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

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10 INTERVIEW OF: BEN RHODES

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TUESDAY, FEBRUARY 2, 2016

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Washington, D.C.

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20 The interview in the above matter was held at the New
21 Executive Office Building, 725 Seventeenth Street, NW,
22 Washington, D.C., commencing at 3:00 p.m.

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Present: Representatives Gowdy, Jordan, Roby, and
Schiff.

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1 Appearances:

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5 For the SELECT COMMITTEE ON BENGHAZI:

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7 PHILIP G. KIKO, STAFF DIRECTOR AND GENERAL COUNSEL

8 CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

9 MAC TOLAR, SENIOR COUNSEL

10 CARLTON DAVIS, INVESTIGATOR

11 SHERIA CLARKE, COUNSEL

12 SUSANNE SACHSMAN GROOMS, MINORITY STAFF DIRECTOR AND GENERAL

13 COUNSEL

14 HEATHER SAWYER, MINORITY CHIEF COUNSEL

15 LINDA COHEN, MINORITY SENIOR PROFESSIONAL STAFF

16 DANIEL REBNORD, MINORITY PROFESSIONAL STAFF

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1 For BEN RHODES:

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3 JEANNIE S. RHEE, ESQ.,

4 BLAKE ROBERTS, ESQ.,

5 WILMER, CUTLER, PICKERING, HALE, AND DORR

6 1875 Pennsylvania Ave. NW

7 Washington, D.C. 20006

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10 For the WHITE HOUSE:

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12 W. NEIL EGGLESTON, COUNSEL

13 NICHOLAS MCQUAID, DEPUTY COUNSEL

14 JAMES WALSH, ASSOCIATE COUNSEL

15 ALBERT SANDERS, ASSOCIATE COUNSEL

16 CAROLINE TESS, SENIOR DIRECTOR FOR LEGISLATIVE AFFAIRS,

17 NATIONAL SECURITY COUNCIL

18 BRIAN EGAN, LEGAL ADVISER, NATIONAL SECURITY COUNCIL

19

20 ALSO PRESENT:

21 LORI GOODIN, STENOGRAPHER FOR THE WHITE HOUSE

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1 Mr. Missakian. Okay. Let's go on the record, please.

2 Mr. Rhodes, welcome. Have you had a chance to read the
3 preamble that we usually read at these transcribed
4 interviews?

5 Mr. Rhodes. Yes.

6 Mr. Missakian. Do you understand it?

7 Mr. Rhodes. Yes.

8 Mr. Missakian. Do you understand that even though we're
9 not going to be putting you under oath here today, but if you
10 make a false statement, either to a Member of Congress or a
11 member of the staff, you could be subject to criminal
12 penalties?

13 Mr. Rhodes. Yes.

14 Mr. Missakian. And you're being represented here today
15 by who?

16 Mr. Rhodes. Well, White House counsel, and then I have
17 private counsel as well.

18 Mr. Missakian. So both?

19 Mr. Rhodes. Yeah.

20 Mr. Missakian. Okay. Let's begin.

21 EXAMINATION

22 BY MR. MISSAKIAN:

23 Q I would like to start with September 10th, 2012.
24 Were you aware of any warnings about the protests that were
25 predicted for Cairo?

1 A I don't remember being aware of the specific
2 warnings related to Cairo on the 10th. That was something I
3 became aware of only after the protest at the facility.

4 Q So you only learned about them after they had
5 begun?

6 A That's my recollection.

7 Ms. Sachsman Grooms. Can we go off the record?

8 Mr. Missakian. Let's go off the record.

9 [Discussion off the record.]

10 BY MR. MISSAKIAN:

11 Q So back on the record, yes. So if I understood you
12 correctly, you learned about the protests in Cairo after they
13 had begun?

14 A That's my recollection.

15 Q What do you recall having learned about the
16 protests in Cairo on September 11th?

17 A I remember that we became aware, over the course of
18 that day, on the 11th, that there was a protest at our
19 embassy in Cairo, that the protest had turned violent, and
20 that there was a breach of our embassy compound.

21 Q Okay. Mr. Rhodes, one thing I'd ask you, I'm not
22 going to ask you to tell me if you reviewed any documents in
23 preparation for your interview here today, but if, in fact,
24 you did review any documents that help refresh your memory
25 about something you're testifying to, could you just identify

1 that document for us?

2 A Sure.

3 Q Okay. What details do you recall learning, again,
4 on September 11 about the protest in Cairo?

5 A I remember learning, again, that there was a
6 protest, that the origin of that protest, or the motivation
7 for that protest was a video that was seen as insulting to
8 Islam, and that the protest became violent, and there was a
9 breach of our embassy facility in Cairo.

10 Q At any point on September 11, did you receive any
11 information that connected the video to which you just
12 referred to what would occur later in Benghazi?

13 A What I recall is that there was a protest at the
14 facility in Cairo that our embassy was saying was directly
15 related to the video. I recall subsequently being made aware
16 of the attack that was taking place on our facility in
17 Benghazi.

18 Q Okay. Do you recall ever receiving any information
19 that tied the video to the attack in Benghazi on September
20 11th?

21 A Not that I remember.

22 Q Do you recall receiving any information on
23 September 11th that there was a protest in Benghazi before
24 the attacks?

25 A I remember there were different reports as to what

1 was happening that were very fluid, describing different
2 types of activity around the facility, but I don't recall it
3 being assigned as a protest specifically.

4 Q And where were you getting your information from
5 about what was going on first in Cairo and then in Benghazi?

6 A Well, again, I recall it was a very fluid
7 situation, and we were receiving information largely from the
8 State Department.

9 Q Did you receive regular updates from the State
10 Department?

11 A My recollection is it was the type of day where you
12 have different crises taking place, you are moving to
13 different meetings, and different people are in touch with
14 the State Department, so, in some cases, I would have been
15 hearing secondhand information from other White House
16 officials who were in touch with State Department officials.
17 In some cases, I would be receiving email updates.

18 Q Let's make a list. Who did you speak to directly
19 at the State Department on September 11th?

20 A Again, I wouldn't recall every single contact I
21 had. I do remember being in touch with Jake Sullivan. He
22 was my normal point of contact on many matters at the State
23 Department. He's the person I remember being in touch with,
24 and then, again, I recall being in touch with different White
25 House officials who were also in contact with State

1 Department officials.

2 Q Do you know who those other White House officials
3 were communicating with at the State Department?

4 Mr. McQuaid. Excuse me. Off the record for a second.

5 Mr. Missakian. Sure. Off the record.

6 [Discussion off the record.]

7 Mr. Missakian. Back on the record.

8 BY MR. MISSAKIAN:

9 Q I think you said you were getting some of your
10 information secondhand from people at the White House who
11 were, in turn, speaking to people at the State Department.

12 Do you know the identity of anybody at the State
13 Department that those people were talking to?

14 A So what I recall, because it was very concerning
15 and dramatic, was that Denis McDonough was in touch with
16 Cheryl Mills at the State Department who was relaying their
17 attempts to reach Ambassador Stevens' cell phone. So that's
18 the specific recollection that I have related to State
19 Department passing information, because there was this effort
20 to be in touch with that cell phone.

21 Q Other than your conversations with Mr. Sullivan,
22 the information you were getting secondhand that night, was
23 there any other source of information that you received on
24 September 11th regarding what was going on in Benghazi?

25 A Again, my memory is of having a series of meetings

1 where people are providing updates about what we understand
2 to be happening in both Benghazi and Cairo and being on an
3 email contact with various people, so that ended up being a
4 very fluid situation, so that's my recollection today.

5 Q Do you recall what time you left the office that
6 night?

7 A I recall leaving the office around the time that
8 the State Department would finalize their statement from
9 Secretary Clinton to put out. I don't remember the exact
10 time, but I remember that that was roughly when I was leaving
11 the office.

12 Q My understanding is that statement was issued by
13 the State Department about 10:08, so that roughly about when
14 you left the office?

15 A Yes. I may have left -- again, I don't have a
16 specific time that I recall leaving the office, but it may
17 have been a little bit before that when they finalized the
18 statement. I remember working as they were completing the
19 drafts of that statement, and so whenever I felt that I was
20 done with that piece of work is when I would have left the
21 office.

22 Q Okay. Did you continue to receive information
23 about Benghazi even after leaving the office?

24 A It's -- I certainly received emails overnight
25 related to the events of Benghazi.

1 Q Were you reading those emails like continuously?
2 Did you stay up all night, or at some point, did you go to
3 bed and then wake up and see a bunch of emails in your inbox?
4 How did that play out?

5 A Again, I -- the only email that I remember is when
6 I woke up in the morning, becoming aware of the two
7 additional fatalities, that that had transpired overnight.

8 Q On September 11th, were you aware that the CIA had
9 a facility in Benghazi?

10 A You know, I don't recall being aware that the CIA
11 had a facility in Benghazi. I don't know. Can we go off the
12 record for a second?

13 Mr. Missakian. Let's go off the record.

14 [Discussion off the record.]

15 Mr. Missakian. Let's go back on the record.

16 BY MR. MISSAKIAN:

17 Q If I understand you correctly, you're not sure if
18 the CIA had a facility there that night or your -- is that --
19 am I understanding you correctly?

20 A I wasn't -- I don't recall being aware of the
21 specific nature of the facility. The fact of the CIA having
22 a presence in Libya I would have been aware of, but I, as I'm
23 not an operational official, you know, I would not be
24 familiar with the specific purpose of different facilities.

25 Q That's my next question. Putting aside whether it

1 was a CIA facility or not, were you aware that there was a
2 second facility in Benghazi that had been attacked? Again,
3 this is on September 11th.

4 A Again, I remember becoming aware of that over the
5 course of the events. I couldn't pinpoint exactly whether
6 that was the night of the 11th or the morning of the 12th.
7 That's -- so I remember becoming aware that there was this
8 additional attack that took place.

9 Q How did you learn about the additional attack?

10 A Again, I recall being notified by email that there
11 were these two additional fatalities.

12 Q Do you recall where that email came from?

13 A I don't.

14 Q Now, prior to receiving that email that talked
15 about the two additional fatalities, were you aware that there
16 was a second facility had been attacked, regardless of whether
17 anyone had died?

18 A I don't remember being aware of a separate incident
19 at a second facility. I remember becoming aware of those
20 facts after the attacks took place.

21 Q Okay. And on the night of September 11th, when you
22 were apprised of what was going on in Benghazi, did you have
23 a personal view about what was happening?

24 A I had a personal view because I knew Chris Stevens,
25 and I was very upset that he had been killed. So my personal

1 reaction related to the fact that I remember being very, very
2 upset about his death.

3 Q Do you recall having a personal view about what had
4 transpired in Benghazi, the nature of the attacks?

5 A I did not. I don't -- again, I did not render that
6 judgment.

7 Q When did you learn that Ambassador Stevens had been
8 killed?

9 A Again, my recollection is that there was this
10 effort made to contact his cell phone, that at a certain
11 point, and again, this is just my recollection of very fluid
12 events, but that somebody was on the other end of that cell
13 phone at a hospital and said that his body was at the
14 hospital. I don't think we had had confirmation at that
15 point, but I remember that was the first indication that
16 something might have happened to him. And again, he was
17 known to many of us at the White House, so we were very upset
18 about it.

19 Q Do you recall learning that the group Ansar
20 al-Sharia had taken responsibility for the attacks?

21 A I remember learning of that. I don't remember
22 exactly when, but I remember learning, at some point, that
23 they had issued a claim on some social media platform.

24 Q And did you learn that prior to the State
25 Department issuing the statement that you referred to

1 earlier?

2 A I don't remember.

3 Q Did you have any understanding of the nature of the
4 attack in Benghazi, the type of weapons used, the number of
5 attackers, anything like that, on the night of
6 September 11th?

7 A I do not remember having that type of detail on the
8 night of September 11th.

9 Q Do you recall having any classified briefings on
10 the night of September 11th regarding what was occurring?

11 A I don't recall. Again, there were many -- I
12 remember there were many, you know, meetings and discussions
13 around the White House, but I don't recall a specific
14 meeting.

15 Q Did the White House have a -- another source of
16 information about what was occurring in Benghazi other than
17 the information that was coming from the State Department?

18 A My recollection is that given that these were
19 events in both Cairo and Benghazi, that the State Department
20 was principally dealing with on the front lines, that we were
21 receiving information from the State Department, but in any
22 event, you know, we make an effort to gather any information
23 that we can about what's taking place.

24 Q Did you recall any of those efforts?

25 A I don't remember those efforts in the sense that,

1 you know, my job was not to be involved in any operational
2 response. It was mainly to understand how we were going to
3 communicate publicly about the events.

4 Q Okay. As you sit here today, for example, you
5 don't recall getting any information about the attacks from
6 the Department of Defense?

7 A I don't recall getting information about the
8 attacks from the Department of Defense. ~~and I~~ -- ^{They} they would
9 have been included in interagency discussions that we have as
10 a matter of course when there are events like that, but
11 again, my -- my focus that night, as it related to my
12 responsibilities, had to do with our initial public comment,
13 which took the form of that statement from Secretary Clinton.

14 Q And that night, did you know of any connection
15 between what had occurred at Cairo and what had occurred in
16 Benghazi?

17 A I did not, other than the fact that both events
18 took place in proximity to one another.

19 Q It's our understanding that a SVTC took place at
20 7:30 p.m. on September 11th. Did you participate in that
21 call?

22 A I don't remember whether I participated in that
23 call. It's possible, I just don't recall.

24 Q Is there anything that you could look at to refresh
25 your memory in that regard? Calendar, book, or journal where

1 you may keep notes?

2 A No, because -- I don't think so, because, frankly,
3 again, over the course of a day like that, these are meetings
4 that aren't -- that -- that are put together on a quick
5 basis, not planned far in advance. But again, my
6 recollection is just having different meetings in different
7 parts of the White House where people were figuring out what
8 was happening and what we needed to do.

9 Q Okay. As best you can, tell us what you recall
10 discussing with Jake Sullivan. This is on September 11th
11 into September 12th, if you spoke to him then as well?

12 A I remember speaking to him on the 11th about the
13 statement that they were preparing to go out from Secretary
14 Clinton, so that was the principal focus of our
15 conversations, and that's what I remember talking about.

16 Q What do you recall about that discussion?

17 A Well, I remember we were trying to determine what
18 the facts were in Benghazi as it related to potential
19 fatalities, because that was, obviously, our principal
20 concern was the wellbeing of our people.

21 I remember we were also concerned about the potential
22 for further instability, given that we had seen, you know,
23 the protests in Cairo, too, so we were trying to convey
24 messages that responded to events in Benghazi and sought to
25 calm the situation more broadly in the region.

1 Q Why didn't you put out two statements, one
2 explaining what occurred in Benghazi, and one trying to tamp
3 down any further violence over the video?

4 A We -- we didn't consider putting out two
5 statements. We just decided to put out one statement from
6 Secretary Clinton.

7 Q You weren't concerned that there might be confusion
8 that somebody hearing that statement might think the video
9 somehow led to what occurred in Benghazi, that never crossed
10 anybody's mind?

11 A No.

12 Q Other than Jake Sullivan, did you talk to anybody
13 else about that statement?

14 A I would have talked to my colleagues at the White
15 House about that statement, people that I worked with on my
16 staff.

17 Q Do you recall having any such conversations?

18 A You know, I recall telling my staff that that would
19 be our comment for the night. So the people who work for me
20 in the NSC press office, you know, everybody was being asked
21 to respond to inquiries, and I remember determining that, you
22 know, we would just have that one statement be our comment
23 for the night.

24 Q What was the thinking behind that, have that one
25 statement coming from the State Department be the sole

1 statement from the U.S. Government?

2 A Again, my recollection is that this was an attack
3 that had targeted our Ambassador, that it was appropriate for
4 the Secretary of State to be speaking for the U.S. Government
5 given that this had happened to people who worked in her
6 department, and again, that made them the appropriate agency
7 to issue a comment.

8 Q At any point in the evening on September 11, did
9 you have any conversations with anybody at the State
10 Department about Mitt Romney?

11 A I don't remember conversations about Mitt Romney,
12 you know, not that I remember.

13 Q Did you have any concern that then candidate Romney
14 might use the attacks in Benghazi to attack the President
15 politically?

16 A No, I didn't have any of those concerns.

17 Q Never crossed anybody's mind?

18 A No.

19 Q Do you recall having any discussions with Victoria
20 Nuland on the night of the attacks?

21 A I don't remember having conversations with Toria.
22 I generally spoke to Jake Sullivan. Again, I'm often on
23 email communications with various officials, including Toria,
24 but my recollection of who I spoke to that night is Jake
25 Sullivan.

1 Q Just bear with me a moment. I've got a couple of
2 documents for you to look at.

3 Mr. Missakian. Off the record for a second.

4 [Discussion off the record.]

5 [Rhodes Exhibits Nos. 1 and 2
6 were marked for identification.]

7 Mr. Missakian. Back on the record.

8 BY MR. MISSAKIAN:

9 Q Mr. Rhodes, I've given you two documents, one
10 marked exhibit 1, the other marked exhibit 2. Exhibit 1 is a
11 set of emails, the first one from Victoria Nuland to Eric
12 Pelton. The second one is also a series of email. The one
13 at the top from Bernadette Meehan to Victoria Nuland and
14 others. Once you've had a chance to look them over, just let
15 me know.

16 Let begin with what's been marked as exhibit 1. Now
17 this is a series of emails. The one at the bottom is from
18 Victoria Nuland to you and some other folks on
19 September 15th, and it talks about a warning on Cairo. And
20 if I read it correctly, it suggests that people were aware of
21 the video circulating, and that it might lead to protests or
22 demonstrations.

23 Having seen this, does this refresh your memory at all
24 with regard to whether you had warning of the protests in
25 Cairo?

1 A Well, this is -- what I recall is that in the
2 days -- this is following September 11th.

3 Q Yes.

4 A So there was discussion of the question of warning
5 that was in the press over the course of that week and that
6 that's what this would have been in reference of.

7 Q Well, let's read it. It appears to me that you all
8 are trying to agree on some language here, and the proposed
9 language -- I'll read it -- it says, "We were well aware,
10 through embassy monitoring and social media and other
11 sources, that the film was being used to whip up strong
12 feeling in Egypt which could lead to demonstration."

13 A So it seems to me that this statement is going to go out
14 after the fact, but it suggests that at least the State
15 Department was aware of the potential for demonstrations
16 before they occurred. Is that a fair reading in your mind?

17 A My recollection is that after the demonstrations
18 were taking place, we actually, you know, became aware of the
19 extent to which this had -- this video had run on Egyptian
20 television, and that had caused concern.

21 A But again, my recollection is that, you know, this
22 relates to what was transpiring over the course of the week
23 as people were trying to determine what the warning was.

24 Q Okay. Let's move up a little bit in the chain.
25 Second from the top, it says, "E- backstory is River did warn

1 but only after your friend Larry Schwartz had told RSO and
2 Chargé had agreed to close early, sigh."

3 Again, in my mind, it seems to suggest that there was a
4 warning that had been received prior to the demonstrations in
5 Cairo, and I'm just asking you if you were aware of those
6 warnings?

7 Ms. Sachsman Grooms. This is that email that is not to
8 him and he's not included on?

9 Mr. Missakian. Yes, that's correct.

10 Mr. McQuaid. Just -- you're asking about -- you keep
11 talking about demonstrations in Cairo.

12 Mr. Missakian. Yes.

13 Mr. McQuaid. Are you specifically referring to the
14 demonstrations on September 11th?

15 Mr. Missakian. Yes.

16 Mr. McQuaid. So I just want to make -- that's what your
17 question is.

18 Mr. Missakian. Yes.

19 Mr. McQuaid. Not any more broad.

20 Mr. Rhodes. Again, I would not have been necessarily
21 aware of all the warnings that went to Embassy Cairo. So I
22 recall being made aware of this environment surrounding the
23 film in Egypt as that situation was developing.

24 BY MR. MISSAKIAN:

25 Q Okay.

1 A That's just my recollection.

2 Q Okay. Let's go to exhibit 2. Again, a series of
3 emails. The one at the bottom is from Victoria Nuland to a
4 number of people, including Bernadette Meehan, and who is
5 Bernadette Meehan?

6 A She was a spokesperson on the National Security
7 Council who had responsibility for the Middle East.

8 Q So she's a member of your staff?

9 A Yes.

10 Q And the statement that they're -- the proposed
11 statement they are circulating draws a very clear distinction
12 between Cairo and Benghazi, and I'll read it into the record.

13 "We can confirm that our office in Benghazi, Libya, has
14 been attacked by a group of militants. We are working with
15 the Libyans now to secure the compound. We condemn in
16 strongest terms this attack on our diplomatic mission."

17 The next statement. "In Cairo, we can confirm that
18 Egyptian police have now removed the demonstrators who had
19 entered our embassy grounds earlier today."

20 Then it goes on. "For press guidance, if pressed
21 whether we see a connection between these two, we have no
22 information regarding a connection between these incidents."

23 And if you work your way up the chain a little bit,
24 Victoria Nuland says, "We are holding for Rhodes' clearance.
25 BMM, please advise ASAP."

1 Bernadette Meehan writes back. "Ben is good with these
2 and is on with Jake now, too."

3 So first question is, do you recall reviewing this
4 proposed statement that was going to be released to the press
5 on the night of September 11th?

