

~~TS//SI//TK//G//HCS//NF~~

policy decisions, including I think exacerbating our Pakistani problem by communicating to the masses that it was about a video. Which clearly, by the time that happened, was inconsistent with the intelligence of which you have presented to us that you had in your possession.

Do you understand our conflict? I think that is why you feel a little bit of frustration from these members. And it is frustrating for me, because I know how good you are, that at some point you clearly believed this was an al-Qa'ida-linked information. Apparently it was in the talking points to the Director, according to what Mr. Morell says. But none of that was reflected to us in Congress, nor was it the recipient of policymakers who went on to make policy decisions. Somehow we got to figure this out. That is what I think this frustration you are seeing from me.

[Senior CIA officer #1]: Sir, we first indicated that Ansar al-Sharia and al-Qa'ida members, AQI members were linked to the attack in a wire that was available to this committee on the 12th.

THE CHAIRMAN: That is correct. We have that. That is our whole point.

[Senior CIA officer #1]: Right.

THE CHAIRMAN: Within 12 hours we had that. As a matter of fact, and I just want to follow up on that point, the best information you had probably going into the 12th and 13th was the actual reporting from the Annex. Is that correct? There was real time reporting. You both had -- is that correct? From the officers who were in the Annex.

MR. MORELL: The officers in the Annex obviously were not at the TMF at the start of the attack, nor did they have any knowledge of the individuals who conducted the attack.

THE CHAIRMAN: I understand that. But now we are parsing ourselves. Be

~~TS//SI//TK//G//HCS//NF~~

careful.

MR. MORELL: Okay.

THE CHAIRMAN: One day, one attack. I don't look at it as two attacks. I don't believe the Intelligence Community looks at it as two attacks. So the best information you would have is by the descriptions of the individuals who were in the fight. And they were talking about coordinated artillery fire, they had just taken heavy losses, two killed, two wounded of a pretty small force, which is pretty significant, as you can imagine. We just learned today that -- this is the first I have heard of it -- that the Intelligence Community believes that that fire was bracketed, which is a whole different level of activity. Right? That is not an angry mob when you can bracket your fire. And so going into this, this is our frustration, by the time you wrote that report, I agreed with your report. It was likely to be al-Qa'ida extremists. You said it in the beginning, the 2 days later you had another report of that, despite the other information that you received, people trying to get credit for the real work, right? We know where that happens all the time. That is our frustration. And at the end of the day, some bad policy decisions were made. So that is why at least I am frustrated about this. As I pore over the notes and the materials, I want to know how that happened. Because clearly, there was plenty of information for somebody to go, whoa, we better be careful about how we characterize this. I don't think we would all be sitting here in this meeting if that was the first way that this came out. Just the way General Clapper portrays it frequently. This is hard. It is hard to get it right. It is not exactly right. But that is not the way it was portrayed to Congress. It was it is exactly right, that this is spontaneous. And again, policy decisions were made.

That is what we are trying to figure out here. And you can help us through

that. Because the best information you had going into that weekend was from the reports on the guys on the ground and your initial 12-hour report to this committee and subsequent reports. That is what I am scratching my head, including this bracketing, which is new information for me, which is also concerning that we just found out about that today. I haven't seen that in any reporting. I mean that would lead me as an analyst to say, whoa, that is significant. That is a significant event.

MR. THOMPSON: Mr. Chairman?

THE CHAIRMAN: Yes, sir.

MR. THOMPSON: Mr. Chairman, just a point of clarification to help me on this. Do we have transcripts of what General Petraeus told us?

THE CHAIRMAN: No transcripts. We have notes taken in the meeting.

MR. THOMPSON: And do we have a number of people who took the notes and we have put these together?

THE CHAIRMAN: Yes.

MR. THOMPSON: I don't remember it the way that some are portraying it to be.

THE CHAIRMAN: Fair enough.

MR. THOMPSON: I had a number of questions when we left that briefing, but I did not have the impression that anybody had all the answers. I thought there was still a lot of unanswered questions. And I thought that this was clearly the beginning of what would be a long and involved analysis to figure out, if we ever can figure out, what really happened.

So I just for the record, I just want to -- I am not convinced it is as it has been portrayed by some on the committee.

MR. SCHIFF: I would just echo that sentiment, Mr. Chairman.

~~TS//SI//TK/G/HCS//NF~~

THE CHAIRMAN: In which particular event? The fact that the administration soundly and resoundly portrayed this as something other than what the intelligence even on either side? They didn't say it was gray. And they made decisions. That is pretty hard to disagree with.

MR. SCHIFF: My recollection is that they never posited in those early briefings that they were certain about what took place. And they gave us frequent cautions that the information was preliminary. They did say, and I recall that, you know, there are lots of RPGs and lots of weapons available, and conflicting information which is making it hard to parse out. Groups that are taking credit that may have actually been involved, groups that are taking credit that may not have been involved.

