy; he said deploy. And the State Department is worried about what type of vehicles will be used during that deployment and how the soldiers will be garbed?

Mr. Bash. Notwithstanding whatever they're, quote, worried about, that did not slow up the United States military.

Chairman Gowdy. I'm just trying to read it from a normal citizen's standpoint of is that really what's being discussed on a SVTC with a missing ambassador, the type of vehicle?

Mr. Bash. I don't remember it being discussed.

Chairman Gowdy. All right. I want to change gears and then I'll let the general and the other folks -- and I did alert your counsel that I was going to ask you this line of questions because I don't want you to be surprised.

You work where now?

Mr. Bash. I work at a consulting firm that I started in 2013.

Chairman Gowdy. And who -- do you have partners? What's the structure of your entity?

Mr. Bash. Our entity is a limited liability corporation, an LLC, and I have three principal partners.

Chairman Gowdy. So you started this in 2013. When in 2013?

Mr. Bash. The end of April, on or about April 20.

Chairman Gowdy. All right. And who are your partners, for lack of a better word?

Mr. Bash. Andrew Shapiro.

Chairman Gowdy. And tell me about Mr. Shapiro.

Mr. Bash. In what sense? What he works on or what his background is?

Chairman Gowdy. Background. Bio.

Mr. Bash. He served in various government positions at the Department of Justice, in the United States Senate, and at the United States Department of State. And his last position was as assistant secretary of state for political-military affairs.

The second partner --

Chairman Gowdy. One second. On Mr. Shapiro, I'm not going to hold you to it with any degree of specificity, but do you know when he worked for DOJ?

Mr. Bash. No.

Chairman Gowdy. Do you know when he worked for the U.S. Senate?

Mr. Bash. In the 2000s timeframe.

Chairman Gowdy. Did he work for a committee or a member?

Mr. Bash. He was MLA to then-Senator Clinton.

Chairman Gowdy. And he worked at DOS from when to when?

Mr. Bash. 2009 until 2013.

Chairman Gowdy. And would he have left the same time you left, in late April of 2013?

Mr. Bash. Yes.

Chairman Gowdy. All right. So you were with DOD up until the time you left for Beacon?

Mr. Bash. Yes.

Chairman Gowdy. All right. So Mr. Shapiro. Who else?

Mr. Bash. Philippe Reines.

Chairman Gowdy. Okay. Tell me about Mr. Reines.

Mr. Bash. His background is he has served in various government positions, including with the city of New York and in the United States House of Representatives, the United States Senate, and the United States Department of State. His last position was as deputy assistant secretary of state.

Chairman Gowdy. We'll go backwards in terms of chronology. Do you know when he worked for the Department of State?

Mr. Bash. 2009 to 2013.

Chairman Gowdy. Do you know when he left in 2013?

Mr. Bash. I don't know the precise date. I know it was before -- a little earlier in the year, before the timeframe that I

left DOD.

Chairman Gowdy. So before April?

Mr. Bash. I believe so.

Chairman Gowdy. Do you know what he did in the U.S. Senate?

Mr. Bash. He was a press secretary in the office of Senator Clinton.

Chairman Gowdy. Do you know what he did for the House?

Mr. Bash. He was press secretary to Congresswoman Jane Harman.

Chairman Gowdy. Do you know what he did for the city of New York?

Mr. Bash. I think he worked for the speaker, Peter Vallone, if that is correct. I'm not 100 percent sure about that.

Chairman Gowdy. All right. Shapiro, Reines.

Mr. Bash. Michael Allen. Michael Allen served for, I believe, nearly 8 years in the President Bush 43 administration as the -- most of his time was spent at the National Security Council working for Drs. Rice and Hadley. He served as senior director for legislative affairs and concluded his tenure in the Bush administration as senior director for counterproliferation at the NSC.

He, subsequent to that served, I believe, for about 3 years, as staff director for the committee across the hall, the House Permanent Select Committee on Intelligence, for the majority Republican chairman, Chairman Rogers.

Chairman Gowdy. Do you know when he left HPSCI?

Mr. Bash. I don't know the exact date, but I believe it was, like, around August of 2013.

Chairman Gowdy. Do you recall when you began discussions with him about potential employment?

Mr. Bash. I don't recall when I started discussing things with him about that.

Chairman Gowdy. Do you know whether he sent you a resume or a letter applying for a position or how it came up?

Mr. Bash. I'm quite sure he did not send me a resume or any such formal letter.

Chairman Gowdy. If you are quite certain about that, are you quite certain about how it did come up?

Mr. Bash. I'm not --

Ms. Sachsman Grooms. Mr. Chairman, aren't we a little bit far afield of the Benghazi attacks? I'm not sure that we knew that this sort of line was coming up.

Chairman Gowdy. You may not have, but his lawyer did, and I don't have a policy of checking off my questions with you before I ask them.

Ms. Sachsman Grooms. Certainly. But I'm not understanding the nexus between the hiring of a partner to his company and the Benghazi --

Chairman Gowdy. Well, by the time my questioning is over you might understand it better. But I'm going to continue with my questioning.

Mr. Allen, do you remember when you discussed hiring him?

Mr. Bash. I don't specifically remember when I started talking to him about coming to Beacon. But the company was formed in April, and at some point after that when he was going to be departing government

we had final conversations and he joined.

Chairman Gowdy. So the best of your recollection, August of 2013 is when he joined Beacon?

Mr. Bash. I want to double check that, but that's my --

Chairman Gowdy. This ain't a trap. It ain't a trap.

Mr. Bash. Okay.

Chairman Gowdy. Where was he working up until August of 2013?

Mr. Bash. I believe he was working in the House of Representatives.

Chairman Gowdy. On HPSCI?

Mr. Bash. That was his last position.

Chairman Gowdy. All right. So whatever conversations you would've had with him about future employment would have taken place while he worked for HPSCI?

Mr. Bash. Just, I don't want to leave anyone with the impression that I recall specifically when the conversations occurred or, you know, the specific nature of them. But the final decisions, the decisions to leave the Hill and work at this firm, happened, I think, later. I think it happened more with the time that he left.

Chairman Gowdy. Closer to August than April?

Mr. Bash. Yeah. Yeah. That's my recollection.

Chairman Gowdy. All right. And you don't recall how those conversations were broached or who brought it up to whom?

Mr. Bash. I don't.

Chairman Gowdy. All right. Are those the only principals or

partners at Beacon?

Mr. Bash. Yes.

Mr. Shapiro. Other than Mr. Bash?

Chairman Gowdy. Yes.

Mr. Bash. Yes.

Chairman Gowdy. All right. Is there an advisory board or consultants, for lack of a better word?

Mr. Bash. There is an advisory board. We have employees. We have some members of an advisory board. And we have two individuals who serve as senior counselor.

Chairman Gowdy. All right. Tell me who your senior counselors are.

Mr. Bash. Secretary Panetta and Michael Morell.

Chairman Gowdy. What do senior counselors do?

Mr. Bash. It varies, but in general they provide advice to the partners and occasionally to certain clients of the firm.

Chairman Gowdy. Are they compensated?

Mr. Bash. This is a little intricate. I don't know how much you want me to get into this.

Chairman Gowdy. Well, I'm not going to quiz you about the nature of the compensation. Do they do it pro bono or are they compensated?

Mr. Bash. It's not pro bono. They're compensated for work that they do, if that is helpful.

Chairman Gowdy. It is tantamount to being "of counsel" in a law firm?

Mr. Bash. Somewhat similar, yes. I think that's probably fair.

Mr. Shapiro. At some law firms. They're all different.

Mr. Bash. I worked at a firm where it was counsel and it was more of a full-time job. And I think maybe an important distinction is it's not a full-time job for those two senior counselors,

Chairman Gowdy. Okay. Fair enough.

Do you know when Secretary Panetta joined Beacon?

Mr. Bash. When he was named senior counselor? I don't recall the date.

