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

INTERVIEW OF: ROSEMARY A. DICARLO

TUESDAY, AUGUST 11, 2015

Washington, D.C.

The interview in the above matter was held in Room HVC-205,  
Capitol Visitor Center, commencing at 9:40 a.m.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

SHERIA CLARKE, COUNSEL

KIM BETZ, MEMBER OUTREACH LIAISON

SUSANNE SACHSMAN GROOMS, MINORITY STAFF DIRECTOR/GENERAL COUNSEL

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For the U.S. DEPARTMENT OF STATE:

AUSTIN EVERS, SENIOR ADVISOR

Ms. Clarke. Good morning. This is a transcribed interview of Ambassador Rosemary DiCarlo, 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 U.S. diplomatic facilities in Benghazi, Libya, and related matters, pursuant to H.Res. 567 of the 113th Congress and H.Res. 5 of the 114th Congress.

Will the witness please state her name for the record?

Ms. DiCarlo. Rosemary DiCarlo.

Ms. Clarke. Thank you. The committee appreciates your appearance today, Ambassador DiCarlo. My name is Sheria Clarke, and I am with the committee's majority staff, and we will just take a moment to allow everyone else around the table to introduce themselves.

Mr. Evers. Austin Evers, State Department.

Mr. Missakian. Craig Missakian, majority staff.

Mr. Rebnord. Dan Rebnord with the minority staff.

Mr. Desai. Ronak Desai with the minority staff.

Ms. Grooms. Susanne Sachsman Grooms with the minority.

Ms. Betz. Kim Betz with the majority staff.

Ms. Clarke. Before we begin, I would like to go over the ground rules and explain how the interview will proceed. The way the questioning proceeds is that a member from the majority will ask questions first for up to an hour. And then the minority will have an opportunity to ask questions for an equal period of time if they so choose. We will firmly adhere to the 1-hour time limit for each side, and questions may only be asked by a member of the committee or

a designated staff member. We will rotate back and forth 1 hour per side until we are out of questions, and the interview will end.

Unlike a testimony or a deposition in Federal court the committee format is not bound by the rules of evidence. The witness or their counsel may raise objections of privilege subject to review by the chairman of the committee. If these objections cannot be resolved in the interview, the witness can be required to return for a deposition or a hearing. Members and staff of the committee, however, are not permitted to raise objections when the other side is asking questions.

This session will allow for the discussion of unclassified information. We also have arrangements for a classified setting, if need be. And I understand the clearances have been passed. If any of the questions that we ask you you feel that will require a classified responses, please let us know, and we will resume that questioning at a later point in a classified setting.

You are welcome to confer with counsel at any time throughout the interview, but if something needs to be clarified, we ask that you make this known. If you need to discuss anything with your counsel, we will take a moment to go off the record and allow you that opportunity.

We also like to take a break whenever it is convenient for you. If necessary, in the middle of a round of questioning, please don't hesitate to ask. We would like to make this process as easy and as comfortable as possible.

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As you can see, an official reporter is taking down everything that is said today to make a written record. We ask that you give verbal

responses to all questions, yes and noes, as opposed to not of the head. And I am going to ask the reporter to feel free to jump in, in case you do respond nonverbally.

Also we should both try not to talk over each other so it is easier to make sure we have a clean record. We want you to answer our questions in the most complete and truthful manner possible. We will take our time. We will repeat or clarify questions if necessary. And if you have any questions again or don't understand our questions, please let us know, and we are happy to clarify for you.

If you honestly don't remember the answer to a question or don't know the answer, it is best not to guess. We will ask that you give us your best recollection, or if there are things you don't know, if you know someone who may have that information, if you would be willing to provide that individual's name.

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

Ms. DiCarlo. Yes, I do.

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

Ms. DiCarlo. Yes, I do.

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

Ms. DiCarlo. Yes, I do.

Ms. Clarke. Is there any reason you are unable to provide

truthful answers to today's questions?

Ms. DiCarlo. No, there is not.

Ms. Clarke. That is the end of our opening. Do you or your counsel have anything you would like to say at this time?

Mr. Evers. I don't.

Ms. DiCarlo. I do not.

Ms. Clarke. Does the minority have anything they would like to add?

Ms. Grooms. Just thank you for coming. We appreciate it.

Ms. Clarke. So the clock now reads 9:44, and we will go ahead and get started.

#### EXAMINATION

BY MS. CLARKE:

Q Ambassador DiCarlo, can you briefly describe your professional background?

A Sure, I was a Foreign Service Officer -- career Foreign Service Officer -- for 30 years. I retired September 30th of 2014. During my Foreign Service career, I served in a number of assignments. My first assignment was in Oslo, Norway. I was at the U.S. Information Agency at the time and then went to Moscow.

I came back to Washington, came back at a time when the Soviet Union broke up and was thrown into more post-Soviet activities, both at the U.S. Information Agency and the State Department working on assistance programs for the new independent states. I went back to Moscow again in the mid-1990s and stayed there 3 years, 3 years at the

Embassy, but 9 months leave without pay at that point where I actually worked as a consultant for the ~~Source~~<sup>Soros</sup> Foundation in New York.

And from there, again, came back to the United States to State Department, worked on Balkan issues, particularly in the aftermath of the Kosovo conflict. And began my career with U.N. issues in 2001, where I headed the Permanent Representative's Office. John Negroponte was the Perm Rep at the time. After 2 years, I went to National Security Council as Director for U.N. Affairs. Then from that assignment, back to the State Department, and I was Deputy Assistant Secretary for Southeast European Issues in the Bureau of European Eurasian Affairs -- that is Balkans, western Balkans, Kosovo conflict -- I mean, Kosovo's final status. Sorry.

From there, I went to the U.S. Mission to the U.N. I was first the Alternate Representative for Special Political Affairs. I was the number three slot, an ambassadorial position. I was Senate confirmed for that. Remained there -- I went there in 2008. I remained there and moved up to be the number two, the Deputy Permanent Representative, again confirmed for that position, where I handled a range of issues. I was dealing with the overall management of ~~mission~~<sup>initiatives</sup> to include staffing, budget, et cetera. Also coordinating the activities of the mission. We have actually five Ambassadors, lots of missions; each Ambassador covering certain areas, but part of my job was to make sure people were indeed coordinating with each other. I also handled a whole range of political issues that came before the Security Council and, in some cases, before the General Assembly. I did Middle East

issues, to include Israeli-Palestinian issues, Syria, Iraq, Lebanon, Yemen.

I also did Afghanistan, Pakistan and European issues, which initially were very quiet but not so quite, certainly when the Ukraine crisis broke. So Ukraine, Kosovo, Bosnia, Cyprus and Georgia, <sup>it was</sup> not so quiet in the beginning either.

I left the Foreign Service and now have just taken on two new positions. I am going to be teaching a fall course at Yale University, the Jackson Institute. And I am heading a small <sup>non-</sup>governmental organization in New York that deals with foreign policy issues. We put on various roundtables, panel discussions, and we also do Track II diplomacy.

Q Thank you. You mentioned that following your first time serving at the U.N., you then served at the <sup>NSC</sup> ~~NSCS~~ as the Director of U.N. Affairs?

A That's right.

Q Can you just describe what that role entailed?

A Yes. We were coordinating a range of things at the time. I was there from 2003 to 2005. And there were a number of issues that we were dealing with <sup>trying</sup> ~~try~~ to get the U.N., for example, established in Iraq, trying to expand the U.N. presence in Afghanistan. My role was coordinating the interagency effort on that, dealing with State Department and Defense primarily, but also some other agencies. We were also dealing with the issue of <sup>Syria's</sup> ~~serious~~ presence in Lebanon at the time, I worked on that issue as well. And so, obviously, my major



points of context were the Bureau of <sup>I</sup>international <sup>o</sup>organizations at the State Department and then a range of people at the Defense Department as well on peacekeeping operations. So we set up yet another peacekeeping operation in Haiti, for example. We had a crisis in Liberia at the time. So it was fascinating work, but very different from some of the issues we have been handling today.

Q Would you describe that role as a liaison between the NSC and the U.N.?

A No. It was liaison with U.S. Government agencies who had a stake in various things that were happening at the U.N.

Q Thank you.

A I actually had no contact with the U.N. itself. I might have had contact with the U.S. Mission as part of the U.S. Government, but no contact with the U.N. itself.

Q I understand.

And so you also mentioned that you returned to the U.N. and you served in the number three slot --

A To the U.S. Mission to the U.N.

Q To the U.S. Mission to the U.N. And then subsequently you became the Deputy Permanent Representative?

A That's right.

Q And you mentioned that your role was overall management and staffing and coordinating.

Can you describe what your reporting structure was like as far as your reporting to Ambassador Rice?

A Uh-huh, of course.

Q And how that interacted with political issues that you were kept in charge of?

A I was Susan Rice's deputy and then Samantha Power's deputy for the U.S. Mission and what we were doing at the United Nations. So my role was in particular reporting to Susan on any staffing issues that we might be dealing with at the mission in New York and also working on the issues that I was covering primarily for the mission. I was involved in helping to ensure that the interventions on the issues that I covered were solid. I gave some of them myself; some of them Susan Rice gave. There were some occasions we might have had someone else <sup>at</sup> ~~on~~ the mission giving an intervention, but rarely at the Security Council -- possibly at the General Assembly. I was involved in negotiating resolutions as well.

I was certainly, as I said, involved in reporting to her on any sort of inside management issue we had. I was not involved in her role as a Cabinet member. She had a Washington office that handled that. I handled the New York operation and anything that dealt with the United Nations. I didn't handle other things that might be more broader -- a broader role as a Cabinet member, a member of the National Security Council itself on the devising of U.S. policy, nor did I work on some of her public affairs events either, which were usually on a broader scale.

Q ~~And during your time in that role, did you work on issues related to Libya?~~

A Yes, indeed.

Q And can you describe some of the types of issues you worked on?

A Of course. I can describe it very easily. First when the Libya crisis broke, the Security Council was trying to decide if the U.N. could play a role here, if there was something to be done. And it became very clear, based on the calls for help that we were getting from the Libyans themselves, even the Libyan delegation that broke with Qadhafi, the Arab League, the African Union, briefings that we were receiving, the situation on the ground was really very serious, very dire, and that people were going to die.

So the initial action was a resolution that was adopted in 2011 February that I worked on, as Susan Rice did, as did a number of members of our staff. The British had a lead on that, and that was dealing with an arms embargo -- see if I can remember all of this, arms embargo, travel ban, referral to the International Criminal Court, referral of the situation to the International Criminal Court. It was a very tough resolution, but it had unanimous support. And the sense was there was a need to do something that was going to -- that was aimed at stopping the conflict.

It was not heeded at all by Qadhafi, at all. The situation got actually worse. And, again, more and more calls coming from the region, from various players, you know, in both the Arab League and in the Africa Union, from the Libyans themselves. By this point, the entire Libyan mission had defected, if you will, were no longer

supporting Qadhafi and operating on their own. And we worked on another resolution, and that was a resolution that called for a no-fly zone, authorized -- I should say authorized, not called for -- authorized all necessary means to protect civilians. A very -- again, a very difficult resolution, but it was adopted, and that was the basis for NATO involvement in the air campaign.

Q You mentioned that the first resolution the U.K. had the ~~lead~~ <sup>lead</sup> on that resolution?

A Yes.

Q Was -- did that hold true for the second resolution?

A Yes, it did, yes, it did.

Q What does that mean when you say another country has a lead?

A Sure, that is a good question. And so it is lingo in the U.N., the U.K. has the pen, on an issue. What it means is that normally when there is action to be taken, whether it be a resolution or a statement of some kind, that country would be the one that would do the first draft, that is then circulated and then amended or negotiated if you will -- I shouldn't say "amended" -- but negotiated until it is adopted. So the U.K. has traditionally had the lead on Libyan issues as far as doing the first draft.

Now that said, we often work with the Brits and the French when we are working on resolutions before it is even circulated to the rest of the Council.

Q Okay. In essence, you would have a chance to review and kind of help shape --

A Absolutely. And then, of course, in the negotiations, we have a very important role because the U.S. <sup>has a veto</sup> ~~have vetoes~~ -- the U.S. position is one that has to be taken into account --

Q Can you describe the U.S.' position regarding the no-fly zone?

A Indeed. There were calls particularly coming from the region for a no-fly zone. They were also coming from Europe, the French in particular. And the U.S. was very clear on what would be needed in order to have a no-fly zone. There was actually a piece that Secretary of Defense Gates wrote -- I think it was in the New York City Times, but I am not sure -- that in order to initiate a no-fly zone, you have to take out a country's air defenses. So there is a lot of -- a lot of bombs that have to be dropped in order for something like that to happen. You just don't fly around and chase a plane out of the airspace. It doesn't work that way. And that was very clear from his article.

It was made also very clear in our Security Council deliberations. My understanding is that the concern was that not only was this a lot of activity, but it wasn't going to actually help protect the civilians, given how Qadhafi was going after his citizens at that time, that it really would not have done a significant amount of good if it were not coupled with other actions to protect civilians, other air strikes.

And when the second resolution was being -- when there was thought of the second resolution, when Washington bureaucracy agreed that we should have a second resolution, I was informed by Ambassador Rice that

the decision was made that it should be not only a no-fly zone but also something that could authorize all necessary means because, without that, it would not have really made sense. I am assuming now. I am not a military person.

Q When you say "Washington agreed," can you flesh out for me --

A Sure.

Mr. Evers. Let her finish the question.

BY MS. CLARKE:

Q Who are you describing or what entities are you describing when you say "Washington"?

A Susan said -- gave instructions to work with the British on a resolution that would have as its part a no-fly zone and authorization to protect civilians. She said the White House -- if I remember correctly -- the White House has decided. I mean, this was a decision made in Washington at the highest levels. I don't remember how she phrased it, but I know an instruction from Susan Rice means that she has been instructed to instruct me.

