

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

INTERVIEW OF: LEON PANETTA

FRIDAY, JANUARY 8, 2016

Washington, D.C.

The interview in the above matter was held in Room HVC-302,
Capitol Visitor Center, commencing at 10:30 a.m.

Present: Representatives Gowdy, Westmoreland, Jordan, Pompeo,
Roskam, Brooks, Roby, Cummings, Schiff, and Duckworth.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

PHILIP G. KIKO, STAFF DIRECTOR AND GENERAL COUNSEL

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For LEON PANETTA:

HOWARD M. SHAPIRO, ESQ.

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For the U.S. DEPARTMENT OF DEFENSE:

BILL HUDSON, ESQ.

EDWARD RICHARDS, ESQ.

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

(U) For the first time in the history of the Select Committee on Benghazi, we are starting precisely on time, on target, Mr. Secretary.

(U) This is a transcribed interview of Leon Panetta, who served as the Secretary of Defense from July 2011 to February 2013, conducted by the House Select Committee on Benghazi.

(U) This interview is being conducted voluntarily as part of the committee's investigations into attacks on U.S. diplomatic facilities in Benghazi, Libya, in September of 2012 and related matters pursuant to House Resolution 567 of the 113th Congress and House Resolution 5 of the 114th Congress.

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

Mr. Panetta. (U) Leon Edward Panetta.

Mr. Chipman. (U) On behalf of the committee and Chairman Gowdy, we appreciate your time and willingness to come in and talk to us today.

(U) My name is Dana Chipman, and I am a counsel on the committee's staff. I would like to go around the room to ask everyone else in the room to introduce themselves as well.

Chairman Gowdy. (U) Trey Gowdy, South Carolina.

Mr. Jordan. (U) Jim Jordan.

Mr. Roskam. (U) Peter Roskam, Illinois.

Mr. Pompeo. (U) Mike Pompeo, Kansas.

Mr. Westmoreland. (U) Lynn Westmoreland, Georgia.

Mr. Hudson. (U) Bill Hudson from the Department of Defense Office of the General Counsel.

Mr. Richards. (U) Edward Richards, DOD Office of General Counsel.

Mr. Shapiro. (U) Howard Shapiro, Wilmer Cutler Pickering Hale and Dorr, for Mr. Panetta.

Mr. Davis. (U) Carlton Davis. I work for Chairman Gowdy.

Mr. Donesa. (U) I'm Chris Donesa with the committee staff.

Mr. Kiko. (U) Philip Kiko with the committee.

Ms. Betz. (U) Kim Betz with the committee.

Mr. Missakian. (U) Craig Missakian, majority staff.

Ms. Clarke. (U) Sheria Clarke, majority staff.

Mr. Kenny. (U) Peter Kenny, minority staff.

Ms. Sachsman Grooms. (U) Susarnee Sachsman Grooms, minority staff.

Ms. Rauch. (U) I am Laura Rauch, minority staff.

Ms. Green. (U) Shannon Green with the minority staff.

Ms. Cohen. (U) Linda Cohen, minority staff.

Ms. Duckworth. (U) Tammy Duckworth.

Mr. Chipman. (U) I would like to go over some of the ground rules and explain how the interview will proceed.

(U) Generally, the way the questioning proceeds is that a member from the majority staff will ask questions first for up to an hour, and then the minority will have an opportunity to ask questions for an equal period of time if they so choose.

(U) And I note that we have been joined by Martha Roby.

(U) Questions may only be asked by a member of the committee or

[REDACTED]

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

(U) Unlike a testimony or a deposition in Federal court, in a transcribed interview the committee is not bound by the rules of evidence. You or your counsel may raise objections for privilege, subject to review by the chairman of the committee. If an objection cannot be resolved in the interview, you can be required to return for a deposition or a hearing.

(U) Members and staff of the committee, however, are not permitted to raise objections when the other side is asking questions.

[REDACTED]

[REDACTED]

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

(U) We will also take a break, sir, whenever convenient for you. This can be after every hour of questioning, after a couple of rounds, whatever you prefer.

(U) During a round of questioning, if you need anything -- a glass of water, use of the facilities, to confer with counsel -- please just let us know, and we will go off the record and stop the clock.

(U) As you can see, an official reporter is transcribing this interview, so we ask that you give verbal responses to all questions,

[REDACTED]

"yes" and "no," as opposed to nodding your head. And I will ask the reporter to jump in if you do respond nonverbally. Do you understand that?

Mr. Panetta. (U) I do.

Mr. Chipman. (U) Also, I will try to not talk over you and ask that you try to do the same so that we can get a clear record.

(U) I would ask that you answer all questions in the most complete and truthful manner possible. We will take our time and repeat or clarify our questions if necessary. If you have questions or do not understand any of our questions, please let us know, and we will give it another try. And if you honestly don't know the answer to a question or do not remember, please indicate that as your response.

(U) Sir, do you understand that you have an obligation to answer questions from Congress truthfully?

Mr. Panetta. (U) I do.

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

Mr. Panetta. (U) I do.

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

Mr. Panetta. (U) I do.

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

Mr. Panetta. (U) No reason.

Mr. Chipman. (U) Okay. That is the end of my preamble.

Does the minority have anything to add at this point?

Ms. Sachsman Grooms. (U) Just to thank you for coming in voluntarily today. I understand that this is not your first testimony before Congress on this topic, and we appreciate you coming.

Mr. Panetta. (U) Thank you.

Mr. Chipman. (U) The clock now reads 10:35, and we will get started with the first hour of questioning.

(U) And just for planning purposes, my understanding, sir, is that you would prefer not to take a lunch break if possible. And so then we will see how that proceeds, but if that is your choice, sir, we will try to accommodate that.

Mr. Panetta. (U) Great. Well, for me. Obviously, the committee can decide, but --

Chairman Gowdy. (U) We are going to go with whatever you want to do.

Mr. Panetta. -- (U) I would like to roll.

[Panetta exhibit No. 1

Was marked for identification.]

[Panetta exhibit No. 2

Was marked for identification.]

EXAMINATION

BY MR. CHIPMAN:

Q (U) Sir, what I would like to start with is by handing out an exhibit. And this is exhibit 1.

[REDACTED]

(U) And I note for the record that we have been joined by Congressman Adam Schiff.

(U) And, if I could, please hand out exhibit 2, as well.

(U) And, for the record, exhibit 1 is a statement, a memorandum, dated September 10, 2012, produced on 1/7/2016, "Readout of the President's Meeting with Senior Administration Officials on Our Preparedness and Security Posture on the Eleventh Anniversary of September 11th."

(U) Sir, do you recall meeting with the President and other national security principals on the day prior to the 9/11/2012 attacks in Benghazi or a conference call to that effect?

A (U) No. I remember participating in a call, because I went up to Pennsylvania, to the memorial up there, the 9/11 memorial, to participate in a ceremony there, and at the time that I landed there, [REDACTED] that I went into in order to participate in that discussion.

Q (U) Sir, so on the 10th of September -- no, it appears to be the 11th, so your recollection is spot-on. On the 11th, it appears that you were with other key national security principals, at least in this conference call. And do you recall who else was in that meeting, or in that conference call?

A (U) My recollection is that that conference call was on the 10th.

Q (U) On the 10th. Okay.

A (U) Yeah, it was the day before.

[REDACTED]

[REDACTED]

(U) And I can't remember all of the participants, but it seemed to me -- my best recollection is that there were members of the National Security Council that were participating. In particular, I think I remember the CIA Director, General Petraeus, was participating, along with, I believe, Jim Clapper, the Director of National Intelligence, was also on the call. And I believe Secretary Clinton may have been on the call, as well. But I don't have a clear memory of all the participants.

Q (U) Sir, I stand corrected. It was the 10th, as I noted initially. So, my error.

(U) There is a sentence in the statement that indicates, "During the briefing today, the President and the principals discussed specific measures we are taking in the homeland to prevent 9/11-related attacks, as well as the steps taken to protect U.S. persons in facilities abroad, as well as force protection."

(U) As a result of that conference call, did you direct any measures to be taken to protect U.S. persons and facilities abroad?

A (U) There was a discussion about, you know, a number of potential areas that we needed to be concerned about. Because there was concern that there was a video that was coming out that was kind of an anti-Muslim video, and there was concern that that video might inspire some potential demonstrations. And so the focus was on some areas. I think, again, the key areas that I recall is: a concern about Cairo, concern about Tripoli, concern about Tunis, concern about Khartoum, and Sana'a in Yemen.

[REDACTED]

[REDACTED]

(U) And, as a result of that, I talked with, you know, our people to make sure that, you know, we were aware of that indication of intelligence that was coming in and to have a heightened alert with regards to any intelligence that might indicate some kind of imminent attack.

Q (U) And, sir, did any aspect of a heightened alert also imply or require an adjustment to our current force posture or our security posture at the time?

A (U) It did not. You know, obviously, our forces and teams were there, and, you know, we rely on those teams to be able to respond when an incident takes place. And so we have a great deal of confidence in the ability of those teams to respond if they have to.

Q (U) Sir, so this was on September the 10th, and you were already then aware of the release or imminent release of this YouTube video, this offensive-to-Muslim video?

A (U) That's correct.

Q (U) And you mention specifically locations Cairo, Tripoli, Tunis, Khartoum. All of these locations, in particular, in North Africa caused concern?

A (U) Well, as you can imagine, as a result of the Arab Spring, there was a lot of concern about instability in that region. And, you know, I think there were literally hundreds of areas that were of concern and were talked about, not at that meeting, but -- as I recall, just the ones I mentioned were the ones that were basically focused on. But there was no question that this was a time when there was

[REDACTED]

heightened concern about events taking place in North Africa and the Middle East.

Q (U) And, as I recall, AFRICOM, Africa Command, as a combatant command, stood up roughly in the year 2007?

A (U) That's correct.

Q (U) And, at the time, even 5 years later, in 2012, there were no assigned forces on the continent of Africa?

A (U) Yeah, no, it was -- frankly when I became Secretary of Defense, you know, and met with my combatant commanders, on AFRICOM, my first question was, why the hell aren't you located in Africa? You know, you've got a command that has to deal with African issues. And the response I got back is that there had been efforts to try to locate headquarters in Africa, North Africa in particular, but that the countries of Africa were sensitive about not having that happen. And so, obviously, their headquarters were located elsewhere. And, you know, that always concerned me.

(U) But in line with that, the other issue was, you know, could we establish bases there? Because, obviously, you need bases in order to be able to respond to problems that are there. And, again, these African nations were very hesitant to provide the authority we needed in order to establish additional bases.

Q (U) Sir, I am, in part, inaccurate when I state there were no assigned forces, because certainly there was a --

A (U) That's correct.

Q (U) -- JTF Horn of Africa established in Djibouti, as I

recall, at the timeframe.

A (U) That's right.

Q (U) But at least out of the 2012, there were not the kinds of component forces -- Army, Air Force, maybe Marine -- located on the continent of Africa.

A (U) That's correct. I mean, as a result of that, frankly, it required that we had to largely use our bases in southern Europe -- Sigonella, Rota, Aviano -- to be able to respond to problems that would occur in Africa.

Q (U) And until Africa obtained forces allocated or assigned, was there, in fact, a sharing arrangement between European Command and Africa Command with respect to any contingencies that might occur in Africa, to your recollection?

A (U) I believe there was.

Q (U) Okay.

(U) In your time, have you become familiar with the Commander's In-extremis Force in your time as Secretary of Defense?

A (U) Yes, I did.

Q (U) And did Africa Command, as of September 11, 2012, have its own Commander's In-extremis Force?

A (U) No.

Q (U) And so if there were a situation requiring the use of that CIF, where would Africa Command obtain a CIF?

A (U) They would turn to the European Command, because they did have an In-extremis Force.

[REDACTED]

Q (U) And that CIF was located -- if you recall, was Stuttgart the location of that particular CIF?

A (U) I'm not sure.

Q (U) Sir, I would like to direct your attention to exhibit 2. And exhibit 2 is from the hearing in which you participated on February 7, 2013, before the Senate Armed Services Committee. And so I have indicated that in the cover page. Page 2 of that exhibit is the contents list.

(U) And then page 98 of that particular report, Appendix A, about midway down, there is a paragraph closer to the bottom that says, "In the months before the attack, hundreds of reports surfaced of possible threats to U.S. citizens and facilities across the globe. In the Middle East and North Africa on September 11, the official added, U.S. facilities in more than 16 countries were operating on a heightened force-protection level based on specific threats."

(U) Are those the threats that you talked about in that meeting on September 10 going across that array of threats?

A (U) That's correct.

Q (U) And as a result of that knowledge, again, that was discussed in that meeting on September 10, did the Chairman of the Joint Chiefs of Staff or any other uniformed military recommend any adjustments to our force posture in Europe or anywhere else?

A (U) I remember having a discussion with Marty Dempsey, who was Chairman of the Joint Chiefs, because we were both aware of the reports with regards to these areas of concern, and basically saying,

[REDACTED]

[REDACTED]

you know, I assume we're prepared to respond if we need to. And General Dempsey said, we've got our forces in place.

Q (U) Sir, as I recall, the Libyan revolution occurred with the ouster of Qadhafi toward the end of the summer of 2011. So, as of September 2012, a year later, how would you describe the security situation that presented in Libya, if you can recall?

A (U) Well, I actually visited Libya -- Tripoli -- during the time I was Secretary of Defense because they were in transition, obviously, after Qadhafi was taken down. And the concern was clearly that we wanted them to transition to a governmental structure that would provide some degree of stability in Libya.

(U) Of course, this is a country that doesn't have a history of dealing with the structures of any kind of democratic government, so they were going through the process of trying to do what they could to try to establish those elements. And they were having a difficult time because, you know, Libya is still a tribal country. A lot of these tribes, you know, have their own agenda.

(U) And so, even during the course of my meetings, there were concerns raised about the degree of stability that they would be able to provide. But they had a great deal of confidence that, ultimately, they would be able to take control and be able to provide for the security of the region.

(U) But the answer to your question is that, you know, they were still struggling with stability.

Q (U) Now, what was the timeframe, sir, if you can recall,

[REDACTED]

of your trip to Tripoli?

A (U) Boy. That's not one I nailed down. But it was before -- it was soon after, I think, the transition had taken place. And it was a stop that I wanted to make to be able to talk with them and talk with the Defense officials, that they had to determine what kind of assistance we could help provide them.

(U) And it was also -- I used that as an opportunity to visit a graveyard in Tripoli that includes the remains of the Marines going back to the Barbary Coast days when a Marine ship was taken down and our Marines were buried in Tripoli. And I wanted to make sure that I paid my respects to them.

Q (U) And, sir, as I recall, on this trip, you did not make a specific visit to Benghazi?

A (U) No.

Q (U) Were you aware of a U.S. Government presence in Benghazi even during your trip to Tripoli, that particular trip?

A (U) I was aware that, you know, we had some segments of the government located in Benghazi.

Q (U) Were you aware of a single facility or more than one facility in that timeframe?

A (U) I was not aware of the number of facilities. I knew we had a presence there.

Q (U) And were you aware of the agencies that may have constituted that presence, whether State Department, CIA, or any other U.S. Government agency?

A

[Panetta exhibit No. 3
Was marked for identification.]

[Panetta exhibit No. 4
Was marked for identification.]

Mr. Chipman. (U) And if I could pass out exhibit 3.

(U) And, for the record, exhibit 3 is an unclassified DOD timeline that is also part of the same Senate report which the committee has used in a number of interviews before.

(U) And then if I could also pass out exhibit 4.

(U) And I would like the record to note we have been joined by Congresswoman Susan Brooks.

Mrs. Brooks. (U) Hello, sir. Thank you.

Mr. Panetta. (U) How are you?

BY MR. CHIPMAN:

Q (U) So with respect to exhibit 4, for the record, what I have done is to try to make it in a larger font because I had difficulty reading the font that was on the original exhibit. But I have also added some events, and so I would like to ask a few questions juxtaposed with some additional events and decisions that were made during that relevant timeframe.

(U) And so, Mr. Secretary, what we have is -- and I will use all times -- Washington, D.C.'s times, since that is the center of the universe. I will use all times in Washington and not Benghazi, Libya,

nor Croatia, nor anywhere else that might have been involved -- Stuttgart, Germany.

(U) And so what we have is an attack that occurred or that started at 3:42 on the 11th of September.

(U) Sir, where are you located or what were you doing, if you can recall, when you first learned of the attack?

A (U) My best recollection is that I was in the Secretary's office at the Pentagon, probably preparing for the meeting that we have with the President. I had a regularly scheduled meeting with the President that General Dempsey and I usually attended to discuss defense and national security issues.

Q (U) So the unclassified timeline reflects that at 3:42 the attack at the Benghazi Temporary Mission Facility begins and at 4:32 the National Military Command Center at the Pentagon notifies the Office of the Secretary of Defense.

(???) Who would the NMCC have notified both at OSD and at the Joint Staff? Would that be your military assistant? Would that be --

A (U) Well, yeah, I was going to say I don't specifically recall who actually mentioned the events that were taking place in Benghazi, but chances are pretty good that General Kelly, who was my Marine military aide, that he and probably Jeremy Bash both might have mentioned it to me as I was leaving. But I think the stronger likelihood is it would have been General Kelly. But I can't tell you for sure.

Q (U) Marine General Kelly, John Kelly, was a three-star. He

was your military aide.

A (U) That's right.

Q (U) And Mr. Jeremy Bash was your chief of staff --

A (U) That's correct.

Q (U) -- as the Secretary?

A (U) That's correct.

Q (???) It appears that notice was given to you, or to the Office of the Secretary of Defense more precisely, by 4:32 that afternoon, but then, as you indicated, you were preparing or getting ready to depart for a regularly scheduled meeting with the President along with General Dempsey?

A (U) That's correct.

Q (U) And so, at 5:00 p.m. -- is that your recollection of the start of the meeting you had with President Obama?

A (U) Approximately. I think, at the time -- and, again, I'm doing this by best recollection. General Dempsey and I arrived at the White House, and I think we both kind of pulled aside into the National Security Council quarters there to see if there was any additional information that we could get with regards to what we were picking up about events in Benghazi. And we did not have -- I don't think we received any additional intelligence. But I wanted to make sure that we knew everything possible before meeting with the President. And then we proceeded upstairs to the Oval Office. And so the meeting approximately began about 5 o'clock.

Q (U) And prior to the beginning of that meeting with the

President, had you had an opportunity to speak with General Ham, the combatant commander of Africa Command, or had you not heard anything from him as of that point?

A (U) I don't recall speaking with General Ham before that, going into that.

Q (U) Did General Dempsey indicate whether he had heard from General Ham that he relayed to you prior to you both journeying over to the White House?

A (U) I don't recall that.

Q (U) And so, when you began that meeting with the President, did you inform him of the incident in Benghazi that was ongoing?

A (U) As soon as we went into the Oval Office, took our seats on the couches that are next to the President's chair. And at the very beginning of that meeting, I mentioned to the President that we were picking up information about a potential attack that was taking place on our facilities in Benghazi and that we did not have information about the state of the situation and also the situation regarding our ambassador, that this was all very preliminary. We had just gotten these reports, but they clearly raised a concern.

Q (U) Was that news to the President? Had he heard this already before your arrival at the White House?

A (U) I don't believe so, but, you know, the head of the National Security Council, the National Security Director, Tom Donilon, I believe, participated in that meeting. He might have been given a heads-up, but I don't recall that.

[REDACTED]

Q (U) And during the course of that meeting with the President, the unclassified timeline indicates that the leaders discussed potential responses to the emerging situation. Can you recall what you were directed as a result of that meeting to do when you left that meeting and returned to the Pentagon?

A (U) The President made clear -- you know, again, these were all very preliminary reports about what was happening there. But the President made clear that we ought to use all of the resources at our disposal to try to make sure we did everything possible to try to save lives there.

Q (U) And did you or General Dempsey discuss with the President what resources might be available during the course of that meeting?

A (U) We did not go into particulars about what resources would or would not be deployed because, frankly, at that point, we had to get back to the Pentagon in order to determine what steps ought to be taken to try to respond to the situation.

Q (U) Yes, sir. So, to the best of your recollection, the specific direction that you took away from that meeting with the President was what?

A (U) To do everything possible to try to make sure that we tried to save the lives of those that were involved in the attack.

Q (U) Can you recall roughly what time you may have returned to the Pentagon after that meeting?

A (U) The meeting itself with the President perhaps lasted

[REDACTED]

[REDACTED]

about 15, 20 minutes, maybe a little longer, maybe a little less. But I remember immediately leaving the Oval Office, jumping into the vehicle, and heading right back to the Pentagon.

(U) And at the time I arrived back at the Pentagon, probably somewhere close to 6 o'clock, you know, if not before that, at that point immediately calling a meeting with General Dempsey, who was with me. Called them in. We added -- at that point realized General Ham, the AFRICOM commander, was not in Africa or in Europe but was there at the Pentagon, which was something I was not aware of, and asked General Ham to come in, as well.

(U) General Kelly was there. Admiral Winnefeld, who was the deputy to the Chairman, he also would come in and out as he was trying to get additional information. You know, I believe Jeremy Bash was also there.

(U) But my general approach to these things is to immediately have a meeting with the key principals that I could talk with to ask them, you know, get the best information. What is the situation? How do we respond? What steps can we take to make sure we are doing everything possible to respond to the situation?

(U) And, I mean, as a result of that meeting, you know, I ordered that, based on their recommendations, that we have our FAST teams, Marine FAST teams, respond, be prepared to -- you know, not only prepare to deploy but deploy into -- and be available to be able to go in. These are an elite force, as you probably know, of Marines who can quickly respond to those situations.

[REDACTED]

[REDACTED]

(U) So I directed that we get those FAST teams in place. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) We also had an in-extremis team. This is a team whose principal responsibility is to respond to crises. And that team was in Europe. I think they were in exercises in the Balkans. And we told them to, again, move to an intermediate base -- and Sigonella would have been the base that they would have gone to -- in order to deploy, as well.

