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

INTERVIEW OF: [REDACTED]

MONDAY, APRIL 13, 2015

Washington, D.C.

The interview in the above matter was held in Room HVC-205,
Capitol Visitor Center, commencing at 10:00 a.m.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

SHARON JACKSON, DEPUTY CHIEF COUNSEL

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For the U.S. DEPARTMENT OF STATE:

AUSTIN EVERS, SENIOR ADVISOR

For [REDACTED]:

ZLATANA BADRICH, DEPUTY GENERAL COUNSEL, AMERICAN FOREIGN SERVICE
ASSOCIATION

Mr. Grider. Let's go on the record. This is a transcribed interview of Agent [REDACTED], conducted by the House Select Committee on Benghazi. This interview is being conducted voluntarily as part of the committee's investigation into the attacks on the U.S. diplomatic facilities in Benghazi, Libya, and related matters, pursuant to House Resolution 567 of the 113th Congress and House Resolution 5 of the 114th Congress.

Special Agent [REDACTED], could you please state your full name?

Mr. [REDACTED]. [REDACTED].

Mr. Grider. On behalf of the Committee, we appreciate your time and willingness to come and talk to us today. My name is Mark Grider, I am one of the counsels on the committee's majority staff.

I am going to have every one in the room introduce themselves as well.

Ms. Jackson. I am Sharon Jackson. I am one of the attorneys with the majority staff.

Mr. Desai. Ronak Desai, with the minority staff.

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

Mr. Woolfork. Brent Woolfork, with the minority staff.

Mr. Evers. Austin Evers, State Department.

Ms. Badrich. Zlatana Badrich, AFSA.

Ms. Clarke. Sheria Clarke, majority staff.

Ms. Barrineau. Sara Barrineau, majority staff.

Mr. Grider. Thank you, everyone. I would like to go over some ground rules and explain how the interview will proceed today. The

way the questioning proceeds is that a member from the majority will ask questions for up to one hour, and then the minority will have an opportunity to ask questions for an equal period of time as they choose. As we talked before, we may sort of change that up a little bit, but we will take a break in an hour.

We will adhere to the 1-hour time limit. Questions may only be asked by a member of the committee or designated staff members. We will rotate back and forth, 1 hour per side until we are out of questions and the interview will be over.

During your career as a law enforcement officer, you may have testified in a deposition or in State court or Federal court. As you may know, this is a little different. The committee format is not bound by the rules of evidence. So we may ask your opinion on things, we may ask hearsay. All of that is admissible in a transcribed interview before a congressional committee.

You or your counsel may raise objections for privilege subject to it the review by the chairman of the committee. If these objections cannot be resolved in the interview, the witness can be required to return for a deposition hearing or a hearing. Members and staff of the committee however are not permitted to raise objections when the other side is asking questions. This has not been a problem or an issue in the past, and I don't anticipate it to be.

This session is to begin as unclassified. If any questions call for a classified answer, please let us know, and we will reserve the answer until we move into a classified setting.

In preparing for your interview, I don't believe any of my questions will go into a classified information based on the documents that I have reviewed, but if you feel it does, please confer with your counsel, and we will handle that as it comes up.

Mr. [REDACTED]. Okay.

Mr. Grider. You are welcome to confer with counsel at any time throughout the interview. But if something needs to be clarified, we ask you to make this known to me. If you need to discuss anything with your counsel, we will go off the record, stop the clock, and provide you this opportunity.

We will also take a break whenever it's convenient for you. This could be after every hour of questioning or whenever you need or after a couple of rounds. During a round of questioning if you need a glass of water, coffee, to confer with counsel, just let us know. We will go off the record, and we will make that happen.

As you can see to your right, an official court reporter is taking down everything you may say to make a written record. So we ask that you give verbal responses to all questions, yes and no and not a nod of the head. I am going to ask the reporter to feel free to jump in in the case that he does not respond verbally. And so do you understand that?

Mr. [REDACTED]. Yes, I do.

Mr. Grider. This is the issue that I need to work on; also, we should both try not to talk over each other so it is easier to get a clear record. So I welcome the court reporter to say, Hey, slow down,

and I will try to slow down a little bit so we can make sure we get a clear record.

We want your answers and our questions to be in the complete and truthful manner as possible. We will take our time to repeat or clarify our questions if necessary. If you have any questions, you don't understand our questions, please let us know, be happy to clarify or repeat our questions.

We also want a clear understanding of what you know from your time in Benghazi, Libya. So we are going to ask you to give us your best recollection. And I think everyone here understands a numbers of years have passed, so things may not be crystal clear. So if you honestly don't know the answer to a question or you do not remember, it is best not to guess. Please give us your best recollection. And if these are things that you do not know or can't remember, just say so and please inform us who or to the best of knowledge may be able to provide a more complete answer to the question.

Mr. [REDACTED]. [Nonverbal response.]

Mr. Grider. A few questions here for you. Do you understand that you have an obligation to answer questions from Congress truthfully?

Mr. [REDACTED]. Yes, I do.

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

Mr. [REDACTED]. Yes, I do.

Mr. Grider. Witnesses that knowingly provide false testimony

could be subject to criminal prosecution for perjury or for making false statements. Do you understand that?

Mr. [REDACTED]. Yes, I do.

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

Mr. [REDACTED]. No reason.

Mr. Grider. That is the end of my preamble.

Does the minority have anything that they want to bring up?

Does anybody else?

EXAMINATION

BY MR. GRIDER:

Q It is 10 after 10, and I am going to jot that down. And we will get the questions started.

Agent [REDACTED], can you give us, just start from the beginning of your career and give us your background prior to DS?

A Well, I joined DS in [REDACTED] of 2011. Prior to that, I served 22 years in the United States Marine Corps, approximately 10 years Active, 12 as a reservist. I was an infantryman. I was also part of human intelligence, counterintelligence, and I was an MSG under the embassy duty program.

In addition to that, prior to joining DS, I have approximately 13 years of Federal law enforcement experience, FPS, the Federal Air Marshal Service, and 1 year with NCIS. With DS, I initially served at the [REDACTED] field office, did several TDYs out of there. My TDYs include 2 months in Guadalajara, Mexico, [REDACTED].

Q May I ask you a question?

A Sure.

Q Just to get the chronology. So you joined in [REDACTED] 2011.

A Correct.

Q Can we walk in a chronological aspect of your TDYs, and then you can even touch on the Benghazi if there was something after?

A Sure.

Q Thank you.

A After training, approximately in [REDACTED] 2011, probably in the August timeframe, I went to Mexico for approximately 2 months, [REDACTED] in Guadalajara, Mexico. I came back for some time, and I did my TDY to initially the Secretary of State for approximately -- I don't remember at this time. It was 60 or 90 days where I served in the protection of Secretary Clinton.

Afterwards, approximately from March 6 through April 21, I did an approximately 45-day TDY in Benghazi, Libya, where I served initially as an ARSO. Later on, I was the acting RSO. I came back again to the [REDACTED] field office, and approximately in the summer of 2013, I did another 90-day TDY in [REDACTED] as the ARSOI, which is the Assistant Regional Security Officer for Investigations.

Approximately 1 year and a half ago, I was assigned to the American Embassy, [REDACTED], where I now serve as the ARSOI. I am basically in charge of all the State Department investigations in [REDACTED].

Q Thank you very much. Before we get to that March 6, April 21 timeframe, I just have a question about the ARSOI.

A Yes, sir.

Q Can you explain what that is?

A It is a new program that DS started approximately 10 years ago, sir. Basically, it is a DS agent that serves in an overseas post and does investigations. We are talking visa fraud, passport fraud. We are talking human trafficking and smuggling. We are also in charge for the fugitive program for the U.S. Marshals. So we capture fugitives of the American legal system and bring them back to justice.

Q Very good. So was that program in place when you were in Benghazi during that time period?

A Yes, but Libya did not have such a position at the time.

Q Okay. Let's direct your attention back to the March 6 timeframe.

A Yes, sir.

Q With respect to that TDY, was it -- were you recruited? Did you volunteer? How did that come about? Can you explain to us?

A Well, DS was looking for volunteers to fill that position, and I volunteered.

Q Are you familiar with the term high-threat training?

A Yes, I am, sir.

Q Can you explain to us what it is?

A Well, sir, it is -- in my own words, I would put it as a protection under high-threat environments/military type training that

agents -- DS agents receive. I don't -- I have never heard of another agency that has a program of this sort, and I think it is a very good program. They have got some of the best instructors I can think of. Most of them are former U.S. Marines.

Q And did you take the high-threat training course?

A Yes, I did, sir. It was one of the requirements as I understand it to get an assignment to Benghazi, Libya.

Q Do you recall about when you took that course?

A Yes, sir, it was pretty cold, so I do recall. It was in January of 2012.

Q Okay. Let's talk a little bit more about your time in Benghazi. Can you walk me through sort of the chronology prior to March 6? Obviously, they were looking for volunteers.

A Yes, sir.

Q So we are not familiar with the process. So how did you volunteer? What information did they give you? And we will talk about how you got there and what you took with you, does that make --

A Yes, sir. An announcement went out looking for volunteers to fill this now position for TDYs. I thought it would be a challenging experience so I volunteered for it. They had several requirements, one of them was to take the high-threat training. I immediately contacted people at that school to see when the next availability was that they would have. Upon completion of the training, I spoke to the desk officer for Benghazi, Mr. [REDACTED]. Mr. [REDACTED] initially scheduled me to go to Benghazi in mid to late February of 2012. And

did some reading up on Libya, on the revolution. I was also briefed by Mr. [REDACTED] on the situation on the ground and what the duties and responsibilities out there would be. I also spoke to another agent from the Washington field office who was currently -- who was in Benghazi prior to my arrival.

Q Great. Can you give us some of the -- what was the contents of the briefing from [REDACTED], was that formal, informal, was it by telephone, by email?

A It was in person, sir. I went to his office. We sat in his cubicle for, I don't know, approximately 1 to 2 hours. He showed me pictures, maps, explained to me what the compound consisted of, spoke to me of the personnel over there as to what our mission was in Benghazi.

Q And you mentioned that you had talked to someone that was currently on the ground in Benghazi?

A That is correct. At this point, I believe we might have had one phone call, and the rest of them might have been through email, sir. Basic questions as to what are the Libyan accommodations, what is your daily routine, that sort of thing.

Q Do you recall who that person is?

A Yes, [REDACTED]. He is currently assigned as the ARSOI, in Brasilia, Brazil.

Q Do you recall what his title was at that point?

A He was also an ARSO in Benghazi at the time.

Q Very good. Before you got on the plane, what were your impressions of the situation you were getting into? What was your

sense of why you were going there and what was going to be the environment that you were walking into, if you recall?

A Well, sir, as I recall, I knew that the country had just gone through a revolution. I knew that there were several armed groups in Benghazi. I knew that the government had little control of security, and I was expecting to provide the safest environment I could for diplomats to conduct their business.

Mr. Grider. Do you have any questions?

Ms. Jackson. Sounds like it was going to be a challenge.

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

BY MR. GRIDER:

Q Can you tell me how you got there, and what, if anything, did you take with you?

A I took all the high-threat gear that I was issued. I took extra military survival type gear and protection gear that I thought I would need. And I initially flew in through -- I went to Istanbul, Turkey, and then spent one night there, and from there, I continued my trip to Benghazi, Libya.

Q Did you go out of New York or out of Dulles?

A You know what, sir, I believe I flew from Dulles International to Istanbul, and from -- and because there was no flights until the next day, on the next day, I flew to Benghazi.

Q Right.

A I take that back, sir. And I would need to go back, but it is possible that I could have flown to Frankfurt, from Frankfurt

to Istanbul, and from there to Benghazi.

Ms. Jackson. You have probably been on one or more international flights in your career.

Mr. [REDACTED]. As a Federal air marshal for 9 years, I have been on plenty of them, yes.

Ms. Jackson. How do you like that Frankfurt airport?

Mr. [REDACTED]. It's great because they have a grocery store downstairs that -- they sell just about everything. It is a good airport, ma'am.

BY MR. GRIDER:

Q Okay. Once you landed in Benghazi, can you tell me if you can walk me through sort of who was on the ground, you know, from DS, all the different individuals and levels?

A There was three agents on the ground, sir. The RSO at the time was [REDACTED]. One of the ARSOs was [REDACTED]. And there is a third ARSO, and I cannot recall his last name. His first name was [REDACTED]. He was an ARSO in Jeddah, Saudi Arabia, at the time but was TDY to Benghazi.

Now this number of three did not stay like that for long. Approximately one week later, [REDACTED] left.

Q So he left in the March timeframe?

A Yes, sir.

Q Fair enough. What about [REDACTED], how long, do you recall?

A [REDACTED] must have stayed there for another 2 weeks, 2 to 3 weeks; same thing with [REDACTED].

Q That's the DS agents that were on the ground?

A Yes, sir.

Q Any other State Department employees?

A Yes, sir, [REDACTED], who was our principal officer. And we had one communicator -- and I just cannot remember his name. There was -- he was replaced by another communicator, [REDACTED] -- I am terrible right now with those names, I am sorry.

Ms. Jackson. Was one named [REDACTED]?

Mr. [REDACTED]. Yes, [REDACTED] was the initial communicator there, and then he was replaced by [REDACTED].

Ms. Jackson. Was it, like, [REDACTED]?

Mr. [REDACTED]. Yes.

Ms. Jackson. Recognition is so much better than recall.

Mr. Grider. So we have got the DS agents that are covered, State Department. Any other agencies on the ground?

Mr. [REDACTED]. Well, sir, in order to give you any details on that, I would probably need to be in a secure environment to discuss that.

Mr. Grider. From a yes or no?

Mr. [REDACTED]. Yes.

Ms. Jackson. Any other U.S. Government like U.N. or USAID, other State Department officials, other than the one.

A None that I -- the U.N. was there. I don't know -- and I know that they were there. I had contact with their security people. I know the attacks that they went through, but I don't know if there was any Americans assigned to them. I imagine that there were. As

to USAID, I am not aware of them. It's possible. I just never had any contact with them.

BY MR. GRIDER:

Q One other presence, were there any other countries that may have been there?

A Yes, sir, we had a very close relationship with the U.K. The U.K. had a representative there, and they had a house similar to ours. They also had security personnel. I believe their people were contractors, though. They eventually left. As a matter of fact, they left some of their vehicles and their gear with us, but yes, they were initially there.

Q Very good. I am just going to ask you just, are you familiar with the name [REDACTED]?

A Yes.

Q What, if anything do you recall. What was his role, if you recall?

A Again, my memory may fail me, sir. If I am not -- if I am not mistaken, he was an [REDACTED] in Benghazi, and he also did part-time work for us as interpreter and assisting the principal officer with certain things. I also believe he was involved -- the reason why we were -- had a relationship with him is he was involved in saving a U.S. pilot during the revolution. I am not sure if I am talking about the same [REDACTED].

Q When you were present in Benghazi, was Mr. [REDACTED] there as well?

A Yes, he was. He would visit us at the compound and have meetings with Mrs. [REDACTED]. I also remember times that we would -- I would accompany Ms. [REDACTED] to his school.

Ms. Jackson. Were there any other Libyans that worked on the compound either full time or part time?

Mr. [REDACTED]. Yes, ma'am. We had members of the 17th February Militia. They were part of our QRF. Initially there was three of them. Later on, there was four of them. Also, the guard force, they were all Libyans. We had people that worked in the kitchen. However, I don't believe they were Libyans. I believe they were third-country nationals. I know that there was Egyptians there, but there could have been a Libyan there too.

Ms. Jackson. Was there anybody else in the position like Mr. [REDACTED] that helped with the political office or helped arrange --

Mr. [REDACTED]. Yes, [REDACTED], cannot recall [REDACTED] last name now. She basically did clerical work. She also did some logistical work for the compound, and that is the only other person I can think of at this time.

BY MR. GRIDER:

Q Let's talk about -- you had mentioned your gear that you had brought over with you. Was that gear given to you from the State Department, or was that gear given to you prior to?

A Well, sir, I love gear and the State Department is great in giving out gear. After going through high threat, they give you some of the best gear that I have seen. So I had all of that gear.

And, you know, after a military career, you also end up with a lot of gear too. So I took some of my personal gear too.

Q One you landed in Benghazi, did they give you additional gear?

A Yes, I do believe they had different vests available with more low profile that we were able to use. We also had gear we could put into the vehicle in case you needed it, additional vests for the principal officer in case she needed it, that sort of thing. So other protective gear was available in the compound.

Q Fair enough. What type of firearms did you have to do your job?

A Well, I took my issued pistol, which is a [REDACTED] millimeter. In addition to that, they made available for me a shotgun, as well as an M4 Bushmaster rifle.

Q Are you familiar with the M249?

A Yes, it's a squad automatic weapon. We did not have those.

Q Have you been trained on that?

A Yeah, like I said, I was in the infantry, and I was a machine gunner, So yeah. In addition to that in high threat, you also go through the training for the SAW.

Q We are going to move to another section, but before we do, you had mentioned low-profile gear. I am new to that. What does that -- what, if anything, does that mean?

A Well, I guess what I am trying to say, sir, a lot of the vests that I was taking with me, they are pretty thick. They stand

out. You can't wear it really underneath civilian clothing. And the low-profile stuff is stuff that you really don't see and maybe just the vest with the plate, metal plate, in the front and the back.

Q And that was State Department gear?

A That is correct, sir.

Q Let's turn to just your role in Benghazi, what you did. Sounds like you were in two different roles, my understanding. You were acting RSO for some point or -- just why don't you take me through your role?