Q Understood. In our discussion, you have mentioned deliberation and the Security Council. Can you describe in your role as the Deputy Permanent Representative, did you typically attend the Security Council meetings? How was that task divided up?

Mr. Evers. Can I just clarify? Are you talking about the United Nations?

Ms. Clarke. Yes.

Ms. DiCarlo. Yes, I typically attended meetings on this issue in the Security Council, along with Ambassador Rice. This is a very serious issue. She was -- on the issues that we are talking about now, the two resolutions, she was in what we say the chair, she was sitting at the table in our deliberations. I was sitting behind her, along with a host of other people from our mission.

BY MS. CLARKE:

Q So we have discussed the implementation of two resolutions by the U.N. Security Council. In April of 2011, the U.S. made a decision to send in a Special Envoy into Benghazi. Were you involved in that decision?

A Not at all.

Q Were you briefed on that decision?

A I was not involved in it. I found out later that indeed we were -- we had an Envoy in Benghazi, but I was not involved in the decision. I would not have been given that. What I was involved in is U.N. issues, and that was a U.S. Government Envoy.

Q Do you recall when you became aware?

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

Q So I was trying to kind of understand, how does the United States Mission to the United Nations interact with the State Department. If you could describe that for me?

A Sure. The major contact at the State Department is the Bureau of International Organizations. That is where if you look at the Foreign Affairs manual, we are supposed to be taking our

instructions. And we -- they in turn would coordinate with other elements of the State Department for us, for example. Bureau of Near East and Middle -- you know, affairs or the African Bureau. Our guidance comes from State Department, our instructions, often any intervention that we might give is cleared by the State Department, sometimes written by the State Department, with kind of a convoluted process where they write, we edit, they then clear, and then this comes back, if you will.

Q What do you mean by "clear"? Can you describe what you know of that process?

A Well, in terms of the kinds of things we were doing at the United Nations. As I said, IO, shorthand, takes the <sup>lead</sup> ~~lead~~ on getting clearances from relevant bureaus. If we were doing a resolution on Syria, they would obviously get the <sup>chop</sup> ~~chomp~~ of NEA. They would likely get the <sup>chop</sup> ~~chomp~~ of possibly DRL, possibly because there probably would be a human rights component, if there were, there would be. They would certainly have clearance from legal. Most things dealing with the United Nations, usually are cleared by the Office of Legal Affairs, most, not all. They would get clearance from what they call the seventh floor, from the staff of usually the Under Secretary for Political Affairs and sometimes they would say D staff. I can't remember whether policy planning was on the clearance -- sometimes, but not that often. And there are things that sometimes are cleared at different levels, depending on what the issue is, and sometimes it could be cleared as high as Secretary of State, not so often, but --



They would also -- IO would be responsible for getting clearances from other agencies if we need other agencies -- NSC, DOD, et cetera.

Q And you were describing for us kind of interaction between the U.S. Missions of United States and the State Department.

A Uh-huh.

Q Can you do the same for the U.S. Mission to the United Nations and the White House to the NSC?

A Uh-huh.

Q Is there a direct interaction?

A There is interaction between NSC and the U.S. Mission to the United Nations. Less so, I would say, between New York and the NSC, more so between the Washington office of USUN and the NSC, more so than that case, but there would be conversations sometimes perhaps on an issue, or in particular, it was more of a question of perhaps looking for information and just wanting to get it right from the person who was sitting in a meeting at the U.N. on it. Again, instructions come from IO.

Q And I believe you mentioned earlier that the Washington office of the USUN dealt -- handled some aspects of the Ambassador -- when it was Ambassador Rice, some aspects of her role --

A Uh-huh.

Q -- that were not necessarily handled by the New York office?

A That is correct.

Q If you don't mind, would you share again what some of those issues that they would handle --

A Their role was to support her primarily in her role as a Cabinet official, so they would be sitting in meetings in Washington on her behalf or with her at times. They would work on a lot of her public affairs events, if you will, sort of broad, not -- they also would be trying to -- where she plays a role in greater policy, they would be her support, if that makes sense.

Q So they would provide background information to her?

A Exactly.

Q Research topics and gather relevant information to policy issues --

A Get relevant information, explain to <sup>her</sup> ~~here~~ what was happening on Washington bureaucracy on a particular issue. It was just something that when you are in New York, you don't have visibility on -- I mean, your job is to deal with the U.N., so --

Q We briefly talked about a Special Envoy going into Benghazi in 2011, you became aware of that subsequent to his arrival. Did you come to know that in the summer of 2011 that a more permanent presence was established in Benghazi, a more permanent U.S. presence was established in Benghazi?

A I am not sure when I was more aware that a more permanent presence was established, but certainly at a certain point, I was.

Q How would you have been briefed on any -- it seems that you had interactions regarding Libya, at least up until the Security Council resolution. Did you remain involved in Libyan issues following that?

A I did remain involved in Libya issues, for the following reasons: We had -- initially, we had monthly meetings in the Security Council. Then it became to be every 3 months. Now I am not even sure how often it is. It could be 3, 4, months, I am just not sure. We had issues that were important, such as the establishment of a U.N. Mission in Libya that the Security Council discussed, approved. We had briefings from the head of that U.N. Mission and from the secretariat in New York, about what the mission was doing, concerns they might have, problems.

There was a lot -- the U.N. Mission was what we call a political mission. It was not a peacekeeping mission; there were no boots on the ground. Their role was to work on issues related to upcoming elections, rule of law, institution building, if you will, given that Qadhafi left the country with very little in the way of real institutions.

Q And do you recall when the U.N. Mission to Libya was established?

A That is a good question. I am not sure when exactly it was established.

Q Does the fall of 2011 --

A That makes sense, that makes sense.

Q And was the mission located -- were there multiple branches of the mission? Where was it located in Benghazi?

A It was located in Tripoli.

Q And was there a U.N. presence in Benghazi?

A To my knowledge, there was not, to my knowledge. Before there was a mission, there was a U.N. Envoy.

Q To?

A To Libya.

Q And located in Tripoli?

A He would travel there, but -- and I don't know where else he might have traveled in the country. I frankly don't recall. I think it was mostly in Tripoli. He was not based there at the time. It was the permanent presence starting when they set up the actual mission.

Q Understood. You mention that the head of the mission would provide briefings to the Security Council starting monthly and then extend it out to the 90 days and so on and so forth. When he provided those briefings, can you describe what those briefings focused on. I think you mentioned this was primarily a political mission?

A Uh-huh.

Q And so what did his missions entail?

A He would focus on government information. He would focus on, as I said, preparations for elections. He also came to talk about issues like security sector reform within Libya itself; that was later down the road. A lot of this was issues dealing with reconciliation. We also had briefings from the High Commissioner for Human Rights about the human rights situation. We had from time to time briefings from the chief prosecutor of the International Criminal Court since the information was before them.

Q When you received briefings regarding the security sector reform, can you kind of elaborate on what that entailed?

A The concern was obviously to, among other things, was to gather all the weapons, if you will, because it was rather chaotic in the country. The U.N. was focused on doing more in that area. Other countries -- EU was heavily involved in trying to get some things up and running so that there weren't weapons everywhere in private hands, et cetera.

Q And did that also entail discussions about kind of the security structure in Libya regarding disarming the militias that were involved in the overthrow <sup>of</sup> ~~the~~ Qadhafi?

A It was certainly raised that there was a need to do this. The head of the mission mentioned the need for something like this. Also the -- let's put it this way, the need for donors, that was the other thing that we talked about in the these sessions, which was the coordination of assistance, helping and asking the U.N. to take on a greater role in coordinating assistance on a range of issues, because there were a number of players, so there wouldn't be overlap, for example.

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BY MS. CLARKE:

Q We were talking a little bit about the U.N. presence in Libya, and I think you stated that you weren't aware whether the U.N. had an office or a presence -- a permanent presence in Benghazi?

A I do not believe so, but my understanding is their only presence was in Tripoli, but again perhaps there was something I am not aware of, but I was not aware. They traveled around, there is no question.

Q And so you would have individuals, the personnel that were stationed in Tripoli would potentially travel to Benghazi or other areas of the country?

A Definitely.

Q Can you -- as you know, one of the reasons this committee was stood up was to investigate the events surrounding the attack in Benghazi so I kind of want to turn our discussion to that. When did you become aware, or how were you made aware of the ongoing attack in Benghazi --

A I was briefed that there was a problem with our mission in Benghazi. It wasn't clear what was happening, but it looked like it was under attack or being attacked. And then got some subsequent emails that said that one American was dead and our Ambassador was missing; Chris Stevens was missing. Then got the news the morning of

September 12th that Chris Stevens also had been killed.

Q Do you recall who provided you, initially briefed you on the fact that the mission was under attack?

[Discussion off the record.]

Ms. DiCarlo. It was part of a regular intel briefing that I would get. If you want to know more, maybe we should go to a different room.

Ms. Clarke. That is fine. You said as part of a regular intel, was this a briefing that was provided by staff for the U.S. Mission to the U.N., or are these briefings provided by staff of other bureaus of the State Department?

[Discussion off the record.]

Ms. DiCarlo. Could you repeat the question? You are asking, was this a briefing for USUN?

Ms. Clarke. Well, was this a briefing provided by -- how were the briefings provided to you? Were these members of your staff that were providing the briefing?

Mr. Evers. I am -- this is an area that the Ambassador actually flagged for me before we came in. I think it is an area that would be best described in a classified setting and the explanation for why is also probably best for a classified setting.

Ms. Clarke. Okay.

Mr. Evers. I am not sure there is a lot there in terms of whether we need to go to one. I just want to flag for you that Ambassador is kind of sensitive to it and is happy to provide you details?

Ms. Clarke. Certainly. As I mentioned before, we do have a

classified setting available, and if necessary, we can move to that setting.

I would like now to continue in discussing what we can in an unclassified setting.

Mr. Evers. Thank you.

BY MS. CLARKE:

Q So you describe that you were briefed on the attack, what was happening. It was unclear at the moment what was happening, and you received subsequent emails regarding the events that had unfolded. Did you receive any additional briefings?

A That day? No.

Q Or the next day, on the 12th, were you privy to any additional briefings regarding what was happening?

A I was certainly kept abreast that there were various agencies looking into what happened. And I did receive some information about what they were thinking. It wasn't as if I was getting these detailed analyses.

Q Okay. On the 12th of September, did you attend a U.N. Security Council meeting?

A Yes, I did.

Q And can you describe what that meeting was regarding?

A Okay. It was a regularly scheduled meeting on Libya. And at this meeting, the Under Secretary General for Political Affairs of the U.N. was to brief us on latest developments in Libya. This was -- I think by then, we were certainly off the monthly briefings. I am not



sure exactly. But we would have regularly scheduled meetings in Libya, as I mentioned, this was one.

We learned that morning that Chris Stevens had been killed and other Americans had been killed. The meeting was to discuss the activities of the U.N. Mission in Libya. Obviously, people came to the meeting completely moved by what had happened.

So do you want me to go further to explain what exactly we did at that meeting?

Q Yes.

A You are not asking, but I will. First of all, the Under Secretary General briefed -- raised at the top of his briefing and condemned the attack on the U.S. consulate.

Q Was the Under Secretary General at the time Jeffrey Feltman?

A Yes. Then went into his regular, you know, what he had been planning to say about what the mission had been doing. The Libyan Deputy Perm Rep was -- also spoke, which this is sort of customary when we have this part -- what we call the chamber. It was an open session. That part was open -- spoke, and his words were pretty much -- I mean, he talked a lot about Chris Stevens, which he knew. And then we went into consultations.

Q Does that mean that it is closed?

A It is closed. It is closed. Completely closed, and there is no like written record of it, for example. And again, everybody around the table, every single delegation expressed condemnation, condolences for what had happened. I certainly did, and we had

decided, the U.S. Mission, to put forward a statement. When there are attacks on diplomatic missions, it is often the case -- it isn't always the case -- that the Security Council issues a statement condemning the attack, offering condolences, making it very clear that there is no justification for any attacks on diplomat facilities, and referring to Vienna conventions, which would state that they are inviolable. We put forward our statement, which was approved without any difficulty.

The discussion then got into what the U.N. Mission was doing on the ground. Frankly, at this point, I don't actually remember what the specific topic that was more focused on at that time. Frankly, it was a shorter meeting in terms of actual discussion of what the U.N. Mission was doing because I think everyone was quite moved by what happened.

Q So I have some questions related to -- at some point, the Security Council actually did issue a statement?

A That day, uh-huh.

Q And during the meeting, was there a discussion about what should and should not be included in the statement?

A No. We circulated a draft -- I was in the chair that day. Ambassador Rice was not in New York. We circulated a draft, which was approved without amendments, to my recollection.

Q Okay.

A And, again, we were keying off what is standard language for an attack on a diplomatic facility.

Ms. Clarke. I want to -- I know it has been a few years and so

I wanted to ask you a few questions about some drafts that were circulated regarding this.

[DiCarlo Exhibit No. 1

Was marked for identification.]

Ms. Clarke. I am going to mark this as exhibit 1 and give you a moment to review.

Mr. Evers. Do you want to go off the record?

Ms. Clarke. Sure, you can take a moment off the record and take your time to review.

[Discussion off the record.]

BY MS. CLARKE:

Q Exhibit 1, which is identified as Doc. No. C05578710 is a chain of emails. The original email appears to be a draft statement that will be proposed to the Security Council's release, the press statement on attacks; is that correct?

A Uh-huh.

Q I think you may have mentioned this, but just to clarify, did the U.S. Mission to the U.N. take the lead on drafting or -- and the terminology used earlier -- have the pen on drafting this particular statement?

A We had the pen on drafting this particular statement because it pertained to us.

Q I understand.

A Even if it was Libya, it pertained to us. And I felt it was important to have a statement -- and Susan Rice did -- to get the

Security Council on record as condemning this.

Q So I wanted to ask you, there is a series of emails but the second email from the top on first page is an email from [REDACTED]?