(U) And then the third team, because we were concerned about the state of the Ambassador at that point -- I mean, initially, the concern was that the Ambassador might well have been taken hostage at that point. I can't tell you we had information to that effect, but we just didn't know what was happening with the Ambassador. And so, because of that, we thought it might be very important to have a hostage rescue operation. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) So those were the orders that I gave. And I had the authority to give those orders. And those orders were carried out.

Q (U) And, sir, you had mentioned with respect to the FAST team and the In-extremis Force, the CIF, in the Balkans that you had

[REDACTED]

ordered them both to prepare to deploy as well as to deploy. Did you also order the deployment of that force here in U.S. [REDACTED]

A (U) My orders were to deploy those forces, period. Obviously, they have to prepare to deploy --

Q (U) Yes, sir.

A (U) -- and, you know, get them ready. But it was very clear: They are to deploy.

Mr. Chipman. (U) Sir, I would like the record to reflect, as well, we have been joined by Ranking Member Cummings.

Mr. Panetta. (U) How are you?

BY MR. CHIPMAN:

Q (U) Sir, before coming back to the Pentagon for that meeting that you held with General Dempsey, Jeremy Bash, General Kelly, and Admiral Winnefeld, the meeting in the White House that you had with General Dempsey and the President, did Tom Donilon participate in that meeting, as well?

A (U) I believe he did. I believe he was there.

Q (U) Were there any other --

A (U) Again, I'm operating by recollection, but I'm sure that there was somebody from that --

Q (U) From the national security service? And do you recall --

A (U) And that would have been the case, by the way. When we had meetings with the President, there was usually somebody from

the national security -- usually, the Vice President would participate, but I don't remember him participating in this meeting.

Q (U) And do you recall if there were any other principals at that meeting, whether the Director of Central Intelligence, the Director of National Intelligence, the Secretary of State?

A (U) No.

Q (U) Okay.

(U) So a meeting that occurred back at the Pentagon that resulted in a series of directives from you to prepare to deploy and deploy these various forces, can you recall the timeframe that that meeting took, that you met with Admiral Winnefeld, General Dempsey, General Kelly, Jeremy Bash?

Mr. Shapiro. (U) And General Ham.

Mr. Chipman. (U) And General Ham. Thank you.

Mr. Panetta. (U) I mean, we were meeting kind of on an ongoing basis, as you can imagine. I mean, I issued the orders with regards to those teams that ought to respond, but we continued to be there. And I think, you know, it was probably at least a couple hours where the principals were still kind of talking and continuing to talk to make sure that the steps that I had ordered were taking place and also, frankly, trying to get intelligence about what the hell was happening in Benghazi. I mean, it was very fragmented information about what was taking place there.

BY MR. CHIPMAN:

Q (U) And as best you can recall, in that timeframe between

6 p.m. and 8 p.m. as that meeting occurred with the various individuals that you have already described, did you know then that the U.S. Ambassador to Libya was missing or unaccounted for?

A (U) Again, sketchy information, but the information was that the Ambassador had been located there but that they had no indication as to what was happening with the Ambassador.

Q (U) When you were engaged in this discussion with the various military officers, with Jeremy Bash, were you discussing not only the situation in Benghazi, Libya, but what might be occurring across the broader region? Were you aware of the Cairo protest earlier that day?

A (U) Well, there was no question, as a result of what was happening in Benghazi, the concern was what could happen elsewhere. And we had some indication that events had taken place in Cairo. We were worried about Tripoli itself and what might happen in Tripoli because of what was happening in Benghazi. We were worried about Cairo. We were particularly worried about Sana'a, which, you know, had a lot of problems with instability, and we had a lot of forces, you know, a lot of concerns about that, as well. And Khartoum had some problems, as well.

(U) So we kind of talked through all of the -- you know, what was coming in from those other areas, as well. Because, again, if something else should happen, I wanted to make sure that we had the resources to be able to deploy to, you know, whatever crises might take place.

[Panetta exhibit No. 5

Was marked for identification.]

BY MR. CHIPMAN:

Q (U) And if I could pass out exhibit 5, please.

And I'd note for the record exhibit 5 is a document, STATE-SCB0060705, MOU. It's an email from Jeremy Bash to Jake Sullivan and others dated Tuesday, December 11, at 7:19 p.m.

(U) Sir, during your time as Secretary of Defense, were you a user of email?

A (U) No, and hell no.

(U) Actually, going back to when I was chief of staff to President Clinton, I made the decision not to use email at that time. I told people, if they wanted to talk to me, they came to my office and talked to me. And so I began that kind of approach going back to the time I was chief of staff, continued it when I was Director of the CIA and also as Secretary of Defense.

Q (U) So for purposes of --

A (U) So the answer is I did not use email.

Q (U) So for purposes of anyone who would wish to engage in email exchanges with the Secretary of Defense, would Jeremy Bash be the conduit for such emails?

A (U) He was my chief of staff both at the CIA and obviously at the Defense Department. And, you know, I always assumed that he was dealing with other staff using email.

Q (U) So you've already testified, sir, that you had this

meeting, an ongoing meeting, frankly, from 6 to 8 p.m. or thereabouts --

A (U) Approximately.

Q (U) -- that evening where you were discussing the range of options you could direct, as well as concerns about broader threats across the region in North Africa. And Jeremy Bash was a part of that meeting, as well?

A (U) I believe he was.

Q (U) This email -- the subject is "Libya" -- talks about -- it is an email from Mr. Bash to colleagues at the State Department. And it indicates that, "After consulting with General Dempsey" -- the chairman -- "General Ham" -- the Africa Commander -- "and the Joint Staff, we have identified the forces that could move to Benghazi."

(U) So, again, this was sent at 7:19 p.m. Would that be consistent with your recollection that you had already directed the prep to deploy and deployment of those forces?

A (U) I believe I had.

Q (U) And Mr. Bash further indicates, "They are spinning up as we speak." Do you have a recollection of what that term meant or what you would've taken from reading that?

A (U) No. I was not aware of the email, so you probably ought to ask him what he meant by that. But I would assume that he was speaking about the fact that I had directed those forces to go into place and to deploy.

Q (U) And so Mr. Bash further indicates two elements: the

[REDACTED]

SOF element that was in Croatia, which could fly to Souda Bay, Crete; and a Marine FAST team out of Rota, Spain.

[REDACTED]

[REDACTED]

[REDACTED]

A (U) That's correct.

Q (U) -- the U.S.?

A (U) That's correct.

Q (U) And then the email continues with the following sentence: "Assuming principals agree to deploy these elements" -- who are the principals that would've had to agree to deploy the elements that you had identified?

A (U) No one. I had the authority to deploy those forces. And I ordered those forces to be deployed. And I didn't have to ask anybody's permission to get those forces in place.

Q (U) Sir, that is my understanding, as well, that the national command authority consists of two people, the President and the Secretary of Defense.

A (U) That's right.

Q (U) And if you, as the Secretary of Defense, ordered the deployment of military assets, that is all it takes.

A (U) That's correct.

Q (U) And so, when Mr. Bash asks of State Department colleagues, "We will ask State to secure the approval from host nation," is that, again, from the nation to which we sought to deploy these

[REDACTED]

forces, whether that be Crete or Greece or Sigonella, Italy? Or is this Libya? Or do you have any recollection of what that might have referred to?

A (U) I don't know what he was referring to, but when you deploy a Marine FAST team, particularly going into Tripoli or elsewhere, you can't just drop these guys into a country without getting the permission of that country.

Q (U) And so it is consistent with your expectation that State would have been asked to secure the approval from the host nation, whatever that host nation would have been.

A (U) I assume that would have been the case.

Q (U) And then when Mr. Bash asked that an official from State convey that approval back to Mr. Miller or Admiral Winnefeld -- Mr. Miller was the Under Secretary for Policy --

A (U) That's correct.

Q (U) -- under your tenure?

(U) Was that an action that was predicate to your decision to deploy those forces, or were the forces ordered to be deployed regardless of this action ongoing at State?

A (U) My directions were very clear; those forces were to be deployed, period. And, you know, just because of the timeline involved, you know, my whole approach was we need to move them and move them as fast as we can in order to try to respond. And as I am sure you're all aware, we're dealing with a lot of time and distance in order to make it happen. So I wanted no interference with those orders to

get them deployed.

Q (U) And, from your perspective, sir, the action to secure diplomatic approval or country clearance could have been accomplished in parallel --

A (U) Yes.

Q (U) -- with the action to deploy --

A (U) That's exactly right. As far as I was concerned, those teams could be in the air and they could try to get whatever permission they needed.

Q (U) Sir, again, referring back to the unclassified DOD timeline, it is also reflected in the exhibit 4, the DOD timeline of key events, there is a phrase indicating that, "During this period, actions are verbally conveyed from the Pentagon to the affected combatant commands in order to expedite movement of forces upon receipt of formal authorization."

(U) And so, while you were meeting with the various general and flag officers and Mr. Bash, was there direction being conveyed to these commands verbally?

A (U) Absolutely. You can't wait for the bureaucracy to catch up with the formal authorization. I issued the orders, and those orders are -- my approach was: Move those forces as quickly as we can.

Q (U) And so those particular forces would not have had to wait for the formal authorization.

A (U) That's correct.

Q (U) They should have been taking reasonably prudent steps

to --

A (U) Absolutely.

Q (U) -- assemble their kit, load an aircraft, and move out.

A (U) You got it.

Q (U) Okay.

(U) If I continue on that timeline, it appears that, at some point, General Ham was released from your meeting and, as of 8:02 that evening, gave guidance back to Africa Command to move the SOF force from Croatia to Souda Bay, Greece, and that, as a result of our interviews of that CTF commander, sir, of whom you would be very proud -- we interviewed this Special Forces major, who was everything you would want to see in a fine young officer, and you would be proud of him.

Ms. Sachsman Grooms. (U) And just to be clear, for the record, Dana, you're quoting from exhibit 4, which is a timeline you all put together, not the DOD's official timeline, which is exhibit 3?

Mr. Chipman. (U) That's correct. I'm quoting from exhibit 4.

BY MR. CHIPMAN:

Q (U) So, as of 8 p.m. east coast time, 8:02 p.m. to be precise, General Ham gave guidance back to Africa Command.

(U) And then the unclassified timeline reflects that at 8:30 the National Military Command Center conducted a Benghazi conference call. And, sir, if you can recall or if you know, what would be the purpose of that conference call?

A (U) You know, I was not, obviously, tracking all of the followup to my orders, but my assumption is this makes sense in the

sense that you want to alert all of the commands to what was taking place and to make sure that all of the commands were prepared to take action if we should run into any other incident that could take place.

Q (U) And then there were orders issued, the formal orders, issued by the National Military Command Center at 8:39 p.m. and 8:53 p.m., respectively, reflected in the DOD unclassified official --

A (U) As you know, those are the -- somebody then types those orders out, in terms of a formal authorization. But, as I said, it was the oral directions that commenced the action for the task forces and the other units to move.

Q (U) And, sir, as I look back at the time sequence that occurred, so if I go back to page 1 of exhibit 4 or the unclassified timeline -- for me, it is easier for me to read exhibit 4 -- I look at an event that was known at least as of roughly 4:30 p.m., 4:32 p.m. to be precise. And your recollection is that somewhere between 6 o'clock that evening and 8 p.m. that evening you had already given the order to get these forces moving.

A (U) That's correct.

Q (U) And as part of the sequence to get those forces moving, are you familiar with the use of the term "N-hour" or "notification hour"?

A (U) Yes.

Q (U) Who sets that notification hour, if you know?

A (U) I assume it's set through the military chain, but, you know -- I obviously knew there was a notice-plus time to prepare these

[REDACTED]

units, but, as to the specifics as to what that timeframe was, you know, it was not something, at least at that point, you know, that I was aware of.

(U) My point was these are elite units, and the purpose of those units is to move when I give the order to move. And that's what I expected.

Q (U) And, sir, as I look through this time sequence again, I look at roughly 4:30, the National Military Command Center is aware of the attack; at roughly 5 p.m. or shortly thereafter, the President is aware of the attack; roughly 6 p.m., somewhere between 6 and 7p.m. or 6 to 8 p.m., as the timeline reflects, you have already given the order to prep, deploy, and to move. And so it's still roughly 3 1/2 hours from notice of the attack to your decision to get them moving.

A (U) Right.

Q (U) And, in your experience and judgment, was that a reasonable timeframe to get these forces moving?

Mr. Shapiro. (U) I'm sorry. The 3 1/2 hours is to the outer end of that, to 8 o'clock, right?

Mr. Chipman. (U) The outer end.

BY MR. CHIPMAN:

Q (U) So, for purposes of the question, if it took all the way till 8 o'clock to get them moving -- although we know from the Jeremy Bash email that, as of 7:19 -- so somewhere short of 3 hours. Is that a reasonable timeframe to understand and work through the options?

A (U) Yeah, look, I believe it is. I mean, you know, it's

[REDACTED]

[REDACTED]

a -- I think it's important to understand that when you face a crisis like this, first of all, you're operating with preliminary information. You don't know all the facts of what's taking place. We didn't have a great deal of intelligence about just specifically, you know, what was happening at Benghazi. So you have to take that into consideration.

(U) You've got to take into consideration the units that can quickly deploy, where they're located and where they go. And you've got to take into consideration that these are the right units to try to deal with the contingencies that they may have to confront once they're put on the ground.

(U) I think all of those factors need to be considered. But I have to tell you that, in this instance, we moved pretty quickly to try to get the units that we wanted deployed to move. And I would have to tell you that, in dealing with other crises similar to what we were dealing with, this is roughly the same kind of timeframe.

Q [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

A (U) That makes sense.

Q (U) And my understanding, as well, from the same governing plan is that for that Commander's In-extremis Force, the one that was training in Croatia, [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

A (U) That's correct.

Q (U) Reflecting a slightly lesser priority, but still a very rapid timeframe.

(U) So then if I go further down on exhibit 4, what is reflected in message traffic that we've been able to review is that that notification hour was set at 11 p.m.

(U) And so the question I have for you, sir, is: You've made it very clear that your intent, your direction, is to get forces moving.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) I'm not aware of that point that you've made here. As far as I was concerned, once I issued the orders, they were moving.

[Panetta exhibit No. 6

was marked for identification.]

BY MR. CHIPMAN:

Q (U) And if we could pass out exhibit 6.

(U) Exhibit 6 is just an extract from the SASC hearing, sir. And I've only got three copies, so I would like to -- I didn't want to burn any more trees than necessary.

(U) Sir, as I review exhibit 6, again, the hearing conducted February 7 of 2013 before the Armed Services Committee, I tried to review and determine what in that sequence was different from what

[REDACTED]

you've talked about this morning.

(U) And so, if I go to page 44, in the middle of the page, page 44, there's a question from Senator Graham. "My question is, did anybody leave any base anywhere to go to the aid of the people under attack in Benghazi, Libya, before the attack ended?" And Secretary Panetta responded, "No, because the attack ended before they could get off the ground."

A (U) Just to clarify the record, I was speaking specifically about the task forces that I had ordered to deploy. As you're aware, there was a security team that moved out of Tripoli on their own to be able to respond to what took place. I was not aware that that was taking place. But, clearly, there were some DOD personnel that were part of that team.

Q (U) Yes, sir. So the security personnel you were talking about were the people that were in Tripoli --

A (U) That's right.

Q (U) -- at the Embassy in Tripoli, two special operators that got on that flight --

A (U) That's right.

Q (U) -- from Tripoli down to Benghazi and performed to assist the mission.

A (U) Right.

Q (U) And, as well, just so the record's clear, DOD also directed a Predator, an armed drone, that was orbiting over Derna, Libya, to be transmitted to cover Benghazi. And do you recall that

direction, as well?

A (U) Yeah, we had -- as you know, during the Libyan war, one of the things that we had deployed were UAVs to try to focus on targets for the NATO forces that were engaged in that operation. So we had some of those resources there, and I'm assuming that General Ham made use of those UAVs in order to get at least one of them over the target.

Q (U) And, Mr. Secretary, I'd like to take this opportunity to determine -- I know the members have a vote series that will be occurring shortly.

(U) And if you would like to ask questions during the remainder of this hour or if you would prefer to wait until the second hour.

Mr. Jordan. (U) How much time have we got?

Mr. Chipman. (U) We've got 10 minutes, sir, in this particular hour.

Chairman Gowdy. (U) I'll wait.

Mr. Jordan. (U) I've got a couple rounds.

Chairman Gowdy. (U) Go for it.

Mr. Jordan. (U) Okay.

(U) Thank you, Mr. Secretary, for being with us.

(U) Let's go back to the email from Mr. Bash. The email says, "We have identified the forces that could move to Benghazi. They include" -- and he mentions two. What other forces, again, were available?

Mr. Panetta. (U) Well, there were three that -- actually, four units that I had ordered. There were two FAST teams, Marine teams,

[REDACTED]

to get them to deploy, one to Tripoli and one to Benghazi. The other was the In-extremis Force that was located in Europe, get them to go, as well. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Jordan. (U) But when he says "they include" and what you just described, was there other things that could have been used but weren't, that you decided not to deploy? Fixed-wing, armed drone, other assets?

Mr. Panetta. (U) The ones I ordered were based on the recommendations of General Dempsey and the team I had in the office. And this is what they recommended, and that's what I ordered. We did not discuss other areas that we --

Mr. Jordan. (U) So FAST team, the Special Ops, and the CIF team.

Mr. Panetta. (U) That's correct.

Mr. Jordan. (U) And when did the first DOD asset -- or those three groups that you deployed, when did they first arrive in Libya? When did they first get there?

Mr. Panetta. (U) Well, we obviously, you know, ordered them to deploy. The FAST team was -- one was ordered, obviously, to respond to Benghazi, the other to go to Tripoli. Because the attack moved so fast and was concluded, we did get the FAST team into Tripoli, and that was the one unit that did hit the ground.

Mr. Jordan. (U) My question is, when you deployed -- you said three elements were deployed. I want to know when the first one -- when

[REDACTED]

did each of those elements arrive in Libya, and when did they first arrive in Benghazi?

Mr. Panetta. (U) Well, the only team that I'm aware of that actually wound up on the ground is the FAST team, the Marine team, that went to Tripoli. The others never reached --

Mr. Jordan. (U) I'm just asking when they got to Tripoli. No one else got there, but the one team that got to Tripoli, when did they get there?

Mr. Panetta. (U) The FAST team arrived at about 2:56 p.m., according to the timeline there.

Mr. Jordan. (U) Okay.

(U) "Principals" -- Mr. Bash uses the plural, and your testimony, I believe, a little earlier was that should just have read "principal." It was solely your decision to deploy what you just walked us through.

Mr. Panetta. (U) That's correct.

Mr. Jordan. (U) Why did he use plural then?

Mr. Panetta. (U) You ought to ask him.

Mr. Jordan. (U) Well, I'm going to.

(U) That was solely your decision? You didn't need to circle back with the President and say --

Mr. Panetta. (U) No.

Mr. Jordan. (U) -- I am going to deploy this FAST team, this Special Operations team, this CIF team?

Mr. Panetta. (U) Nope.

Mr. Jordan. (U) Okay.

[REDACTED]

(U) And when you said you gave the order to deploy, was that -- based on this email, which goes to 7:19, it was sometime after 7:19? Or would you say you had done this before? When did the order happen?

Mr. Panetta. (U) You know, I think it occurred before this. As I said, I'm not familiar with the email and the times here, but as soon as we got back to the Pentagon, we sat in my office and talked about, you know, what could we deploy as quickly as possible, try to get them on site to help save lives.

(U) And those were the task forces that I mentioned, were the ones identified. And as soon as they were identified, I said, let's go, let's get them in place. And I ordered that they be deployed.

Chairman Gowdy. (U) Can I ask one question?

Mr. Jordan. (U) Yes, sure.

Chairman Gowdy. (U) I just want to disagree with you for one second that it's a typo, that it meant to be "principal" instead of "principals," because there would be no need for him to assume, because had you already done it. So he could not possibly have been talking about you in the "assume principals agree to deploy," because you are the only principal and you had already said to do so.

Mr. Panetta. (U) That's correct. I had the -- that's my authority. I exercised that authority, and I gave the orders. And I didn't have to seek permission from anybody.

Chairman Gowdy. (U) So the fact that he may say he added an "S" on it doesn't fix it. The fact that he capitalized the "P" instead

[REDACTED]

of made it lowercase doesn't fix it. And the fact that he assumed it, there was nothing to assume. You had already told him to do it.

Mr. Panetta. (U) I had told our military people to do it. That's what counts.

Mr. Jordan. (U) Do you know what time that was then?

Mr. Panetta. (U) It would have been, you know --

Mr. Jordan. (U) 7:19?

Mr. Panetta. (U) It would have been, you know, soon after we got back to the Pentagon, because I knew we were dealing with something that was urgent and I wanted to get our forces in place as soon as we could.

Mr. Jordan. (U) Did you communicate --

Mr. Panetta. (U) So I'd say certainly within the hour I gave the orders.

Mr. Jordan. (U) Did you communicate with the President any further that evening?

Mr. Panetta. (U) I did not.

Mr. Jordan. (U) Okay.

(U) I've got some stuff that will take longer, Mr. Chairman.

Mr. Westmoreland. (U) I've just got one quick followup to what --

Mr. Chipman. (U) Yes, sir.

Mr. Westmoreland. (U) Mr. Secretary, when Mr. Bash sent this, as Mr. Gowdy pointed out, you had already given him this order. Had you already talked to the State Department about getting permission from some of these host countries about getting these assets rolling

and deployed? Wouldn't that have --

Mr. Panetta. (U) No. Frankly, I was not worried about that. My point --

Mr. Westmoreland. (U) You were going to do it without the host.

Mr. Panetta. (U) We were going to get our forces there. Particularly in Benghazi, if we had to go in and rescue, we would do that.

(U) But, you know, I assumed that, you know, when you give the orders to deploy these forces, obviously, that then, you know, whatever steps have to be taken in order to make it happen are going to take place. You know, that is my view, as Secretary, is: I issued the orders. I want those units in place. Do whatever the hell you have to do in order to make it happen.

Mr. Westmoreland. (U) Okay. And so whose job would it have been to contact the State Department to make arrangements to arm assets or --

Mr. Panetta. (U) I don't know.

