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

INTERVIEW OF: 

Monday, March 16, 2015

Washington, D.C.

The interview in the above matter was held in HVC-205, Capitol
Visitor Center, commencing at 10:08 a.m.

Present: Representatives Westmoreland and Brooks.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

DANA CHIPMAN, CHIEF INVESTIGATIVE COUNSEL

SHARON JACKSON, DEPUTY CHIEF COUNSEL

SHERIA CLARKE, COUNSEL

CARLTON DAVIS, INVESTIGATOR

SARA BARRINEAU, INVESTIGATOR

BRIEN A. BEATTIE, PROFESSIONAL STAFF MEMBER

KIM BETZ, MEMBER OUTREACH LIAISON

HEATHER SAWYER, MINORITY CHIEF COUNSEL

PETER KENNY, MINORITY COUNSEL

LAURA RAUCH, MINORITY SENIOR PROFESSIONAL STAFF

For the U.S. DEPARTMENT OF STATE:

AUSTIN EVERS, SENIOR ADVISOR

For Mr. [REDACTED]:

RAEKA SAFAI, ESQ.

Ms. Jackson. All right. We'll go on the record.

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

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

Agent [REDACTED], could you give us your full name for the record, please.

Mr. [REDACTED]. My name is [REDACTED].

Ms. Jackson. Let me first start off by saying that we appreciate your appearance today, that you've agreed to voluntarily do this interview.

Again, my name is Sharon Jackson. I'm with the committee's majority staff. And we'll go around the room and have everyone introduce themselves and state their relationship to this interview so that you have an idea of who is in the room and the official reporter can get that down.

To your left.

Ms. Safai. Raeka Safai, Counsel for Mr. [REDACTED].

Mr. Evers. Austin Evers, State Department.

Mr. Beattie. Brien Beattie for the committee.

Ms. Rauch. Laura Rauch, Senior Professional Staff, Select

Committee on Benghazi.

Ms. Sawyer: Heather Sawyer, Chief Counsel for the minority staff.

Mr. Kenny. Peter Kenny with the minority staff.

Ms. Jackson. You, too.

Mr. Westmoreland. Lynn Westmoreland from Georgia's Third District.

Mr. Davis. Carlton Davis. I work for Mr. Gowdy.

Ms. Clarke. Sheria Clarke, majority staff.

Mr. Chipman. Dana Chipman. I work on the majority staff.

Ms. Barrineau. Sara Barrineau with the majority staff.

Ms. Betz. Kim Betz with the majority staff.

Ms. Jackson. Agent [REDACTED], before we begin, I'd like to go over the ground rules and explain the procedures that we're going to employ today.

The way that the questioning proceeds before this committee is that a member from the majority will ask questions for up to 1 hour and then the minority will have the opportunity to ask questions for an equal amount of time if they choose to do so.

We generally adhere to the 1-hour time limit for each side. We've had some variations by agreement, but that's generally what you should expect.

Questions may only be asked by a Member of Congress or a member of the committee. And we'll rotate back and forth until each side has exhausted all of the questions that they would like to ask for you.

Unlike testimony or deposition that you may have experienced in Federal or State court, the committee format is not that formal and not bound by the Rules of Evidence.

You or your counsel may raise an objection for privilege, and that is subject to review by the chairman of the committee. If those objections cannot be resolved during the interview, you can be required to return for a deposition or a hearing.

Members and staff of the committee, however, cannot raise objections. And so, again, you and your counsel can raise objections, but no one else can raise objections to the questions that are being asked. We've not really had a problem with this in the past, but I just wanted to make sure that you know how we're going to proceed.

This session is an unclassified session. We can make arrangements to go into a classified session. However, I think most of the information that will be asked of you will not require a classified answer based on the documents we've reviewed from the State Department.

Certainly, like, if you testified before the grand jury or anything like that, that's an unclassified setting. So that can kind of be a gauge as to -- if you're expected to testify about it in court or before the grand jury, that would be a good barometer of whether it's classified or not.

But if you believe that any answer to a question that is posed to you would divulge classified information, we ask that you just say so, and we can either withdraw that question or withhold it until we

move into a classified setting.

You are welcome to confer with your counsel at any time during the interview, and we will allot you whatever amount of time and the number of times that you would want to confer with your counsel. But if it's just a matter of you need a question clarified or you didn't hear all of it and missed part of it, please first ask if it can be restated or repeated so that we make sure that you understand fully the question that is posed to you.