Chairman Gowdy. Do you recall the year?

Mr. Bash. I don't. I want to say early on, like 2013, but I just don't know if it happened actually in early 2014 or actually in the calendar year 2013.

Chairman Gowdy. Would the latest it be early 2014?

Mr. Bash. Probably, but I'd want to double check.

Chairman Gowdy. That's fine. You can supplement any and all of this. I'm just trying to get a timeline.

Mr. Bash. Yeah.

Chairman Gowdy. Director Morell, when did he begin the senior counselor slot with Beacon?

Mr. Bash. I don't recall. I'd have to check.

Chairman Gowdy. We're in 2016. We know it wasn't this year. Was it 2015?

Mr. Bash. No. It was either, again, I think, like Secretary Panetta, it was either late in 2013 or the early part of 2014. But

I want to check. These are absolutely knowable facts, and I can come back with them.

Chairman Gowdy. How many other senior counselors do you have?

Mr. Bash. None.

Chairman Gowdy. Okay. That's it.

EXAMINATION

BY MR. CHIPMAN:

Q Mr. Bash, we've got about 7 minutes left in this particular hour of questioning, so I thought I'd try to go over a range of minor issues just to sort of get some more clarity on the record, and then I'll be able to structure a little bit more logically in the next hour of questioning.

Just to set the stage, though, for what I intend to explore in the next hour, you mentioned early on in the meeting that was convened back at the Pentagon following Secretary Panetta's and General Dempsey's return from the White House that there were two fundamental issues: First, the response to what's potentially a missing ambassador; and secondly, what's going to occur potentially around the rest of the region. And those were two distinct topics, correct?

A I want to be clear, I don't know that I saw them as distinct. In some ways, I saw them as merged. But they were both part of the -- both topics were part of the conversation.

Q And you've talked about the military vernacular, the colloquialisms, the culture. So we're talking about really the current fight and what might be the near fight. Is it fair to say that,

[REDACTED]

in terms of --

A Yeah.

Q The current fight being a missing ambassador.

A The current situation and the unfolding situation that affect --

Q Fair enough.

A -- other U.S. personnel at facilities around the region.

Q (U) You talked about this being a very different situation from the normal methodical deployment of forces that the Secretary does every week via the SecDef orders book. So this was a crisis response. This was crisis decisionmaking. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A Well, in that, as you laid out, third category -- I think I referred to it as the second category, but I know which category you're referring to -- so there were ordinary dep orders processed through the SecDef dep orders book.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Those types of missions were days, sometimes weeks in the planning, and there were slides that were drawn up in typical DOD fashion, and there were meetings in the Secretary's office, and it was fairly deliberate. Sometimes there was interagency coordination. Usually, it was the Chairman or the Vice that kind of wrapped the process up to the Secretary.

So there was the first bucket, the second bucket, and then this third bucket, which is, in my view, a bucket of one. It only happened, that I saw, one time in the nearly 2 years that I was there, which was the real-time crisis. We have word that something's happening. We have to respond and deploy.

Q [REDACTED]

A Yes.

Q [REDACTED]

A It depends what you mean by a decision apparatus.

Q [REDACTED]

But in a crisis situation, I'm not sure you need an apparatus. I think you just need the Secretary to say deploy, and they could be ready to deploy, if that's the alert status that they're on.

Q And so I come back to the timeline. And we've had talked about the timeline. It's an exhibit. It appears from the timeline

[REDACTED]

that General Ham knew not later than 4:30 that afternoon of the crisis unfolding in Benghazi. And do you recall that on the timeline, 4:32 p.m.?

A General Ham or Secretary Panetta?

Q General Ham.

A I don't know what General Ham knew.

Q If you could go back to Exhibit 1.

A That actually refers to SecDef and General Dempsey.

Q Fair enough. And in the AFRICOM FOIA book that I can refer you to, it appears that General Ham's aide was informed at 4:20 of the unfolding attack by AFRICOM Command Center. So certainly before 4:32. But by 4:32, the National Military Command Center at the Pentagon knew of this.

And so my question --

A I just want to stop. When you say "knew of this," I just want to make sure I'm complete about what was to pass to the Secretary was an unaccounted ambassador and potentially a fire.

Q Fair enough.

A Not the full, you know --

Q An unaccounted --

A -- to location.

Q Fair enough. No, and that's what I mean, that there was an --

A Yeah, missing ambassador.

Q -- there is a missing ambassador, there is an attack at the

Benghazi TME that's underway. I'm using this from the official DOD unclassified timeline.

And so my point is this. At 4:30, the NMCC is aware of this missing ambassador, but the actual physical notification hour to start the military response doesn't even go into motion until 11 p.m. that night, some 6-1/2 hours later. That's the timeframe that I'm trying to get at is, is that reasonable? Is that a reasonable deliberative process for the national security apparatus, to take 6-1/2 hours to issue a decision to deploy military assets?

A I'm not sure I'm in a position to opine on whether it's reasonable, but I can tell you what happened along the way, along the timeline. If I were Secretary -- and I'm not -- I would like -- that's the understatement of the year -- I would like to believe that the -- that a decision could be made and that the order would go into effect so that the N+time would be -- that the clock would start quickly, very quickly.

Q And I think that's what most of the Americans that I've talked to about this would say is reasonable as well.

A But let's stipulate that it had. And then so the question is, could they have gotten there in the flight time? I think that's also a question that's --

Q Fair enough. And we'll get to that in the next hour. So my time is up. We'll take a break now and change over to the minority.

Off the record please.

[Discussion off the record.]

Ms. Sachsman Grooms. Let's go back on the record. The time is 1:05.

Mr. Bash, in the last hour, you got asked, I think, a number of detailed questions about your current business and your partners and the people who work with you. Does anything about your business or your partners or the senior counselors to your business impacted your testimony here today?

Mr. Bash. No.

Ms. Sachsman Grooms. Not in any way?

Mr. Bash. No.

Ms. Sachsman Grooms. And you were asked a number of questions about Michael Allen, who, as I understand it, had been the staff director for Chairman Rogers at HPSCI. The HPSCI report on Benghazi, the classified version, was completed and voted on by its members on July 31.

Mr. Shapiro. What year?

BY MS. SACHSMAN GROOMS:

Q It would've been 2014.

Did your discussions with Mr. Allen about hiring him have anything to do with the Benghazi investigation that was going on by HPSCI or Chairman Rogers?

A Of course not.

Q Was there any sort of contingency to some findings in the investigation or some analysis done in the investigation as to whether he would come on as one of your partners?

[REDACTED]

A Of course not.

Q I would note for the record that the investigation into the Benghazi attacks doesn't seem to include an investigation of either your business or your partners, and I'm not sure where the chairman was going with that inquiry. But typically congressional investigations don't inquire into the staff of other congressional committees.

But I just wanted to make as clear as possible for the record in case, you know, that concern is raised that none of those hiring decisions or employment decisions or partnerships for Mr. Allen or any of the other members had anything to do with their actions related to the Benghazi attacks or the investigations of the Benghazi attacks. Is that accurate?

A Yes.

Q So I want to go back to the SVTC summary that is in exhibit 7 and exhibit 8, which, you know, if you put the two exhibits together, you can see both the written summary and then who it gets sent to.

A Okay. I got it.

Q You didn't write this summary of the 7:30 SVTC. Is that accurate?

A Yes, that's correct.

Q The email appears to be authored by [REDACTED], the principal director for African affairs. Did you discuss anything about the SVTC with [REDACTED] before she wrote this email?

A I don't recall discussing anything with [REDACTED] about

[REDACTED]

[REDACTED]

this email.

Q And it appears that [REDACTED] [REDACTED] from the email, was not actually in the SVTC. She says in the email: "Special thanks to" -- and it's redacted -- "for providing excellent support to Jeremy during the SVTC and for the summary." I read that to be for the summary that's included within the email.