A [REDACTED] at the time was one of the key deputy political counselors. We have a political section of Foreign Service officers primarily and civil servants. She was the deputy that would have handled the Middle East issues under who Libya fell.

Q Okay. And then if you don't mind, we will just take a moment to identify a couple of other names that are listed on this email?

A Sure.

Q [REDACTED]

A [REDACTED] was in the Washington office of the Perm Rep, Washington office, uh-huh.

Q And then [REDACTED]?

A [REDACTED] headed her Washington office.

Q And what was his title, if you recall?

A He was called the Washington deputy. I would have to check that again, but I believe he was the Washington deputy.

Q All right. So this is -- the email is sent around 11:00 a.m.?

A Uh-huh.

Q And given the body of the email, it appears this is actually during the process of --

A The meeting.

Q The meeting --

A The meeting.

Mr. Evers. You have to let her finish for the reporter's sake more than anything.

Ms. DiCarlo. I'm sorry.

BY MS. CLARKE:

Q So [REDACTED] writes to [REDACTED]: "Many thanks. Given the tenor of the conversation RDC," and does "RDC" stand for you?

A That is me.

Q "Recommends the following addition (shown in all caps)," and the addition that you recommended was "SC" -- the Security Council --

A Uh-huh.

Q -- "rejects denigration of religion." Do you recall or can you describe for us what about the conversation that was happening in the Security Council made you suggest adding that particular language?

A Okay, Mr. Feltman had used this in his briefing when he talked about the event and said that while, of course we reject denigration of religion, there is no justification for. And then a number of members, the members of the Security Council, when they spoke, because we were already here in consultations, were also making this point.

Q Okay. And --

A And, obviously, it was not acceptable.

Q Do you recall what this particular phrase was referring to?

A It was referring to the fact that the way the issue is being

played was this was somehow related to the video, that it was also -- this was after the events in Cairo when there was an attack on our Embassy there, which was explained by the group that did it that it was in reaction to the video. And this is what the U.N. was saying, and this is what some members of the Council were saying at that time.

Q And you mentioned that the final press release that the Security Council issued did not have that language. Do you recall why that language was not accepted?

A I know it came back without it. That is, to the best of my knowledge, it came back without it. I suspect that Washington wanted a cleaner draft, one more honed to what the President was saying at the time, which to my knowledge he did not refer to this, but I would have to -- again, I am not sure.

Q Okay. But to your recollection, this was not a rejection by the members of the Security Council?

A No, no, no, no, we were hearing that from them at the time.

Q Okay, all right.

Ms. Clarke. I would like to show you another email.

[DiCarlo Exhibit No. 2

Was marked for identification.]

Ms. Clarke. I have marked this as exhibit 2.

Mr. Evers. You have given us an underlined copy?

Ms. Clarke. That will help guide our discussion as well.

Mr. Evers. There is some purple underlining that was present when handed to us.

Ms. DiCarlo. Uh-huh, uh-huh.

Ms. Clarke. So this is another email chain, Doc. I.D. No. C05562148. It begins with a --

Ms. Grooms. For the record, the email chain doesn't have this witness actually as a recipient.

Ms. Clarke. Yes, I was going to get to that, thank you.

Ms. Grooms. Oh, great.

BY MS. CLARKE:

Q This is an email chain that begins with a press release that was sent. It was a press release by Russia regarding the attacks. As noted, you are not on this email, but you are referred to in the first email on the second page?

A Hum, uh-huh.

Q It is from [REDACTED], who is [REDACTED].

A [REDACTED] was the officer in the political section who was covering Libya. It was part of his portfolio.

Q And then he sends it to several people, one of which he addresses it to [REDACTED]?

A He's the legal counsel. The head of our legal section, legal section at the U.S. Mission.

Q "[REDACTED] RDC," which is referring to you, correct?

A Correct.

Q "And I were just discussing the Russian reference to terrorism here. It could foreshadow an attempt by their delegation to insert something on terrorism in statement. RDC asked what our

response would be to push back."

Can you just kind of describe for us why did you think it would be necessary to push back if Russia wanted to insert the term "terrorism" into a statement issued by the Security Council?

A Well, first of all, we deal with cleared statements from Washington on just about every issue, let alone something like this, which involves the death of Americans. The statement that we had did not refer to a terrorist attack. [REDACTED] I think explains further we didn't know at the time what it was. We had no idea whether it was a terrorist attack or attack by mob or a criminal gang or what it was. And, therefore, I just wanted to make sure that I am in a position -- I always want to make sure that I am in a position of following Washington guidance and not making decisions on my own.

Q I think you mentioned before that the clearance in Washington were -- the levels of the clearance for a statement or other items that the mission dealt with would depend on what the statement or items was regarding?

A [Nonverbal response.]

Q This is an instance when you talk about Washington clearing, do you recall what that -- who that would have entailed? Would it just have been IO, or would it have been other bureaus?

A I am sure -- I shouldn't say I am sure. What would normally happen in a case of this kind, IO would be getting clearance from the Bureau of Near Eastern Affairs, getting clearance from National Security Council, getting clearance from seventh floor, D staff and



P staff, getting clearance from certainly the legal office, and they would, again, be keying off what had been said publicly already, given that this was all so very new.

Q Did you have -- in any --

A And Susan Rice, obviously, was in the clearance process, even though she was not in town.

Q During your briefings or any updates that you received on the situation that evolved in Benghazi, did you ever have any discussions about not referring to the attack as a terrorist attack?

A In the briefings that I received?

Q In the briefings or in discussions with Ambassador Rice or discussions with other?

A No. We didn't discussed that. The briefings that I received were just briefing on what the community thought had happened on the ground, that there was nothing presented to me at the time that differed from the comments, the public comments that were made that this was an attack, that it did not appear to be premeditated, so it wasn't a discussion, is it terrorism, is it not terrorism. It was just more conveyed this is what happened, this is what we know happened, building caught on fire, et cetera. He disappeared then Chris was, you know, was found by some locals found dead, et cetera, et cetera.

[Discussion off the record.]

BY MS. CLARKE:

Q During this time period, there were interagency calls regarding the events that had transpired in Benghazi. Would you have

participated in those calls?

A I did not.

Q Would you have received briefings regarding those calls?

A I might have received some information, but I was not involved in those calls, nor involved in ~~sort of~~ moving sort of the various deliberations forward.

Q Okay. Would that participation in those types of calls, would that typically have been performed by individuals who were in the Washington office?

A That is correct. That is correct. If it were not at Ambassador Rice's level, it would have been her Washington office, the lower level.

Q Understood. On September 16th, Ambassador Rice appeared on several Sunday talk shows, NBC, CBS, FOX, CNN, and ABC. When were you made aware that she would be doing those shows?

A I believe it was Friday at our morning staff meeting, which I chaired. Our press section announced that Ambassador Rice would be doing the morning shows.

Q And from that -- at that point, did you have any involvement in preparing her -- her preparation for the shows?

A I had no involvement in preparing her for the shows.

Q Were you kept abreast of any of the information that she received?

A I was not kept abreast of any talking points that she received. I knew that they were being worked. I knew at the time what

the intelligence community thought was the cause of the attacks -- not thought what was the cause but what they were saying about it -- having had briefings, as I said, during the week. But I was not involved in preparations, although I know they were underway, and I know she was tapped, I believe, to do all five shows.

Q And do you know who tapped her to do those five shows?

A I do not.

Q Did you ever have a discussion with her personally about -- prior to the shows -- about her appearance on those shows?

A No, I did not. I did not do Ambassador Rice's press work or her public affairs work. That was something that was not within my purview. So I would hear about it. I would know that this is happening, but I was not involved in preparations for speeches that she gave, et cetera.

Q I think you mentioned earlier that Ambassador Rice had not attended the Security Council meeting because she was not in New York?

A That is correct.

Q Was she in Washington at that time?

Mr. Evers. If you know?

Ms. DiCarlo. I am not sure. I don't recall. I just don't recall where she was that day.

BY MS. CLARKE:

Q Okay.

A She could have been in Denver, I just don't know. I know she was not in New York, or she would have been at the session.

Q I understand.

To your knowledge, did Ambassador Rice have a standing meeting with the Secretary of State, a weekly meeting that she had with the Secretary of State?

A I don't know how often she met. I know she tried very hard to have periodic meetings. I am not sure of the schedule on that, given the travel schedules, et cetera.

Q Typically when she had those meetings, were you aware of where those meetings took place? Did they take place in Washington? Were they phone meetings?

A I am afraid I don't know.

Q That would be something that would be handled by Ambassador Rice's Washington office?

A Well, certainly the scheduling would be because it was a Washington -- let's say a Washington meeting or maybe it would be handled by somebody in her immediate staff. But I was not aware of frequency of the meetings. What I do know is that she tried very hard to keep good communications.

Q Are you aware if she had a meeting with the Secretary on September 14th?

A I am not aware, was not aware. I don't recall, let's put it that way. Sometimes I knew when she was going to have a meeting. Sometimes I didn't. This one I don't recall.

Q I am drawing close to my hour, I think a lot of my questions will be addressed to you regarding the briefings that you received,

and you have indicated that many of your answers you believe will be classified.

A One in particular?

Q What we can do right now is just take a break and go off the record.

[Recess.]

RPTR SMITH

EDTR ROSEN

[10:55 a.m.]

Mr. Desai. Let's go back on the record. The time is 10:55-ish.

Ambassador DiCarlo, let me just reintroduce myself. My name is Ronak Desai. I am one of the counsel with the minority staff of the committee. I am joined today by my colleagues, Susanne Sachsman Grooms and Daniel Rebnord. And on behalf of the entire minority staff and the members of the Select Committee, I just want to thank you for your appearance here today, and also thank you for your service.

There is a good chance we might go and retread some old ground that my colleague may have covered in the last session. If we do, I apologize. It is just to ensure that we are fully capturing your response and getting information that we need.

EXAMINATION

BY MR. DESAI:

Q So to start off, in the last session, you provided some background to my colleagues about your very exhaustive and illustrious career in the government. And you walked us through your various posts and positions, starting off when you were a Foreign Service officer in FSO. I think at one point, you had told us that you had worked, I think, at the USUN under Ambassador Negroponte, is that right?

A That is correct.

Q And he was at that time the U.S. Ambassador to the U.N. under

which President?

A It was under President Bush.

Q Okay. So you have worked for both Democratic and Republican administrations?

A That's correct.

Q And the positions you held in these various capacities then are career positions and not political ones; is that right?

A That's correct.

Q Okay. Very good. One of the topics that my colleague in the last hour discussed with you was the statement that the U.N. Security Council released on September 12, the day after the Benghazi attack. And one thing I would like to do is just examine that a little bit further in a bit more detail. And I think it would be helpful to go through it chronologically, from the inception of the statement until it gets released.

And what I would like to do is just use some documents to help guide our discussion as we trace the evolution of the statement from its origin to its ultimate release.

So, again, just to be clear, the statement was released on September 12 of 2012, the day after the attack occurred; is that right?

A Correct.

Q Great. If I just can enter into the record exhibit No. 3.

[DiCarlo Exhibit No. 3

Was marked for identification.]

BY MR. DESAI:

Q And this is an email from [REDACTED] to you and a host of others with subject: "Urgent review. Draft. SC press statement on the attack," closed quote, that's dated September 12, 2012. It carries with it a time stamp of 9:10 a.m., and it appears to contain a draft of the Security Council statement condemning the Benghazi attacks. This document carries with it DOC ID C05578288. And I'll just give you a couple of minutes to review.

Good to go? Great.

So, just to refresh my memory, I think you said in the last session, [REDACTED] was the deputy political counselor at the USUN; is that right?

A That's correct.

Q And the subject of this email is urgent review, draft SC press statement on attacks; SC's referring to Security Council?

A That's correct.

Q So this appears to indicate that this was a time-sensitive matter; is that right?

A That's correct.

Q Okay. And prior to receiving this draft Security Council statement from Ms. [REDACTED] at 9:10 a.m., do you recall providing any guidance on the specific contents of this particular draft of this statement?

A I'm not sure of the sequence of things. I know that when I -- even before I got to work that day, we, through emails, talked about doing a statement because we felt it was important to have a



statement. We decided that USUN -- it puts you also -- it's not uncommon for us to take the lead on something like this -- but that the USUN would do a draft to get it to Washington.

This is the -- I'm not sure.

Q Okay. Great. And this draft statement that I have provided you as exhibit 3, nowhere in this statement are the Benghazi attacks characterized as a terrorist attack; is that right?

A That's correct.

Q And nowhere else in the statement does the term "terrorist attack" appear; is that right?

A Yes.

Mr. Evers. On exhibit 3?

Ms. DiCarlo. On exhibit 3, I don't see it anywhere.

BY MR. DESAI:

Q Okay. And I just asked you about if you provided any guidance in the drafting of this particular statement. Do you recall providing any guidance as to whether or not the reference to the Cairo attacks in paragraph number two should be characterized or deemed a terrorist attack?

A I did not provide guidance on that. I know we had questions on whether we should include it or not, which is something that we went to Washington with, at a certain point that morning, but I don't remember providing guidance at that point.

Mr. Desai. Okay.

BY MS. SACHSMAN GROOMS:

Q And by saying you had a question about whether you should include it or not, you mean, the question was whether you should include Cairo at all?

A Yes, whether we should include Cairo at all. We were so focused on Libya.

Q And then do you recall any discussions that morning about whether you should call Cairo a terrorist attack?

A No, I do not recall that.

Q And do you recall any suggestions that morning about whether you should call what happened in Libya a terrorist attack?

A Well, there was some concern about whether it was or wasn't, and obviously, the point was it was an attack, and we were certainly in the position to push forth a statement that is as clean and clear as possible without interpreting what exactly had happened because we didn't know.

Q But do you recall any discussions before you got this first draft at 9:10 in the morning?