A Well, sir, when I initially got there, as you probably know, the responsibilities of an RSO are pretty broad. There is the physical security. There is the guard force, the fences, the alarms, the protection of the principal officer, a lot going on. So what they did was they divided that up amongst of the different agents there on the ground.

What I initially ended up with the protection of the principal officer. And that was my main role. Obviously, you would help out with other things. I started helping out with the training of the guard force and the training of the QRF, helping with upgrading security around the compound, but my main responsibility was protection of the principal officer.

Q So when you arrived, obviously, there were two DS agents?

A It was initially three, sir.

Q That's correct. They were leaving. Did your role stay the same during your entire time period?

A Well, in a way, yes, in a sense that I still had the protection of the principal officer, but as more agents leave, more responsibilities fall upon you.

Ms. Jackson. Did any other agents come to replace them?

Mr. [REDACTED]. No, they did not, sir -- they did not, ma'am. And as I understand it, one of the problems was that there was a visa issuance issue; the Libyans were not issuing Americans visas.

Mr. Grider. So to follow on that, was there a time period when you were in Benghazi that there were less than three, less than two, less than --

Mr. [REDACTED]. Yes, sir, there was a time when there was two of us, [REDACTED] and myself, maybe for a 2, 3-day period agents were supposed to -- at least one agent was supposed to arrive to replace him. They never made it. There was a, perhaps -- I don't recall the exact number of days right now. It could be up to 2 weeks where I was the sole DS agent in Benghazi.

Ms. Jackson. And this timeframe would have been sort of the end of March if --

Mr. [REDACTED]. That is correct, ma'am, the end of March through, you know, mid April. Towards the end, I -- two other agents arrived. So, yeah, it would have been end of March, early April.

Mr. Grider. We may get into this a little bit later, but I want to ask what were your feelings -- what was your opinion about being the sole agent on the ground during that 2-week time period from a security standpoint?

Mr. [REDACTED]. Well, sir, you know, we can always hope for the best situation. And we can plan for the bust situation, but Murphy is going to be around; something is always going to go wrong. So I planned to do the best with what I had available. I, obviously, requested more assistance, sent up the request up my chain of command and did all that I could with what I had available on the ground.

Mr. Grider. If you don't mind me asking, so that -- I appreciate you bringing that up in requesting more assistance. Do you recall, was that when Mr. [REDACTED] was there still on the ground or after he left or when you anticipated him leaving?

Mr. [REDACTED]. Well, when Mr. [REDACTED] was on the ground, sir, we were expecting the agents to arrive. Agents were supposed to arrive on certain dates, okay, but it didn't happen. And it didn't happen as I understand it because no visas were being given to American personnel. So I continued asking for this assistance, but it is no time for feelings or to complain about stuff, you still have a daily mission that you must accomplish during that time. And of course we had longer days, you know, 20-hour days or whatever, but I -- I believe we were providing the best security that we could at the time.

BY MS. JACKSON:

Q Given the adage of the squeaky wheel will sometimes get oiled, were you a squeaky wheel? I mean, were you sending in daily requests for additional agents? Were you on the phone with [REDACTED] [REDACTED] or others? I would assume that you obviously needed -- to have a secure environment. You needed assistance.

A A long time ago, ma'am, I learned something from, you know, my Muslim colleagues, and it is a saying that says that the baby that cries the most gets the most milk. Of course, every day I would send in, as part of my request, questions as to when they would be arriving. But that did not stop us from fulfilling our requirements to provide a safe environment for our principal officer and the communicator.

Q Were you communicating with the Embassy in Tripoli at the time?

A I was communicating with the Embassy in Tripoli. I am not sure if you are familiar with this, ma'am, but the RSO for the country is always located at the -- most of the time at the embassy. So the RSO for all of Libya was located in Tripoli, and I would communicate with him in requesting agents from the Embassy to come and assist me, and I was communicating with my desk officer, [REDACTED] in D.C., requesting updates as to when those visa issues would be taken care of so that the agents could arrive.

Q And who was that RSO in Tripoli at the time?

A Um.

Q We are taxing your brain.

A Yes, you are, ma'am. Golly, I know him, he testified.

Q Would the name [REDACTED] sound familiar?

A Yes, Mr. [REDACTED], correct.

Q And can you describe some of the conversations that you had with Mr. [REDACTED] and Mr. [REDACTED] regarding the request for additional agents?

A Well, you know, I could be -- I could sound a little forceful and strong in my request, but you know, it's just my style, but they were -- there was no animosity there. Maybe you could sense some frustration, but I understood what the situation was. And what I got was that they could not send anyone from the States at the time because of the visa issues. And Mr. [REDACTED] was -- had other requirements in Tripoli and could not let his agents leave from there, yeah.

Q I assume Mr. [REDACTED] -- and correct me if I am wrong -- was also waiting for additional agents from Tripoli?

A I am not sure what his situation was, ma'am. I do know that he would say that he had a lot of requirements out there too, and therefore, he could not let any of his agents go down to assist me.

Q Okay.

BY MR. GRIDER:

Q Your primary responsibility was to protect the PO, and that was Ms. [REDACTED]. Is that correct?

A When I arrived as an ARSO, that is correct.

Q Did you ever inform her of or did you ever enlist others to articulate that additional need for security?

A Oh, yes. I had a very open relationship with the principal officer. And I remember being included in emails where she also requested the additional manpower.

Q I am not sure how to get to this question, so this may be a narrative. When you had three DS agents on the ground, the responsibilities were divvied up.

A Yes, sir.

Q So two things, one, when there was a movement, so let's say the PO was going off, can you explain to me when there were three agents on the ground how that would at times play out with respect to three agents?

A Well, I would have the opportunity to go do an advance of the location where we were going. I would concentrate my time and making liaison with the primary agency perhaps responsible for the security there. I would have more time to plan things out than to accompany the principal officer to whatever location we were going to.

BY MS. JACKSON:

Q When you have three agents on the ground when you first arrived, would all three agents go on a movement or how did that work?

A No, ma'am, because we had so many other responsibilities, most of the time, it would only be one agent. However, if it was a location that we considered, you know, very unsafe or unsecure, we would send an agent in advance. And he would do the advance, and then I would accompany Ms. [REDACTED]. If it was a movement of let's say to another compound that, you know, has good security, then we may not need that. But, yeah, that's how we did it when we had three agents.

Q I want to make sure I have this correct. If it was a riskier environment, it would be your process to have an agent go in advance. Would one or more members of the QRF go with the agent?

A Yes.

Q And they would go ahead of time and report back, stay there

until the rest --

A Correct.

Q And then you and Ms. [REDACTED] would arrive later?

A Correct.

Q Would you have one or more QRF with you?

A I would have one with me, correct.

Q And then you would have the third agent remain at the compound?

A That is correct.

Q And what would that agent be doing?

A Well, he would manage communications. He would answer any questions from the guard force. He would manage any security type issue that would arise while we were gone.

Q Would that agent generally be in the Tactical Operation Center or TOC?

A That's correct.

Q And is that where the communication system was located?

A That is correct.

Q So the agent that was left behind was in charge of security the compound as well as being the communication hub for you all?

A That is right.

Q Okay, and in your opinion, was that what you needed to have three agents, one to do the advance, one to travel with the principal officer, and one to remain back?

A Well, ma'am we can always -- of course, more agents, it's

going to provide better service, better coverage. So three agents for that was good. Five agents would have been so much better. And, of course, you are going to be able to do a better job when you have more people, yes.

Q In your opinion, is it important to have that person who is back at the Tactical Operations Center?

A Yes, it is very important.

Q Why is that?

A Well, first of all, he has a longer range of communications. He has a computer right there. He has radios with longer reach. He has a better phone system. In addition to that, there is someone there to deal with any security issue that might arise at the compound.

Q Did the IMO usually stay back when the principal officer --

A The IMO always stayed back. I cannot think -- I can count with one hand the times that the IMO left the compound.

Q During the time that it was you and Mr. [REDACTED] there, just the two of you, would one of you remain behind in the Tactical Operations Center?

A Yes, one of us would normally one would remain behind, and what we would do is we would use the QRF, the members of the militia, quite more than we did when he had three agents.

Q And then when you were the only agent there, what was the ramification of that? Did movement stop, or did the compound have to remain without an agent while you did a movement?

A Ma'am, well, obviously, my mission is to provide a safe

environment for our diplomats, and the diplomats' mission is to do diplomacy. And, for that, they do need to leave the compound; they do need to have meetings. The arrangement that the principal officer and myself came up with is that we would minimize those movements. So, whenever they were necessary, what I did is I would accompany her; we would shut down the compound. The QRF as well as the guard force would know that no one would be coming in or out during that time. I was in constant communication with our IMO, and we would make them as quick and fast as we could possibly do it.

Mr. Grider. So the IMO would remain at the compound, the shutdown compound?

Mr. [REDACTED]. That's correct, sir.

BY MS. JACKSON:

Q So simple things like even deliveries would have been curtailed if you weren't there?

A Yes, ma'am?

Q And this lasted for approximately a 2-week period?

A Two weeks at the most, ma'am. I would have to count the days, but somewhere between 10 and 14 days.

Q Was there any other steps that you decided to take either on your own or in consultation at the direction of someone else to enhance the security when you were the only agent there?

A Well, 10-hour shifts or 10-hour days turn into 20-hour days. We would spend a whole lot more time attempting to train our QRF and our local guard force. We had a plan of, besides our concentric rings

of security, we also had fighting positions throughout the compound. I gave familiarization training of our weapon systems to our principal officer and our IMO, and we were just much more careful in the way we did things.

Q Okay. And when you talk about weapons familiarization training, what is that?

A Well, both the IMO as well as the principal officer had gone through, you know, fan fire. They were already somewhat familiar; they had fired pistols and shotguns and rifles. And sometimes those are perishable skills; you forget things. So I took the time to individually train them, remind them, you know, how the sights work, how to take off or put on the safety, how to load, reload either a shotgun or pistol or rifle that we had, yeah.

Q Did anyone express to you displeasure over your doing that, or did you hear from either the principal or IMO that others had expressed my type of displeasure over that training?

A They did not to me. I never heard of it. I think they understood the situations we were in. I was never asking them to step into a security role, but I wanted them to be able to protect themselves in the event that they needed to. It didn't mean that -- they did not carry a weapon with them, but they knew where the weapons were.

Ms. Jackson. Good.

Mr. Grider. Off the record.

[Discussion off the record.]

BY MR. GRIDER:

Q In light of this line of questioning, I have some other generic questions, but I am going to move those to the back end and get to some of the security incidents during your timeframe there.

A All right.

Q Can you -- I am trying to figure out the security incident, is that my phrase or is that a phrase that DS would normally use?

A No, we would normally use that.

Q Can you -- maybe I picked it up out of reading. Can you sort of define what a security incident is?

A Well, I guess it would be any incident in which the security of the compound or the security of any American can be in jeopardy or could be of interest to us.

Q How did you report -- if there was a security incident, was there is a way to communicate that to your higher ups, to others on the ground?

A The correct way of doing so is to write a Spot Report or some other report like an information report, an IIR, Information Investigation Report. So that is one way of doing it. The other way is when it it's something that's taking place right there or right now, you can always pick up the phone and call our communications center here in Washington, D.C.

Q And usually who would pick up, is that [REDACTED] that you recall?

A Well, he's got a normal job from 8 to 5. So, no, we have a center that's open 24 hours a day, 7 days a week and there is always

someone there from DS to pick up.

Q Is it that the command?

A The command center, yes.

Q Okay. Based on that definition of security incidents, I just want to -- can you -- during your timeframe there, do you recall anything that would sort of fall into that definition? If we can mark it chronologically -- if you can't, you can't?

A Well, I would like to say what could be a security incident here in Washington, D.C., would be completely different as to what we learned was a security incident in Benghazi, Libya. We heard small arms fired every day. You know, you have got to determine when it was celebratory fire and when, you know, different armed groups were having a fire fight.

We have heard explosions also constantly. So, again, you became acclimatized to what was normal on the ground and what wasn't. We had several incidents in the city where different groups would engage in combat against each other. I believe I might have written something on that. Then there was also an attempt against the U.N. Special Envoy outside of one of the security headquarters there in Benghazi. There was also an attack against the U.K. representative on his visit. There was one attempt to climb over the fence into our compound. And then I guess the biggest event that we had was a bombing of the compound while I was there.

Q So we will come back to those other ones. Let's take a look I believe it was probably around April 6?

A That's correct.

Q So can you sort of describe the events prior to what happened during the attack and any reports that you sent up and any communications?

A Okay. On April 6, at approximately 2230 perhaps, I will just gone into our house where the Americans stayed, considered in Villa C. And shortly after I went inside, I know the principal officer and the IMO had already retired. I was sitting there, and I just turned on the TV, and I heard a very loud explosion. And, as I told you before, you heard explosions throughout, but you would know by the force of this explosion, not only the noise but also the way it rocked the building, I knew that it was inside the compound.

At that point, I was sitting in the living room. I had my weapons with me. I did not have my vest. I ran into my bedroom, grabbed my vest. I spoke to the IMO and to the principal officer. I instructed them to allow me out, lock themselves -- lock the door and lock themselves in the safe haven. I had an extra pistol and an extra shotgun. I left it there for them. I left two radios. One that is communication for them and me and communications for them and [REDACTED]. I told them that I would be constant contact with them on the radio or on the phone; if they did not hear from me, then to contact [REDACTED] for assistance.

I also called our QRF, basically reacted them. We had a plan: On a situation like that, they would take up positions throughout the compound. One of the positions would be outside of our building. As

I stepped outside, one of the QRF members was already out there waiting for me. This is possibly, I don't know, 3 minutes after the bombing.

At some point, the guard finally activated the alarm. Our guard force had a push button alarm; in case of any attack, they would activate it. As I step outside, the QRF member is there. We cleared our way to the TOC. Went inside the TOC. I turn off the alarm, and I use our camera system to view or to try to determine if there was any other people, any other attackers in the compound. That took approximately 3, 4 minutes.

I did not see anybody in our camera system. There are some blind spots, but we did have a pretty good system throughout the compound. I thought that with that, I would be able to determine something, something blatant, something that would really stand out.

Afterwards, I stepped outside of the TOC. I had two QRF members with me, and we commenced on clearing the compound.

While we were doing that, I heard two shots. It sounded to me like rifle fire, something bigger than an M4, which is what I had. So I thought initially that it was shooting in the compound. One of the QRF members received, if I am not mistaken, a call that told him that a third QRF member was outside and had detained someone.

Q Question. I'm sorry. I just want to get clarity. When you heard the rifle shots, did you think they were shooting inside the compound or someone over the wall was shooting -- I just wasn't --

A The shots were very nearby. So I thought that the shooting was possibly inside of the compound.

Q Okay.

A Okay.

There was a third QRF member, first name [REDACTED], who was outside of the compound and had detained two Libyan nationals. Eventually I found out that he's the one who fired the two shots. It is common; it is standard operating procedure for Libyans to shoot warning shots, and that is what he did.

So we were clearing the compound when I learned that he was outside and he was possibly engaged with the attackers. I kept one of the QRF members guarding the entry to our house. I communicated with the principal officer that everything was still okay; we are still clearing. I went outside, and [REDACTED] had two people on the ground.

Shortly afterwards, reinforcements from the 17th February Militia arrived. They took them away. I requested from the militia to provide a security ring outside of the compound. I made contact with [REDACTED]. And I asked them to hold off on sending reinforcements to prevent a blue-on-blue situation -- the Militia did not know who they were; they did not know who the Militia were -- but to be on standby in case we needed additional assistance.

At that time, all QRF members and myself cleared the whole compound. It took us several hours to do so. We did not find evidence of any other intruders, attackers, enemy on the grounds. I went back inside, and I briefed the principal officer as to what had taken place. She and I then commenced our notifications to D.C. and our report writing.

BY MS. JACKSON:

Q When the first explosion occurred, how many -- on the evening of April 6, how many QRF and how many local guard force did you have on compound?

A Ma'am, there was only one explosion on April 6, and we had three members of the QRF available that day as I recall. And we must have had maybe eight members, six to eight members of the local guard force. As well, remember, that the bombers were members of the local guard force. So I am not including them in that number.

Q So you would have had 8 to 10 --

A No. Well, with the two suspects?

Q Yes, yes.

A Yes, 8 to 10.

Q And then six to eight that were --

A Please allow me to correct myself. One of the local guard members had been fired days earlier. So I take that back; there was only one active local guard member. So there would have been seven to nine.

Q Okay, okay. And I believe you said that you had -- I am just trying to get the sequence correct -- you had put the principal officer and the IMO in the safe haven, you had called for the QRF and were outside all before the duck-and-cover alarm was activated?

A The duck-and-cover alarm was finally activated possibly 2 minutes after the explosion. It could have been activated right as I was walking out -- no, it was activated before I walked out.

Q Okay.

A Because it was -- it was difficult to communicate with once it was on.

Q Okay. And do you know who activated it?

A One of the guards at the main gate, yeah.

Mr. Grider. While you are looking, just to be clear, with respect to the rings of security: Three members of QRF; seven to nine members of local guard force; and then, with respect to DS agents, how many were there?

Mr. [REDACTED]. Me, one.

BY MS. JACKSON:

Q And then you said other members of the 17th Feb Brigade arrived. This was in addition to your QRF members?

A That is correct, ma'am. The agreement that we had with the 17th February Brigade is that if we ever requested -- if we ever needed assistance because due to a security incident such as this one, that they would provide reinforcements, and they did that night.

Q And approximately how many arrived?

A Two vehicles full of people. I would estimate up to 15 to 20 people.

Q Okay. And approximately how long did it take them to arrive?

A They were there within 10 minutes, I would estimate.