Mr. Westmoreland. (U) You don't know?

Mr. Panetta. (U) Well, I mean, you know, I just assume that is done through the military chain of command.

Mr. Chipman. (U) Ms. Brooks?

Mrs. Brooks. (U) Just a couple questions.

(U) Had you been Secretary of Defense approximately 14, 15 months by this point in time. Had you ever been in this situation before, as Secretary of Defense?

Mr. Panetta. (U) Well, we had been in situations where we had

[REDACTED]

to do hostage rescue operations, you know, somewhat similar to what we were dealing with here, although there was a little more time involved, because the question there is making sure you have a location of the hostage and then what units have to be deployed in order to make it happen.

(U) So I had been through the decisionmaking process with regards to other events, as well.

Mrs. Brooks. (U) With regard to hostage, but would that have involved a FAST team and these FAST teams we are talking about?

Mr. Panetta. (U) Oh, yes. Special Operations teams.

Mrs. Brooks. (U) Okay.

(U) Going back to something you said earlier, when you went to Libya and visited Libya

were you aware of a State Department presence in Benghazi?

Mr. Panetta. (U) I can't tell you I specifically knew, you know, what the State Department did or did not have in Benghazi,

Mrs. Brooks. (U) Do you have any recollection, between that visit and the attack in September of 2012, when you became aware that there was a State Department presence in Benghazi? Or is it possible that that was the first time?

Mr. Panetta. (U) Not until the event.

Mrs. Brooks. (U) Okay.

Mr. Panetta. (U) Yeah.

[REDACTED]

[REDACTED]

Mrs. Brooks. (U) So at the event is when you became aware we had a State Department presence.

Mr. Panetta. (U) Yeah, I didn't -- you know, I was not aware that there was a separate consulate in Benghazi, to be frank.

Mrs. Brooks. (U) And, on that evening, when were you made aware that the DOD personnel had left Tripoli to assist? So you've indicated that --

Mr. Panetta. (U) I didn't find that out till the next morning.

Mrs. Brooks. (U) Okay. And how did you find that out?

Mr. Panetta. (U) I think as we were reviewing events that had taken place. By that time, we knew what had happened with the Ambassador and the others. And it was at that time that they mentioned that there was a team that had left on their own volition and gone to the event.

Mrs. Brooks. (U) So no one that evening that you were discussing --

Mr. Panetta. (U) No.

Mrs. Brooks. (U) -- your assets -- and so no one told that there were DOD personnel in Tripoli.

Mr. Panetta. (U) That's correct. Well, that there were DOD personnel that had been deployed on their own volition to Benghazi. I didn't find that out till the next day.

Mrs. Brooks. (U) And then, that night, as with respect to after you gave the order to deploy sometime between 6 and 8, and more probably before 7:19, and it obviously appears surprising to you to learn about

[REDACTED]

the -- and now we're at 11 o'clock and so forth. After you gave the order to deploy, why did you not check to see what was happening and what was moving?

Mr. Panetta. (U) I did. And, I mean, I continued to talk with General Dempsey and with Admiral Winnefeld and, obviously, General Kelly, my military aide, and continued to ask, "Give me updates," to make sure these people are on the move and ready to deploy. And, you know, they indicated things were moving.

Mrs. Brooks. (U) And so is that as specific as they were? "Things are moving"?

Mr. Panetta. (U) Yeah, I mean, my whole point as Secretary was to make sure that the units that I had ordered were moving. And I didn't go into, you know, particulars about the number of people, you know, et cetera. But I said, I want to make sure that they are moving and that we are getting them deployed as soon as possible.

Mrs. Brooks. (U) Did they raise any obstacles with you as to any challenges they were having --

Mr. Panetta. (U) No.

Mrs. Brooks. (U) -- in moving?

Mr. Panetta. (U) No. No. You know, the problem is, as always, is that, you know, you've got these elite units; obviously, they're located in places -- I'm aware of the fact, having been both in the military and as Secretary, that, you know, it's not like they're wearing their backpack and ready to jump on a plane. They've got to prepare, they've got to get their backpacks ready, they've got to get all of

their equipment ready. So there's a period of preparedness that is involved.

(U) But the bottom line is they're operating on a fast time track and they've got to move as quickly as they can. And that was my point.

Mrs. Brooks. (U) Thank you.

Mr. Jordan. (U) Mr. Secretary, did you know it was going to take 23 hours to get the first assets in country?

Mr. Panetta. (U) No.

Mr. Jordan. (U) So what did you expect it was going to take?

Mr. Panetta. (U) I knew it was going to take some time, just because of the preparedness for the units and then the time and distance involved. You know, you've heard the term "tyranny of time and distance," and it's tough in this area.

Mr. Jordan. (U) And did you --

Mr. Panetta. (U) But I didn't -- and I assumed these units moved as quickly as possible and that, you know, we can get them in place as quickly as possible, recognizing that there is a time element that's involved. And, you know, I understand the time element involved here just because of the nature of moving the military.

(U) I mean, as Secretary, I used to sit down with deployment orders all the time of units. And you go through a whole series of discussions about, you know, units that have to be deployed. And, normally, the timeframe to get these units deployed -- it takes time. It takes time to put them on a plane. It takes time for them to locate. I understand that.

[REDACTED]

(U) But when you're dealing with the kind of elite units we're talking about here, my expectation is that they move as fast as they can.

Mr. Jordan. (U) So you knew it took time. You didn't realize it was going to be 23 hours. Did you convey that to anyone else in our government -- White House, Department of State -- that it's going to take a while to get people there and we may never get them actually to Benghazi? Because the facts are we never did get people to Benghazi; we only got them to Tripoli. Did you convey that to anyone else in our government?

Mr. Panetta. (U) I assumed that, you know, obviously, there were continuing contacts between the staffs as to what was taking place, and I think everybody understood that there's a timeframe involved here in order to get these units in place. But the bottom line was that, you know, this attack moved pretty fast, and it was --

Mr. Jordan. (U) Let me ask one --

Mr. Panetta. (U) -- going to be tough to get them there under any circumstance.

Mr. Jordan. (U) Did you specifically talk with Secretary Clinton and say -- well, first of all, did you talk with Secretary Clinton that night?

Mr. Panetta. (U) I did not.

Mr. Jordan. (U) Did you talk with anyone at the State Department and say, it's going to take some time to get folks there?

Mr. Panetta. (U) I did not.

[REDACTED]

Chairman Gowdy. (U) We're out of time. I just want to make sure this portion of the record is fair to you and that your testimony has the clarity that I think it has, but I'm going to give you an opportunity if I'm wrong.

(U) You did not issue an order to prepare to deploy. You issued an order to deploy.

Mr. Panetta. (U) That's correct.

Mr. Jordan. (U) So no one would have been waiting on you to issue a subsequent order.

Mr. Panetta. (U) That's correct.

Mr. Jordan. (U) You were clear the first time.

Mr. Panetta. (U) Absolutely.

Chairman Gowdy. (U) All right.

Mr. Chipman. (U) Off the record.

[Recess.]

[11:57 a.m.]

Ms. Sachsman Grooms. (U) Let's go back on the record. I'm going to reintroduce myself. My name is Susanne Sachsman Grooms. I'm a staffer on the minority side. Representative Schiff is here, and before votes, I think he had some questions he wanted to cover.

Mr. Panetta. (U) Sure.

Mr. Schiff. (U) Thank you, Mr. Secretary, for being here and for your service to our country. Wonderful to see you again. I just have a few questions, and we have votes and I will have to come back.

(U) The House Armed Services Committee did an investigation into Benghazi. It was a Republican chairman-led investigation some time ago, and the conclusion of their investigation was that the Defense Department acted appropriately, did its best to move assets into the region as quickly as possible, but the tyranny of time and distance precluded them from being there in time to save the Ambassador.

Do you concur with that conclusion, or do you take issue with it?

Mr. Panetta. (U) No, I mean, as a matter of fact, the committees that did look at this on a bipartisan basis, and looked at, you know, the actions of the Department of Defense, all came to the same conclusion that Buck McKeon came to as chairman, that we had done everything possible to try to respond to the situation, and they found that just because of the time and distance and the speed of the attack that we simply could not have gotten there on time.

Mr. Schiff. (U) And Mr. Secretary, I know you did everything possible to move personnel to the region in a timely way. Have you

ever come across any indication that any of your staff or anyone else at the Defense Department had any less imperative to move quickly to rescue our people?

Mr. Panetta. (U) No, not at all. You know, there's a -- there's a fundamental principle that people at DOD, particularly in the military, act by, which is you leave no one behind. And my experience is that, you know, when there are people whose lives are in jeopardy, military moves as quickly as they can to try to help people, and that was -- those were my orders, and I was very confident that the military would fulfill those orders because that's what they do. And that's what they care about are the lives of these people.

Mr. Schiff. (U) And in addition to the time it takes up to gear up and mobilize these resources, it also takes time in the wake of an attack to figure out what the facts are on the ground so that you're not rushing into a situation where you either can't be of assistance, or you can get your additional people killed. Is that accurate?

Mr. Panetta. (U) Absolutely. I mean, I -- military leadership will always tell you that, you know, you've got to have the best intelligence, the best information possible about a situation in order to be able to respond in a way that doesn't cost more lives.

Mr. Schiff. (U) There has been a persistent myth as you probably are aware that someone ordered the military assets to stand down and not go to rescue the people in Benghazi. Are you aware of any evidence that anyone ordered these military assets to stand down that you had ordered to deploy?

██████████

Mr. Panetta. (U) Not at all. I was -- first of all, I would never have allowed that to happen. But secondly, I was not aware of anyone contradicting the orders to get these units deployed as quickly as possible.

Mr. Schiff. (U) So when my colleagues were asking you about the Jeremy Bash email, I think the implication is that some other principal ordered a standdown, notwithstanding your order to deploy. Are you aware of anyone doing that?

Mr. Panetta. (U) I am not.

Mr. Schiff. (U) Did anyone in the Defense Department, Mr. Bash, or anyone else, ever come to you and say, Mr. Secretary, they are ignoring your order to deploy?

Mr. Panetta. (U) No. Not at all. On the contrary. They were assuring me that the forces were moving into place.

Mr. Schiff. (U) There has been a similar urban myth surrounding the efforts by those at the Annex to rescue those at the diplomatic facility. That is, that the people at the Annex were ordered to stand down and not come to the assistance of those at the diplomatic facility. The Republican lead and bipartisan House Intelligence Committee debunked that myth, General Petraeus came in again yesterday and debunked that myth.

(U) Are you aware of any evidence from your involvement in this that there was any standdown order of those at the temporary -- at the Annex CIA facility to come to the rescue of those at the diplomatic facility?

██████████

[REDACTED]

Mr. Panetta. (U) No, not at all.

Mr. Schiff. (U) Mr. Secretary, I apologize I have to break up my questions. I have got to go.

Mr. Panetta. (U) I understand having been there.

Mr. Schiff. (U) We got a speech from the Speaker yesterday saying that he intends to enforce the time limits.

Mr. Panetta. (U) Oh, no kidding.

Mr. Schiff. (U) He will not be the first Speaker to try. He will be the first to succeed if he does.

Mr. Panetta. (U) Yeah, but I'm sure he will look at the bottom line before he makes that decision.

Mr. Schiff. (U) I will see you later. Thank you.

EXAMINATION

BY MS. SACHSMAN GROOMS:

Q (U) I want to talk a little bit about the different forces that we were talking about in the last round. You said you weren't aware that the team from Tripoli, which was a DOD-led team, had moved to Benghazi in order to provide support and help save lives until the day after, and that they had left on their own. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) I don't know the particulars in the chain of command, you know, how it works there. But that team was not under my direction, or my authority at that point.

[REDACTED]

Q (U) Okay. Do you have any reason to believe that they were not working with their chain of command to go to Benghazi?

A (U) No, I have no evidence that they didn't follow their chain of command.

Q (U) And is that what you would have expected to happen if you had DOD forces under another chain of command within Tripoli, for them to work with that chain of command to move to the sound of the guns and try and save American lives as quickly as possible?

A (U) That's correct.

Q (U) That group ended up getting to the Annex before the mortar attack?

A (U) Uh-huh.

Q (U) And some of the larger groups, not the DOD specifically, but larger group members were casualties in that attack. Is that accurate?

A (U) That's correct.

Q (U) How important do you think that DOD-led Tripoli group was in saving lives in Benghazi?

A (U) Well, there's no question in my mind that they took the initiative. They got a flight to go there and that their ability to get on the ground and help provide additional support, take care of the wounded, saved lives.

Q (U) So you discussed the different forces that you ordered to deploy that night, and I believe you said in the last round that was the recommendation of the senior military leaders that were with

[REDACTED]

you. That would be General Dempsey?

A (U) That's correct.

Q (U) And General Ham was in the room also?

A (U) Yes.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) That's correct.

Q (U) And General Dempsey and General Ham were in the room when you gave the order to deploy the forces?

A (U) That's correct. I mean, they -- we make the recommendation. I mean, what -- they are saying, okay, what do we have? They made the recommendation as to what teams we ought to deploy, and my direction to them was, do it. Let's go. Let's move these teams.

Q (U) Would they have had any, or do you have any reason to

believe that they had confusion about what your orders were?

A (U) No. These people don't get confused easily.

Q (U) And then would it be your expectation that then they would work within their -- their chain of command to ensure that your orders were enforced?

A (U) Yeah, that's -- I mean, you know, I had a -- I have and I continue to have a high level of confidence that when you direct that a mission be accomplished, that they understand that the mission and understand what they have to do in order to get it done. And they, then, work it through their people and their systems in order to make sure that they get whatever they need to do to get -- in order to get it done. I don't kind of follow all of that. I just say, do it. Take the hill. They take the hill.

Q (U) And their process for taking the hill wouldn't have been to use your staff or Jeremy Bash. Is that right?

A (U) That's correct.

Q (U) So their process for taking the hill would have been to leave that room and start those forces moving. Right?

A (U) That's right. That's right.

Q (U) So Jeremy Bash, who was your chief of staff, would have been, is it fair to say, merely informing other people about what was already being ordered to move forward by those generals?

A (U) That's correct. He -- I mean, he was not in the chain of command in terms of, you know, moving those units. And you know, what happens having been Chief of Staff to the President, is that, you

know, once a decision is made, then there is usually a lot of staff communication that goes on between, you know, staff at DOD, the White House, State Department, others that may or may not be involved. But there's usually staff communication that goes on, so you know this is what's going on. This is what's happening. What do you know; what don't you know. And they try to keep their principals informed as a result of those communications, and I think Jeremy, as my chief of staff, would have been the person to basically do liaison with these other groups.

Q (U) So would -- and I have no reason to believe that Jeremy Bash was confused about what your orders were, but if he had been confused about what your orders were, or if he had miscommunicated that in some way, would that have stopped General Dempsey and General Ham from moving forward with your orders?

A (U) No, not at all.

Q (U) So regardless of what Mr. Bash, sort of, was communicating to other individuals, your orders were being followed?

A (U) That's correct.

Q (U) So I'm going to show you a couple of excerpts from the testimony that you did alongside General Dempsey --

A (U) Dempsey.

Q (U) -- in front of the Senate. I don't know if they are the same excerpts you already got passed out, so we are just going to pass out a new one and mark it exhibit 7.

[Panetta exhibit No. 7

[REDACTED]

Was marked for identification.]

BY MS. SACHSMAN GROOMS:

Q (U) And I will just tell you what page I'm going to. I just had them put them all in a packet. During the Senate hearing, which was on February 7, 2013, where you and General Dempsey testified about the forces that you ordered to move on the night of the attacks, General Dempsey explained, and I'm going to quote from page 59, which is the second to last page in the packet you have, middle of the page. He said, because I think some of the same confusion that's been going on in this room here today was happening during that hearing. He said, and I quote, "I want to make just one comment related to your chronology because I think it's important. Once we started moving forces, nothing stopped us. Nothing slowed us. The only adaptation we thought about making was for a period of time we thought we were going to be entering a hostage rescue because we didn't know where the Ambassador was, but once we started forces moving they didn't slow. They didn't stop."

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

A (U) That's correct.

Q (U) There are also questions about whether there was any delay to the military response while waiting for country clearance. Congress has interviewed a number of different people, including the Defense attache who was a senior Defense official on the ground in Libya on the night of the attacks, and he told us, and this would have been something he said back in January of 2014 before the Select Committee

[REDACTED]

existed in a transcribed interview, that the Libyan Government had approved the flights and that he had communicated that fact to the Deputy Chief of Mission in Tripoli. And he said, and I quote, "We had a green light from the government of Libya to bring it in. It was just a question of when we're going to know the specific information that goes into a standard flight permits request."

(U) So that did happen, as you've said, in parallel and it got approved. But during your hearing with General Dempsey, General Dempsey stated, and I'm going to reference you to page 71, which is the last page of your packet at the bottom, he stated that even if they had not received country clearance, he would have acted, which is somewhat similar to what I think you had said earlier today. He stated, and I quote, "I want to assure you, had we been able to, there has been a whole bunch of speculation about we were risk averse, we needed the country's permission to come in. If we had been able to get there with anything, we'd have gone in there under a command of the Commander of U.S. Africa Command."

(U) Does that statement from General Dempsey depict the sentiment throughout the Department of Defense on the night of the attacks that you all were passionate and determined to get whatever resources you could to Libya that night to protect and save lives?

A (U) That's correct. When it comes to saving lives, we are not going to let anything stop us to be able to do the job of trying to protect Americans.

Q (U) So while there is discussion about, and properly so,

discussion about getting the country clearance and getting it in parallel, getting the country clearance would not have been a delay to the activities that you were doing that night of the attacks?

A (U) That's correct.

Q (U) Was protecting American lives the top priority for you and everyone you worked at that night?

A (U) Absolutely, absolutely, absolutely. And you know, as I said, there's a fundamental principle that those in the military really treat as one of their most important callings, which is, you leave nobody behind. And when it comes to lives, American lives, they will do whatever is necessary to try to protect those lives.

Q (U) Did you have any sense that the people in the military that you worked with would have slowed down or taken their time at any point in that evening?

A (U) Absolutely not.

Q (U) And was that your feeling for the others that you spoke with within the interagency --

A (U) Yes.

Q (U) -- that they were committed to saving American lives?

A (U) They all understood the importance of trying to do everything they could to try to protect the lives that were there.

Q (U) A lot of the questions and theories over the many years that we have been investigating Benghazi were that forces weren't sent to Benghazi on the night of the attacks, and they seemed to imply that you or that other officials within the military or the interagency had

resources at your disposal that you chose not to send. I want to give you an opportunity to respond to that.

A (U) Well, my direction at the time meeting with my military command and the chairman, and General Ham, and the others that were there, was what are the immediate resources we can deploy in order to try to save these lives and do what we can? And they are the ones that made the recommendation of the teams that I then ordered to be in place. And there was no -- there was no other, you know, question about, oh, there's some other group or there's something else we could do, or there's something closer, or something like that. These were the ones that we had the ability to deploy quickly whose job it would be to be able to go in and try to help save lives. And there was no other units, or equipment, or you know, operations that were even discussed as an alternative. We focused on the task forces. We focused on these units and those were the ones that were ordered to go into place.

Q (U) And can you describe the impact that this sort of constantly questioning of whether the military really wanted to respond and the politicization of the response in Benghazi has on the morale in the military, and how it affects individuals there?

A (U) I, you know, I don't -- I don't understand it. Having been responsible for the deployment of our men and women in uniform into war, into battle, these are the very best people we have who are prepared to put their lives on the line in order to defend this country. And when they are ordered to do so, they follow those orders. And to even question that someone might say, you know, maybe we shouldn't go,

or maybe we shouldn't do this, I think shows a lack of understanding of the fundamental principles that these people operate by. They operate by the principle that you do your job, and you do it as quickly as you can in order to do what's necessary to protect this country and protect American lives. And I don't think -- I don't think it's a good thing to send a message to the world that we are any different in terms of our approach.

Q (U) And is it your understanding that your staff and the National Military Command Center was in continual communications with the national security staff and the White House on the night of the attack?

A (U) I'm sorry, say that again.

Q (U) I'm sorry. Is it your understanding that your staff at DOD, the National Military Command Center, that they were all in continual communications with the staff at the White House, the national security staff, and others?

A (U) That was my understanding. I mean, I knew that the White House was being kept informed of what steps we were taking.

Q (U) And was it your sense that your staff and your military generals were doing everything in their power to respond to the situation in Libya?

A (U) Absolutely, absolutely.

Q (U) Was it also your sense that the personnel from across the interagency were doing everything they could to assist in the crisis?

[REDACTED]

A (U) Yes.

Q (U) And I know we have covered this already and we will keep covering it throughout the day, I think. Did the Secretary of State ever tell you to stand down or slow the Department of Defense response?

A (U) Not at all. You know, that's a -- that's a big word, "stand down." And let me tell you, not only did I never hear that word mentioned, but if somebody had said that, I think, you know, it would not have interfered with my orders to proceed.

Q (U) And I know now we are in total hypothetical, but since that obviously didn't occur, but would there be any circumstance in which you would have thought the Secretary of State would have wanted you to slow down the response to save American lives on the night of the attack?

A (U) No, not at all. As a matter of fact, the only person that could contradict my orders would be the President of the United States.

Q (U) Did the President ever tell you to stand down or slow down the military's response?

A (U) No, absolutely not.

Q (U) Okay, I want to draw your attention back to the time period before the attacks in Benghazi, and you discussed this a little bit in the previous round. In the days before the attack, were you aware of any specific intelligence or warning that there would be an attack in Benghazi on or around the 9/11 anniversary?

A (U) No, that was, obviously, the lack of having intelligence

[REDACTED]

[REDACTED]

about an imminent attack is very critical here because if we had gotten intelligence of an imminent attack, we would have obviously responded to that. But in the absence of that kind of intelligence, that kind of report, obviously, you're treating all of the areas that we discussed as kind of priority areas to keep your attention, because I then had to be responsible, obviously, to be able to respond to any crisis in any of those areas. But you know, when you don't have intelligence that tells you an attack is going to take place, it makes it that much more difficult to be able to respond.