I know you got shown a document earlier today that was from 11 a.m. about a discussion about whether to call it a terrorist attack. But I mean, back at 9:10 in the morning, do you remember anything that early morning, where you all discussed, you and Susan Rice, or you and someone else discussed whether or not it was a terrorist attack?

A I do not recall any discussions of that kind before, in the early morning.

Q Okay. So when you get the draft, it doesn't have the term

"terrorist attack" in it?

A That's correct.

Q And who would have written this draft?

A This is something [REDACTED] pulled together, [REDACTED] my understanding.

BY MR. DESAI:

Q And when you say "clean and clear," you are saying you wanted to just make sure that is -- what do you mean by that?

A Well, we always want to be accurate and not overstate or understate anything in the document. We always try, when it comes to press statements that we want cleared quickly, within the Council, to go to language that has been agreed upon elsewhere, because then people don't have to go back for instructions and there isn't necessarily a debate about how one phrases something other -- you know, for example, the language on the Vienna Conventions is standard language. We often include in something like this that it is the responsibility of the host government to provide security. That is standard language.

Q Great. So accuracy seems to be a big priority here; is that right?

A Accuracy is a very big priority.

Q And that's especially because in an incident like this, or in this instance specifically, factors are still evolving; the situation is so fluid; is that right?

A Exactly.

Q Very good. So if I can direct your attention to the bottom

of this page, exhibit 3, to paragraph number 5 and it says, quote, "In this context and expressing their deep concern at such attacks, the members of the Security Council called on the Iranian authorities to protect diplomatic and consular property and personnel, and to respect their international obligations in this regard," closed quote.

So this paragraph makes reference to the Iranian authorities to protect diplomatic and consular property and personnel, rather than the Libyan authorities. And I assume this was an error; is that right?

A Yes, that's correct.

Q And does this error, which was later corrected, reflect how quickly the statement was being put together and the urgency underlying it?

A I think one could assume that, yes.

Q Okay. Great. I'll now enter into the record exhibit No. 4.

[DiCarlo Exhibit No. 4

Was marked for identification.]

BY MR. DESAI:

Q And this is another email from [REDACTED] to, this time Ambassador Rice and [REDACTED] that's cc'ing you and a host of others. It has the subject, quote, "SER, urgent review: Draft SC press statement on the attacks." There's a time stamp here at 9:26 a.m., and it carries with it a document ID of C05578717. I'll just give you a couple of minutes to review that.

[Witness reviewed the document.]

BY MR. DESAI:

Q Great. So if I can direct your attention to the bottom of the first page where the thread begins and, as I mentioned earlier, this email is stamped with a time stamp of 9:26 a.m., which is approximately about 16 minutes after that first draft was initially sent to you in the exhibit we just looked at. And Ms. [REDACTED] writes, she says, quote, "Susan has discussed on the morning call. Below is the draft council statement on the attacks for your review. As soon as we have your feedback, we will ask that [REDACTED] gather Washington clearances that we potentially circulate this at the UNSMIL council session beginning at 10:15 a.m.," closed quote.

And just as an additional matter, Susan here is referring to Ambassador Rice; is that right?

A That's correct.

Q And what is UNSMIL? If you can just tell me what that acronym stands for.

A Yes. It's UN Stabilization Mission in Libya.

Q Okay. Ms. [REDACTED] message from Ambassador Rice also references a morning call. Do you recall being a part of that morning call?

A Yes.

Q And, do you recall what that discussion entailed?

A Sure. We had a, traditionally, a call almost every morning that was a call with USUN, IO, NSC, and it was the kind of call that would be used for following purposes: We have a meeting, Russians just

called a meeting 3:00 on X issue, we need talking points before then.

Q Okay. So at this particular morning call that is referenced, do you recall if this Security Council statement that's being prepared was discussed?

A Yes. We agreed that we would go forward and to have a statement.

Q Okay. So in this email from Ms. [REDACTED] to Ambassador Rice, it appears that Ms. [REDACTED] is seeking Ambassador Rice's feedback on the Security Council statement; is that right?

A Correct.

Q So does that mean at some point in the previous 16 minutes from when the initial draft was sent to you at 9:10 until now that you approved the draft in the interim; is that right?

A That's correct.

Q Okay. Once Ms. [REDACTED] obtains Ambassador Rice's feedback, she indicates that she will have "[REDACTED] gather Washington clearances that we can potentially circulate this at UNSMIL Council session beginning at 10:15 a.m."

And I think in the last session, you had told us that both Rexson and [REDACTED] refer to [REDACTED] and [REDACTED] is that right?

A That's correct.

Q And both these gentlemen are employed, at this time, at USUN; is that right?

A At the Washington Office.

Q At the Washington office. And when Ms. [REDACTED] refers to

them gathering "Washington clearances," and I know you may have touched upon this in the last session, what would that process have entailed?

A In this case, well, normally, it is IO that is supposed to get clearances. When it's an urgent matter, and when clearances might be at a higher level, we often turn to [REDACTED] and his staff to walk it through, basically, because this is not something that can sit in somebody's email.

Q Right. So in this instance, this would be standard to get clearances from stakeholders who would have equities involved in something like this; is that right?

A That's correct.

Q Okay. Now, Ms. [REDACTED] also indicates that USMIL council session is beginning at 10:15 a.m. She's sending the draft to Ambassador Rice at 9:26 a.m., so a little less than an hour beforehand. So it appears that putting together the statement, getting requisite feedback and approvals and clearances, and then circulating it is going to be, again, a very time-sensitive matter. And this is all happening fairly quickly. Is that a fair characterization?

A That is absolutely correct.

Q Okay. Moving up the chain on exhibit No. 4, still on the first page, Ambassador Rice replied to Ms. [REDACTED] with one addition. And she writes here, she says, "Find one addition. The members of the Security Council condemn in the strongest terms the attack of the United States of America's consulate and diplomatic personnel in Benghazi, Libya on 11 September, which resulted in the death of four American

diplomatic personnel, including the Ambassador, and injuries to diplomatic personnel and civilians. They express their deep sympathy and sincere condolences to the victims of this heinous act and to their families."

So if we compare the addition she makes here in paragraph one to paragraph one of the draft statement that's sent to her on the second page of the document, if we compare those two things, it appears as if the one addition that Ambassador Rice makes is to specifically reference Ambassador Stevens in that first paragraph; is that right?

A I'm not sure. That's right.

Q That's correct?

A That's correct.

Q Okay. And then moving further up the chain to the top of the document, Ms. ██████ responds to Ambassador Rice, again, 2 minutes later, at 9:46 a.m., proposes another addition, standard language, as she characterizes it, in which the Security Council calls for the perpetrators to be brought to justice; is that right?

A That's correct.

Q Great. If I can turn your attention back to -- oh, please.

BY MS. SACHSMAN GROOMS:

Q Let me just call your attention to one more thing in this exhibit 4. If you would just go back to the draft, which would have been, looks like it was the initial draft that got sent to Susan Rice at 9:26 a.m. It's on the second page.

It looks like now we can see the comments sections that we couldn't



really see in exhibit 3. And the comments sections include statements like footnote 3, standard language, SC/10717; is that right?

A That's correct.

Q And is that sort of referring to the fact that, again, as you said before, you were using standard language from a previous Security Council statement?

A That's correct.

Mr. Missakian. Are you suggesting that the comments on exhibit 4 are cut off on exhibit 3?

Ms. Sachsman Grooms. I think that if you compare the two documents, the comments line up on the documents, but we cannot read the comments on the right side, so --

Mr. Missakian. I am just looking at paragraph 3. They look different so I would --

Ms. Sachsman Grooms. In paragraph 3, it also appears to me that they are the same.

Mr. Missakian. I am saying the paragraphs are different, unless I am looking at the wrong document.

Ms. Grooms. I think you are looking at a different document. That's fine. We'll let the witness do it.

BY MS. SACHSMAN GROOMS:

Q If you look at this exhibit 4 draft, and where the comments lie with the sort of line-ups in this document, and then compare it to exhibit 3, the draft that got sent to you for your review?

A Okay.

Q Yeah. Take your time.

Mr. Missakian. If you look at the documents, just look at paragraph one on each, there are three dotted lines on exhibit 4, and two dotted lines on exhibit 3. And the paragraph wording and paragraph three is different between the two documents. So I think, or as the comments may be the same in part. We just don't know.

Ms. Grooms. I'm not seeing what you're seeing. In paragraph 3, it reads -- hold on. First off, it's our questioning, and I am asking a question. And I asked her to compare the two documents, and we will let her compare the documents and go through it.

But I am also not seeing what you're pointing out on paragraph 3.

Mr. Missakian. Do you want me to point it out to you?

Ms. Sachsman Grooms. I am happy for you, too.

Mr. Missakian. Okay. Here you've got two dotted lines. Here you have got three dotted lines. Paragraph 3 here says this. Paragraph 3 there says something different. So there's two different drafts.

BY MS. SACHSMAN GROOMS:

Q Okay. So are you seeing differences between the two drafts?

A Am I seeing differences? Yes, I am seeing differences.

Q Okay. And what are the differences you're seeing?

A I am seeing that in the first paragraph, in 4, exhibit 4, there is an additional sentence. I am seeing that the paragraph 3 is

different, and I am seeing that, in paragraph 5, the Iranians -- no. Where is the Iranian thing? I'm totally confused.

Q The Iranian thing is fixed, yes.

A The Iranian thing is fixed, but that is fixed already in both paragraphs.

Q Okay. And in that paragraph one, where we saw the new sentence, which is, "They expressed their deep sympathy and sincere condolences to the victims of this heinous act and to their families," that is the comment that we were just talking about where it said standard language?

A That is standard language.

Q Okay. And that is the one where it says on the side, the comment is standard language?

A That is my understanding that that dotted line is referring to that sentence. I happen to know it is standard language. We either use that language or, more accurately, express their deep sympathy and sincere condolences to the families of the victims since it is hard to express your condolences to someone who has passed away. But that has been used multiple times in statements.

Q And that's what you were discussing before is that it was important to have standard language?

A Yes.

Q Because it makes it easier and faster to clear it with the other countries?

A That 's correct.

Q And then paragraph 5, now it has been corrected to remove the Iranian authorities, and it says this is direct from -- the comment says "This is direct from 29 November 2011 statement re: U.K. dip premises attack in Iran, SC/10463"; is that right?

A That's correct.

Q And that also, in the same way, refers to standard language that you're using in the statement; is that right?

A That's correct.

Ms. Sachsman Grooms. Okay.

BY MR. DESAI:

Q All right. Ambassador DiCarlo, if I can just redirect your attention to exhibit 1 that my colleague from the last session had given to you. And I want to call your attention to the very first email at the bottom of this email thread. I guess it would be on the second page of exhibit 1. This one's time-stamped, it looks like at 9:52 a.m.

This is an email sent to Mr. [REDACTED] and [REDACTED], again, copying you, 6 minutes after Ms. [REDACTED] sent her last email to you that we saw on the last exhibit. And here we have Ms. [REDACTED] saying, "[REDACTED] attached and below is the draft, SC press statement which includes Susan's edit with a new paragraph Number 6. Ideally, we would have this cleared and in hand to circulate in the Council by around 10:45. I know that's a quick turnaround. Of most concern is the language in Para 1. Need Washington to fact check what we've got."

So it looks like Ms. [REDACTED] is looking to get clearances from Washington by 10:45. And again, this is about less than an hour from

when she sends the email to Mr. [REDACTED] and Mr. [REDACTED] is that correct?

A That's correct.

Q And Ms. [REDACTED] identifies paragraph one of the draft statement as the one of "most concern" and she says this is the one that requires Washington to "fact check what we've got."

A Uh-huh.

Q And, again, correct me if I am wrong, but I think in the last session you told us that it would be standard for USUN to reach out to its counterparts in Washington, down at Main State, to make sure that the facts that you guys are, in fact, including in statements such as these are accurate; is that right?

A Absolutely.

Q And beyond accuracy, was there any other reason why you guys, again, do reach out with your counterparts in D.C. or elsewhere?

A Well, typically, we would not circulate the draft of anything without Washington clearance, both the idea of having a draft, and then also what the content is. When another country circulates a draft, we then circulate it, too, if we have <sup>reasons</sup> ~~returns~~ to react to in clearances. We do it for accuracy. And we do it to keep Washington community involved, engaged, and aware of what is happening; but certainly for accuracy.

Q Okay. And just to be clear then, no one at USUN is trying to independently gather or verify facts on its own; is that right?

A Absolutely. That was not the case. We were not gathering facts.

Q Okay. My colleague just now went through some of the edits that are contained in the track change boxes on this draft.

Now, less than an hour later, Ms. [REDACTED] writes again to Mr. [REDACTED] and [REDACTED] and now it's 10:46 a.m. And this is on exhibit 1. We are back on the very first page of the document. And what she writes is "We have just moved into consultations. We would like to be able to circulate ASAP while Ambassadors are in the room together. Please advise on ETA for clearances."

So it appears here that Ms. [REDACTED] has emailed Mr. [REDACTED] and [REDACTED] again because she has not heard back from them on obtaining clearances from Washington on the draft Security Council statement; is that right?

A That's correct.

Q Now she had first said "consultation." Are these consultations that what will take place at the U.N. Security Council meeting?

A Yes. There are two kinds of meetings that the Security Council has. Well, you can have others. But two kinds of meetings. One in the chamber that's a formal meeting, can be public, nonpublic, depending on the decision of the Council. And the second one is what we call informal consultation where we sit in a room not much larger than this, and discuss various issues. Some of the meetings are a mixture of two, briefings in the open, private consultations. Some of them are just purely consultations.

Q Okay. And who in Washington -- and again, you likely

covered this -- would Mr. [REDACTED] and [REDACTED] be seeking clearances from?

A Well, he certainly would be seeking clearances from the <sup>D and P</sup> DNP staff and depending on --

Q And what do those stand for, just for the record?