6 A I don't. It's certainly in line with my job
7 responsibility, but I don't have a specific recollection.

8 Q Do you have any reason to believe that the
9 information contained in this statement is any different than
10 you reviewed that night?

11 A No. We endeavor to put out the information as we
12 understand it at the time.

13 Q And it says, "Ben is good with these," which I
14 presume means you approve the content of the statement, and
15 it also refers to the fact that you're on with Jake now. I
16 assume that means Jake Sullivan?

17 A Presumably, yes.

18 Q Do you recall having a -- now, having seen this, do
19 you recall having a conversation with Jake Sullivan either
20 about this statement or about anything else relating to
21 Benghazi in that 6:30 timeframe?

22 A Again, I remember talking to Jake about what our
23 public response is going to be, and in particular, the
24 statement that the Secretary would put out, and just trying
25 to understand what was happening. So I couldn't specify the

1 exact time those conversations took place, but I remember
2 speaking to him that evening.

3 Q Okay. Was there any discussion about why this
4 statement wouldn't just be turned into the Secretary's
5 statement later that night? Why was it changed so
6 dramatically?

7 A Well, often in fluid circumstances, the State
8 Department has to put out an initial comment just to provide
9 the basic information to press that is asking, and then in
10 the statement, we had additional information that we wanted
11 to convey, including tragically that there had been a
12 fatality.

13 Q Yeah. Other than the fatality, what additional
14 information was conveyed in that second statement?

15 A That we were -- again, I don't have the statement
16 in front of me, but that we were -- we certainly wanted to
17 convey that we were doing what we could to support our men
18 and women serving overseas, and there was an expression of
19 condemnation for the attacks, and then there was an
20 expression of American values as it relates to the video that
21 was, again, being cited by many actors in the region who were
22 protesting at facilities.

23 Q So at some point in the evening around 6:30, you
24 approved the statement that I read into the record earlier,
25 and then later on, at about 10:08, another statement goes out

1 from the State Department.

2 Between 6:30 when it appears you approved the statement
3 that's reflected in exhibit 2 and 10:08, did you learn
4 anything that that would have called into question statements
5 that are made in exhibit 2?

6 A No. What we learned is that we had a fatality in
7 Benghazi.

8 Q But that would not have called into question the
9 statements made in exhibit 2?

10 A No. That was just information as to the status of
11 our personnel in Benghazi.

12 Q Just additional information?

13 A Uh-huh.

14 Q That was not available at 6:30 when you approved
15 this?

16 A Uh-huh.

17 Q You have to say yes.

18 A Yes.

19 Q Yes?

20 A Yes. Sorry.

21 BY MR. DAVIS:

22 Q Turn your attention back to exhibit 1 just briefly.

23 So at the very bottom of the page, email from Victoria
24 Nuland to you and several other individuals, moving up one,
25 there's a response from Tommy Vietor, and who's Mr. Vietor or

1 was at the time?

2 A National Security Council spokesperson.

3 Q And he worked on your staff?

4 A Yes.

5 Q He worked for you?

6 A Yes.

7 Q And his response is, "I think that makes perfect
8 sense. Can also remind people it had nothing to do with
9 Benghazi," two exclamation points.

10 How did you take his email to mean "Can also remind
11 people that it had nothing to do with Benghazi"? What do you
12 think he was referring to there?

13 A I don't know. I don't remember this email until I
14 saw it.

15 Q Looking at it now, what do you think he meant when
16 he said, "Can also remind people that it had nothing to do
17 with Benghazi"?

18 A I don't know what he's referring to.

19 Q Does he refer to the film just referenced in the --

20 A I don't know. I don't want to suggest what Tommy
21 was referring to. It could be any number of things. He
22 could be referring to the warning. I just don't know what
23 he's referring to.

24 Q Do you recall at the time whether -- in the public
25 arena, either through the press or through other individuals,

1 there was concern that the Cairo warning was somehow linked
2 to Benghazi? Do you know if that discussion was ongoing?

3 A I remember there was just public discussion about
4 what the warning was generally related to both Cairo and
5 Benghazi. That was certainly part of the ongoing series of
6 questions we were being asked by the press.

7 Q And was the press asking whether or not the film
8 had anything to do with Benghazi during that time?

9 A I remember the press asking about the film, about
10 the warnings, about any aspect, any angle of the developments
11 that were taking place in both Libya and the Middle East.

12 Mr. Gowdy. Mr. Rhodes, the second sentence, this is the
13 Nuland email to you, et al, including Mr. Vietor, subject,
14 Cairo warning. Last sentence, "This is why we took the
15 precaution of sending both embassy staff home early that day,
16 comma, well before the protest even began."

17 Is it possible that Mr. Vietor's "it" was referring to
18 that, the decision to make the additional security precaution
19 of emptying out your facility as opposed to what may or may
20 not have happened in Benghazi?

21 I'm just trying to figure out what full range of options
22 of what "it" could mean. Could it mean that?

23 Mr. Rhodes. Again, I just -- I don't know what he's
24 referring to, so it's hard for me to hazard a guess.
25 Presumably, it could be any range of things that are

1 encompassed in that statement.

2 BY MR. DAVIS:

3 Q He finishes his email with two exclamation points.
4 Does that mean anything to you, the fact that he put two
5 exclamation points in the email?

6 A That would not be uncommon for Mr. Vietor.

7 Q Were there discussions internally between you and
8 Mr. Vietor and anybody else on the email chain regarding
9 protests in Benghazi, the film in Benghazi, or the Cairo
10 warning in Benghazi?

11 A During which timeframe?

12 Q I'm sorry, between September 11 and the time the
13 email was written, September 15?

14 A Well, during that timeframe, again, the people on
15 this email chain, certainly Tommy Vietor and Toria Nuland
16 were responsible for responding to press inquiries, preparing
17 for daily briefings, so they are dealing with every possible
18 question that we could have been getting about the events in
19 Benghazi or the protests against us across the Middle East.

20 Q Was there an assessment or a consensus between the
21 core group of people on this email chain that either the
22 film, protests, or the Cairo warning had nothing to do with
23 Benghazi? I'm trying to understand why -- why he wrote that
24 email in the manner he did?

25 A Well, it was not the -- it was not our -- well,

1 I'll speak for myself. You know, insofar as we're
2 responsible for communications and messaging, we don't
3 formulate the determinations about, you know, what the nature
4 of the attack was in Benghazi. We're just in a position of
5 trying to get the best answers and --

6 Q I'm not asking for an official assessment.

7 Mr. McQuaid. Hey, could you please let him finish. You
8 cut him off.

9 Mr. Rhodes. Yeah. We're just trying to get the best
10 information out that we have at the time, and we're also
11 dealing with, in addition to the attacks in Benghazi, a
12 series of violent protests at our diplomatic posts across the
13 Middle East all week. So that was the context for this?

14 BY MR. MISSAKIAN:

15 Q Mr. Rhodes, I'm going to show you a copy of that
16 10:08 statement. Mark this as exhibit 3.

17 [Rhodes Exhibit No. 3
18 was marked for identification.]

19 BY MR. MISSAKIAN:

20 Q Mr. Rhodes, I know I asked you this before, but
21 why -- let me withdraw that. On the evening of September 11,
22 the group Ansar al-Sharia had taken responsibility for the
23 attacks. Why wasn't that fact included in the statement that
24 was put out at 10:08 that you have there in front of you as
25 exhibit 3?

1 A We don't make our own determinations about who's
2 responsible for attacks on our facilities based on the claims
3 of extremist groups. We have to reach our own judgments, and
4 we turn to our intelligence community to make those
5 judgments. So we wouldn't -- we wouldn't simply take at face
6 value a claim by an extremist group.

7 Q Well, I'm not asking you to take it at face value,
8 but it could have been included in the statement that the
9 group Ansar al-Sharia as a matter of fact had taken
10 responsibility. That's not saying they did, but you could
11 have reported that fact or included that fact that they had.
12 Why wasn't -- why didn't that occur?

13 A Again, because we make our own determinations based
14 on the assessments of our intelligence community about
15 something as serious as a responsibility for an attack. We
16 would not simply take at face value the claim of an extremist
17 group.

18 Q So you wanted to do -- you were waiting for a
19 further investigation to be done?

20 A Again, in any case like this, we wait until we
21 receive judgments from the intelligence community.

22 Q Not only the intelligence community, but in this
23 case, the FBI as well. Is that correct?

24 A Yes. Whenever Americans are harmed, there is also
25 an FBI investigation that is a further fact that we have to

1 take into account.

2 Q And by this point in time, this is now September
3 11th, the intelligence community had not weighed in,
4 certainly the FBI had not weighed in as to what had occurred?

5 A That's my recollection.

6 BY MR. DAVIS:

7 Q The third paragraph, the statement was beginning,
8 "Some have sought to justify this vicious behavior as a
9 response to inflammatory material posted on the Internet."

10 Who is the "some" referring to here?

11 A Again, my recollection is that in that period of
12 time, there were different voices that we were seeing in the
13 Middle East that were seeking to provoke actions against our
14 diplomatic facilities because of that video, and there was a
15 concern that we had to try to tamp down that situation.

16 Q Who were those different voices in the Middle East?

17 A Different extremist voices, different actors that
18 we saw seeking to, again, call for protests at our facilities
19 across the Middle East.

20 Q How were you aware of these different voices?

21 A Again, I remember, over the course of this day and
22 the following days, hearing concern from the State Department
23 that their embassies were becoming aware of that type of
24 activity.

25 Q So you heard from the State Department that they

1 were concerned?

2 A Yes.

3 Mr. Gowdy. Sir, before you leave that point, what
4 happened subsequent to the issuing of this statement would be
5 much less relevant than what you had heard prior to the
6 issuance of this statement, so can you recall what that
7 "some" may have meant prior to the issuance of this
8 statement?

9 Mr. Rhodes. Well, what I certainly can recall, again,
10 is the very serious concern that we had about the situation
11 in Egypt, given how volatile the security environment was
12 there and given the penetration of our embassy. So again,
13 this statement is in the context of responding to the attacks
14 in Benghazi, and also an ongoing risk that we perceived to
15 personnel in Cairo, at a minimum, and again, in addition, I
16 think we were hearing from different posts a concern that
17 this type of activity could spread.

18 Mr. Gowdy. I understand that, but I think you told
19 Mr. Missakian that you didn't want to include a specific
20 reference to the perpetrator because of a lack of
21 verification sufficient to include it, but yet, we're
22 including something that just is generally covered by the
23 word "some."

24 So how do you square the decision not to include
25 something that has a certain amount of specificity with

1 something that really couldn't be any less specific than the
2 word "some"?

3 Mr. Rhodes. Well, again, when it comes to an attack on
4 Americans, we take very seriously working through the
5 determination and assignment of responsibility with our
6 intelligence community.

7 On the question of people seeking to incite violence
8 against our diplomatic facilities, that was clearly taking
9 place, and when we think about how we utilize messaging like
10 this, we very much want to try to send signals of calming
11 down the situation. These are the types of messaging that --
12 this is the type of messaging that is going to be utilized by
13 posts who are trying to tamp down the situation.

14 So again, my recollection is that the determination was
15 made that it was important that we do what we could to try to
16 tamp down the situation, informed by what had happened in
17 Cairo and the concern that that could take place in other
18 posts in the Middle East.

19 BY MR. MISSAKIAN:

20 Q Mr. Rhodes, you said that you're not an operator,
21 you don't have any operational responsibility, but your job
22 is to put out statements, and in relation to that, to try to
23 get the best information available at the time that you would
24 then draw upon to put in a statement. So just take us
25 through it.

1 How did you, for yourself, make sure you had the best
2 information about what had occurred in Benghazi that night?
3 Who did you talk to? What documents did you read? Who did
4 you pick up the phone and call? What did you do to make sure
5 you had the best information available that was then going to
6 be reflected in the statement that's been marked as
7 exhibit 3?

8 A Well, this is a statement from the Secretary of
9 State, originating from the State Department, so first of
10 all, they would be principally responsible for putting
11 together the statement. I would -- I would play a
12 coordinating function from the White House. In terms of the
13 information, in this case, you know, I would be relying
14 principally on the State Department, not only because it's
15 their statement but because it's referencing their awareness
16 of the loss that we had suffered and the steps that Secretary
17 Clinton had taken, including speaking to the President of
18 Libya.

19 Q So maybe it's fair to say that you really didn't
20 take any affirmative steps yourself, because you believed
21 that the best information available was coming from the State
22 Department to you. Is that fair?

23 A Well, and again, it was the State Department
24 statement, so in that instance, they are going to be the
25 principal source of information and --

1 Q Did you view them as the best source of
2 information?

3 A I viewed them as an important source of
4 information, given it was their people who had been attacked
5 and that they were, you know, dealing with the response.

6 Q So as far as you can recall today, that was your
7 only source of information that night?

8 A Well, again, insofar as we were having many
9 conversations around the White House, I'm aware that people
10 I'm speaking to could have other sources of information if I
11 am talking to the senior National Security Council officials.
12 They would have been the benefit of information from multiple
13 agencies.

14 Q What agencies?

15 A The intelligence community.

16 Q Can you be specific?

17 A Again, when we --

18 Q I'm not -- this is not, again, not a trick question
19 but if you --

20 Mr. McQuaid. Okay. Mr. Missakian, you cut him off
21 again.

22 Mr. Missakian. Yeah. I'm just going to clarify the
23 question for you. I think it will help.

24 BY MR. MISSAKIAN:

25 Q You said the intelligence community would have. If

1 you can't recall any specific sources of information that
2 night, that's a perfectly acceptable answer, and so I don't
3 want you to guess or speculate, but if you recall that
4 somebody at the White House received information from a
5 specific agency within the intelligence community, that's --

6 A Okay. I see.

7 Q -- what I'd like to know.

8 A I don't have a recollection of, you know, a
9 specific piece of information within the intelligence
10 community. I'm referring more generally to, in circumstances
11 like this that are very fluid, people are receiving updates
12 from different elements of the government.

13 Q Okay. That's fair. Thank you.

14 Ms. Rhee. This would be a good time to take a break. I
15 think we are almost at the hour.

16 Mr. Missakian. Let's go off the record.

17 [Discussion off the record.]

18 Mr. Missakian. Let's go back on the record.

19 Mr. Gowdy. Craig, given that we have votes coming up,
20 do you want to give --

21 Mr. Missakian. Go off the record.

22 [Discussion off the record.]

23 Mr. Missakian. Let's go back on the record.

24 BY MR. MISSAKIAN:

25 Q I'm going to mark 2 documents, one, exhibit 4; the

1 next one, exhibit 5.

2 [Rhodes Exhibits No. 4 and 5
3 were marked for identification.]

4 BY MR. MISSAKIAN:

5 Q For the record, I've given you exhibit 3 as a
6 multi-page email. I think I have the numbers wrong.
7 Exhibit 4. Go off the record for a second.

8 [Discussion off the record.]

9 Mr. Missakian. Okay. Back on the record, please.

10 BY MR. MISSAKIAN:

11 Q Have you had a chance to review those documents?

12 Ms. Sachsman Grooms. Craig, can you just put on the
13 record what you're --

14 Mr. Missakian. Yes. For the record, exhibit 4 is a
15 multi-page email. The first one on top is from Benjamin
16 Rhodes to a variety of people dated September 13th, 2012.
17 Exhibit 5 is the email from Benjamin Rhodes dated
18 September 4th, 2012 -- September 14th, 2012.

19 A Yes.

20 BY MR. MISSAKIAN:

21 Q Focusing first on exhibit 4, do you recognize this
22 document?

23 A Yes.

24 Q Did you review this document in preparation for
25 your interview here today?

1 A I saw it this morning.

2 Q Okay. The subject line is "USG public response to
3 events in Libya and Egypt."

4 So is it fair to say that these talking points were
5 meant to cover what had occurred in Benghazi as well as in
6 Cairo?

7 A My recollection is that these were intended to be
8 used across the region to respond to the ongoing protests
9 that were taking place.

10 Q My question is, is it fair to say that the -- this
11 document, the talking points were also intended to cover the
12 events that had occurred in Libya as well?

13 A They weren't intended to describe the events in
14 Libya. They were intended to be used by government
15 communicators who were responding to the ongoing protests
16 that were taking place across the region.

17 Q Okay. Well, in this document now, this is
18 September 13th, 2012, did you intend, through this document,
19 to tie the video to what had occurred in Benghazi?

20 A No.

21 Q Then how did you expect people hearing these
22 talking points on the movie to understand they related to the
23 events in Libya?

24 A So my recollection of these points is that we were
25 profoundly concerned about ongoing protests taking place

1 across the region. This was on a Thursday. Friday prayers
2 was identified for us as a day in which it was most likely
3 that there would be violent protests across the Middle East
4 because people assemble in large groups after going to Friday
5 prayers, and we were seeking to provide information that our
6 government communicators, including our embassy posts could
7 use to try to get ahead of those events and try to avoid the
8 worst possible outcome on Friday.

9 Q When you prepared this memo now on September 13th,
10 2012, does it reflect any information that you received in
11 any classified briefing or classified document?

12 A Exhibit 4?

13 Q Exhibit 4, yes.

14 A I think if you look at the contents of that series
15 of points, it reflects a very deep concern that this video
16 was being utilized by extremists and bad actors to try to
17 provoke violent protests at our diplomatic missions, and we
18 were seeking to do everything we could to minimize and
19 mitigate that situation.

20 Q My question is a different one. Does the content
21 of this memo reflect any information that you derived from
22 any classified briefing or classified document?

23 A I do not think so.

24 Q And just so we're clear, by this "Talking Points on
25 Movie," you never intended to draw a connection between the

1 video and the attacks in Benghazi. Is that your testimony?

2 A Yes. I think if you look at the contents of the
3 points, they're very much focused on seeking to mitigate the
4 public response in the Middle East to that video and the
5 ongoing protests that were taking place because of it.

6 Q Now, the first sentence before the section that has
7 the talking points on the movie refers to a call. Do you
8 recall what -- do you recall the call that you referred to in
9 this email?

10 A I don't remember one call. I do remember there
11 were many calls taking place over the course of the week
12 among interagency communicators about how to try to calm the
13 situation in the Middle East.

14 Q But you don't recall this specific call?

15 A I don't remember that specific call.

16 Q Okay. After that, you say, "adapted from the
17 Secretary's words this morning." What Secretary's words are
18 you referring to?

19 A I believe she made a public statement that had some
20 of those messages within it.

21 Q Was that what's sometimes referred to as her
22 Morocco statement?

23 A I don't remember where she gave it.

24 Q How did you get it?

25 A How did I get her statement?

1 Q Yes.

2 A I don't remember how I would have specifically
3 gotten her statement. There are many ways to receive her
4 public statements.

5 Q Sure, but do you recall somebody sending it to you?
6 Do you recall asking for it? I mean, how did the Secretary's
7 remarks that morning become the basis for this "Talking
8 Points on the Movie" memo?

9 A I don't remember how I received her remarks.

10 Q Now, between September -- the evening of
11 September 11 around 10 o'clock when that statement went out,
12 and when you put this "Talking Points on the Movie" memo
13 together, what did you do to ensure that you had the latest,
14 most accurate information about what had occurred in
15 Benghazi?

16 A Again, I remember being very focused over the
17 course of this time period on the very fluid ongoing events
18 in the Middle East, including, again, protests, some have
19 been violent at our diplomatic facilities. That was
20 consuming a significant amount of my time. With respect to
21 the events that had taken place in Benghazi, you know, I
22 would have deferred judgment as to what had taken place to
23 the guidance we received from the intelligence community.

24 Q I just have a few minutes left, so let's finish
25 with that.

1 Do you -- what guidance from the intelligence community
2 do you recall receiving during that period from September
3 11th through that following Sunday, September 16th?

4 A I remember it being consistent with the talking
5 points that they were preparing for potential public use in
6 that they didn't have a specific assignment of responsibility
7 but they were piecing together bits of information about what
8 they thought had taken place.

9 Q I'm not asking you at this point about the content.

10 A Yeah.

11 Q I'm asking you specifically about how did you get
12 that information. Was it in written form? Did somebody show
13 up and give you a classified briefing?

14 A Yeah.

15 Q How did that occur?

16 A How do I receive intelligence?

17 Q Well, you can start with how you receive it
18 generally, but I'm more interested in how you received it
19 specifically that week?

20 A Again, I don't have a recollection of individual
21 intelligence briefings from that week. It would have --
22 generally, it's the case that at the beginning of certain
23 meetings, there is an intelligence briefing that's given
24 where I receive written products on a regular basis from the
25 intelligence community.

1 Q Okay. Have you attempted, since then, to compare
2 the intelligence you received that week with the what's been
3 referred to as the HPSCI talking points?

4 A I have not.

5 Q Okay. All right. So I'll just ask you a couple of
6 questions about exhibit No. 5, then we'll wrap up our hour.
7 And exhibit 5 is an email from you to a variety of people on
8 September 14th at 8:09 p.m.

9 Tell us what we're looking at here?

10 A This would be prep materials for Susan Rice's
11 appearance on Sunday talk shows.

12 Q And we'll talk about that prep later. Again, is
13 any information contained in this email derived from
14 classified information?

15 A I don't believe so.

16 Q And I'll just ask you, was this document intended
17 to explain, refer to, discuss what had occurred at Benghazi
18 in any way?