Q (U) And as you discussed in the previous round and as you discussed in your book, "Worthy Fights," which perhaps this transcript will be a good advertisement for --

Mr. Shapiro. (U) He can only hope.

BY MS. SACHSMAN GROOMS:

Q (U) -- you and other senior national security leaders were concerned about the potential for violence in the days before the attacks. You were concerned about potential for violence against Americans overseas due to the movie, the "Innocence of Muslims" and I'm just going to quote from your book on page 427, 428, and I can give you an excerpt if you want. Quote, "We were already tracking an inflammatory anti-Muslim video that was circulating on the Internet and inciting anger across the Middle East against the United States. Even though the U.S. Government had nothing to do with it, we braced for demonstrations in Cairo and elsewhere across the region, and General Allen was especially concerned that it might lead to violence

[REDACTED]

against our forces in Afghanistan. Press reports indicated that the Pastor Terry Jones, who had previously created a stir by threatening to publicly burn a Koran, was connected to the video.

(U) Several senior officials from around the government requested that Chairman Dempsey personally call Jones and ask him to disavow the video. If Dempsey's request failed, I was going to call him next. Dempsey placed the call, but was only able to leave a message," end quote.

(U) When you say in that quote, "We braced for demonstrations in Cairo and elsewhere around the region," who was the "we" you were referring to?

A (U) Well, clearly, the Department of Defense was aware of, obviously, these hot spots that people were concerned about. And I think my responsibility as Secretary was to make sure that we, the Department of Defense, were in a position to be able to respond, if necessary.

Q (U) And you also said that General Allen had specific concerns about the film leading to violence against U.S. forces in Afghanistan?

A (U) Yeah. Yeah.

Q (U) Can you explain how he voiced those concerns?

A (U) General Allen was, at that point, commander of our forces in Afghanistan. And there had been, you know, every time there had been incidents like the Koran burning, there was, as I recall, there was an instance where the military had, for some reason, burned some

Korans. And that immediately, you know, created a firestorm in Afghanistan. So because of that history, these kind of intimidating events that can suddenly create disruption, I think General Allen, in particular, was sensitive about this video now that, you know, that described the burning of a Koran, that that, too, would be used to incite people. And that's why he had that concern.

Q (U) And did you share those concerns?

A (U) Pardon me?

Q (U) Did you share those concerns at the time?

A (U) You know, at the time within the Department I shared those concerns.

Q (U) I mean, did you personally share those concerns? Did you also have those concerns?

A (U) No, absolutely, having been through that with these other instances, there was no question in my mind that this video had the potential to, if it started going viral, that it was going to incite people someplace, somewhere, somehow.

Q (U) So at the time, which would have been before the attacks, is it fair to say that you, General Allen, and other national security experts, held serious concerns that the film could spark protests in Cairo and elsewhere in the region?

A (U) That's correct. That's what led to the meetings that, you know, that September 10 meeting, the video was mentioned as a, you know, a potential incitement for demonstrations in these areas.

Q (U) And is it fair to say that you were also concerned, at

[REDACTED]

that time, that potential protests against the film could turn violent against American interests?

A (U) That's correct.

Q (U) And is it fair to say that these concerns were subject of discussion between military and national security leaders within the United States on the days before the attack?

A (U) That's correct.

Q (U) Did you consider your concern and the concern shared by General Allen and other national security leaders in the day before the attacks related to the video to be a political concern? Was it at all related to how to win the election that was upcoming?

A (U) No, not at all. It was a concern because it was a national security concern.

Q (U) And some of the -- some of the questions I think in the last round --

A (U) Can I just go off the record?

[Discussion off the record.]

BY MS. SACHSMAN GROOMS:

Q (U) We can go back on the record. There were some questions in the last round, and I just want to make sure you have a chance to explain your position. I understand that there was no specific intelligence that an attack at the State Department facility was coming, but that you were at some heightened alert, knowing that there would be protests in Cairo --

A (U) Right.

[REDACTED]

Q (U) -- and somewhere within the region, and generally, and maybe a number of places within that region. So in those -- in the upcoming to the 9/11 anniversary, what were the factors that were driving the posture of the U.S. forces? So can you explain, in a general sense, why the forces were where they were?

A (U) Yeah. Well, I think everybody has to remember that, you know, our forces are deployed around the world. And at that point, in particular, we were involved in two wars in Iraq and Afghanistan. Plus, we were dealing with potential threats coming out of Iran that we had to focus on. Plus, at that point, we also had a, you know, a presence in the Pacific, not only in Korea, but enabled our force projection into the Pacific as well. Plus, the fact that we were dealing with Al Qaeda threats in Yemen, and also dealing with the threats in Somalia as well.

(U) So there were a number of critical areas involving, you know, our focus that required both the deployment of men and women in uniform, plus other military sources to be able to deal with all of those threats. And then add to that, obviously, the potential for these additional threats that we were being made aware of. So all of our force projection, all of our forces were deployed in ways -- the best way to say it -- in ways to try to protect our national security.

Q (U) And I think it's probably easier now to second guess than to preplan?

A (U) Always.

Q (U) Always. But at the time, the concern was throughout

[REDACTED]

the region, not specifically Benghazi. Right? It was Cairo, Tunis, Sanaa, and maybe Tripoli?

A (U) Yes, we were talking about 280, almost 300, you know, different worldwide threats that we had discussed. But in particular, we were concerned about these unstable areas in North Africa from Cairo, to Sanaa, to Tripoli, to -- Khartoum had been a problem, plus some others, you know. And the point of the discussions, particularly on the day before, was to kind of identify some of these sensitive areas that we ought to pay attention to. And as Secretary of Defense, my point with General Dempsey was, you know, we are aware of these. Let's just make sure that we are in a state of readiness, where if something has to be done, we're prepared to respond.

Q (U) And did you feel that you were, then, in a state of readiness?

A (U) That's correct.

Q (U) Okay. And I understand that those forces still had N hours. Right?

A (U) Yeah.

Q (U) They still had prep-time hours. Can you explain, you know, some second guessers might say, well, how come you guys didn't shorten the N hours at that point? Can you maybe address that?

A (U) Yeah, you know, there is a standard preparation time for these units. I mean, as I said, you know, I think people have to understand that, you know, it would be nice if we were a 911 operation, but we are not a 911 operation. We basically, we don't have firehouses

[REDACTED]

[REDACTED]

located around the world to be able to deploy, you know, the fire department whenever there's a fire. What we have to do is be able to use our resources in a way to respond to a crisis when it takes place, and those units, our elite forces, they know that they have to move quickly.

(U) But at the same time, they don't sit around with a pack on their back and, you know, near a plane or on a plane. They have got to bring their unit, you know, together and make sure all of the people are there. They have got to go through the process of getting their packs ready, getting their equipment ready, you know, providing the armaments that are necessary to accompany them.

(U) There is an element of preparation that goes into getting these units ready to go. That's the way we operate. And you know, these people move fast. It's not like they are sitting around, you know, trying to play for time. They know because they are elite forces that they have got to move fast and when they are given the order, they do move fast. But the nature of, you know, the reality of what we are dealing with is, it still takes time. You know, put all of your packs together, get all of your people together, make sure they are all ready to go, put them on a plane and then transit that unit across whatever time and distance you have got to go in order to get them to the location. And you know, you wish you could just immediately, you know, when you have a crisis, be able to drop people into that crisis. That would be nice to do if you could respond quickly.

(U) But that's not the nature of how you respond to these crises,

[REDACTED]

and do it in the right way, because even these units, which are elite, you know, they are not crazy. They have got to prepare for the contingencies that are involved, and you know, they have to take the time to make sure that as they respond, that they are not going to jeopardize more lives in responding to those kinds of crises.

Q (U) And you had said, I think, in the last round that one of the things that you had wanted was a commanders and extremist force permanently attached to AFRICOM, and that was working through the process before the September 11 attacks. Is that right?

A (U) Yes.

Q (U) In fact, I think that had already been budgeted and it actually showed up shortly after the attacks?

A (U) Yes, General Ham had made this recommendation, and I supported that.

Q (U) I think it was stood up October 1 of 2012, so right after the attacks. Is that right?

A (U) Right after.

Q (U) And it was able to stand up that quickly because it had been in the process, right?

A (U) That's right.

Q (U) Not because of the reaction?

A (U) That's right. There had been a set of orders to make it happen.

Q (U) In the wake of the attacks in Benghazi, the military has taken a number of steps to change its posture. Right?

[REDACTED]

A (U) Yes.

Q (U) What it calls, I think, the new normal. I understand that you're not still there, but can you explain the reasoning behind the new normal?

A (U) Yeah, every time lives are lost, there are lessons to be learned, and that was true in this instance. There are a number of lessons to be learned.

(U) Number one, you have got to improve the intelligence to make sure you're aware that there's going to be an imminent attack because if you don't get that intelligence, almost everything else falls apart.

(U) Secondly, that security at these embassies and with our embassy personnel does have to be improved, particularly with the instability in, you know, in the Middle East and North Africa. And we were in the process of working with the State Department to improve security there.

(U) My understanding is the new normal has implemented some of the things we have put in place in adding about 1,000 marines to that.

(U) And then thirdly, it came to the deployment itself [REDACTED]

[REDACTED]

[REDACTED] that we had air transit capability there for these units, because some of these units, even though they were unique units, you know, and they are moving fast, didn't necessarily have air transit capability. And so that air transit capability is now -- now accompanies that.

(U) And the idea of trying to see if we could work with these

[REDACTED]

African countries to try to see if we could ultimately be able to deploy, or have bases where we could have units deployed on so they could be in closer proximity. I don't know if that has ever happened, but that was also something we discussed. But those are some of the things that we put in place.

Q (U) And was one of the forces that got stood up after the attack in Benghazi the Special Purpose Marine Air Ground Task Force MAGTF that became a dedicated asset to AFRICOM? Does that sound right?

A (U) I believe. Yeah, it sounds familiar. I believe that is the case because it was, you know, AFRICOM, as you know, was a relatively new command. And as I pointed out, I think when I became Secretary, I couldn't understand why the hell AFRICOM command wasn't located in Africa. And they made clear that that was a touchy subject.

Q (U) And in the -- after those changes, is it your sense that the State Department and other U.S. personnel are safer in the region now, or is there -- and there's still the tradeoff from distance -- the major issues of distance and time that can get mitigated but never really eliminated?

A (U) Yeah, I mean, obviously, you know, I'm not there now, so I can't -- I can't tell you firsthand what the situation is like. But I would assume that because of the steps that were taken, that we are in a better position to respond. But I think you always have to take into consideration two important elements. If you don't get intelligence that indicates these attacks are going to take place, you're still going to be -- there's still going to be greater time

[REDACTED]

involved just to be able to then deal with that situation as it arises.

(U) And secondly, that there is always the issue of time and distance, particularly distance. We are dealing with a part of the world in which there are huge distances. You look at these places on a map and you kind of, you know, you begin to understand that it takes time to be able to transit from our bases in Southern Europe, or wherever they may be located, it takes time to be able to travel to a point where you can then deploy these forces. That's just the nature of it. And I don't -- I don't know that there is anything you can do in terms of just the nature of the distances, the great distances that have to be overcome.

(U) Now, you try to deploy additional bases and try to, you know, see if you can get places where you can deploy quickly, but that, again, becomes an issue of the countries cooperating with you to allow that to happen.

Q (U) And is there a cost tradeoff to shortening the N hour and improving the response times?

Mr. Shapiro. (U) Financial cost?

Ms. Sachsman Grooms. (U) Yes, financial resources, people?

Mr. Panetta. (U) Well, I mean, there's always costs involved. But I have to tell you, when it comes to these elite forces, costs are usually not a factor.

BY MS. SACHSMAN GROOMS:

Q [REDACTED]

[REDACTED] (U) in some of these forces, does that require you

[REDACTED]

[REDACTED]

to then have additional forces there to be available because people need to be on alert and then they need rest time?

A (U) Yeah, I know it's apparent that when you reduce that N plus, whatever time, that it means that you've got units that are going to be in a higher state of readiness in order to deploy. And you can only keep people in a high state of readiness so long. So you're going to have to create some additional teams that can be able to rotate in order to be ready, like a firehouse has to do that.

Q (U) Following the attacks in Benghazi, did you work with Secretary Clinton to provide Department of Defense support to develop joint Department of Defense and State Department security teams to reassess the securities of the embassies in the high-threat, high-risk posts?

A (U) Yes, we did. She made the request, and we cooperated with her in having some of our security people work with her people in order to identify needs and how to address those needs.

Q (U) And can you explain why those teams, which were sort of the new idea, were important to identify sort of immediate needs and threats?

A (U) Yeah, I mean, you know, look, these -- we have our as you know, Marine detachments that are assigned to embassies. The role is not primarily security. It is basically protecting classified information, helping support the communication, and obviously, they do provide, you know, some limited security. But the basic role of security is usually the host nation that has to do that.

[REDACTED]

[REDACTED]

(U) Now, in these countries where, you know, they were in the wake of the Arab Spring, the reality is that, you know, host nation protection is pretty questionable. And I think, as a result of that, that Secretary Clinton felt that it was important to kind of review these areas and determine what additional steps could be provided in order to increase security.

Q (U) And did you agree with her?

A (U) Yes.

Q (U) And do you think that that was an important step in the wake of the attacks to bolster the security of the embassies?

A (U) Absolutely. Again, it's a lessons learned and, you know, you have to -- you have to learn from these tragic situations what additional steps you can take in order to save lives.

Q (U) As you were discussing the mission of the Marine security guards, since the attack, one of the things that have changed is that the Marine security guards have increased in size. There are more of them at embassies, and they have expanded their mission beyond the primary mission just to protect classified material. Can you describe why that would be important?

A (U) Well, again, you know, without knowing specifically how all of this has been implemented, it was at the time before I left, we were talking about adding 1,000 more marines to try to help in terms of security. And you know, the ability to have that additional security, particularly in these countries where, you know, there is a lot of questions about the ability of the host nation to, in fact,

[REDACTED]

[REDACTED]

respond and provide protection. That in the end, you know, we still have a responsibility to our people and to our Embassy officials that, you know, we do everything possible to try to protect them.

(U) At the same time, I think, you know, it's also a fact, and Secretary Clinton has mentioned this, that, you know, our ambassadors and diplomatic officials can't live in a bunker mentality. You have got to get out there. You have got to talk to people. That's the nature of having diplomats. So it's this balance of, obviously, providing security, providing additional protection, but at the same time, recognizing that their principal role is to understand what's going on in that country and they have got to get out of there and understand what's going on.

Ms. Green. (U) This may have happened, Secretary Panetta, after you left, but there was a new MOU signed between, I guess, the Marine Corps and the State Department where they added to the mission of protecting classified, also to protect personnel, so sort of, you know, added that layer as also a primary mission is my understanding.

Mr. Panetta. (U) Uh-huh, well, it's understandable, but you know, in the end, you know, at least my own point of view is in the end these guys can provide, you know, some protection and they are damn good at it. But if the host nation is not involved, you're in trouble.

Ms. Sachsman Grooms. (U) I think we will break this round and go off the record.

[Recess.]

Mr. Chipman. (U) Okay, back on the record. Congressman Jordan,

[REDACTED]

did you want to start off this next round?

Mr. Jordan. (U) Sure. Let's go back to the email, Secretary Panetta. So I just want to be clear. You said the first hour, the questioning from, I guess, all three of us, that even though -- notwithstanding the email that says, "assuming principals agree," that you had already, prior to this email being sent at 7:19 eastern time on the 11th, you had already told the Special Ops, and the FAST team to deploy?

Mr. Panetta. (U) Well, just to be correct, I told General Dempsey to deploy those forces.

Mr. Jordan. (U) Okay. And do you know when those respective forces actually took off?

Mr. Panetta. (U) I don't.

Mr. Jordan. (U) The Special Op force that left the United States, do you know when that left?

Mr. Panetta. (U) No.

Mr. Jordan. [REDACTED]

[REDACTED] (U) the Special Op force in Croatia left at 10:17 the morning of the 12th, and the FAST platoon left at noon on the 12th. So what we are trying to -- what I'm trying to understand is, you gave an order at 7:19 eastern time on the 11th, and these forces don't leave until several hours later. Why such a long delay?

Mr. Panetta. (U) Well, again, from my perspective, as Secretary, you know, my job is to issue the orders that these units be deployed,

and deployed as fast as possible. And you know, my understanding is that -- is that those units were, in fact, moving to implement the order that I gave. As to the particulars of, you know, who was where when, at what time, that frankly was not -- was not something I was following on a point-by-point basis.

(U) My point to General Dempsey, I mean, was, you know, if there are -- if there are any problems involved with the order that I issued, obviously, I want to know about it. And General Dempsey never came to me and said there were any problems.

Mr. Jordan. (U) In the first hour you said when you gave the order it was to "take the hill," I think was the term you used in the first hour.

Mr. Panetta. (U) Yeah.

Mr. Jordan. (U) And now, and that order, again, what you said in the first hour was done at least by 7:19 p.m. that night, and the three -- the two Special Ops and the FAST platoon that you put into motion at 7:19, two of them never get to Tripoli ever, and the other one only -- or excuse me, two of them never get to Libya. And only one of them gets to Libya and that's Tripoli, not Benghazi.

(U) I mean, to me, that -- are you surprised that it took that long and, in fact, they never got there when obviously, if you're saying deploy now, take the hill, I mean, maybe -- that's what, again, I'm failing to understand.

Mr. Panetta. (U) No, look, my orders are that, you know, these teams are to deploy, and recognizing the time to prepare, and the

distance to get there, that, you know, those are obviously all taken into account. But when -- 12 hours after that attack began all of our personnel were out of Benghazi, that at that point, there is not a lot of need to deploy forces into Benghazi if it's over.

Mr. Jordan. (U) I wasn't saying that. All I'm saying is, you know, less than 3 hours into the attack, you say deploy, and only one of the three, you know, forces you put in operation ever even got to the country.

Mr. Panetta. (U) Well, the one that got there is the one that went to Tripoli.

Mr. Jordan. (U) Right.

Mr. Panetta. (U) And that one got there, and did its job. The others, frankly, their primary role was to respond to Benghazi, and at that point, the attack was over.

Mr. Jordan. (U) Right. But the one that got to Libya got there 23 hours later, and you don't think that is -- you don't think that that's unusual?

Mr. Panetta. (U) Well, you know, again, considering you know, the preparation, and the time, and distance to get there, I mean, it's all -- it's all understandable. But I also have to tell you, you know, that there are lessons to be learned here.

Mr. Jordan. (U) Twenty-three hours after the attack started is when it got to Tripoli, 20 hours after you gave the order. So it took 20 hours to carry out your order?

Mr. Panetta. (U) As I said, there are lessons to be learned here,

[REDACTED]

and one of the things we did was to take a look at the situation and try to reduce that N plus time in order to make sure that could happen faster. I think, you know, there are -- there are obviously things that you learn from tragic events, and this -- one of them was to try to reduce that preparation time in order to make sure that these important units are able to respond in a faster time track.

Mr. Jordan. (U) Let me back up. This morning when we started, Dana, or General, started with asking you these questions, Secretary, about the meeting on the 10th, preparing for how you were going to have assets, and what you were going to do and getting ready for September 11, which I assume happens probably every September 10 getting ready for September 11, and what may try and anticipate.

Mr. Panetta. (U) Yeah, there are always concerns about September 11.

Mr. Jordan. (U) So you talk about this was a critical meeting, important folks were in this meeting. Did anything change so did any -- we have where assets, and alerts and things are done on the 9th of September. We have this important meeting on the 10th. Did anything change? Was anything different on the 11th as a result of what you discussed in that meeting on the 10th?

Mr. Panetta. (U) Well, the difference was, you know, that we made clear that we would be on a higher state of alert as a result of, you know, the potential events that could occur on the 11th. And as a result of that, all of these units, particularly the elite units, are made aware of the fact that we are putting them all in a higher state

[REDACTED]

[REDACTED]

of alert.

Mr. Jordan. (U) Higher state of alert. Anything else? Were any assets moved as a result of the meeting on the 10th?

Mr. Panetta. (U) No, because, you know, it's important not to just simply move these assets around for the sake of moving them around. You have got to respond to the crises, and if I, you know, suddenly deploy forces to Cairo, and something blows up in Khartoum, then I have got to figure out how the hell to adjust, and so it makes better sense, frankly, to have these units ready to go and, you know, if a crisis does emerge, be able to deploy those forces when necessary.

Mr. Jordan. (U) Okay. And was Benghazi talked about -- Benghazi and Libya specifically talked about at this meeting on the 10th?

Mr. Panetta. (U) No.

Mr. Jordan. (U) I'm going to move to -- we might want to give this to the Secretary, give Chairman Gowdy a copy. I will use this one if I can.

(U) This is from questions the House Armed Services Committee -- and I apologize, I don't have the date. This is from Congressman Wenstrup, an exchange with Congressman Wenstrup and General Ham.

Mr. Chipman. (U) And for the record, that is Deposition exhibit 8.

[Panetta exhibit No. 8

Was marked for identification.]

[REDACTED]

Mr. Jordan. (U) So let me first start with, Secretary, your -- when did you first talk with General Ham on the night of the attack?

Mr. Panetta. (U) He was at the Pentagon.

Mr. Jordan. (U) Right.

Mr. Panetta. (U) And General Dempsey made me aware that he was present there, and that's -- I asked him to come up to my office as soon as I got back from the White House.

Mr. Jordan. (U) So around, I think the time --

Mr. Panetta. (U) Sometimes around 6.

Mr. Jordan. (U) Sometime around 6 o'clock. So you met with General Ham around 6 o'clock. And did you talk with him several times during the evening, or you sort of --

Mr. Panetta. (U) Yeah.

Mr. Jordan. (U) And General Ham, just to be clear, he did not go with you to meet with the President --

Mr. Panetta. (U) No.

Mr. Jordan. (U) -- even though he was in Washington? And you had not talk to him prior to your meeting with the President?

Mr. Panetta. (U) That's correct.

Mr. Jordan. (U) When you got information of the attack, just so I'm clear, did that come from up through the chain of command to you at the Pentagon? How did you, at the Pentagon, get that information? Did it come through General Ham, and then someone at the Pentagon, General Kelly or Mr. Bash tell you, or how did that work?