THE CHAIRMAN: This is a good point, because it helps us get to the point of this is probably the policymakers who have made a mistake. If you agree with that statement and stand by your words, then that means policymakers took intelligence of which they had and made conclusions that they probably should not have made. You agree with that?

MR. SCHIFF: It may be, Mr. Chairman, that we should have paid closer attention when the Intelligence Community told us that these were initial assessments that were subject to change. And if we made final decisions based on those assessments, mindful of the fact they might change, then maybe we bear some of the responsibility for getting it wrong.

THE CHAIRMAN: When you say we, who are you talking about?

MR. SCHIFF: I am talking about the policymakers, us.

THE CHAIRMAN: I think that is right.

MR. SCHIFF: And I share the Director's concern that we jump down their

~~TS//SI//TK/G/HCS//NF~~

~~TS//SI//TK//G//HCS//NF~~

throat for getting it wrong initially, when we are demanding of them -- and I remember that very first briefing we were very frustrated, I was frustrated, we all wanted answers, and they couldn't give us definitive answers. That is the frustration.

THE CHAIRMAN: Reclaiming my time, here is what we have. We have the administration now blaming the Intelligence Community. We have clearly information that the intelligence that was provided is consistent with what they are saying today. Well, it is true, unfortunately. And that is why we are in this mess that we are in today, unfortunately. And I think it is disturbing. Because if we are really going to spend our time, we probably should spend our time trying to hunt down the 13, 29 people that we think are responsible, find them, and bring them to justice. I am for that. The problem is we are where we are. And there is just inconsistencies that it is -- there is inconsistencies in this. And I think it is this committee's responsibility, if we like the answer or not, that we have to find out where that disconnect happened so we don't do this again as a country.

MR. SCHIFF: Mr. Chairman, I agree. It seems to me that those that were in the best position to tell what took place were our people on the ground. And the biggest question I have about the information flow in the early hours is it doesn't seem like we got that information as readily as we should have. And that was probably more reliable than the SIGINT. And I think those are all perfectly legitimate questions.

THE CHAIRMAN: Which I think is what we are all saying on the same page. Now we are saying the same thing.

MR. SCHIFF: And I agree that is definitely worth looking into. The only difference I would have, Mr. Chairman, is I recall a much greater degree of caution

~~TS//SI//TK//G//HCS//NF~~

~~TS//SI//TK//G//HCS//NF~~

and uncertainty than I think committee members recollect. I don't remember either the General or NCTC being so unequivocal about their understanding of the facts.

GENERAL CLAPPER: Mr. Chairman, if I may?

THE CHAIRMAN: I don't think NCTC was even in the meeting.

MR. OLSEN: Chairman Rogers, I was here the day before Director Petraeus, on the 13th, and I think you were not present.

THE CHAIRMAN: I was not at the NCTC. I was present for General Petraeus.

MR. OLSEN: That Representative Thompson referred to. I recall it well, because it was a difficult briefing for me because there was clearly a significant amount of frustration in the room at my failure to provide anything close to definitive or clear answers to many of the questions, including those related to security. I did talk about AQIM individuals [REDACTED], Ansar al-Sharia. So I understand your perspective.

THE CHAIRMAN: Different meeting, different conclusions. And again, the facts of which we were presented with. So I will just ask Mr. Clapper to finish up here. Who did take out, just before I yield 30 seconds to my good friend from Florida, who did take out the al-Qa'ida-linked information on the talking points as they were forwarded up?

GENERAL CLAPPER: I have no idea. I will have to look into that.

THE CHAIRMAN: Now, I would argue as a committee it is probably good that we know that to see. Maybe that is where the mistake was made. If we are not willing to call it what it is, we may make a bad decision, all of us.

GENERAL CLAPPER: Mr. Chairman, if I may.

THE CHAIRMAN: Sure.

~~TS//SI//TK//G//HCS//NF~~

~~TS//SI//TK//G//HCS//NF~~

GENERAL CLAPPER: For the record, to use a phrase, in the infamous talking points I would like to read two more points that were in the same paper. And I quote. "This assessment may change as additional information is collected and analyzed and as currently available information continues to be evaluated. The investigation is ongoing, and the U.S. Government is working with Libyan authorities to bring to justice those responsible for the deaths of U.S. citizens."

There were three talking points that we provided at your request, and only two of them -- or only one of them is the subject of all this discussion. The obvious cautions and caveats were -- had been ignored. I guess the lesson learned here for me is it will be a cold day in hell before we do any more unclassified talking points.

THE CHAIRMAN: With all due respect, sir, that is absolutely the wrong conclusion. You all are in the very difficult business of providing analytical product. It is not only for actionable intelligence, it is for policymakers to make a decision.

GENERAL CLAPPER: Exactly, sir. And if I may, the expectations seem to be that we are going to have perfect God's eye, God's ear certitude the day after a confusing event like this.