Do you recall whether [REDACTED] was actually in the SVTC or not?

A I'm not sure I understood the question. There was a sentence in here in the first paragraph that said, "and I also participated," and I presume it means I participated in the SVTC.

Q Okay.

Mr. Shapiro. But you don't actually recall.

Mr. Bash. I don't recall [REDACTED] participating. I don't recall specifically who from DOD participated.

BY MS. SACHSMAN GROOMS:

Q And the email, when you look at exhibit 8, my look at that shows it not going to you. Am I correct in that?

A I don't see my name on exhibit 8.

Q And do you have any independent recollection of ever receiving this email at the time?

A No, I don't recall receiving this email at the time.

Q So the email is not your summary of the SVTC, and you don't recall receiving it at the time. Is that accurate? I sort of compounded those.

A I don't remember receiving this email at the time.

[REDACTED]

Q In the previous hour you explained that there were a number of things within this email summary of the SVTC that you either did not recall occurring within the SVTC or that you thought were actively incorrect, as in would not have occurred during the SVTC. Is that accurate?

A Well, much of what the chairman and others were asking me about I simply do not recall, and I stated for the record what I did recall from the SVTC. The part that I said I think was incorrect was an implication that the White House would have to be reconsulted on the Secretary of Defense's deployment decisions. That, I can say, is manifestly incorrect.

Q So the line here where it says, "The U.S. military has begun notifying special units of likely deployment with ultimate disposition pending State coordination with the Libyan Government and final approval by the White House," that's the line that you're saying is not correct?

A That's not my understanding of what happened.

Q That's not your understanding of what happened during the SVTC. Is that right?

A That's not my understanding of what happened period, at all, during the crisis. I don't have any recollection about this issue being discussed on the SVTC, and it is, in fact, not what happened.

Q If you had been on a SVTC -- and I apologize for the hypothetical -- but if you had been on a SVTC that evening and somebody said that someone other than your boss had to approve military

deployments, would that be something you would have spoken up about or objected to or remembered?

A It depends who was saying it and what the context was. That's really hard to know. But as a general matter, I was certainly a zealous guardian of the Secretary of Defense's prerogatives and authorities under the law to be in the military chain of command.

Q This email -- so when you look at exhibit 8, and you can see who it got sent to -- it doesn't appear to have been sent to -- well, it wasn't sent to you. So if there had been an inaccuracy in it, you wouldn't have had an opportunity to email back and say that summary is inaccurate. Is that right?

A If I'm not copied on an email and therefore have not read it, I would not have had a chance to correct an inaccuracy, that's correct.

Q And it doesn't appear to have been sent to any of the operational folks that evening. It looks like it's an OSD policy sort of list, and it doesn't appear to include Vice Chairman Winnefeld or General Kelly or any of the individuals, General Dempsey, that we had discussed. Is that right?

A That's correct.

Q So is it fair to say that whatever this summary is from this SVTC would not have impacted the actions of the operational folks in any way?

A It would not have and it did not.

Q You said in the last round that you didn't recall the YouTube

video being mentioned at the SVTC. Is that right?

A I don't remember that being a topic of discussion. But I do remember it being a discussion elsewhere in the Pentagon. I think I put a pointer down saying we should probably revisit that.

Q Yes, and so I was going to. Do you want to explain what that was that you were referencing?

A I recall on September 11, and I don't remember exactly when it was, or just before, or just as these events were happening, General Dempsey saying to Secretary Panetta, and I was there, I heard him say this: Hey, there's this video that's circulating on the Internet that denigrates Muslims and is concerning because it could potentially inflame anti-U.S. sentiment.

And he suggested strongly that our commanders, including General Allen and others, would be concerned if this video went around the Internet. And he was stating it as a concern, but also as his analysis of what might be brewing in the region. There had been some reports of unrest in Cairo and so forth. And so it was one of the things that General Dempsey was focusing on.

At some point we had a conversation, the Secretary and Chairman Dempsey, and I was participating in this, and I don't remember if it was the same meeting that ran from 6 to 8 p.m. or if it was a separate discussion at some point, that previously, when this Pastor Jones character had done some things -- I don't remember, to put Muhammad on trial or some such goofy thing, that serious but, you know, strange thing -- that Secretary Gates had actually reached out to the pastor

and asked him to cease and desist, and that a call from a senior government official responsible for the protection of United States military forces around the world might appeal to someone even as wrongheaded as that. And so there was some discussion that the leadership of the Department of Defense should similarly reach out to Pastor Jones and tell him to take this video down. And -- shall I continue with what occurred?

So the way the decision was made was General Dempsey was going to make an initial effort to reach Pastor Jones, and our view was if General Dempsey wasn't successful or we thought it might be necessary, we'd come back and potentially have the Secretary come in second. But General Dempsey was going to take the first crack.

So I recall we searched around, we in the Department of Defense searched around for a contact number for Pastor Jones. And I don't remember where we got a phone number from, but a phone number was produced. My recollection is that General Dempsey placed a phone call, and it was, like, a voice mail or it was an answering machine. It was a little unclear if it was Pastor Jones or if it wasn't or if the line was monitored or not. And I don't remember exactly what we said after the beep. But we tried to get through and no one answered the phone. And it was basically left at that.

If the person called back, then potentially we would've had General Dempsey talk to him, but no one ever called back. And I think later, subsequently, we learned that actually Pastor Jones wasn't the

producer of the video, or maybe he was potentially promoting it, but that he was tangential to the video.

Q And I just want to clarify so that you don't get misinterpreted. I think you said the video, the YouTube video, was something that General Dempsey was focused on. And I just want to be clear, the thing that he was primarily focused on, on the night of the attacks, was moving forces to save our citizens in harm's way, that this was a sort of secondary, later focus?

A Thank you for clarifying that. Yes, that's correct.

Q And so this would be something that he brought up and came into account in a sort of discussion of other concerns in the region as you guys were holistically trying to preplan for additional concerns in the region. Is that accurate?

A Correct.

Q And did you consider General Dempsey's concern related to the video to be political in any way related to how to win an election?

A Absolutely not.

Q Was his concern solely to -- as a leader who was concerned about the potential harm to U.S. personnel and interests overseas?

A His singular focus as a career United States Army military officer was the national security of the United States of America.

Q I want to switch over to exhibit 9. That's the Denis McDonough email.

[Bash Exhibit No. 9

Was marked for identification.]

Mr. Shapiro. We're there. Thank you.

BY MS. SACHSMAN GROOMS:

Q So the email is from Denis McDonough to a number of individuals, including yourself, Admiral Winnefeld, John Brennan, and Wendy Sherman from State, Jake Sullivan from State. In the first line he says: "Sending on this system a very cursory -- and where necessary cryptic -- update, now about an hour old."

So the email was from 11:45 p.m., and he's sort of alerting that the information in it seems about an hour old. Does that sound accurate?

A Yes.

Q And does he mention anywhere in this email the idea that the White House needs to approve the movement of the military forces?

A Permit me to read it for a moment.

Q Sure.

A I don't see any reference here to White House approval of the deployment of military forces.

Q And does Denis McDonough seem to have any concern or discussion in here about country clearance?

A I see no reference to country clearances in his email.

Q He also in here describes -- he describes the military response as, and I quote, "On our people in Libya" -- it's sort of short -- "On our people in Libya, the Joint Staff is deploying three sets of teams into the region appropriate to the mission," and then in parentheses, "(s)."

[REDACTED]

It appears from my read that he's both being short because here's on an unclassified system, from his initial sort of statement, and because the Joint Staff was moving forward with action and it knew what it was doing. Does that sound accurate?