Mr. Panetta. (U) I think it probably came through our joint command there that they were notified about the incident taking place there, and that, you know, again, you probably should check with the individuals involved, but I'm sure that General Kelly, my military attache, was made aware of that at the time. And you know, he's the one who alerted me, as I was walking out the door, the Secretary's office that there was this attack going on in Benghazi.

Mr. Jordan. (U) Okay. And in your conversation with General Ham that night, did you talk about the nature of the attack on both the Special Mission Compound and the Annex in Benghazi?

Mr. Panetta. (U) I think, you know, again, it was, you know, a situation in which we had, you know, bits and pieces of information about what was taking place there. All I knew at that point was that an attack had happened. As to what the nature of it was, what, you know, what was involved, we really didn't have all of those details.

Mr. Jordan. (U) Uh-huh. Can you look down what the exchange I'm going to go to page, I think it's numbered 50.

Mr. Panetta. (U) Okay.

Mr. Jordan. (U) Near the end of the exchange, I want you to -- Congressman Wenstrup, who was a doctor, Dr. Wenstrup served in our military. He says, "I'm concerned that some of the military would be advising that this was a demonstration. I would hope our military leadership would be advising that this was a terrorist attack."

And General Ham says, "The command very quickly got to the point that this was not a demonstration. This was a terrorist attack."

Do you agree with what Mr. -- or excuse me -- do you agree with General Ham's assessment of the nature of the attack?

Mr. Panetta. (U) From my understanding of, you know, what was happening there, at least my personal assessment, again, without all of the facts, was that there was an attack going on and that, you know, this was -- this was something that was, you know, constituted a serious event.

Mr. Jordan. (U) Is it accurate to call it a terrorist attack as General Ham did?

Mr. Panetta. (U) I think our, at least my analysis at that point is that, you know, we were dealing with an attack. I wasn't aware of all of the facts as to, you know, just exactly what had taken place. But you know, when -- obviously, the next morning, when we found out about the attack that occurred on the CIA facility, and when I knew that RPGs and mortars had been used in that attack, my conclusion, personal conclusion, again, was that this was a terrorist attack.

Mr. Jordan. (U) So when General Ham answers a second question from Dr. Wenstrup that General Dempsey and Secretary Panetta, the nature of our conversation was that you understood it was a terrorist attack, that's accurate?

Mr. Panetta. (U) Yeah.

Mr. Jordan. (U) And is this referring to conversations you had the night of the attack?

Mr. Panetta. (U) You know, I don't recall, you know, the night of the attack itself. I mean, we knew there was an attack. You know,

clearly, if there is an attack, you assume in that part of the world that terrorists are involved. That was probably kind of a working assumption at the time that we were talking about deploying these forces, is that they were going to have to deal with that kind of situation.

Mr. Jordan. (U) At any time in those meetings you were having at 6 o'clock and throughout the evening, did -- was there a focus on any type of demonstration, any type of video, or --

Mr. Panetta. (U) No.

Mr. Jordan. (U) All right. I'm good for now then.

Chairman Gowdy. (U) Secretary Panetta, first of all, thank you for your service to our country. Among the things that are least politicized in our culture would be the military and among the things that are most respected, and some of our fellow citizens who did not serve have really realistic expectations in the military, and some of our, and I will include me in it, are kind of colored by culture; this notion that we can get wherever we need to get in a 60-minute television show. Your testimony earlier was even, you know, laying the meeting at the White House aside, you had the Arab Spring. You had post-revolutionary Libya. And one of the questions I get is, okay, if we were not able to get there in time, why in that region were we not positioned in light of all of those factors? Lay aside the anniversary of 9/11. Just what's happening in the region? A lot of our fellow citizens just have trouble that we were not able to respond within the time period that Jimmy set out. So what would you say to

[REDACTED]

them?

Mr. Panetta. (U) Well, you know, I guess you have got to kind of -- you have to stand back and look at the threats in the world that we are confronting at that point. And, you know, we are not -- obviously, we are concerned about some of the events that might or might not take place in North Africa. But at that point, I was also fighting two wars in Iraq and Afghanistan. We were very concerned about Iran, and Iran was engaging in some behavior that, you know, that was volatile and concerned us at that point. So we were keeping an eye on Iran. [REDACTED]

to deal with Al Qaeda, and dealing with that; not to mention, obviously, our deployments in the Pacific in terms of dealing with the threat from North Korea.

(U) So I think people need to understand that it is not like we are all waiting around for these events that, you know, we are concerned about, you know, in North Africa. In addition to that, we have a responsibility to protect our national security and are dealing with all of these other issues. And a lot of our forces, most of our forces are deployed to basically fulfill those missions, but at the same time, we do have these elite forces that we use when we have to respond to crises. And that's what we had, and that's why we used them.

(U) And again, you know, I mean, I understand the mentality, you know, especially when you watch television, that somehow, you know, we can be a 911 team and suddenly have to respond. That's not the way it works. I wish it, you know, in some cases it would be nice to be

[REDACTED]

able to have that, but we are not -- we don't locate our firehouses in all of the places where you could have potential violence, or potential problems. That's just not, you know, that's not what we do. Because it would be inefficient, and because, frankly, our force structure is designed to deal with all kinds of national security threats. And that's what we're doing.

Chairman Gowdy. (U) All right. In addition to the Arab Spring, the anniversary of 9/11, there had been the protest demonstration, whatever word you want to use, in Cairo, that preceded what happened in Benghazi. Were any assets moving towards Egypt in light of what had just happened there?

Mr. Panetta. (U) No, because at that point, although there had been some disruption there, you know, there had been no indication that American lives were in jeopardy.

Chairman Gowdy. (U) All right. I want to ask you about the email, just to make it absolutely clear in my mind. There are two principals, you and the Commander in Chief. Are there any other principals, if Mr. Bash correctly used the plural, could there be any other principals he was talking about?

Mr. Panetta. (U) The only individual that had the authority to issue those orders was the Secretary of Defense, and the only person who could contradict those orders would be the President of the United States.

Chairman Gowdy. (U) And you have no evidence at all that the President contradicted your orders?

Mr. Panetta. (U) Absolutely not.

Chairman Gowdy. (U) So there would be only one principal, and if the Secretary -- and if the President did, I assume he would have done that to you and not to Mr. Bash. Mr. Bash would not have been the one reporting to you.

Mr. Panetta. (U) Absolutely, absolutely.

Chairman Gowdy. (U) So we can eliminate the President being part of that principal, plural, and your testimony is that there was no ambiguity in terms of what you said you wanted done?

Mr. Panetta. (U) That's right.

Chairman Gowdy. (U) And again, I'm asking you about an email that you didn't draft, but we are trying to understand what he possibly could have meant by "assume principals agree to deploy." Who else could he have been talking about?

Mr. Panetta. (U) You are really going to have to ask him, because, I mean, I, from my perspective, once I issued that order, that order was going to be implemented. And frankly, it was in line with what the President told me to do, which was to do everything possible to try to save lives.

Chairman Gowdy. (U) All right, I want to fast forward to the Sunday morning talk shows. I don't know if you saw them, but at some point, you probably heard about them.

Mr. Panetta. (U) Yeah.

Chairman Gowdy. (U) Was what Ambassador Rice, was what she said on those Sunday morning talk shows consistent with what you understood

happened?

Mr. Panetta. (U) Well, you know, first let me say that I never saw any talking points. All right. They never sent any talking points to the Secretary of Defense. So I was not aware of the talking points. We did have, the day after, a discussion of National Security Council in which General Petraeus indicated that, you know, the intelligence analysts had looked at it, and determined that it appeared to be a demonstration that got out of control, at which time, I said, are you sure about that? You know, I said, my sense is that you're dealing with RPGs and mortars, and it just strikes me as a terrorist attack.

(U) And he said, yeah, but there's a lot of weapons floating around in that part of the world, and who knows? All of this was obviously preliminary. Nobody had actually gone there and determined all of the facts. But at least at that point, my sense was that, you know, and I think, you know, in discussing it, that it appeared to me to be a terrorist attack, and as a matter of fact, when I came up and talked to the Armed Services Committee on the Senate side, when they asked about it, you know, I basically gave them that same view.

(U) Again, it's my view. I didn't have all of the facts. I didn't know all of the details. But at least from what I knew, it sure struck me as being a terrorist attack. And so when the Sunday shows occurred, I guess the thing that occurred to me, you know, when I heard, you know, at least reports on what had happened on the Sunday shows, that you know, what was -- what was missing was a very important statement, which was that the matter is under investigation and that

we don't know all the facts. And I think that should have been included in the talking points, and it sure should have been included in whatever statements were made on the shows.

[1:28 p.m.]

Chairman Gowdy. (U) I am sure if Ambassador Rice were here, she would, and we hope to have her here at some point, I'm sure she would tell you that she did use some of those fudge words, like our best assessment at the time. She also used a phrase that I think has a pretty specific meaning, which is the phrase, "in fact." When you say something in fact, that connotes to the listener that it is a fact. And she talked a lot about the video, and she talked a lot about a protest. And if I understand you correctly, there was nothing on the DOD side that led you to conclude that this was a demonstration or a protest that got out of control.

Mr. Panetta. (U) At that point, there was nothing. Again, I preface this, my experience in dealing with these kinds of events is, you know, frankly you probably ought to keep your mouth shut until you know all the facts. It's a good principle. But at least from what I knew at that point, it certainly struck me as being a terrorist attack.

Chairman Gowdy. (U) It's always an option to say we don't know.

Mr. Panetta. (U) Exactly.

Chairman Gowdy. (U) Did you consider, at some point, even if you didn't watch it, at some point I'm sure you became aware of what she said. Did you discuss with the President or anyone else that our intelligence, our evidence, does not back what we told the American people?

Mr. Panetta. (U) Well, you know at that point, I think it was -- my understanding was that there was going to be an effort to

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deploy a team there to determine exactly what had taken place, and it was within -- I mean, I can't recall just exactly the time, but that ultimately a video was produced, I guess, based on some of the stuff we were getting from the UAVs in place that presented a pretty clear case as to what had taken place there. And, look, if you've looked at that, and I don't know whether you've looked at that video, but if you've looked at it, at least initially there is clearly a demonstration, and there is clearly a demonstration that appears to get out of control.

(U) So I can understand, at least, some of the initial intelligence that might have thought that. But the reality is when you look at what happened at the second facility, that there is not much question that that obviously did constitute an attack. So I can see where there might be some confusion involved in what was decided, but ultimately, it became pretty clear as to what had taken place, and I think the American people certainly know that now.

Chairman Gowdy. (U) When you make reference to a video, I'm assuming you're making reference to the surveillance video?

Mr. Panetta. (U) That's correct.

Chairman Gowdy. (U) Where individuals jump over the fence and unlock the fence.

Mr. Panetta. (U) Yeah.

Chairman Gowdy. (U) And they're all armed, and there seems to be, at least, some sense of purpose to what they're doing?

Mr. Panetta. (U) Yes.

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Chairman Gowdy. (U) You, in response to one of Jimmy's questions, said it's important to learn lessons. What would some of those lessons be.

Mr. Panetta. (U) Well, I think there are several lessons to learn here. One is, that you really do need good intelligence, that not having intelligence about an imminent attack in Benghazi is, in many ways, probably the fundamental problem that, in some ways, added to all the time factors that concerned us all. But if we had had intelligence about the possibility of an imminent attack in Benghazi, then we would have been much better prepared to be able to deal with it on the ground.

(U) That didn't happen, and I really think it's important that, obviously, having been Director of the CIA, I know how important it is not to be surprised. That's the whole purpose of our intelligence capability, is to not be surprised. It happens. I understand that, but we just need to improve, particularly in that part of the world. Frankly, we really do need to improve our intelligence capability and understand what the potential threats are. So that's number one.

(U) Number two, there's no question you have to improve the security of our embassies, and particularly, our diplomatic officials who are out there. It's important that we provide the best security we can. Now, obviously, the host nation carries primary responsibility here, but at the same time, particularly in these volatile areas where, in the wake of the Arab Spring, there are countries that, you know, have not put together a capability to provide

host nation protection, that it's important to have additional security. And before I left, obviously we were working on an approach that I understand has been implemented to add a thousand Marines and some additional security to those facilities, so improving that security is obviously important.

(U) Thirdly, we learned a lot about the deployment here, and being able to reduce the amount of time for preparation of these units, being able to make sure that they had air lift capability present, ready to go. Those steps needed to be taken in order to ensure that once they were ready, reduce that time, and get them going.

(U) Now, obviously, if you have a unit that's ready to go and they're in a high state of readiness, you've got to make sure you have other teams that are prepared to kind of rotate so that you can move them when necessary. A lot of that is involved here, but nevertheless, that was an important lesson that we learned and that we put into place.

(U) The last lesson I would tell you is don't use talking points that don't include language that makes very clear that the matter is under investigation and that these results are only preliminary. As former chief of staff, I've seen talking points, and I can understand how trouble can result as a result of that. I used to review those before anybody got a hold of them to make sure that they reflected what we wanted to inform the American people about, because the last thing you want to do is to mislead the American people.

Chairman Gowdy. (U) Two more points, Mr. Secretary. I think every member probably on both sides has been stopped from time to time,

either on an airplane or at the grocery store, someone talked to someone who talked to a special operator who was in the region, ready to go, waiting on the call; a call never came. It happened on the House floor to me 48 hours ago. A colleague said, I was talking to someone who was ready to go. I'm assuming that you saw the list of every asset in the region, no matter how singular it may have been, and you knew everything that was at your disposal that night.

Mr. Panetta. (U) General Dempsey, I relied on his recommendation in conjunction with General Ham. They made me aware of the resources, the units that we would have that could be the most immediate way to respond to the situation, and that's what I went with.

Chairman Gowdy. (U) And there were no assets that you were made aware of in terms of time, proximity, availability, that you did not know of.

Mr. Panetta. (U) That's correct. That's correct.

Chairman Gowdy. (U) All right. Last question. Do you know whether any former GTMO detainees were part of the attackers in Benghazi that night?

Mr. Panetta. (U) I do not.

Chairman Gowdy. (U) Thank you.

Mr. Jordan. (U) Mr. Secretary, real quick if I could, and again, thank you. Did you attend the 7:30 SVTCs meeting that night? Were you part of that?

Mr. Panetta. (U) No. I was there. I was in my office, and, obviously, getting regular reports on some of the things that were

[REDACTED]

happening, but I was not at that.

Mr. Jordan. (U) Did you participate in that closed video?

Mr. Panetta. (U) No.

Mr. Jordan. (U) And did you or anyone at the Department of Defense have any input into the 10:08 statement that became the official statement of our government that night that Secretary Clinton sent out?

Mr. Panetta. (U) No.

Mr. Jordan. (U) Thank you.

Mr. Chipman. (U) Congresswoman Brooks and then Mr. Westmoreland.

Mrs. Brooks. (U) When you were talking about the kind of posture around the world and what you were dealing with in various places in the world, did you as Secretary of Defense ever engage in discussions with the Secretary of State or with the head of CIA about where they were in the world?

Mr. Panetta. (U) Well, obviously, you know where our embassies are located and consulates, et cetera, et cetera, we should have some idea in terms of these different countries. And you know, by virtue of, at least from my own experience, [REDACTED]

[REDACTED] But as to the specific location and where they were, that was not something I spent a lot of time on.

Mrs. Brooks. (U) But you, when you say an official embassy, were you aware when there weren't official embassies and other temporary type of government posts in different countries?

[REDACTED]

Mr. Panetta. (U) Not always.

Mrs. Brooks. (U) Was there ever any discussion within the administration about where, you know, these places were, where the State Department stood up temporary facilities?

Mr. Panetta. (U) Not that I participated in. I mean, obviously, look, as CIA Director, I knew some of the places where we were located, obviously, but not as Secretary of Defense.

Mrs. Brooks. (U) You hadn't been CIA director for 14 months, and so, did you have regular communications with Director Petraeus as to where they were in the world?

Mr. Panetta. (U) No. I mean, we talked with obviously issues they were dealing with, intelligence issues. I used to have kind of meetings at the Pentagon where I would bring not only General Petraeus, but also General Clapper, and we would talk about general intelligence issues that we were dealing with, but never specifically about geographic locations.

Mrs. Brooks. (U) And when you talked about the video of the attack that night and you mentioned demonstration at the state compound or the state temporary mission facility, what did you see that you believe it was a demonstration?

Mr. Panetta. (U) Well, you know, you saw a mob, and that mob was coming across those fences, and they were kind of moving. You could just --

Mrs. Brooks. (U) I'm sorry, sir. But when you say you saw a mob, on the outside of the fence? Or do you recall if you saw just a few

individuals coming over the fence? Did you actually see a large group of people?

Mr. Panetta. (U) I'm going to refer you to the video, but, obviously, at least my recollection of watching that video was that there were people coming over the wall and that certainly they were crashing through and moving in a way that obviously was reflective of a mob out of control.

Mrs. Brooks. (U) But you saw people coming over the wall, individually coming over the wall?

Mr. Panetta. (U) Yeah, that's right.

Mrs. Brooks. (U) But you don't recall ever seeing a group of people outside of the wall, do you?

Mr. Panetta. (U) Not really. I don't think so. I guess the cameras, I don't know how they put the video together, but I think they used some of the film obviously from the cameras that were at the facility.

Mrs. Brooks. (U) So besides a large number of people coming over the wall, was there anything else that you saw or that you recall that denotes a demonstration?

Mr. Panetta. (U) It was just the manner that people were kind of rushing through the building, and they were throwing stuff out of the building; and it was, it just seemed to be, as I said, it certainly had the appearance of a mob out of control.

Mrs. Brooks. (U) And when you talked to the chairman about the assets, and I want to clarify this, that you felt that General Ham and/or

[REDACTED]

Dempsey had informed you of all of the assets that were there, but yet you did not know that you had two DOD people in Tripoli. Is that correct?

Mr. Panetta. (U) We have DOD people assigned to embassies around the world, and so I mean, obviously, I think I could have assumed that there were DOD personnel there. But as to what they did and how they responded, they were obviously, at that point, under the chain of command of the Embassy.

Mrs. Brooks. (U) Were you told how many people, how many DOD people were there?

Mr. Panetta. (U) No.

Mrs. Brooks. (U) Is there a standard number that would be in a place like Tripoli?

Mr. Panetta. (U) Normally one or two, but it just depends on the embassy.

Mrs. Brooks. (U) Thank you. I have nothing further.

Mr. Chipman. (U) Mr. Westmoreland.

Mr. Westmoreland. (U) Secretary, this video that you saw, was this from the Predator feed?

Mr. Panetta. (U) You know, I know I saw it, and I think it was presented to the intelligence committees, and I know others have looked at it. I'll ask you guys.

Mr. Shapiro. (U) Your question was what he saw that night?

Mr. Panetta. (U) No, no. It's not from that night. This was several weeks afterwards.

[REDACTED]

Mr. Westmoreland. (U) Was that video taken from the Predator or from the ground cameras?

Mr. Panetta. (U) I don't know what contributed to that, but it was clearly a video that showed what had taken place there.

Mr. Westmoreland. (U) I've seen it, and I'm going to go back and look at it again, because I don't remember that. And I'm a little slow, so you're going to have to kind of help me and kind of walk me through this, but you had that meeting, and it lasted with the President, you said, for about 30 minutes?

Mr. Panetta. (U) Approximately.

Mr. Westmoreland. (U) It was already a prearranged meeting? I mean, this was a weekly or --

Mr. Panetta. (U) That's right.

Mr. Westmoreland. (U) Was there anything in particular you all were going to talk about at that particular meeting, or you all just go in and --

Mr. Panetta. (U) Obviously, there were, as I pointed out, there were a lot of things going on. I can't remember --

Mr. Westmoreland. (U) You have a set agenda that you go by?

Mr. Panetta. (U) Normally, we have a set agenda, and we talk about issues. General Dempsey would have issues to discuss as well. And between the two of us, we try to give the President an update as to, you know, what's taking place with regards to, you know, the Defense Department and obviously the issues that we were confronting around the world, primarily, obviously, in the Middle East, but, in

particular, in Iraq and Afghanistan.

Mr. Westmoreland. (U) So did you set the agenda, or did the White House set the agenda?

Mr. Panetta. (U) We set the agenda.

Mr. Westmoreland. (U) He set it?

Mr. Panetta. (U) We set it.

Mr. Westmoreland. (U) Oh, you set it. So was the Middle East or any of these things already on your agenda as far as what was going on?

Mr. Panetta. (U) I can't recall, but I can tell you that as I said, our main focus was the war that was going on in Iraq, the concerns we had about Iran, which, at that point, as you can understand, we were worried about some of their activities related to our fleet. And the other area was, obviously, the war in Afghanistan.

Mr. Westmoreland. (U) The conversation you all had the day before I think you said when you were in a car or somewhere --

Mr. Panetta. (U) Yeah.

Mr. Westmoreland. (U) -- and you all spoke about the video, right? Was there any further discussion about the video or what impact that video might have planned for that meeting?

Mr. Panetta. (U) I understand. This is the inflammatory video that people were concerned about.

Mr. Westmoreland. (U) Yes.

Mr. Panetta. (U) I think that was mentioned as something that could possibly inflame some demonstrations at some of these areas that

[REDACTED]

were discussed. And the reason for that -- I was asked by minority counsel about that issue -- General Allen, in particular, who was our commander in Afghanistan, there had been instances where -- and I can remember one in particular, where one of our military officers for some reason wound up burning some Qurans, and the fact that that had happened went viral, and some demonstrations resulted as a consequence, and it concerned General Allen that there was now this new video that involved the burning of a Quran and that that might inspire the same kind of demonstrations.

Mr. Westmoreland. (U) I'm just kind of thinking if that was me, and I was going in and we had had the conversation about being prepared for September the 11th, and all the different things, that I may have wanted to tell the President, Hey, in light of this video possibly coming out or whatever, here's the things we have done. Here's where we have repositioned people, put people on higher alert or whatever. Was that anything that was on your agenda that day?