19 A Again, my recollection is that we were providing
20 Susan Rice with the talking points that were being prepared
21 for HPSCI, and we were going to make sure that her prep
22 materials incorporated that. In looking at this document,
23 the information that we received -- the information that
24 relates to the attacks in Benghazi would have been from our
25 press guidance.

1 Q This document was meant to be part of the packet
2 that Susan Rice would have used to prepare for the Sunday
3 talk shows, correct?

4 A Yes.

5 Q Okay. And you asked her to go those Sunday talk
6 shows, correct?

7 A I did ask her on behalf of the White House after --
8 yes, I did.

9 Q And why didn't Secretary Clinton do the talk shows?

10 A I don't know.

11 Q Did you talk to her about it?

12 A I didn't speak to her personally.

13 Q Who did you speak to?

14 A I remember asking her staff if she would be
15 available for the Sunday shows.

16 Q Okay. Who on her staff, Cheryl Mills or somebody
17 else?

18 A I believe it would be Philippe Reines.

19 Q Did he tell she would not do the shows, and if he
20 said that, did he give an explanation?

21 A I don't remember hearing an explanation from him.

22 Q Okay. My hour is up, so we'll hand over the baton.
23 Mr. Missakian. Off the record.

24 [Discussion off the record.]

25

1 [4:15 p.m.]

2 Ms. Sawyer. Okay, we will go back on the record.

3 EXAMINATION

4 BY MS. SAWYER:

5 Q Mr. Rhodes, my name is Heather Sawyer. I'm one of
6 the counsel with the minority members of the select
7 committee. Thank you for being with us today and agreeing to
8 appear voluntarily to answer our questions. I'm joined by
9 Congressman Schiff, who is a member of the select committee,
10 but also the ranking member on the House Permanent Select
11 Committee on Intelligence. I know he has some questions.

12 So I'm going to just start with a few follow-up
13 questions from the last hour, and then we will just move from
14 there, and the Congressman will also have some questions
15 after I have a few minutes with you.

16 Just returning briefly to exhibit 2, that email chain is
17 dated, that bottom one there from Victoria Nuland that was
18 discussed, is dated September 11. The time stamp on it is
19 6:10 p.m. You know, it's our understanding that eastern time
20 the attacks in Benghazi started maybe 2-1/2 to 3 hours before
21 this email would have been sent. So is it fair to say that
22 that was pretty preliminary in the understanding of what had
23 happened in Benghazi?

24 A Yes, this would have been very preliminary.

25 Q And when you were explaining kind of what the goal

1 was here, the way you put it and explained it to us was that
2 you endeavored to put out information as we understand it at
3 the time. So was that kind of the goal here, was to put out
4 the information to the best that you understood it at that
5 time, 2-1/2 to 3 hours into the attacks?

6 A Yes. It was a fluid and ongoing situation that was
7 attracting public attention, so this would be a very
8 preliminary comment.

9 Q And it wasn't intended to be the definitive
10 statement as to what had happened in Benghazi?

11 A No. And my recollection is that that event was
12 still very much in progress. It was meant to be essentially
13 a holding comment that the State Department could use.

14 Q And since you were endeavoring to put out the
15 information as you understand it at the time, presumably you
16 would update that information when it was available and ready
17 to be released into the public domain.

18 A Yes. The common practice in situations where you
19 are dealing with very fluid events overseas is to regularly
20 provide updates as we gain a better understanding of those
21 events.

22 Q And that would have been true about any of the
23 comments in that email, including, for example, that bottom
24 line, which says, quote: "We have no information regarding a
25 connection between these incidents," end quote. To the

1 extent different information came in on that, that might be
2 updated?

3 A Yes. And, in fact, that statement makes clear that
4 that represents our best information at that time.

5 Q And that principle, that you endeavor to put out
6 information as you understand it at the time, is that a
7 governing principle about the work that you were doing that
8 week with regard to Benghazi, and more broadly, with regard
9 to the regional unrest?

10 A Yes. Often over the course of that week, and in
11 general, we have to respond to complex events as they are
12 happening, and the way in which we respond is to put out the
13 best information that we have at a given time.

14 Q And I think you were trying also to explain that at
15 different times the message you are trying to communicate
16 with the public may have different goals. Is that accurate?

17 A Yes, that's right.

18 Q So sometimes the goal might be addressing something
19 that you anticipate will be happening in the future, like the
20 potential for future protests. Is that accurate?

21 A Yes. I remember being deeply concerned over the
22 course of this week about the potential for protests and
23 violence at our diplomatic posts, and much of our messaging
24 over the course of the week, in the region in particular, was
25 focused on trying to mitigate that type of activity.

1 Q And then sometimes certainly there might be a
2 statement particular to explaining exactly what happened in a
3 particular place like Benghazi?

4 A Yes, but that would be a different exercise.

5 Q Than the one we are potentially -- it could be?

6 A Yes.

7 Q Is it possible that there could be some pieces that
8 you would be called upon to explain both things, both what
9 had happened in Benghazi and what had happened more broadly?

10 Mr. McQuaid. I'm sorry, please make sure that you
11 direct him towards the time period and not generalize.

12 BY MS. SAWYER:

13 Q My apologies. Please presume that in the questions
14 that I ask that I am limiting you to the timeframe that my
15 understanding was had been agreed to, which is the week of
16 the attacks, but also specific to just messaging about the
17 attacks. And I believe it was the month of September. Is
18 that accurate?

19 A Yes. So we, for instance, are often preparing for
20 press briefings in which we are going to be asked about a
21 variety of different events, and therefore our messaging has
22 to be able to speak to different audiences and accomplish
23 different objectives.

24 Q And again, regardless of the objective, the goal
25 that you had, which was, as you have put it, endeavor to put

1 out information as you understand at the time, would that
2 apply regardless of kind of what the goal is of the message?

3 A Yes, that would be a uniform principle.

4 Q And therefore, since it's the best information at
5 the time, that information might change and therefore what
6 you would communicate to the public might change.

7 A Yes.

8 Q So just directing your attention, we will just move
9 to exhibit 3, which my colleagues discussed with you a little
10 bit. And this is the document that up at the top says,
11 "Statement on the Attack in Benghazi, Press Statement Hillary
12 Rodham Clinton," and this is the one, I think that you
13 indicated you thought had come out around 10 or so on that
14 same evening, the night of the attack, September 11th. Is
15 that --

16 A Yes.

17 Q And you had, I think, explained to us that, you
18 know, there were certain things in your mind and goals, and I
19 think as you described it, you said the principal concern was
20 the safety of our people, preventing further instability,
21 encouraging calm. Just generally, and I certainly would be
22 happy to give you time to read it, did you feel that those
23 goals were accomplished with this statement?

24 A Yes. I think it provides a response to the attack
25 on our facility in Benghazi, while conveying our commitment

1 to the security of our personnel and expressing a statement
2 of American values in response to the general environment in
3 the region.

4 Q I mean, you had explained the sentence that you
5 were asked about, the one that says, quote, "Some have sought
6 to justify this viscous behavior as a response to
7 inflammatory material posted on the Internet," as an effort
8 to push back against individuals who might use this incident
9 or the viscous behavior as justifiable or to incite -- to use
10 the video.

11 A Yes, we were deeply concerned by the way in which
12 people had used the video to incite certainly the protests
13 that took place in Cairo. And, again, there were indications
14 that there might be similar efforts in different parts of the
15 Middle East.

16 Q So in that regard, would it be fair to characterize
17 that sentence as somewhat prophylactic, as an effort to send
18 a message, that that sentence combined with the following,
19 which goes on to say, "The United States deplores any
20 intentional effort to denigrate the religious beliefs of
21 others. Our commitment to religious tolerance goes back to
22 the very beginning of our Nation. But let me be clear:
23 There is never any justification for violent acts of this
24 kind," end quote. What was the goal of kind of that message
25 there?

1 A So it was, in part, to try to reduce and mitigate
2 the potential for further incitement and violence going
3 forward, given that we had indications that people were going
4 to be trying to utilize this video to incite attacks against
5 or protests against U.S. diplomatic facilities. When you
6 have a statement of this nature that is being issued by the
7 Secretary of State, that forms the basis of how embassies and
8 posts are communicating in their own environment in their own
9 countries. And this type of language would be utilized to
10 try to prevent further incitement, further violence.

11 Q And did you understand the purpose of this piece in
12 any way to be to provide a definitive accounting of what had
13 actually happened in Benghazi that night?

14 A No, it was not intended to serve that purpose.

15 Q And was it in any way intended to identify or name
16 the individuals responsible for what had happened, even by
17 kind of a categorical description, the individuals
18 responsible for what had happened in Benghazi?

19 A No, it was not intended to assign responsibility
20 for the attack on any individual or group.

21 Q And even that sentence, "Some have sought to
22 justify," did you understand this as speaking to the
23 particular motivations of the individuals who had been
24 responsible for what had happened in Benghazi?

25 A My recollection is that that would have responded

1 to the general events taking place in the region as a whole.

2 Mr. Schiff. If I could just follow up on that. You
3 know, we tend to view Benghazi in isolation and not think
4 about what else was going on in the region and throughout the
5 Muslim world at the time. Was there a concern that this
6 video might be perceived in the Muslim world as having been
7 essentially made or sponsored by the U.S. Government or
8 expressing the views of the U.S. Government?

9 Mr. Rhodes. Yes. Often when we see products of that
10 nature, we see extremists who seek to link the video to the
11 U.S. Government or the policies of the U.S. Government.
12 That's been the case, Congressman, with Koran burnings and
13 other incidents where we have seen events that were not
14 controlled by the U.S. Government utilized to spark protests
15 and even violence against our personnel overseas.

16 Mr. Schiff. Isn't it also the case that in many parts
17 of the world people can't understand how something could be
18 aired, even online, in the United States if the government
19 didn't want that, they don't have an understanding of our
20 First Amendment freedoms and think that it wouldn't be aired
21 if the government didn't want it to be aired?

22 Mr. Rhodes. Yes. And, frankly, in some parts of the
23 world people have that view because that's the case where
24 they live. Their own governments would have greater control
25 over the information space.

1 Mr. Schiff. And I assume for that reason it was
2 important to include the statement that the U.S. "deplores
3 any intentional effort to denigrate the religious beliefs of
4 others," so that people would be aware this is not the U.S.
5 Government speaking through this video, we deplore that
6 message.

7 Mr. Rhodes. Yes, we felt it was very important to
8 separate ourselves and condemn the message in the video given
9 the risk it could pose to U.S. personnel and diplomats
10 serving overseas.

11 Mr. Schiff. But it would not have been enough to say
12 that alone, because then some might infer that just by
13 condemning the video you're implying that the video justified
14 the violence. So it was also necessary to make it abundantly
15 clear that there is never an excuse for this kind of
16 violence.

17 Mr. Rhodes. Yes. And it's a complicated exercise in
18 that we have to defend the right of freedom of speech while
19 at the same time making clear that that speech does not
20 reflect the views of the United States Government.

21 Mr. Schiff. So this paragraph that you were asked about
22 really seeks to accomplish both those objectives, saying this
23 is not the U.S. Government speaking, we don't agree with this
24 message, and at the same time this is never justification for
25 violence.

1 Mr. Rhodes. That's right.

2 Mr. Schiff. And, you know, I would imagine, and correct
3 me if I'm wrong, that in the wake of a tragedy like having
4 some of our personnel killed, you know, first you want to
5 condemn the attacks. You want to express condolence for
6 those who are lost. You want to indicate what you are doing
7 to protect the personnel. And then you want to issue any
8 statement that might help protect or curb any further
9 violence against Americans. Would those be some of the
10 primary objectives?

11 Mr. Rhodes. Yes. And my recollection of the course of
12 that week is that when you have a tragic loss of U.S.
13 personnel, your desire to do whatever you can to avert any
14 further harm to our diplomats is that much greater. And so
15 we wanted to do whatever we could to protect our people, both
16 physically, their physical security, and in terms of trying
17 calm the situation in the region.

18 Mr. Schiff. And that would be the foremost priority in
19 one of the earliest statements on the events. It's not
20 necessarily the time and place to be going into detail about
21 what the intelligence community or others may think about who
22 the specific parties responsible would be.

23 Mr. Rhodes. That's right. And it would -- again, the
24 purpose of this statement was not to make a determination of
25 responsibility for an event that, again, was still so fluid.

1 Mr. Schiff. The staff is going to go through the
2 documents with you in much greater detail, but, you know, I
3 would like to give you an opportunity to respond to kind of
4 the overarching allegation that's made concerning the public
5 statements in the immediate aftermath of Benghazi. And as I
6 best can understand it, the allegation is that there was an
7 effort to create a narrative at odds with the facts for some
8 political purpose.

9 And I wonder if you would like to comment on that. You
10 said you knew Ambassador Stevens. And, you know, what's your
11 reaction to, you know, this theory that's been continually
12 propagated out there that there was an effort to spin this,
13 to tell a political story at odds with the facts?

14 Mr. Rhodes. Well, first of all, I did know Ambassador
15 Stevens and, you know, consider his loss in Benghazi, along
16 with the others who I didn't obviously have the privilege of
17 knowing, you know, one of the most painful events that has
18 transpired while I have been in government. And, you know,
19 to those of us who knew and worked with him, he represented
20 not just what was best about what we were trying to do in
21 Libya, but what's really best about what the United States
22 tries to do around the world.

23 I'd say that in terms of your question, you know, first,
24 what I remember about this week is that we were enormously
25 concerned about this video and the protests that we were

1 seeing around the world. I remember that we had an
2 expectation that on that Friday there could be significant
3 violence in different parts of the Muslim world at our
4 diplomatic facilities. I remember being personally concerned
5 about individuals who I knew who worked in those embassies.
6 I remember that Friday, there was a breach of our Embassy in
7 Tunis and a black flag raised at that facility. There was a
8 breach of our Embassy in Khartoum. There was a torching of
9 an American fast food restaurant in Lebanon.

10 And again, many of us who worked in the White House and
11 the State Department were personally concerned. These were
12 our friends and colleagues who worked in these facilities.
13 So the concern expressed over the course of this week about
14 this video was entirely rooted in our desire to try to calm
15 tensions in the Middle East.

16 With respect to the events in Benghazi, in any situation
17 where you're trying to, again, put forward information to the
18 American people related to a terrorist attack or an ongoing
19 international crisis, by definition, that information is
20 going to evolve as the intelligence community reaches its
21 judgments and we try to put that information out as best we
22 can. And that's what we did, certainly, in this case.

23 So again, you know, as a personal -- on a personal
24 matter, what I will most associate with the attacks in
25 Benghazi is the loss of someone I knew and respected, Chris

1 Stevens.

2 With regard to this broader question, I feel very
3 strongly that the United States needs to do whatever we can
4 to protect our people, and sometimes that involves deploying
5 resources, sometimes that involves messaging in a way that
6 seeks to minimize the types of situations that can get out of
7 control, which is what we saw in the manipulation of this
8 video by certain extremists.

9 Mr. Schiff. And the statements of the Secretary and
10 that you worked on were designed to minimize the risks of our
11 personnel overseas, they were not part of a political
12 strategy involving Mitt Romney, as you were asked earlier.

13 Mr. Rhodes. My recollection, to give you a specific
14 example of how much our focus was on our personnel overseas,
15 is one of the things we did this week is we tried to identify
16 through the State Department the alumni of all U.S. exchange
17 programs in Middle Eastern countries so that we could see if
18 they could be activated and motivated to speak out against
19 the incitement against the United States, in support of the
20 presence of the United States in these countries. That's the
21 type of thing that we were worried about, you know, how can
22 we do whatever we can to protect our people.

23 It's the nature of working in the White House and in
24 Washington that we are going to receive questions from the
25 press that have different elements. Some are focused on

1 foreign policy. Some may be political. And so at the same
2 time that we are doing everything we can to respond to
3 events, we are having to respond to the questions that we are
4 getting every day in our briefing.

5 Mr. Schiff. Were you ever pressured by anyone to alter
6 the facts to conform to a politically motivated narrative?

7 Mr. Rhodes. No.

8 Mr. Schiff. I think that's all I have. I yield back to
9 the staff. Thank you.

10 BY MS. SAWYER:

11 Q So picking up from there, and just having you take
12 a brief look at exhibit No. 4 that was discussed in the last
13 hour. And this, again, was an email. The top line is
14 actually from you. It's a three-page document. But just
15 directing you to the actual originating chain of this email,
16 which is the third page, which is from Bernadette Meehan.
17 The subject line there, the one that you were asked about, is
18 actually her subject line, not yours. Is that accurate?

19 A That's correct.

20 Q So to the extent one might try to ascribe to you a
21 particular intent based on the subject line on the first page
22 where it's just, the subject line is re: "USG public
23 response to events in Libya and Egypt," that wasn't actually
24 a subject line that you authored. Is that accurate?

25 A That's correct.

1 Q And you had explained in the last hour that the
2 goal of what you were doing here was to help in advance. And
3 the date of your email is Thursday, September 13th. You did
4 talk a little bit about the concerns in particular that
5 people had coming up on Friday prayers in the evening and
6 that you had indicated that this document was really designed
7 to help people have points to communicate publicly in an
8 effort to address that regional unrest. Is that accurate?

9 A That's correct. I have a very clear recollection
10 of the fact that on that Thursday we were acutely concerned
11 about what we as a government were saying about this video
12 given the likelihood of protests after Friday prayers across
13 the Middle East.

14 Q And Congressman Schiff, with regard to -- one of
15 the things, first before I ask you that question, that
16 Bernadette Meehan references in her very initial email that
17 starts the chain is thanks for cooperation. It says: "To
18 recap, both the President and Secretary Clinton released
19 written statements, and made on camera statements." I think
20 one of those statements, obviously, would be what we have
21 discussed at some length in exhibit 3, is that accurate, from
22 the Secretary?

23 A Yes, I believe so.

24 Q And so, you know, the Congressman walked you
25 through that third paragraph in exhibit 3 and kind of, you

1 know, had you explain, I think, quite fully and well, kind of
2 what each purpose was there. And just looking at that
3 paragraph and thinking about what he and you discussed, and
4 now looking at, again, the front page of exhibit 4, you know,
5 one of the things he asked you was whether the goal was in
6 some ways to distance the United States from these videos and
7 explain that the United States Government was not responsible
8 for those.

9 That, to me, seems to be what's reflected in that second
10 bullet there. Is that just an accurate representation when
11 it says, "As Secretary Clinton said today, the United States
12 Government had nothing to do with this movie"?

13 A Yes, that would be the intention of the statements.

14 Q You know, and I think as you both discussed with
15 regard to exhibit 3, that next bullet then goes on to say,
16 "Once the U.S. Government has been distanced, to also then
17 explain that nonetheless there is no justification for
18 violence." And that was another goal, was to make clear that
19 regardless of what the U.S. Government was saying in terms of
20 distancing itself and our respect for religious beliefs, we
21 still were not condoning violence.

22 A Yes, that is correct.

23 Q And then again, a little further down, in the fifth
24 bullet point, another principle that you both discussed is
25 just explaining why the United States couldn't simply stop

1 that video from being released.

2 A Yes. That was something that I recall being of
3 particular importance to State Department posts overseas who
4 were having trouble explaining that point to their audiences.

5 Q And with regard to the goals here, was it your
6 intent, understanding, or kind of your task or goal here to
7 in any way provide a definitive accounting of what had
8 happened in Benghazi with exhibit 4?

9 A No. My recollection is that these points served a
10 very different purpose in, again, seeking to deliver
11 messaging about this video in ways that would be most useful
12 to reducing tensions around the world.

13 Q So it wasn't in that regard, I'm just going to say,
14 it wasn't backward-looking in terms of assessing what had
15 happened in Benghazi. It was more a forward-looking measure
16 to try to help people going forward, help make our people
17 safe around the world?

18 A That's my recollection, and it was expressly in the
19 context of preparing for Friday, so it was looking forward.
20 And it was not intended to be a statement of -- regarding
21 what we understood to be the facts as to what transpired in
22 Benghazi.

23 Q So given that the Members are going to have to
24 vote, I think what would help just in terms of our time with
25 you is if we just kind of stopped our questioning for now,

1 and we will defer our time and allow the Members who are here
2 an opportunity to ask you questions while they are, if you
3 are available.

4 A Yeah, of course.

5 [Discussion off the record.]

6 Mr. Jordan. I'm going to go back to where --

7 Mr. McQuaid. Make sure we are on the record and we know
8 what time it is on the record, 4:44.

9 Mr. Jordan. So, Mr. Rhodes, let's go back to exhibit
10 No. 3, the 10:08 statement the night of the attacks. The
11 sentence that you were discussing earlier with minority
12 counsel, paragraph 3, "Some have sought to justify this
13 viscous behavior as a response to inflammatory material
14 posted on the Internet." And I think you said something to
15 the effect in the previous session that this was not meant to
16 ascribe a motive for the tragedy in Benghazi, but more in a
17 general context. Can you elaborate on that?

18 Let me ask it this way: What exactly did you want to
19 accomplish with that sentence?

20 Mr. Rhodes. Again, our concern -- one of our concerns
21 was that we saw efforts to utilize the video to incite
22 protests, including the type of violent protests that we saw
23 in Cairo. And so I recall that we wanted to have messaging
24 in the statement that sought to reduce tensions associated
25 with the video.