A I'm so sorry. Deputy Secretary and the Under Secretary for Political Affairs. And depending on the issue, it would be cleared by a staff member or it could be cleared by the Deputy or the Undersecretary herself, himself.

Q And why these specific individuals?

A Because they are the authorities, apart from the Secretary of State. They would also be seeking clearance obviously, as I said, from NEA, the bureau that handles Libya. On Middle East issues, IO would certainly -- and normally IO would be running the process, but this was happening so quickly.

And they were basically, to my knowledge, running around the building trying to get these clearances.

Q Now, moving further up the chain, and this is, I believe, the portion that my colleague in the last session directed your attention to, Mr. [REDACTED] responds at 10:46 a.m. to Ms. [REDACTED]. Again, you're copied here. And what he writes is "trying, but there are, in fact, comments, and there is an email problem between State and NSC. I have to fax it."

NSC here refers to the National Security Council at the White House; is that correct?

A That's correct.

Q And do you know, or do you recall or would know who at the NSC would be consulted in an instance like this?

A It would have been -- the point people would have been the part of the NSC that deals with multilateral issues, and they also would be consulting with others in the National Security Council if they felt the need to.

Q Okay. Mr. [REDACTED] in this, in his transmission note writes that there are comments, but he does not identify in the email who was commenting. Is it clear to you from this email where the comments were coming from?

A No.

Q Okay. Moving further up the page, again, still on page one of exhibit 1, Ms. [REDACTED] writes again to Mr. [REDACTED] and Mr. [REDACTED] this time it looks like at 11 a.m., less than 15 minutes after Mr. [REDACTED] email. And Ms. [REDACTED] writes, quote, "Given the tenor of the conversation, RDC recommends the following addition shown in all caps in paragraph number three. The members of the SC reject denigration of religion, however, emphasize that there is no justification..."

Now, my colleagues in the last session asked you about what was meant here by the tenor of the conversation. If I can just ask you to unpack that just a little bit.

A Absolutely. First of all, the Under Secretary General for Political Affairs, Mr. Feltman, gave a briefing on the U.N. Office in Libya before he started that. He gave his condolences, condemned the



attack, and was referring to the facts that the U.N. does not support, rejects denigration, defamation, whatever word you want to use, of religion, however there is no justification.

That comment was picked up. When we went into consultations, that comment was picked up by a chorus of members who also made that point, and they were referring to the video, because there were comments in the press at the time about what had happened in Cairo, as a reaction to the video, some comments, I believe about Libya. I'm not sure. But this was kind of -- this was being raised.

So, it was my idea that perhaps we might want to include it. But when the draft came back from Washington, it was not included, which was fine with me.

Q Okay. And the video that you just referred to, again, just for the purpose of the record, this is a video that had been produced in the U.S. and had denigrated Islam and the Prophet Mohammed; is that right?

A Exactly.

Q And when you, again, just referred to what had happened in Cairo, again, just for the record, this was an attack that had happened against our embassy in Cairo on September 11 before the Benghazi attack that happened; is that right?

A That's right.

Q And if I am understanding you correctly, there were folks at the time, whether it was at the U.N. or elsewhere, that had linked these two things together; is that right? That this video had been

produced, this attack had happened in Cairo and, subsequently, it was possible that this was the underlying motivation for the attack in Benghazi; is that right?

A Well, I wouldn't say people were <sup>specifically</sup> linking it, but there was talk about its being linked to the video; that this <sup>video</sup> ~~cause~~ inflamed those who were <sup>attacked</sup> ~~supported~~, in a sense of this is what Feltman basically implied in his statement. This has been --

If I remember correctly, this was in the press as well, that it's a possibility. No concrete facts. And this is what some members were picking up on. That is the point. There was nobody telling me this from Washington.

BY MS. SACHSMAN GROOMS:

Q And were people specifically talking in the U.N. meeting -- you're listening to other countries, I assume, talking in the U.N. meeting -- were they specifically talking about the video being the cause for the events in Libya, or was it the video being cause for the events in Cairo and lots of unrest? Do you recall specifically?

A I don't recall specifically. I think that there was a sense from some that somehow what happened in Cairo and what happened in Libya was sparked by the same thing. But, again, this was very new, and people were just sort of throwing things out. And I suspect that if Feltman hadn't said what he said maybe others wouldn't have said it. But again, that is just a supposition. That is not a fact.

BY MR. DESAI:

Q So you had proposed adding this language. And again, just to be clear, it wasn't your attention to make a factual statement or a determination about the cause or the motivation?

A No. No. Not at all.

Q Okay. And then moving to the very top of document, you respond to Ms. [REDACTED], and Mr. [REDACTED], and Mr. [REDACTED], you say, "We need a text ASAP. We cannot walk out of here without one. Please take draft to the highest levels." Again, this is a time-sensitive matter. You want to get this done and done quickly.

A Uh-huh.

[DiCarlo Exhibit No. 5

Was marked for identification.]

BY MR. DESAI:

Q If I can now enter into the record for exhibit 5 and this is an email, Ambassador DiCarlo, from Mr. [REDACTED] to Jake Sullivan, Wendy Sherman, and a host of other officials. You are copied on this email. The subject here is "Urgent: UNSC Press Statement." It is time-stamped 11:28 a.m., and it carries with it a document ID of C05578707. I'll just give you a couple of minutes to review that.

Great. So if I can direct your attention to the first page of the document, halfway down the first page, Mr. [REDACTED] writes, quote, "Team, this is the latest draft and we're looking for final clearance."

He goes on to say, quote, "We are more likely to get this without change if we can circulate it during the ongoing UNSC session, but that means moving ASAP, within the next 10-15 minutes. Have sent to NSS

as well, but email connectivity is down, so we're having to do it the old fashioned way with NSS," end quote.

As an initial matter, who was Mr. [REDACTED] writing to? Who are Mr. Sullivan, Wendy Sherman, and the others, if you're able to identify them?

A Okay. I believe at the time Jacob Sullivan was the Chief of Staff to the Secretary. I know he then moved over to, I believe, the VP's office, but I think at that time he was still Chief of Staff.

Q At the Secretary of State's Office?

A Secretary of State's Office. Uh-huh. Wendy -- or was he at policy planning? I'm not -- he was in one of those positions.

Q But he was at the State Department, correct?

A He was at the State Department. Wendy Sherman, who was our Undersecretary for Political Affairs at the State Department. [REDACTED], was in two different locations. In dealing with her once, she was in the Bureau of Democracy and Human Rights as the principal deputy. She was also in the Executive Secretariat. I'm not sure where she was at this point.

Q Also at State?

A At State. Victoria Nuland, who was the press spokesperson at State; Tom Nides, who was Deputy Secretary at the time; Phillippe Reines was --

Mr. Evers. If you remember.

Ms. DiCarlo. I don't remember.

BY MR. DESAI:

Q That's fine.

A Do you need the others on the second line?

Q Sure.

A [REDACTED] was, she was executive assistant to Wendy Sherman.

Q Okay.

A [REDACTED], I think -- I don't remember where he was. I suspect the Deputy's office, but I'm not sure. And then [REDACTED], as I said, USUN in Washington and Libya.

Q And then yourself?

A Uh-huh.

Q So Mr. [REDACTED] had sent this email to various officials at the State Department. It appears he is seeking clearances for the statement in the iteration it was at that time. Again, he emphasizes the time-sensitive nature of obtaining the clearance. And he says it will be easier to garner approval without changes to the statement if you are able to circulate the statement during the ongoing Security Council session.

Did you agree with that general assessment?

A Oh, I agreed totally. Not only is it easier, I was hoping we could get it cleared on the spot.

Q And why was that?

A One urgency, I think, is important. Secondly, there was a horde of press outside our meeting, and it would have been a very good thing for the President of the Security Council at the time to

walk out and read the statement and say this is what the Council has said on this issue.

Q Okay. The other thing that Mr. [REDACTED] writes in his email, which was the second sentence of his transmission that I find most importantly the bracketed text in para 3, which is new from the initial version.

And if we go to the second page of the document, to paragraph 3, this one says here, quote, "The members of the Security Council emphasize that there is no justification for this senseless violence." And then in brackets it says "[and rejected the denigration of religion.]" So the full sentence would have included that last bracketed text.

A Yes.

Q So I understand that this isn't exactly the language that you had proposed in an earlier draft, but it is very similar; is that right?

A It's similar.

Q Okay. And the text contained in the bracketed parentheses, that would have conveyed the same sentiment that you had wanted to convey by proposing that language in the earlier draft; is that right?

A It would have conveyed, yes, similar, similar sentiment, let's put it that way.

Q Okay. Moving to the very top of the document, again, back on page one, [REDACTED] responds at 11:45 she says, quote, "I clear for DN," end quote.

Just as an initial matter, who is [REDACTED] ?

A [REDACTED] worked on Deputy Secretary Nides' staff. I'm not sure exactly what position she had, whether she was the executive assistant. Oh, Chief of Staff. Thank you.

Q And by writing, "I clear for DN," is she saying that she's clearing for Deputy Secretary Nides?

A That's correct.

Q Mr. [REDACTED] notes that the NSS is having email connectivity problems. Again, what's the NSS, just for purposes of the record?

A National Security Staff.

Q And is that the same entity as the National Security Council?

A The National Security Council can mean one of two things: It is the principals who make up the National Security Council, cabinet members and the President.

It is also the staff of the National Security Council. NSC became NSS, is now NSC again, is my understanding.

Q I see. So it's effectively the same entity. At the time it seems as if they're being used, NSS and NSC are being used interchangeably; is that right?

A Well, that's correct, in the sense that some of us could not get onto the new lingo. Some of us did.

[DiCarlo Exhibit No. 6

Was marked for identification.]

BY MR. DESAI:

Q I see. Okay. I'll now enter into the record exhibit 6. Beginning on page 2 of the document, this is an email from [REDACTED] to you, to Ms. [REDACTED], cc'ing Mr. [REDACTED] and Mr. [REDACTED], and there is a subject that simply says "Here It Is." There is a time stamp here of 11:49 a.m. This is about 4 minutes after [REDACTED] gives clearance on behalf of Deputy Secretary Nides.

If you recall, what was Mr. [REDACTED] forwarding you and the others in this email? If you remember?

A I don't recall.

Q Okay.

A I don't remember what this is in reference to.

Q Okay. Is it possible this was the most updated version of the draft statement?

A It is possible, but I, frankly, don't know.

Q Okay. So this could have been the draft statement that went out to the UNSC, the Security Council, before they began their consultations on it; that's possible?

A No. We would have only sent out what was the final cleared from Washington. If that was that, that's what would have went out. If wasn't that, it would not have gone out.

Q Okay. Turning to page 1 of the document, at 11:52, Mr. [REDACTED] appears to forward whatever is here to Ambassador Rice, [REDACTED], and a host of others. The subject line now appears as UNSC Libya and draft press statement. It looks like you are not copied on this particular chain.



And Mr. [REDACTED] writes, quote, "Attached and pasted below is the draft cleared by Denis McDonough and State. Rosemary and our team, and the Council have it now."

Rosemary refers to you; is that right?

A Yes.

Q Okay. And by this time, at 11:52, it appears that you now have the most updated version of the draft for the Security Council for circulation; is that right, based on Mr. [REDACTED] transmission note?

A That's correct.

Q Okay. Mr. [REDACTED] notes that the draft has been cleared by Denis McDonough and State. Was Mr. McDonough at the National Security Council at this time? If you recall?

A I'm not sure what his position was at the time.

Q Okay. So you wouldn't have known?

A When he was White House NSA, I'm not sure.

Q So it appears, wherever he was, it appears he's given his approval. Do you recall if you know, how he indicated his approval for the clear tactics, whether it was through fax or phone or some other medium?

A I don't know.

Q Okay. And if I can just have you look at the consent of the statement that is memorialized on the first page of this exhibit. And if we can compare that to the statement that Mr. [REDACTED] said was cleared. It appears to me that these statements are the same, that Mr. McDonough and State cleared the statement without making any

changes.

Ms. Sachsman Grooms. That would be comparing exhibit 6.

Mr. Desai. And five.

Ms. DiCarlo. I haven't done it word for word, but it appears to be the same.

[DiCarlo Exhibit No. 7

Was marked for identification.]

BY MR. DESAI:

Q Okay. Great. So I am now going to enter into the record exhibit No. 7. So this is an email from [REDACTED] from USUN to a host of recipients. It is time-stamped 1:16 p.m., dated September 12, 2012.

Mr. [REDACTED] writes to these recipients: "Below please find the final statement issued by the Security Council on the September 11 attacks in Benghazi and Cairo," end quote.

And you are not copied on this. In terms of the recipients who received this email from Mr. [REDACTED] -- what is Mr. [REDACTED] role at USUN?

A He was in the political section, and one of the issues in his portfolio was Libya.

Q Okay. And it goes to NEAMAGDL? What does that refer to?

A It is an office in the Bureau of Near Eastern Affairs that handles Libya, among other countries.

Q Okay.

A I'm not sure what the Mag is.

Q And do you recall who Benjamin Fishman is also in the "to"

line?

A I really don't know.

Q [REDACTED]

A I don't know who he is.

Q [REDACTED]

A Again, I am not sure. These are sort of desk officer levels that I don't know.

Q Okay. Got you. So it appears that what Mr. [REDACTED] has sent out to these folks is the final version of the statement that was actually released by the Security Council; is that right?

A That's correct.

Q And again, if I can ask you, Ambassador DiCarlo, just to compare the final version of this statement here in exhibit 7 with the draft statement that we saw in the previous exhibit, exhibit 6.

Ms. Sachsman Grooms. And specifically paragraph 3?

Mr. Desai. Yeah. And I'm going to direct your attention to paragraph 3 of those two versions.

So, again, directing your attention to paragraph 3 of the earlier version, the statement says, "The members of the Security Council emphasize that there is no justification for this senseless violence, and reject the denigration of religion," end quote.