So if at any time you just want something either -- maybe it's a compound question and you want it separated out into its component parts or you just missed part of it. Just please ask us to restate it. Because the most important thing, as you well know, is that you understand the question before you give your answer.

We will, additionally, take a break whenever it's convenient or you would like one. Generally, we have gone for the first hour of questioning and then we take maybe a 10-, 15-minute break. Then we go for a second hour. At that time, if we think we're close to being finished, we may just plow on. Otherwise, we'll take a break for lunch and then resume in the afternoon.

As you can see, there's an official reporter taking down the proceedings here today so that everything we say today will be in a written record. One of the things, as you well know from perhaps testifying before, is that it's very important to answer out loud, no nodding, shaking of the head. It drives the reporters crazy. But we invite the reporter to speak up if she hasn't caught an answer.

The other thing for the reporter's sake is that we should wait until each other finishes before we start talking. So I will do my best to not interrupt any of your answers with the next question. And, if you could, be cognizant of the fact that the question needs to finish before you start your answer.

We are here today because this committee is investigating the attacks that occurred in Benghazi and matters related to it and it is understood that you have direct knowledge of that. So we're going to ask that you give us your best recollection today.

If you don't fully recall an incident, please tell us as much as you can remember. If there was someone else who was present at the time that may have also direct knowledge of that, please identify that person for us. However, if you just don't recollect a particular question -- the answer to a particular question, please say so. We know that a matter of -- a number of years have passed, memories fade, and recollections are not 100 percent after the fact.

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

Mr. [REDACTED]. Yes.

Ms. Jackson. Okay. And do you also understand that that applies to a committee as well as to Congress directly?

Mr. [REDACTED]. Yes.

Ms. Jackson. Okay. Do you understand -- and I'm sure you do, being a federal law enforcement agent -- that any witness who provides false testimony is subject to penalties for perjury and making false

statements? Do you understand that?

Mr. [REDACTED]. Yes.

Ms. Jackson. You've probably advised a few people of that in your time.

As you sit here today, is there any reason that you would be unable to provide truthful testify to this committee today?

Mr. [REDACTED]. No.

Ms. Jackson. Okay. It is our understanding that you are here with counsel today.

And your counsel is whom?

Mr. [REDACTED]. Ms. Raeka Safai.

Ms. Jackson. Okay. We also understand that you have affirmatively requested a member of the State Department's counsel to be present today. Is that correct?

Mr. [REDACTED]. That is correct.

Ms. Jackson. Okay. All right. Well, that's the end of my preamble on kind of the process.

Do you have any questions regarding the process that we're going to follow here today?

Mr. [REDACTED]. No.

Ms. Jackson. Okay. Does the minority have anything that they'd like to add?

Ms. Sawyer. Just briefly. Good morning. Welcome. Thank you for being here.

In addition to the request from Mr. [REDACTED] counsel, there was

also a request for the Department of Justice to be able to attend. The ranking member has supported that request. They had requested to be here just to make sure that they could safeguard the law enforcement issues at stake. I'm assuming that that request has not been abandoned. Is that the case?

Ms. Safai. Correct.

Ms. Sawyer. So, again, you know, we were very grateful that the chairman agreed to accommodate both the witness's and the witness's counsel's request to have the State Department present based on the fact they have not in any way interfered with this committee's ability to ask any and all questions it would like or with the witness's ability to answer those fully and truthfully.

We think the same is true of the Justice Department. So we would ask that you convey the ranking member's request once again for the chairman to reconsider and allow them to be present.

Another request that has been made by counsel for Mr. [REDACTED] was that we conduct the interview in a classified setting from the outset. Again, the ranking member supports that request as well. I know that the majority has represented that we may not need to go to the classified setting.

Certainly, Mr. [REDACTED], you should feel free to let us know there is information that you would feel more comfortable sharing in a classified setting.

Last time, I would note, that when we -- we did not discuss at all the night of the attacks in an unclassified setting out of respect

for not having the burden put on the witness to police that line. So I would hope that we would at least provide the same accommodations here.

Ms. Safai. If I may add something -- and I apologize. I may need a cough drop -- in addition to the ability for Mr. [REDACTED] to answer the questions fully without being concerned of disclosing any material that's classified, there's a huge concern about Mr. [REDACTED] name getting out there.