1 Mr. Jordan. So was this sentence not meant to convey
2 anything regarding Benghazi and Libya?

3 Mr. Rhodes. No, I don't believe so.

4 Mr. Jordan. You don't think -- this sentence was not
5 about Libya in any way, shape, or form?

6 Mr. Rhodes. Again, I believe that it was intended to
7 address the broader context in the region.

8 Mr. Jordan. So that's what has me wondering. Then was
9 there viscous behavior in other places that day?

10 Mr. Rhodes. Yes. Certainly in Cairo.

11 Mr. Jordan. But no -- I mean, Pat Kennedy described
12 Cairo as spray paint and rocks. Obviously, Benghazi was much
13 different. So you're saying that viscous behavior applies to
14 Cairo but doesn't apply to Benghazi?

15 Mr. Rhodes. Again, I think it applies generally to the
16 fact that we had indications that there were individuals who
17 might seek to use this video to justify violence.

18 Mr. Jordan. I'm asking about the two terms: viscous
19 behavior. You said this sentence doesn't apply to Libya in a
20 general sense or Benghazi in a specific sense, but does apply
21 to other events in the region; namely, Cairo. Is that
22 accurate?

23 Mr. McQuaid. Mr. Jordan, please make sure that he gets
24 to finish his questions.

25 Mr. Jordan. Okay.

1 Mr. Rhodes. Again, this is taking place in the context
2 where we have a protest that turned violent at our Embassy in
3 Cairo, and we have the attacks in Benghazi. The situation is
4 fluid. There are indications that we are getting from the
5 State Department that there are other actors who are seeking
6 to incite people related to this video. And so one of the
7 objectives in our messaging was to have a statement that,
8 again, sought to minimize our association with this video.

9 Mr. Jordan. And I understand you conveyed that is one
10 of your objectives, but I'm specifically, again, just for the
11 record, asking that sentence you said does not apply, is not
12 meant in any way to convey anything about Libya, it's about
13 Cairo and the rest of the region.

14 Mr. Jordan. Again, it's not intended to assign
15 responsibility for what happened in Benghazi. It's meant to
16 describe the context of what happened, what's happening in
17 the region.

18 Mr. Jordan. You mentioned context a couple of times
19 here. When I look at context, I look at this document. The
20 heading is "Statement on the Attack in Benghazi." Paragraph
21 one: I condemn in the strongest way the attack on our
22 mission in Benghazi. We are securing personnel and
23 facilities. One of our officers was killed in Benghazi.
24 Next paragraph: I have talked to the Libyan President. So
25 everything in this document is about Libya and Benghazi

1 except you're saying this sentence doesn't apply to Libya and
2 Benghazi.

3 Mr. Rhodes. Again, as I look at this statement, my
4 recollection is one of the objectives was to convey that we
5 were doing everything we could to secure our diplomats in
6 facilities around the world. If you look, for example, at
7 the last sentence of the statement, it's intended to be about
8 that general principle that we will work with partner
9 countries around the world to protect our personnel, our
10 missions, and our American citizens.

11 Mr. Jordan. And the sentence may have been -- this is
12 probably a good sentence for you to put out, but put it out
13 under a different heading, put it out this is a statement on
14 the attack in Benghazi. So that's what -- the context I see.

15 I'm good, Mr. Chairman.

16 Chairman Gowdy. Mr. Rhodes, I think towards the end of
17 Mr. Missakian, you were getting into the fact that you asked
18 Ambassador Rice to go on the Sunday morning talk shows. Did
19 you also select her? Did someone else select her and you
20 were merely the conduit of information or did you pick her?

21 Mr. Rhodes. So my recollection is that we were -- we
22 heard from all of the Sunday shows that they wanted a guest
23 to appear. That's not unusual if there is a major national
24 security event. And so they put in a request for a guest who
25 can speak to national security-related issues.

1 Then I would have been -- that would have been relayed
2 to me to then try to identify who is available, essentially.
3 And then I would go through a process of determining who's
4 available to appear.

5 Chairman Gowdy. Who would have been your number one
6 draft choice?

7 Mr. Rhodes. I recall reaching out to Secretary Clinton
8 first.

9 Chairman Gowdy. Through Mr. Philippe Reines?

10 Mr. Rhodes. That's my recollection.

11 Chairman Gowdy. All right. And did he say, "I'll get
12 back to you after I talk to her," or did he tell you "no"?

13 Mr. Rhodes. I don't remember hearing back from him, but
14 I also remember that she did not frequently appear on the
15 Sunday shows, so it was not unusual for her to not be
16 available.

17 Chairman Gowdy. You say she didn't frequently appear on
18 the Sunday shows. Had she appeared in the past?

19 Mr. Rhodes. She had, but not with a great degree of
20 regularity.

21 Chairman Gowdy. I think she appeared in the past with
22 respect to Libya, hadn't she?

23 Mr. Rhodes. I don't remember.

24 Chairman Gowdy. I think so. Did you get an affirmative
25 "no" or did you just not hear back?

1 Mr. Rhodes. I don't remember hearing back.

2 Chairman Gowdy. Did you call again and redouble your
3 ask or did you move on to your second draft choice?

4 Mr. Rhodes. I believe I moved on because I knew that
5 she, again, does not regularly appear on Sunday shows. So I
6 don't remember thinking that it was likely that she would
7 want to appear.

8 Chairman Gowdy. And who else would you have asked after
9 Secretary Clinton?

10 Mr. Rhodes. I remember asking Tom Donilon, the National
11 Security Advisor.

12 Chairman Gowdy. And what was his response?

13 Mr. Rhodes. He did not want to appear. And he too very
14 rarely appeared on the Sunday shows.

15 Chairman Gowdy. All right. Who was number three?

16 Mr. Rhodes. I believe it was Susan Rice, ^{to} ~~is~~ my
17 recollection.

18 Chairman Gowdy. You were on the 4 o'clock call that
19 prepped her. Her testimony was she may have been in another
20 State, so you had a conference call.

21 Mr. Rhodes. That's my recollection. Yes.

22 Chairman Gowdy. What's your recollection of who else
23 was on that call?

24 Mr. Rhodes. I remember that I was on. I believe Tommy
25 Vietor was on. I believe David Plouffe was on. ,

1 who is the individual who kind of coordinates with the Sunday
2 shows. Erin Pelton, who was Ambassador Rice's spokesperson,
3 was on. And I remember that there was -- well, that's who I
4 remember being on the call with Susan.

5 Chairman Gowdy. To the best of your recollection, was
6 that call exclusively or primarily about prepping her for the
7 Sunday talk shows or was it about other topics?

8 Mr. Rhodes. My recollection is it was about preparing
9 her for the Sunday shows.

10 Chairman Gowdy. And how long did that call last?

11 Mr. Rhodes. I remember it being, you know, under an
12 hour. So between 30 minutes and an hour.

13 Chairman Gowdy. Was anyone from law enforcement on that
14 call?

15 Mr. Rhodes. No.

16 Chairman Gowdy. Had you talked with anyone from the
17 Bureau, the FBI, prior to that call?

18 Mr. Rhodes. My recollection is earlier that day there
19 was a Deputies Committee meeting that would have involved the
20 different agencies of the U.S. Government that were
21 responding to events around the world, but I don't remember
22 having a specific conversation about that preparation with
23 the FBI.

24 Chairman Gowdy. And who would that FBI representative
25 typically have been?

1 Mr. Rhodes. I believe it would have been Sean Joyce at
2 that time, but I don't have a specific memory of him being in
3 the Deputies Committee meeting.

4 Mr. McQuaid. Mr. Gowdy, you are referencing the
5 meeting. The meeting in the morning?

6 Chairman Gowdy. In the 4 o'clock conference call.

7 Mr. Rhodes. I'm referring to the meeting -- when I said
8 in the Deputies Committee meeting --

9 Chairman Gowdy. Okay.

10 Mr. Rhodes. They would not have been on the call.

11 Chairman Gowdy. Okay. Was that before or after the
12 conference call, the Deputies meeting you're referencing?

13 Mr. Rhodes. So the morning of that Saturday there was a
14 Deputies Committee meeting.

15 Chairman Gowdy. Okay.

16 Mr. Rhodes. And then later in the day is when I would
17 have been on the call that would have just had White House
18 participants and Susan Rice's staff on the call.

19 Chairman Gowdy. So to the extent there would have been
20 a Bureau person involved, which you can't recall, that would
21 have been before your telephone call with Ambassador Rice?

22 Mr. Rhodes. My interaction with the Bureau would have
23 been in the Deputies Committee meeting, but it would not have
24 related to her preparation for the Sunday shows beyond this
25 question of the HPSCI talking points.

1 Chairman Gowdy. Do you recall the FBI's investigation,
2 what they have been doing, what they were going to do in the
3 next 24 to 48 hours coming up on that conference call with
4 Ambassador Rice.

5 Mr. Rhodes. I don't remember it coming up on the call.

6 Chairman Gowdy. Do you think that that would have been
7 something that was important enough for you to recall if it
8 had come up?

9 Mr. Rhodes. I remember that there was an ongoing
10 question as to getting the FBI on the ground in Libya, but I
11 just don't remember whether or not it was discussed on the
12 conference call.

13 Chairman Gowdy. Do you know when the FBI got on the
14 ground in Libya?

15 Mr. Rhodes. I don't remember the specific date.

16 Chairman Gowdy. Do you know whether they were
17 interviewing survivors from the Benghazi attacks?

18 Mr. Rhodes. I don't know how they were conducting their
19 investigation. I wouldn't have been involved in that level
20 of operational detail.

21 Chairman Gowdy. Do you know if the FBI was involved in
22 any way in drafting or editing the talking points?

23 Mr. Rhodes. My recollection is over the course of the
24 drafting of those points they would simply have expressed
25 concerns about wanting to make sure that nothing in those

1 points affected their investigation.

2 Chairman Gowdy. Would you agree that one source of
3 information would be the survivors of the attacks in
4 Benghazi, and in terms of what happened and what preceded it?
5 It's not a trick question.

6 Mr. Rhodes. I'm sure that that would be one source of
7 information for the FBI.

8 Chairman Gowdy. It might actually be an important
9 source of information, folks who actually experienced and
10 lived through the attacks, right?

11 Mr. Rhodes. I certainly can see why that would be an
12 important source of information. Again, that's the FBI's
13 determination.

14 Chairman Gowdy. Right. And they might could have
15 spoken to what was happening that night in Benghazi, whether
16 or not there was a large crowd assembled outside, if they had
17 had a chance to observe it? I mean, there's no substitute
18 for eyewitness accounts.

19 Mr. Rhodes. Again, that's the FBI's determination to
20 make.

21 Chairman Gowdy. I know. I'm just -- I was just struck
22 at the number of references Ambassador Rice made to the FBI
23 in her five Sunday morning talk shows, including, "They have
24 already begun looking at all sorts of evidence of various
25 sorts already available to them and to us."

1 assessment at present. First of all, very importantly, as
2 you discussed with the President, there is an investigation
3 the U.S. Government will launch, led by the FBI, that has
4 begun." And then he interrupted her.

5 But, "They are not on the ground yet, but they have
6 already begun looking at all sorts of evidence of various
7 sorts" -- looking at all sorts of evidence of various sorts
8 -- "already available to them and to us."

9 And I'm wondering, do you know what evidence she was
10 referring to?

11 Mr. Rhodes. I don't know what evidence she is referring
12 to.

13 Chairman Gowdy. If the Bureau was already interviewing
14 eyewitnesses that had survived the attacks, would you agree
15 with me that that would be a really good source of
16 information to want to include in whatever analysis you were
17 doing of the events?

18 Mr. Rhodes. That would be an important source of
19 information.

20 Chairman Gowdy. And it is at least theoretically
21 possible that that information was available at the time she
22 was being prepped, depending on when the interviews took
23 place.

24 Mr. Rhodes. Again, I don't know what information the
25 FBI had related to their investigation with respect to their

1 ongoing investigation.

2 Chairman Gowdy. Well, this is what I guess I'm trying
3 to get at. If the FBI had time to participate in the
4 drafting and editing of talking points, why not ask, "Can you
5 tell us what you're hearing on the ground from the people
6 that survived"? If they are going to be a part of one
7 process, why not actually be part of the
8 information-gathering process?

9 Mr. Rhodes. Again, my understanding in terms of how I
10 interact with the FBI in the course of my work is that they
11 rarely actually share information with the rest of the
12 government that is related to their ongoing investigation.
13 They would review points like those that were prepared for
14 HPSCI, mainly to ensure that they didn't in some way
15 undermine the investigation.

16 Chairman Gowdy. Well, there's another interview she did
17 with Chris Wallace. We will try to find that in this new
18 exhibit which has been marked what, Carlton?

19 Mr. Missakian. Exhibit 6.

20 Chairman Gowdy. Exhibit 6, Chris Wallace interview.

21 Mr. Missakian. Page 17.

22 Chairman Gowdy. Are you with me? Page 17.

23 Mr. Rhodes. Yes.

24 Chairman Gowdy. I don't think it is page 17.

25 Mr. Missakian. That's where it starts. The Chris

1 Wallace interview.

2 Chairman Gowdy. About page 23. The very top. Are you
3 with me?

4 Mr. Rhodes. Yes.

5 Chairman Gowdy. "Rice: First of all, Chris, we are
6 obviously investigating this very closely. The FBI has a
7 lead in this investigation."

8 Now, in fairness to Ambassador Rice, when we asked her
9 about it, she would tell you she meant to say has "the lead"
10 in this investigation. The transcript says "a lead." I
11 don't know whether your background is in law enforcement or
12 not, but those would be two very, very different things.

13 Mr. Rhodes. Yes, I understand.

14 Chairman Gowdy. Let's just go with what she says she
15 meant, "has the lead in the investigation." She mentions the
16 FBI in almost every one of these interviews. So do you know
17 whether she talked to the FBI independently?

18 Mr. Rhodes. I do not know.

19 Chairman Gowdy. And you don't recall them being on the
20 4 o'clock conference call?

21 Mr. Rhodes. They were not on the 4 o'clock conference
22 call.

23 Chairman Gowdy. All right. Do you know what her source
24 of information was with respect to the Bureau and what they
25 were doing?

1 Mr. Rhodes. She would have known just from her position
2 that they were investigating. So I think she would be
3 referring to --

4 Chairman Gowdy. Would she have known that "they have
5 already begun looking at all sorts of evidence of various
6 sorts already available to them and us"?

7 Mr. Rhodes. I don't know what she would have known
8 about that, nor would I have known what information the FBI
9 had in its custody at that time.

10 Chairman Gowdy. And I want to go to your memo real
11 quick or what we commonly refer to as the Rhodes memo. You
12 actually may refer to it as something else. Which exhibit
13 would that be Carlton, Craig?

14 Mr. Davis. Four.

15 Chairman Gowdy. Four?

16 Mr. Missakian. No, 5.

17 Chairman Gowdy. Five. You got that in front of you?

18 Mr. Rhodes. Yes.

19 Chairman Gowdy. "Subject: PREP CALL with Susan." Goal
20 number one? Are you with me?

21 Mr. Rhodes. Yeah.

22 Chairman Gowdy. How about number two? They are not
23 numbered, but let's just go second bullet, okay? "To
24 underscore that these protests are rooted in an Internet
25 video, and not a broader failure of policy."

1 What policy were you worried about being considered a
2 failure?

3 Mr. Rhodes. My recollection over the course of that
4 week is that we were getting questions about whether this
5 represented a failure of our policy in the Middle East and in
6 response to the Arab Spring.

7 Chairman Gowdy. And you wanted to underscore the point
8 that it wasn't any of that, it was just a video.

9 Mr. Rhodes. We were anticipating getting those
10 questions, and we wanted to convey that, again, the protests
11 were rooted in this video.

12 Chairman Gowdy. Were there other options other than
13 just those two, a wholesale failure of the administration's
14 policy or an Internet video? Was there something else?
15 Those are your only two options?

16 Mr. Rhodes. Again, my recollection is that this
17 reflects the way in which we were getting questions over the
18 course of the week is it's a failure of policy. And we were
19 at the same time seeking to deal with the ongoing fallout
20 from the video. So those were the factors in play.

21 Chairman Gowdy. I'm with you on wanting to explain to
22 folks that it wasn't a failure of policy. You essentially
23 gave yourself two choices: an Internet video or a broader
24 failure of policy. And my question is, were those your only
25 two options?

1 Mr. Rhodes. Again, that's what I recall being the
2 subject of discussion over the course of that week in terms
3 of the questions we were being asked.

4 Chairman Gowdy. Well, with respect to Benghazi, it
5 certainly would have -- it's possible that it was not just
6 those two options, right?

7 Mr. Rhodes. I'm not sure I understand the question.

8 Chairman Gowdy. With respect to what happened in
9 Benghazi, you're not limiting us to just those two options,
10 right, a failure of policy or an Internet video?

11 Mr. Rhodes. Again, I believe in this specific bullet
12 I'm referring to the ongoing protests that are taking place
13 across the Middle East which were very much still going
14 forward on that Friday.

15 Chairman Gowdy. Right. But you agree -- you knew
16 Benghazi was going to come up when Ambassador Rice was going
17 on the five Sunday talk shows?

18 Mr. Rhodes. Yes.

19 Chairman Gowdy. We haven't had an ambassador killed
20 since when?

21 Mr. Rhodes. It had been a long time. I don't remember
22 specifically.

23 Chairman Gowdy. So you knew that that was coming up?

24 Mr. Rhodes. I knew that was going to be one of the
25 topics.

1 Chairman Gowdy. Right. And your third bullet, which
2 isn't numbered, but it's number three, "To show that we will
3 be resolute in bringing people who harm Americans to
4 justice." Can you think of a country where Americans were
5 harmed other than Libya that she might have been asked about?

6 Mr. Rhodes. That would principally, I believe, refer to
7 Libya.

8 Chairman Gowdy. Okay. So you concede that the third
9 item does apply to Libya. Let's go back to the second one.
10 How about the second one? Are we to have drawn a contrast
11 between the second bullet and the third bullet, or are they
12 all interrelated?

13 Mr. Rhodes. Again, my recollection is she is going on
14 to talk about several different issues: the attacks in
15 Benghazi, the ongoing protests that were taking place across
16 the Middle East, and issues related to Iran and Israel. And
17 so these points refer to different elements of the topic.

18 Chairman Gowdy. Well, at the time, what did you think
19 was the impetus for the attack in Benghazi?

20 Mr. Rhodes. I did not have a judgment of my own at the
21 time. I was going to rely on the information provided by the
22 intelligence community.

23 Chairman Gowdy. Did the intelligence community mention
24 an Internet video to you?

25 Mr. Rhodes. The intelligence community at this point

1 had suggested that it was an event that was motivated in part
2 by the protests in Cairo.

3 Chairman Gowdy. That was a great answer to a question I
4 didn't ask. Did they mention the video?

5 Mr. Rhodes. No, what I'm saying is, my recollection is
6 they at that point had said that insofar as there was any
7 connection it was more to the events in Cairo being a
8 motivating factor for individuals.

9 Chairman Gowdy. Right. So you are preparing the
10 Ambassador to go on five Sunday talk shows to talk about what
11 you know is going to involve Benghazi and you don't want her
12 to be stuck with the option of a failure of your policy. So
13 you give the option of the Internet video. And my question
14 is, who in the intelligence community told you that the
15 attacks in Benghazi were linked to the video?

16 Mr. Rhodes. Again, I prepared these points on a Friday
17 in which there were violent protests across the Middle East
18 because of the video, a violent breach of our facility in
19 Tunis, a violent breach of our facility at Khartoum, violence
20 against an American restaurant in Lebanon, at the very least.
21 So I very much was focused on the fact that there were
22 ongoing protests, and one of the subjects that she was going
23 to be asked about were those protests. So insofar as I'm
24 referring to protests in the video, I'm referring to the many
25 protests that were continuing to take place over the course

1 of that week in response to the video.

2 Chairman Gowdy. So is it your testimony that the second
3 bullet and the third bullet are totally unrelated?

4 Mr. Rhodes. They're referring to different elements of
5 what she's going to have to talk about on the Sunday shows.

6 Chairman Gowdy. So bullet number two was not about
7 Libya or Benghazi at all.

8 Mr. Rhodes. It was not intended to assign
9 responsibility for Benghazi.

10 Chairman Gowdy. But yet you jump in the very next
11 bullet to those who harm Americans. Can you see how someone
12 reading that memo might be vexed?

13 Mr. Rhodes. Well, again, these are several statements
14 of principle up top that I think speak to, again, all -- in
15 different parts of the issues that she is going to have to
16 address. And then you can see in the actual contents how we
17 intended to respond to those individual questions and
18 instances.

19 Chairman Gowdy. Which exhibit is the email from Mr.
20 Rhodes? Is this 4?

21 Would you look at exhibit 4 for me?

22 What is that subject line?

23 Mr. Rhodes. "USG Public Response to Events in Libya and
24 Egypt."

25 Chairman Gowdy. In Libya and Egypt. And the very first

1 item discussed are talking points on what?

2 Mr. Rhodes. Well, again, Mr. Chairman, the subject line
3 was originated on September 12th in reference to statements
4 that the U.S. Government was going to make in response to
5 events in Libya and Egypt. The contents with respect to the
6 movie were an email I wrote the following day.

7 Chairman Gowdy. Mr. Rhodes, I'm asking you who told you
8 the movie was the catalyst for the attacks in Benghazi? Who
9 told you that?