THE CHAIRMAN: With all due respect, again, sir, we made serious policy decisions afterward that caused serious problems for the United States internationally. At one time some 20 embassies, right? Protests in Pakistan subsequent to a policy decision, not an intelligence decision. We pay you all to get it right. I think you all did get it right. I think there is a disconnect that we are obligated to find out what happened so we don't do this again. And some notion that we expect you to get it exactly right is not accurate. That is not what we are doing. And I think in this case, sir, I think you are a little sensitive. We are basically telling you all you got it right.

~~TS//SI//TK//G//HCS//NF~~

~~TS//SI//TK//G//HCS//NF~~

GENERAL CLAPPER: I am shocked.

MR. THOMPSON: These guys lost lives. The Intelligence Community --

THE CHAIRMAN: And I would argue the gravity of the situation certainly didn't take hold if we didn't take the assumptions given to us by the Intelligence Community and then apply that to a policy decision.

MR. THOMPSON: I think the record should also show that we had that hearing, and then we left town for however long it was.

THE CHAIRMAN: Surely. There are plenty of us were --

MR. THOMPSON: We could have stayed and continued to drill down on this stuff.

THE CHAIRMAN: I know that Mr. Ruppertsberger and I still were still drilling down. And all members are welcome to continue to do that while they are not here. I am going to give 30 seconds --

MR. SCHIFF: For the purpose of agreeing with you, Mr. Chairman?

THE CHAIRMAN: I better not defer that too long.

MR. SCHIFF: I just want to say with respect to the Director's comments, I hope this does not cause you to never give us an unclassified version. It is sometimes very important for us to know what we can say publicly. And so while I understand you feel burned by this, I hope you will not take the lesson from this that you should never give an unclassified assessment. Because often we need that. We want to know what we can say publicly. And if you don't give us good guidance on that, we might get it wrong.

GENERAL CLAPPER: Yes. I appreciate that. But we are not the thought police. When we give information, intelligence information to other policymakers, whomever in the government, and they can do with it as they see fit. They can

~~TS//SI//TK//G//HCS//NF~~

~~TS//SI//TK//G//HCS//NF~~

ignore it, accept it, amend it, whatever they choose.

THE CHAIRMAN: And you are exactly right.

GENERAL CLAPPER: The Intelligence Community is not empowered to be thought police to make sure they speak correctly all the time.

THE CHAIRMAN: I think this is important, because we are not trying to hold you to that standard. What we are trying to do is determine what was offered, what was -- what we believe was the best assessment at the time and why, and then how that translated into a policy decision. If we don't have those discussions, I will guarantee you we are going to make lots and lots -- when I say we, I am talking about policymakers make lots and lots and lots of mistakes. And it was clear to us that there were serious mistakes made here. And I would rather not make those mistakes in the future. And if we don't learn by this, shame on us. So I think this whole iteration here of trying to parse words and get it right is just so that we understand fully what information was available when the policy was made at the time. And did they in fact do something different from the information that you all provided? When we see the stream of information, it is pretty clear to us that you guys were about dead on. That is what I am trying to say. And something happened. And we are just trying to figure out let's make sure we got that part right. And if we got that part right, then we need to move to the next step and find out how they translated that information.

Mr. Miller.

MR. MILLER: All I want is 10 seconds to correct the record. Although I was in the meeting with Director Petraeus, apparently I did miss a statement regarding overhead video. I apologize for that. I went back and checked with some staff members' notes. And I just want to make sure that it appears that he did in fact say

~~TS//SI//TK//G//HCS//NF~~

that at the tail end there was overhead.

MR. KING: The chairman yield for 10 seconds? Mr. Clapper, I just want to make it clear what I am saying is the talking points did not reflect the fact that the CIA had concluded on the 13th and the 15th that al-Qa'ida was almost definitely involved in the attacks. And that is almost the opposite of what the talking points say. That is all I am saying.

GENERAL CLAPPER: Mr. King, I agree with you. And we tried to explain the rationale for not calling out specific extremist groups.

MR. KING: I think al-Qa'ida affiliates would be a grab bag. That can encompass 20 different groups. If you just said al-Qa'ida affiliates, that would have been satisfactory, and you didn't.

THE CHAIRMAN: Then it would have been right.

Mr. Ruppertsberger.

MR. RUPPERSBERGER: I want to make a couple comments. First, observing this whole hearing, this is what our job is about. There are different inferences that have been drawn about the Petraeus testimony before this committee. And the good news, he is coming in Friday so we can get to the bottom. I know that the chairman and I have tried to stay above the fray, and not be available until recently to the media to let us get the facts. Because we are the ones that really need to get the facts. I think what I have heard here today, first thing, Mr. King or some of your other comments, you know, you have a certain recollection, as do we. My recollection was that Petraeus, when I walked away, he basically said that he felt that his opinion at that time it was kind of an attack based on what happened with respect to the video. But he did give caveats that I don't think that maybe you didn't remember, whatever, that there could change, and it

evolved. We have today Mike Morell basically said that we did make some mistakes. But if you look at what intelligence is, it is an evolving process. And the analysts get it and they get more information. If there was any issue that I look at, we didn't have enough intelligence on the ground when this occurred to make a determination. And what we were trying to do at the time of the attack was to save American lives. That is the bottom line.