His name has been put out there publicly before once or twice and, as a result, he's been contacted by reporters. His family has been -- there have been several attempts made to interview his family. And so we would ask that we move to a classified setting now in order to protect his name from getting leaked.

Ms. Jackson. Well, first of all, from a legal standpoint, we would disagree with your assessment that moving to a classified setting protects his identity. We just disagree that, fundamentally, that will do -- all a classified setting does is add one step of having the transcript reviewed by a classification authority, who makes the determination whether specific information is classified or not, and then the transcript is released. So moving into a classified setting does nothing to protect his identity.

But as you have been told and as the State Department has been told by both members of this committee and by majority staff, we have no intention at all of putting Agent [REDACTED] or any other agent at risk in this and we'll take steps to protect his identity. And I don't

believe that his identity has been leaked at all by any member of this committee or any member of the staff of this committee. And we have made all of those assurances along the way. And if you -- I'd be interested in any legal authority that you could cite that says that a classified setting would absolutely be a protection.

We also understand that there is an overall concern throughout the country of over-classifying information and that we are all to guard against that. Certainly, if the attack is going to be discussed in an upcoming prosecution, that information would not be classified.

Certainly it's probably not classified at this point. Certainly there's enough been written publicly about the attack. And so we don't believe that the great majority of the details regarding the attack are classified at this point. I anticipate that we will be discussing the attack in an unclassified setting here.

But, again, this committee appreciates what you have done as an agent, what you're going to continue to do as an agent, and you have our assurance that we are here to protect you and your family's safety as well as your colleagues'.

Ms. Safai. If I may respond, it's my understanding that being in a classified setting makes the repercussions for leaking any transcript that much more serious. So I would ask you to take that into consideration.

Additionally, the previous interview we conducted was moved to a classified setting. I would ask that Mr. [REDACTED] be given the same respect and the same procedures that were used with his colleagues.

Ms. Jackson. Well, we will properly move to a classified setting to the extent that we have classified information that needs to be discussed there. But we will try and do as much of this interview in an unclassified setting as possible.

Agent [REDACTED], do you have any further questions regarding the process and procedure?

Mr. [REDACTED]. No.

Ms. Jackson. All right. I see that the clock now is about 10:23. So we'll begin the first hour of questioning.

EXAMINATION

BY MS. JACKSON:

Q Agent [REDACTED], when did you become a Diplomatic Security agent?

A I joined DSS on [REDACTED] of 2010.

Q And did you have any prior military or law enforcement experience before you became an DS agent?

A Yes. I was in the United States Army.

Q Okay. And for approximately how long?

A Well, I joined the Army -- I believe it would have been in the fall [REDACTED].

Q And did you serve continuously until you became a DS agent?

A No. I had a -- my ETS from Active-Duty service and then transitioned into the Reserves. And there was a period of about a year between when I left Active-Duty service and joined the State Department.

Q And when you were on Active Duty in the U.S. Army, where did you serve?

A I was in [REDACTED]. I was also stationed at [REDACTED]. And I served in Iraq in support of our operations there from approximately [REDACTED] to [REDACTED].

Q Okay. Since joining the Diplomatic Security Service in 2010, what have been your various assignments?

A Initially, I was assigned to the [REDACTED] field office. In the [REDACTED] field office, we have a variety of duties. We investigate visa and passport fraud as well as providing protective services for foreign dignitaries and State Department officials. I participated in a number of those details as well as working overseas on the Secretary's detail and my TDY in Benghazi, Libya.

Q Was your assignment in Benghazi your first overseas assignment other than providing -- for being a part of the Secretary's protection detail?

A Yes.

Q I may have --

A Yeah.

Q Okay.

A I believe so. In the role of a temporary duty regional security officer would have been any first assignment.

Q But you certainly have been overseas any number of times as -- providing protection for the Secretary of State?

A Correct.

Q Okay. And where were some of those places that you went with the Secretary of State?

A We have gone to Mexico, Ethiopia, United Arab Emirates, Tajikistan. I may be forgetting some.

Q Okay. How did you learn about the assignment in Libya?

A I believe that there was an announcement requesting volunteers.

Q And you responded to that?

A Correct.

Q Okay. And were you at the [REDACTED] field office at the time?