A (U) Yes. And I'm fairly confident that the three teams he was referring to were the FAST teams, of which there were actually two FAST teams; the Commanders In-extremis Force; [REDACTED]

[REDACTED]

Q [REDACTED]

[REDACTED]

A [REDACTED]

Mr. Hudson. Can we just go off the record for 1 minute.
[Discussion off the record.]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Q So you said during the last round that diplomatic clearance was not one of the factors that caused any delays the night of the attacks. And then you sort of said that there were some things that worked together that caused the Department of Defense not to be able to respond. And I think you were referring to airlift capabilities and other things like that.

I just want to give you the opportunity to sort of, if you want to, answer in full sort of what that is that you were thinking of.

A [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Some have suggested in the context of this interview and I've heard in the media that the delays had to do with stand-down orders or countermanding orders or diplomatic clearances or activities by the State Department. That is absolutely not the case.

In my understanding, the reason that the FAST team did not leave

[REDACTED]

[REDACTED]

Rota, Spain, [REDACTED] is that that team did not have an airplane with it that could fly it to Libya. And as I stated earlier, a helicopter could not get you to Libya from Rota, Spain, unrefueled. So you need an airplane. You need a C-130.

The C-130s that were available were located, it turns out, in Ramstein Air Base in Germany. So the operation required sending the C-130s that were in Germany to Rota, Spain, to take the FAST team and then to fly to Libya.

Now, it turns out that by the time the airplanes from Ramstein arrived in Rota, Spain, and by the time they were loaded up and ready to go, all Americans had left Benghazi. So there was nothing left to go after in Benghazi. And so their destination ended up being Tripoli. And they went to Tripoli and landed there that next afternoon, and there they stayed for quite some time.

So when people go through the timeline and suggest all kinds of things could have delayed or did delay the response to the events, I always want to make sure people are accurately reflecting the facts of what happened.

Q And that sort of issue of collocating the airlift capabilities was part of the sort of lessons learned that the Department of Defense did after the incident and as they've made efforts to start collocating airlift capabilities. Is that accurate?

A There were a lot of lessons learned from this incident. There was an after-action review of what we could have done better, how to improve our response times, how to make sure that our quick

[REDACTED]

reaction forces all around the world are postured to respond to crises. And I recall hearing a lot of discussion about the collocation of aircraft that can take quick reaction forces long distances.

I left that position in February of 2013, and I don't recall hearing from outside of government how some of these issues were resolved, and it's possible I would not have heard. But my understanding was that that was going to be an issue that the Department was going to be addressing.

Q So at this time, I'm going to switch topics. I'm going to ask you a series of questions that we ask every witness that comes before us. What I'm asking for is not an opinion, it's just whether you have firsthand information. So I'm going to ask you whether you have any evidence in the series of allegations that have been made.

A Okay.

Q And if you don't, we'll just move on to the next one.

A Okay.

Q And there's about a dozen, so please bear with me.

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 to stand down," end quote, and this resulted in the Defense Department not sending more assets to help in Benghazi.

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

A No.

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

A She did not.

Q So that's a no?

A No.

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

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

A No.

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

A No.

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

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

A No.



[1:35 p.m.]

BY MS. SACHSMAN GROOMS:

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

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

A No.

Q Do you have any evidence that 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 of and appropriateness of that delay. The House Intelligence Committee issued a bipartisan report concluding that the team was not ordered to stand down, but that instead there were tactical disagreements on the ground over how quickly to depart.

Do you have any evidence that would contradict the House Intelligence Committee's finding that there was no stand-down order

[REDACTED]

to CIA personnel?

A No.

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

A No.

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

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

A No.

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

A No.

Q Let me ask the questions for Congress, 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?

[REDACTED]

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," end quote.

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

A No.

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

A No.

Q 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 virtually AWOL as the Commander in Chief on the night of the attacks and that he was missing in action.

Do you have any evidence to support the allegation that the

President was virtually AWOL as Commander in Chief or missing in action on the night of the attacks?

A No.

Q It has been alleged that a team of four military personnel at Embassy Tripoli on the night of the attacks who were considering flying on the second plane to Benghazi were ordered by their superiors to stand down, meaning to 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 Houses Committee found that, quote, "There was no stand-down order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi," end quote.

Do you have any evidence to contradict the conclusion of the House Armed Services Committee that there was no stand-down ordered issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi?

A No.

Q It has been alleged that the military failed to deploy assets on the night of the attacks that would have saved lives. However, former Republican Congressman Howard "Buck" McKeon, who is the former chairman of the House Armed Services Committee, conducted a review of the attacks, after which he stated, quote, "Given where the troops were, how quickly the thing all happened, and how quickly

it dissipated, we probably couldn't have done more than we did," end quote.

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

A No.

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

A As I previously stated, no.

Ms. Sachsman Grooms. Let's go off the record.

[Discussion off the record.]

Mr. Chipman. Back on the record.

BY MR. CHIPMAN:

Q Mr. Bash, you've been very patient over the course of the last nearly 5 hours in answering questions from both Members and staff. I mentioned in my last 10 minutes that I was going to try to clear up the record in the remaining hour of questioning that I wanted to do to get some better clarity on some issues that you were asked both by Chairman Gowdy, other Members, minority staff, and perhaps my earlier questions as well. So that's my goal in this session, and I promise to have you out of here within the next hour.

And you had mentioned what you look at for the national security apparatus. You consider yourself fairly well versed in the national security apparatus by virtue of assignments, experience, and your

current location as well.

A Yes.

Q So that's the kind of issues that I want to explore a little bit with you in this hour. And I will talk about this from a perspective of conspiracy, coordination, and competence. There are some who have attributed Benghazi from the outset to a conspiracy. That's not an area that I will explore with you this afternoon.

There are issues that relate to coordination, and I think one of the examples of coordination would be the email that you sent to your colleagues at the State Department at 7:19. That's coordination between the Defense Department and the State Department trying to level the playing field or level the bubbles, as we might say.

And then the third issue is competence, and I don't mean by that whether you're good or bad. I mean by competence whether if it's an issue within your lane to work. And so you were asked a range of questions about diplomatic clearance. I don't think you were discharging that particular function for the Department on the night of 9/11/12, unless I'm missing something?

A You're correct.

Q But there is an issue of clearance, and I'll try to make sure I can understand and clarify the record on that particular issue.

So I talked a little bit about, you know, and you had mentioned, you didn't see these as two distinct issues, the threat to the missing Ambassador and what might occur elsewhere around the region, but it's certainly an issue that both Secretary of Defense Panetta and Chairman

[REDACTED]

Dempsey would have been concerned about as 9/13 -- 9/12 and 9/13 approached, correct, in that particular timeframe --

A Yes.

Q -- 9/12, 9/13 to follow? So were you tracking the intelligence that had come in on the Cairo protest as that occurred?

A I don't exactly recall what intelligence we saw, but I recall hearing around that timeframe about Cairo protests. I don't remember if it was from open source or from sensitive sources or how we learned about it.

Q And do you recall anything specific that you may have learned that you can recall at this point?

A I don't.

Q Okay. From your time both at the Agency and with the Defense Department, and time, perhaps, in prior assignments, have you ever had any experience with the Counterterrorism Security Group, the CSG?

A Very little.

Q And how about with the Foreign Emergency Support Team, or FEST?

A I don't really know if I know what they did. I recently read some testimony to prepare for today, public testimony that made reference to it, and it refreshed some of my memory, but it's not something I'm really familiar with.

Q But it wasn't part of your recollection of the duties you performed at the time supporting Secretary Panetta that the FEST was

[REDACTED]

[REDACTED]

ever discussed?

A Correct.

Q And were you aware that the asset that is used by the FEST

[REDACTED] Was that ever something within your knowledge or experience?

A I don't remember if I knew that.

Q Okay. And do you have any recollection at this point that either the Counterterrorism Security Group or the FEST were involved in response, the U.S. government response to Benghazi?

A I don't know if they were or not.

Q Okay. You mentioned at the time, on the evening of 9/11, that Under Secretary for Policy Miller was unavailable due to a family commitment. Would he have been in your stead in communicating with the State Department that evening, or would you have still sent that email to your colleagues at State?