MR. KING: Will the gentleman yield?

MR. RUPPERSBERGER: I will yield.

THE CHAIRMAN: It is my time.

MR. RUPPERSBERGER: I will take it.

MR. KING: No, but the gentleman says that we shouldn't reach conclusions. But clearly, the 90 percent conclusion that General Petraeus reached was that this was caused by the video, and it was a spontaneous demonstration. If he had said we don't know, that would have been satisfactory.

MR. RUPPERSBERGER: I didn't say we shouldn't say -- I said we have different conclusions. My interpretation of the meeting was a little bit different than yours. That is all I am saying.

MR. KING: I am saying at the end, when he said obviously this is evolving, but clearly he was convinced that as of that moment. And I am saying as of that moment it was a spontaneous demonstration. The evidence shows that it was not at all clear it was a spontaneous demonstration. That is all.

MR. RUPPERSBERGER: Okay.

THE CHAIRMAN: Before we go into debating each other, we have done that a couple times, let's get back to questions. We have Mr. LoBiondo has questions.

MR. RUPPERSBERGER: Let me finish my paragraph, please, Mr.

Chairman.

THE CHAIRMAN: Got it. The paragraph, please.

MR. RUPPERSBERGER: That is why I said paragraph. The bottom line here is, look, we had a tense time. We were in a very hotly contested election. It is over now. Let's move ahead. We are hearing information, we are hearing mistakes were made, and we have to move forward with respect to policy. And I really -- maybe not now, but you said policy decisions were made. I would like to know what policy decisions were made that you were concerned with because of just information that we did receive. That is the one question.

THE CHAIRMAN: I can give you pages of it. Including the receipts for the \$70,000 of advertising in Pakistan some 11 days afterward that I thought was a horrible, God awful decision.

Mr. LoBiondo.

MR. LOBIONDO: No questions.

THE CHAIRMAN: Mr. Nunes.

MR. NUNES: About 3 o'clock Washington D.C. time is when this started. Is that right?

MR. OLSEN: Three o'clock p.m.

MR. NUNES: Were any of you at that point -- when were you all notified? I guess Mr. Morell, you weren't in town?

MR. MORELL: Correct. I was in [REDACTED], sir.

MR. NUNES: Okay. So you probably wouldn't have found out until the next day then.

MR. MORELL: Actually, I was following the events as real time as I could via same time chats with headquarters and with the chief of station in Tripoli.

~~TS//SI//TK//G//HCS//NF~~

MR. NUNES: Oh, you were.

MR. MORELL: Yes, sir.

MR. NUNES: Okay. So what time did you get involved?

MR. MORELL: Okay. It was late. It was 10, 11 o'clock at night, sir, in [REDACTED]. I don't know exactly what time it was.

MR. NUNES: In [REDACTED]. A couple hour or two after this had started.

MR. MORELL: Yes, sir.

MR. NUNES: Okay. Director Clapper, when did you find out about this?

GENERAL CLAPPER: I don't exactly remember. It would have been perhaps 1700 local time.

MR. NUNES: You were here? You were in Washington?

GENERAL CLAPPER: Yes, I was here.

MR. NUNES: Were any of you at the dais here or any of you in the back row, were any of you at the White House that day?

GENERAL CLAPPER: No.

MR. NUNES: So let the record show that no one here was at the White House. Did any of you have --

MR. JOYCE: I don't know if I was at the White House. I know I was not at the White House at the time of the attack or later. I just don't know my full schedule.

GENERAL CLAPPER: I would have to look at the calendar.

MR. NUNES: On September 11.

GENERAL CLAPPER: I may have had an earlier meeting that day. I don't remember my calendar or the 11th.

MR. OLSEN: Same with me, just to be clear. I was not at the White House when I learned of the attack. I may have been there earlier in the day.

~~TS//SI//TK//G//HCS//NF~~

~~TS//SI//TK/G/HCS//NF~~

MR. NUNES: But none of you went later to the White House?

GENERAL CLAPPER: No.

MR. NUNES: While all of this was going on?

MR. OLSEN: We were on -- there was a secure video conference with the Community, including the White House, that evening.

MR. NUNES: At what time?

MR. OLSEN: Ambassador Kennedy was on as well as I. And I don't remember if you were, Mr. Joyce. But it was probably a 2-hour or longer secure video conference.

MR. MORELL: And sir, I just want to add --

MR. OLSEN: In the evening.