The final version that Mr. [REDACTED] sends out reads, quote, "The members of the Security Council reaffirm that such acts are unjustifiable, regardless of the motivations, whenever and by whomsoever committed," end quote.

And I think, again, you mentioned in this previous hour why that change was made. But if you could just, again, unpack that just a little bit as to --

A Well, first of all, the line in the final statement is much closer to what would be standard language.

Q And why is standard language important again, Ambassador?

A Standard language is important because once something is cleared, it is easier for a country to go along with it given that the Ambassador doesn't have to send this back to capital. The Ambassador doesn't have to think about it necessarily. There's standard language we use for certain kinds of activity, certain kinds of actions.

Q Okay. So by using standard language, that expedites approval among member countries.

A Exactly.

Q Okay. And you didn't object to the change being made; is that right?

A No, I did not object to the change being made, but I believe we would have cleared it with Washington as well. I mean, we were on the phone with somebody back there.

BY MS. SACHSMAN GROOMS:

Q And that change would have been made in the Security Council meeting?

A It would have been made in the meeting.

Q Okay. During the consultations?

A During the consultations.

Q So I think in the previous hour, you might have said -- and maybe I'm remembering incorrectly -- that you didn't recall there being edits, but it looks like there were edits made.

A Yes, there were edits made. I don't remember it now but now that I see it, I know it.

Q So we just refreshed your recollection?

A That's right.

Q Okay. Great, so during, then, you would have been in the Security Council consultation, this edit would have been made from the version that Mr. McDonough had approved to this final version; is that right?

A That's correct.

Q And someone at the Security Council from the U.S. Mission, you said, would have made some kind of a phone call back to D.C.?

A Normally that is what we would do. Now, obviously, not calling five people and not calling at the highest levels. But normally, that's what we would do. I'm not certain that is what we did, but it's more likely we did than we didn't.

BY MR. DESAI:

Q And I if could just direct your attention to the very last paragraph of this statement and the two versions we are looking at, and it appears that the second change that appears across both versions is in that last paragraph. The earlier version states, quote, "The members of the Security Council noted that the tragic attack on Libya risks making the political transition in Libya even more difficult,

and underscored the durable commitment of the international community to support a successful transition to a peaceful and prosperous democracy," end quote.

The final version strikes that first clause of the bullet and begins that bullet by saying, quote, "The members of the Security Council underscore the durable commitment of the international community to support Libya's successful transition to a peaceful and prosperous democracy," end quote.

And if you recall, why was that first clause of that last paragraph struck?

A I don't recall.

Q Okay.

A I don't recall.

Q Great.

A I think, I mean, obviously, our goal was to show support for Libya's transition. And the sentence is cleaner, but I don't recall.

BY MS. SACHSMAN GROOMS:

Q It looks like there is one other change I am seeing in here. Paragraph 6 in exhibit 6: The members of the Security Council underline the need to bring the perpetrators of these reprehensible acts to justice.

It appears that in the final version it got moved up from the sixth paragraph to the third paragraph.

A Uh-huh.

Q And that the word "reprehensible" was removed. Do you recall why it got moved up or why the word "reprehensible" was removed?

A I do not recall.

Q But that was something that was done within the Security Council consultation?

Mr. Desai. Can we go off the record for one second?

[Discussion off the record.]

BY MR. DESAI:

Q Back on the record. The time is 11:51 a.m. Ambassador DiCarlo, in the last session, my colleagues from the majority asked you about Ambassador Rice's appearances on the Sunday morning talk shows. And if I recall correctly, I think you had conveyed to them that you were not involved in any capacity with respect to the preparation that she went through for her appearances on those shows; is that right?

A That is correct.

Q And when you ultimately saw her appearances on those Sunday morning shows, or read the transcripts, was there anything in them that appeared inaccurate to you at that time?

A No, there was not.

Q Okay. And from what you recall, were they consistent with the information that you had received at that time about the attacks?

A That is correct. They were.

BY MS. SACHSMAN GROOMS:

Q And so if you had been -- I know you said you weren't

involved in helping to prepare. If you had been cc'd on emails helping her prepare, or cc'd on emails about this before the appearance, would you have responded to those emails?

What would have been your sort of perception of those emails?

A Certainly, I would not have responded since I wasn't in the small nucleus, let's say, of people who were working on any given issue. But certainly I was aware that she was going to be on the shows. I was aware of what the assessment was of the intel community before the shows. And I would presume that people would copy me more on process than on substance, being the Deputy.

BY MR. DESAI:

Q Great. If I can shift your focus just a little bit. Again, in the last session, my colleagues on the majority asked you a handful of questions about what was happening in 2011 with respect to U.N.-related Libya activities as this situation had first arisen. And I think you had spoken to them about a couple of resolutions that had been passed by the U.N. in February and March, respectively, of 2011. I think it was U.N. 1970 and 1937, if that sounds familiar?

A That's correct.

Q You talked about in the last session with them, about the Qadhafi regime and some of the violent attacks they were, I think, waging on the civilians. I believe it was the civilian harvest, the term that you used. What was your sense, based on the information you had at the time, of the risk Colonel Qadhafi posed to the Libyan civilian population?



If you can just unpack that a little bit as to what information did you have?

A My perception was that he was going after them very, very -- you know, with a very, very heavy hand. We were getting reports of some of the murders, the killings. He was calling them cockroaches and rats and so forth. And we were getting -- we had some reports from the region about what was happening internally, reports from Libyans themselves about what was happening, and it seemed very, very dire, my perception.

Q We've heard the situation in Libya at the time you described as a potential human catastrophe.

A Uh-huh, potential genocide.

Q Potential genocide?

A Uh-huh.

Q Did you share that concern? I mean, was this a fairly common-held perception at the time within the U.N. for yourself personally?

A It was certainly my perception that we were on the brink of thousands of thousands being murdered. Thousands.

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

[Discussion off the record.]

RPTR BAKER

EDTR HUMKE

[12:10 p.m.]

Ms. Clarke. Ambassador DiCarlo, I just wanted to talk with you briefly about a few areas we have touched on earlier today. Primarily we have spent a lot of time discussing the U.N. Security Council meeting on September 12th and the topics that were discussed there, so what I would like to do is introduce, and I think we're up to exhibit 8; and I'll give this to you, and you can take your time to read it. And it's double-sided.

[DiCarlo Exhibit No. 8

Was marked for identification.]

Mr. Evers. All right.

BY MS. CLARKE:

Q So what I have marked as exhibit 8 is Doc ID Number C05561892, and it appears to be a cable that summarizes the U.N. Security Council meeting on September 12th. Is that correct?

A That's correct.

Q And this cable was drafted -- on the last page it indicates it was drafted by [REDACTED] ?

A That's correct.

Q Was he present during the Security Council meeting?

A Yes, he was.

Q Okay. And then it's cleared by [REDACTED]. And who

is [REDACTED]?

A [REDACTED] was in the political section. He was one of the officers who then moved up to be a deputy when [REDACTED] left her position as deputy director.

Q Okay. And was he also present in the meeting, if you recall?

A I don't recall. I suspect he was. I think we were there in very large numbers, but I can't be certain. I know [REDACTED] definitely was.

Q Okay. On the signature line it also says that it was approved by you?

A Correct.

Q And when it says approved by, what does that actually entail? What process would this have gone through?

A I would have gotten a draft of the cable to read and provide my clearance to the officer<sup>of the</sup> section in question.

Q And, again, this cable was sent out on September 13, so the day after the meeting. Correct?

A Is that what it says? Yes.

Q Yes.

A Yes.

Q And so would you say that this cable fairly accurately reflects the discussions that took place during the meeting?

A Yes, as far as I remember, yes.

Q Okay. So, in the cable it provides a summary at paragraph

2 which seems to summarize what the Under Secretary General Jeffrey Feltman briefed the Security Council on?

A Correct.

Q And I know it says about middle of the second paragraph, it says Feltman began by condemning the September 11 attack on the U.S. Consulate in Benghazi which led to the deaths of four U.S. diplomats. And then if we look on the second page of paragraph 6, there is an expression or a tribute that was paid by the Libyan Deputy Permanent Representative regarding the attacks as well?

A Correct.

Q And he expressed the Libyan Government's absolute condemnation of the attack and said it was executed by an extremist group acting outside of the law. And then finally in paragraph 8 -- it appears that there is 6 and then there's paragraph 8. There's a number missing there -- but it says that Council members unanimously condemned the attack on the U.S. Consulate and expressed their condolences for the loss of four U.S. diplomats.

So in reading through this document, and as we have discussed, this was released the following day, so it's very close in time to the discussions that were held in the Security Council meeting. It doesn't appear that there was a discussion about the events in Cairo. It just seems that the discussion was focused on what happened in Benghazi?

A The discussion was focused on Libya, referenced to what happened in Benghazi, and then also the general U.N. mandate and what the U.N. was doing in Libya.

Q And as far as a discussion about condemning the attacks that were related to the U.S. facilities, it seems that the discussions focused on what happened in Benghazi, specifically the attack in Benghazi, but it doesn't appear to summarize any discussion about the protests and the attack in Cairo, Egypt?

A That's correct.

Q And I think you mentioned earlier that part of the discussion, as you had recalled at that time, part of the discussion dealt with what had happened in Cairo and that being the video and that being kind of somehow related or tangentially related to what happened in Benghazi?

A What I said earlier was this was a session on Libya. We were to discuss the U.N. mission in Libya. There was reference made, condemnation of what happened in Benghazi, and that many of the members, as well as Mr. Feltman had in their minds what had happened in Cairo, and also assuming that similar activity, similar you say cause if you will, in Benghazi.

Some may have mentioned Egypt. I don't remember. It's not written here, but the session was not about Egypt. It was about Libya.

Q Thank you.

BY MR. MISSAKIAN:

Q Ms. DiCarlo, I want to ask a couple of follow-up questions. Maybe you could help me. If you would flip to the first page of exhibit 8, I would just like you to help me understand some of these markings up here towards the top. For example, MRN, what does that stand for?

A Well, I don't know what MRN stands for, but what it shows is the cable originated from USUN New York U.N. member.

Q The line below that is the date slash DTG?

A DTG, I don't know.

Q It appears to be some reference to a time. It looks like 131458Z, possibly for Zulu. Does that ring a bell with you?

A It's possible. Sorry I don't --

Q Going down a little further, E013526?

A It's the executive order in which this was distributed.

Q To the best of your knowledge, these notes were a summary of what occurred at this meeting are accurate?

A To the best of my knowledge, yes.

Q And these notes were from, if I understood you correctly, an ordinarily scheduled meeting on Libya?

A Correct.

Q And you're just not sure how often these meetings were occurring back at this time?

A I'm not sure at this time. I know initially it was every month. After we had adoptions of the two resolutions we spoke about earlier in 1970, 1973, then it became every couple of months, then every three months. I'm not sure what the cycle was at this point.

Q Do you know what time the meeting started?

A I read here that it started 10:15. Meetings normally start at 10:00. It was listed here -- in one of the emails, that it started at 10:15.

Q So you're just basing that on what you read in the email?

A I'm basing the 10:15 on the email. I happen to know that it happened in the morning, and I happen to know that most meetings of the Security Council are at 10:00.

Q Did you have any reason to believe that this particular meeting started at other than 10:00?

A Only from what I read in the email. It said it was 10:15. One of the emails said it started at 10:15.

Q As you sit here today, you would have no reason to believe that the meeting started earlier?

A No.

Q Thank you. Okay. I'm going to keep going.

Ms. DiCarlo, I just want to make sure I have the chronology as I understood it. There were some questions when our colleagues were asking you questions about what occurred on the day after the attack. As I understand it, the attacks occurred in Benghazi on September 11th and went into September 12th; so referring to the day after the attack, do you have in your mind September 12th, or do you have in your mind September 13th?

A Okay. I guess September 12th.

Q Okay. Just wanted to make sure.

A Sorry.

Q That's okay. Going back to September 11th now, you referred to a briefing that you attended where I gather information about the attacks was provided?

A I did not attend a briefing. I was briefed. I was told that attacks were happening or had happened.

Q Okay. Tell me in your mind what the difference is between being briefed and attending a briefing?

A Well, I guess the reason I phrase it in this way is that it was a 3-minute briefing. I was not sitting in a room with a long briefing. I was told there is a problem at the Mission in Benghazi.

Q Okay. Do you know who attended the briefing that you received the information from? And if this is going into the classified information, we can save this for later.

A I think we'll save that for later.

Q Let's just get a few more details about it. Where did the actual briefing take place?

A In my office.

Q When you say your office, does that mean the office where you sit at your desk?

A In my office where I sit at my desk, [REDACTED].

Q Okay.

A My office was cleared for classified. [REDACTED]

Q Was there a reason why you were not in the briefing at the time it occurred?

A There was no briefing.

Q Okay. Now I'm confused.

A I was briefed. I was told.

Q Okay so there was no --



A There was no set briefing that was happening that I or anybody else was involved in. I was briefed by someone who is on the staff, which I can get into further.

Q You just can't identify that person now?

A Correct.

Q Do you know where that person obtained his or her information?

A I know the sources that that person, yes, would have been talking to. We can go further --

Q Okay. Let me follow up. When you say you know who that person would have been talking to, are you saying that they would have been talking to those people in the ordinary course and you're assuming that's who they spoke to, or do you have firsthand knowledge that they spoke to those people?

A Yeah I don't have firsthand knowledge. Again, I can get into it --

Q Fair enough. Other than the information you received from that person, did you receive any other information about the attacks on September 11 between the time of that conversation and the time you went home that night?

A No. Then I received emails the next day.

Q All right. So no emails that night?

A I don't remember any emails that evening. I don't remember.

Q Fair enough. Did you discuss the information you received

from that person with anybody else on September 11th?

A There's a small circle of us at the mission who would have known this, yes.

Q Okay. That was my question. You received information from a person. We'll get that person's identity later. Did you share that information with anybody else at the mission on September 11th?