Mr. Panetta. (U) Again, I can't recall the specifics of it, but I think we indicated the day before as a result of the SVTC, or the discussion we had, that we had placed our units on higher alert because of the potential for what could happen.

Mr. Westmoreland. (U) What units were those that you placed on higher alert?

Mr. Panetta. (U) It was just the Defense Department in general, that we went on higher alert, higher state of readiness, I guess is the best way to put it.

[REDACTED]

[REDACTED]

Mr. Westmoreland. (U) Also in this DOD, I'm not sure what exhibit this is, it's the Committee on Armed Services, the Senate. I guess it's a report from the DOD press office. The last paragraph says, "Unfortunately no alternative or additional aircraft options were available within enough time to be effective. The official said due to the incomplete intelligence picture on the ground, armed aircraft options were simply not feasible." I'm assuming that you're talking about the intelligence at that moment when the attack was going on?

Mr. Panetta. (U) I don't know who wrote that. I believe that the statement is correct in terms of not having the kind of intelligence as far as what was taking place at the time.

Mr. Westmoreland. (U) It was at the time of the attack?

Mr. Panetta. (U) That's right.

Mr. Westmoreland. (U) Not any previous intelligence about that?

Mr. Panetta. (U) That's correct.

Mr. Westmoreland. (U) Because I know between, I think, January the 1st and September the 11th, there's like [REDACTED] of intelligence put out by the CIA about the situation in Libya and Benghazi. Did you ever get any of those reports?

Mr. Panetta. (U) If they were contained in the PDBs, which is your intelligence bulletin, then, obviously, I would have gotten indications of that by the briefings I had on the PDB. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

██████████

Mr. Westmoreland. (U) I mean, that's a lot of pages. I think there's about ██████████ reports, but they continually were getting worse and more of a hot area. And as the chairman mention, you had Arab Spring and other things popping up, so I would think somebody would start paying closer attention. And then, two, the number of incidents that had happened there, I mean, I assume you're get this daily report, you would have seen there was a hole blown in the perimeter wall, that there were protests in the town with Al Qaeda and al-Nusrah, identified people there, protesting up to the point of this, and I didn't know if that's something the military would have paid attention to about doing what you said you all planned to do on the 10th, and that was make sure we were ready for the 11th?

Mr. Panetta. (U) I guess, again, Congressman, just to put this in context, you get these reports of incidents all over the world, and in particular, in North Africa and the Middle East, and you get reports of potential Al Qaeda attacks in a number of places. That's just the nature of intelligence that comes in. And the critical test is always what's credible and what's not credible. And in order to determine that, you got to look at resources, the sources for the information. You've got to make all kinds of judgments.

Mr. Westmoreland. (U) I would hope that whatever is in that presidential daily briefing would be credible.

Mr. Panetta. (U) Well, sometimes yes, and sometimes no. It's the nature of it.

Mr. Westmoreland. (U) I'll keep that in mind. Was it normal

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for -- your chief of staff, Mr. Bass, we're going to have an opportunity to talk to him. He had been with you at the CIA?

Mr. Panetta. (U) He was my chief of staff at the CIA.

Mr. Westmoreland. (U) So he had been with you for a while?

Mr. Panetta. (U) Yes.

Mr. Westmoreland. (U) Would it be out of his nature to start -- had he ever used the term "spinning up" before?

Mr. Panetta. (U) I don't recall.

Mr. Westmoreland. (U) It wasn't something he used on a regular basis. You had never, until you saw the email that said things were spinning up, you don't really know what he meant by spinning up?

Mr. Panetta. (U) No.

Mr. Westmoreland. (U) You never spun anything up at the CIA?

Mr. Panetta. (U) We got spun up about a lot of things.

Mr. Westmoreland. (U) Do you think he would have taken it on himself to start that kind of operation without first consulting you or somebody?

Mr. Panetta. (U) I have tremendous trust in Jeremy. He would have done nothing to contradict my orders with regards to deployment. If anything, he would have tried to make sure that they were being put in place.

Mr. Westmoreland. (U) But when he had started that, when he sent that out --

Mr. Shapiro. (U) Would he have initiated the order on his own?

Mr. Westmoreland. (U) That's right.

Mr. Panetta. (U) No, no.

Mr. Westmoreland. (U) Somebody had to tell him to start spinning up.

Mr. Panetta. (U) He wouldn't have been at the Pentagon very long if he had done that.

Mr. Westmoreland. (U) This was sent out because he was following your orders to get everybody --

Mr. Panetta. (U) I assume what's happening, and, again, I don't know -- you're going to be talking to Jeremy -- but normally what happens is that -- when there's something like this going on, that there are liaison-kind of relationships that are continuing at the staff level between Defense, between the White House, between State, and those discussions are going on at a lower level, and I think, frankly, this is part of that.

Mr. Westmoreland. (U) I got that, but on the spinning thing, somebody needs to talk to the countries to get permission and all that stuff. That seems like that that would have had to really have come from somebody else, and he was just following orders and trying to get this stuff ready, and then all of a sudden it was kind of just stopped. You said the FAST team, you had one going to Benghazi. Was there any talk about where it was landed, the FAST team in Benghazi?

Mr. Panetta. (U) Those are obviously details that they would have to look at that once they got there, you would have to assume that they would have to be brought in by helicopter, and those decisions would have to be made as part of the operations plan to actually go

[REDACTED]

in, and you'd have to look at the situation on the ground at that point and determine what is it that they could do to try to make sure that they save lives. I did not follow every detail as to how they would ultimately be deployed.

Mr. Westmoreland. (U) Just this last thing, because I know everybody is getting a little anxious, when you say, and there was a list in here of, I think people that, and I don't know what exhibit it is, but I have it somewhere, of who you were talking to, and you say you talked to the Benghazi conference call or representatives from AFRICOM, EUCOM, CENTCOM, TRANSCOM, SOCOM?

Mr. Panetta. (U) I wasn't part of that conversation.

Mr. Westmoreland. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Panetta. (U) No.

Mr. Westmoreland. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Panetta. (U) No. At the time in talking with General Dempsey, my question was what resources can we deploy as quickly as possible in order to save lives. In that discussion, they talked about, obviously, our fast units. They talked about our in extremis units, [REDACTED] and those were the primary things that were discussed.

Mr. Westmoreland. (U) Let's just play what-if. Would we have had to get permission to be able to arm those aircrafts there?

Mr. Panetta. (U) I think the problem is that although we used UAVs in the area, that you have to get permission from those countries to be able to arm.

Mr. Westmoreland. (U) You said, in your previous testimony, that if there was American lives in danger, you would getting permission.

Mr. Panetta. (U) Yeah, I know.

Mr. Westmoreland. (U) Would we have used them or not?

Mr. Panetta. (U) I guess we're all speculating here, my sense, it was never brought to my attention; and I assume the reason it wasn't is because General Ham didn't think it was a practical way.

Mr. Westmoreland. (U) Thank you.

[REDACTED]

[REDACTED]

Mr. Chipman. (U) Mr. Pompeo.

Mr. Pompeo. (U) Secretary Panetta, you said lessons learned, that we wanted to have good intelligence going on. That doesn't seem like a new lesson to me.

Mr. Panetta. (U) It's a lesson we keep repeating.

Mr. Pompeo. (U) I don't think that was a lesson learned. Was there an intelligence failure here? That's what you described.

Mr. Panetta. (U) Yes.

Mr. Pompeo. (U) You said we didn't have intelligence adequate intelligence?

Mr. Panetta. (U) Yeah, sure.

Mr. Pompeo. (U) Your judgment was there was an intelligence failure?

Mr. Panetta. (U) That's right.

Mr. Pompeo. (U) You talked about the video you saw afterwards. Did you have real-time video that evening that you were seeing?

Mr. Panetta. (U) No, no.

Mr. Pompeo. [REDACTED]

[REDACTED] Right?

Mr. Panetta. (U) I didn't see it, no.

Mr. Pompeo. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Panetta. (U) That's interesting.

Mr. Pompeo. (U) Okay. You said you didn't talk to the President

[REDACTED]

[REDACTED]

that night. When did you next talk to the President after the meeting that you had in the White House? Do you recall?

Mr. Panetta. (U) I don't recall.

Mr. Pompeo. (U) You said shortly after the attack, you said quote -- these are your words, and we can go find them: "You don't deploy forces into harm's way without knowledge of what's going on," end of quote. And because we didn't have real-time information, quote, "we couldn't put forces at risk." Do you stand by that statement?

Mr. Panetta. (U) Yes.

Mr. Pompeo. (U) But that's not true. We put folks in harm's way all the time without perfect real-time information. You did it, in fact, as the Secretary of Defense multiple times. So help me --

Mr. Panetta. (U) We had pretty good information. You don't drop people into a situation unless you have some idea what you're getting into.

Mr. Pompeo. (U) When there's a life at risk, sir, I just fundamentally disagree with you about that. I think we do it all the time to rescue folks, and we would and we should, in fact, do that. That night, you said you were there at the Pentagon. Did you stay there the whole evening?

Mr. Panetta. (U) Again, I can't recall specifically, but normally, I didn't get out of the Pentagon until 11 or 12 o'clock at night.

Mr. Pompeo. (U) Were you there until such time as all the personnel were removed from Benghazi to Tripoli, or did you depart the

[REDACTED]

[REDACTED]

Pentagon before we had all the Americans safely --

Mr. Panetta. (U) I left about 11 or 12 o'clock, and normally, they would ask them to keep me informed of events, but it wasn't until early the next morning that I was informed. By that time, everybody had been removed from Benghazi, and we knew about the four who had been killed.

Mr. Pompeo. (U) That makes perfect sense. The night of the attack on Osama bin Laden there is a famous picture. Everybody is together in the same room. Do you remember it? The U.S. Government behaved radically differently the night of the Benghazi attacks, and there was an American life that we didn't know where he was. Can you explain why you chose on a preplanned attack that we had America's full focus, you all thought you needed to be together in a room, but while we have got the chaos in Benghazi, you all thought you could be either, Secretary Clinton could be at her house. Director of CIA could be at his home. You were at the Pentagon. The President was someplace different yet from that. Tell me why these two important national events when our senior leaders need to coordinate, you all chose to behave in a way that's fundamentally different?

Mr. Panetta. (U) That's not true because --

Mr. Pompeo. (U) Can I gather the four of you were all together just like the night of Benghazi --

Mr. Panetta. (U) I was a CIA Director. [REDACTED]

[REDACTED]

[REDACTED]

The people that were located at the White House were the other

[REDACTED]

[REDACTED]

principals.

Mr. Pompeo. (U) Secretary of State was there. Secretary of Defense was there.

Mr. Panetta. (U) I was basically operating that --

Mr. Pompeo. (U) Right. You would agree the U.S. Government behaved very differently in terms of where the people were located at a time when there were going to have to be mandatory decisions made. The positioning of the decisionmakers was different. How do you explain that?

Mr. Panetta. (U) You're talking about apples and oranges.

Mr. Pompeo. (U) Tell me how that is.

Mr. Panetta. (U) Well, because the bin Laden operation, we knew we were going after bin Laden at a compound. We had spent almost 12 months doing surveillance on that compound, gathering intelligence. We still didn't know for sure whether bin Laden was there.

Mr. Pompeo. (U) But you sent Americans in.

Mr. Panetta. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) It is a very different situation than where you have a crisis, an immediate crisis, in which lives are at stake, and you've got to immediately respond to that. I think it's important to recall that, you know, in Afghanistan, where we are at war, and we have a lot of our equipment located throughout Afghanistan, that, nevertheless,

[REDACTED]

[REDACTED]

there are patrols that go out and people die.

Mr. Pompeo. (U) Yes, sir.

Mr. Panetta. (U) That's a tragedy. But in Afghanistan, for all the equipment, for all the planes, for all the F-16s, for all the stuff we had in Afghanistan, people still died because we weren't able to get there in time.

Mr. Pompeo. (U) All right. I don't disagree. But I still can't figure out why the decisionmakers that night chose not to co-locate to make real good real-time decisions to try and save Ambassador Stevens. There's your explanation, I guess, so if you'd like to add anything else, that's great. But I still am --

Mr. Panetta. (U) When American lives are lost, it is tragic, and this was a tragedy.

Mr. Pompeo. (U) Yes, sir, it was.

Mr. Panetta. (U) And I guess my hope is that we learn from that tragedy and try to make sure that it never happens again.

Mr. Pompeo. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Panetta. (U) My understanding, and, again, almost every week I used to sit down with a whole set of deployment orders on all kinds of units, and I'd go through and sign orders on all kinds of deployments. In this instance, it was based on the State Department request, if there's a State Department request to basically reduce the size of that

[REDACTED]

unit, we would have followed their request.

Mr. Pompeo. (U) So it's my understanding that, in fact, Ambassador Stevens, who would normally, the Ambassador would normally sign off on the release of a security team for his facility, did not sign off on that. Am I wrong about that?

Mr. Panetta. (U) I wasn't aware of that.

Mr. Pompeo. (U) Would you approve orders to take a security element away from a place as dangerous as Benghazi, Libya, and convert them to a CT, even when the Ambassador, hasn't received --

Mr. Panetta. (U) I wouldn't approve it if the State Department did not request it.

Mr. Pompeo. (U) Okay. Did you speak to the defense minister of Libya, the senior defense person at Libya, during the course of the events that evening?

Mr. Panetta. (U) I did not.

Mr. Pompeo. (U) Did you consider it and reject the idea, or did you just think there was no chance they could provide assistance?

Mr. Panetta. (U) I think that based on the initial reports, that whatever the host nation was required to do to protect our facility there, that those units had collapsed.

Mr. Pompeo. (U) But you didn't confirm that with the Libyan defense minister?

Mr. Panetta. (U) No. I was trying to still deal with the situation on the ground.

Mr. Pompeo. (U) Do you know why the CIF was ordered to Souda Bay

[REDACTED]

and not directly to Benghazi?

Mr. Panetta. (U) I do not.

Mr. Pompeo. (U) And who would we ask? General Dempsey and then start working our way down until we find the decisionmaker?

Mr. Panetta. (U) Probably a good approach. It's a big place.

Mr. Pompeo. (U) It's a big place. Give me just one moment.

On September 14, so a couple days later, we sent Marines into the Embassy in Yemen because there were protests outside the U.S. Embassy. Do you recall that?

Mr. Panetta. (U) I believe I do, yes.

Mr. Pompeo. (U) Do you know why we made a different decision to send folks to that embassy when it was a much less dire situation than Benghazi? Do you know what the decision-making process for that was?

Mr. Panetta. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Pompeo. (U) And then I want to come back, I want to close out with you talked about lessons learned. What would be the appropriate number of hours to be able to rescue a United States Ambassador in a situation just like Benghazi? That is with hindsight today. If you were sitting as the Secretary of Defense, and someone was saying to you, you were reviewing our security posture around the world and somebody said, sir, it's going to take X hours to get to Benghazi, Libya, where we're going to have an Ambassador, how many hours

[REDACTED]

[REDACTED]

would you find to be tolerable as the answer to what X is -- reasonable, excuse me, not tolerable, reasonable?

Mr. Panetta. (U) Let me tell you, it would be nice to do it in 30 minutes, but that's not practical.

Mr. Pompeo. (U) No, sir, I am deeply sympathetic to resource constraints and decisions in risk analysis. In that risk analysis, you have to eventually apply hard math to reach a decision.

Mr. Panetta. (U) Sure.

Mr. Pompeo. (U) Tell me what would be reasonable. I want to look at this going forward, because we have got to protect these State Department workers.

Mr. Panetta. (U) I understand what you're saying, but assuming that you're operating from the bases where we can operate from, which is either Rota in Spain, or Sigonella in Italy, which are the main bases we have because we don't have that capability in Africa to be able to deploy, you're still talking about 9 to 12 hours in transit time. You can, in the very least, ought to be able to cut that down to at least an hour or two preparation and then get on the plain and move.

Mr. Pompeo. (U) That's just an important question for we, the resource granters, to think about what's feasible, what's reasonable, what we ought to shoot for, and you've had a lot of experience in this, so thank you.

Mr. Chipman. (U) We're 5 minutes over our time. Mr. Jordan has --

Mr. Jordan. (U) Just a few quick ones if I could, with the

[REDACTED]

[REDACTED]

indulgence of the minority. Thank you.

(U) Go back to the exhibit, the one that Mr. Westmoreland was on if you would?

Mr. Shapiro. (U) Is that No. 2?

Mr. Jordan. (U) I don't have this one numbered. It's the Department of Defense press statement. The paragraph that they were looking at: Due to the complete intelligence picture on the ground, armed aircraft options were not feasible. If you had complete intelligence, or as close to complete intelligence picture as you could, what would have been those armed aircraft options?

Mr. Panetta. (U) Well, obviously you look at, you know, the potential for deploying AC-130s, F-16s, F-18s, obviously you couldn't send B-2 and B-1 bombers there as well, but at the same time, you've got to consider in deploying them what is required in terms of air refueling to make sure that because you don't want to send planes in the air that can't return, so you've got to have air refueling capabilities.

(U) Secondly, you've got to be able to determine, as best you can, what is the intelligence on the ground, because you don't want them to go in and either buzz or drop bombs without knowing what the situation is on the ground, where is the Ambassador? Where are people located? And, lastly, you've got to provide armaments on those planes, and that takes time in order to be able to fully arm those planes to be able to deal with those contingencies. So all of those questions have to be asked before you suddenly send these planes into battle.

[REDACTED]

[REDACTED]

Mr. Jordan. [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

Mr. Panetta. (U) Sigonella.

Mr. Jordan. (U) Right. So they never got to -- the email says "spinning up to send resources to Benghazi." No one ever gets there, and it's 10 hours after you give the order before they even go, and you testified that the order was go and take the hill. So what I want to know is, was there ever anyone, did you or anyone else ever say stop. Hold on?

Mr. Panetta. (U) No.

Mr. Jordan. (U) Anyone down the chain of command ever say slow this down?

Mr. Panetta. (U) No.

Mr. Jordan. (U) There's nothing that happened on the ground that would change the response time or the quickness or anything?

Mr. Panetta. (U) Not at all, not at all. Look, there's a fundamental principle that our military operates by, which is you don't leave anybody behind. Our military people, if there's anything that I've seen them fully committed to, it's that when our lives are in

[REDACTED]

[REDACTED]

danger, they move.

Mr. Jordan. (U) And I don't doubt that one bit. All I'm saying is you give the order between 6 and 7:19, and no one even takes off for 10 hours. And you've said, well, we have heard there were three different attacks in this timeframe. There was nothing in there that anyone down the chain of command would say, wait a minute, let's slow this down. Let's halt for a second?

Mr. Panetta. (U) No.

Mr. Chipman. (U) Off the record.

[Discussion off the record.]

Mr. Cummings. (U) Mr. Secretary, first of all, I want to thank you for your service. And, you know, many of the questions that I would want answered have already been answered, and I think Mr. Schiff asked you the question about the stand down. When I look at these moments, incidents like what happened in Benghazi, I am convinced that they create for our Nation an opportunity to change, if necessary. In other words, it shows us -- it may show us sometimes what our problems are and how we might be able to correct them.

(U) When you look at this whole thing, is there anything that you see, in looking backwards, that we could have done better, or lessons in the future? And a little earlier you were talking to one of Mr. Pompeo's questions, you were talking about distance in time. And I'm just wondering, would it make a difference if, say, defense had a base here or there? I mean, what else could we do? And then I'm going to ask you about the whole thing of financial constraints.

[REDACTED]

Mr. Panetta. (U) Yeah. Sure. Look, you have to begin with the most important missing element here was not having a heads up that there would be a possible imminent attack at this place. Without that information -- we were dealing with a lot of potential problems out there obviously where you could have something happen, but without the kind of intelligence that would have said, we think there's going to be a specific attack, or there will be an attack in Benghazi, the ability to have that information and then to be able to take the steps necessary in order to protect our people, that's just crucial. And I understand that intelligence is a tough business and you don't always have facts, but in that part of the world, it just seems to me that we have got to improve our intelligence capabilities to be able to get ahead of this rather than behind it.

(U) Secondly, obviously, just the security of these facilities and making sure that we have better security at these facilities, I know -- I mean, I knew Chris Stevens as Ambassador, and he was familiar with Benghazi. He had operated in Libya for a long time, and I think he kind of felt that he knew Benghazi, and he didn't want a lot of people around him, because he thought that would affect his ability to be a good Ambassador. I kind of understand where he was coming from. But at the same time, you know, you've got to be aware that you may very well need security in that part of the world, because you don't know what the hell's going to happen from moment to moment.

(U) Thirdly, from the Pentagon's point of view, we ought to be able to respond to these situations on a faster timetable. And so the

steps we took [REDACTED]
[REDACTED] and getting ready to go was important, making sure you have air lift capability there. But I have to tell you that we're still talking about a hell of a lot of time, particularly to get that part of the world, largely because we don't have the bases in Africa that we should have to be able to deploy more quickly. And as you know, a lot of these African nations don't want us to have a presence, a military presence there, but with AFRICOM, it would really make sense to try to pursue some of these countries and say, can we at least have some locations where we can locate some of our forces that may have to respond to some of these events. I think that would be helpful as well.

Mr. Cummings. (U) Now, in your testimony before the Senate Arms Services Committee on February 7, 2013, you said on page 12, and I quote: "Above all -- and forgive me for being repetitious -- we have got to end the cloud of budget uncertainty that hangs over the Department of Defense and the entire U.S. Government. I have got to use this opportunity to express, again, my greatest concern as Secretary, and frankly one of the greatest security risks we are now facing as a Nation, that this budget uncertainty could prompt the most significant readiness, military readiness crisis in more than a decade," end quote.

(U) How does the budget uncertainty affect the military's readiness?