MR. MORELL: You can talk to Director Petraeus about this tomorrow, but he did speak to Tom Donilon twice that night. And he ordered his staff to stay in close contact with the White House on this issue.

MR. NUNES: Okay. Do we know why the Ambassador met with this Turkish diplomat that day?

MR. KENNEDY: Congressman, this was the first trip by the Ambassador back to Benghazi since he had become United States Ambassador. As you know, he had been in Benghazi earlier as the U.S. representative to the Transitional National Council before, before Qadhafi fell.

MR. NUNES: Why was he meeting? Just to catch up?

MR. KENNEDY: To catch up. Absolutely. When a U.S. Ambassador visits anything other than the capital, he tries to see the leading officials of the local government there, and he also talks to the senior representatives of allies we have because it is a good way to exchange information and to get information that we

~~TS//SI//TK/G/HCS//NF~~

can use to --

MR. NUNES: Are we aware of any arms that are leaving that area and going into Syria?

MR. MORELL: Yes, sir.

GENERAL CLAPPER: Yes.

MR. NUNES: And who is coordinating that?

MR. MORELL: I believe largely the [REDACTED] are coordinating that.

MR. NUNES: They are leaving Benghazi ports and going to Syria?

MR. MORELL: I don't know how they are getting the weapons from Libya to Syria. But there are weapons going from Libya to Syria. And there are probably a number of actors involved in that. One of the biggest are the [REDACTED]

MR. NUNES: And were the CIA folks that were there, were they helping to coordinate that, or were they watching it, were they gathering information about it?

MR. MORELL: Sir, the focus of my officers in Benghazi was [REDACTED], to try to penetrate the terrorist groups that were there so we could learn their plans, intentions and capabilities. [REDACTED]

THE CHAIRMAN: Excuse me. Not every member in the back is cleared for [REDACTED]

MR. MORELL: Then I will stop there.

THE CHAIRMAN: Thank you.

MR. NUNES: Okay. To the detainees, were there ever any detainees at either of these locations in the last year of any kind?

TS//SI//TK//G//HCS//NF

MR. MORELL: Not with regard to the CIA facility, sir.

MR. KENNEDY: And the State Department does not engage in detentions overseas.

THE CHAIRMAN: I want to dispute that for the record. I have been in some country team briefs that I am pretty darn sure that you guys --

MR. KENNEDY: The question, Mr. Chairman, related to foreign nationals. We will be very glad to detain any of you for as long as you are willing to be our prisoner.

THE CHAIRMAN: Thank you, sir, for the correction.

MR. NUNES: Mr. Chairman, obviously the room is not cleared, but I would at some point maybe like to get more into what exactly our mission is there. So maybe at the appropriate time.

MR. MORELL: I would be happy to brief you myself, sir.

THE CHAIRMAN:

[REDACTED]. So when we get back -- which I am sure that the agency would be delighted to put that as a part of the coverage. Thank you. First week of December, excuse me.

Mr. Westmoreland.

MR. WESTMORELAND: Thank you, Mr. Chairman. Ambassador, you mentioned that there had been some requests for upgrades in the security, and that those had been done, such as the surveillance cameras and other things. In the timeline you have that the guards at the gate were unarmed. Now, was that part of the upgrade of the security not to give the guards weapons?

MR. KENNEDY: There are rules that the Government of Libya imposes about the arming of civilians, sir. So that is why we had unarmed guards to do like

TS//SI//TK//G//HCS//NF

pass cameras or mirrors under vehicles and raise and lower the barriers. The armed presence was provided by the Government of Libya through this detachment from the 17th Brigade that were there as well as the unarmed guards. So it is not legal in Libya to have --

MR. WESTMORELAND: Sure. But don't you think on September the 11th, after all this, that it might have been a good thing to maybe take somebody from the 17th Brigade and maybe put them there with them or something?

MR. KENNEDY: There were three members of the Libyan 17th Brigade.

MR. WESTMORELAND: At the gate?

MR. KENNEDY: In the guard house right inside the gate, yes, sir. They were there. And we had also made other requests to the Government of Libya for augmented armed security.

MR. WESTMORELAND: But they didn't try to stop anybody from coming in.

MR. KENNEDY: We know that at least one of the 17th Brigade was shot.

MR. WESTMORELAND: Okay.

MR. KENNEDY: And I don't -- I can't go any more, because that is being still looked at in the investigation. I don't know. [REDACTED]

MR. WESTMORELAND: That is fine. But the security cameras. Now, if somebody was chanting and there was a demonstration outside of the embassy, I would assume that if I was inside the embassy, and especially if I was an intelligence officer, that I would have turned those surveillance cameras outside to see who was doing the chanting, and if they were armed, and what was going on.

MR. KENNEDY: [REDACTED]

MR. WESTMORELAND: Okay. Did you see anybody chanting?