A Yes.

Q Okay. And how long, if you recall, was this temporary assignment in Libya to be?

A I believe it was announced as a 60-day temporary assignment.

Q And would that have been in or around the spring or summer of 2012?

A Are you asking when I received the announcement --

Q Yes.

A -- or when I read it?

Q Received or read. The first time that you learned about the opportunity to go to Libya.

A Right. I believe it would have been around the spring or beginning of summer of that year.

Q And so you volunteered?

A Yes.

Q And why did you volunteer?

A I volunteered because I wanted to have that experience. I wanted to serve in the capacity of an assistant regional security officer, ARSO. That's primarily it.

Q Okay. And had you had any specialized training prior to accepting this assignment? In particular, I'm looking at whether you had the high-threat tactical course.

A Yes. I had attended the high-threat tactical course. I believe it was in May of that year.

Q Okay. Were there any other courses or specialized training that you had prior to going to Libya?

A Yes. I also attended a high-risk firearms course. I also completed our basic special agents course, which is very comprehensive, in addition to numerous other kind of distance-learning courses as well offered through the State Department.

Q At the time you took the high-threat tactical course in about May of 2012, how long was that course?

A How long was the high-threat tactical course?

Q Yes. How many weeks of training was it?

A I don't remember exactly. I believe it was approximately 5 to 6 weeks long.

Q And the high-risk firearms training course that you took, how long was that?

A That was no more than a week.

Q Okay. And what were the type of things that were taught in that course?

A You're referring to the high-risk firearms course now?

Q Yes.

A It had to do with the use of firearms in unconventional positions. For example, if -- it was just a lot of training on marksmanship and the use of firearms, if you are, for example, disabled, firing from your off hand, things like that.

Q Okay. And then there was a third course, a special agents course, I believe.

Could you tell us what that is again, please.

A All right. The basic special agents course is the course that all prospective DSS agents have to graduate from, and it encompasses -- it is a fairly extensive course, and it encompasses security overseas and domestically, the basic protective -- the components of doing a protective detail as well as the use of firearms, special agents' legal authorities.

Q Okay. And in that training what did they teach you about doing protective details overseas? What is their template or -- I'm struggling for the word here. Is there a recommended number of agents, cars and something to do a move with an ambassador or principal officer?

A I believe that talking about, like, the specific methods and tactics used by a law enforcement agency could -- could potentially be classified.

I hesitate to talk about our capabilities and the methods that

we use in the interest of safeguarding our protective details in the field.

So, if we could, could we revisit that in a classified setting?

Q We can take that into consideration at this point.

Prior to accepting -- or considering the assignment in Libya, had you talked with anyone else who had done the TDY in Libya?

A Yes, I had.

Q Okay. And who did you confer with?

A I spoke with other colleagues who had recently been there. Again, I hesitate to, like, identify them by name, you know, particularly for their own privacy concerns. If you would like to know their specific names, perhaps we could discuss it in a classified setting.

Q Okay. And you have reason to believe that their names are classified?

A No. It's not that I believe that their names are classified. I just hesitate to identify them by name for the same reasons I wouldn't like my own name to be -- I safeguard my own privacy just for my own operational effectiveness.

Q Then, let's ask it this way: You did talk to other people who had been to Libya. Is that correct?

A Yes, I did.

Q Okay. Without naming them, what were some of the general issues that you discussed with them regarding their experience in Libya?

A Well, from their accounts and -- are you referring specifically to Benghazi or just the assignments in Libya, in general, including both Tripoli and Benghazi?

Q To the extent that you can distinguish between the two, just please do so.

Did you talk to people who were in Tripoli versus Benghazi?

A Okay. So, in general, based on their accounts, Libya was a very -- had a very fluid security situation.

Q Uh-huh.

A For that reason, it was a very unique post. Also, they informed me that I would be given a lot of responsibilities because of the -- because of that, because of the very kind of unique and fluid nature of our assignments over there.

Q Okay. When you were -- let me ask this: When were you first selected to go to Libya?

A I think I may have been -- I can't remember the date exactly, but it would have been in the summer of 2012.

Q And then when did you actually go to Libya?

A I believe I arrived in Libya August 11th or 12th.

Q And did you know -- had you preferenced either Tripoli or Benghazi before going?