A He would have been primary on any interagency coordination. And it's hard to say, in hindsight, whether he would have sent my email. I don't know that I can say that definitively. But he would have been the lead for communicating with officials at the State Department, or at least he would have been an important channel for communicating with officials at the State Department about what the United States military was doing that evening.

Q And perhaps my question was unartful, but would you have had the function of doing the interagency coordination or liaison had Mr. Miller -- Dr. Miller -- been present that evening?

[REDACTED]

[REDACTED]

A I might have played some role because oftentimes I did play a role of cutting through bureaucracy and working secretary-to-secretary issues in the interagency, and so it's hard for me to know with precision. But a major role of the under secretary of defense for policy was that interagency coordination. And I suspect that had he been there, he would have done a lot of those things.

Q There was some testimony in my colleague's prior hour of questioning talking about the deployment of a couple of DOD personnel from Tripoli down to Benghazi. And at the time, you indicated that you were unaware of that particular element and that the Secretary was unaware of that particular element. But I want to make sure that the record is clear on what we believe to have been their role. We've had testimony from an individual who was part of that team. And our understanding is that those forces -- those two people, not a force, but those two people were in fact in a Title 10 deployment status at American Embassy Tripoli. Do you have any information that contradicts or counters that?

A I don't have any information about what their status was.

Q [REDACTED]

[REDACTED]

[REDACTED] was at their own initiative, their own volition, but that they in fact sought approval from their chain of command to do so?

A I'm not familiar with what they did.

Q And whether or not that issue reached the Secretary of

[REDACTED]

Defense for approval is not something you know either?

A I'm quite certain it did not.

Q It did not. Okay. So they moved to the sound of the guns in the great tradition of soldiers responding to someone in harm's way, and for that, you think they should be commended?

A I like that description.

Q There was some discussion in the first hour about the chain of command, about Principals with a capital "P," and about the National Command Authority -- perhaps we didn't get into National Command Authority. But is your understanding that the National Command Authority itself is the President and the Secretary of Defense and no one else? This would be a function of a proper civic education in America.

A Yes. I would relish the opportunity to attend a 2-week course at the National Defense University on what the precise definition of the National Command Authority is. But my understanding is that the National Command Authority actually refers to the President, and that the chain of command runs from the President to the Secretary of Defense to the combatant commander.

Q Okay. I would agree with your characterization of the chain of command. We'll have to return to the issue of what the National Command Authority might be.

But having said that, for purposes of the discussion earlier, you discussed the chain of command from the President through the Secretary of Defense through the commander of AFRICOM and then on down?

[REDACTED]

A Yeah.

Q But those were not the principals that were in the email of 7:19 p.m. that we've been talking about.

A The other Defense Department principals included the Chairman, the Vice Chairman, and as I mentioned, it may have also included the senior military assistant to the Secretary of Defense.

Q But these were not principals from across the interagency. So, for example, was the DCI, the Director of Central Intelligence, or the Secretary of State or anyone else, Tom Donilon as the National Security Advisor, was that encompassed within the universe of principals to which you were referring in that email?

A No.

Q You mentioned the FAST deployment timeline, and you said that they did not have aircraft collocated at the time. [REDACTED]

[REDACTED]

A Yes. And there's a chart from the Defense Department, which was marked previously as exhibit 4, [REDACTED]

[REDACTED]

Q So there are two FAST platoons that were alerted here.

[REDACTED]

A That's what the Defense Department force posture laydown looks like, according to exhibit 4.

[REDACTED]

Q But their ability to thereafter be deployed to any location is fully dependent upon the availability of aircraft to do that?

A Well, I would only caveat that in that if there was an operation that had occurred in Rota, Spain, they probably wouldn't need aircraft, but any place that required aircraft, they would need aircraft.

Q That's a fair observation. I agree with that fully. But to go from Rota, Spain, to Benghazi or Tripoli, Libya, would have required either a maritime asset, one aircraft?

A Yes, sir.

Q The SVTC that has been mentioned earlier, the 1900 or 1930 SVTC, 7:30 that evening, do you recall whether the CIA, the DCI had a representative at that SVTC, if you can recall?

A I don't recall exactly. I have an impression in my memory that one of the boxes on the screen was the Agency, but I don't remember if it was headquarters or if it was someone in the field or who it was.

Q Would that typically have been the case at a Deputies Committee SVTC that the Agency would have a representative at that SVTC for national security issues?

A A meeting on a SVTC, yes.

Q At that SVTC, correct?

A Yes. The CIA would traditionally have a representative at a Deputies meeting or a SVTC.

Q At a Deputies meeting or a SVTC?

A Yeah.

Q Could that deputy then, could that have been Michael Morell that would have attended that SVTC, or would it have been typically someone else?

A It depends on the issue. Many times in a meeting the Deputy Director did attend, but there were also plenty of times when there was a Deputies meeting or a SVTC when that responsibility was handled by, say, the Counterterrorism Center or one of the other operational or analytical elements.

Q By the time the SVTC was convened, we were then already aware that the attack at the TMF, or the Temporary Mission Facility, had subsided and that everyone had moved over to the CIA Annex. Does that refresh your recollection as to whether or not DCI had a presence at the SVTC?

A I don't remember knowing that at the time, and it doesn't refresh my recollection as to whether DCIA had a presence at the SVTC.

Q And how about DNI, or ODNI, do you know if you can recall at this point whether the Director of National Intelligence had a representative present at the SVTC?

A I don't know.

Q Did you at some point review a manifest of individuals who attended the SVTC?

A Well, this morning, in preparation of coming up here, I saw some email traffic that suggested some people who participated, but not before today.

Q Okay. I would like to mark as exhibit 10 the "Readout of

[REDACTED]

the President's Meeting with Senior Administration Officials on Our Preparedness and Security Posture on the Eleventh Anniversary of September 11th."

[Bash Exhibit No. 10

was marked for identification.]

BY MR. CHIPMAN:

Q Have you had a chance to review that, at least briefly?

A Yes.

Q When the President heard from key national security principals, were you present with Secretary Panetta during that, what appears to have been a call on the 10th?

A Yes, I was.

Q And do you recall, as a result of that, the Secretary or the Chairman directing any adjustments to our force posture, either in the Middle East, North Africa, or elsewhere?

A I don't recall any adjustments as a result of that phone call, just that the phone call was that we were carefully monitoring threats to U.S. personnel, installations, facilities, and that there was no specific information or intelligence or warning about a particular threat.

Q Fair enough. General Dempsey and Secretary Panetta testified before the Senate Armed Services Committee on 7 February of 2013, and I'd like to ask you a couple of questions about comments that were made either by the Secretary or General Dempsey at that hearing. So if I could pass out exhibit 11 please.

[REDACTED]

[Bash Exhibit No. 11
Was marked for identification.]

BY MR. CHIPMAN:

Q My first question is from page 53. It about three-quarters of the way down the page. It's a statement from Secretary Panetta following a question from Senator Cruz, and the latter phrase is, "-- we both went back to the Pentagon," and that would be, I believe, the Secretary and Chairman Dempsey, "and immediately I ordered the deployment of these forces into place."

And to the best of your recollection again, and I know we've covered this a few times already, but was that direction from the Secretary issued, if you know, closer to 6 p.m. or closer to 8 p.m. or do you know?

A My recollection is that it was a rolling set of discussions and discussion about what forces could be available. I don't remember precisely when the decision was finalized on a deployment. I had a sense by basically within the hour, within the time that I sent that email, now I see that the Secretary was leaning forward and was likely going to do it, and I know the way he thinks. I knew he was probably going to do it, and it's possible he had done it by that time because I had been in and out of the meeting. But I don't have the specific times committed to memory of when those deployment decisions were made.

Q If I could return your attention to exhibit 1, the decisions and events timeline, page 2 of that, at the second bullet entry. The timeframe is 8:02 p.m.