10 Mr. Rhodes. Again, I'm not suggesting that the movie is
11 the catalyst for the attacks in Benghazi.

12 Chairman Gowdy. Well, can you see how a reader might
13 think that maybe you were since the -- since the first
14 country mentioned in the subject line is Libya?

15 Mr. Rhodes. But the subject line was created the day
16 before I wrote the contents of my email regarding a different
17 set of circumstances.

18 Chairman Gowdy. So you never intended anyone to believe
19 that the video was in any way connected with the attacks in
20 Benghazi. Is that what you're testifying to?

21 Mr. Rhodes. I intended at every juncture to provide the
22 best information I had from the intelligence community about
23 what took place in Benghazi. I also had to do a lot of work
24 over the course of this week to try to mitigate the fallout
25 from this video.

1 Chairman Gowdy. Those are two separate things.

2 Mr. Rhodes. But I was dealing with both of those things
3 over the course --

4 Chairman Gowdy. You mentioned the intelligence
5 community, that you relied on the intelligence community to
6 provide the talking points. And my question to you is, who
7 in the intelligence community told you that the video was the
8 catalyst for the attacks in Benghazi?

9 Mr. McQuaid. Mr. Chairman, please let him finish his
10 answers just for the record.

11 Chairman Gowdy. Pardon me?

12 Mr. McQuaid. Could you please let him finish his
13 answers?

14 Chairman Gowdy. I'm sorry. If I interrupted you, I
15 apologize.

16 Mr. Rhodes. Again, the intelligence community in this
17 period of time provided us with information that this was an
18 event that was motivated in part by the protests in Cairo;
19 not, again, in the very detailed HPSCI talking points, they
20 did not assign responsibility to the video. They assigned
21 responsibility to the fact that individuals were motivated by
22 the protests in Cairo that were motivated by the video.

23 Chairman Gowdy. Okay. Thank you, Mr. Rhodes.

24 Mr. Missakian. Off the record.

25 [Discussion off the record.]

1 [5:27 p.m.]

2 Ms. Sawyer. Back on the record.

3 BY MS. SAWYER:

4 Q Just returning briefly to exhibit 4, because maybe
5 I asked the question when I asked you in too technical a way.
6 But what I was trying to help you help us understand, and
7 this is the three-page that starts with Bernadette Meehan and
8 ends on page 3, her email and her subject line, which is USG
9 public response to events in Libya and Egypt. And I think
10 you were trying to explain to us again by the time it got to
11 your email, which is on page 1, starts on page 1, in essence,
12 you were hitting reply and not changing that subject line.
13 So that was Bernadette Meehan's subject line. It wasn't
14 intended to reflect the content of what was in your message.
15 Is that accurate?

16 A That's right.

17 Q So turning to exhibit 5, which has been discussed
18 in the last hour, and this is the document dated -- it's an
19 email from you dated September 14 at 8:09 p.m., sent to a
20 group of folks that you discussed a little bit. Now, you had
21 been asked -- and I am just going to direct your attention to
22 the fourth and fifth pages. And on that page 4, there is an
23 email from [REDACTED] sent on that same Friday a little earlier
24 in the evening. And it indicates that there is a plan to
25 hold a call, prep call, a call on Saturday at 4 to help

1 prepare Susan for her interviews.

2 A little below it says "here are the promos." And I
3 wanted to give you a moment just to look at those. And then
4 I just had a couple questions. But before you do, in general
5 what would a -- do you recall seeing that at the time? That
6 week?

7 A I remember being invited onto the call.

8 Q Okay. Do you know if you had a sense of what was
9 being promoted as the topics of the various shows?

10 A Yes. I remember having discussions about what the
11 shows were interested in asking Susan Rice about.

12 Q And the reflection of what is here in terms of what
13 range of things potentially could be covered, was that
14 consistent with what you understood might be covered in those
15 various shows?

16 A Yes.

17 Q And certainly, the potential topics included
18 regional unrest and what that cause of the regional unrest
19 was, whether it was policy or something different. Is that
20 accurate?

21 A Yes.

22 Q And it also did indicate that there would be
23 potentially some coverage of Benghazi, the attacks in
24 Benghazi?

25 A Yes.

1 Q The way I read the promos, the discussion of
2 Benghazi is more as a lead-in to the discussion of the
3 broader regional unrest. But nonetheless, there might be
4 some discussion of Benghazi. Is that correct?

5 A Yes. And again, my recollection is that this is
6 being put together on the Friday that was the most acute day
7 in terms of the protests that were taking place across the
8 region. So that was very much front and center in the news.

9 Q And just generally speaking, the then-email that
10 you send -- again, just as another example, the subject line
11 was actually created by Mr. ██████ right?

12 A Yes.

13 Q And you, in essence, hit reply to that, and
14 therefore the subject line there wasn't of your making. It
15 was just your replying to the recipients of that email with
16 your contribution for that call. Is that accurate?

17 A Yes.

18 Q And was it your understanding that what you were
19 doing here was the only material that the ambassador would be
20 given in preparation for the call?

21 A No. My recollection is that we were going to
22 separately provide her with the talking points related to the
23 events in Benghazi that were being prepared for the HPSCI.

24 Q So there was going to be a separate document that
25 specifically addressed what had happened in Benghazi?

1 A Yes. That's my recollection.

2 Q And that accounting as to what had happened in
3 Benghazi would be the talking points that were being prepared
4 for the House Permanent Select Committee on Intelligence?

5 A Yes. And we -- we indicated that Susan would be
6 receiving those talking points separately for use with
7 respect to our understanding what had transpired in Benghazi.

8 Q And why would you have wanted, or why would the
9 decision have been made for the talking points with regard to
10 Benghazi or what had happened in Benghazi to be the talking
11 points that were being created for HPSCI?

12 A So my recollection is that the talking points that
13 were requested by HPSCI were expressly requested to be usable
14 in media appearances. And so therefore, the judgment was
15 made that those talking points could also be used by
16 administration officials since they were being prepared for
17 public use. And so given that the process of completing
18 those talking points was taking place essentially in the same
19 timeframe as Susan's preparation, the determination was made
20 to provide her with those points to be her prep material for
21 what had taken place in Benghazi.

22 Q So certainly, your understanding was that the HPSCI
23 talking points' purpose was for communication with the
24 public?

25 A Yes. And my recollection is that the request that

1 was made from HPSCI to the Intelligence Community made clear
2 that that was one of the purposes of the points. It was so
3 that those points could be used publicly.

4 Q And did you have any understanding of whether those
5 talking points then that were being prepared for HPSCI would
6 have been coordinated through the interagency, including the
7 intelligence community?

8 A Those talking points would have been coordinated
9 through the interagency given the different agencies involved
10 in the events in Benghazi.

11 Q So certainly, in addition to being talking points
12 that were expressly designed for communication with the
13 public, it was your understanding they also were going to be
14 talking points that were fully coordinated throughout the
15 Intelligence Community?

16 A Yes. That's my recollection.

17 Q So in that regard, was it your assumption that they
18 would reflect the best current assessment of the intelligence
19 community at the time?

20 A Yes. That was the purpose of the points.

21 Q And that was the piece that was intended to guide
22 Ambassador Rice's discussion specifically as to what happened
23 in Benghazi on the Sunday talk shows?

24 A Yes. Given that we had a process already underway
25 to compile the best assessment of the intelligence community

1 for public use at that time, it stood to reason that she
2 should use those points in her appearances.

3 Q So those talking points that were -- you had just
4 said that they were already in development, they weren't
5 being developed specifically for Ambassador Rice. They were
6 being developed for discussion by Congress. Is that
7 accurate?

8 A They were being developed to respond to a request
9 from HPSCI. And the determination was made that given they
10 were for public use, that they could be used by
11 administration officials.

12 Q So, you know, there have been some allegations that
13 the talking points were created in a particular way to
14 portray a particular narrative. But those particular talking
15 points were not being specifically created for Ambassador
16 Rice's use. Is that accurate?

17 A No, they were not.

18 Q Now, in addition to the talking points specific to
19 Benghazi that the Ambassador was going to use to guide her,
20 which were the HPSCI talking points, you also provided this,
21 what is exhibit 5. And so what was the purpose of exhibit 5
22 as compared to the talking points related specifically to
23 Benghazi?

24 A My recollection is the purpose of this document
25 would be to give Ambassador Rice a sense of the types of

1 topics that are likely to come up on the Sunday shows, the
2 types of messaging that the administration has been using on
3 those topics, and some specific examples of questions that
4 she would be likely to get on those Sunday shows based on the
5 questions that we had been getting in daily press briefings
6 over the course of the week.

7 Q So just turning to that point that you just made,
8 that you had indicated that part of it was to try to
9 anticipate questions she might be asked. So would that be
10 the portion of the document that begins on page 2 and then
11 kind of runs through page -- halfway down page 4?

12 A Yes.

13 Q And there are, as I can see, one, two, three, four,
14 five, six, seven, eight, eight different question lines, kind
15 of where there is a Q, and it has a different question and
16 then some guidelines on answering or guidance on answering.
17 Of those nine that I just looked at, there is one -- and I
18 will just point you to it on page 2, the third question down,
19 that specifically mentions Benghazi. Do you see that?

20 A Yes.

21 Q As far as I could tell, that was the only thing in
22 this document that particularly mentioned Benghazi. Does
23 that seem accurate?

24 A Yes.

25 Q So the other eight questions do not specifically

1 reference Benghazi and Benghazi alone?

2 A They do not.

3 Q And in fact, the final three questions are under a
4 topic line that says Israel/Iran. And the header there is
5 Iran. So was there also an effort to make sure that she was
6 prepared, beyond even speaking of the specific regional
7 unrest, and what had sparked that, to be able to answer
8 questions that might come up about Iran?

9 A Yes. My recollection is that we understood that
10 Prime Minister Netanyahu was going to appear on some of the
11 Sunday shows. And so this would be a topic of discussion in
12 Ambassador Rice's appearances.

13 Q And then there are questions before the Benghazi
14 one just on page 2 that do talk about the unrest in the
15 region. One asked about the relationship with Egypt. And
16 the other one is specific to I think a question you were
17 asked before. "Question, have you failed to articulate a
18 policy for dealing with the Arab Spring?" So in that
19 respect, was it your understanding that the specific question
20 with regard to what was happening during that week, both
21 before and kind of in the immediate run-up, so from the
22 incident in Cairo with the protests and breaching of the
23 embassy to Benghazi to the unrest in Tunis and Khartoum and
24 elsewhere, the specific question about that week was whether
25 or not that unrest that week was related to a video as

1 opposed to a broader failure of policy with regard to the
2 Arab Spring?

3 A Yes. That was the dynamic that we were dealing
4 with in our press briefings.

5 Q So with regard to this decision tree, there was
6 only two options to be discussed, that was particular to the
7 context of that week and kind of what had been happening that
8 week and why it made sense, then, to be talking in particular
9 about the question of a video and the broader question of a
10 failed policy around the Arab Spring.

11 A Yes. And you had had, again, a series of very
12 significant dramatic events in the Arab world from 2011 to
13 this point. And what you had is a series of protests across
14 the Arab world that were motivated by that video. And the
15 broad instability in the region and the protests, some of
16 them violent, at our facilities, particularly in countries
17 like Egypt and Tunisia that were seen as emblematic of the
18 Arab Spring, those protests were being lifted up and used as
19 a basis for asking us if it was a failure of policy with how
20 we had responded to the Arab Spring and the events in the
21 Middle East.

22 Q And so in explaining the anger that was somewhat
23 directed toward the United States that week, there was an
24 effort to understand why it was the belief of the
25 administration that that was, in particular, that week

1 related to anger over a video?

2 A Yes. That's my recollection.

3 Q And that information that you were conveying that
4 is conveyed in this document was your belief, certainly at
5 that time, that that is what the unrest in the region was
6 related to, the anger over a video mocking the Prophet
7 Mohammed?

8 A Yes, I very much believed that the cause of many
9 protests across the region was the anger over the video and
10 the efforts by some to incite protests and even acts of
11 violence in response to that video.

12 Q So in that regard, that was not, in any way, a
13 false narrative. It is what the assessment at the time
14 indicated that the unrest in the region was related to the
15 video?

16 A Yes. It was very much our belief at the time that
17 the unrest in the region, from places as varied as Tunis,
18 Egypt, Lebanon, Pakistan, Sudan was rooted in the video and
19 people's efforts to incite protests and violence in response
20 to the video.

21 Q And then on page 2, with regard to the specific
22 potential question about Benghazi, the question reads, Q,
23 colon, quote, "What is your response to the Independent story
24 that says we had intelligence 48 hours in advance of the
25 Benghazi attack that was ignored? Was this an intelligence

1 failure?" End quote. And then there is an answer below that
2 says, quote, "We are not aware of any actionable intelligence
3 indicating that an attack on the U.S. mission in Benghazi was
4 planned or imminent. The currently available information
5 suggests that the demonstrations in Benghazi were
6 spontaneously inspired by the protests at the U.S. Embassy in
7 Cairo, and evolved into a direct assault against the U.S.
8 consulate and subsequently its annex," end quote. Do you
9 recall that week where the information that was included in
10 that guideline for answering, where that had come from?

11 A My recollection is that this would have come from
12 the type of press guidance that is developed to respond to
13 press inquiries within the interagency.

14 Q Okay. And I am going to show you what we are going
15 to mark as exhibit 7.

16 [Rhodes Exhibit No. 7
17 was marked for identification.]

18 BY MS. SAWYER:

19 Q And just for identification purposes for the
20 record, this is a four-page document. It has an
21 identification number that is SCB0059847. I will just give
22 you a minute to take a look at that.

23 A Okay.

24 Q Okay. Great. Just directing your attention
25 briefly to page 2, the email that is toward the bottom of

1 that page says from Mike Allen, sent at the time to Tommy
2 Vietor. It has a link to an article that says
3 www.independent.com, I think. It describes an article there.
4 And the article speaks to allegations that there may have
5 been advance warning about the attack in Benghazi. Do you
6 recall that reporting happening that week?

7 A I don't recall this individual story, but I do
8 recall that there were different theories, allegations,
9 comments in the press about the nature of the attacks in
10 Benghazi.

11 Q And then just turning back to the first page, it's
12 an email from Shawn Turner. At that point in time, you are
13 included in that thread. You are one of the recipients of
14 that message, so you have been, at some point, included in
15 this thread. First of all, who is Shawn turner?

16 A He was the spokesperson for the Director of
17 National Intelligence.

18 Q And his response up there says on our -- our on the
19 record response is, quote, "This is absolutely wrong. We are
20 not aware of any actionable intelligence indicating that an
21 attack on the U.S. post in Benghazi was planned or imminent."
22 That sentence there, I would just have you take a look back
23 at exhibit 5, and the page 2. We were talking about the
24 question specific to Benghazi and the answer. That first
25 sentence says, quote, "We are not aware of any actionable

1 intelligence indicating that an attack on the U.S. Mission in
2 Benghazi was planned or imminent," end quote. That seems to
3 be the same on-the-record response that the ODNI indicated
4 was appropriate. Is that accurate?

5 A Yes, that's accurate.

6 Q So certainly that sentence and that guidance would
7 have been something that came from the intelligence
8 community?

9 A Yes, that's correct.

10 Q And presumably, therefore, based on the best
11 information they had available at that time?

12 A Yes, as the spokesperson for the Director of
13 National Intelligence represents the full intelligence
14 community.

15 [Rhodes Exhibit No. 8
16 was marked for identification.]

17 BY MS. SAWYER:

18 Q And now I am going to show you what has been marked
19 exhibit 8 for identification purposes. And this is just a
20 one-page document. And that document, just for the record,
21 is an email. It's redacted who it's from. It indicates it's
22 to you, Tommy Vietor, and someone else in the NSS press. And
23 also White House press. And that document -- that time of
24 that email is 5:09 p.m. on Friday, September 14. And I would
25 just direct your attention to the first sentence there of the

1 first bullet. It says, quote, "The currently available
2 information suggests that the demonstrations in Benghazi were
3 spontaneously inspired by the protests at the U.S. Embassy in
4 Cairo and evolved into a direct assault against the U.S.
5 consulate, and subsequently its Annex." And that sentence
6 there, when compared to exhibit 5, page 2, in the answer to
7 the potential question about Benghazi that you had sent in
8 your email, I think, 3 hours later that same Friday night
9 seems identical to me. Does that --

10 A Yes, that's correct.

11 Q So that sentence, that second sentence was
12 certainly fully consistent with what is in exhibit 8, that
13 very first sentence of exhibit 8?

14 A Yes, that's correct. And again, the common
15 practice in preparing documents like this for individuals who
16 are appearing on Sunday shows or other high profile events is
17 to provide them with guidance that has been developed in
18 different parts of the interagency.

19 Q Right. And exhibit 8, what was your understanding,
20 at that point in time, as to how and who had developed that
21 first sentence that then appears in exhibit 5?

22 A My recollection is that I believe that that was the
23 assessment provided by the intelligence community and talking
24 points that were originating from the CIA.

25 Q And, again, with regard to that, to the extent that

1 was the assessment of the CIA, would it have been appropriate
2 to be looking to them to give an assessment as to what had
3 happened in Benghazi?

4 A Yes. When we have events like the attacks in
5 Benghazi or involving terrorist incidents or international
6 crises, we look to the intelligence community to provide us
7 with the assessments that we then use in our public
8 messaging.

9 [Rhodes Exhibit No. 9
10 was marked for identification.]

11 BY MS. SAWYER:

12 Q And I am going to now give you what has been marked
13 as exhibit 9 for identification purposes. This is an excerpt
14 from the report of the U.S. Senate Select Committee on
15 Intelligence. We have only excerpted the Appendix, Appendix
16 I, which is about the Benghazi talking points. We have
17 included just for context that entire appendix. But I really
18 just am going to be speaking with you about that first page,
19 which is in the right-hand corner has a number 43 because
20 that's the number that appears in the SSCI report. This is a
21 published, publicly available report.

22 And then halfway down that page you will see the report
23 indicates "The final unclassified version of the CIA talking
24 points as provided to HPSCI on September 15, 2012, read as
25 follows:" And then, quote, "The currently available

1 information suggests that the demonstrations in Benghazi were
2 spontaneously inspired by the protests at the U.S. Embassy in
3 Cairo, and evolved into a direct assault against the U.S.
4 diplomatic post in Benghazi and subsequently its Annex."

5 Now, comparing that language to the language that appeared
6 both in exhibit 8 and then in exhibit 5, the only -- as the
7 second sentence in the proposed answer, the only change that
8 I saw was the change from the word "consulate" to "post."

9 But otherwise, that remained the assessment the next day when
10 that final unclassified version of the CIA talking points was
11 circulated. Is that accurate?

12 A Yes, that's accurate.

13 Q So the information contained in the document sent
14 to Ms. Rice -- Ambassador Rice in exhibit 5, or that you had
15 sent for preparation, whether or not she did or did not ever
16 receive it, was fully consistent with the final unclassified
17 version of the CIA talking points that was then available on
18 Saturday, September 15, 2012?

19 A Yes, that's correct.

20 Q And that particular sentence would be kind of the
21 sentence from the longer version of it. There is more
22 information in exhibit 8. But with regard to the question
23 being asked in that Independent article about whether there
24 was a warning before the attack, that would have been the
25 sentence from exhibit 8 that would have been responsive to

1 that particular question. Is that accurate?

2 A That's accurate.

3 Q And that's why that sentence from that longer piece
4 in exhibit 8 would have been selected to include as the
5 guidance for responding to whether there had been advanced
6 warning?

7 A That's correct.

8 Q So in the document that you prepared, would it be
9 fair to say that the statements that were directly about
10 Benghazi were statements that came from the intelligence
11 community?

12 A Yes, that would be correct.

13 Q Then I just wanted to briefly, before I kind of
14 conclude for now, in terms of the prep call that occurred
15 with Ambassador Rice on the afternoon, do you recall what --
16 roughly what time of day it was?

17 A I just remember it was the mid-afternoon.

18 Q So the email indicated it was anticipated to be
19 around 4. Your recollection isn't vastly different than
20 that?

21 A My recollection is it was in that timeframe.

22 Q With regard to that conversation, did anyone ever
23 indicate, with regard to the guidance given to Ambassador
24 Rice, that there was any question to doubt the proposed
25 guidance that we discussed on your exhibit 5? Was there a

1 discussion of what had happened in Benghazi?

2 A My recollection is that the bulk of that prep call
3 dealt with the ongoing protests taking place across the
4 Middle East, and the topics related to Israel and Iran, and
5 that we indicated that there was a process to develop these
6 talking points related to our understanding of what took
7 place in Benghazi, and that she would be receiving those
8 talking points and should work off of those.

9 So that was actually not a subject of extensive
10 discussion on the call because there was this process that
11 was going to develop the points for her to use.

12 Q So the call that you all had, it would be fair to
13 say, was far more focused about the broader regional unrest?

14 A Yes. That's my recollection. And the situation
15 between Israel and Iran.

16 Q And then just returning back to exhibit 5 briefly,
17 with regard to the other portions of that document, there is
18 a section called "goals" and then a section called "top
19 lines." Kind of just explain like what is the difference
20 between a goals and a top lines?