A I preferenced Benghazi. But, originally, I was assigned to Tripoli, I believe. Then it came to be that there was an opening in Benghazi. And I re-voiced my desire to go to Benghazi over Tripoli, and I was granted that request.

Q Okay. So you went directly to Benghazi?

A Yes.

Q Okay. Didn't transit through Tripoli?

A No.

Q Okay. And you arrived either August 11th or 12th in Benghazi?

A Yes.

Q Okay. And who else from Diplomatic Security was in Benghazi when you arrived?

A We had -- I believe it would have been at least three other Diplomatic Security agents in Benghazi at the time.

Q So you made the fourth?

A Yes.

Q Okay. Did all three of those individuals remain for any period of time?

A Yes.

Q In other words, was one leaving as you arrived or did all three stay for a period of time?

A Yes. There was an overlap between our tours of service several weeks.

Q Okay. So there was a steady state of four agents in Benghazi for all of August of 2012?

A I'm not sure exactly when they left. But there was a period towards the end of August or the beginning of September where -- where some agents left, we had gained another, and then two left. So there

was a period of time where it was three, I believe, of us.

Q Okay. And who was the principal officer in Benghazi when you arrived, if there was one?

A If you can excuse me a second.

Ms. Jackson. We'll go off the record. If you want to step out, please do.

[Discussion off the record.]

Ms. Jackson. All right. Let's go back on the record.

BY MS. JACKSON:

Q Agent [REDACTED], I believe the last question to you was who was the principal officer in Benghazi when you arrived.

Ms. Safai. Agent [REDACTED], let me step in here.

We would again like to reiterate the request to move -- Mr. [REDACTED] would feel a lot more comfortable answering these questions in a classified setting.

We understand that certain names aren't classified, but clearly we've already engaged in some information that he would feel more comfortable disclosing in a classified setting.

Ms. Jackson. We're going to go off the record and take a recess.

[Recess.]

Ms. Jackson. Let's go back on the record for just a bit.

We have been joined by Congresswoman Susan Brooks from Indiana. And as we introduced before, Congressman Westmoreland is here from Georgia.

Since we're still in this unclassified setting, is there anything

that the two of you would like to say on the record or ask the witness or say to the witness before we break and move?

Mrs. Brooks. Hello. I'm Susan Brooks from the State of Indiana, Indiana's Fifth District.

And appreciate you coming today to talk. Look forward to hearing what you have to say. I am sorry I won't be able to participate in the entire interview, but certainly look forward to hearing your answers to the questions.

And I know you've been through a lot at Benghazi and beyond and appreciate your service. And thank you very much for being here.

Mr. [REDACTED]. Thank you.

Mr. Westmoreland. I did have one question to ask on the firearms training.

Ms. Jackson. Okay.

Mr. Westmoreland. When you took the course, what weapons did they train you on? I mean, was it just your regular sidearm or was it -- you know, you come out of the military; so, I'm sure you knew how to shoot a rifle. But are those the kind of weapons that you were trained in?

Mr. [REDACTED]. We receive extensive training in the full complement of firearms that are authorized to us through DS. [REDACTED]

[REDACTED] There's also some familiarization training on other weapons that -- for example, your heavier crew-served weapons.

Mr. Westmoreland. Like a SAW?

Mr. [REDACTED]. Yes. As well as, I believe, like, AK-47s and things like that as well.

Mr. Westmoreland. Okay. Did -- when you were in Benghazi at the temporary mission facility or whatever they call it, were those weapons available to you, all the different types of weapons? Do you recall what kind of weapons that you actually had there?

Mr. [REDACTED]. The weapons that were available to us would have been our [REDACTED] sidearm as well as M4 carbines.

Mr. Westmoreland. Those were the two classes of weapons that you would say?

Mr. [REDACTED]. There also were shotguns, but we didn't regularly carry those.

Mr. Westmoreland. So there was -- you didn't have any ARs or anything -- automatic weaponry other than the M4?

Mr. [REDACTED]. No, sir.

Ms. Jackson. Anything else? Let's go off the record until we break and reconvene.

[Whereupon, at 10:58 a.m., the interview proceeded in classified session.]

Certificate of Deponent/Interviewee

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

Witness Name

Date

Errata Sheet

Select Committee on Benghazi

The witness reviewed this transcript, certified its accuracy, and declined to provide edits to the transcript.