A Uh-huh.

Q And it indicates "General Ham's initial guidance after discussion with SecDef," again, issued at 8:02 p.m., "moved the CIF," a Commanders In-extremis Force, "from Croatia to Souda Bay, Greece."

Do you recall the discussion as to whether Souda Bay or Sigonella would be the location to which assets were directed?

A I don't recall that conversation.

Q Okay. So no specific direction from the Secretary. The Secretary's direction was move, but the decision as to where to move particularly was left to General Ham or the Joint Staff or someone beneath the Secretary?

A I don't remember that exactly, but I can tell you the way General -- excuse me -- I can tell you the way Secretary Panetta operated. He would have deferred to the judgment of the senior military leaders on where the intermediate staging base would have been best.

Q Okay. And if I could continue from the Senate hearing. On page 76, middle of the page, Secretary Panetta is quoted as responding to a question from Senator Ayotte. "We had alerted all of these task forces to be in place, to move in that direction, and they were moving to get there. The problem we had...is again the issue of time and distance and being able to move them quickly enough to respond before the event was over. That just was not the case."

And that's your recollection of his testimony then and his testimony publicly and what you have known to be the case?

[REDACTED]

A Yes. I'm not sure what the phrase "that just was not the case" is responding to, but the thrust of the paragraph and the answer is correct.

Q Fair enough. I understand the additional clarification. And so if we go back to exhibit 1, the timeline of key events and decisions?

A Exhibit 1, yes, sir.

Q I'm sorry, exhibit 1. There are -- on, again, page 2 -- there's a reference of a conference call, a Benghazi conference call conducted by the National Military Command Center. Were you aware of that conference call?

A I've seen it on the timeline for a very long time, so I don't know if I was aware of it in real time or if I knew about it shortly thereafter when the timeline was produced.

Q Fair enough. And were you a participant in that conference call?

A I don't believe I was.

Q And then it appears, the next entry indicates at 8:39 p.m., the National Military Command Center transmitted formal authorization for the two FAST platoons that had been discussed previously and for the EUCOM Special Operations Force to move to an ISB in Southern Europe.

[REDACTED]

[REDACTED]

[REDACTED]

So based upon that unclassified timeline, those two entries, was

[REDACTED]

[REDACTED]

it your understanding that the forces directed were moving to an ISB as opposed to moving directly into Libya?

A My recollection from a lot that I've read since that time, which informs my memory here, because I've read books and testimony, is that they -- that the CIF [REDACTED] were going to be going to an intermediate staging base, but that the two FAST platoons were going to be going directly into Libya.

Q Okay. But with respect to the CIF [REDACTED] [REDACTED] the intent of the Secretary, as reflected in the orders issued to these forces, was that they each move to an intermediate staging base --

A I don't --

Q -- not to move directly into Libya?

A Just to clarify. I don't know that in his order, in his verbal authorization, he verbalized the ISB. His style and his approach would have been go, make it happen. It's not his style to say go to this staging base and go here and go there, that he would rely on the senior uniformed military officials to execute the order consistent with his intent.

Q So from your perspective, from your knowledge of Secretary Panetta and from working with him in this period of time, several years then, he would have given the general guidance and relied upon his senior military leaders to issue the specifics?

A Again, now, if there was a specific issue that they needed him to make a decision on, he would certainly not shrink from the

[REDACTED]

decision. And it's possible that he was specific about use of intermediate staging bases. I don't recall him being that specific about it. I recall there being some conversation about it, and I recall that being part of the execution plan.

Q Were any notes taken during the meeting between 6 and 8 that would give better fidelity or clarity to what was actually directed by the Secretary that evening?

A I don't know.

Q Did you take notes yourself?

A I don't remember.

Q If you had taken them, would they be available to the committee at this point?

A Well, I don't have them, so I don't know how -- let me back up. I don't have any notes from when I worked in the Defense Department, so --

Q Okay. That's all I --

A Yeah.

Q That's all I was asking.

If we could continue back in the SASC hearing exhibit. There is a comment on page 79 by General Dempsey: "I want to assure you, had we been able to -- there has been a whole bunch of speculation about we were risk-averse, we needed the country's permission to come in. If we had been able to get there with anything, we'd have gone in there under the command of the Commander of AFRICOM?"

And is General Dempsey's statement on page 79, is that consistent

[REDACTED]

with your understanding of the role of the combatant commander, here the AFRICOM commander, with respect to the authorities under which he could execute an operation? My question was --

A I'm not the world's expert on the J-3 -- the J-3isms. So I need to defer to some expertise inside the Joint Staff.

As a general matter, a military operation in a combatant commander's AOR is under that combatant commander's direction and control. This is a situation in which forces were deployed from other geographic combatant commands, from U.S. European Command, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

So I think the thrust of what General Dempsey is saying is correct. Someone could refine it a little bit by stating that there were also roles and responsibilities as a supported element -- or a supporting element, I should make clear, a supporting element -- that these other combatant commands had a supporting role to play to the combatant commander of United States Africa Command.

Q And so it'd really be a matter of whether the orders actually altered the command arrangements that were in effect or force. So, for example, that order from the National Military Command Center could have said: European Command, your CIF has now been chopped to the command of Africa Command. Is that fair to say?

A That seems logical that that's the way it would be done.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

to deployment, and then there's the transit time in the deployment.

Is it fair to add a third timeframe from when you learned of the incident or when you know of the attack to when the notification is given? Is that a fair addition to that timeline?

A I think it's fair, but I also just want to make sure we have all the -- we have context here, which is that this is an incredibly unique sui generis situation in which the event is happening in real time. It almost never happens -- in my case, never happened but one time. So in most cases that element is immaterial, but one could analyze whether it's material in this case or not, and that's where you have to go back to the timeline and see whether or not that delay that you referred to would have made a difference.

Q And for purposes of this question, and you talked about a series of positing steps in the prior round of questioning, and I would posit that from my perspective, having looked at all the materials over the last 18 months, we could not have affected the response to what occurred by 5:15 in the morning on the 12th of September in Benghazi, Libya. So let me start with that positing or that stipulation.

And so what I'm trying to get at is, again, this idea that the apparatus that considers, deliberates, and deploys forces in a crisis has to absolutely be nimble and responsive to issue the appropriate decisions. Would you agree with that?

A Yes.

Q And that's where the people who are within the communities with which I served and who have talked to me about their perception

[REDACTED]

[REDACTED]

of the response here, they believe that there was a shortfall in that timeline, and that's what I'd like to explore with you a little bit.

A Yes, sir.

[REDACTED]

Q So at 4:30, if the NMCC is notified of the crisis, if at 6 the President has already directed the deployment of DOD assets, if by 8 General Ham is issuing his initial guidance to deploy forces from here, Croatia, what causes me some confusion and, frankly, a lack of understanding, is why then that notification period was slipped another 3 hours at 11 p.m.? And do you have any explanation or clarification or context for why that delay occurred?

A I don't.

Q And nor did Secretary Panetta when we asked him that during his interview. And so I was trying to figure out whether anyone was giving him a real-time update, again, on this asset timeline response.

A My general sense is that he was receiving updates. I don't think the updates included or would not have typically included the time in which an order was transmitted or when an hour clock began. Those aren't typically the things that he would focus on in an update. The kind of things that he would typically focus on in an update is: What do we know about what's happening on the ground? Are our forces moving to the objective?

Q No, that's fair, and I understand that that would have been the level of the Secretary's interest typically in understanding the response to a crisis. We brought in Director Petraeus, who said that as he was looking for updates in real time, he was calling the National Security Advisor, Tom Donilon.

Would the NSC, the National Security Service or the NSC apparatus at the time, would they have had an understanding of the real-time asset

response timelines that were in effect?

A I think the best source of information about the response times of U.S. military assets would be the Joint Staff.