21 A Well, first of all, in documents of this nature
22 it's essentially providing spokespeople for the
23 administration with the guidance on what we are saying on
24 different topics. This is a daily exercise that we undertake
25 with the White House press secretary, the State Department

1 spokesperson. And regarding those events, you will have
2 essentially top lines, here are the key messages that we are
3 delivering on a series of issues. And then you will have a
4 Q&A that attempts to anticipate the questions that we are
5 going to be asked.

6 The goals, I think, indicate what the purpose of
7 appearing on the Sunday shows is. We are in a particular
8 context. And at that time, the context was instability
9 across the Middle East. It was unsettling to Americans at
10 home, and raising questions about our response overseas. And
11 again, the objective was very much to send a message that we
12 were going to be able to manage this situation while
13 answering the questions that flowed out of the events.

14 Q And then with regard to the goals that you have
15 discussed with my colleagues a little bit, the first one,
16 first bullet says "to convey that the United States is doing
17 everything that we can to protect our people and facilities
18 abroad." Now, earlier in the day, you obviously indicated a
19 number of times that kind of one of the principal and most
20 important things was making sure people were safe. So was
21 that, in fact, being done?

22 A Yes. And over the course of that week, the concern
23 coming out of Benghazi, but also with the ongoing protests,
24 was making sure we were doing everything we could to secure
25 our embassies and our diplomatic facilities and our American

1 citizens abroad. So that was the overarching concern that we
2 had on our minds the whole week.

3 Q So in that regard, this was not creating some false
4 narrative with that first bullet that you were doing
5 everything you could to secure our people and facilities
6 overseas?

7 A No. We saw that as our responsibility as the
8 United States Government.

9 Q And then that second bullet that has been
10 discussed, to underscore that these protests were rooted in
11 an Internet video and not a broader failure of policy. That
12 certainly was -- and again, we are talking about the time
13 period that's agreed to in the scope -- that certainly was
14 the understanding and the belief of the administration at the
15 time.

16 A Absolutely. And we were being regularly questioned
17 as to whether or not these events across the Middle East
18 represented a failure of policy. And so we were dealing with
19 that series of questions at this time.

20 Q So in that regard, that was not the creation of any
21 sort of false narrative?

22 A Absolutely not. That's what we certainly believed.

23 Q And then to show that we will be resolute in
24 bringing people who harm Americans to justice and standing
25 steadfast through these protests. Now, earlier in the day

1 you had indicated that one of the goals was to really send
2 the strong message that no matter where any type of violence
3 occurred, that America would not stand for it. Was that part
4 of the goal here?

5 A Yes. It's a statement of principle that would
6 apply uniformly.

7 Q And to the extent there had been concern, a fair
8 amount of concern in the run-up to Friday, did that concern
9 dissipate entirely by Sunday, that there could be ongoing
10 unrest and potential violence and risk to the security of our
11 personnel overseas?

12 A Absolutely not. You had had, again, very violent
13 protests that had continued throughout that week. And there
14 was not an indication at that point, to my recollection, that
15 the situation had sufficiently calmed across the region.

16 Q So in the same way that some of the earlier
17 statements were -- I think I described them as forward
18 leaning, and not necessarily backward leaning, this bullet
19 also potentially was forward leaning in the same way?

20 A It's a statement of principle that is meant to
21 convey to Americans and people around the world that we will
22 do whatever is necessary to protect our people.

23 Q So in that regard it wasn't only talking about
24 Benghazi?

25 A Yeah, it was referring also broadly to the

1 circumstances across the region, and laying down that marker
2 that again, we will do whatever is necessary to protect the
3 American people.

4 Q So in that regard certainly bullet three was not
5 the creation of a false narrative?

6 A Absolutely not. And it's consistent with what we
7 have said throughout our administration.

8 Q And then, finally, the last one is just to
9 reinforce the President and administration's strength and
10 steadiness in dealing with difficult challenges. What was
11 the kind of goal or purpose of sending that message?

12 A Again, at a time when you have instability, and it
13 appears that there are events that look like they are getting
14 out of control, there are violent protests at our embassies,
15 there is incitement against our personnel overseas, we have
16 an interest, foreign policy interest in conveying that we are
17 going to be able to manage that situation; we are going to be
18 able to protect our people overseas; we are going to be able
19 to respond to that incitement. So the objective was in this
20 very uncertain period to convey a sense of strength and
21 steadiness consistent with American foreign policy interests.

22 Q You know, some have described this document,
23 certainly when this select committee was established, some,
24 in particular, pointed to this document as and described it
25 as a, quote, "smoking gun," that there had somehow been a

1 false narrative created, and that the administration, through
2 Ambassador Rice, had intentionally lied to the American
3 people. What is your response to that allegation?

4 A My recollection of that week is that it was as
5 painful and challenging a period of time as I have had in
6 government. Having lost Americans overseas, including a
7 person who I knew, having our embassies, including places
8 where I knew people who worked, under threat of violent
9 protest, dealing with a degree of instability in the Middle
10 East that showed no signs of dissipating, that's a
11 circumstance that we were dealing with.

12 And everything that we did this week was guided by
13 trying to manage a very difficult and evolving situation.
14 So, you know, I know that this is entirely consistent with
15 how we do business on behalf of the American people, that our
16 objectives here were rooted in the necessity of responding to
17 what had taken place in Benghazi, but also trying to manage a
18 very complex and evolving situation in the Middle East. And,
19 you know, it's been deeply hurtful to have it suggested that
20 we had another set of motivations. I will stop there.

21 Ms. Sawyer. So I think we will conclude for now. I
22 don't know how long of our remaining time we took. But why
23 don't we take a break?

24

25

1 [6:15 p.m.]

2 Mr. Missakian. Okay. Let's go back on the record.

3 BY MR. MISSAKIAN:

4 Q Mr. Rhodes, I just want to clear up a couple of
5 things that's still unclear in my mind at least. Were you
6 ever told by anybody in the intelligence community that the
7 video was the catalyst for what happened in Benghazi?

8 A Again, we were told that the events in Benghazi
9 were motivated by, in part, by the protest in Cairo, the
10 protest in Cairo being motivated by the video.

11 Q Okay. I understand that, but were you ever told
12 that by anyone in the intelligence community that the video
13 was the catalyst for what occurred in Benghazi?

14 Mr. McQuaid. And just can you give a timeframe?

15 Mr. Missakian. Yes. Let me qualify that.

16 BY MR. MISSAKIAN:

17 Q Limited to that period between September 11th and
18 September 16th.

19 A And, again, my recollection of any connection to
20 the video was indirect through the fact that the protests in
21 Cairo may have been a motivating factor for the events in
22 Benghazi.

23 Q Okay. So just to be clear, so there was no direct
24 connection made between the video and the attacks in Benghazi
25 from the intelligence community that you're aware of at that

1 time?

2 A That's my recollection. I recall that there were
3 public reports of protests that were -- that would have been
4 included in, you know, the information we were receiving.

5 Q But you certainly weren't relying on those public
6 reports, were you?

7 A We were relying on the intelligence community's
8 assessment, and the intelligence community's assessment was
9 that these were events that were motivated in part by the
10 protests in Cairo.

11 Q And again, this is -- falls into the category of me
12 just trying to understand. You were asked a number of
13 questions by the majority and minority about exhibits 4 and
14 5. If you get -- let me know when you have got those in
15 front of you.

16 A Is this 4? Yeah.

17 Q With respect to exhibit 4, did you intend by these
18 talking points to draw a connection between the video and the
19 attacks in Benghazi?

20 A I did not intend with these points to assign
21 responsibility or motivation for the attacks in Benghazi.

22 Q And would it be fair to say that on September 13,
23 2012, when you drafted exhibit 4, you had not seen the HPSCI
24 talking points because they did not begin to circulate until
25 the next day?

1 A I don't remember when the HPSCI talking points
2 began to circulate, no. So I just don't recall with
3 specificity.

4 Q Fair enough. With regard to exhibit No. 5, is it
5 your testimony that the contents of exhibit 5 were not meant
6 to explain the motive of the attackers in Benghazi, or to
7 suggest that the video was a catalyst for those attacks?

8 A The exhibit 5 is intended to prepare Ambassador
9 Rice for the range of issues she's going to discuss on the
10 Sunday shows. On the specific question of what happened in
11 Benghazi, our expressed intent was to provide her with the
12 HPSCI talking points to inform her as to the position of the
13 intelligence community.

14 Q So you did not intend her to use exhibit 5 to talk
15 about what happened in Benghazi. Is that correct?

16 A Again, with the -- I would note the exception of
17 the one question that was on page 2 with respect to the
18 nature of the attack in which we just drew from the points
19 that were provided by the intelligence community. More
20 broadly, this was meant to prepare her to speak to the
21 general events that were taking place in the region.

22 Q Did you tell her that, that bullet No. 2 was meant
23 to apply not to Benghazi, but to the region broadly?

24 A My recollection of that prep call is that we
25 indicated to her that she would be receiving the talking

1 points that were being prepared for HPSCI and that that
2 should inform her discussion of what took place in Benghazi,
3 and that we focus the majority of our time discussing the
4 events in the region and the events between Israel and Iran.

5 Q So as you sit here today, it's your best
6 recollection that you did not tell Ambassador Rice, in that
7 call, that bullet No. 2 was not meant to apply to Benghazi?

8 A I don't recall a specific discussion with her about
9 individual bullets in that prep document. I recall a broader
10 discussion about her appearances.

11 Q Did you watch her on the Sunday talk shows?

12 A I did not watch her appear live, that I recall.

13 Q Did you read any of the transcripts that day?

14 A I recall reading some of the transcripts that day.

15 Q After reading those transcripts, did you walk away
16 with the impression that she had actually blamed the attacks
17 in Benghazi on the video?

18 A I don't remember having that impression.

19 Q Okay. Because I mean, a number of us have read
20 them, and to us, it appears that she is blaming the video,
21 but as you sit here today, you did not come to that
22 conclusion yourself during that period of time?

23 A No, I don't remember coming to that conclusion.

24 Q Let's spend a little more time on the prep call.

25 Do you recall what else was said? I mean, it sounds

1 like a very limited amount of time was spent on Benghazi, but
2 to the extent it was a limited amount of time, or a large
3 amount of time, do you recall anything that was discussed
4 about Benghazi during that portion of the call?

5 A Again, my recollection of the prep call with
6 respect to Benghazi is that we indicated to Ambassador Rice
7 that there was this process that was nearing completion in
8 terms of producing the HPSCI talking points, and that she
9 would be receiving those, and that we discussed, more
10 broadly, our response to the events in the region.

11 Q At that time, and I mean during the call, did you
12 know what the final version of the HPSCI talking points would
13 look like with regard to Benghazi?

14 A My recollection is they -- I recall that they were
15 nearing completion, but I just don't recall the exact
16 timeline on which I received them related to the call.

17 Q Do you recall having any other conversations after
18 the call ended with either Ambassador Rice or anybody else on
19 her staff?

20 A My recollection is that I would have provided the
21 talking points that were prepared for HPSCI to her staff.

22 Q To who?

23 A Her staff.

24 Q Do you recall doing that?

25 A I -- can we go off the record here for a second?

1 Mr. McQuaid. Do you want to take a second?

2 Mr. Missakian. Go off the record.

3 [Discussion off the record.]

4 Mr. Missakian. Okay. Let's go back on the record.

5 BY MR. MISSAKIAN:

6 Q Okay. So as you sit here today, you don't have any
7 specific recollection of sending the talking points to
8 anybody after that call, but you believe you saw a document
9 that suggests you did?

10 A Yes, that's my recollection.

11 Q Do you recall having any other conversations with
12 Ambassador Rice or anybody on her staff about the talking
13 points after they were sent?

14 A I don't remember further conversation before -- are
15 you referring to the time period before the Sunday shows?

16 Q Yes.

17 A I don't remember any conversations.

18 Q Why was David Plouffe on the call?

19 A It was standard practice, when we had Sunday talk
20 show prep calls, he would be one of the people who was
21 normally invited on this.

22 Q And why is that?

23 A Given his role at the time as senior advisor,
24 overseeing communications, and, among other things, he was on
25 the normal list of people who would have been invited on a

1 Sunday show prep call.

2 BY MR. DAVIS:

3 Q How often would he attend those calls?

4 A I would only -- essentially, the way in which the
5 Sunday show prep calls would work is if there are a group of
6 people who are regularly invited on those calls, people
7 generally with responsibility for communications, I would
8 only participate if there was a national security element to
9 those calls. He was, you know, normally on those calls. I
10 couldn't affix a percentage, but he was usually on those
11 calls.

12 Q He had been on prior calls that you had been on
13 that touched on national security issues?

14 A Again, my recollection is he was normally on Sunday
15 show prep calls.

16 BY MR. MISSAKIAN:

17 Q Back to exhibit No. 5, the second page. This is in
18 the section where you got the Q, colon, and continues.

19 "What's your response to the Independent story that says we
20 have intelligence 48 hours in advance of the Benghazi attack
21 that was ignored. Was this an intelligence failure?"

22 And then the answer that's provided says, "We are not
23 aware of any actionable intelligence indicating that an
24 attack on the U.S. Mission in Benghazi was planned or
25 imminent."

1 What did you mean by "actionable intelligence"?

2 A And, again, my recollection is that this was in
3 response to a question that we were getting and that the
4 language is provided by the intelligence community, so it's
5 their determination as to what the nature of the intelligence
6 was.

7 Q Did you have an understanding yourself of what that
8 term meant, "actionable intelligence"?

9 A Yes, I had an understanding of what actionable
10 intelligence meant.

11 Q What was your understanding?

12 A My understanding of the term is that it implies to
13 intelligence that we're able to take action upon in order to
14 effect an outcome.

15 Q Could you give me an example?

16 A Again, an example of actionable intelligence would
17 be if we have specific awareness of an extremist plotting,
18 and we're aware of their location and we can therefore take
19 action against that extremist.

20 Q So for example, actionable intelligence might be an
21 intercepted phone call in which the participants in the call
22 are discussing a planned attack, for example?

23 A Again, I wouldn't want to speak to specific sources
24 of intelligence, but as a general matter, I think it's
25 intelligence that once it's in our possession, we're able to

1 do something about it.

2 Q To your understanding, you work in the National
3 Security Section at the White House, to your understanding,
4 what were the sources of intelligence in Benghazi in
5 September 2012?

6 A Again, as someone who is not involved in
7 operational matters, but is more generally aware of sources
8 of information, I would believe that that could include
9 anything from communications between extremists, human
10 intelligence, or also open source intelligence in monitoring
11 of social media.

12 Q Did you have any specific or general understanding
13 of the nature -- the specific nature of the kind of
14 intelligence collection going on in Benghazi in
15 September 2012?

16 Mr. McQuaid. Can we go off the record for a second?

17 Mr. Missakian. Yes, let's go off the record.

18 [Discussion off the record.]

19 Mr. Missakian. Back on the record.

20 BY MR. MISSAKIAN:

21 Q Were you aware of any gaps in the intelligence
22 collection in Libya in September 2012?

23 Mr. McQuaid. Can I go off the record?

24 Mr. Missakian. No, we are not going to go off the
25 record on this.

1 Ms. Sachsman Grooms. Craig, seriously?

2 Mr. Eggleston. When your chairman was here, he directed
3 you to go off the record when requested by counsel.

4 Mr. Missakian. Let's go off the record.

5 [Discussion off the record.]

6 Mr. Missakian. Okay. Let's go back on the record.

7 BY MR. MISSAKIAN:

8 Q I want to be sensitive --

9 Mr. McQuaid. Before we go on the record.

10 Mr. Missakian. Let's go off the record.

11 [Discussion off the record.]

12 Mr. Missakian. Let's go back on the record.

13 I just want you to, if you could, just instruct the
14 witness not to answer the question.

15 Ms. Sachsman Grooms. That's entirely inappropriate.
16 Let's go back off the record.

17 Mr. Missakian. Let's go back off the record.

18 [Discussion off the record.]

19 Mr. Missakian. Let's go back on the record.

20 BY MR. MISSAKIAN:

21 Q All right. So just so it's clear, I did not intend
22 by that question to elicit classified information, and if
23 your answer is that you obtained this statement from the
24 Director of National Intelligence, is that your answer?

25 A No. I received this from the Office of the

1 Director of National Intelligence.

2 Q Okay. We'll leave it at that then. Thank you.

3 Are you aware that on September 14, Jay Carney gave a
4 press conference in which he also made the statement that
5 they were not aware of any actionable intelligence?

6 A I don't remember that specifically as a topic in
7 Jay's briefing, but I remember it being one of the questions
8 was being raised over the course of that week.

9 Q Were you involved in preparing Mr. Carney for his
10 press conference on the 14th?

11 A I was involved in overseeing the preparation of Jay
12 Carney for his daily briefings, yes.

13 Q Do you recall the subject of actionable
14 intelligence coming up?

15 A I do not recall the specific discussion.

16 Q Do you recall there being a discussion of whether
17 or not there were any signs that the attack had been
18 preplanned or premeditated?

19 A I don't remember that discussion.

20 Q Do you recall learning at any time that week that
21 there were, in fact, signs that the attacks were premeditated
22 or preplanned?

23 Mr. McQuaid. Can we go off the record?

24 Mr. Missakian. Off the record.

25 [Discussion off the record.]

1 Mr. Missakian. Let's go back on the record.

2 Mr. Kiko. Just wait a second. I mean, hold off on
3 that.

4 Mr. Missakian. Hold off. Off the record.

5 [Discussion off the record.]

6 Mr. Missakian. Okay. Let's go back on the record.

7 BY MR. MISSAKIAN:

8 Q Now, Mr. Rhodes, I understand that you were
9 involved in drafting the President's remarks in the Rose
10 Garden on the morning of September 12th.

11 Mr. McQuaid. Could we go off the record again?

12 Mr. Missakian. Yes. Let go off the record.

13 [Discussion off the record.]

14 Mr. Missakian. Back on the record.

15 BY MR. MISSAKIAN:

16 Q Now, later that day, September 12th, the President
17 did an interview for 60 Minutes. Were you involved -- let me
18 ask the question. Were you involved in the preparation of
19 the President for that interview? Simply a yes-or-no
20 question. I'm not asking for content.

21 Ms. Rhee. Let's go off the record.

22 Mr. McQuaid. Let's go off the record.

23 Mr. Missakian. Off the record.

24 [Discussion off the record.]

25 Mr. Missakian. Okay. Let's go back on the record.

1 BY MR. MISSAKIAN:

2 Q Mr. Rhodes, after the President gave his interview
3 with 60 Minutes, did you have an opportunity to review a
4 transcript of the President's remarks?

5 A My recollection, I don't have the recollection of
6 reviewing that transcript, but as a general matter, I
7 received the transcript of the President's appearances on
8 television shows.

9 Q If I recall correctly, that episode of 60 Minutes
10 with the President aired on September 23rd.

11 A Again, if that would -- if it's 60 Minutes, it
12 would be whatever the Sunday was.

13 Q And you may recall there was some bit of
14 controversy over the interview that was actually aired by CBS
15 because it did not include a portion of the President's
16 remarks. Do you remember that?

17 A I have a recollection that there was some
18 controversy about that, yes.

19 Q Did you or anybody else on your staff have any
20 conversations with CBS about that 60 Minutes interview?

21 A I did not -- excuse me, what's the -- in what time
22 period are you talking about?

23 Q Prior to it airing?

24 A I did not have any conversations with CBS after the
25 interview taped prior to it aired.

1 Q Did anybody on your staff?

2 A Generally, when we have interviews like that with
3 the President, the contacts with the network are handled by
4 the White House press in the communications office, not the
5 NSC.

6 Q Do you know if any of those communications actually
7 occurred?

8 A I don't know.

9 [Rhodes Exhibit No. 10
10 was marked for identification.]

11 BY MR. DAVIS:

12 Q I'll show you exhibit 10. Exhibit 10, and this is
13 a compilation of emails regarding the talking points given to
14 the House Permanent Select Committee on Intelligence. These
15 talking points --

16 Mr. Eggleston. Do you have any other copies?

17 Mr. Davis. I do. I have a couple more.

18 BY MR. DAVIS:

19 Q So these emails were released publicly, I believe,
20 by the White House, I believe in May 2013, and there were 100
21 pages in all. What you have in front of you is 6 pages
22 spliced with page 12, page -- I believe that's 31, 55, 59,
23 74, and 75 out of the 100 pages, and you're on these emails.
24 Just a couple of brief questions about the emails.

25 Number 1, did you have any discussions about these

1 particular talking points with Michael Morell?

2 Mr. McQuaid. Could you just get the timeframe?

3 Mr. Davis. Sure.

4 BY MR. DAVIS:

5 Q In the September 14, September 15, 2012, time
6 period, did you have any conversations with Michael Morell
7 about these talking points?

8 A So my recollection is that these talking points
9 were being worked on, developed, and in the deputies'
10 committee meeting on the morning of that Saturday, that
11 meeting addressed a variety of topics. When this issue of
12 the talking points came up, Michael Morell indicated that he
13 was going to be working on revisions to those talking points
14 that he would then share with a number of people in the
15 interagency.

16 So again, that wasn't a one-on-one conversation, but
17 rather interacting with Michael in the context of a deputies'
18 committee meeting. And then I subsequently recall receiving,
19 along with some other people, the revised version of those
20 talking points from Michael.

21 Q Outside of the deputies' committee meeting
22 discussion, outside of receiving the other email, did you
23 have any conversations with Michael Morell about these
24 talking points, outside the two instances you just mentioned?