Q And what type of -- what type of weaponry did they bring with them?

A Well, the weapon that's issued to them is the AK-47. I recall most, if not all, had an AK-47. I don't recall whether they had any larger weaponry.

Q And what type of vehicles did they come in? Did they have any weapons on their vehicles?

A You know, those vehicles were very common, ma'am. The technicals, as they are called, the truck with the machine gun back, I don't recall seeing one of those, but, then again, it was nighttime, and I was not paying much attention to that them.

BY MR. GRIDER:

Q About 5 more minutes. We may have to come back to this in a little bit. I appreciate walking through. So let's turn to sort of the report writing and sort of the notification process up. Can you explain -- you stated that you briefed the PO and then?

A Yes.

Q And then you move towards report writing?

A Yes.

Q How did you communicate? What occurred?

A Well, as I recall, I initially made a phone call to the command center to notify them of the attack, and then I wrote what we call a Spot Report. I sent out -- I take that back, I sent out a quick email, and then I wrote a Spot Report.

Ms. Jackson. Did you communicate with Tripoli?

Mr. [REDACTED]. Yes. The report doesn't only go to one person or one entity. I included Tripoli on that Spot Report, yes.

Ms. Jackson. I was wondering, did you have a phone call with Tripoli, or had the principal officer or IMO --

Mr. [REDACTED]. I know that the principal officer did have a phone call with Tripoli. I don't recall at this point if I also spoke on the phone with Mr. [REDACTED] or not. Three years ago, my memory is bad, I am really sorry.

BY MR. GRIDER:

Q So earlier we talked about sort of the need to have additional personnel.

A Uh-huh.

Q And you communicated that you had had discussions perhaps with Tripoli as well as D.C.

A Uh-huh.

Q What, if anything, did this security incident do to your continued discussions for a need? Was it coupled or did you just sort of say it's obvious? How did you -- what, if anything, was it connected to sort of saying, Hey, this is a case in point, or did you just let it lie?

A Well, sir, of course, any time there is a security incident, they are going to see the need for more personnel and this -- I would say this definitely showed the need that we had for more personnel.

Ms. Jackson. Why don't we just find a stopping place?

Mr. Grider. I believe this is a safe place to stop.

Mr. Jackson. Let's go off the record.

[Recess.]

RPTR KERR

EDTR WILTSIE

[11:20 a.m.]

Mr. Grider. I think we're back on the record. I'm confident we're back on the record.

BY MR. GRIDER:

Q Special Agent, prior our break, we were discussing the April 6 incident.

A Correct.

Q Before we get back into that incident, I want to just touch on a quick question with respect to movements just generally.

During your timeframe there, was there ever a time that you traveled, took movements, with the PO outside of Benghazi?

A Yes, there was. Towards the end of my time there, there was a movement that we did to Derna.

Q Okay. And can you tell us more about that.

A Yes. The principal officer had an important meeting with certain members of the security forces in Derna. Prior to that, knowing that it's a -- it's a challenging trip, given the distance and the location where we are going, I made arrangements to get extra personnel to assist me with the move.

Also, by then, we had two more agents on the ground, the RSO, [REDACTED], and ARSO [REDACTED]. In addition to that, we -- we also got three members of the U.S. Army Special Forces that were stationed in Tripoli to assist us with that move. I was in charge of the -- of

the overall move, but I had their assistance for that day.

BY MS. JACKSON:

Q So what was it about Derna that needed -- in your opinion, why you requested the extra assistance?

A Well, ma'am, you know, Marines have been fighting the Barbary pirates out there since, you know, the early 1800s. So Derna has always been a troublesome spot.

There was certain armed groups that operated in Derna at the time, and just the distance alone of a drive between Benghazi and Derna required more vehicles, more personnel.

Q Uh-huh.

And what type of armed groups were in or around Derna?

A I would have to go back to notes to tell you right now, ma'am. But I do know that there was a particular radical Islamic group that had ties to Derna. Please excuse my memory.

Q Uh-huh.

So they were more insurgent groups as opposed to a criminal element?

A As far as I recall, yes, ma'am.

BY MR. GRIDER:

Q In light of the time that we have, it's going to appear that we're sort of jumping around a little bit.

A No problem.

Q I think you can stay with me. We'll stay on security incidents.

Let's go back just to April 6.

A Yes.

Q Based on what you communicated to me, it appeared that some of the perpetrators perhaps were a local guard force?

A They were.

Q So can you explain that. Who was the local -- who were they with? And what did you find out in your investigation with respect to the perpetrator?

A Well, sir, if you may allow me, I would like to also correct myself on the numbers that I used on guards.

Q Uh-huh.

A As I was thinking about this, we had three different gates where we had people manning those gates. The front gate had two people, and the other two gates had one person each. That is four people right there.

Then we also had a rover, which would be five, and a supervisor, which would be six. So I'm talking about local guards on duty that day should have been six -- should have been approximately six.

Q Okay.

A As to -- would you please again repeat your question.

Q Right.

With respect to the -- it was my understanding that there were at least two individuals that perhaps were apprehended.

A Yes, sir. One of the individuals had been fired by me earlier that week for vandalism. We've already had several incidents

with members of the guard force. And he had -- I believe he did some graffiti in the property, and I got him fired. The other individual had been demoted from supervisor to a regular guard.

Again, you know, this is not a -- this was not a professional outfit. These were not trained or people that came to the job with a particular military police or that sort of background.

Q Okay. All right. What we call -- not able to do this in court, but I'm going to do some leading questions to get us going.

A All right, sir.

Q So it was your understanding that it was the Blue Mountain Group? Was that the local guard force?

A That is correct, sir.

Q So when you say "you," what was the issue with respect to vandalism? I mean, what concerned you such that he was fired?

A Well, sir, less than professional to be on duty and graffiti the place where you work at.

Q Okay. Was that his first offense, to your knowledge?

A No, it was not. He had fallen asleep before, he had been late, those sort of discipline problems.

Q Had -- in your career, had you worked with local guard forces before?

A Yes, I have, sir.

Q And based on your opinion, with respect to the Blue Mountain Group, what was their standard, in your opinion, showing up with respect to BMG?

A Very low standard.

Q When you communicated -- I should probably ask more questions about that, but let's get moving.

When you communicated sort of the -- when you got him fired, to whom did you communicate that? Who did you have to call? Or did you have the power to do that yourself?

A We communicated that to -- at the time, the company had a representative from the U.K. there who took care of that.

However, on matters of security, those type of matters like that one right there, we also had the power to fire them ourselves. Yeah.

Q Did you have to talk to the RSO in Tripoli? Did you need to talk to [REDACTED] or was it --

A I don't recall having to do that, sir, but I may be wrong. Perhaps I sent them a notification, an email, on it. But I know that the British company representative there took care of it on the spot.

Q And I'm just trying to think -- by any chance, was that person [REDACTED] -- [REDACTED]

A No. [REDACTED] was actually the owner --

Q Okay.

A -- of the company.

Q Okay.

A And he was on the ground for several days, but not during that timeframe.

Q Okay. And then the other individual who was with the Blue Mountain Group was demoted.

Was that during your tenure or --

A Yes, sir. In my tenure, I demoted him.

Q Okay. Do you have any knowledge of who handled some of the procurement process with respect to the local guard force?

A Because of the contract or because of the arrangements that we had with them, that was something that was supposed to be done through their company, procurement of uniforms, equipment, that sort of thing. By the time I left, they were finally getting in their uniforms and, you know, flashlights, that sort of thing.

Q I guess, when I mention procurement, I'm suggesting who was in charge of actually hiring the -- you know, the bid process of BMG? Were you -- did you have any visibility on which security company was coming in?

A No, sir. I did not. I am not sure who -- who made that determination. I would imagine that the RSO in Tripoli was involved in that process, but I do not know who did it.

Q Okay.

BY MS. JACKSON:

Q Did you make any recommendations while you were there that that contract ought to be terminated?

A I made recommendations for bettering the guard force that we had. Yes. I spent numerous hours trying to train them to do their job properly, and I sent out several emails that perhaps detailed the type of problems that we were having with them.

Q And were you aware that agents before you who had been the

acting RSOs and ARSOs had also tried to instill training on them?

A I am aware that there was other people that had had problems with them. I'm aware that we did not expect much from them, that we wanted them at least to be our eyes and ears and to press that alarm button when it was necessary. Our expectations were not very high on them.

BY MR. GRIDER:

Q Okay. In order to expedite our timing, I'm just going to direct your attention to some dates that I may or may not -- it's not -- you know, I may or not -- may or may not have accurate with respect to security incidents.

A Okay.

Q And I just want to see if you recall or, if not -- I mean, so these aren't set in stone here.

So direct your attention to March 8, 2012. Apparently, there was a loud explosion, a Fish bomb. You may have not even --

A Well, I would have been on the ground by then. I don't recall that incident, sir.

Q Okay. March 18, 2012, approximately six armed men wearing military fatigues robbed some teachers.

A I don't recall the incident, sir. It's very possible it happened.

Q Absolutely.

A So many things --

Q Okay. That's -- absolutely. That's fine.

March 22, 2012, there may have been some gunfire and militia wanted in on the compound, but later apologized.

A I do recall that, sir.

Q Can you give me just a brief overview of that.

A If I'm correct on the incident, sir, there was a guard that decided it was a good idea to make a fire in the compound to keep warm. The -- one of the militias -- and let me explain.

There was several armed groups in Benghazi that acted as the police. They patrolled the area and they enforced whatever laws they felt they wanted to enforce.

They saw the fire. They stopped. Although the fire was inside, they attempted to jump over the fence to come into the compound. And, yes, I recall making a big deal of it the next day with the militia.

BY MS. JACKSON:

Q At that time, were you the only agent on ground or were there -- was Mr. [REDACTED] still there?

Mr. [REDACTED]. Could you give me that date again.

Mr. Grider. Approximately March 22, 2012.

A I don't recall, ma'am. It's possible Mr. [REDACTED] was still there at the time.

BY MS. JACKSON:

Q You don't have any recollection of having any assistance that evening or conversations with any colleagues?

A You know what. Mr. [REDACTED] was there at the time. He -- he was. Yeah.

Q Okay.

BY MR. GRIDER:

Q Okay. Like I said, these are -- these are dates that I've picked up. So I'm not expecting you to recall.

On this March 23, 2012, soldiers and -- I got police protesters. Maybe a minor protest after that incident?

A We had a protest outside of our compound at some point. I don't know this is the one that you're referring to.

Q Sure. Sure.

A We had two protests outside of our compound. One was -- could have been that one. And we also had another one with local guard force, our guard force protesting.

Q Okay.

Ms. Jackson. Tell us about that.

BY MR. GRIDER:

Q Go ahead. As my colleague --

A Apparently, the company was -- they wanted to be paid in cash. The company tried to bring in cash, and the security personnel at the airport tried to take that cash. So the cash was not -- they were not being paid on time and payment was one week late and they wanted to be paid.

Q Just as a point of reference, do you think that happened after the April 6 incident or before?

A Before.

Q Okay. And when that protest occurred, were you the only

one -- DS agent or do you think there may have been you and others?

A I believe I was the only one there at that time.

BY MS. JACKSON:

Q Did you have any advance notice that they were going to protest that day?

A No. They got off duty, they finished their shift, and then they began their protest.

Q Okay. And did they have signs? Did they -- was it inside or outside the compound?

A It's outside the main entrance, but in the area where we search vehicles. It still could be considered within the -- within our grounds.

Q And it was 4 to 6 people? 6 to 10 people? Do you --

A More 6 to 10, because some guards that were off duty came in that day --

Q Okay.

A -- including the guard that I had fired.

Q Okay. Did you see any weapons on them in any way?

A Oh, no. No. No. No weapons.

Q Signs? Carry signs?

A I don't remember signs. No.

Q Okay. Did they just do a little protest circle?

A Yeah. They just gathered right there in the entrance and intervened with, you know, vehicles coming in and that sort of thing.

Q Sort of like a blockade-type thing?

A Well, I wouldn't call it a blockade, but they were definitely in the way.

Q Okay. And can you describe this other protest for us.

A You know, ma'am, I don't remember the details of it, but I do remember that there was some kind of gathering outside of the compound.

Q Again, at the main entrance?

A Yes.

Q Okay. Do you remember approximately how many?

A No, I don't. And it must have been a short one because -- or else we would have written more -- more on it -- or I would have written more on it.

Q Okay.

BY MR. GRIDER:

Q In your duties, did you come across cables? Would you have read cables?

A Normally, at a -- at a typical embassy, you would. But we were so busy that you had very little time to be in the office doing the typical duties that you have as an RSO.

I don't remember spending much time reading cables. However, it doesn't mean that the principal officer or the IMO did not have access to cables and were constantly reading them.

Q So if there was a cable sent -- on March 28, 2012, from the Ambassador sent to Secretary Clinton requesting security assets and the continued deployment of the mobile security detachment teams, would

you have seen that possible cable or --

A I probably would have heard of it. I probably would have maybe seen an email on it or had access to the cable. But, like I said, I just had very little time to spend in the office dealing with, you know, those sort of things.

Q So let's state that there was a cable.

Were you aware -- would you have been aware or do you recall hearing the Ambassador possibly asking for more security assets?

Ms. Sawyer. I -- in the vein of not objecting, but wanting to clarify the record, I mean, I do think, if there was such a document that you want to assert existed, then you need to show it to the witness and to us if you find it --

Mr. Grider. Sure. Okay.

Ms. Sawyer. -- without saying that it did actually exist.

Mr. Grider. Sure. Fair enough.

And we can talk more about it over the break. Okay. Is that fine?

Ms. Sawyer. Okay.

BY MR. GRIDER:

Q All right. Moving right along, April 2, 2012, are you familiar with a possible demonstration -- I think you mentioned this -- the British armored diplomatic vehicle attacked?

A Yes. And I spoke to the security personnel that were on duty that day, the British personnel. Apparently, there was a movement. They were either going to or coming from a meeting. There

was a demonstration, as they occurred all the time in Benghazi.

They ran into the demonstration because there was no other way for them to drive. The demonstrators, I understand, attacked the motorcade not with small-arm fires or anything like that, but with stones, perhaps, or sticks or something like that.

So there was an attack on a motorcade. The British did not believe that they targeted them because they were British. They just believed that they targeted them because they wanted to do damage to someone or something.

Q What, if anything, occurred after that attack on the British? Did the Brits do anything different?

A I don't recall what -- if they changed their security posture. I do know that they were more careful on their movements as to where they went to. That's all that I remember.

BY MS. JACKSON:

Q Did you undertake or recommend any changes in the security posture for the principal officer?

A Well, yes, ma'am. Well, I got to tell you that our principal officer was always very careful as to not -- and we were very careful as to not go anywhere where there was going to be a demonstration. Unfortunately, sometimes demonstrations started, you know, from one minute to the next. There was always many people out in the streets.

We continued doing what we were doing. We send our members of our QRF in advance to notify us to see if there is any demonstrations

taking place. But, yeah, it's something that I reported and it's something that we took seriously.

Q And how would you get reports of impending demonstrations when you could?

A Well, normally, you would talk to the local security forces and they would tell you about it. Obviously, there was two security forces -- two official security forces on the ground in Benghazi, but they did not always have the best of information.

Sometimes we would use someone like, for example, [REDACTED] that worked there to go through the Internet to see if there was any -- any planned demonstrations on a particular day. We would stay away from certain specific dates that meant something for Benghazi or for Libya.

And, more than anything, we send out members of our QRF to give us any advance notification or one of us, if we had the time, would actually drive out through the streets to see if there was any possible indicators of a demonstration.

Q So [REDACTED] monitored social media like Twitter and things like that to see if there was sort of a call to demonstration?

A She would.

Q Okay. And you said there were two main security forces, I believe you described them, in Benghazi?

A Al-Shorta is one of the police forces, and the other one was the Security -- Supreme Security Council.

Q What role did the 17th February Martyrs Brigade play, if they did, in overall security in Benghazi?

A It is a difficult question, ma'am, because there were several militias on the ground and it is difficult to -- for, let's say, Al-Shorta or the Supreme Security Council to tell them that they did not have the right to enforce laws or to be armed when these militias had more people, more personnel, and more weapons than the official security forces.

What was their role? It's difficult to tell. I know that they were supporting us with the QRF members. I knew that they supported us with extra security whenever we had an incident. But I don't know if constitutionally or by law they were given certain rights or certain powers.

Q To your knowledge, did the 17th Feb provide similar support to other countries, such as the Brits, the French, the -- to Turkey, to Italians?

A I remember having a conversation with one of the members of our militia, [REDACTED], and he told me that, prior to him being assigned to us, he had been assigned to the French.

So I know that 17th February at some point provided security to the French. I do not recall what militia the British had an agreement with.

Q But they had an agreement with a militia as opposed to the Supreme Security Council or the other quasi-official --

A Well, you see, the Supreme Security Council did not come into power until possibly during the time that I was there or right before I was there. Their leader was not named until I was there.

And I started -- you know, I met him then and I worked a certain relationship with him because of who he was, but this is a brand-new agency that was maybe in operation in other places around Libya, but not in Benghazi.

Q Okay. And would you -- I believe you also said that you would rely on the -- your QRF members to alert you when there were planned or possible protests.

A That is correct, ma'am. And there is particular streets, let's say, downtown Benghazi, where there was always people out at night, and we would try to avoid those places, you know, at certain times of the evening.

Q And was that known as Freedom Square?

A Freedom Square was one of the places where they gathered. Yes.

Q Okay. So there were defined areas where demonstrators or protesters would gather?

A That is correct, ma'am. However, they carried that demonstration from there to other places.