MR. KENNEDY: The first -- the chanting and the chanting and an explosion and gunfire and the rush on the gate were I won't say simultaneous, but very, in a very, very compressed time frame.

MR. WESTMORELAND: [REDACTED]

MR. KENNEDY: [REDACTED]

MR. WESTMORELAND: Okay. Wouldn't that be conclusive evidence that there wasn't a demonstration outside?

MR. KENNEDY: [REDACTED]

MR. WESTMORELAND: No, I got you.

MR. MORELL: It is conclusive, sir. Absolutely.

MR. WESTMORELAND: It is conclusive. So that is done. There is not any more. Because I thought Mr. Clapper, General Clapper had said that there was still some questions rolling around. I may have misunderstood you, sir.

MR. MORELL: There are a lot of questions rolling around. That is not one of them.

MR. WESTMORELAND: I don't want to get Director Clapper upset right now. So there is definite evidence that there was no protest.

MR. MORELL: Yes, sir.

MR. WESTMORELAND: Okay.

GENERAL CLAPPER: There was no protests within eyeshot or earshot of the Annex.

MR. WESTMORELAND: I got you. I understand. Now, when the unarmed

overhead asset came up and we showed people inside the compound -- and I am assuming that is sovereign soil to us inside our compound, correct?

MR. KENNEDY: Yes. The mission premises are inviolable, yes, sir.

MR. WESTMORELAND: Okay. And do we know if there had already been requests for help at that point from the military or from anybody else that they could send some people to come in and protect our sovereign soil where we had a bunch of armed and unarmed people running around in it?

MR. KENNEDY: We notified the authorities. I mean, and I will ask my Defense Department colleagues to, if they could, to lay out where U.S. military forces were in the region in relation to Benghazi at 3:40 in the afternoon on that day.

MR. WESTMORELAND: Let me just say, and I know I am out of time. Let me close with this. [REDACTED]

THE CHAIRMAN: I might remind the members that we are not [REDACTED] at this time.

MR. WESTMORELAND: I am sorry. I will reserve that for later. Thank you.

THE CHAIRMAN: Just as a way of a quick announcement, Mr. Joyce from the FBI has agreed, and we promised him we would be out of here no later than 1:30. So we will finish the last three questions on this, clear the room, and then whatever time is left. And a hard stop at 1:30 that Mr. Joyce will give us an update on other activities of recent interest.

Mrs. Bachmann.

MRS. BACHMANN: Thank you, Mr. Chair. I have a request for some things that I think would be beneficial to the committee. Could you make available to us, if you have not yet, the Presidential order that authorized DOD to take any action

necessary to protect U.S. personnel or property? Could you make that available to the committee?

MR. REID: Madam, I believe that is a verbal instruction provided, as we mentioned in a previously -- not here, but in a letter. The Secretary and the Chairman were both at a preplanned meeting at the White House shortly after we learned of this and returned back to the Pentagon.

MRS. BACHMANN: So there was no paper document?

MR. REID: Not that I am aware of.

MRS. BACHMANN: There was no document. Was there an email or a communication that you could give to this committee?

MR. REID: Not that I am aware of.

MRS. BACHMANN: Would you check?

MR. REID: Yes, ma'am.

MRS. BACHMANN: Please check and get back to us. We may have it, I may not be not aware, but would you provide us the talking points for Ambassador Rice that she used for over the weekend? Do we have those? If we don't have them, would you make that available?

GENERAL CLAPPER: I think you do.

MRS. BACHMANN: But make it available for all the members. The other thing I would be requesting from you is we were able to view some of the presentation. Would you make the presentation that we have, Mr. Olsen, available to the committee so that we can have it, whether it is video or whether it is just the document?

MR. OLSEN: Yes.

MRS. BACHMANN: Okay. And for all of you who spoke, Director Clapper,

make your statements available to the committee so that we can have those as well? Thank you. And then also would you make available to the committee all of the video that was at the Annex and at the mission in Benghazi? Would you make that available to us? All of it. Not just the clips, but all of it.

MR. MORELL: Speaking for the CIA Annex, absolutely.

MRS. BACHMANN: Yes. And the mission, what they call the consulate. Ambassador. Or the FBI.

MR. KENNEDY: That material is in the hands of the FBI. And I must defer to them to turn --

MRS. BACHMANN: Mr. Joyce, would you make that available to the committee?

MR. JOYCE: Yes, with the understanding that it remains in a classified setting.

MRS. BACHMANN: Of course.

THE CHAIRMAN: All material that is supplied here is classified and remains in a classified setting.

MRS. BACHMANN: Correct. And would you make available to all the members of the this committee the drone video as well so that we could see that as well?

GENERAL ROBERSON: Fine.

MRS. BACHMANN: Okay. Are any of you prohibited from giving this committee information because of the ongoing investigation?

MR. MORELL: I am not.