Mr. Panetta. (U) It goes right to the heart of our ability to protect this country. If we have uncertain budgets and we don't know what we're going to be able to have, I can't tell you how much

uncertainty that creates in terms of the Defense Department and what we're able to do in order to provide the forces, the equipment, the necessary readiness that you have to have if we're going to be the strongest military on the face of the earth. And the problem we have had over these last few years is, as you, more than anyone is aware of, is these unpredictable budget situations where you don't have a budget for the next year, much less have at least a 5-year track of where these budgets are going, to have some kind of budget agreement that would be put in place so that -- look, you know what, if defense is going to be reduced, that's okay. I can handle a reduction in the defense budget, if I know what it is, and I also know what the next 5 years are going to give me. Then I can know where I'm can go in order to be able to go to get the savings that I have to get and not affect our military readiness. But when you have unpredictable budgets, you don't have a firm budget, and then you add on top of that this crazy sequester, which adds an across-the-board cut that doesn't define how it's going to be implemented and sequester then is played out year after year, as you know, then you're left in a situation where you could suddenly have another \$500 billion in cuts added to what you're doing.

(U) How do I prepare? I know where it's going to go. It's going to go to readiness. I'm not going to be able to train like I should. I'm not going to be able to maintain as I should. I'm not going to be able to do the kinds of things that need to be done to protect this country because I don't know when the floor is going to fall out from under me. And so it creates uncertainty. It creates a lot of doubt

within the military as to whether or not they're going to be able to have the resources necessary to be able to do some of the things we just talked about. So if you're concerned about national security, then you damned well ought to be concerned about the budget for national security.

Mr. Cummings. (U) So your advice -- you have served in the Congress -- your advice to us would be?

Mr. Panetta. (U) My advice to the Congress, and I've been saying it for the last number of years, is you ought to come together on a budget deal that deals with this huge deficit that we're going to be confronting, and you ought to put everything on the table. Every budget summit that I was a part of as chair of the Budget Committee, every budget summit I participated in, everything was on the table, taxes, defense, discretionary spending, and entitlements, everything. And you look at all those pieces and be able to put together a budget deal that gives you a certain track as to where you're headed.

(U) And we did that, obviously, the Bush administration put the first budget agreement into place. The Clinton administration budget did the very same thing. And I have to tell you as a consequence of those agreements, we were able not only to reduce the deficit, but to get a balanced budget, and we created certainty about where we were headed. That needs to be done, and I know the politics of it, and I know how tough it is, but if you really want to serve the American people and you want to serve the interests of trying to define what our priorities are, not only in defense, but in the domestic area, you need

[REDACTED]

to have a budget.

Mr. Cummings. (U) Mr. Secretary, this is my last question. And I think about how, you know, how in history, history will look back on these moments and somebody is going to read the report that comes out of this, and the thing that I guess I'm most concerned about is that when they read the report, whatever it is, that is based on, that people have a belief that it was credible. In other words, and it was based on integrity, the truth, and as I say, the whole truth, and nothing but the truth. And I just want to be clear. To your knowledge, there was no stand-down -- I mean, to your knowledge, any stand-down orders given with regard to this operation on that night?

Mr. Panetta. (U) No. Never, never. It would have been against everything that the military stands for. You know, the military, their whole focus is on being able to protect particularly their own. That's what they do. To even imply that somehow the military, or someone would have said, Maybe we shouldn't go, it's too risky, it's crazy. It's just not the way our military operates.

Mr. Cummings. (U) You said in answer to one of Mr. Pompeo's questions, he was talking about that we put our people at risk a lot of times when there's danger, and you had said a little earlier that, you know, you just don't plop people down into -- I can't remember your exact words. So what goes into the calculation there? Are you following me?

Mr. Panetta. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) And then when they actually go in, you have to calculate what kind of resistance are they going to incur, and how many lives might be lost. All of that has to be part of the calculation. You don't just go charging in. Because if something happens, panels like this, the first question they'd ask is why the hell didn't you ask those questions? Why the hell didn't you prepare for that? So you got to prepare for it, and we owe it to not only the victims that we are trying to help, but we owe it to ourselves to make sure that we do it in a professional way, and that we are effective in accomplishing the mission. My experience is, the military is very effective, when they're told to do a job, I have great confidence that they get it done, mainly because they do take the time to figure out what is it that they're going to encounter and how best to get it done.

Mr. Cummings. (U) Thank you very much.

[Discussion off the record.]

BY MS. SACHSMAN GROOMS:

Q (U) Let's go back on the record. I'm just going to follow up for a minute on what the ranking member was discussing with you and

[REDACTED]

Representative Pompeo's questions. Obviously, you, as the Secretary of Defense and United States as a whole, sends individuals in our military into harm's way and takes on risk every day. Right?

A (U) That's right.

Q (U) And sitting from here, we very much appreciate that. But I think the point that you were trying to make was not that you need perfect information to send people into harm's way, but that you need some information to make that an effective activity?

A (U) That's right. That's right. You don't just deploy people into a blind situation where you don't know anything about what's going on.

Q (U) And so, as you are making those kinds of really significant decisions about risk and human life, you need some information, and I assume, depending on the circumstance, depending on a variety of factors, how exactly much information and exactly much risk is going to be a case-by-case analysis?

A (U) Absolutely. Absolutely. If I can mention the bin Laden operation, the bin Laden operation, nobody had 100 percent information that bin Laden was there. The best we had was probably somewhere between 70 to 80 percent, there was some sense that that might be a possibility. We did not know whether or not the Pakistanis, who we did not inform of that operation, would suddenly come out of the wall and we would have a war on our hands, but that was a possibility. You got to take all of those things into consideration, as to the risks of what you're confronting, and then decide is this important enough

to do it, that we have to go ahead in spite of some of the risks that may be involved.

Q (U) So like General Dempsey said in the quote, I think, we were looking at before, it was not that you or he or the military was risk-averse on the night of the Benghazi attacks, you just needed some information and some amount of time to plan in order to send troops effectively to Benghazi?

A (U) Yeah. I mean, look, the lack of information as to what was going on did not, in any way, stop us from saying we're going to move people quickly to get there. And our hope was that as we were deploying these forces, we would hopefully get additional information so that we would know better what the situation on the ground was that they would be confronting, but it did not stop us from taking the steps that we had to take to try to move forces in place to save lives.

Q (U) And I think you were also asked about why all of the heads of agencies weren't co-located that night, and I just wanted to follow up. If you had been co-located with the other Secretaries that night, could you or would you have done anything more to try and save American lives?

A (U) No, not at all. I mean, the fact is probably -- the other difference is that those people were basically sitting in chairs not, in any way, determining what was going to happen in that operation. They were watching. And the last thing I would want -- as Secretary of Defense, the last thing I want are a bunch of principals in a room that are somehow trying to second guess what the hell I'm doing.

[REDACTED]

I mean, I have the responsibility to do this. I'm going to take the steps. If the President doesn't like what I'm doing, he'll deal with me. But I'm not going to go around asking a bunch of other people for permission to do what needs to be done in these situations. The President basically said to me do everything possibly you can to save lives, and that's what I did.

Q () In the last round, you were asked [REDACTED] and I wanted to read you a quote from General Dempsey that was also from that February 7 hearing before the Senate. He said that the military asset in Souda Bay, Crete, quote, "wasn't the right tool for the particular threat we faced," end quote. Does that fit with what you understood to be -- I mean, he obviously didn't give you the recommendation to use it, so --

A (U) No, no. As I said, that was never even mentioned as an option. Looking back on it, [REDACTED] what are you going to blow up? What targets are you going to go after? (U) I've heard people say, well, you should have sent F-16s in there. Okay, yeah, so F-16s go in there and they drop a lot of bombs, but where is the Ambassador? Where are our people? What's happening. You don't just do that. You've got to have information, and so it applies to [REDACTED] Even if you [REDACTED] and even if they had gone there, what exactly would it blow up?

Q (U) And certainly in the time period when the Ambassador was missing, there would be a concern about dropping a weapon, a bomb?

A (U) Exactly. Exactly. We have had no idea where the

[REDACTED]

Ambassador was.

Q (U) You certainly wouldn't have wanted to hit the Ambassador. Is that right?

A (U) That's right.

Q (U) I want to refer to exhibit 4, and exhibit 4 has the headline DOD timeline of key events and decisions?

A (U) Yeah.

Q (U) I say that because exhibit 4, and I just want to put into the record, is not strictly the DOD timeline of key events and decisions?

A (U) I noticed that. The smaller print is obviously the one that I've seen.

Q (U) So exhibit 3 is the document that the Department of Defense has provided to the committee and to previous committees as the timeline that it created. Exhibit 4 is some of that, and then some additional information on that. It doesn't appear to have any citations as to where that additional information comes from, or whether it's accurate. Do you have any ability to sort of look at it right now and tell me whether the additional information added to it is accurate or not?

A (U) I can't tell you that just quickly looking at it. I'd have to take a little time.

Q (U) So you would refer back to exhibit 3, which is the one --

A (U) Exhibit 3 is the one that we had prepared at the Pentagon and I think reflects the timeline involved here.

Q (U) I think in the last round, you were asked a number of questions about Susan Rice's talking points and her statements on the Sunday talk shows.

A (U) Right.

Q (U) Did I hear you correctly that you never saw the talking points first?

A (U) I did not.

Q (U) And that you didn't actually watch her statements on the talk shows?

A (U) I did not.

Q (U) So I just wanted to make sure that your statements previously didn't imply that there was or wasn't something in those talking points, or that she did or didn't say something during those Sunday talk shows, if that makes sense? Do you have any reason to believe that the talking points or that her statements themselves didn't have those kinds of qualifications within them, like this is the information that we know at the time, this is ever changing, et cetera?

A (U) Yeah. Again, starting from the beginning, I never saw the talking points. I didn't know what was in those talking points. As a matter of fact, I didn't know she was operating from any particular set of talking points, and as my understanding is, that even during the discussion she gave some qualifiers in terms of the discussion, but the reports that came out obviously were reports that, as to what had been concluded, and I think that was pretty much what I had heard.

[REDACTED]

Q (U) And the reports you're referring to are news reports about Susan Rice's statements on the Sunday talk shows?

A (U) Yep.

Q (U) And if we wanted to know what Susan Rice said on the Sunday talk shows, it's probably better to look at what she actually said?

A (U) I think that's probably a good idea.

Q (U) So I want to talk for a quick moment about the DIA, right, which is the Defense Intelligence Agency. That was under the Department of Defense. Is that right?

A (U) That's correct.

Q (U) And we have the underlying intelligence reports from the DIA, but I'm just going to quote quickly from the House of Representatives Permanent Select Committee on Intelligence, because this bit has been put out in an unclassified way. That report said, "On September 12," and I'm quoting, "On September 12, the DIA reported that there were no indications of preoperational planning but that a mix of terrorist attackers," and then it quotes DIA, quote, "likely leveraged a target of opportunity amidst security vulnerabilities created by protest activity," end quote. So the DIA, at the same time, which was part of the Department of Defense, was also reporting that there had been a protest and basically had the same intelligence that we have been discussing coming out of the CIA. Do you have any reason to think that the DIA's intelligence assessments were politicized in any way?

[REDACTED]

[REDACTED]

A (U) No.

Q (U) Do you have any reason to have concern with those assessments?

Mr. Shapiro. (U) The one you just read?

Mr. Panetta. (U) The one you just read?

BY MS. SACHSMAN GROOMS:

Q (U) Yes.

A (U) No. I mean, they're all basically in the same ballpark.

Q (U) And those would have been assessments of career individuals?

A (U) That's correct. Probably working off a lot of the same intelligence that I think CIA probably ultimately used as well.

Q (U) So we had discussed in the last round how, and this is part of your book also, page 431, for those taking notes, that you had had that meeting with Director Petraeus the day after the attacks, and that the conversation came up about the cause of the attacks and you said, I quote: "I questioned it from the beginning, not because I had different information, but because it seemed to me that most spontaneous demonstrators don't arrive for a protest carrying rocket-propelled grenade launchers," end quote.

(U) Is it fair to call your questioning of the assessment of Director Petraeus a gut reaction?

A (U) Yes, that's what it was. I didn't have a lot of information at that point. We were still working off of some pretty preliminary reports, but what I gave him was kind of my opinion, my

[REDACTED]

gut reaction to what I thought had taken place.

Q (U) And you weren't working off a different, or additional information than Director Petraeus had?

A (U) No.

Q (U) And, in fact, your DIA was essentially producing the same intelligence reports. Is that right?

A (U) That's correct.

Q (U) In your book, you explained further, and I quote: "Petraeus defended the theory of his analysts, however, arguing that there was so much weaponry floating around Libya that it was plausible in this case, and I think you testified to that earlier. So even at the time before this became sort of a blown-up issue, Director Petraeus was explaining that this was the analysis of his career analyst. Is that right?"

A (U) That's right.

Q (U) And it was not a political assessment. Is that right?

A (U) No, no. I mean, frankly, his response I could understand it. I mean, there are a lot of weapons in that part of the world. But, in fact, I mean, I thought it was important to raise that possibility that it might be more than that, just because I think in that room with the national security team, that's where you're supposed to raise these concerns, and that's what I did.

Q (U) Do you have any reason to believe that the analysts, either yours at DIA or at the CIA, that their assessment was shaped in any way by political considerations?

[REDACTED]

A (U) No. Knowing how those analysts work, they're pretty professional and basically operate from the information that their sources provide them. That's what constitutes their analysis.

Q (U) And do you have any reason to believe that Director Petraeus was deliberately downplaying some facts or emphasizing others in order to favor a particular political narrative?

A (U) No.

Q (U) I'll ask you the same question about Susan Rice. Do you have any reason to believe that Susan Rice would have downplayed some facts deliberately or emphasized others in order to favor a particular political narrative?

A (U) No.

Q (U) Do you have any reason to believe Director Petraeus was purposely misleading the facts?

A (U) No.

Q (U) How about Susan Rice? Do you have any reason to believe that she was purposely misrepresenting the facts?

A (U) No.

Q (U) Do you have any reason to believe that Director Petraeus altered the initial intelligence assessments because of political pressure?

A (U) No. Let me save you some time by just saying that I don't think anybody involved with this issue, in any way, tried to either mislead the American people, or did not take every step necessary to try to save lives.

[REDACTED]

[REDACTED]

Q (U) Do you have any reason to think that the White House or the State Department exerted any pressure on the intelligence community to reach a particular conclusion with regard to what happened?

A (U) No.

[REDACTED]

[2:45 p.m.]

Ms. Sachsman Grooms. (U) So Director Petraeus and your DIA analyst would have presented what they thought was the considered judgements of the analysts across the intelligence community based on the information that was available at the time?

Mr. Panetta. (U) And that's what they did. And, you know, Mike Morell, who was my deputy, had something to do with that.

Mr. Shapiro. (U) Your deputy at CIA.

Mr. Panetta. (U) Yeah, he was my former deputy at the CIA. And he's extremely trustworthy and is somebody who does a very honest job at what he's doing. And, you know, his sense is that they were working from the bona fide views of the analysts in terms of the intelligence and assessments that they were making.

BY MS. GROOMS:

Q (U) I'm going to switch subjects a little and just talk for 1 second about the -- 1 minute, I guess -- about your discussion with the President on the night of the attacks.

(U) In your experience, was there anything missing from the directions that you got from the President?

A (U) No, not at all. He was very clear: Do everything necessary to try to save those lives.

Q (U) So you didn't need any more specifics, and you were sure of your orders and your direction?

A (U) Yes, indeed.

Q (U) And is that the kind of order that you would expect from

a President, in your experience?

A (U) In my experience at the White House, those are the kinds of orders that are provided from the President.

Q (U) I'm going to go through a series of questions that we ask every witness. And I'm going to apologize in advance because it's a lot of allegations that have been made. And I'm just going to ask if you have any evidence to support them, and if you say no, we'll just keep going to the next one.

(U) The first one is: It has been alleged that Secretary of State Clinton intentionally blocked military action on the night of the attacks. One Congressman has speculated that Secretary Clinton told Leon to stand down -- and that's, I believe, referring to you -- and this resulted in the Defense Department not sending more assets to help in Benghazi.

(U) 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 (U) Absolutely not.

Q (U) Do you have any evidence that Secretary of State Clinton issued any kind of order to the Secretary of Defense on the night of the attacks?

A (U) No.

Q (U) 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. Nonetheless, this allegation has persisted.

(U) Do you have any evidence that Secretary Clinton personally signed an April 2012 cable denying resources to Libya?

A (U) No.

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

A (U) No.

Q (U) It has been alleged that Secretary Clinton misrepresented or fabricated intelligence on the risk posed by Qadhafi to his own people in order to garner support for military operations in Libya in the spring of 2011.

(U) Do you have any evidence that Secretary Clinton misrepresented or fabricated intelligence on the risk posed by Qadhafi to his own people in order to garner support for military operations in Libya in the spring of 2011?

A (U) No.

Q (U) It has been alleged that the U.S. mission in Benghazi included transferring weapons to Syrian rebels or other countries.

(U) 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.

(U) 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 (U) No.

Q (U) 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 (U) No.

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

(U) The House Intelligence Committee issued a bipartisan report concluding that the team was not ordered to stand down but that, instead, there were tactical disagreements on the ground over how quickly to depart.

(U) 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 (U) No.

Q (U) 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 (U) No.

[REDACTED]

Q (U) 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.

(U) 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 (U) No.

Q (U) 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 materials that were provided to the ARB?

A (U) I do not.

Q (U) Let me ask the question also for documents that were provided to Congress. Do you have any evidence that none at the State Department removed or scrubbed damaging document from the materials that were provided to Congress?

A (U) No.

Q (U) It has been alleged that the CIA Deputy Director, Mike 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.

(U) Do you have any evidence that CIA Deputy Director Mike Morell gave false or intentionally misleading testimony to Congress about the

[REDACTED]

Benghazi talking points?

A (U) No. And he's not the kind of person that would do that.

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

A (U) No.

Q (U) It has been alleged that Ambassador Susan Rice made a, quote, "intentional misrepresentation," end quote, when she spoke on the Sunday talk shows about the Benghazi attacks.

(U) Do you have any evidence that Ambassador Rice intentionally misrepresented facts about the Benghazi attacks on the Sunday talk shows?

A (U) No.

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 that he was missing in action.

(U) 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 (U) No, I do not.

Q (U) It has been alleged that a team of four military personnel of Embassy Tripoli on the night of the attacks who were considering flying on a 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

[REDACTED]

to remain in place in Tripoli to provide security and medical assistance in their current location.

(U) 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.

(U) 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 (U) No, I do not.

Q (U) It has been alleged that the military failed to deploy assets on the night of the attack that would have saved lives.

(U) However, former Republican Congressman Howard "Buck" McKeon, the former chairman of the House Armed Services Committee, conducted a review of the attacks, after which he stated, quote, "Given where the troops were, how quickly the thing all happened, and how quickly it dissipated, we probably couldn't have done more than we did," end quote.

(U) Do you have any evidence to contradict Congressman McKeon's conclusion?

A (U) No, I don't.

Q (U) Do you have any evidence that the Pentagon had military assets available to them on the night of the attacks that could have saved lives but that the Pentagon leadership intentionally decided not

[REDACTED]

to deploy those assets?

A (U) Absolutely not.

Ms. Sachsman Grooms. (U) That's what I have for now. Let's go off the record.

[Recess.]

Mr. Chipman. (U) Okay. Back on the record.

BY MR. DAVIS:

Q (U) Sir, just one quick question. During the last hour and earlier in the day, you had talked about a meeting with all the national security principals where you questioned Director Petraeus' analysts. That occurred the day after the attack. Is that right?

A (U) Yes.

Q (U) And when you say "the day after the attack," was that Wednesday, September 12, or was it Thursday, September 13?

A (U) You know, I'm working by my recollection, but I think it -- at least my memory is that it was soon after -- it could've gone into the next day, but I -- you know, whenever it was, it was the first meeting at the National Security Council to discuss what had happened there.

Q (U) And you're not sure whether that was the 12th or the 13th?

A (U) I'm not, no.

Mr. Davis. (U) Okay. That's it.

Mr. Chipman. (U) And no exhibit used?

BY MR. CHIPMAN:

[REDACTED]

Q (U) Sir, I've got a little bit of a hodgepodge to clear up with you, Mr. Secretary, and I am going to try to do that as quickly as I can. I am conscious of your schedule.

A (U) Okay.

Q (U) In the first hour, I talked about who sets N-hour. And, at least on this particular operation, you did not set the notification hour.

A (U) That is correct.

Q (U) Your direction was, "Move out as quickly as you can."

A (U) That's right.

Q (U) And so what I would like to mark as exhibit 9 -- this is a copy of an exhibit. I don't have any other copies. This was a document production made by the Defense Department yesterday. It is from a production dated January 7, 2016.

[Panetta exhibit No. 9

Was marked for identification.]

BY MR. CHIPMAN:

Q (U) Sir, at the bottom, there is a note. It is an email from the Joint Staff Director of Operations, the J3, Vice Admiral Kirt Tidd, and it indicates, "Let me know what the N-hour will be." [REDACTED]

[REDACTED]

[REDACTED]

(U) Is it fair to say that there would be the potential for some negotiation between the Joint Staff and those affected commands so that they could set N-hour appropriately?

[REDACTED]

[REDACTED]

A (U) Well, I wasn't aware of the discussion, but, you know, I think they would probably have some communication to be able to set that time.

Q (U) Sir, my understanding is based on 33 1/2 years of military service, and I would expect the Secretary of Defense to issue a direction that says, "Move out smartly and draw fire." And I would expect not very much beneath that level --

A (U) You got it.

Q (U) -- from the Secretary.

A (U) You got it.

Q (U) And so I want to make that clear.

A (U) Your experience served you well. That is the case.

Q (U) So, in this particular case, though, you will understand my question earlier, the first round, which said, look, Jeremy Bash says it's 7:19 p.m., we directed the forces to move out that could, in accordance with the Secretary's direction. And so that actual order did not specify the start time until 11 o'clock. And that's why I look at that as 3 hours and 40 minutes lost.

A (U) Well, again, my order was directed to General Dempsey.

Q (U) General Dempsey. And then General Dempsey would then follow on with the Joint Staff and with the National Military Command Center, the combatant commands --

A (U) You've got it.

Q [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

A (U) That is correct.

Q (U) -- 225,000 civilians and 2.5 million servicemembers.

A (U) You got it.

Q (U) Yes, sir.

Q (U) So, when that occurred, then we have the sequence directed. And so, in response to an earlier question, it was exhibit 7, and it said -- this is a question on page 59 that I believe the minority posed, and it is General Dempsey. "Once we started moving forces, nothing stopped us, nothing slowed us." And if you could refer back to that.