Q Okay. And was there a particular time of the day that they would usually occur, like end of the workday, over the lunch hour, first thing in the morning?

A Definitely not first thing in the morning, ma'am. I would say that it depending on -- it depended on the day. On Friday, you know, it could have been at any time. On the other days, it's normally in the afternoon and the evenings.

Q Okay. Would it be early evening or late evening?

A I've seen them both, ma'am; so, I don't know what was more common.

Q And was -- and why was Friday a common day?

A It was their day of rest.

Q So it was essentially their weekend?

A Correct, ma'am.

Ms. Jackson. Okay. Go ahead.

Mr. Grider. Thank you.

BY MR. GRIDER:

Q A few other. April 10, 2012, IED was thrown at a four-vehicle convoy.

A U.N.?

Q Yes. Correct.

A Yes, sir. I had a very close relationship with U.N. security, and they notified me minutes after it happened. I also went to the place where the attack took place, took pictures, did a -- somewhat of an investigation there.

It was right outside of the headquarters for the Supreme Security Council where this took place. And, yeah, this was a -- I wrote up a -- an investigation and report. I got pictures of the vehicle.

According to the security officials for the U.N., if that vehicle wouldn't have been armored, there would have been -- that's in -- because -- due to the attack.

And, as I understand, what was used was the same device that was

thrown over our wall. A "gelateena" is what they called it. And, yes, I'm aware of that security incident.

Q And what, if anything -- after that security incident, were there any changes that you made or --

A Well, sir, we took -- we exercised certain precautions that, in my mind, they did not. They parked right out in the street. They did not have a lead person that was there waiting for them.

They did not request assistance or did not instruct the Supreme Security Council as to how to receive them, how to provide a ring of security around the motorcade.

But, yeah, it made us more aware of the risks that were out there and that, you know, we could be a target at some given time.

Q Okay. I would like to direct your attention to April 11, 2012, possible gun battle, individuals trying to steal new vehicles.

A Yes. Right outside of the Al-Shorta headquarters, which was the police force that was in place during Qadhafi's time, there was an open lot that I don't know if Al-Shorta had taken possession of these new vehicles or who had, but the vehicles were stored out there.

As I understand it, one of the militias decided that those vehicles should belong to them and they got into a firefight with Al-Shorta to take possession of them.

What we did on situations like that, I activated our QRF. We stayed on high alert. We would provide -- we would basically occupy the fighting positions made of sandbags around the house where we stayed. And until the fire -- the fighting went down or died down,

we would then retreat for the night.

Q Okay. And then the last one that I have, April 12, 2012, armed clashes between militia. Maybe this is a spillover.

A And these are -- and, yes, it was a spillover. And it's amazing how many shots they fire and the next day you hear that -- you know, very few deaths or that sort of thing.

So a lot of it -- I'll tell you that the Libyans, although they fired at each other, they did not want to kill each other. So, yeah, there was a lot of that.

Like I said, we activated -- anytime we actually gave it, you know, importance, this was one of them --

Q Okay.

A -- because of the amount of weapons used, their lack of expertise in using them, and the amount of people involved.

And during those times, we shut down the compound. No one came in, no one went out, that sort of thing. And the principal officer was very supportive of those types of security policies.

Q Good.

So with this April 11 stealing of new vehicles and then this April 12, would those be considered security incidents?

A Yes. Yes. Because -- because of the number of people involved, because of the weapons being used, and because something like that can spill over into other parts of the city.

Q Fair enough.

A And, plus, not only that, we're talking 1 kilometer away,

maybe.

Q Right. Absolutely. Okay.

Just for the good of the order, I have probably two more chapters. One is just some emails that I think we talked about.

A Okay.

Q And then I have just some general -- some generic or general questions.

A Uh-huh.

Q I'll let you decide. Would you rather go to the emails or just let's get through the generic questions and we'll save the emails for last?

A However you'd like to do it, sir.

Q All right. Let's --

Ms. Jackson. Before we get there, may I ask --

Mr. Grider. Yes, please.

BY MS. JACKSON:

Q Was there any other security incident that comes to mind that was significant to you while you were in Benghazi that we haven't touched upon?

A Nothing specific comes to mind, ma'am. You know, you had your daily things where -- like, for example, we noticed that we were being followed on several occasions, that sort of thing. Obviously, we have the -- there is -- there is an incident that cannot be discussed here.

Q Uh-huh.

A And I wrote a report on it. And that's the only other one that comes to mind.

Q Okay. When you were in those incidents when you believed that you were following and you were being followed, would you be going anyplace in particular? Was it a general movement with the principal officer? Were you visiting with any other western countries or other U.S. Government persons?

A I remember one time specifically that we were either going to or coming back from the British compound.

Q And did you ask your QRF members to, you know, ask around, provide you with any intelligence over who was being responsible for following?

A We did that, ma'am. And I also came up with a plan. What I did is came up with a code and a certain thing that they would have to do with a -- what I would do is I'd call them on the radio, give them the code and give them one of three streets that we had in mind where they would go and set up a road stop.

I would drive by there and they would stop the second vehicle behind me. This way, they could, first of all, you know, get them off my tail and, third, be able to identify who's following us.

Q And what did you find out?

A Well, unfortunately, after we came up with that great plan, it never happened again.

Q Well, then, it obviously worked.

Ms. Jackson. All right.

BY MR. GRIDER:

Q Okay. Let's walk through some questions here.

With respect to intelligence reports -- and we touched on this before -- prior to coming to Benghazi, were there any intelligence reports that you reviewed or were given?

A You know, sir, I did do a lot of reading. I don't recall at this point if I did read any particular intelligence reports. I know I read on Benghazi, but I can't tell you whether --

Q While you were in Benghazi, did you receive any intelligence reports from the State Department?

A There was one -- well -- yes. There was -- there was some reports that I -- that I read. And I also wrote at least one report.

Q Did you have access to any other intelligence reports from any other agencies while you were there?

A Yes, I did.

Q And did you read the -- did you read those?

A I would -- yes, sir.

Q And do you recall if those reports were daily? Weekly?

A Well, I'm sure the reports were daily. I was not able to read them daily, but I -- I went to a place where I could once a week, maybe.

Q Can you just tell us what a SITREP is.

A Situation report.

Q That's correct.

Can you explain to us what --

Ms. Jackson. The purpose.

BY MR. GRIDER:

Q Purpose.

Mr. Grider. Thank you.

Mr. [REDACTED]. Well, it's -- it's a little bit like a Spot Report in the sense that you are -- you are reporting information taking place there. Perhaps it's not at that level of importance.

It's more routine stuff as to what has been taking place. Those you can write daily if you have the time to do so. I tried to provide one to my desk officer on a daily basis, but it didn't always happen that way.

BY MS. JACKSON:

Q So that's a DS product as opposed to a principal officer product?

A You know what. The principal officer might have something similar that she would report to the State Department. Mine went to DS.

Q Okay. And when we say EAC, do you -- what's an EAC?

A Could you --

Q Emergency Action Committee?

A Oh.

Q One of those.

A Yes. We -- I'm more familiar with an EAC, for example, at the Embassy where I'm at right here in -- not here -- [REDACTED]

[REDACTED].

Q Uh-huh.

A You have to see how many people we had in Benghazi and the size of that compound.

Q You could have an EAC daily in Benghazi, given the limited number of people there?

A Yes, you could.

Q Do you recall if you ever had a formal EAC while you were in Benghazi?

A Well, I do recall having formal meetings with the principal officer and the IMO when the three of us were the only ones there in which we discussed the security situation and we discussed, you know, what to do about the incidents that we were facing.

Q And these would be some of the incidents that we've talked about?

A That is correct, ma'am. Like I said, there was constant communications between myself and the principal officer. All that I knew about security was shared with her. And, as far as I know, the efforts that she was working on to better the situation were shared with me, too.

Q Was there ever occasions where you would have a formal meeting with other U.S. Government personnel in Benghazi regarding the security situation?

A That is correct, ma'am. But in order to give you any details, we would have to be in a different matter.

Q Right.

But they did occur?

A They did. They did.

Q Did they occur on a regular basis, like weekly or just as needed?

A Oh, no. We -- I think both. You know, we -- we had a somewhat close relationship.

Q Uh-huh. Okay.

BY MR. GRIDER:

Q Touch on briefly just the communication system. I know we've sort of talked about that.

Can you just sort of tell me, what were the different types of communication systems -- do you have enough water there? --

A I got it.

Q -- you know, landlines. Can you just sort of walk me through the different communication systems.

A Yes. We had landlines. We had some sat phones. We had cell phones. We had Motorola radios. We had access to unclassified Outlook email and, you know, classified communications, too. So yeah.

Q And, in your opinion, did those communication systems individually or corporately work satisfactorily?

A Well, sir, you know, they did. But Murphy is always going to be around. So anytime something can go wrong, something will go wrong.

So you know, from time to time we had problems. We only had one repeater in Benghazi located [REDACTED], I believe.

So it wasn't always the best, but, you know, make do with what you have.

Q All right. Let's turn to -- and we've touched on this, but I want to get it -- just clarity on sort of the physical layout. I know you talked about Villa A. So never been there.

So can you just sort of give us a brief understanding of the physical layout of the compound.

A Can I give you a map?

Q You have one on you?

Ms. Jackson. Sure.

BY MR. GRIDER:

Q Even better.

Ms. Jackson. We'll mark it.

Mr. [REDACTED]. This right here is the compound.

BY MS. JACKSON:

Q Okay. For the record, we are going to mark this as Exhibit 1.

[REDACTED] Exhibit No. 1

Was marked for identification.]

Mr. [REDACTED]. Okay. All right. So --

BY MS. JACKSON:

Q Can we -- just one second. I am just going to show --

A Sure.

Q Just so you guys can get a physical look at it.

A And I'm showing you the map because it's so much easier for me to show it to you on paper than it is to try to explain it to you.

Q Uh-huh.

A Okay. So this is -- number 1 right here is where -- the villa where we all lived. Okay? This is where -- number 4 is where our QRF is. Okay? We have --

Q Did you refer to number 1 as "number 1" or did you call it something else?

A We called it several names. We called it "the villa." We called it "the American house." No. I just put it as number 1 just to be able to refer to it in the map.

Q Okay.

A We had three different gates in the compound. We had -- this was the main gain, which was Charlie 1 gate. We did refer to that as Charlie 1. Right across we had Charlie Three gate. Okay?

And on this side -- you see, these are two different villas that were united. Okay? On this side we have Bravo 1 gate. Okay? So that's the compound right there.

We have -- on this side, we had the American flag right here. Number 2 right here is where we had the chow hall, the dining facility, whatever you want to call it. They also had some TDY rooms here. And across from it we had the TOC.

Q So was number 2 -- the building marked as number 2, was that also known as the cantina?

A Well, I guess -- remember, we went through there quite a bit, different agents. Different agents called it different things. As a former marine, I called it the chow hall.

Q Chow hall. All right.

And is this a map that you were provided before you got there?
When you got there?

A It's a map that I made as part of a report.

Q And would that have been the time when the IED was thrown
over the wall?

A That is correct.

Q And is that depicted here on Exhibit 1 on the left side of
the page?

A Right there.

Q Yes.

And that has the date of April 6, 2012, at 2238 hours?

A That is correct.

Q Okay. Which probably explains why you remembered that it
was that hour. Okay.

So you made this map contemporaneous -- or shortly after the
incident and submitted it as part of your report?

A That is correct.

Q Okay.

BY MR. GRIDER:

Q Were there vehicles that you kept close to the villa that
resided in the evening hours, by any chance?

A When I was there, we had a plan -- an evasion plan. There
was two different doors to the villa. One of the doors was right where
I'm marking the X. Okay?

BY MS. JACKSON:

Q On Building 1?

A On Building 1.

The other door was approximately in the second X over here. So what I did is --

Q Would you actually put a double X there so that we can, for the record, know --

A What I did is I parked one of the vehicles facing outboard right here and one of my other vehicles approximately right here. This way, I had two plans of escape and evasion.

If they came in from -- from this side, I could come out here, jump in the vehicle and go out one of these two gates. If they came from this side, we could come out this door, go in one of the -- there was usually two to three vehicles parked right here -- go in one of these vehicles and go out this gate.

Q Okay. So just to summarize, if someone had come from the area of B1, you would go out -- go out of Building 1 -- I'm trying to -- which would be southwest?

A Well, it was a flexible plan, ma'am. Depending on where the threat came from, I would -- I would use the opposite exit to take out my principal officer. Also, you know, any plan changes. If I had bad guys on Charlie 3 or on Charlie 1, obviously, I would go out Bravo 1.

Q Okay.

A So depending on where the threat would come from.

Q Okay.

BY MR. GRIDER:

Q I think you may have touched on this.

REACT procedures or plans, was that the same thing?

A Yes, sir.

Q You have those, evac?

A Uh-huh.

Q Okay. Let's turn --

BY MS. JACKSON:

Q ___ And how many different REACT plans did you have?

A Well, it was -- it was one with different modifications to it, ma'am, depending on where our principal officer would be.

Now, remember, in the TOC, in the number 3 over here, this is also where the principal officer has her office. Her office was more or less in this area.

If she is right there, we would use one of the vehicles right here. And depending on where the threat was coming from, we have three different gates to go out. So it would be something flexible that we would change, depending on what the situation on the ground was.

We also had the different fighting positions throughout the compound. One that comes to mind is this -- what I'm marking as a circle right here. We had sandbags right here. We also had them right here. We had them right here. And we had them right here.

So we would utilize those to either fight off the enemy or to protect our principal officer until we can get her inside one of the

vehicles.

We also used the vehicles as safe havens. They were armored vehicles. They were open so that anybody could jump in there. And that was the plan that we had during my time there.

Q Okay.

BY MR. GRIDER:

Q With respect to -- let's call them security upgrades.

A Uh-huh.

Q So when you landed on the ground, what, if anything, did you notice needed to be upgraded or was sort of deficient?

A Well, the walls. Some of the walls around the compound -- you have to see that these were homes. These were villa -- homes and villas. They were not made for the -- or with the security standards that we've gotten used to using around the world for a diplomatic compound.

So some of the walls were too low. Obviously, sometimes you felt that you were too close to the street. But what we started doing is upgrading those walls, bringing them up at a higher level. We've also incorporated fencing around the compound.

Things don't always happen as fast as you want them to. The money is not always available as fast as you want it to be available. So it's a slow process. But there was work going on at the time.

If you can see right here where the explosion took place, we were already working on making a higher fence around that whole area. So, you know, those were some of the upgrades that come to mind.

We also changed our camera systems around so that they would have a better -- better view of the compound, and we also incorporated vehicle gates on all three gates.

In the outside of gate Charlie, we put barricades around to protect vehicles as they're coming in. So we were -- we were making modifications at the time.

Q Did you make any specific request or had the request already been put in?

A Both -- [REDACTED], who is the one that initiated this process, had made a lot of those requests. However, during my time there, I became the person in charge of implementing them.

So the request had already been made. I was the one dealing with the -- with engineer, with the construction personnel that were implementing the changes.

Q I think you would agree there is physical security requirements for overseas posts in the State Department. Correct?

A I agree with that. Yes.

Q Do you believe that Benghazi -- the Benghazi compound met those requirements or were on the way to meeting those requirements at the time you were there?

A Sir, I'm no expert on those requirements and on these type of security upgrades. I know that Benghazi did not meet the requirements that I see now [REDACTED] or that I've seen at other embassies.

But I don't know what the specifics are as to how Benghazi

functioned, what type of diplomatic mission was it or if there's any requirements that are different for diplomatic missions than there are for consulates and embassies.

Q Okay. You had mentioned some of the budget issues.

Had you ever communicated or had [REDACTED] ever communicated to you about the funding issues? How did budget come up?

A The first time that budget came up was when I was supposed to go to Benghazi. I was supposed to go there on a 60-day TDY. I was told that I was being held back 2 weeks because they did not want an overlap of too many agents out there due to budget cuts or to budget issues. I was also told that the money for upgrades at the compound was not always available or was not readily available due to budget issues.

And those are the two incidents where I now recall that being mentioned. And, yes, it was mostly through [REDACTED] and also through a conversation that I had with the RSO, with Mr. [REDACTED], when he visited us to view what was taking place on the construction part of the compound.

Q Earlier you had mentioned --

Ms. Jackson. Can I ask a couple of followups on the budget question?

Mr. Grider. Yeah. I was going there.

Ms. Jackson. Oh. So were you going --

Mr. Grider. You can tell me --

Ms. Jackson. I thought you were changing topics.

Mr. Grider. No. No. No.

Ms. Jackson. Okay.

BY MR. GRIDER:

Q With respect to -- you had mentioned about DS agents having visa issues.

A Yes.

Q But you also mentioned that there may have been some communication about DS agents -- the timing of DS agents with respect to budget -- budget issues. Is that correct?

A Correct. I was never told that the agents that were supposed to assist me were being held for budget issues.

Q Right.

A What I was told was that they were being held for visa issues. I was told, however, that we did not have five agents and that I was being held back 2 weeks from going there because of budget issues.

BY MS. JACKSON:

Q Let me make sure I understand that.

So you were initially delayed because of the budget issues.

A Correct.

Q Is that correct?

A That is what my desk officer told me.

Q That would have been [REDACTED] ?

A Correct.

Q And they didn't want too many agents there at one time?

A Correct.

Q Okay. And when you arrived, you became the fourth -- third or fourth agent?

A I was the fourth for approximately a week.

Q Okay. And just to make sure I understand, were you also saying that the reason that you never got five agents in Benghazi was because of budget issues?

A That's what I was told by my desk officer.

Q Again, Mr. [REDACTED]?

A Correct.

Q Okay. Did he indicate to you where he got that information?