MRS. BACHMANN: Is anyone prohibited?

MR. OLSEN: No.

~~TS//SI//TK//G/HCS//NF~~

MRS. BACHMANN: Okay. Would you give this committee the reports, the full complete reports of the interviews with our guys on the ground in Libya? As the chairman said, that is the best information we can have. Could we get access to those full reports of the guys on the ground?

THE CHAIRMAN: My suggestion there is that we take what the CIA has also debriefed these individuals and the results of that. The 302s are part of a criminal matter. They are probably 302s. I may be dated in my recollection. They may have changed that.

MR. JOYCE: No, but I think we can skin that cat a different way. So from the interviews, which have U.S. person information, we take the body of what was in there, the substance, and put that into an intelligence report.

MRS. BACHMANN: Is that what you meant?

MR. JOYCE: So we can provide the intelligence report.

THE CHAIRMAN: The raw 302 would have personal identification information. Information I wouldn't even feel comfortable receiving.

MRS. BACHMANN: That would be fine.

MR. JOYCE: Then going back to your question is there anything that we haven't provided? I can tell you specifically that U.S. person information. So I have reviewed all of the statements --

MRS. BACHMANN: And would we be able to review all of that here at the Capitol? Could we review all of that here in classified setting?

MR. JOYCE: What I was saying, all of that information is provided in intelligence reports.

MRS. BACHMANN: Okay. And could we also have access, there was a critical incident report that was sent by the chief of station in Libya. Could we get

~~TS//SI//TK//G/HCS//NF~~

that report?

MR. MORELL: Yes, ma'am.

MRS. BACHMANN: Okay. And also Ambassador, could we get the Secretary, Secretary Clinton's Civil Societies Initiative? It is unclassified. Can we get access to that? The Civil Societies Initiative? That is the policy document or the roadmap about our policy. Can we get access to that?

MR. KENNEDY: I am probably going to look very stupid here, but I am not sure what that document is. It is sort of outside of my normal purview on the management side. But let me dig into that and get back to you.

MRS. BACHMANN: Civil Societies Initiative is what it is called. If you could make that available to the committee. Also, I have a question about did anyone ask the military, did anyone ask the military for the F-16s, or if there were other planes at Sigonella to come and at least fly overhead?

GENERAL ROBERSON: No, ma'am. The closest fighters that were actually armed and available were in Djibouti. That is the distance from here to L.A. They were not available. The closest ones that were not armed already were F-16s in Italy. And they were at Aviano Air Base, which is the same as from here to Dallas. There were no bombs that were already built. They were not loaded on airplanes. There were no tankers --

MRS. BACHMANN: But there was no request to have any air power?

GENERAL ROBERSON: No, ma'am.

MRS. BACHMANN: Can you tell us where was the President when he was notified?

THE CHAIRMAN: This will have to be the last question. You are over.

MRS. BACHMANN: If it is the last question, let me ask this question then.

Who told the CIA to stand down?

MR. MORELL: Nobody, ma'am. Those press reports are inaccurate. And the Director and I have looked into this personally. The Director and I have interviewed our folks. We took a thorough look at this. There was nobody at the Central Intelligence Agency or outside the Central Intelligence Agency who told any of our officers to stand down, don't go, don't help. That is just inaccurate.

MRS. BACHMANN: Thank you, Mr. Chair. I yield back.

THE CHAIRMAN: Mr. Rooney.

MR. ROONEY: Thank you, Mr. Chairman. I would like to focus, if I could, specifically on the Libyan security that we had there. Mr. Ambassador, is that part of an agreement with the Libyan Government that the security that would be non-U.S. would be who was at the Annex and at the mission there? Like I guess my question is why isn't that U.S. personnel? Is it just part of the agreement?

MR. KENNEDY: Congressman, think of it as multiple layers. Inside our walls we had armed special agents of the Diplomatic Security Service.

MR. ROONEY: Right.

MR. KENNEDY: At the wall and outside the wall we had armed personnel from the Government of Libya. It is the same thing in the United States. If you drove up and down Massachusetts Avenue and went inside an embassy, you might find an armed officer of that Nation's security service inside. But outside on Massachusetts Avenue you would find the Metropolitan Police Department or the uniformed division of the Secret Service.

MR. ROONEY: Got you. Matt, on your timeline there you were talking about at the Annex at about 0515 when -- is this the Shield militia that was there? They started flashing their lights and then they took off?

~~TS//SI//TK/G/HCS//NF~~

MR. OLSEN: Yes.

MR. ROONEY: And then you said like about an hour later some Libyan group came back to escort our personnel to the airport. Is it the same people?

MR. MORELL: No, sir. The folks who came back were Libyan Government, they were folks associated with the Libyan defense intelligence.