Q The Joint Staff. And would the Joint Staff have conveyed that response timeline to the White House Situation Room or the NSC Ops Center or whatever entity was centrally managing and leveling all the information available in a crisis?

A Maybe, but, again, this is such a unique situation that I'm not sure there was a standard playbook for who would be the central coordinator or level setter of that type of information. But that type of information was really within the purview of the J-3, and the J-3 and those who issue deployment orders at the Secretary's direction would be the ones who would know that granular level of detail about an hour and deployment times and such.

Q And that's why I was trying to figure out, you know, whether the White House would have known this, because in part, if Secretary Petraeus was looking for kind of an update on what's moving to the region from Tom Donilon, obviously Mr. Donilon needs to know that. And so if he doesn't have that information, then I would suggest that maybe Director Petraeus should have been calling Secretary Panetta for that update, and yet we have Petraeus saying: I never called the SecDef, I talked to Tom Donilon. And I was interested in determining what the military response was doing.

A In an ideal situation, everyone has the same facts.

Q I'm sorry, could you say that again.

A In an ideal situation, everyone has the same facts. Sometimes in a crisis there's a little bit of a lag, but ideally you work to make sure everyone has the same facts.

Q And I think that's reflected in what you did to try to coordinate with your colleagues at State in that 7:19 email. So I agree fully that, you know, the focus of it, ensuring we all have the same facts. But doesn't that suggest there ought to be a single centralized node managing the whole of government response to the crisis as it was unfolding?

A Yeah, that's typically something that we say is handled by the interagency, which is a concept, not an entity. It's a mode of working. It's not a locus of effort.

So I take your point that there might be some validity to having some locus of activity in the interagency. I would, for blue skying this and asking what I would suggest, is I would like to see the Joint Staff remain the holder of the information and then communicate that out to other departments and agencies that require it.

Q And that's a fair observation, and that's what -- I mean, I don't think we need to create a new entity to manage this. We've got plenty of operation centers. We've got plenty of nodes in a crisis. But somebody has to be the central repository where you can go to to get real-time information as the crisis is unfolding, what's moving where, who's working this.

And so I would suggest that the issues that have been reflected in part in the exploration this morning and this afternoon reflect what

[REDACTED]

Q

[REDACTED]

A

Uh-huh.

Q

[REDACTED]

A Right.

Q Is that a fair statement to at least think about?

A Yes.

[REDACTED]

[REDACTED]

Q [REDACTED]

A You're focussing on exactly the right things. Those are the right questions to ask about the ability of a force that's been identified to deploy to another continent: How is that force going to get there?

Q Right.

A And that has to do with planning and it has to do with our force posture and all the right things that should be scrutinized and analyzed. I couldn't agree with you more that these are vitally important. I fully subscribe to the theory that you don't have to buy into the conspiracy theories to be concerned about this issue. And, in fact, I think an elucidation of this issue, hopefully, will debunk some of the conspiracy theories.

Q If we can debunk conspiracy theories, the committee would be very much obliged.

A Applauded.

Q As we look at just some wrap-up issues, if I could, I'd like

[REDACTED]

[REDACTED]

to have this exhibit marked the next in sequence.

[Bash Exhibit No. 12

Was marked for identification.]

Mr. Chipman. This is an email. It's -- the number is Request1-000030, Intelligence Book 7-004. It's an email from [REDACTED] to [REDACTED] [REDACTED] is the middle email. Above that, it's from [REDACTED] to [REDACTED]

Sir, you're not on this string. If you could mark this next exhibit in order, which I think is 12?

Ms. Betz. 12.

BY MR. CHIPMAN:

Q

[REDACTED]

And so if you look at the top of page 2, there is -- the first tick on the first bullet says: "There are 4 CIF teams heading to Croatia. They will be turned around there and redirected to Sigonella (or maybe Souda Bay -- still to be worked) as soon as crew rest permits."

During your time working this issue as part of the Secretary's team, was there any discussion of crew rest having affected the deployment of the CIF from Croatia down to Sigonella?

[REDACTED]

A No. And that bullet does not comport with my knowledge of what happened. This bullet seems to refer to four CIF teams. Maybe that's a reference to the four elements that we've been talking about, maybe it's garble. It also refers to them heading to Croatia.

My understanding is that the CIF was in Croatia. And this idea of turned around there and redirected to Sigonella, I'm not aware of any element that was going to be going to Croatia and then turned around to Sigonella, and turned around isn't even the right phrase. And the crew rest thing is nothing I've ever heard of. So there are about seven or eight things in this SITREP that seem wrong.

Q Sir, and the committee shares your understanding of several inaccuracies in this particular assertion, but we have seen this document and one other where the issue of crew rest is discussed. And so really my question to you is only, did you recall any discussion or concern over crew rest affecting the CIF's deployment timeline? Because, again, the committee is looking to determine what caused the delay in launching the CIF from Croatia down to Sigonella.

A I'm not aware of crew rest playing any role in anything related to Benghazi. The first I've ever heard of this crew rest issue is just right now, and if it is even an issue.

Q Yeah. Fair enough. As we talked earlier, you had mentioned that, again, what concerned Secretary Panetta and Chairman Dempsey at the time was not only locating a missing ambassador with a fire ongoing, with a missing ambassador, with the idea of earlier events in Cairo, what had unfolded in Benghazi, and what might occur

[REDACTED]

throughout the rest of the region the next day. And so was there any thought about trying to ensure that the CIF [REDACTED] [REDACTED] was forward postured as quickly as possible, was that a topic of some discussion?

A I'm sorry, referring to before the events of 9/11 or --

Q Just as -- during that meeting, for example --

A Yeah.

Q -- from 6 to 8. Because, again, I've got the near fight, which is Benghazi, and as I've stipulated --

A Uh-huh.

Q -- I don't see any way to influence what occurred there. But what I am worried about is we're caught by surprise on 9/11, we've got nothing postured to respond in a timely manner -- and you can debate what's timely, what's untimely -- but nothing could have affected what occurred in Benghazi. And so my concern is, is the Department moving forward to try to posture things as quickly as they can knowing what's going to come on 9/12?

A I see where you're going with this. I think the whole force laydown and our ability to field quick reaction forces to respond to terrorism is critically important. It's one of the reasons why in the after-action report the Defense Department put a lot of resources behind this problem set.

As I stated earlier, I believe, as someone who has worked in national security, that the terrorist threat is growing, not subsiding, and I think having quick reaction forces that can deploy long distances

[REDACTED]

to protect U.S. personnel facilities, interests, and allies is critically important.

So I think your focus on other places where an in-extremis force might be needed in a crisis is exactly the right thing to be focused on.

Q But, again, these are resource decisions, these are priority decisions, and we don't have unconstrained resources, and we have priorities in other countries as well, correct?

A That's right.

May I just add something here? I think it's important for completeness of the record. If you said to me we're going to give you a dollar and you can spend it on something to protect our people, here's what I'd spend it on before I spent it on quick reaction forces. I just want to make sure it's complete.

I'd spend it on intelligence, number one, so we have warning.

Number two is I'd spend it on working with local forces. And as you know and as the committee knows, in most of the places where we have embassies and facilities we rely a tremendous amount on local security forces. It's just the reality of doing business.

Third, I would spend it on security at that facility -- personnel, weapons, gates, evacuation plans.

Fourth, and only fourth, I would spend it on an over-the-horizon quick reaction force. If you are worried about attacking facilities -- excuse me -- if you're worried about preventing the negative consequences of attacking facilities and you're investing in

quick reaction forces, I believe you're probably too late.

Q Okay. And I appreciate those priorities and that laydown, and that makes sense on the national security side of what you would invest in. And that's what the committee, as we've explored this issue, we've been confronted with concerns about the intelligence that we had and the focus on developing local Libyan sources.

[REDACTED]
[REDACTED] We've had concerns about the reliability of our host nation, whether militia or other supporting forces, and we've had concerns about the reliability of our physical security posture and our personnel security posture, both in terms of the numbers of agents in Benghazi and the facilities in which they were working.