A He specifically told me that he got it from Charlene Lamb.

Q And did he indicate to you in any way that -- at what level that decision had been made within the State Department?

A No. He -- he did not mention anybody else. He -- the highest level that made the decision at IP was Charlene Lamb. So, yeah, he mentioned that to me.

Q Were you aware that Benghazi was supposed to have five agents?

A I was -- I was told before I got there and I told -- and I was told when I got there that it was a five-man post.

Q Okay.

A There is a -- an EER that I have, an evaluation or perhaps an award that talks about, you know, it being a five-man post.

Q And you got an award because you were the only man standing there for awhile?

A Yes, ma'am.

Q Okay. I mean, in the write-up, did it say that?

A Somewhere -- somewhere it says that it was a five-man post.

Q Okay.

A Yeah.

Q And was it [REDACTED] or someone else who told you it was to be a five-man post before you arrived in Benghazi?

A [REDACTED] told me. The RSO at the time, [REDACTED], told me. Also, the RSO in Tripoli told me.

Q Mr. [REDACTED]?

A Correct.

Q Okay. And when you -- at the time that you were going into Benghazi, had you also been told that there was never going to be five men there -- or five agents there?

A Well, I don't recall someone, let's say, at headquarters telling me that. Just the situation on the ground told me that I wasn't going to see five men during the time I was there.

Q And that, you were told, was due to budget reasons?

A Well, like I said, ma'am, there's two issues right here that I was told. One was the visa issue, and the other one was the budgeting issue.

Q Was the visa issue a matter of timing in that the visas would come eventually, you just had to wait for them?

A That is correct, ma'am. That's what I was led to believe.

Q So at no time were you led to believe that there was a

moratorium or a ceasing of issuing any visas to Americans?

A The specifics that I was told, ma'am, was that we were not issuing a visa to the Libyan Ambassador to the U.S. and that he had -- or to his family and he had to keep his family in Canada, as I understand, and, because of that, he was not happy with us and then, therefore, not issuing visas to us.

That was -- that is what I was told specifically when I kept on insisting on why we were not getting visas. I don't know the truth of that. Again, that also came from my desk officer, [REDACTED].

Q Okay. Good.

Ms. Jackson. Go ahead. Because we have about 5 minutes.

Mr. Grider. Yeah. I know. We got to move.

BY MR. GRIDER:

Q Are you familiar with the term "turnover notes"?

A Uh-huh.

Q Okay. What, if anything, did [REDACTED] give you or communicate to you?

A Well, [REDACTED] did a fantastic job while he was over there. He's the one who started this whole security upgrades that were taking place in the compound.

You know, I spent -- I don't know -- 2 to 3 weeks with [REDACTED] before he left, and there was really not the need for him to turn over any -- any notes to me.

But what -- one thing he did convey to me was to make sure that the security upgrades kept on -- kept on taking place. It was a big

concern of his. And, you know, I made sure that they did.

BY MS. JACKSON:

Q And when -- then, when you were replaced, did you do the same thing? First of all, did you have overlaps so that it was verbal or did you do any write-up report?

A Yes, ma'am. I had an overlap where it was -- it was verbal. [REDACTED] took over as the RSO. She is a very experienced senior agent who had been an RSO before in Syria and several hot spots. But, yeah, she was very willing to listen to what I had to say, and we had that -- that overlap opportunity.

Q Okay. To your recollection, were there any write-ups that were done as to the security environment in Benghazi --

A Yes.

Q -- as to the things that had been requested and was in progress?

A Yes, ma'am. There was an overall write-up that one RSO turned over to the next. And, you know, that write-up was then modified by the next RSO.

Unfortunately, the TDYs were very short, in my opinion, should have been longer, and, you know, what was your plan and what was your strategy changed drastically because, you know, 45 days later a new agent takes over. So -- but, yeah, there was a -- there was always a write-up. Yeah.

Q Okay.

BY MR. GRIDER:

Q I would like to do some quick leading questions here.

Is it your opinion that Libyans had ready access to weapons and explosives and other types of items that can harm people?

A Yes, they did.

Q I think you communicated earlier that you did hear gunfire routinely.

A Almost on a daily basis, sir.

Q And could you distinguish between the handgun fire and AK-47?

A Yes, sir.

Q Obviously, there were -- were there anti-aircraft artillery?

A Yes, sir.

Q And what about RPGs?

A Yes, sir.

Q And with respect to tripwires -- are you familiar with that term?

A Yes, sir.

Q Can you explain briefly what a tripwire is.

A Well, if -- are you referring to tripwire as to an event that is indicative of something else to happen or what -- what exactly are you referring to?

Q I guess what is your understanding with respect to the State Department when they use the term "tripwire"?

A I cannot -- I'm no expert with State Department stuff, sir.

I can tell you what --

Q ___ I'm sorry. DS. I apologize.

A No. No.

Q Well, you have experience -- it sounds like you have experience, and tripwires have been in more of your -- in your prior experience as well.

A Yes, sir.

Q And was that term used during the DS -- during your DS experience, has it been used?

A I think -- I think it has been used more on the policy side, sir. You know, us, as agents out there on the ground, we can -- we can only observe a particular incident.

For example, the attack on the U.N., the attack on the British Ambassador, that, to us, is indicative of, if it happens to them, it'll happen to us if we're not careful. So I guess we could use it like that. I don't know what our policymakers or supervisors here in D.C. use it as.

BY MS. JACKSON:

Q Well, let me ask you this: Did either of those events or any other events that occurred in Benghazi when you were there cause you to consider or recommend to the principal officer that you depart the country?

A No, ma'am. I think that's a decision that's way above my pay grade. My job is to go over there and make it as safe as I possibly can.

A lot of it -- you know, we operate around the world, ma'am, in very difficult places. That's what makes us different than, let's say, the Secret Service or another agency that operates in a sterile environment.

What I recommend is modifications to mitigate the risks. It is not up to me to decide whether, you know, we should be in a particular spot or not. So I never made such recommendations.

I did make recommendations such as, "No. We cannot go out tonight" or, "We cannot get to that place." And she was always very willing to listen to me on that.

Q Did the principal officer ever discuss with you the possibility of leaving the country because of the incidents?

A We always believed -- and this is in conversation with her and with other personnel -- that this was a temporary facility, that we would be in Benghazi temporarily. And they -- we always believed that, you know -- or the person before us believed that they were going to shut it down during their time.

But I never heard it from her saying, "Hey, we're going to leave next month" or, "We're going to shut this place down soon" or -- it was just a belief of something that we had.

Ms. Jackson. Okay. Are you done?

Mr. Grider. Do you have any idea -- any other --

Ms. Jackson. Just follow-up.

Mr. Grider. Go ahead.

Ms. Jackson. Okay.

BY MS. JACKSON:

Q You know that there was an Accountability Review Board --

A Yes, ma'am.

Q -- on this incident.

Did you ever speak to the ARB?

A I did not.

Q You did not.

Did you ask to?

A I did not.

Q Did you provide any documentation to the ARB?

A I provided documentation to the FBI's JTTF. I was interviewed by them. I also provided documentation to my supervisors at the [REDACTED] field office, and I'm not sure who they provided it to.

Q Okay. And when you provided information to your supervisors at the [REDACTED] field office, what was that in response to? Was it their request or did you get a request?

A No. I believe all of DS got a request to provide whatever documents you had from your time in Benghazi. I kept my emails. So I printed them all out, and I passed them on to them.

Q What about the report that you wrote?

A That was -- that was also supplied. Yes, ma'am.

Q That was part of an email?

A That was part of an email. Yeah.

After I came back -- I sent in several emails explaining what had

happened and everything. But after I came back that first week, I sat down and I organized all my emails, all the information, and put it together with the pictures that I had and the map of the compound. And, yes, I provided that.

Q So that would have -- you put it all together in April of 2012?

A Correct.

Q Okay. And so you had essentially a Benghazi file?

A Yes. Well, Benghazi report. Yes, ma'am.

Q Okay. Of this event or of your entire experience in Benghazi?

A Of this event.

Q Okay.

A And what I provided my supervisors were all the emails that I had on Benghazi.

Q Okay. And who was your supervisor at the time that received those?

A [REDACTED] was the SAC, special agent in charge, of the [REDACTED] field office, and I guess it went to him.

Q And that was in response to something that came out department-wide?

A Correct.

Q Okay.

Ms. Jackson. We are out of time.

Mr. Grider. Yeah. Let me check with -- counsel, I have 5 emails

that -- I think they are pretty -- you know, pretty quick. So we can --

Ms. Sawyer. Yeah. Well, do you guys need a break?

Mr. Evers. Why don't we take a quick break. Let's just take a quick break.

Ms. Jackson. The witness was saying no.

Mr. Evers. I could use a break.

Ms. Jackson. We'll go off the record.

Mr. Grider. Go off the record.

[Recess.]

RPTR MCCONNELL

EDTR SECKMAN

[12:40 p.m.]

Mr. Grider. We are ready to go back on the record.

Special Agent, I have given you some exhibits. We are going to go one by one, and I will identify each exhibit. We are going to start with -- I will call it government exhibit No. 2, document No. Charlie 05390467.

[REDACTED] Exhibit No. 2

Was marked for identification.]

BY MR. GRIDER:

Q The best way that I have worked through this before is that -- and have you had a chance to sort of review this document?

A I did.

Q As I communicated to you before, obviously, we know that emails, there's a lot of context in emails. I think there's some specific areas that I just wanted to touch on and maybe you can sort of give us a little bit more context, and then we will move to the next one.

I'm going to let you just sort of identify just -- we are going to talk about some of the first two emails, and maybe you can read this email. First, can you say who is -- the date, you know, who it was -- who you sent it to, and then --

A Okay. The first email is on Friday, April 6. This is taking place at 4:26 a.m., which could be right. I'm sending it to

Q There you have it. Any other?

Mr. Grider. All right, let's move to government exhibit No. 3, document No. Charlie 05390489.

[██████████ Exhibit No. 3

Was marked for identification.]

BY MR. GRIDER:

Q Can you walk us through this email and let's, you know, start with the first two, but let's start with the number one on top, who it is from, to whom, and the date, and then we can walk through it.

A This is an email from -- on the top, it says, ██████████, but it says it is from ██████████. And it is addressed to me.

It says, ██████████, thanks for keeping us updated and excellent work over the weekend handling this by yourself. This has the front office's attention, so let us know about any developments. Regards, ██████████.

Q Let's -- can we move -- I'm going to come back to that, but can we move to the second email on Monday, April 9, 2012, at 9:54 a.m.?

A That's correct. It's addressed to ██████████, and --

Q Go ahead and read that one for us, please.

A Okay: Upon examination of all recordings from compound cameras, I found that it captured part of the flash of the explosion as well as the smoke. This confirms the statements by the guards of the location and force of the explosion. It did occur within the grounds of the mission, and it was a powerful blast. From what I can gather, the device must have exploded in the air prior to hitting the

ground. Not much out there to damage either.

Q Okay. And who is [REDACTED]?

A You know, sir, as I recall, he is part of IP. He is one of [REDACTED] supervisors. But I did not have much contact with them until this incident. So I don't know exactly what billet he had at IP.

Q And IP?

A International Posting, is it? International Programs?

Ms. Jackson. Something like that.

Mr. Grider. Okay, fair enough.

BY MR. GRIDER:

Q And was he located in -- or do you know where he was located?

A I knew he worked in the same building that [REDACTED] did.

Q More than likely in Washington, D.C., is that correct?

A Correct.

Q And what was your understanding of his statement, "This has the front office's attention"? What was your understanding of why he would say that about that particular --

A Well, I guess he is trying to convey to me the importance level that this incident had.

Q And what was your understanding -- "front office" -- that means?

A I have heard two different meanings to it. I have heard that it has the attention of the Director [REDACTED] or the attention of the Secretary of State.

Q Okay, and it's your understanding that [REDACTED], if I'm pronouncing his name correctly, was above [REDACTED], is that correct?

A Correct.

Ms. Jackson. Following this email, did you get any clarity on whether it meant -- the front office meant the director of DS or the Secretary of State?

Mr. [REDACTED]. I did not.

Ms. Jackson. Okay.

BY MR. GRIDER:

Q This email is referring to the April 6?

A It is referring to the bombing of the compound, yes.

Q And, at that time, you were there -- obviously, you were there flying -- you were there by yourself, is that correct?

A That is correct, sir.

Mr. Grider. Okay, let's turn to government exhibit No. 4, please, document No. Charlie 05390477.

[REDACTED] Exhibit No. 4

Was marked for identification.]

Q If you can just walk us, you know, it's from you, the date, and then just give us a brief --

A Okay. This is from me to my desk officer [REDACTED], as you said, on April 7, at 5:51 a.m. In it, I'm advising him of the situation out there. And I wrote, Neither the RSO nor the local security forces in Benghazi have the capability to conduct a proper

post-blast investigation. The information below is only my initial assessment. The investigation is still underway, and the suspects are still under custody.

Q Okay. Well, let's walk through that one. Go ahead.

A Well, I named the two suspects, which had been erased from the email. And I state, you know, what their status were with the Blue Mountain Security Company, and then I move on to talk about the -- what I found on the IED that was used.

Q Okay, here you say it was -- point two, it says, It was compact enough to throw over a 10-foot high wall, but powerful enough to create a very loud blast.

What was the height of the wall at the time?

A It was approximately 10 foot.

Q Okay. Going back to the first paragraph, what was your -- what did you mean that neither the RSO nor the local security had the capability to conduct a proper post-blast investigation?

A Well, the local security forces did not have the expertise to investigate these type of events. In other words, they did not have the training or the equipment to be able to tell me what type of explosives were used or, you know, what fragmentation were used with them, that sort of thing.

I -- my knowledge of explosives is making them blow up, not investigating them. So I also did not have the expertise to do a proper investigation.

Q And this is 1 day after the April 6 incident that occurred.

And you were essentially conducting the investigation by yourself, is that correct?

A That is correct. I did take members of the investigative team later on to view the post-blast site, but I determined that they were not -- they did not have the capabilities.

Mr. Grider. Let's go ahead and turn to government exhibit No. 5, document No. Charlie 05392123.

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

BY MR. GRIDER:

Q Let's just -- we can focus our attention on the first section. If you can just walk us through the date, the time, who it is from, and your understanding.

A This is from ██████████, which was the RSO in Tripoli, on April 7, at 12:04 a.m. I have cc'd Principal Officer ██████████ ██████████.

And it says, ██████████, will you give more details on the type, makeup of the IED. Please forward. I guess there's a reason walls are supposed to be 9-foot high. ██████████.

Q What's your understanding?

A Well, I think he is asking for more information on the IED. And he is also -- because we have walls in the compound that were not 9-foot high, he is also stating that, you know, there is a reason why the walls need to be higher.

Q Right. So, relating back to government exhibit 1, where

you were discussing with us sort of there was a building project of the walls going up?

A Yes.

Q I guess, you know, my question, was the wall at sort of the 9- or 10-foot height at the time, or was it in the process of being --

A Well, the wall that they threw the device over was 10-foot high, and that's the reason why I refer to that in my email. However, there were other walls around the compound that did not meet that height.

Q Okay. All right, let's turn to government exhibit No. 6, document No. Charlie 05392846. And I guess, prior to going over this, I guess -- going over this email, was there a process? I think we talked about the communications. Was there a process that you had been briefed on or communicated -- how to communicate via email, to your knowledge?

A Yes. However, this did not apply to us in Benghazi. And I will tell you why. We did not have the appropriate system in place to be able to do the spot reporting that other, you know, more established diplomatic posts do have. So, whereas, now, I would go into our Web site and it will allow me to conduct a -- or to do a Spot Report with a particular -- with particular settings, and I put in different parts of the Spot Report into this program; we did not have this in Benghazi. What we were doing is, we were taking a regular Word document, and we were -- we would write the Spot Report with a similar format, and then we would send it out to -- we were given a list of

people to send it out to. The previous Spot Report by the previous RSO had been sent to those same people because Outlook, the system that we use, you know, in the State Department, was not always operational in Libya. Some people -- and in this case one person -- had provided a Gmail account because it had been used in the past multiple times. I just cut and paste the same addresses it had been sent to, and those are the people that I sent this to.

Apparently, someone at headquarters saw that and, you know, realized that that was not proper. They corrected me. And I took that address out of there.

Q Can we just walk through who it is from, the date and --

A Sure. It is from [REDACTED], my desk officer. The date is April 2, 2012, at 4:40 p.m. It is a response to Benghazi RSO Spot Report: [REDACTED], excellent report. In the future, do not send these to Gmail accounts as they are considered SBU and should stay on our DOS open net system. I will send you additional information on the class net. FYI, no visas. I'm extremely doubtful about tomorrow. Not sure what is going on. Foils are here, but no visas yet. Regards, [REDACTED].

Q And SBU is sensitive but unclassified?

A Yes, exactly.

Q Okay, anything?

BY MS. JACKSON:

Q Who had you sent this to on a Gmail account?

A Someone at the Embassy in Tripoli, as I recall. One of the

personnel on the distro list instead of putting a State Department account, put down the Gmail account because they were having, I guess, similar problems that we were with no access to open net.

Q Okay. So because you were having electronic mail communication problems, you had set up -- these Gmail accounts had been set up prior to you getting there.

A Correct. And not by me, not by us. They were set up from Tripoli as I recall.

Q Okay. Do you recall the first, when we go down to the bottom of page 1 of exhibit 6, where it says, on the cc line, "Benghazi RSO," do you recall that that was also a Gmail account?

A Where is "Benghazi RSO" again?