A I don't know if I shared it first, or if they were briefed as well.

Q As you sit here today, you just can't recall?

A I can't recall.

Q And that's fine. If you don't recall something, feel at liberty to say that.

If I understood you correctly, at this point in time, and I'm talking about September 11, I think you used the term you had no concrete facts about what had occurred in Benghazi; so at that point you didn't know if it was a terrorist attack. Correct?

A Correct.

Q At that point you didn't know if it had any connection to what occurred in Cairo. Correct?

A That's correct.

Q At that point in time you didn't know if it had any connection to the video. Correct?

A Correct.

Q So I'm trying to understand, and I guess I'm having a hard time understanding. I'm hoping maybe you can shed some light on it.

Why don't we pull exhibits 3 and 4.

A Yes.

Q You have that in front of you?

A Yes.

Q Exhibit 3, if I understand it correctly, is an email from [REDACTED], sent at 9:10 a.m. on September 12?

A Yes.

Q And you are one of the recipients?

A Correct.

Q As far as you know, is this the first draft of the ultimate statement that was made that was circulated?

A I'm not sure if it was the first draft or not. This is the draft I have here. I gave the instruction early in the morning to start working on a draft.

Q Were you at the office when you gave that instruction?

A I think I would have even given it before I got to the office.

Q What time do you normally get to the office.

A We used to get to the office around 8:15.

Q So it's possible that you gave that instruction prior to --

A Before we even had agreement that we were going for a statement. We tend to, knowing how difficult it is to get anything cleared in a bureaucracy, you're always prepared. We were always prepared.

Q Take us through the process a little bit of getting all of the other members of the Security Council on board for a statement.

I assume -- tell me if I'm wrong -- that you don't drop something on them at the meeting and ask them to vote if they know something is coming?

A I mentioned at the very beginning of our session that we would be circulating a statement. Let me just walk you through the scenario. We go into the chamber. Jeff Feltman briefs. The Libyan Deputy Perm Rep speaks. We break from that public meeting, go into a consultation room -- as I said, it's not that much larger than this one -- and I said when I spoke -- Feltman spoke again, said a few more things about the U.N. mission, and I said how we condemned what had happened and that we would be circulating a statement.

Q And this is on the 12th?

A On the 12th. That we would be circulating. I didn't specify like, you know, in an hour, today. It obviously was going to be that day, but I said that we would be circulating something.

Q That's where I'm getting a little confused. If the meeting began at 10:00 a.m. on the 12th, or 10:15 a.m., and this is being circulated at 9:10 a.m. in the morning?

A Right.

Q So obviously there was some discussion before the meeting started?

A That's correct.

Q Okay.

A No, there was discussion in the U.S. Government circle of people that we would go for a statement, and a statement was being

worked. [REDACTED] had done a draft. We had seen other iterations. It was being cleared when we went into that meeting.

Q Okay well that's what I'm trying to understand. Obviously a statement was drafted. We're seeing a draft of it here. Whether it's a first, second or third, we don't know?

A Right.

Q Somebody directed [REDACTED] to draft it?

A I did.

Q You did. Did you do that on your own, or was that after a meeting among your colleagues at the mission?

A It was after a discussion that we had by phone about the desirability of a statement on this issue, that we had by phone at around 8:30. We also had been, before we even had that discussion, been discussing whether through a quick phone call or possibly an email, we need a statement. We need to say something about this. This is not unusual to have a statement when a diplomatic facility is attacked. We have had ~~many~~ <sup>many statements</sup> over the years ~~have a statement~~ of this kind, particularly if it involves loss of life or serious damage.

Q Who participated in that telephone call?

A In that telephone call, I don't know exactly the individuals who were on it, but it was our standard morning call. There were a few of us from USUN New York, USUN Washington, Bureau of International Organizations, and it was usually under the assistant secretary or one of her deputies, NSC, person who heads multi-lat or one of her deputies or the deputy who actually handles U.N. issues.

Q At NSC?

A At NSC.

Q Do you recall names?

A I don't remember whether it was Samantha Power or whether it was the person who was working for her on U.N. issues whose name I've actually forgotten because they've changed several times.

Q Was Ambassador Rice on that call?

A I think she was, but I'm not entirely sure. But she and I had been in email contact before that, or phone contact. I don't remember.

Q As best you can recall, let's start with your conversations with Ambassador Rice prior to the general call, what did you discuss with Ambassador Rice?

A I think we need a statement, and she said you need a statement.

Q Anything else that you recall?

A Just how horrified she was that Chris Stevens had died. That's all I can remember. We didn't get beyond that. We were very focused on our U.N. angle, if you will, that it would be unusual for us not to have a statement after such an event.

Q And as best you can, what was said during the broader call that followed your call with Susan Rice?

A Basically that we thought we should have a statement. Everyone agreed. I don't know at what level -- it was obviously clear that we were going to have a statement at a certain level because we

then had to actually have the text of it cleared, but I don't remember if that had been cleared at the highest levels at that point or not, and we began drafting and said we'd get something to them very quickly.

Q Was there any discussion of the substance of the statement in that call?

A Not really. Not really.

Q When you say not really what do you mean?

A I don't recall substance. I don't recall substance. One is I think it was very clear to us in New York that we were looking for something close to the standard statement for attacks of this kind, knowing what the ability is to get a clearance on something; but also it's customary, if you will. That's one. I don't remember getting into the substance of it at all, just that we were taking a draft; we were working on a draft.

Q So is it fair to say that at the time you had been involved in issuing statements like this in the past?

A Uh-huh.

Q You had been through the process of getting such statements approved by the Security Council. Fair?

A Fair. I had been, or others were issuing statements of this kind that we also had to clear on, you know, say the Brits took the lead on the ground something, the French took the lead on something else.

Q So it's not the first time that violence had occurred at an Embassy?

A That's absolutely correct.

Q So is there a -- you keep referring to standard language?

A Uh-huh.

Q That people on the Security Council are comfortable with, and obviously you were familiar with that language. Correct?

A Correct. And the staff was familiar with that language.

Q In drafting the initial statement, would you say that Ms. [REDACTED] was sensitive to trying to stay as close to that standard language as possible?

A I would think she, yes, yes. I mean, I can't speak for [REDACTED] and what was going on in her mind at the time, but she obviously produced a draft that was similar to other statements that had been issued.

Q What I'm really trying to understand here, and let's go back to exhibit 3 for a moment, and in particular, paragraph 3, and I'll read it for the record: The members of the Security Council unequivocally oppose the senseless violence that took the lives of these diplomatic personnel.

Would you classify that as the standard language that you had seen in similar statements in the past, or would you characterize that as unique language to this particular statement?

A I wouldn't call it unique, but I think it has been phrased in somewhat different ways in some other statements.

Q But it's a sentiment that is a standard sentiment. Is that yes?



A Yes. Sorry. I'm getting tired.

Q I understand. Okay. Let's go to exhibit 4 now. Look to the second page of exhibit 4?

A Yes.

Q In particular paragraph 3, which is marked in the right-hand margin next to comment 4 as new language. It does appear to be new. It's a complete replacement to paragraph 3. I'll just read it into the record: The members of the Security Council emphasize that there is no justification for the senseless violence that took the lives of these diplomatic personnel.

Do you know where that language came from? Let me just follow-up because in my mind the use of the word justification seems to indicate that a sense that maybe the video may have been involved in the Benghazi attacks is now starting to creep into this statement. That's my sense anyway, using the word justification because why would you have to mention justification if, for example, it was just a terrorist attack or it was something? Why would you have to do that?

A I have to say that actually we have many other statements that talk about no justification for certain kinds of acts, including terrorist attacks.

Q Okay. So that is part of standard language?

A That's part of standard language as well, that there's no justification for <sup>whatsoever</sup> ~~whatever~~.

Q And back to my question. Do you know where that new language came from?

A I don't know where it came from, but I do know that we have said in previous statements there's no justification for whatever happened.

Q And at the time, you may not remember what you had in mind at the time, but at the time did you have a cause of the event in mind?

A No, I did not. Absolutely not.

Q Now let's take a look at exhibit No. 5, and flip to the second page. And now at this point again focusing on paragraph 3, we have a paragraph that now reads: The members of the Security Council emphasize that there is no justification for this senseless violence -- and now we have the bracketed language -- and rejected the denigration of religion.

So now clearly -- maybe not clearly, but it now appears to be more clear that they're referring to the fact that the video may have prompted what occurred in Benghazi. As best you can recall, how did that language creep into this statement at a time when there was no concrete information about what had led to the attack in Benghazi?

A It crept into the statement because -- I wouldn't call it crept into it -- it was in the draft, as I explained earlier, because the U.N. briefing talked very much about rejecting defamation or denigration of religion, but there was no justification for such an act.

Members of the Council, as they were speaking -- we went around the room -- were all referring to rejecting denigration or defamation of religion. It seemed to be the sense of the room, so it was a proposal

that from a previous email you can see that I offered and was sent back to Washington.

Mr. Evers. I think she's referring to Exhibit 1.

Ms. DiCarlo. Yes. Because it was the sense of the room.

BY MR. MISSAKIAN:

Q What does that mean, sense of the room?

A Sense of the room is that as many were saying we don't support denigrating religion, but there is absolutely no justification for what happened, no justification for the perpetrators of this act no matter what happened, a video, a slur, the same thing we say all the time.

There is no justification for a terrorist act because whatever someone feels that they've been denied X, Y or Z, there's no justification for acts of terror, for example, and that is a very common U.N. standard language.

When in negotiating, I can just explain, in negotiating any statement or getting something approved, whether it be in the short-term or the long-term, it's very helpful to take in the sense of what others are saying, so that they feel a part of it and that you're reflecting -- remember, this is not a U.S. Government statement. This is a U.N. Security Council statement, so that was my idea to propose it, and then my language was a little different. It came out this way, and then as you saw in the final draft, it wasn't there.

Q Other than the sense of the room that you refer to, did you have at that point, and we're now talking about 11:45 a.m. on September

12th, at that point did you have any concrete information that connected the video to anything that had occurred in Benghazi?

A I had no concrete information. You know, we were depending on Washington to clear what we were sending back. We had no information.

Q So you, in essence I gather from your statement, were relying on Washington to make sure what was going into the statement was accurate?

A Absolutely.

Q And exhibit 8, my colleague has highlighted a portion of paragraph 6 that referred to an extremist group?

A Paragraph 6?

Q Paragraph 6, yes.

A Mr. [REDACTED]

Q Yes. Third line down a little bit in. A couple of questions. Was there any discussion about what the gentleman said that's reflected in this paragraph at the meeting that you can recall?

A There wasn't discussion of what actually happened in the meeting because nobody knew what actually happened. We just knew that the Consulate had been attacked and that people had died. So there was no trying to parse, if you will, whether it was a group that had done it and who did it.

I don't remember being asked for further information. I didn't have it even if I were asked, but I didn't have it. I think you can see from the comments later by the Russian Ambassador said -- yeah,

he said part of a dangerous trend of increased extremist violence targeting foreigners in Libya.

Q In the world of U.N. speak, is the word extremist a synonym for terrorist, or does it have a different meaning?

A Not necessarily terrorist, not necessarily.

Q Give us your understanding of the two words then.

A There's no U.N. definition of terrorism.

Q Okay. I read that somewhere.

A This is a very serious problem, by the way. The old comment of one man's terrorist is another man's freedom fighter, so there's no definition. However, certainly an act -- let me see if I can get some of the qualities that we would be looking at, an act that was premeditated, an act that carried a political or sort of ideological message that was aimed at coercing a certain kind of behavior or threat to individuals, states, et cetera.

There are a number of elements that could go into it, but there is no one definition of terrorist or terrorism in the U.N. Extremism sometimes in the U.N., for example, there's a lot of talk right now about combatting violent extremism, not just in the U.N. It can mean extremist ideology, if you will, but not necessarily acts, that we would call acts of terror. But things get mixed up.

Q Okay. Thank you. That's helpful. Turning to exhibit 7, just a quick question, now what is paragraph 4 reads, the members of the Security Council reaffirm that such acts are unjustifiable regardless of their motivations, whenever and by whomsoever committed.

So would this be the standard language you were referring to earlier?

A Very close to standard language, yes, very close.

Q And do you have any recollection of why this standard language was substituted for the language that you had proposed or others?

A I don't have a recollection. I'm not going to offer what I think probably happened, but I don't have a clear recollection of how it got changed. I just remember a statement was circulated, and we very swiftly moved to an agreement.

Q How does that happen mechanically? Are all the folks in the room and you pass out hard copies?

A The U.N. Secretariat makes three copies of what we give them, and they pass it out, and each person at the table has a draft and copies for the two people sitting behind them.

Q If this change had been made, we're now seeing the new language in exhibit 7, which is different from the language in the draft we're seeing in exhibit 6, just mechanically how would that change have occurred? Would somebody have raised their hand and said I would like to propose new language?

A Yes.

Q Take us through that just generally speaking.

A First of all, what would normally happen is it gets circulated. The person who has, you know, authored, penned the statement, would walk people through it. In this case, as I said since it's a lot of standard language, we would have gone through and said

condemning, expressing condolences, and then giving people a little time to think about it. We might be sitting there working on it.

What can happen -- I don't know if it happened this time around, because I just don't remember; and we had such a short timeline, is that often, as soon as we had a statement to circulate, the statement would be circulated, even if we were still discussing let's say the main topic of the day, which was U.N. missions, so that delegations would have had a good half hour or so to look at it; but I don't recall when exactly this got circulated.

No matter what, it then gets introduced if you will, by the person in the chair who authored it, and says I would like colleagues to look at it, would like to issue this soon. And then several things could happen. One, immediately people could start saying I recommend this change. Or it could be, great, let's go. It's fine. That's not always the case.

And a third, and there's some delegations who would say, and we're among them, depending on what it is that was circulated, we need more time for this. We have got to go back to ~~counsel~~<sup>consult</sup>. So there are basically three different scenarios.