25 A In this timeframe --

1 Q In this timeframe.

2 A -- I don't -- not that I recall.

3 Q Let me ask you the same question with regard to
4 Jake Sullivan, September 14, September 15, 2012. Do you
5 recall have any conversations with him, outside of what may
6 have occurred in the deputies' committee meeting about these
7 talking points?

8 A I don't remember having a discussion with him about
9 these talking points. I would have had -- I just don't have
10 a specific recollection of a conversation.

11 Q Could you turn to page 3, I think it's page 55
12 marked at the bottom.

13 Mr. McQuaid. Third page of the exhibit?

14 BY MR. DAVIS:

15 Q Third page. The third page that's marked 55.

16 A Yeah.

17 Q So at the very top is an email from you, Friday,
18 September 14, 2012, 9:34 p.m. Let me just read it really
19 quickly. "All- Sorry to be late to this discussion. We need
20 to resolve this in a way that respects all of the relevant
21 equities, particularly the investigation. There is a ton of
22 wrong information getting out in the public domain from
23 Congress, and people who are not particularly informed,
24 insofar as we have firmed up assessments that don't
25 compromise intel of the investigation, we need to have the

1 capability to correct the record, as there are significant
2 policy and messaging ramifications that would flow from a
3 hardened misimpression. We can take this up tomorrow morning
4 at deputies."

5 Mr. McQuaid. I think you just misread it slightly. I
6 think it's "or the investigation," not "of the
7 investigation." I could be wrong.

8 Mr. Davis. That's entirely possible. It's a very
9 grainy sort of copy.

10 BY MR. DAVIS:

11 Q So two questions, both about the middle paragraph.
12 First question, "a ton of wrong information getting out into
13 the public domain from Congress," what specifically were you
14 referring to there?

15 A Again, my recollection of that week is that there
16 were just many different theories about what had taken place
17 in Benghazi that were emerging in different parts of the
18 media. Some of those theories were at odds with one another,
19 and so my point was that we needed to establish the best
20 assessment that we could as a U.S. Government.

21 Q But outside of what may have been floating around
22 in the media, you specifically mentioned Congress in here.
23 So what -- what wrong information came from Congress that led
24 you to write that sentence?

25 A Well, my work experience suggests to me that

1 sometimes information that appears in the media originates
2 from Congress or sometimes it originates from agencies at the
3 U.S. Government, so I think that is in reference to just the
4 potential sources of information that's in the media.

5 Q Why doesn't it say "from potential other areas of
6 the U.S. Government"? Why is Congress singled out as the
7 source of wrong information in this particular sentence?

8 A Again, my recollection is there is a lot of
9 different information in the media. That information could
10 come from a variety of sources. One is Congress. There are
11 other sources as well.

12 Q And my question is, why do you mention Congress
13 specifically as opposed to other sources?

14 A Again, because often -- my recollection is, in an
15 event like this, you have different people commenting,
16 including from Congress, but that's not the only source from
17 which we sometimes have inaccurate information.

18 Q Were there any specific comments from anybody in
19 Congress or from any staff in Congress that you were thinking
20 of when you wrote that sentence?

21 A I don't remember what I was specifically
22 referencing when I wrote the sentence.

23 Q So the information you're talking about, the wrong
24 information getting out in the public domain could come from
25 a variety of different sources, but you specifically decided

1 to mention Congress and none of those other sources. Is that
2 correct?

3 A Well, and I reference people who are not informed
4 as well, so I think I'm referencing the fact that there's
5 misinformation in the public domain.

6 Q From Congress and people who are not particularly
7 informed. Is Congress included in those people who are not
8 particularly informed, or are they separate clauses? How did
9 you intend the sentence?

10 A I intended to indicate that there was
11 misinformation or wrong information that is in the public.

12 Q That came from Congress?

13 A Again, I'm suggesting that in the sense that that's
14 one particular source of information, doesn't apply to all of
15 Congress. It's just applying --

16 Q Were you suggesting that Congress is not
17 particularly --

18 Mr. McQuaid. Just let him finish the answer. He just
19 cut that answer.

20 Mr. Rhodes. I'm suggesting that there's wrong
21 information that was in the public domain.

22 BY MR. DAVIS:

23 Q Are you suggesting that Congress is not
24 particularly informed on this issue?

25 A I'm merely suggesting that there was information

1 that I saw to be wrong in the public domain.

2 Q Some of which came from Congress?

3 A I'm suggesting that that is -- was a potential
4 source, along with other potential sources.

5 Q I don't see any other potential sources here. It
6 seems like a pretty definitive statement. There's a ton of
7 wrong information getting out into the public domain from
8 Congress, not possibly from Congress, from Congress. So what
9 are you referring to?

10 A I'm referring to the fact that there was
11 misinformation or inaccurate information in the public
12 domain.

13 Q So what was this inaccurate information in the
14 public domain?

15 A I recall there being many different theories about
16 what happened in Benghazi that were emerging publicly over
17 the course of that week.

18 Q And what were some of those theories, if you can
19 recall?

20 A I don't know what I was -- I don't remember what I
21 was referring to specifically when I wrote this sentence. I
22 just remember that there were many different theories about
23 what had taken place, and many of them were incorrect.

24 Q Let's go to the next sentence. "Insofar as we have
25 firmed up assessments that don't compromise intel of the --

1 or the investigation, we need to have the capability to
2 correct the record as there are significant policy and
3 messaging ramifications that would flow from a hardened
4 misimpression."

5 Can you describe exactly what you meant by "there are
6 significant policy and messaging ramifications that would
7 flow from a hardened misimpression"?

8 A It's my belief that you would need to put
9 information out publicly that represents the assessments in
10 the intelligence community, and if you do not do that
11 correctly, it's inevitably going to create challenges.

12 Q So what are the policy ramifications that flow from
13 that?

14 A Again, my belief is that if you aren't putting
15 forward accurate information on issues as important as what
16 took place in a terrorist attack, that that is inevitably
17 going to affect the way in which you're carrying out your
18 policy.

19 Q Can you give me an example of how that would occur
20 in this case?

21 A Well, again, you want to make sure that you are
22 representing the best information in the intelligence
23 community as you're making determinations about how to
24 respond to an attack.

25 Q I agree, but you wrote "there are significant

1 policy and messaging ramifications that would flow from a
2 hardened misimpression." I'm just trying to understand what
3 those policy ramifications are. You say there are some. I
4 don't disagree. I'm just trying to understand what they
5 would be.

6 A The -- you would not want to formulate your policy
7 based on information that does not correctly represent the
8 assessments of the intelligence community.

9 Q But what does that have to with getting out into --
10 publicly, you form your policy based on the assessments of
11 the intelligence community, regardless of whether the public
12 has a hardened impression on that?

13 A You would formulate your policy and your public
14 messaging based on the assessments of the intelligence
15 community and you would not want to be informing the public
16 of something that does not represent your best judgment of
17 events that transpired.

18 Q Are you, as the administration, informing the
19 public of assessments that don't reflect their best judgment,
20 or is it Congress and other people that are not particularly
21 informed?

22 A We are seeking to communicate to the public what we
23 believe took place in Benghazi in an environment where there
24 is lots of different information reaching the public, and the
25 point I'm making is that it is our responsibility, as

1 spokespeople and communicators on behalf of the U.S.
2 Government, to make sure that we're putting forward the very
3 best information and the most accurate information that we
4 have at a given time.

5 BY MR. MISSAKIAN:

6 Q Mr. Rhodes, let's focus on September 15th, the day
7 you prepared or helped prepare Susan Rice for her
8 appearances. As best you can, tell me what your
9 understanding of the Benghazi attacks was at that time, and
10 by understanding, I mean the nature, the types of weapons,
11 the number of attackers, all those sorts of things, what did
12 you understand had occurred?

13 A My understanding was informed by what we were being
14 told by the intelligence community, so I understood this to
15 be an event in which people acted motivated, in part, by what
16 took place in Cairo and attacked our facility in Benghazi.
17 That's the nature of my understanding.

18 Q Okay. So if I hear you correctly, and I'm not
19 trying to puts words in your mouth, you're saying your
20 understanding of what had occurred in Benghazi was limited to
21 what was -- what you read in the talking points that were
22 circulating the day before and on that day?

23 A That was the basic assessment that was made
24 available to me.

25 Q That's --

1 A I don't have additional operational requirements.
2 My responsibility is to communicate what we believe happened.

3 Q I understand that, but, I mean, you have to agree
4 that it's possible you had other information available to you
5 from whatever source, in addition to what was in those
6 talking points. I'm just asking you if you did.

7 A I recall, in the course of the week, learning more
8 about the deaths of the four Americans and the circumstances
9 under which they were killed, but it was within this
10 assessment of an event that was involving a group of people
11 who were motivated, in part, by the events in Cairo.

12 Q Did you learn that two of the four that died, died
13 as a result of mortar fire?

14 A What I recall learning about the additional two is
15 that they were CIA personnel.

16 Q You don't recall anything about how they died?

17 A I recall learning that they died in an assault that
18 was separated in time from the initial assault on Ambassador
19 Stevens.

20 Q So you did know that there was the initial assault
21 on the U.S. State Department facility, and then a separate
22 assault at the CIA Annex later that night or the next
23 morning, you knew that?

24 A That's my basic recollection.

25 Q Did you have any understanding of how many

1 attackers were involved in the first assault and then the
2 second assault at the Annex?

3 A I don't remember having an understanding of the
4 numbers of attackers.

5 Q Did you have any understanding of the number?

6 A Again, I don't recall having a specific range of
7 people. I just remember that it was portrayed as a group of
8 people.

9 Q What do you recall having learned about the attack
10 at the CIA Annex?

11 A Again, I don't recall the specific operational
12 matters related to that. I remember becoming aware, of
13 course, of the tragic loss of our personnel and some concern
14 about the -- any material that may have been taken from
15 either of those facilities.

16 Q And how do you recall receiving the information
17 about the attack at the Annex? Do you recall?

18 A I remember -- I remember learning of the deaths of
19 the two officers, as we were discussing earlier, that morning
20 of the 12th. Subsequently, my role in these discussions is
21 to think about messaging, and so my recollection was mainly
22 about learning of their deaths in the Annex in the context of
23 trying to determine how we would deal with the fact that they
24 were CIA personnel, how would we describe publicly the nature
25 of their -- of their work. That was -- that's what I recall

1 about the discussion around what took place at the Annex.

2 Q Now tell me about that, the discussion about how to
3 describe the CIA Annex.

4 A My recollection is that, in one of the meetings
5 that week, and I couldn't tell you with precision what time,
6 but that Director Petraeus indicated that these two
7 individuals were CIA personnel, and then there was a
8 discussion as to how we would describe their work publicly.

9 Q And this was a call or a meeting?

10 A I remember that it says a meeting.

11 Q A meeting. And Director Petraeus was there in
12 person?

13 A I remember him being there in person.

14 Q Where did that meeting take place?

15 A I remember that meeting being in the situation
16 room.

17 Q And do you recall when it occurred?

18 A I don't remember the exact time of the meeting. I
19 remember the meeting, I think, because that was, you know,
20 difficult information to become aware of and then to
21 determine how to manage.

22 Q Can you place it -- the time of the meeting, can
23 you place it in context, either in relation to the morning of
24 September 12th when the President made the remarks in the
25 Rose Garden, was it before or after that?

1 A I remember this being later in the week.

2 Q Later in the week.

3 A Closer to the ceremony in which the remains of
4 those Americans were welcomed back to Andrews.

5 Q And who else was at that meeting, if you recall?

6 A Again, that would have been the various deputies
7 and principals from across the interagencies.

8 [Rhodes Exhibit No. 11
9 was marked for identification.]

10 BY MR. MISSAKIAN:

11 Q I would like to show you what I've marked as
12 exhibit No. 11. This is a one-page document. It's an email
13 from Erin Pelton to Victoria Nuland dated September 16, 2012.
14 When you had -- it was two emails, actually, it appears.
15 When you've had a chance to review it, just let me know.

16 A Okay.

17 Q Just focusing on the email at the bottom of the
18 chain, it's an email from Erin Pelton to a number of people,
19 including yourself, dated September 16, 9:41 a.m.

20 It appears to have gone out after Ambassador Rice
21 appeared on CBS talk show. Is that a fair reading of what
22 this is?

23 A Yes.

24 Q And I'll read it into the record. "They open with
25 Libyan President who says no attack" -- sorry, "who says no

1 doubt, attack preplanned/predetermined. Says planned by
2 foreigners. Says maybe better for FBI to stay away a little
3 while though they need their help with investigation."

4 The next sentence. "She said in all other shows that no
5 evidence this was predetermined" -- I'm sorry, "premeditated,
6 as we discussed."

7 Now, do you recall, at the time, learning with the
8 then-President of Libya had come out on the talk show and
9 said the exact opposite of what Ambassador Rice had said in
10 terms of whether or not the attack was premeditated or
11 spontaneous?

12 A I remember learning that after her appearances
13 because I didn't watch the appearances.

14 Q When did you learn? How far after?

15 A I think whenever I ^{checked}~~check~~ my email in the timeframe
16 when I would have been receiving messages like this.

17 Q When you -- so you have no reason to believe you
18 did not receive this email from Erin Pelton?

19 A No. I have no reason to believe I didn't receive
20 it.

21 Q So do you recall doing anything? I mean, this is
22 saying the exact opposite of what Ambassador Rice had said.
23 Did that concern you at all?

24 A I remember being struck by the comments made by the
25 Libyan president, but again, we -- we make our judgments

1 about what we say about events based on our intelligence
2 community, not based on foreign governments.

3 Q Okay. Fair enough. So you didn't go back to the
4 intelligence community and say, hey, what's going on here,
5 did we miss something, anything like that? You just let it
6 stand?

7 A No, I believe that we knew that we would get asked
8 questions about it, so therefore, in the process of
9 determining what our responses are going to be to questions
10 leading into the week, we would have gone back to the
11 intelligence community and flagged this as an issue.

12 Q To your knowledge, did anybody try to find out what
13 the president of Libya was relying on? Is it possible -- is
14 it -- to find out whether or not he knew something, or the
15 Libyan intelligence community knew something that the U.S.
16 intelligence community did not know?

17 A Again, that would not have been my responsibility.

18 Q So you're not aware of any efforts? You certainly
19 didn't do any personally, and you're not aware of any such
20 efforts?

21 A Again, my personal efforts would have involved
22 thinking about and working with the intelligence community to
23 determine how we would answer questions about the Libyan
24 president's statements on Monday in briefings.

25 Q And the next sentence, "She said in all other shows

1 that no evidence this was premeditated, as we discussed."

2 Now, if I read that, it suggests to me that there was
3 some discussion, I assume, in the prep call about the issue
4 of premeditation. Now, having read that, does that refresh
5 your memory in any way about what was discussed in that call,
6 or is it possible she's referring to a different discussion?

7 A I don't know what she's referring to. Again, I
8 know that we provided the talking points that had indicated
9 at that time that there was a spontaneous maker to the events
10 in Benghazi.

11 Q But she's not -- she's not saying that. She's
12 saying, "as we discussed," as opposed to "as provided in the
13 HPSCI talking points," for example. So do you believe there
14 was any discussion about the issue of premeditation in
15 preparing Ambassador Rice for the talk shows?

16 A Again, I don't know what she's referring to. My
17 recollection is that we discussed Benghazi and indicated that
18 she would be receiving -- Susan Rice would be receiving the
19 talking points that we're preparing for HPSCI, and then we
20 discussed a broad variety of events in the region.

21 Q So if I understand you correctly, your best
22 recollection is that on the prep call on Saturday, that you
23 did not discuss with her the issue of whether the attacks
24 were premeditated?

25 A I don't remember having a lengthy discussion about

1 the attacks. I remember indicating that the HPSCI talking
2 points would be the basis for her preparation.

3 Q And based on your conversation with Ambassador Rice
4 during that prep call on Saturday, do you have an
5 understanding of what document she had in her preparation
6 binder?

7 A Again, my recollection is sending her the prep
8 document that you provided to me. I don't know what other
9 documents she might have had in her materials.

10 Q Okay. So other than what's been marked as
11 exhibit 5?

12 A In addition to exhibit 5, I understood that she was
13 going to be receiving HPSCI talking points. So my
14 understanding was that she would have exhibit 5 and then the
15 final HPSCI talking points. I don't know if other materials
16 were provided to her by her staff.

17 Q Okay. So as far as you knew at the time, was it
18 your expectation that the statements Ambassador Rice would
19 make about Benghazi on the talk shows would be limited to the
20 information contained in what's been marked as exhibit 5 and
21 what would be contained in the talking points that were being
22 prepared and that would be sent to her later that night?

23 A Yes, that's my recollection of the prep.

24 Q We just have a few minutes left. If you'd just
25 give me a moment to go through my notes, I'll see if there's

1 anything I need to follow up on.

2 Okay. On -- I believe this is within the scope of the
3 agreement. On September 28, the Office of the Director of
4 National Intelligence issued a statement in which they
5 attempted to correct the record about what had been said
6 previously about Benghazi, and I believe, based on the
7 documents we've seen, that you were involved in preparing
8 that statement. Is that correct?

9 A Well, my recollection is that there was an interest
10 in providing a statement that clarified our understanding and
11 the evolution of our understanding of the events in Benghazi
12 that that statement was to be prepared by the intelligence
13 community. I work with them in my coordinating role as they
14 were preparing that statement.

15 Q So I gather you objected to my use of the word
16 "correct." I think you used the word "clarified." Why is
17 that?

18 A Well, as I recall, the purpose of the statement was
19 to explain the evolution of our understanding of the attacks,
20 given how that had taken place over the course of the time
21 between September 11th and that statement.

22 Q It was also to correct the record. There had been
23 previous statements suggesting -- stating that there had been
24 a protest in Benghazi and there was, in fact, no protest,
25 correct?

1 A Yes.

2 Q Okay. So it was, in part, to correct that prior
3 misstatement. Is that correct?

4 A And to -- again, my recollection is it was intended
5 to explain how our understanding of events had evolved over
6 time.

7 Q And to correct the record about the protest?

8 A And to make clear what the record was, yes.

9 Q Okay. And when did you learn that there was, in
10 fact, no protest in Benghazi that preceded the attacks?

11 A What I remember is that not too long after Susan
12 Rice's appearance on the Sunday shows, the following week,
13 Matt Olsen, the Director of the National Counterterrorism
14 Center testified in open session before Congress, and by that
15 point, there was the assessment of the intelligence community
16 in that testimony that there were Al Qaeda-linked extremists
17 and not a protest.

18 Q Okay. And -- that's fair.

19 Do you know if any information or any statements were
20 edited out of the HPSCI talking points to protect sources and
21 methods?

22 A My recollection is that there were edits made to
23 those talking points within the intelligence community and
24 within the CIA. I don't remember all of the reasons for the
25 edits that they made. That would have been one of the

1 considerations that they would have taken into account, given
2 that these were going to be publicly used talking points.

3 Q But as you sit here today, you don't know if any
4 edits were made for that reason?

5 A I don't know what motivated all the edits that they
6 made.

7 Q And did you have any conversations with Ambassador
8 Rice after her appearances on the talk shows in which the
9 topic of correcting the record came up?

10 A I don't remember conversations with her immediately
11 after the Sunday shows, but this is obviously an issue that
12 we have been -- much occasion to discuss since, so I've had
13 conversations with her. I just don't remember the first or
14 specific conversation in proximity to the Sunday shows.

15 Q So it may have happened shortly after the Sunday
16 shows. It may have happened a year after the Sunday shows.
17 You just don't know?

18 A I just don't know.

19 Q Okay. All right. I don't think I have anything
20 else. Thank you very much. We'll turn it over to the
21 minority staff at this point.

22 Mr. Missakian. Off the record.

23 [Discussion off the record.]

24

25

1 [7:17 p.m.]

2 Ms. Sawyer. We'll go back on the record. Thank you.

3 BY MS. SAWYER:

4 Q I just wanted to start briefly with exhibit 10.

5 A Okay.

6 Q Which I think you will have before you. And this
7 was a document that my colleague asked you some questions
8 about and said that it was some of the excerpts from a longer
9 document that we had been given and that HPSCI had been given
10 before us related to the evolution of the HPSCI talking
11 points.

12 So I don't know if these are all of the emails that you
13 are on, but I just wanted to ask you in particular about the
14 one that you had discussed with my colleague, which is the
15 third page in. It has just a -- I think a number down at the
16 bottom like 55 in that packet?

17 A Yes.

18 Q Okay. So there was a lot of back and forth about
19 potentially what you had been relying on or thinking about
20 with regard to Congress. And understanding that it's been, I
21 think, 3-1/2 years, you've indicated you weren't sure what
22 specifics?

23 A Yes.

24 Q Do you happen to recall, and I ask it in part
25 because it relates to something we talked about earlier

1 today, the Independent report, an article indicating there
2 had been a prior warning. Do you happen to recall
3 Representative Duncan, Jeff Duncan, indicating in a hearing,
4 I think it was the day after that Independent article had
5 come out, and repeating that there had been an advanced
6 warning about the attack in Benghazi?

7 A I don't recall that specific hearing. I do
8 remember that these types of theories and bits of information
9 were being, you know, amplified in different places,
10 including from Congress.