Q On the bottom of the page 1, where it is an email from you, sent Monday, April 2, at 4:17 p.m. It has "to" line and then it has a cc line and the first one is a --

A Benghazi RSO.

Q Right. A truncated email address. Do you recall that that was also a Gmail account?

A I don't recall, but what I'm seeing here is the Tripoli TOC as well as the RSO Tripoli, they are both Gmail. They say Gmail, and I guess I would imagine Benghazi RSO would -- you know, what, I don't know.

Q Okay, all right. Fair enough. Thank you.

BY MR. GRIDER:

Q Okay, I just want to point out for the record, I think we

talked about, you know, going back through emails. On all of the emails from your colleague and supervisor on government exhibit No. 6, excellent, they say excellent report.

Government exhibit No. 3, they say, [REDACTED], thanks for keeping us updated. Excellent work over the weekend handling this by yourself.

And it looks like, once again, [REDACTED] in government exhibit No. 2 is thanking you for your hard work and being in a difficult situation over there by yourself.

So I want to point that out for the record. And, also, I believe you articulated that you received some level of commendation. Can you tell us about that?

A I believe it was a meritorious honor award that I received on that.

Q For your time in --

A In Benghazi.

Q -- in Benghazi. Those are all the questions I have. Just -- until we address a few other matters a little bit later, but I want to, on behalf of the majority and the committee, and uniquely -- how you were uniquely situated in a time period by yourself, and point out for the record how the commendations and also how your colleagues congratulated you and appreciated the good work that you did in a very tough situation. And so I want you, as I communicated off the record to you, to know that your professionalism, your hard work, and this is not an easy situation, and I want to thank you for your service, and really appreciate, you know, our dialogue here and

the information that you have given us.

A Thank you, sir.

Ms. Jackson. Thank you. Okay. Let's go off the record. It is 1:03.

[Recess.]

Mr. Desai. Let's go back on the record. The time is approximately 1:47. Special Agent [REDACTED], good afternoon. Let me just take this opportunity to introduce myself. I am Ronak Desai. I am one of the counsels with the minority staff of the committee. I'm joined by my colleagues this afternoon, Heather Sawyer, and Brent Woolfork.

And on behalf of the minority, both the staff and the members, we want to thank you for your appearance here today on such a beautiful afternoon, and I want to thank you for your longstanding and ongoing service to this country. So thank you so much.

EXAMINATION

BY MR. DESAI:

Q I'm just going to jump right into it so we can try to be efficiently -- get you out of here as possible.

So if I can redirect your attention to the April 6 IED attack. And the question I wanted to ask you is, did that attack trigger any changes to the mission security posture that you can recall?

A Well, we continued with requesting more personnel, and eventually, we did receive temporary additional personnel. I'm not sure what that did to speed up the visa process. We continued on with

what we were already working on, the fence line, and other than that, we were just even more extra careful in our movements, and we minimized, you know, the outside movements. Another thing is the Principal Officer used to run the perimeter line sometimes within the compound. She stopped doing that as I asked her to. And we were just at a higher alert.

Q Okay, and the additional personnel that you received, do you remember how soon after the attack you received that personnel?

A I do not remember how soon, no. It could have been 1 week later. What happened was is, eventually, the two people slotted to go to Benghazi, which was [REDACTED] and [REDACTED], arrived. In addition to that, we had a planned movement to Darnah, and I had requested -- I take this back. I just remembered.

The RSO and a reservist lieutenant colonel from Benghazi -- I'm sorry, from Tripoli, visited me in Benghazi. What I don't recall were the dates on that. But going back to what I was saying earlier, [REDACTED] [REDACTED] and [REDACTED] did arrive in country. In addition to that, I had requested more people for a movement that I had to Darnah, and I received three Special Forces soldiers that were stationed in Tripoli at the time.

Q And if I can just ask you with respect to that incident on April 6 about, first, the adequacy of the LGF if we can start there. And one thing, during the last session, you were talking to my colleagues in the majority. So the device comes over the wall. There is an explosion, and then, after a certain period of time, you said

the duck-and-cover alarm is activated, the IDNS?

A Correct.

Q And if I recall correctly, it was one of the local guards that activated that alarm, is that correct?

A That is correct.

Q And I believe you had said that they finally activated that alarm. How much time passed from when you heard the explosions to when the alarm was activated?

A I'm estimating here, but it could have been 2 to 3 minutes, 2 minutes, maybe. I guess you expect it to go -- for them to press a button right away, but yeah. About 2 minutes.

Q And, in terms of their role in supporting the response to that incident, I know you had said that expectations for the LGF weren't particularly high?

A They were not.

Q But, with respect to this incident, did they perform as you would expect them to given what their role is supposed to be?

A No. What they basically did is, some of them went and hid. Others just stood by. I was -- you know, out of a professional guard force, you expect their support in manning their posts and searching, helping you search for any intruders, that sort of thing. But like I said, our expectations were low.

Q And let me turn to the QRF then. So there were a certain number of QRF that were already on the compound, is that correct?

A That is correct.

Q And what was the adequacy of their response if you had to describe it to me?

A You know, I am amazed at how loyal they were to certain Americans. I don't believe that they had this loyalty specifically to the United States, but they did have a loyalty to some of those agents that spent time with them, training them, working out with them, sharing a meal with them. And on all of the different situations that we had while I was there, they were always present.

I will tell you, they were not professionally trained. They had not gone through a military academy or anything like that. They had had different levels of experience as members of the militia that fought against Qadhafi, but one thing I could count on while I was there is that if I needed their help, they were going to be there. Perhaps, you know, they wouldn't use the tactics that you would expect a professional QRF to use or that sort of thing, but they were there.

Q So the alarm is activated. I think you had told us during the last session that some of these QRF members took defensive positions in the compound. Is that right?

A That is correct. We had -- I had trained them on the different positions I wanted them to take in a situation like this. And that is what two of them did. The third one at some point was told by the guards that there was a car outside, or he took it upon himself to go patrol the outside of the perimeter, but yeah, they all responded.

Q And you mentioned training. How, in your view, when you did train, whether it was either the LGF or the QRF, how responsive

were they to that training?

A The members of the QRF were very responsive. That varied at different levels with the Local Guard Force.

Q So QRF, the members take up defensive positions inside the compound, and I think you had also said that, outside the compound, there was already one of these QRF individuals waiting for you is that right?

A The individual outside of the compound reacted to a vehicle that was parked somewhat on the -- on one of the perimeter -- well, somewhere on one of the side streets. And, yeah, he apprehended the two individuals out there.

Q Okay, so if we can talk about those two individuals. So the QRF member apprehends these guys. You say they fired a warning shot?

A Two warning shots.

Q Two warning shots. And this was standard operating procedures amongst the Libyans, is that right?

A For the Libyans, yes. Not only in Libya, but in other countries, they still use warning shots.

Q Okay, and the two individuals that he had detained --

A Yes.

Q -- one was a former member of the LGF, is that right?

A Correct. One that had been fired for vandalism.

Q So one is an individual that you had fired a week before for vandalism?

A Yes.

Q And then the second one was a current member of the LGF, is that right?

A That is correct, one that had been demoted as a supervisor to a normal guard.

Q Okay. So one is a recently fired member, and one is, at that time, a currently demoted member of the LGF?

A Correct.

Q The question I want to ask you with respect to that then is, this IED comes over the wall and in terms of the motivation of that attack, from what it appears to be with these two individuals, these are suspects who are -- you know, allegedly have done this. This looks like an employment dispute to a certain extent -- right -- that they had -- one had been fired. One had been demoted. And, as a result, they decided to throw this device over the wall?

A Well, I look at it as a terrorist attack on a U.S. Government compound. Like I said, I was unable to question them myself. And I don't believe the locals did a very good job in doing so. I don't know what their affiliations might have been to other groups or other organizations. So what may look to us as a typical work dispute, could be something else, but I don't know that.

Q Do you have any information, or did you at that time -- again, you said you didn't have the ability to interrogate these suspects individually -- that would have made you think that this was motivated by terrorism, extremism, or something else based on the

information available to you at that time or even now?

A Well, regardless of whatever motives they were, to me, this was a terrorist act. But I have nothing that would point to me, or that is indicative that they were acting as part of another group or organization.

Q Okay. And we also talked about, I guess, the protest that had taken place before the IED attack. Is that right, where these guards after their shifts were over, one was sent to the vehicle clearing area --

A Correct.

Q -- and decided -- that was also, I think you had said, connected to the fact that they had not been paid, is that right?

A That is correct, yes.

Q Okay, and was there any other indication that you had at the time or now that that was linked to something else beyond the fact that they hadn't been paid by their employer?

A No. I went out there myself to try to investigate as to what was going on, taking place. And I asked them directly what the problem was, and they told me about it. The British supervisor that was in country at the time showed up. I asked him if there was any validity to what they were saying. He said yes. He told me the reason. And, yeah, that's -- as far as I know, that's the reason why they were protesting.

Q Do you remember that gentleman's name, the one that was from -- the representative from the U.K.?

A I do not.

Q And no problem?

A He would be in one of my emails or one of my reports, but I do not remember.

Q And after this protest had happened, I think you had said during the last session that a representative from Blue Mountain had gotten in touch with you, and you said he had taken care of it.

Do you remember what that entailed, and, you know, what those efforts were to address this situation?

A Well, it was the same -- same individual.

Q Okay, it was the same --

A Somehow they managed to get the money in earlier. Again, the guards wanted to be paid in cash, and you know, they had to fly in the money. And so, yes, somehow they got the money in their end, and they took care of it by the next day, I believe.

Q So they were generally responsive within a relatively short period of time?

A Yes.

Q Okay. After you communicated your concerns over what had happened?

A That's correct. I believe that they were embarrassed as to what happened.

Q Moving on from April 6 to April 10 -- oh, please.

BY MS. SAWYER:

Q I just had a couple of quick questions about that. First,

just the local guard force. You had indicated that they did not perform well on that particular night. So I was just -- you said that some hid, and others simply stood by.

A Yes, ma'am.

Q Did you attempt during the incident at all to provide them with direction, or did you have a chance to do that?

A Well, ma'am, as we moved throughout the compound, we would run into -- there was three gates being manned, and there was a -- at least two rovers, a supervisor and another rover. And you try to engage them as to, hey, do you see anything here, have you spotted any movement, that sort of thing. And, you know, what you find is that they either -- they froze, they don't want to talk or cooperate, or -- did I specifically tell someone at that point, you go over here, or you -- I don't recall. I imagine I could have. I don't know.

I was too concerned about clearing the compound. However, they had already had instructions as to, in an event like this, to secure their zone and to notify us, you know, of the status of it. And that is something that we did not get. We also did not get -- that explosion and that alarm shouldn't have been so far apart. As the explosion goes off, your finger is pushing that button.

Q Yes. And so did you have a chance then to raise some of these concerns with their supervisor or directly with them after the fact? Did you get that chance?

A Yes, ma'am. You know, I learned throughout the years, you use the carrot and the stick. And I tried it all. You know, I tried

to motivate them in many ways throughout my time there, and I also, you know, I fired one. I demoted another one. You know, I go around and check on them and, you know, make sure they are not sleeping at night, making fires, that sort of thing. So everything was always addressed. It's -- they needed to know when they did something right and when they did something -- something wrong. If you go through my emails, on several of them, I'm going to be talking about the guard force and about the different issues with them. I spent a lot of my own time training them on simple things, such as searching a vehicle, searching people as they come in, that sort of thing. So whatever it was that we did not agree as to what they did, they knew about it. And their supervisors knew about it.

Q And I think you had indicated with my colleagues that you felt their supervisor was pretty responsive, that at least the time when you raised the vandalism, I think the way you described it was he fired that person on the spot. Did you feel that the supervisors were responsive when you would raise other performance-related concerns?

A Yes, ma'am. I think that they were. But there is a problem when the supervisors are based in, let's say, the U.K., and the employees are there in Benghazi, and that is perhaps the reason why they felt compelled to send a representative. The initial supervisor that they sent out there was a retired British Army sergeant major who is now living in Thailand. But the problem is that this is a for-profit company, and they also don't want to waste a lot of time in their

training. So what they were doing is after every shift, they wanted to train them for a half-hour to an hour. And someone that has a background in training will tell you that when you do not have a trained force with that -- or with that background, half an hour or an hour a day after shift is not enough. And I think our complaints made it all the way to their top management, and that's probably the reason why one of the owners went out there to see what the situation was.

Q Yeah, I would just direct your attention briefly to exhibit 2, which I think I'm going to have to borrow back, which is -- which you discussed with one of my colleagues last hour. And some of what you were just discussing if you take a look, I will just direct your attention to page two of that, where you are talking about the guard force. And I think you have captured for us very nicely what some of the challenges you faced in a lot of the work you were doing. But it does indicate the issue you talked about the training --

A Yes, ma'am.

Q -- and it not being --

A Fifteen minutes.

Q Yeah, and it indicates there that it looks like they were sending out a new trainer. And it just says, I will just read to you. It says, We will meet this guy tomorrow and give you my take on him then.

So I was just wondering if you did have an opportunity to meet with him, what your view of him was, whether he helped with some of the issues around training up the local guard force or helping them

perform better?

A Well, ma'am, I can tell you that the first trainer that they sent out there, the gentleman that was there when this guard was fired, he was eventually removed by the owner because he was not -- the owner of the company was not happy with the changes taking place. Another trainer was sent there who did a much better job. But, again, I go back to -- perhaps it's not so much the trainer. Perhaps, it is the people that they have to work with. And in addition to that -- well, the people he has to work with that don't have that -- the discipline, or the background in something like this, and someone like that needs to go through a longer training phase than, you know, 1 day or 15 minutes or that sort of thing.

Q And you felt with regard to the QRF which -- at least the internal ones worked directly with you and the other DS agents -- did better in responding to the training that you would provide for them?

A Yes, ma'am. First of all, they had no training prior to that. They were your typical Libyan citizens living their life and then joined the revolution at some point, and that's what made them part of the militia. So I thought that it was important that they learn some basic, you know, security basic techniques, learn between lethal and nonlethal force, how to clear rooms, that sort of thing. So they responded very well to it. It was a way for us to build stronger bonds with them, and you know, if they are going to have your back, you need to spend time with, you know, sharing some of the knowledge or skills that you have.

Q And when you were talking to my colleague just a minute ago and you were talking about that April 6 incident, and you described it as a terrorist act because it had been an act of violence, a bomb thrown at a U.S. facility, and you said -- I think the way you described it was you didn't know of anything to indicate that the individuals, at least initially apprehended and suspected of being involved, were part of a terrorist organization.

A Well, ma'am, so I'm not sure I understand what the question is.

Q Yeah, I haven't asked one yet, but I thought maybe -- but that's okay. That was my preamble.

A Okay.

Q So did you at any time when you were there with regard to the QRF individuals you were working with on compound, did you come to have a suspicion that any of them were affiliated with a terrorist organization or an extremist organization?

A Any of the individuals working on the compound, is this QRF and local guard force, or --

Q Yes. Both, either.

A No, ma'am. We had no such information. If we would have, we definitely -- they wouldn't have been working there. As to, you know --

Q So let me just stop you there.

A Uh-huh.

Q They wouldn't have been working there because?

A We wouldn't have -- if we knew that someone was affiliated with a terrorist organization, they would not be employed by the U.S. Government, or at least not us.

Q And if you had had those suspicions, would you then have also reported them either to your colleagues -- you said earlier that you had a close relationship with the [REDACTED]. So would you, for example, have reported that to [REDACTED]?

A Yes, ma'am. There is a particular case that we will probably discuss later on that came close to that. And I reported it to my colleagues.

Q Okay. But with regard to any of the local guard force and the QRF, you did not report any suspicions?

A Well, I don't know if I -- if I might have written something that I'm just not recalling right now, ma'am, but I don't recall that.

Q Not to my knowledge. I'm not asking you based on -- I'm just asking you based on your recollection.

A No. If something like that would have taken place, ma'am, I definitely would have shared that information with them. I did not suspect anyone in particular that worked for us to belong to a terrorist organization or anything like that. But in a place like Libya, post revolution, with so many armed groups and our limited access to conduct the proper investigation, you just -- you just never know.

As to the attack that took place that day, ma'am, you know, I don't know what it's being categorized as, but me, on the ground, regardless of who did it and regardless of their affiliation to any organization,

I still considered it -- or I considered it then and I do now a terrorist attack.

Q Do you know if anyone ever was -- I don't know if we had covered it -- I know those two individuals were initially apprehended.

A Yes, ma'am.

Q Do you know if anyone was ever charged?

A And that's a point of frustration out there, ma'am. With a broken legal system, the only system in operation in Benghazi at the time was their legal -- I'm sorry, their military prosecutor's office. I worked very hard to get them to take this seriously because initially they tried to tell me that it was just, you know, celebratory bomb throwing, I guess you can call it. And although all of the elements of a terrorist act, of a crime of that sort, were there, they demanded -- what did they call it -- solid evidence. And to them, solid evidence was a piece of the device, and when it blows up, there's no pieces left.

So I, during the time that I was there, the case was still in process. I know that their family made a lot of demands for them to be released. We maintain a political pressure on them to hold them. To be honest with you, I doubt that they were eventually prosecuted. They even tried to come after the militia member that apprehended them with legal charges against him. But I don't know what became of it. Once I left Benghazi, I lost track as to what happened out there.

BY MR. DESAI:

Q And in terms of the QRF or LGF, what were the alternatives

on the ground as opposed to employing these folks?

A You know, sir, I will tell you, I think the alternatives were pretty narrow, pretty small. I guess, you know, former police members could have been an alternative, but then again, they worked under Qadhafi in that type of environment. So I don't know. Other people brought in other guards from overseas, I guess, but, you know, locals, very slim alternatives.