Q Okay. Thank you. I'm almost done here. You were asked by colleagues from minority staff about Susan Rice's comments on the Sunday talk shows. Let's just start with the basics. Did you watch her on each of those talk shows at the time?

A I didn't watch her on all of them, but I watched most of them.

Q Do you recall sitting here today which ones you watched?

A I don't recall.

Q It was something less than all of them?

A It was less than all of them.

Q At some point after that did you review a transcript of what she said on each of the shows?

A I did not review a transcript. I do remember looking at certain transcripts -- I don't think I read all of the transcripts, to be frank, when I think about it now, but I did look at some. I looked back at them, yes.

Q When did you do that?

A I would have done that a couple of days later perhaps, a few days later.

Q Was that your normal practice?

A No.

Q Why did you do it in this instance?

A In this instance it was because there was a lot in the press about her comments, so I wanted to go back and make sure I knew what she actually said.

Q So in answering my colleague's question about whether or not, I think she asked you if you agreed with what Ambassador Rice said or disagreed -- I can't remember the exact phrasing -- was your answer based on what you read in the transcripts or what you recall from seeing the shows on TV?

A No. What she said was not different from what I had been



briefed on in that there was nothing that she said that was different from what I was aware of that the intel community was giving as their preliminary assessment.

Q Okay. Great. So let's go into that a little bit. Your understanding of the intel community's assessment at that time, what was your understanding based upon?

A It was based on being briefed, and we can get into that.

Q When you say briefed?

A To me personally.

Q Right. Just to go into the details, when did that brief or briefing occur?

A I think I would have known this on Friday because I did not go in on the weekend, so I would have known by Friday that the preliminary assessment, what the intel community was saying at that point, at that point.

Q You say you would have known?

A Uh-huh.

Q Are you assuming that's what happened or --

A No. I just don't know.

Q One at a time. It's again for the court reporter. In your answer you said what would have happened is that you learned this on Friday?

A Right.

Q As you sit here today, do you recall a specific briefing, and by briefing I'm now talking about a meeting, where somebody came

to a meeting and presented information to you on that Friday?

A I remember someone coming to me with the latest information. I thought it was Friday. It could have been Thursday. I'm not sure. But it was the latest that I knew about what the intel community was assessing.

Q Were others at this briefing that you attended?

A No.

Q Just you and the briefer?

A Correct.

Q And who is the briefer?

A We'll talk about that.

Q Was that the same person who had briefed you on September 11th?

A I'm not sure if it was the same person.

Q And did that person provide you anything in writing?

A I didn't have anything in writing. He, I believe, was briefing me on material that he would have had in writing, but I did not see anything in writing.

Q How long did that briefing last?

A Like 3 minutes.

Q Did you request the briefing, or was it offered to you?

A It was offered to me.

Q By who?

A We'll get into that again.

Q Was the person who offered it was the person who did the

briefing?

A Yes; that's correct.

Q And other than that one briefing, did you have any other information that reflected what the intelligence community was thinking about the attacks?

A I had nothing different from what he told me. I mean, I was getting information as, for example, what was burned down. I remember hearing sort of things like this, but I did not have anything else that was different from what I just mentioned to you.

Q And when you say you didn't have anything else? I mean I gather --

A I had no pieces of paper, and I was not briefed on anything different.

Q And the information that was coming to you, it was either coming to you in these briefings, or it was coming to you through discussions with others. Is that correct?

A It was mostly coming from the briefings.

Q Mostly coming from the briefings?

A Uh-huh. Briefing is probably a bad expression. It just seemed like it was the easiest way to explain that somebody was informing me of this.

Q Can we also describe those as one-on-one meetings?

A Yes, you can.

Q Other than the one-on-one meeting that you had on either Thursday or Friday and the one-on-one meeting you had on September 11th,

do you recall any other one-on-one meetings where information about the attacks was provided to you?

A I suspect yes, but I don't recall anything that was different, new or unusual. When we move to the other room, I really can -- it just will.

Mr. Evers. We're doing a lot of dancing around the line of --

Ms. DiCarlo. And it's one minor thing, but I think it's important that it be in a classified setting.

BY MR. MISSAKIAN:

Q The process of clearing statements that were issued by the United Nations, that I think you said that the White House was somehow involved in that clearance process?

A National Security Council.

Q Only the National Security Council?

A That's correct. Sometimes the White House as well, but it depends on the issue; but mostly it's the National Security Council.

Q Did you ever work with a gentleman by the name of Benjamin Rhodes in clearing anything that was being --

A I did not. I did not. He was the press guy, and I did not do the press stuff, so I did not work specifically with Ben Rhodes.

Q Would that be the same for Bernadette Meehan?

A That's correct.

Q And the same for Tommy Vietor?

A That's correct.

Q Was there anybody that you worked with directly at the

National Security Staff?

A There were several people. Samantha Power was one; she had been helping [inaudible.] She had two different deputies -- they weren't deputies actually. They were guys who handled the U.N. portfolio. I can't remember their names right now. It will come to me in a minute. Sorry.

Q That's okay.

A These were the people that I would be dealing with on most issues. Sometimes I dealt with someone, and this would be, it was not on the Libya issue certainly, but the person who handled war crimes in ~~our~~<sup>their</sup> office.

Q Let me just take a quick look at my notes. I think I'm done.

A Sure.

Mr. Missakian. Thank you, Ambassador. I'm done here.

Ms. Clarke. So we can go off the record.

[Discussion off the record.]

BY MS. SACHSMAN GROOMS

Q We're going to try to be brief. I'm sorry that this is taking so long. Can you just explain to us because I think it might be a little confusing to people, what Jeffrey Feltman's role was as the Under Secretary General for Political Affairs for the U.N., because he is an American with the State Department, so can you explain what his role was?

A Okay. First of all, my understanding is that Mr. Feltman retired from the State Department to assume a position at the U.N. So

he is not on the State Department rolls, not even from my understanding on leave. I happen to know because we talked about retirement papers.

He occupies a position that deals with part of the U.N. that does mediation, that deals with political issues in the sense of trying to resolve conflicts, even prevent conflicts as we see things arising. For example, Yemen, when things started getting really dicey in Yemen, he would come to brief us and he would talk about what is it that can be done to improve the situation.

He also heads -- he doesn't head, but he oversees the missions that are ~~not~~ political missions, that is not peacekeeping missions. That is a totally different bureau that heads ~~all of~~ these, which there are something like now 16 peacekeeping operations. So he would be overseeing the mission like Libya. He would oversee the mission in Iraq, which is also a political mission, a U.N. political mission.

Q But just so that I'm clear, at the time that we're talking about, he is speaking on behalf of the U.N.?

A Absolutely. He is speaking on behalf of the U.N., his intervention, his talking points cleared within the U.N. system, not cleared within the U.S. Government in any way.

Q Okay. And he would have been not -- he was not within the State Department facility at the time?

A Not at all.

Q I think that's helpful, especially for me. And you had commented about some of the statements that he had made, and I want to put into the record as exhibit 9 a document that we have pulled off

of the UNSMIL, which is the mission in Libya Web site, from the U.N. and the document is entitled Briefing on Libya by Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, Meeting of the Security Council 12 September 2012, and at the top it says As delivered. And the Web site, if you guys want it, is unsmil.unmissions.org.

[DiCarlo Exhibit No. 9

Was marked for identification.]

BY MS. SACHSMAN GROOMS:

Q And I just want to draw your attention to the first two paragraphs. So I recognize this is sort of a long statement and that this was a long time ago, but from reading what you have read, does this appear to be similar to what you recall him saying at the time?

A Yes.

Q Okay. And it states in that first paragraph: In Benghazi the U.S. diplomatic presence was deliberately attacked and burned. Those claiming responsibility cited a video insulting to Islam as their motivation. Four U.S. diplomats were killed in the attack, including the U.S. Ambassador to Libya, John Christopher Stevens. I have seen reports that Libyan security personnel were also killed.

Then in paragraph 2 it states the United Nations rejects defamation of religion in all forms, but there is no justification for violence such as occurred in Benghazi yesterday. Is that the language that you were referring to earlier?

A Yes, that is.

Q Okay. And it appears that Mr. Feltman is sort of getting

his information here from some reference to those claiming responsibility citing a video. Is that accurate?

A That's correct.

Q Okay. And you had said previously that there was a sense of the room and that the sense of the room were people assuming that they understood that the video was somehow involved in the attack. Is that accurate?

A That's correct. They were I'm sure keening off of his comments as well.

Q And did you tell him to say that?

A No, I did not. I did not give Mr. Feltman input for his statements. I wish I could have, but I didn't.

Q And would he have cleared that statement through the National Security Council or the U.S. Government?

A No, not at all.

Q Okay. Because he's talking for the U.N.?

A He's talking for the U.N. He would have cleared his statement within the U.N. hierarchy, whoever that hierarchy was where he needed his clearances.

BY MR. DESAI:

Q Ambassador DiCarlo, I am going to ask you a series of questions about several public allegations related to the attacks. We understand that the committee is investigating these allegations, and therefore we have to ask you about all of them and ask everyone about them; but I do not want you to think that by asking you about these



public allegations that either I or the Democratic staff or members of the Select Committee believe that these allegations have any merit.

The way I'll proceed is I will tell you what the allegation is. I will then ask you whether or not you have any evidence or information to support each allegation, and if you do not have any evidence or information, I'll move on to the next allegation.

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

A I have no evidence.

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 I do not have any evidence.

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 that Secretary Clinton personally signed an April 2012 cable denying security resources to Libya?

A I do not.

Q Do you have any evidence that Secretary Clinton was personally involved in providing specific instruction on day-to-day security resources in Benghazi?

A I do not.

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 any 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 I do not.

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

A I do not.

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

A I do not.

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

The House Intelligence Committee issued a bipartisan report concluding that the team was not ordered to, quote, "stand down" but that instead there were tactical disagreements on the ground over how quickly to depart. Do you have any evidence that would contradict the House Intelligence Committee's finding that there was no stand down order to CIA personnel?

A I do not.

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

A I do not.

Q A concern has been raised by one individual that in the course of producing documents to the Accountability Review Board, damaging documents may have been removed or scrubbed out of that production. Do you have any evidence that anyone at the State Department removed or scrubbed damaging documents from the materials that were provided to the ARB?

A I do not.

Q Do you have any evidence that anyone at the State Department

directed anyone else at the State Department to remove or scrub damaging documents from the materials that were provided to the ARB?

A I do not. Sorry.

Q Let me ask these questions 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 I do not.

Q It has been alleged that CIA Deputy Director Michael Morell altered unclassified talking points about the Benghazi attacks for political reasons and that he then misrepresented his actions when he told Congress that the CIA, quote, "faithfully performed our duties in accordance with the highest standards of objectivity and nonpartisanship," end quote. Do you have any evidence that CIA Deputy Director Mike Morell gave false or intentionally misleading testimony to Congress about the Benghazi talking points?

A I do not.

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

A I do not.

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 I do not.

Q It has been alleged that the President of the United States was, quote, "virtually AWOL as Commander in Chief," end quote, on the night of the attacks and he was, quote, "missing in action." Do you have any evidence to support the allegation that the President was virtually AWOL as Commander in Chief or missing in action on the night of the attacks?

A I do not.

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, quote, "there was no stand down order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi," end quote.

Do you have any evidence to contradict the conclusion of the House Armed Services Committee that there was no stand down order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi?

A I do not.

Q It has been alleged that the military failed to deploy

assets on the night of the attack that would have saved lives. However, former Republican Congressman Howard "Buck" P. McKeon, the former Chairman of the House Armed Services Committee, conducted a review of the attacks after which he stated, quote, "Given where the troops were, how quickly the thing all happened and how quickly it dissipated, we probably couldn't have done more than we did," end quote. Do you have any evidence to contradict Chairman McKeon's conclusion?

A I do not.

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

A I do not.

Mr. Desai. That ought to do it. Do my colleagues have any more questions? We can go off the record.

[Whereupon at 1:15 p.m. the committee proceeded in closed session.]

*Errata Sheet*

**Select Committee on Benghazi**

The witness reviewed the accompanying transcript and certified its accuracy by providing the following corrections. These corrections are reflected in the transcript as identified below.

<u>PAGE</u>	<u>LINE</u>	<u>ALL CORRECTIONS MADE BY WITNESS</u>
7	2	Replaced "Source" with "Soros."
7	14	Replaced "I was the" with "I was in the."
7	21	Replaced "mission" with "initiatives."
8	4	Replaced "quite" with "quiet."
8	5	Replaced "not so quiet" with "it was not so quiet."
8	9	Replaced "governmental" with "nongovernmental."
8	14	Replaced "NSCS" with "NSC."
8	20	Replaced "try" with "trying."
8	24	Replaced "serious" with "Syria's."
9	1	Capitalized "international organizations."
10	12	Replaced "on" with "at."
12	8	Replaced "led" with "lead."
13	2	Replaced "have vetoes" with "has a veto."
13	10	Deleted "City."
16	2	Replaced "led" with "lead."
16	14, 15	Replaced "chomp" with "chop."
18	11	Replaced "here" with "her."
21	11	Replaced "the" with "of."

<u>PAGE</u>	<u>LINE</u>	<u>ALL CORRECTIONS MADE BY WITNESS</u>
34	5	Deleted "sort of."
53	18	Replaced "returns" with "reasons."
55	2	Replaced "DNP" with "D and P."
58	4	Replaced "were linking it" with "were specifically linking it."
58	5	Replaced "caused" with "video."
58	6	Replaced "supported" with "attacked."
75	16	Replaced "officer section" with "officer of the section."
85	17	Replaced "we have had many over the years have a statement" to " we have had over the years many statements."
89	23	Replaced "justification for whatever" to 'justification whatsoever.'
95	18	Replaced "counsel" with "consult."
101	11	Replaced "our" with "their."
102	10	Deleted "not."
102	11	Deleted "all of."