11 Q So that could be an example, it might not be the
12 one, but it could be an example of something that would be of
13 concern because it had repeated something that the day before
14 you had been dealing with in the document that we talked
15 about?

16 A It could be. Again, I don't remember specifically
17 what I was referring to, but it's an example of how
18 information gets into a loop in the media.

19 Q And so in this document, in that paragraph that you
20 were discussing it, that second sentence it says, quote,
21 "Insofar as we have firmed up assessments that don't
22 compromise intel or the" -- "for the investigation --"

23 A "For the investigation."

24 Q Sorry, "-- intel for the investigation, we need to
25 have the capability to correct the record, as there are

1 significant policy messaging ramifications that would flow
2 from a hardened misimpression."

3 You are not here making any substantive suggestion as to
4 what that assessment should include, are you?

5 A No, I'm not.

6 Q In fact, the way I read it is you are saying
7 "insofar as," so to the extent we do have firmed up
8 assessments. Is that just an accurate -- meaning those
9 aren't assessments you, Mr. Rhodes, were making?

10 A Yes, it is not our position to make the
11 determinations ourselves. It is to receive the information
12 from the intelligence community and make it available in ways
13 that do not, again, compromise sources and methods or
14 compromise an ongoing investigation.

15 Q So your request here is simply asking the
16 intelligence community, insofar as you have firmed up
17 assessments, that they should be shared in a way that you can
18 then communicate.

19 A Yes, that's what I'm asking.

20 Q That document dealt with the HPSCI talking points,
21 and in public testimony Mr. Morell was also asked
22 specifically about these communications as he finalized the
23 talking points with you and with Mr. Sullivan, Jake Sullivan.
24 And he was asked that in a public hearing on Wednesday,
25 May 22nd of 2013, before the House Permanent Select Committee

1 on Intelligence. It's in a transcript that's been
2 declassified. It's publicly available. It's also been
3 available to this committee.

4 And he responded, he explained, "So Ben Rhodes is and
5 was at the time director of communications for national
6 security staff and Jake at the time was a senior adviser to
7 Secretary Clinton and is now the Vice President's National
8 Security Advisor. So just to repeat, there was no
9 communication between the three of us before I sent around my
10 reworked version for final interagency coordination. And
11 their only comment back to me on that version was to each
12 request that we change the word, quote, 'consulate' to,
13 quote, 'diplomatic post' because the TMF was, indeed, not
14 considered officially a consulate," end quote.

15 Do you have any recalling at that time during that
16 communication of that week that involved the talking points,
17 do you recall having a different conversation or a more
18 amplified conversation than Mr. Morell indicated in his
19 testimony?

20 A I do not. Again, I just recall the comments he
21 made in the Deputies Committee to all of us and then the fact
22 that we subsequently received an email from him.

23 Q So to the best of your recollection, that week when
24 you saw the talking points that had been finalized by Mr.
25 Morell and then sent around the only change that you had

1 requested was the change of the word "consulate" to
2 "diplomatic post."

3 A That's right. I recall receiving these points from
4 Mr. Morell on Saturday and making that one change.

5 Q So to the extent it had been represented that
6 changes were requested to the final talking points by the
7 White House, the change requested by the White House to the
8 final talking points was to change the word "consulate" to
9 "diplomatic post"?

10 A That's correct.

11 Q So you were asked if you had seen Ambassador Rice
12 and you indicated you did not see her contemporaneous, but
13 you were then also shown what was entered in as exhibit 6.
14 It's probably the thicker document in your packet.

15 A Uh-huh.

16 Q And exhibit 6 is the transcript?

17 A The transcripts, yeah.

18 Q For appearances. And I think you indicated that
19 you had at some point during that week read the transcripts.
20 Is that your recollection?

21 A I recall reading some of the transcripts. I don't
22 know if I read all five contemporaneously.

23 Q And I wanted to just ask you a few questions since
24 there's always and has been over the past 3 years a lot of
25 discussion and representation as to what Ambassador Rice

1 actually said. I wanted to just spend a couple minutes
2 looking at the transcript that represents what she, in fact,
3 did say.

4 So I just wanted to start with her appearance on ABC,
5 and the conversation about Benghazi in particular starts at
6 -- it's on page 3. Using the number up at the top, page 3 of
7 this.

8 A Uh-huh.

9 Q Her comment in response to the question, there's a
10 question from Jake Tapper, it's about a third of the way
11 down.

12 A Uh-huh.

13 Q Her response is not in its own separate paragraph,
14 but you'll see "Rice:" He asks her about, you know, what
15 happened in Benghazi, and she says, quote, "Well, Jake, first
16 of all, it's important to know that there's an FBI
17 investigation that has begun and will take some time to be
18 completed. That will tell us with certainty what transpired.
19 But our current best assessment, based on the information
20 that we have at present is that, in fact, what this began as,
21 it was a spontaneous -- not a premeditated -- response to
22 what had transpired in Cairo. In Cairo, as you know, a few
23 hours earlier, there was a violent protest that was
24 undertaken in reaction to this very offensive video that was
25 disseminated," end quote.

1 And then I would just refer you to exhibit 9, which is
2 the final unclassified version of the CIA talking points. Is
3 that statement there from Ambassador Rice when she is
4 speaking about what happened in Benghazi consistent with the
5 final unclassified version of the CIA talking points?

6 A Yes, it's consistent with the CIA talking points.

7 Q And again, that CIA HPSCI talking points were what
8 you had anticipated and discussed with Ambassador Rice as
9 being the guidance for her to respond specifically to
10 Benghazi when asked about that on the show?

11 A Yes, that's correct.

12 Q And that assessment represented the best assessment
13 of the intelligence community at the time that she appeared
14 on Saturday -- Sunday morning, the 16th?

15 A Yes, that's correct.

16 Q I just direct you a little further down the page.
17 Go down another paragraph. There's another reinforcement
18 there that says, quote, "We'll wait to see exactly what the
19 investigation finally confirms, but that's the best
20 information we have at present," end quote.

21 Now, some have criticized Ambassador Rice for not having
22 sufficiently indicated that this was potentially a
23 preliminary assessment or that it could change. Do you think
24 that she failed to convey that adequately?

25 A No. I think she conveys it clearly when she says

1 that we'll have to wait and see what the investigation
2 confirms and that she frames her comments as being "our
3 current best assessment, based on the information that we
4 have at present," end quote.

5 Q And that wasn't actually the only time. That was
6 the second time she reiterated that within the course of her
7 comments, because she started her comment with an indication
8 "that there's an FBI investigation that has begun and will
9 take some time to be completed. That will tell us with
10 certainty what transpired."

11 So in this particular talk show response, when talking
12 specifically about Benghazi, she actually indicated twice
13 that there was an investigation and we would have to wait
14 until that was done to know definitively what had transpired.
15 Is that correct?

16 A Yes, that's correct.

17 Q And during the scope of the time that we're talking
18 about, which is that week, was that investigation, indeed,
19 completed?

20 A No, it was not.

21 Q So she couldn't possibly have given, based even on
22 what she was saying here, the final, definitive account as to
23 what happened in Benghazi?

24 A No, she could not have.

25 Q And the HPSCI talking points we have focused pretty

1 heavily on point one, but point three actually indicates,
2 "The investigation is ongoing and the U.S. Government is
3 working with Libyan authorities to bring to justice those
4 responsible for the deaths of U.S. citizens." So the HPSCI
5 talking points themselves acknowledge that there was an
6 ongoing FBI investigation.

7 A Yes, that is correct.

8 Q And certainly that fact was not a fact that was
9 unknown or had not been discussed even publicly in comments
10 by administration officials.

11 A Yes, that's correct. And, again, the guidance
12 given to Ambassador Rice was to work off of the information
13 prepared by the intelligence community that was going to have
14 as one purpose public use.

15 Q And then I would just direct your attention now to
16 the next Sunday show that's in this packet, which is "CBS
17 Face the Nation" on page 8. And responding to a question
18 from Bob Schieffer which specifically goes to whether it was
19 a spontaneous -- specific question about Benghazi being
20 spontaneous or was it in the planning stages for months,
21 something that we have heard about today that the President
22 of Libya may have commented on it on at least one of the talk
23 shows, she responds, quote, "Well, Bob, let me tell you what
24 we understand to be the assessment at present. First of all,
25 very importantly, as you discussed with the president, there

1 is an investigation that the United States Government will
2 launch, led by the FBI, that has begun."

3 He interrupts, "But they are not there yet."

4 She says, Ambassador Rice, quote, "They are not on the
5 ground yet but they have already begun looking at all sorts
6 of evidence of various sorts already available to them and to
7 us. And they will get on the ground and continue the
8 investigation. So we'll want to see the results of that
9 investigation to draw any definitive conclusions. But based
10 on the best information we have to date, what our assessment
11 is as of the present is in fact what -- it began
12 spontaneously in Benghazi as a reaction to what had
13 transpired some hours earlier in Cairo, where, of course, as
14 you know, there was violent protests outside of our embassy
15 sparked by this hateful video."

16 That comment on "CBS Face the Nation," is that
17 consistent with the HPSCI talking points?

18 A Yes, it is.

19 Q And in this example that I have just read to you,
20 even before she gets the assessment she says twice that there
21 is an FBI investigation and that we will have to await the
22 conclusion of that investigation to provide a definitive
23 account. Is that not accurate based on this transcript?

24 A Yes, that's correct.

25 Q So here do you think she failed to adequately

1 indicate that this was preliminary and that facts could
2 change?

3 A No. Again, I think she went out of her way to
4 indicate that these were preliminary assessments that could
5 change over time.

6 Q And then I'll just turn you to the next, "NBC Meet
7 the Press," and the conversation specific to Benghazi occurs
8 on page 12.

9 Again, there's a question about what happened there and
10 she responds, quote, "Well, let us -- let me tell you the
11 best information we have at present. First of all, there's
12 an FBI investigation which is ongoing and we look to that
13 investigation to give us the definitive word as to what
14 transpired. But putting together the best information that
15 we have available to us today, our current assessment is that
16 what happened in Benghazi was, in fact, initially a
17 spontaneous reaction to what had just transpired hours before
18 in Cairo; almost a copycat of the demonstrations against our
19 facility in Cairo, which were prompted, of course, by the
20 video."

21 That statement there about what happened in Benghazi,
22 was that consistent with the HPSCI talking points?

23 A Yes, it was.

24 Q And, again, as she leads into that, she indicates
25 that there's an investigation and that what she is giving is

1 the best information available at the time. So do you think
2 she failed to adequately caveat and indicate that this was
3 the assessment as of the time she was speaking on Sunday,
4 September 16th?

5 A I believe she was very careful to caveat that this
6 was an ongoing investigation, and we were working off the
7 information we had available to us at that time.

8 Q And that certainly you would have to await the
9 results of the FBI investigation to have a definitive
10 accounting of what had happened?

11 A Yes.

12 Q So based on what we have already looked at, it
13 appears to me certainly that in speaking specific to what
14 happened in Benghazi, her comments followed a pattern of
15 sorts in that she certainly seems to have started, at least
16 in these three examples, by discussing the fact that there
17 was an investigation. She spoke, as you indicated,
18 consistent with the HPSCI reports about what happened. And
19 then she often reminded the individuals she was speaking to,
20 and by virtue of that the American people, that there was an
21 ongoing investigation.

22 Would you agree that that seems kind of how she tried to
23 handle her explanation based on the talking points as to what
24 happened in Benghazi?

25 A Yes.

1 Q You indicated -- you were asked about a DNI
2 statement that took place some weeks later. This was the
3 16th. I think you were asked about a statement on the
4 28th --

5 A Yes.

6 Q -- just in general, where there was some discussion
7 about the evolving information that had come in.

8 So to the extent that information did, in fact, evolve,
9 would the fact -- would the sheer fact that information did
10 change over time itself be something that was inconsistent
11 with what Ambassador Rice was communicating to the American
12 people on the Sunday talk shows?

13 A It would be consistent. She said that this was the
14 best assessment we had at the time, but there would be an
15 ongoing investigation. That certainly suggests that it's
16 possible that there would be additional information and
17 additional facts, additional assessments that could cause us
18 to come forward with a different or evolving understanding of
19 events.

20 Q So the reality that as additional facts are
21 collected, the facts evolved, the assessments change, does
22 not indicate in any way that anyone actually made a mistake
23 when they made their assessment on the 15th and the 16th that
24 is reflected in the HPSCI talking points or a mistake for
25 Ambassador Rice to have relied on those in conveying the best

1 information available at the time?

2 A No. It's simply the nature of these matters that
3 you are able to learn more information. The more you can
4 investigate, the more can go back and look carefully at the
5 information available to the U.S. Government.

6 Q So in some ways the DNI statement wasn't, in fact,
7 correcting something that had been a mistake. It was simply
8 representing how the information had evolved and therefore
9 how the assessment had evolved.

10 A Yes. As I suggested earlier, we saw the DNI
11 statement as an opportunity to explain how our understanding
12 of the information and the events in Benghazi had evolved
13 between September 11th and September 28th.

14 Q And in that statement, the DNI statement on the
15 28th, the same as Ambassador Rice's statements on Sunday
16 September 16th, 12 days earlier, was the principle that we
17 talked about earlier in this, that you were endeavoring in
18 both circumstances and, in fact, in all circumstances that
19 you were involved in messaging that month about the attacks,
20 to provide to the best of your ability the best information
21 that was available at the time to the American people?

22 A Yes. That was our guiding principle in terms of
23 how we were communicating around the events related to the
24 attacks in Benghazi.

25 Q And the fact that some of those facts changed, that

1 the assessment changed in one way with regard to the
2 assessment of the protest, again, did not indicate that you
3 had been mistaken when you spoke earlier about the facts as
4 you understood them in an earlier timeframe.

5 A Yes. You have to rely on the evolution of the
6 assessment made by the intelligence community, and it is
7 natural that as an investigation proceeds and as information
8 is analyzed, that they may evolve in their own understanding
9 of events.

10 Q So certainly even if -- if it wasn't a mistake at
11 the time it was spoken, it certainly was not an intentional
12 misrepresentation of the facts that you knew at the time,
13 that Ambassador Rice knew at the time when she spoke on
14 September 16th?

15 A Absolutely not. And, again, Ambassador Rice's
16 comments on the Sunday shows track very closely to the points
17 that were produced for HPSCI that we received from the deputy
18 director of the Central Intelligence Agency.

19 Q And with regard to the messaging that you did --
20 and I believe this is within the scope -- that month, we've
21 talked a lot about that week, did you ever make any changes
22 to any of the statements or the talking points that you were
23 involved in drafting that deliberately downplayed the role of
24 terrorists and what happened in Benghazi?

25 A I did not.

1 Q Did you ever make any changes that sought to
2 portray the facts in a manner that was more favorable to the
3 administration than the actual facts would indicate?

4 A Our approach to messaging was to convey the facts
5 as best we understood them, informed by the intelligence
6 community, not for any other purpose.

7 BY MS. SACHSMAN GROOMS:

8 Q I think it was DNI Director Clapper who testified
9 that he felt that Ambassador Rice was unfairly attacked for
10 her statements on the Sunday talk shows when she relied on
11 the intelligence community's assessment. That was their best
12 assessment at the time. Do you think she was unfairly
13 attacked?

14 A I do. Any U.S. Government official who was
15 appearing in that timeframe and making use of the assessments
16 of the intelligence community would have said something
17 similar to what she said. And so, you know, I think she's
18 been unfairly attacked.

19 Q Okay. So what I'm going to endeavor to do within
20 the scope of today's interview is go through some of the
21 questions that we ask all of the witnesses that come in. So
22 when you're answering the questions, just think about the
23 scope of the interview, which I believe is the weeks
24 surrounding the attacks. And most of them will follow that.

25 What I'm looking for is just whether you have any

1 knowledge or evidence of this information. I'm not
2 specifically looking for a long discussion. So if you don't
3 have any knowledge, you can just say no and we will move on.

4 It's been alleged that Ambassador Susan Rice made an
5 intentional misrepresentation when she spoke on the Sunday
6 talk shows about the Benghazi attacks.

7 Do you have any evidence that Ambassador Rice
8 intentionally misrepresented facts about the Benghazi attacks
9 on the Sunday talk shows?

10 A I do not.

11 Q It's been alleged CIA Deputy Director Michael
12 Morell altered unclassified talking points about the Benghazi
13 attacks for political reasons and that he then misrepresented
14 his actions when he told Congress that the CIA faithfully
15 performed our duties in accordance with the highest standards
16 of objectivity and nonpartisanship.

17 Do you have any evidence that CIA Deputy Director Mike
18 Morell gave false or intentionally misleading testimony to
19 Congress about the Benghazi talking points?

20 A I do not.

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

24 A I do not.

25 Q It's been alleged that Secretary of State Clinton

1 intentionally blocked military action on the night of the
2 attacks. One Congressman has speculated that Secretary
3 Clinton told Leon Panetta to stand down and this resulted in
4 the Defense Department not sending more assets to help in
5 Benghazi.

6 Do you have any evidence that Secretary of State Clinton
7 ordered Secretary of Defense Panetta to stand down on the
8 night of the attacks?

9 A I do not.

10 Q Do you have any evidence that Secretary of State
11 Clinton issued any kind of order to Secretary of Defense
12 Panetta on the night of the attacks?

13 A I do not.

14 Q It's been alleged that Secretary Clinton personally
15 signed an April 2012 cable denying security to Libya. The
16 Washington Post Fact Checker evaluated this claim and gave it
17 four Pinocchios, its highest award for false claims. Do you
18 have any evidence that Secretary Clinton was personally
19 involved in providing specific instruction on day-to-day
20 security resources in Benghazi?

21 Mr. McQuaid. So I think as with Ambassador Rice, I
22 think that one is out of the scope, so I would ask you to
23 move on to the next question.

24 BY MS. SACHSMAN GROOMS:

25 Q A team of CIA security personnel was temporarily

1 delayed from departing the Annex to assist the Special
2 Mission Compound, and there have been a number of allegations
3 about the cause of and the appropriateness of that delay.
4 The House Intelligence Committee issued a bipartisan report
5 concluding that the team was not ordered to stand down, but
6 that instead there were tactical disagreements on the ground
7 over how quickly to depart.

8 Do you have any evidence that would contradict the House
9 Intelligence Committee's finding that there was no stand-down
10 order to CIA personnel?

11 A I do not.

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

18 A I do not.

19 Q It has been alleged that the President of the
20 United States was virtually AWOL as Commander in Chief on the
21 night of the attacks and that he was missing in action.

22 Do you have any evidence to support the allegation that
23 the President was virtually AWOL as Commander in Chief or
24 missing in action on the night of the attacks?

25 A I do not.

1 Q It has been alleged that a team of four military
2 personnel at Embassy Tripoli on the night of the attacks who
3 were considering flying on the second plane to Benghazi were
4 ordered by their superiors to stand down, meaning to cease
5 all operations. Military officials have stated that those
6 four individuals were, instead, ordered to remain in place in
7 Tripoli to provide security and medical assistance in their
8 current location.

9 A Republican staff report issued by the House Armed
10 Services Committee found that, quote, "There was no
11 stand-down order issued to U.S. military personnel in Tripoli
12 who sought to join the fight in Benghazi."

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

17 A I do not.

18 Q It has been alleged that the military failed to
19 deploy assets on the night of the attacks that would have
20 saved lives. However, former Republican Congressman Howard
21 "Buck" McKeon, the former chairman of the House Armed
22 Services Committee, conducted a review of the attacks, after
23 which he stated, quote, "Given where the troops were, how
24 quickly the thing all happened, and how quickly it
25 dissipated, we probably couldn't have done more than we did,"

1 end quote.

2 Do you have any evidence to contradict Congressman
3 McKeon's conclusion?

4 A I do not.

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

9 A I do not.

10 Q All right.

11 Ms. Sawyer. So thank you very much for your time. We
12 have asked you a lot of questions. I just want to give you
13 the opportunity, in a way, of having the final word, just in
14 the sense that I want to invite you, if there's anything that
15 you would like to add or that you think would be helpful for
16 the committee to know or understand, give you that
17 opportunity.

18 Mr. Rhodes. No. I mean, I think, you know, Congressman
19 Schiff gave me that opportunity somewhat before. So thank
20 you for the opportunity.

21 I'd just close by saying that, again, even amidst all of
22 these discussions and all of the events that have taken place
23 since, you know, what we keep in mind is the four Americans
24 we lost. And what I hope we can do going forward is try to
25 learn whatever we can to do what is necessary to protect

1 Americans who serve in difficult places overseas, because
2 that ultimately is what this should all be about.

3 Ms. Sawyer. Well, thank you. We, again, thank you for
4 your time and appearing and answering our questions
5 voluntarily. And we understand it has been a long day. So
6 thank you.

7 We are off the record and finished.

8 [Whereupon, at 7:50 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

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

Witness Name

Date

Errata Sheet

Select Committee on Benghazi

The witness' White House counsel on behalf of the witness reviewed the accompanying transcript and certified its accuracy by providing the following corrections. These corrections are reflected in the transcript as identified below.

<u>PAGE</u>	<u>LINE</u>	<u>ALL CORRECTIONS MADE BY WITNESS' COUNSEL</u>
14	8	Added a period after "Department of Defense."
20	2	Replace "Charge" with "Chargé"
62	17	Replaced question mark with period.
66	16	Replaced "is" with "to."
133	15	Replaced "check" with "checked."