Q So moving to April 10th, and this is the attack on the U.N. Special Envoy, just briefly, you had mentioned that the U.S. Mission security posture did not change following this particular attack, and one reason that you advanced for that is because the U.S. Special Mission took precautions that the U.N. did not. And I think you gave us some examples of that. How would you compare the security posture of the U.S. Mission in Benghazi to the other, let's say, Western powers that had a presence in Benghazi during your time there?

A Well, if you compare our posture with the U.N., it was quite different. The U.N. basically went everywhere in Libya. They also had, you know, the white vehicles with the big U.N. and the big antennas. They saw them coming a mile away. They did have a much bigger compound with many more people. I would say that in comparison to the British, we had a bigger compound with more security features, such as cameras, more guards, fencing, that sort of thing. What they did have, though, is they had more British personnel. They had British contractor security personnel that did their security.

Q Do you recall that any of the others, the French or the

Italians --

A Yes, I also accompanied the principal officer to the French compound or to the French house. There was only two of them. [REDACTED]

[REDACTED] So, yeah. I also accompanied her to the Egyptians, [REDACTED]

[REDACTED]. So, in comparison, it was different and, in some ways, better.

Q So I'm going to switch gears a little bit. I think in the last session as well you had spoken with respect to staffing shortages about you were making a request for additional personnel you said almost on a pretty regular basis, is that right?

A That's right.

Q I think you described those efforts as forceful and strong, is that right?

A That's correct.

Q Did you ever feel when you were making these requests whether it was to Tripoli or to Washington, to anywhere, that you couldn't be totally forthcoming in your opinions and your requests about what you needed and what you wanted?

A I never -- never felt that, sir, but then, again, I'm talking to the RSO in Tripoli. And I'm talking to my desk officer. I'm not the politically correct fella type, so I told them as I saw it. So and no one at any point told me to stop voicing my request for my opinion.

BY MS. SAWYER:

Q And, again, your desk officer was Mr. [REDACTED] ?

A Correct, ma'am, [REDACTED] .

Q So most of these -- a lot of these conversations anyway were with Mr. [REDACTED] ?

A That is correct, ma'am. I would say that 90 percent of my emails, it is either for -- addressed to him or he is cc'd on them, that sort of thing.

Q Did he ever indicate to you that you should kind of stop rocking the boat, stop making waves, not voicing your concerns in the most robust, I think as you put it, not politically correct manner?

A No, ma'am, I think he was frustrated himself from, you know, his conversations with me as to not being able to help more. But at no point did he ever tell me to stop bugging him with my request.

Q And did you ever feel, either, you know, from Mr. [REDACTED] or anyone else, that you might suffer retaliation or some other adverse job consequence by speaking your mind as to what your requests were?

A No, ma'am. At the time, I was an untenured FS-5, which is probably the lowest that you will be in DS, and it would have been so easy to retaliate against me, but it did not happen. And I was never told that that could happen.

Q And, in fact, I think it came up during the morning session, that you were actually commended --

A [REDACTED] put me in for an award, and yes, ma'am, I received it.

BY MR. DESAI:

Q If I can briefly go back to a document that you were shown during the first session. I think it is exhibit 2, the one that we just looked at. And if I can just focus your attention, just on the beginning portion of that document where you write to [REDACTED].

And it says here, [REDACTED], lots of work. It has been a good experience thus far. No problem on the solo a few more days. I can do this until the 16th when I need to catch a bird home. [REDACTED].

And I know we discussed this briefly with my colleagues during the last session, but when you write here, "no problem on the solo a few more days," what were you trying to convey there exactly?

A Well, he is basically telling me that it is going to take a few more days to get me more help out there. And he has already explained to me why he is having trouble getting me help out there. And I'm trying to convey to him that I can handle it. It doesn't mean that I don't want the additional people there. Of course, I want them, but also don't want them to think that, you know, things are going to come crashing down because I'm there alone.

Q And the first sentence: It has been a good experience thus far.

A Well, sir, I take pleasure in an assignment when you are given a certain amount of not only responsibility but the ability to make decisions and changes that you see necessary. And, you know, it -- Benghazi, for all it was during the 45 days that I was there, for as challenging as it was and it was no perfect environment, you know, it was an experience. It gave me the -- it allowed me to use

different skills that I had, and I was able to keep my principal officer safe and the compound safe during that time.

Q I think I recall in other documents you described it as rewarding as well, and do you still feel that's the case today, 3 years later?

A During the 45 days that I was there, yes, sir, the experience was rewarding. You know, it doesn't say that there were not problems or things that could have been better.

Q Sure.

A But I'm a security professional. If you send me to Paris and there's no challenges there on the professional side, I may not find that rewarding. You put me in a challenging position, and I'm able to make things work; that, on the professional side, is rewarding to me.

Q We spoke in the last session as well about the Accountability Review Board.

Ms. Sawyer. Can I ask a quick question?

Mr. Desai. Sure.

BY MS. SAWYER:

Q Before we jump to that, can I just ask you a quick question? Because it came up during the morning session during the time you were the sole DS agent.

A Yes, ma'am.

Q And you talked to us about the adjustments that that required you make to the workflow and you talked about the importance

of getting off compound, but that you limited those moves as much as possible?

A Yes, ma'am.

Q You did say that you did have to do some.

A Yes, ma'am.

Q And that during that time, in essence, I think you said the compound was shut down and that it didn't receive visitors, et cetera.

Just to clarify, you know, for the record so that we are perfectly clear, so when you were doing that particular adjustment and making those moves off compound, was there ever a security incident that occurred with you and the principal officer that you were off compound with?

A No, ma'am. Not that -- not one that I can recall. What we would do is our -- two to three members of the QRF stayed behind. They managed the gates to make sure no one would come in through there. The guards were instructed not to let any vehicles or personnel in or out. Our IMO would call us constantly, every 15 minutes, every half-hour, giving us a SITREP as to what was taking place, or I would call him, and I do not recall any incident during those times.

Mr. Desai. What about back at the compound, like while you guys were out and no incident occurred, was there ever an instance that something happened at the compound while you -- you know, once you closed it down?

Mr. [REDACTED]. I can't think of any. Possibility, you know, something might or could happen. I just don't recall.

BY MS. SAWYER:

Q And then when you were describing earlier the April 6, you had said that you made a call at one point to [REDACTED] ?

A Yes.

Q And to ask them or to tell them or inform them that they should not come. And I think, as you described it, you said you wanted to make sure, you wanted them to hold off to prevent blue on blue -- a blue-on-blue incident?

A Yes, ma'am.

Q So can you explain, had you alerted them already that there was an incident?

A Yes, ma'am, I had.

Mr. Evers. We may want to talk about this --

Ms. Sawyer. Let's talk about the substance, but can you just explain in a generalized sense since we have you here --

Mr. [REDACTED]. There was constant communication, ma'am. Maybe there was at least three -- three or four communications, radio, and phone.

BY MS. SAWYER:

Q And when you said blue -- when you were describing to us you wanted to prevent a blue-on-blue, what does that mean?

A It's a law enforcement terminology for friendlies, unfriendlies. So as I mentioned before, you know, neither group know each other. So, in order to prevent something, friendly fire, I thought it was best at that time.

Q So that risk, the risk of friendly fire in certainly that incident or any incident, is a very real risk that has to be considered?

A Very real, ma'am. Especially, you know, when they don't speak the same language, when it's at night, when these people don't know each other. Yeah.

Q So you would have wanted to make sure that both your [REDACTED] and certainly anyone who was friendly at your compound were fully aware of what the situation was before they came -- would have come over to try to avoid that risk?

A Well, you know, with any decision, there is, you know, there's pros and cons. Some would say, Hey, why not get more people on board right away? Then, you know, there was my thinking that that could also create a problem. But I can go into more details in a different setting on this, ma'am.

Q Great. Thanks.

BY MR. DESAI:

Q So, turning to the ARB, I think we said in the last session you did not talk to the ARB, is that correct?

A I did not, sir.

Q Is there a particular reason you did not want to talk to them?

A Oh, I had no problem talking to anyone, sir. Just I just was never called.

Q And were you ever asked or ordered at any time not to provide information to the ARB?

A No, sir.

Q And were you ever asked or ordered to conceal or even destroy information from the ARB?

A No, sir.

Q If I can just turn to a couple of the findings and recommendations of the ARB, and I believe the report, which was issued in December of 2012, touches upon and discusses at length some of the issues that we talked about today, staffing shortages, and so on. Have you had an opportunity to read the ARB's report whether the classified or unclassified version?

A I have not.

Q One of the things that the ARB found was that staffing shortages were a chronic and persistent problem, and they enumerate several reasons why that was the case in their view. And they make a number of recommendations to address this issue. And of the things that they said was that the ARB endorsed the Department's request for increased Diplomatic Security personnel for high- and critical-threat posts, and for additional mobile security deployment teams as well as an increase in DS domestic staffing.

Do you think that recommendation would help and address some of the issues that you had while you were in Benghazi?

A Oh, most definitely.

Q One of the other things that the ARB recommended was increasing the TDY durations for folks that are coming into posts like this. And I think it says, 120 days for key policy, program, and

security personnel, a year for them and 120 days for less critical folks. Do you think that that is something that would also help this issue as well?

A Yes, sir.

Q So, in addition to the ARB, there had been a couple of other, like Independent Best Practices Panel -- the Independent Best Practices Panel for Management, there have been seven congressional investigations. And I think one of the purposes of this particular committee is to make sure that, hopefully, this is the last investigation into Benghazi and make this the definitive one, given all the work that has been done so far. And to assist us in reaching that goal, do you have any specific issues or questions that you still think need to be investigated that haven't been investigated thus far?

A No, I do not, but I have a suggestion.

Q Please.

A Let's use this information to ensure that it doesn't happen again. One of the things that I love about the Marine Corps is that when you make mistakes, you put it into training and that will prevent future generations from doing the same thing. Things happen, you know. They always do. Let's just not let it happen again. That's all.

Q So, Mr. [REDACTED], I'm going to shift focus. We are almost at the end, at least of this session. I want to ask you a series of questions about several allegations that have been made, public allegations related to the Benghazi attacks. And we understand that the committee is investigating all of these allegations, and as a

result, I have to ask you about every single one of them.

A Okay.

Q But by asking you about them, I do not want you to think that the minority staff or the members believe that there is any degree of merit into any of these allegations.

A Okay.

Q There are quite a few of them and what I will do is I will describe the allegation to you and then ask you if you have any information or evidence to support the allegation that is being advanced. And if you don't, I will just move on to the next one until we are finished.

A Okay.

Q It has been alleged that Secretary of State Clinton intentionally blocked military action on the night of the attacks. One Congressman has speculated that Secretary Clinton told Leon Panetta to stand down. And this resulted in the Defense Department not sending more assets to help in Benghazi. Do you have any evidence that Secretary of State Clinton ordered Secretary of Defense Panetta to stand down on the night of the attacks?

A No.

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

A No.

Q It has been alleged that Secretary Clinton personally

signed an April 2012 cable denying security 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 in 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 risks posed by Colonel Qadhafi to his own people in order to garner support for military operations in Libya in spring 2011. Do you have evidence that Secretary Clinton misrepresented or fabricated intelligence on the risks posed by Colonel Qadhafi to his own people in order to garner support for military operations in Libya in spring 2011?

A No.

Q It has been alleged that the U.S. Mission in Benghazi included transferring weapons to Syrian rebels or other countries. A bipartisan report issued by the House Permanent Select Committee on Intelligence found that the CIA was not collecting and shipping arms from Libya to Syria and that they found no support for this allegation. Do you have any evidence to contradict the House Intelligence Committee's bipartisan report finding that the CIA was not shipping

arms from Libya to Syria?

A No.

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

A No.

Q A team of CIA security personnel was temporarily delayed from departing the Annex to assist the Special Mission Compound. There have been a number of allegations about the cause and the appropriateness of that delay. The House Intelligence Committee issued a bipartisan report concluding that the team was not ordered to 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 standdown order to CIA personnel?

A No.

Q Putting aside whether you personally agree with the decisions 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 The State Department officials were -- let's see, excuse me. 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 these questions also for documents that were provided to Congress. Do you have any evidence that anyone at the State Department removed or scrubbed damaging documents from the materials that were provided to Congress?

A No.

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 faithfully performed their duties in accordance with the highest standards of objectivity and nonpartisanship. 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 to Congress for political reason?

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 Commander in Chief on the night of the attacks, and 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 Services Committee found that there was no standdown order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi. Do you have any evidence to contradict the conclusion of the House Armed Services Committee that there was no standdown order issued to U.S.

military 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, the former chairman of the House Armed Services Committee, concluded a review of the attacks after which he stated, Given where the troops were, how quickly that things all happened, and how quickly it dissipated, we probably couldn't have done more than we did. Do you have any evidence to contradict Chairman McKeon's conclusion?

A No.

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

A No, sir.

Q Any other questions from my colleagues?

Ms. Sawyer. I don't think so.

Mr. Desai. Thank you so much. We can go off the record.

[Whereupon, at 2:35 p.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 did not respond to multiple contacts from the State Department requesting corrections to the accompanying transcript.

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

INTERVIEW OF: [REDACTED]

MONDAY, APRIL 13, 2015

Washington, D.C.

The interview in the above matter was held in HVC-302,
Capitol Visitor Center, commencing at 2:50 p.m.

1 Appearances:

2

3

4

5 For the SELECT COMMITTEE ON BENGHAZI:

6

7 DANA CHIPMAN, CHIEF INVESTIGATIVE COUNSEL

8 SHARON JACKSON, DEPUTY CHIEF COUNSEL

9 SARA BARRINEAU, INVESTIGATOR

10 SHERIA CLARKE, COUNSEL

11 HEATHER SAWYER, MINORITY CHIEF COUNSEL

12 BRENT WOOLFORK, MINORITY SENIOR PROFESSIONAL STAFF

13

14

15 For [REDACTED]:

16

17 ZLATANA BADRICH, DEPUTY GENERAL COUNSEL, AMERICAN FOREIGN
18 SERVICE ASSOCIATION

19

20

21 For the U.S. DEPARTMENT OF STATE:

22

23 AUSTIN EVERS, SENIOR ADVISOR

24

25

1 BY MR. GRIDER:

2 Q This is Mark Grider, I am with the majority, it's
3 approximately 2:52 p.m. We are in a classified setting,
4 that's set at the secret level. We will be asking questions
5 again to Agent [REDACTED]. Special Agent, we would like
6 to touch on probably three issues that came in in the earlier
7 session. Let's first go to your relationship with another
8 agency.

9 A Yes, sir.

10 Q Can you tell us about which agency that was and we
11 will walk through your communications?

12 A Yes, sir. Aside from the diplomatic compound there
13 in Benghazi, there was also the Annex Building, which was a
14 compound run by the CIA.

15 Q You used the term, you had a relationship or you
16 communicated with them. Can you give us sort of a better
17 understanding of what was the basis of the relationship, how
18 did you communicate, how often?

19 A We had perhaps daily communication with them, sir.
20 We had one of their radios or several of their radios that we
21 used to communicate with them. We also had their phone
22 numbers. One of the agreements was that if they were ever
23 attacked, we would support them, and if we were attacked,
24 they would support us. We also shared information with them
25 and they shared information with us.

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[REDACTED]

9 Q Okay. A few things. You mentioned support with
10 respect to attacks.

11 A Yes, sir.

12 Q Was that formal, was that in writing, that there
13 was going to be support if they were attacked? How did
14 you -- what was the understanding of that sort of support?

15 A I never saw it in writing, sir. I do not know if
16 there was some sort of MOU or something worked out between
17 the two agencies. I do know that that was a standing
18 agreement during the time that I was there. It was conveyed
19 to me by the previous RSO, and it is something that I passed
20 on to the RSO that took over after me. But yes, that's the
21 agreement that we had.

22 BY MS. JACKSON:

23 Q While you were there, did you have any discussion
24 with Annex personal regarding that understanding.

25 A Yes, I did, ma'am. As you probably know, they had

1 their own security personnel. Most of them were retired or
2 former military that did nothing but their security. And we
3 would discuss that from time to time as to what was expected.

4 Q And going back to the April 6 incident, if I
5 remember correctly from your testimony earlier today, that
6 when that incident occurred and you being the only DS agent
7 on the compound, you went to the Tactical Operations Center;
8 is that correct?

9 A That is correct, ma'am.

10 Q And again, the purpose of that was you wanted to
11 use the cameras to see what was happening on the compound?

12 A Two reasons, ma'am, I couldn't hear myself think
13 with the alarm throughout the compound, neither could the
14 principal officer and the IMO in the safe haven. So I turned
15 off the internal alarm system and I also used the camera
16 system to try to detect any intruders in our compound.

17 Q And did you see any intruders?

18 A I did not.

19 Q And again, what was the extent of the cameras in
20 your visibility into the recesses of the compound?

21 A Well, ma'am, there's always blind spots that you
22 don't foresee. However, we had a pretty good camera system
23 that could capture, I don't know, 80 percent of the compound.
24 Two of our cameras were also facing outside so you could see
25 any activities in the front of the compound.

1 Q Again, when you looked at those cameras and about
2 80 percent of the compound you saw no intruders?

3 A I did not, ma'am, but I will tell you I was
4 conducting a quick inspection, so -- but I did not see
5 anything, no.

6 Q And is not having any visible intruders on
7 compound, one of the reasons that you told [REDACTED] not to
8 respond?

9 A Well, yes, ma'am. Obviously, if I would have seen,
10 you know, an armed group or armed presence, I would have told
11 [REDACTED] I did not see
12 that. That's one of the reasons, yes.