And so the areas you've identified are ones that have obviously captured the committee's focus as well.

But, again, that's where we were on that night, and so we're trying to figure out the recommendations that we would have, again, the relative priority of additional QRF assets versus some other expenditure, and you've indicated some priorities there, and I appreciate that.

If you could mark that as the next exhibit in order.

[Bash Exhibit No. 13

Was marked for identification.]

BY MR. CHIPMAN:

Q The next exhibit I'm going to show you is an email from

Philippe Reines to Cheryl Mills. You're not on this email string. It's -- you're not on this email string. It's State-SCB0096527, and it's a mention of a conversation that you may have had with General Kelly and Philippe Reines. And if anything about this email jogs your recollection?

A Yes. Is there a specific question or you need me to explain?

Q I'm sorry. If you could just indicate to the committee what you recall from this email, if anything.

A At some point on the 12th we got a request from the State Department, and I don't remember if it originated with Philippe or it had just informally come through Philippe, that there was some confusion as to the coordination between State and DOD on the return of the remains of our four fallen heroes. And Philippe had reached out, I believe, and asked me if I thought we could be of assistance in just cutting through some of the bureaucracy, figuring out DOD could help get these four individuals back.

And I connected him with General John Kelly, the senior military assistant, the lieutenant general who was the senior military assistant to the Secretary, and they talked or they had some conversation, and at some point the conversation facilitated, I believe, a more streamlined way to do business for that situation. And the result was we were, of course, able to return those flag-draped transfer cases to Andrews Air Force base so they could be reunited with their loved ones at that ceremony, and DOD played a small role in facilitating that.

Q So essentially this was the equivalent of a dignified transfer of remains ceremony?

A Yes, that the President attended.

Q And if I could have the next exhibit marked, and this is number 14.

[Bash Exhibit No. 14

Was marked for identification.]

BY MR. CHIPMAN:

Q And this is an email from Victoria Nuland to Carl Woog. The number is State C05622935. You're cc'ed on this. And this was sent on Saturday morning of September 15 at 9:37 a.m. It refers to a request from George to convene the group to sort out a few things on messaging, re: Libya. And if you have a chance to -- have you had a chance to review that email?

A I'm looking at it now, but go ahead. I can answer questions about it.

Q Okay. Were you part of the messaging team that was working the OSD portion of the -- Office of the Secretary of Defense portion of messaging concerning Libya on the 15th, Saturday, at 9:35 a.m.?

A I was cc'ed on the email. That wasn't my primary role. George Little and his public affairs team was responsible for the public discussion of the situation in the Middle East.

Q Do you recall, Mr. Bash, anything specifically covered in the course of that group convening, if the group did convene that morning?

A I don't remember that I was on the call. I don't recall if I was or not.

Q Okay. Did you have any role in reviewing or clearing on behalf of the Defense Department the talking points that were ultimately prepared for the House Intel Committee?

A No.

Q Were you able to review --

A I didn't even know of their existence.

Q Did not know of their existence.

Your role in being cc'ed in this particular email would have been for the Secretary's awareness of this? Or what was your role for being cc'ed? Why would Mr. Woog have brought you into this email string?

A I don't know.

Q At any time, as the attack and the events that evening unfolded, was any part of the DOD timeline affected by the lack of a specific request from State for DOD support? There has been some discussion that General Ham reputedly said on one occasion: We were never asked.

From your perspective, working this issue for the Secretary that evening, was any part of our response affected by the lack of a formal request if there wasn't one from State?

A If I understand your question, no.

Q And I didn't state it particularly artfully, but there was no hesitation on DOD's part in fashioning a response based upon the lack of a formal request from State, if you can --

A You stated it correctly. There was no hesitation whatsoever by the Department of Defense for any reason.

Mr. Shapiro. DOD was not awaiting some formal request from State.

Mr. Bash. DOD was not awaiting some formal request from State and did not seek it, and any hypothetical request or nonrequest played no role in the speed with which the Department of Defense tried to rescue our people.

BY MR. CHIPMAN:

Q In terms of the coordination from DOD to State that evening, I know you had some contact with Mr. Reines, again, who was the State Department spokesperson, you had some contact with Jake Sullivan.

A Uh-huh.

Q You had the email to the group of folks about the proposed DOD response on the asset spinning. Was there anyone else from DOD, from OSD, that was also in contact with State Department leadership that evening?

A I don't know.

Q On the evening of 9/11.

A I've now reviewed accounts of the SVTC that purported to include OSD policy individuals, but I don't have a specific recollection of who was on the SVTC or who -- and I don't know who else was in communication with the State Department that evening.

Q Okay. With respect to the DOD capabilities that were available, would you have been the final authority for DOD in conveying

what was contemplated back to State? Would they have looked for you as the authoritative voice of what was available from DOD?

A No. But I don't want to leave the impression that there is such a thing as an authoritative voice.

Q Hopefully, the Secretary himself is authoritative.

A Yes.

Q And so the Secretary was -- this wasn't a principals-level SVTC nor Principals Committee meeting.

A Right, but there was no obligation to report back to State what was happening with our military response. Now, as an exercise in, you know, good lash-up, you want to have communications, which is what I think the SVTC played and Denis McDonough's emails and other emails to other folks played that played that role. But I was not some authoritative voice back to the State Department about what the Defense Department was doing or not doing.

Q I think you've been very clear in the prior testimony that you had no role in the discussion or deliberation of whether to deploy the FAST in civilian clothes or marine uniform, military uniform?

A Just to be precise, I don't recall that issue coming up on the SVTC. I recall hearing about it later. I don't recall it being a factor at all in the decision to deploy the FAST on the evening of September 11.

Q From your perspective, given the guidance that Secretary Panetta issued, would there have been an expectation that he had to go back to the President if he were inclined to execute either the CIF

or the [REDACTED] into Libya proper?

A No.

Q No. That the President's initial guidance was adequate to give the Secretary all the authority he needed?

A Yes.

Q And so he wouldn't be even required to the discussion of a concept by which we were going to enter Libya? It's a fairly broad acceptance of authority on the part of the Secretary. Would you agree with that?

A Yes, but it was appropriate, given the circumstances.

[2:42 P.M.]

Mr. Chipman. And the reason I ask, Mr. Bash, is my experience has been that we would always have a deployment direction and then we would have this period of time to prepare the actual kinetic option. And so we would get approval for the deployment. We would then spin. And we would then go back to the President and the National Command Authority with a request to execute the kinetic option desired. But your recollection on that evening was there would have been no such second step where SecDef consulted back --

Mr. Bash. I have seen it different ways, but I know in this case there was no requirement to go back to the President.

Mr. Chipman. We're off the record. Thank you.

[Whereupon, at 2:43 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' counsel on behalf of the witness reviewed the accompanying transcript and certified its accuracy by providing the following corrections. These corrections are reflected in the transcript as identified below.

<u>PAGE</u>	<u>LINE</u>	<u>ALL CORRECTIONS MADE BY WITNESS' COUNSEL</u>
10	22	Replaced "getting" with "gathering."
33	11	Replaced "served" with "did not serve."
45	4	Replaced "latch" with "lash."
45	9	Replaced "we had permission" to "we had to have permission."
49	15	Replaced "the general" with "in general."
53	22	Replaced "an hour or something change" with "an hour or something and change."
58	15	Replaced "a live" with "alive."
63	14	Replaced "latch" with "lash."
63	24	Replaced "latched" with "lashed."
70	3, 14	Replaced "latch" with "lash."
71	25	Replaced "now that" with "not at"
72	16	Replaced "in" with "or."
84	10	Replaced "Sezwa (ph)" with "Central Africa."
105	24	Replaced "on" with "or."

NOTE: With regard to page 33, the witness noted that he did not serve in the military, but served as a civilian alongside military professionals at the Department of Defense.