A (U) Right.

Q (U) And I think that, from my perspective, Mr. Secretary, I would agree with you that that is an accurate assessment. But it's that idea of "started moving forces" that I think is worthy of some discussion.

(U) And so, if you don't start moving forces until the 11 o'clock order is issued, then you're going to build in some more time. So there is time from the incident to notification to liftoff. There is time from liftoff to arrival. And what I think I would take issue with, at least in part, from this particular statement, is that we seem to have a significant time from the incident to notification to deploy.

(U) And so, if I go back to exhibit 3, again, knowing that --

Mr. Shapiro. (U) Timeline?

Mr. Chipman. (U) The timeline.

[REDACTED]

BY MR. CHIPMAN:

Q (U) -- knowing that the incident was notified to the Office of SecDef at 4:30, it's that time, between 4:30 and 11, that would cause me to wonder, were we moving out as smartly as you, Mr. Secretary, directed personally.

(U) Is that a fair question? Is that a fair observation?

A (U) You know, I think it's a -- obviously, it's a fair question, but it's not one that I can answer, because, frankly, my view was, "Go," and I assumed that they were moving as expeditiously as they could.

Q (U) Yes, sir. And so one of the things that we as a Nation do is we resource these capabilities you've talked about, these elite forces, these elite units, and we expect a certain level of readiness --

A (U) Right.

Q (U) -- and ability to deploy on the timeline directed.

And so, from the perspective of those who have stopped me to ask about Benghazi, the folks with whom I served in these commands, they say, "Look, we know the timeline. The timeline was not met. Why is that?"

(U) Would you understand that to be a fair question?

A (U) Yeah, I think that's a fair question, you know, as to how these units move and get in place and move out. And, you know, again, from my perspective as Secretary of Defense, I had every confidence that they were moving out as quickly as they could.

Q (U) Yes, sir. And you made it clear that you directed that

[REDACTED]

in your meetings with General Dempsey and with General Ham.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A Right.

Q (U) -- and it would also include the CINCs or the Commander's In-extremis Force, the folks that were then training in Croatia. Does that comport with your recollection?

A (U) That's correct.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) It makes sense to me. But, you know, again, as to the specific timeline, I was not -- you know, the Secretary is not really aware of the specific timeline. My view was: Get them going as quickly as you can.

Q (U) Sir, and, you know, the forces that maintain that alert posture, they do have a required alert capability. Does that seem reasonable?

A (U) Right.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) That's correct.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) You know, the specifics of what they do or do not have, you know, it's not something I'm that familiar with. But, clearly, my viewpoint was: These are elite forces. When you order them to go, they go.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) Correct.

Q (U) Exhibit 4 is, in essence, a series of times and dates and activities, added to by majority counsel, in trying to get a compilation of what appears to be supported by other evidence and by other witnesses we have talked to and by message traffic. So there are no citations on this document, and we can certainly supplement the record, should we need to, with what we are basing these times on.

(U) But it appears that General Ham's guidance was issued certainly by 8:02 p.m., and the EUCOM SOF in Croatia learned then that they might have the potential to deploy into Benghazi.

(U) Sir, we have interviewed that CTF commander, and that is where

[REDACTED]

[REDACTED]

that timeframe came in. And I'd ask you to take at face value that he said, "We were notified at about 02. That was local time in Croatia." So that is why I put "XX" there.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (U)

And that 11 o'clock, as well, is when that CIF commander testified they, he and his team, were ready to roll, but they didn't have an aircraft to bring them down to anywhere.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (U) Do you have information that bears upon the availability of aircraft to transport that CIF?

A (U) No.

Q (U) Now, sir, I --

A (U) I would have to add that, in terms of lessons learned, one of the lessons was from that experience, that airlift should be in place with the unit so that they can move.

Q (U) Yes, sir, and you've made that clear, as well.

(U) So what we're trying to explore and what we're trying to come

[REDACTED]

[REDACTED]

to grips with as the committee is did, in fact, that aircraft materialize on the schedule required. And it may be that it didn't, sir, because there was no longer a need because we knew the Ambassador was deceased. Does that seem reasonable?

A (U) It could very well be, could very well be, because, you know, as I said, it moved fast, and, you know, within 12 hours all of those individuals had been removed from Benghazi, and we knew at that point that the attack was over. So it might very well have been the case.

Q (U) Yes, sir. And if you go further down that timeline, exhibit 4, if you look at 11:15 p.m. was when that mortar attack occurred at Benghazi Annex.

(U) And so, at best, even if the SOF was ready for transport at 11 p.m., they could not have gotten to --

A (U) That's right.

Q (U) -- Benghazi in any event.

A (U) Because they were going to Sigonella first before they were going to --

Q (U) They were going to Sigonella first, as you directed, or as General Ham directed, or as the order specified. But even if they had been directed to deploy exactly into Benghazi, 15 minutes they're in the air, and that's all they are.

A (U) You got it.

Q (U) So we understand that. And what the committee is trying to determine is if there could have been a follow-on incident or how

[REDACTED]

[REDACTED]

did we know that what was going on in Benghazi was over. And so we're trying to determine, did they in fact with the aircraft assets available to transport them from Croatia down to Benghazi, down to Tripoli, down to Sigonella to wherever, and was that timeline met.

(U) And, sir, you have nothing in your experience or recollection that says, I issued an order that relieved everyone from the deployment sequence?

A (U) No.

Q (U) And so, as the Secretary, your expectation was the forces were still directed to move as quickly as possible in accordance with my direction to Sigonella or Souda Bay, Crete, whatever General Ham determined is the appropriate location.

A (U) That's correct.

Q (U) And, again, sir, I don't mean to suggest that anything could have been done differently to affect the outcome in Benghazi, and I think you would agree with that.

[REDACTED]

[REDACTED]

[REDACTED] (U) And are you familiar that there's an after-action review that occurs typically within the Department of Defense after a major incident?

A (U) Yes.

Q (U) And would it surprise you that the special operators, these elite forces, are particularly hard on themselves in an after-action review?

[REDACTED]

[REDACTED]

A (U) That's usually the case.

Q (U) If I could mark exhibit 10.

[Panetta exhibit No. 10
Was marked for identification.]

BY MR. CHIPMAN:

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) And if I can draw your attention down to the third line, the second sentence actually, it talks about what a warm start is, in which the command drives the designation of a notification hour. And the next sentence talks about what a cold start is, when an external entity designates N-hour.

(U) And so, obviously, in a particular series of deployments, you'd prefer a warm start, because you have some time to marshal the assets, to determine what your mission planning parameters will be, what additional equipment you might need to have. Does that seem reasonable, from your perspective?

A (U) Yes.

Q (U) Okay.

(U) So, in this case, it talks about it appeared to be a nonstandard cold start. And yet, as I showed you in exhibit 9, it also appeared that the Joint Staff Director of Operations reached out to

[REDACTED]

[REDACTED]

the command to say, what would you like as an N-hour?

(U) And so we're trying to determine whether the forces executing your direction were moving with the same urgency you intended. And can you comment on that, sir?

A (U) Well, you know, again, from my experience, they know what they've got to do, and the whole point is to get it done. And I know that they're probably in conversations about how to lay down the N-hour and when they're going to be able to do it, but I'd be very surprised and shocked if anybody was trying to play for time here. I think they were basically operating based on, you know, what time it would take them to be able to get in place and ready to move. I think that's probably what was involved here.

Q [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A (U) That's -- it would take time.

Q (U) And to do that, you have to have aircraft on a very tight string.

A (U) Yes, indeed.

Q (U) You have to have personnel on a very string.

A (U) Yes.

Q (U) You have to have a load plan predesignated.

A (U) That's correct.

Q (U) You'd have to have rehearsed that operation.

[REDACTED]

[REDACTED]

A (U) Correct.

Q (U) And you would anticipate, though, that these elite forces have done all of those things over a period of time.

A (U) My sense would be that these elite forces would be in a position where they could move on an expedited basis.

Q (U) And, sir, you were a fairly young Congressman in 1980 when the Operation Eagle Claw occurred in the Iranian desert.

A (U) Yeah.

Q [REDACTED]
[REDACTED]
[REDACTED]

A (U) That's right. That's right. I remember that.

Q [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A (U) That's correct.

Q (U) And that CIF that was training there in Croatia is also a part of that same capability.

A (U) That's right.

Q [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

A (U) That's correct.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) That is precisely why all of those forces were ordered to go, because of that kind of contingency.

Q (U) Sir, and I think you ordered exactly the right forces to move out and to head toward a position where they could reinforce what was occurring in Benghazi or in Tripoli or elsewhere in the region. And, sir, I don't disagree with the actions you took, the recommendations you made, and the decisions you directed.

[REDACTED]

[REDACTED] (U) we've got the force coming from Croatia, we've got the Marine FAST platoon coming to reinforce the embassy in Tripoli. And you knew then that we had already had the embassy wall in Cairo breached on that same day, the 11th of September. We'd had the assault in Benghazi on the 11th.

(U) And so your planning, the Chairman's planning, the Joint Staff's planning, General Ham's planning, I think, would have been logically focused on, "What's coming next?"

A (U) That's right.

Q (U) Is that fair?

A (U) That's right.

[REDACTED]

[REDACTED]

Q (U) And so you knew of there -- you'd already identified the risks in Sana'a and Yemen and Khartoum and Tripoli and Cairo. And so I think the concern that I have had in reviewing these documents is, why wouldn't we go ahead and move those forces as quickly as we can to get them postured? Would you agree with that?

A (U) That's correct.

Q [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A (U) That's correct.

Q (???(U)) And so we interviewed that young CIF commander, who said, at about 02, I was notified to get ready for a deployment. By 5 o'clock that morning, my team and I were assembled and ready to roll, 3 hours later.

(U) Does that seem like a reasonable timeframe to get ready for a deployment?

A (U) Yes, it does.

Q Well, that same unit then had to wait for aircraft till about, if you look at the timeline here, 10:21 a.m.

(U) So that N-hour that was set at 11 o'clock east coast time on the night of the 11th, it was not until 11 hours later that EUCOM CIF was actually transported down to Sigonella from Croatia.

(U) Does that timeframe seem reasonable to you, given what you thought might be occurring in the region?

[REDACTED]

[REDACTED]

A (U) I think it's a legitimate area to ask why did it take that long.

Q (U) Sir, and we will explore that as best we can with those officers who might be in a position to address that, whether General Dempsey, General Ham, or operational types at AFRICOM.

(U) Sir, you mentioned in the last hour an incident of Koran burning by the military. And I want to make sure that we could clean that one up on the record at least.

(U) To your recollection, was this when the Bagram prison guards may have thrown some Korans in a burning bonfire?

A (U) You got it. That's right.

Q (U) Yeah. And they did so thinking that these were comments written by the detainees?

A (U) I believe there was a strange reason as to why they were doing it, but it obviously raised a lot of hell at the time.

Q (U) And I'd like to also make sure that we go back and revisit -- Congressman Pompeo mentioned that Ambassador Stevens had requested the standing -- or had requested the --

Mr. Shapiro. (U) Site security team.

BY MR. CHIPMAN:

Q (U) -- site security team in Benghazi.

Sir, did you have any recollection of a site security team in Benghazi?

A (U) No.

Q (U) The committee has not seen any records to that effect.

[REDACTED]

[REDACTED]

A (U) I was not aware of that.

Q (U) We have seen records of a site security team in Tripoli that was working earlier, but we have not seen any records of a Benghazi-based site security team.

(U) Sir, you mentioned the last thing you want in terms of a crisis management is a bunch of principals in the room. Is that from your experience as a principal in a variety of different agencies?

A (U) You got it.

[Panetta exhibit No. 11

Was marked for identification.]

BY MR. CHIPMAN:

Q (U) Sir, if I could hand you exhibit 11. And if I could direct your attention -- exhibit 11 is identified as [REDACTED]

(U) And if I could direct your attention to where the blue flag is, on the back side of that page, it's a memo dated June 21, 1995, "Mr. President," from Todd Stern. And immediately above that it says, "Leon concurs."

(U) Would you be the Leon that concurs in this particular document?

A (U) Well, you'd have to -- there weren't a hell of a lot of Leons around at that time, so I assume that was me.

Q (U) And, in June of 1995, were you indeed the President's chief of staff?

A (U) That's correct.

[REDACTED]

[REDACTED]

Q (U) Okay.

(U) [REDACTED]

[REDACTED]

Mr. Shapiro. (U) I'm sorry, where are we?

Mr. Chipman. (U) Howard, if you look at that memo dated June 21, 1995, it's about three pages from the back.

Ms. Sachsman Grooms. (U) Can we just pause for a minute?

(U) The document you've given him and marked as an exhibit is a [REDACTED]

Mr. Chipman. (U) That's correct.

Ms. Sachsman Grooms. (U) So I'm having a little bit of trouble understanding what this has do with our Benghazi investigation.

Mr. Chipman. (U) It has to do with the organization of a national security response to counterterrorism. And one of the things the committee is charged to do is to ensure that we make recommendations that bear upon how we should conduct our response to counterterrorism.

Ms. Sachsman Grooms. (U) Okay. But this is a very old [REDACTED]

Mr. Chipman. (U) Yes, it is.

Ms. Sachsman Grooms. (U) I mean, I --

Mr. Chipman. (U) Do you have an objection as to privilege?

Ms. Sachsman Grooms. (U) I don't have an objection. I'm just at a loss as to what relevance this has. I mean, it's quite a long document. We're trying to go quickly. I could stop and read the whole document. But it's certainly from a previous administration.

[REDACTED]

[REDACTED]

Mr. Chipman. (U) It is indeed from a previous administration.

Ms. Sachsman Grooms. (U) To a previous administration.

Mr. Chipman. (U) To a previous administration.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) And what I am trying to determine, Mr. Secretary, is, does the Foreign Emergency Support Team, in your experience both as the Secretary of Defense and the Director of Central Intelligence, does it still have a role in managing the U.S. response to a terrorist event?

Ms. Sachsman Grooms. (U) So is this a question about 1995 or currently?

Mr. Chipman. (U) No, I asked, currently, does the FEST still exercise a role in responding to a terrorist event?

(U) Because it appears to still be a valid organization on the State Department's Web site. It appears to still have a role. [REDACTED]

[REDACTED]

[REDACTED]

(U) And I am wondering, sir, if you've got any experience in

[REDACTED]

working with the FEST or in knowing of the FEST?

Mr. Panetta. (U) No, it doesn't ring any bells at all.

Mr. Chipman. (U) Okay.

[Panetta exhibit No. 12

Was marked for identification.]

BY MR. CHIPMAN:

Q (U) And so, sir, what I would like to hand you is the next exhibit. And it's from the State Department Web site, dated January 5, 2016, and it discusses the FEST.

(U) So, again, the same people who have queried me about the U.S. Government's response to what occurred in Benghazi have consistently asked, was the FEST launched, why didn't we launch the FEST. And I'm trying to determine whether, as you debated the options that were available that night with General Ham, General Dempsey, as you met with the President and the National Security Advisor in the White House that evening earlier, was there ever any discussion of the deployment of the Foreign Emergency Support Team?

A (U) No.

Q (U) That's all I need, sir.

BY MR. DAVIS:

Q (U) Sir, just two very quick questions.

(U) Director Petraeus was here speaking with us on Wednesday. Have you had an opportunity to discuss this testimony with Director Petraeus?

A (U) No.

[REDACTED]

Q (U) Have you seen Director Petraeus since his testimony?

A (U) No.

Q (U) Okay.

(U) You were aware of a CIA annex in Benghazi. Is that correct?

A (U) I was aware that there was a CIA presence there. You know, exactly where they were located, I was not.

Q (U) Sure.

A (U) That's correct.

Q [REDACTED]

A (U) Yeah. [REDACTED]

Mr. Shapiro. (U) Which you can't get into.

Mr. Panetta. [REDACTED]

Mr. Chipman. (U) Off the record.

[Discussion off the record.]

BY MS. SACHSMAN GROOMS:

Q (U) You've made a joke a couple of times that you wouldn't necessarily want a number of principals in the room when making a decision.

A (U) Well, that was specifically related to something that,

[REDACTED]

as Secretary of Defense, I was authorized to do.

Q (U) Sure. I just wanted to clarify, do you have any doubt that, if you had had all of the principals in the room from the different agencies, that anyone would have disagreed with your decision to order the forces to go as immediately and as quickly --

A (U) No.

Q (U) -- as possible to save American --

A (U) No, not at all.

Q (U) I know we spent some time in the last round -- and, to be fair, we have interviewed, I believe, quite a number of commanders below you about exactly what they did and when they did it.

(U) But I want to go back to exhibit 4, which is the Republicans' timeline that they've put together. And it lists within here 1:40 a.m. -- and this is D.C. time, Washington, D.C., time -- the first wave of American personnel depart from Benghazi for Tripoli via airplane. And the second wave departed at 4 a.m.

(U) At the point when individuals had evacuated Benghazi and were safely in the process of evacuating Benghazi, would you have expected your military commanders to still be sending troops to Benghazi for --

A (U) No. No.

Q (U) -- the FAST team, the Special Forces?

A (U) Look, the whole purpose of this was to try to go in and save lives. If those lives had either -- obviously, these lives, some of these were lost, but there were a lot of other U.S. personnel there. If they were all evacuated out of Benghazi, then there's not a lot of

[REDACTED]

reason to go in.

Q (U) So we've heard from the commanders that, at that point, they remissioned the Special Forces, the different troops. Is that what you would have expected?

A (U) That makes sense.

Q (U) And they remissioned them to cover other areas in the region that were also showing some signs of issues.

A (U) Yeah, no, again, that makes sense. We're dealing with a lot of potential areas there. You've just got to be ready to move to other places, if needed.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A (U) Yeah, no, I think it's pretty clear that, no matter how you cut this, this attack, you know, was over, and within 12 hours they had been taken out of Benghazi. And almost any other scenario as to how you could get people there, it would have been impacted by the fact that the attack had moved quickly and that it was over.

Q (U) And not only that the attack itself was over but that the mission was to evacuate the people, and the people were --

A (U) U.S. personnel had been removed. That's correct.

Q (U) And then there was no more mission in Benghazi, other

[REDACTED]

[REDACTED]

than to remove the U.S. personnel from there.

A (U) That's correct. That was the whole point, try to save their lives.

Q (U) So regardless of meeting the N-hour or not meeting the N-hour or moving slightly quicker, the time distance to travel still would have prevented them from getting there before the American personnel would have evacuated.

A (U) It took 9 to 12 hours just to get, you know, from Rota, Sigonella, to get there. So, you know, it would have been -- with the preparation time, you know, assuming that they really expedited it as quickly as they could, it still would have been very difficult to get there on time.

Q (U) And, obviously, these questions have been raised repeatedly over and over throughout the years. When you were still at the Defense Department, did you examine these issues with General Dempsey?

A (U) Yeah. I mean, I talked to General Dempsey about these, and I think we've always, you know, concurred that, you know, we did everything possible to try to do what we could to save lives and that, unfortunately, because of time and distance and because of the speed of attack, that we just could not get there in time.

Q (U) And because of the speed of the evacuation?

A (U) That's correct. Which was actually a good thing. I mean, moving these people out within 12 hours was actually pretty good. And we then picked them up in Tripoli and moved them to Ramstein. And

[REDACTED]

I think that process saved lives. I mean, I do think some of the wounded were helped as a result of that.

Q (U) And there was that DOD-led team that immediately responded from Tripoli to Benghazi. Is that right?

A (U) The individuals that were part of that, yes.

Q (U) And they were part, then, of the real team that was involved in evacuating in those 12 hours?

A (U) That's right.

BY MS. RAUCH:

Q [REDACTED]

(U) And one more thing, that's a strategic level. You work at the strategic level. This is the operational and tactical level. And that's very common. Is that fair to say?

A (U) That's correct. That's correct. I mean, as I said, I was not made aware of the fact that those personnel had engaged in that mission until the next morning.

Q (U) And that's not something that's unusual --

A (U) That is not unusual.

Q (U) -- because there are so many people that -- you mentioned millions work for you, so that's not an unusual situation.

A (U) That's right. I give a lot of credit to those people for having the courage to be able to do what they do. I think that helped save lives.

BY MS. SACHSMAN GROOMS:

Q (U) I think just one more. So, in the last round, you were asked a number of questions and, sort of, whether they were fair questions, fair inquiries, whether it was reasonable to inquire about those issues.

(U) A number of those issues have been inquired about before and have been addressed by General Ham, who answered a number of the questions today about the CIF. He has appeared six to seven times before Congress.

(U) You know, I didn't want your statement to be misinterpreted to say that you believe that those questions should be continuously asked, repeatedly, after they've been answered. So, you know, if General Ham has --

A (U) Let me just make clear --

Q (U) Yes.

A (U) -- I am a former Member of the House of Representatives. In my book, the whole purpose of this place is to ask questions. And for that reason, you know, I take a broad approach to people asking

questions, because that is the nature of -- in our democracy, representatives have that responsibility.

(U) How many times the same question is asked can be, you know -- I guess you could raise concerns that. But, at the same time, I've always accepted the process for what it is.

Q (U) But when --

A (U) I just hope you have a fair result. Let me put it that way.

Q (U) But when you inquired internally within the Department about the speed in which people acted that night, were you satisfied by the results?

A (U) I was, because, you know, it was pretty clear when I got there early the next morning that, you know, the attack was over, people had been removed from Benghazi, and that we had done everything we could to try to get our people there.

(U) There was no question in my mind that, at least from my perspective, everything possible had been done to try to do what we could to save those lives. I've never had a question -- I never had a question then and I don't even have a question now that we did everything possible to try to see if we could save lives, in line with the President's order.

Ms. Sachsman Grooms. (U) Well, I thank you very much.

(U) We'll go off.

[Whereupon, at 3:40 p.m., the interview was concluded.]

Certificate of Deponent/Interviewee

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

Witness Name

Date

Errata Sheet

Select Committee on Benghazi

The witness' counsel on behalf of the witness reviewed the accompanying transcript, certified its accuracy, and declined to provide corrections to the transcript.