13 Q And the other reasons?

14 A The other reason was to prevent a blue-on-blue or a
15 green-on-green situation. Neither [REDACTED] the members
16 of the 17th February Brigade, nor did they know -- nor did
17 [REDACTED] the members of the brigade. In addition to
18 that, it was at night, it is very easy for -- to have a
19 friendly-fire situation.

20 Q And if you had made the call [REDACTED] to
21 respond, did you expect that response to be immediate?

22 A Within 5 minutes, ma'am.

23 Q Thank you.

24 BY MR. GRIDER:

25 Q I just want to go back to our earlier question, you

1 had sort of laid out a few things. One, so the attack
2 support we addressed that. Information sharing, were there
3 intelligence reports that you're allowed to review or that
4 you were reviewing?

5 A Yes, sir. Both myself and the principal officer
6 when we would go to [REDACTED] we would read some of
7 their reporting made available to us.

8 Q [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 A [REDACTED]

12 [REDACTED] -- [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 Q Absolutely. And what was the distance? How long
17 would it take you to drive?

18 A It was approximately 1 kilometer away, sir. It
19 would take us under 5 minutes to get over there.

20 Q I would like to direct your attention to, we
21 discussed, there was a report for a specific incident that
22 she had put together.

23 A That is correct, sir.

24 Q So can you tell us what that incident was and
25 explain the report?

1 A Well, I have -- you would have that report. Since
2 its classified, I don't have access to it, but what I can
3 tell you off the top of my head, going back on memory, is
4 that one of the QRF members, one of the members of the 17th
5 February Brigade, a fellow by the first name [REDACTED] -- I do
6 not recall his last name at this time -- at some point
7 reported to us that he was being pressured [REDACTED]
8 [REDACTED] to provide information on us. I
9 know that [REDACTED], who was the previous RSO, wrote
10 something on it. Eventually, he came back to me again and he
11 told me of an incident that had occurred the night before.

12 Q Okay, you are using pronouns, he as in [REDACTED]

13 [REDACTED]?

14 A [REDACTED]

15 Q So [REDACTED] came back to you?

16 A [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]

BY MS. JACKSON:

10 Q [REDACTED]
 11 [REDACTED] or was he
 12 not specific?

13 A He was not specific, ma'am. And to be honest with
 14 you, neither [REDACTED] English is very good, nor is my
 15 Arabic good. So there could be a lot missing here in this
 16 story. [REDACTED]

17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED] [REDACTED]
 4 [REDACTED]
 5 [REDACTED] [REDACTED]
 6 [REDACTED] I went ahead after
 7 having this meeting, I reported this up my command of command
 8 to my desk officer. I also reported this to what I
 9 considered at the time the [REDACTED]

10 Q [REDACTED]

11 A Exactly..

12 Q Not the Tripoli?

13 A [REDACTED] [REDACTED]

14 [REDACTED] As I was told, they were going to
 15 investigate this. [REDACTED] came back to me about a week
 16 later telling me that they had an idea [REDACTED]
 17 [REDACTED] [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]

21 BY MR. GRIDER:

22 Q Was the PO informed of this as well?

23 A Yes, she was. She was informed of this immediately
 24 after I found out. She was also cc'd on the reporting that I
 25 wrote.

1 Q Just to try to get an idea of the timing, I think
2 we discussed the April 6 incident at length. Do you know IF
3 it was prior to that or after that, [REDACTED]
4 [REDACTED]?

5 A I believe it was prior to that. However, again, I
6 am going off memory here. If you have access to that report,
7 you will be able to find the dates right there.

8 Q I understand. And do you believe that at the time
9 you were the only DS agent on the ground?

10 A I do believe so. Let me take that back. When
11 [REDACTED] initially reported that he was being pressured by a
12 [REDACTED] for information, that was done during the
13 time that [REDACTED] was still there. [REDACTED]
14 [REDACTED]
15 [REDACTED]. That was
16 after I was there alone, as I recall.

17 BY MS. JACKSON:

18 Q Prior to your interview today, did you review any
19 of the emails that found or were sent to you?

20 A Last week, I had a small conversation with legal,
21 and I was shown some of the emails; briefly shown some of the
22 emails that had I sent to jog my memory. And other than
23 that, I haven't seen these emails since shortly after
24 Benghazi.

25 Q Was your classified reporting in there?

1 A Yes, it was. Yes, it was.

2 Q And when you say you were shown them by legal, who
3 did you mean?

4 A AFSA.

5 Q State Department legal as opposed to your personal
6 counsel.

7 A That is correct.

8 Mr. Evers. His personal counsel?

9 Mr. [REDACTED] Oh, yes.

10 Ms. Badrich. I am sorry, I was present at that
11 briefing.

12 BY MS. JACKSON:

13 Q At any time did anyone [REDACTED] come back
14 with additional information after the first week or so had
15 passed?

16 A Yes, ma'am. The person that I believed to be the
17 equivalent of their supervisor, I guess in other settings
18 [REDACTED] He only went by a first name so I
19 can't even tell you what his name was, [REDACTED]
20 something like that. He was made aware of it and he came
21 back to me with information on -- [REDACTED]
22 [REDACTED] and he told
23 me that they were still looking into it.

24 Q And so at the time that you departed Benghazi, it
25 had not been fully resolved?

1 Q Just to be clear, was there another classified
2 incident that occurred, or anything relating to April 6, or
3 anything else, just looking back through my notes --

4 A I don't recall another classified incident other
5 than maybe a follow up to what we are talking about, to this
6 probe into our security posture. But then, again, I haven't
7 had access to my classified email, and haven't gone back to
8 look at that old reporting.

9 BY MS. JACKSON:

10 Q Do you recall if you had submitted a classified
11 report after the April 6 IED incident?

12 A I don't believe I did. But I apologize if my
13 memory is not helping me.

14 Q And was [REDACTED] still there when you left?

15 A Yes, he was, he was still.

16 Q Was he in any time of team leader, supervisory role
17 with respect to the QRF?

18 A No, he was not, he was not the team leader.

19 Q So he was rank and file QRF?

20 A That is correct.

21 Mr. Grider. Anything else? We can go off the record.

22 [Discussion off the record.]

23 BY MS. SAWYER:

24 Q Just a few follow-up questions about some of the
25 stuff that I think we have already touched on.

1 A Yes, ma'am.

2 Q When you were talking to my colleague, you were
3 indicating that there was -- I am going to describe it as
4 reciprocal agreement between the Annex and the mission to
5 respond as needed --

6 A Yes, ma'am.

7 Q -- if there were incidents at either facility.

8 A Uh-huh.

9 Q And you were asked for just a general sense of how
10 fast you felt the Annex would respond if you called upon
11 them. And I think you said you would expect a response
12 within 5 minutes?

13 A Yes, ma'am. And I guess I am basing it on the fact
14 that they always had people waiting to respond to an
15 incident. [REDACTED]

16 [REDACTED] they always had security people on standby. And given
17 the distance, I was guessing they had the capability to
18 respond within 5 minutes. It could have taken longer, but I
19 believe, given their capabilities, that they could have done
20 that, yes.

21 Q When you say "it could have taken longer," would
22 obstacles in between, you said the Annex was a kilometer,
23 approximately a kilometer away. But obstacles between one
24 facility and the other have possibly delayed?

25 A Yes, ma'am. I am giving you the best-case

1 information. Of course, any blockage of any of the streets,
2 any attack on their react force, anything like that could
3 have delayed a response, yes.

4 Q And based on just your experience, pretty extensive
5 experience, law enforcement and otherwise, would you have
6 expected to be reasonable had they been alerted to an attack
7 for them to have taken some period of time assess the
8 possibility of an ambush? The possibility of friendly fire?
9 The possibility of them running into some trouble between the
10 Annex and the mission compound?

11 A Yes, ma'am. I certainly would have expected
12 something like that, and that is a reason why I notified them
13 shortly after the explosion so that they could know of our
14 situation. When I notified them, I told them that I would
15 call them back if I needed them there. And that would
16 indicate to me that they would start doing their prep work to
17 be ready for a response.

18 Q You spoke a little bit about -- and I don't want to
19 use the wrong term, a CI investigation. Is that
20 counterintelligence or confidential informant?

21 A Counterintelligence.

22 Q Thank you. Counterintelligence investigation, that
23 came up during your time in Benghazi.

24 A Yes, ma'am.

25 Q And one of the things you had mentioned was in your

1 conversation with QRF who came forward, you tried to
2 understand him as best you could, but he don't -- he spoke
3 some English and you did not speech much Arabic. Do you
4 recall whether the principal officer was present when you
5 actually interviewed him?

6 A No, she was not present during the interview,
7 ma'am.

8 Q Okay. Would it surprise you if a report about the
9 incident had indicated that the member of the QRF asked to
10 speak to the RSO in the presence of the principal officers so
11 that she could translate and make sure there was no
12 misunderstanding?

13 A No, no. It wouldn't have -- and perhaps there was
14 further communications in front of her that I don't recall at
15 this time. But --

16 Q I know it was some time ago and I know you did
17 indicate you did an incident report. Is it possible that the
18 principal officer was there when you interviewed or when you
19 spoke to [REDACTED] at some point about the incident?

20 A It is possible, ma'am. It is possible. I know
21 that I had initially interviewed him alone. I remember that.
22 It is possible that there could have been more conversations
23 in front of her that I just don't recall at this time.

24 Q Do you recall kind of your assessment of the fact
25 that the member of the QRF had chosen to actually

1 affirmatively come forward, how you felt about that? And how
2 that reflected both on the information that you were being
3 provided and that person. Do you remember that at all, do
4 you remember reporting on that?

5 A No, I don't remember.

6 Q Do you remember how you felt about the fact that,
7 and what you have relayed about the fact that you had -- you
8 felt there was now some effort ongoing to gather intelligence
9 on the mission? Do you remember what you said about that
10 compared to other places throughout the world?

11 A I don't remember what I wrote on it. I don't
12 remember how I felt about it, but --

13 Q Let me ask you a more specific question. Do you
14 remember whether you compared it to whether or not it
15 happened to other places in the world and whether you thought
16 it was completely unique or commonplace worldwide?

17 A Ma'am, I spent about 12 years working as a Marine
18 CI HUMINT guy. Part of our mission is counterterrorism.
19 There are certain things that take place that happen that,
20 based on that experience, leads you to know that what the
21 incident is. I cannot -- if you allow me to see if that's
22 the report that I wrote, that can jog my memory.. I cannot
23 tell you off the top of my head. I can't tell you exactly
24 what I wrote on it, maybe it will help me clarify too.

25 Q I think it probably would. Let's go off the

1 record.

2 [Discussion off the record.]

3 [REDACTED] Exhibit No. 7

4 was marked for identification.]

5 BY MS. SAWYER:

6 Q So Mr. [REDACTED], I am showing what you has been
7 marked, for identification purposes, as Exhibit Number 7. It
8 just bears a cover sheet which is blank, and doesn't have a
9 document number, otherwise document number 05392790; it is a
10 total of 7 pages. I would just direct your attention to page
11 4 of the 7. About halfway down, there's a report of an
12 interview. Is that the report of the interview that you
13 conducted with the QRF member who recorded the incident?

14 A That is correct, yes, it is.

15 Q Besides this report that you're looking at now, do
16 you recall if you created any other reports?

17 A I don't recall creating another one, ma'am, but I
18 know that this raised other questions that might have been
19 answered on email. But I don't recall writing another CI
20 report.

21 Q And then a little further down in that chain, I
22 think just on the next page, there's another report. That is
23 a report that I think your note from the prior indicates is a
24 report by [REDACTED]. Do you see about halfway down the
25 page?

1 A That is correct, ma'am. And I attached it to the
2 bottom of my report to give the reader a better understanding
3 of the incident.

4 Q And remind us who was Mr. [REDACTED] at the time?

5 A Mr. [REDACTED] is also another DS agent who was the RSO
6 when I first arrived, and departed during the time that I was
7 there.

8 Q What is the time at which he's reporting?

9 A Well, I see a date right here and a number 3 that
10 says 3/17/2012.

11 Q And then flipping back to your report on page 4,
12 what is the date of that report?

13 A Mine is 2 days later, 3/19/2012. So I imagine that
14 Mr. [REDACTED] left probably around during that timeframe on the
15 18th or 19th.

16 Q Is it possible he was still there and hadn't left?

17 A It is possible that he was -- yeah, it's also
18 possible that he's packing out that day. I do recall that he
19 was not there the day I sent this, so -- or not available.

20 Q Okay. And so the two of you were reporting on, at
21 different points, incidents related to counterintelligence
22 gathering?

23 Do you recall reading Mr. [REDACTED] report as you were
24 forwarding it and sending it on?

25 A Well, I recall being present at the time that they

1 were discussing this [REDACTED] And I recall that the
2 report was written, but it's been some time since I read his
3 report.

4 Q So Mr. [REDACTED], in his report, which I know you
5 didn't write, but I am just going to ask your opinion of it,
6 down in paragraph 11 of his report, which I think would be on
7 page 6 of the document, he expresses kind of his sense of
8 [REDACTED] having come forward. I'll give you a moment just to
9 read that paragraph.

10 A Yes, ma'am.

11 Q I think he describes it, from his perspective, that
12 he was encouraged by the fact that that member of your local
13 QRF had indeed come forward with his information voluntarily.

14 Do you remember whether you discussed that with
15 Mr. [REDACTED]? Did you share that opinion that it was
16 encouraging that a member of the QRF, [REDACTED]
17 [REDACTED] had come forward to report this
18 information?

19 A I don't remember sharing that with Mr. [REDACTED], but
20 [REDACTED] was probably the best, in my opinion -- the best
21 member of the group.

22 Q And then the next paragraph, and, again, this is
23 Mr. [REDACTED] report, not yours, so I am just asking your
24 opinion. He remarks on the fact that this type of
25 intelligence gathering, and I think it is about halfway down

1 that paragraph, he says, he understands that this is
2 something that occurs. And I think he describes that kind of
3 intelligence gathering as commonplace worldwide. He
4 expresses some surprise that it is happening this quickly.
5 Again, it's Mr. [REDACTED]. But what is your sense and
6 experience as to whether or not the fact that intelligence
7 gathering on U.S. presence may be something that does occur,
8 and does occur worldwide?

9 A Well, ma'am, I cannot speak to what Mr. [REDACTED]
10 wrote or how he perceived this, but it's just troubling -- it
11 was troubling to me at the time [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] -- that, to me, was troubling.

15 Q And so the steps that you took, because whether or
16 not it's something that happens elsewhere, was troubling and
17 you wanted to take steps. Those steps were to report this to
18 [REDACTED] and up the chain as reflected in your --

19 A Well, I think the most important thing to know is
20 to figure out who is trying to gather intelligence on you, [REDACTED]

21 [REDACTED] [REDACTED]
22 [REDACTED]
23 [REDACTED] I shared that information with
24 them, and I made what I had available to them, yes.

25 Q And I think you explained that kind of that

1 investigation was ongoing, and may not have concluded by the
2 time you left Benghazi?

3 A That is correct, ma'am.

4 Q Did you ever get a sense from anyone at [REDACTED]
5 and I think you said this was reported to the [REDACTED]
6 that they were not taking this incident seriously, not
7 investigating it adequately?

8 A No, ma'am, I never gathered that. I know that
9 these types of investigations take time, especially in a
10 country like Libya, [REDACTED]

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] that they would take it seriously, no indications
15 otherwise.

16 Ma'am may I be clear on something?

17 Q Please, yes.

18 A I know I am taking more time and Austin is probably
19 going to get mad on me on this.

20 Mr. Evers. I absolutely will not.

21 Mr. [REDACTED]. When you read this, it may be confusing
22 because there's other emails right here that talk about
23 something different.

24 BY MS. SAWYER:

25 Q Yes.

1 A I just want to make sure that [REDACTED] the person
2 that reported this to us is not perceived as [REDACTED]

3

4 There was another former member of the QRF, a former
5 member of February 17, who was already gone by the time I got
6 here who had been given a job as a bodyguard in Tripoli.

7

8

9

10 One of these persons was this other individual that was
11 working in Tripoli.

12

 So, when these emails talk about, [REDACTED]

13

14

15 I just want there to be no questions that we are also talking
16 about [REDACTED]

17

 [REDACTED] That's all I needed to clarify.

18

19

 Q And so to make sure the record is perfectly clear,
the email chain that begins on page 1, right?

20

 A Yes.

21

 Q And continues on to page 2 --

22

 A Uh-huh.

23

24

 Q -- is with regard to the other former Benghazi QRF
member who went to Tripoli for a period of time?

25

 A That is correct. He went out there to do a course

1 on being a bodyguard, and he failed the course, so he was
2 never permanently employed.

3 Q So he was not -- he did not end up being
4 permanently employed in Tripoli?

5 A That is correct, ma'am.

6 Q Okay. Well, I think that is all of the questions
7 we have for you. We very much appreciate the time that you
8 spent with the committee today, and certainly your service.
9 Your career is quite impressive in terms of your time in the
10 Marines, your time in law enforcement. I, of course, when
11 you said NCIS thought of the TV shows I see sometimes, but we
12 very much appreciate your service and your ongoing service.
13 So thank you very much for that. And with that, unless my
14 colleagues have anything else, I think we are finished for
15 the day.

16 Ms. Jackson. I think we are good.

17 Mr. [REDACTED]. Thank you all very much.

18 [Whereupon, at 3:50 p.m., the interview was concluded.]
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Certificate of Deponent/Interviewee

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

Witness Name

Date

Errata Sheet

Select Committee on Benghazi

The witness did not respond to multiple contacts from the State Department requesting corrections to the accompanying transcript.