[Senior CIA officer #1]: One point of clarification, sir. The flashing of the lights we actually think may have been a result of the concussions from -- so it wasn't that they flashed lights. We think it was because the mortars went off and the concussion caused the lights to flash, like a car alarm.

MR. ROONEY: Okay. I think that what as a former Federal and State prosecutor, one of the things, Sean, I just took from that video and your timeline was kind of the lack of anything resembling some kind of security there as far as what the Libyans were required to do. And I don't even know what they were required do. If it is like you say, if it is like the D.C. Metropolitan Police and what kind of security, but that looked like a street party. That was going into our compound and completely just doing -- they were walking around. And so I mean that was the most disconcerting thing to me. And I hear what you are saying about the flashing lights maybe being part -- but when I saw the initial truck leave the mission right before the fire, and then you see those other cars leave right before the mortars and the RPGs, I mean obviously the FBI would be looking at whoever is supposed to be helping with security because it wasn't there. And so I mean that is the thing that looked most concerning to me.

Sean, do you have any comment on that?

MR. JOYCE: I think we concur with you, sir. It is difficult to discern whether they are actually moving the vehicles to get out of the way of additional incoming

~~TS//SI//TK/G/HCS//NF~~

~~TS//SI//TK/G/HCS//NF~~

mortars or whether they actually provided advanced knowledge or information to provide the individuals that committed the attack or what they were doing. So that is part of what we are trying to determine.

MR. ROONEY: Thank you, Mr. Chairman. I yield back.

THE CHAIRMAN: All set?

MR. ROONEY: Yeah.

THE CHAIRMAN: Thank you.

Mr. Heck.

DR. HECK: Thank you, Mr. Chairman. Again, thank you all for staying here for so long and going through all these questions. As I have mentioned in other hearings, I take the perspective of Tyrone Woods who was my constituent, lived three miles from my house. I spent a fair amount of time talking with his wife about this, and her unanswered questions. I guess the first question, and I am going to take these kind of quickly since we are almost out of time. So we have heard referencing back the question from Mr. Miller about who was watching the UAV feed. So it was the National Military Command Center, JSOC Main, General Petraeus who we know that you have listed as people that we know were watching the feed. Do we know if the President or Secretary of Defense Panetta or anybody from the national security apparatus was watching this feed live as it was available? We are talking about an attack on a U.S. facility, an Ambassador is reported missing, and now we have live feed. Do we know if anybody from the National Security Council was watching the feed?

MR. MORELL: Sir, I simply don't know the answer to the question.

GENERAL CLAPPER: We will have to take that one. We don't know.

~~TS//SI//TK/G/HCS//NF~~

DR. HECK: Okay.

GENERAL ROBERSON: Sir, like you said, the NMCC was up. So we had a general officer that is on duty 24-7 that was monitoring. Took a little while to get it up, but he had the --

DR. HECK: I know NMCC. I am talking about the other individuals at the policymaking level who may have had an interest in watching the feed. And so the answer is we don't know.

MR. KENNEDY: The State Department was finally able to access the feed about midnight local time, after the events had passed. We did not -- we did not have the live feed up during the time of the attack on our facility.

DR. HECK: Major General Roberson and Secretary Reid, putting aside the issues of invading a sovereign nation, does AFRICOM, does the combatant commander have a commander's in extremis force?

GENERAL ROBERSON: Yes, sir.

DR. HECK: Was that force available during this time period?

GENERAL ROBERSON: It was. It was available and it was used.

DR. HECK: How was it used?

GENERAL ROBERSON: Well, as soon as we found out about the attack, as you have heard, the SECDEF and the Chairman were basically over at a meeting in the White House. So we got VOCCO, which is unusual for us to get voice orders to maneuver our forces. So we put three types of forces on order right away to prepare to move as quickly as possible. Two FAST units that were in Rota, Spain, and then the SIF that was in Croatia. And then a little while later, separated by a few minutes, but then the National Military Force was also activated.

DR. HECK: Realizing that -- and we have kind of got to the point where the

~~TS//SI//TK//G//HCS//NF~~

FAST team is really in name only. It is not really meant to be a fast team to deploy. Probably the SIF is the thing that I am concerned about. Why did we not -- I know you gave the be prepared to deploy order. But why did we not utilize the SIF in any way?

~~TS//SI//TK//G//HCS//NF~~

RPTS CALHOUN

DCMN ROSEN

[1:04 p.m.]

GENERAL ROBERSON: Sir, we did. They were in Croatia. They got notified they needed to move. And they were ready to deploy. So we ended up sending them into Sigonella.

DR. HECK: But we didn't go in the country.

GENERAL ROBERSON: The first folks to go into country was the fast team that went into Tripoli. One of those two fast teams was initially designated to go into Benghazi. But then that was later changed after we knew some more facts about what was happening.

MR. REID: Sir, the SIF, as the General said, it is on a 4-hour alert. They were prepared to move. The delays getting them to Signonella is, again, based on coordination with the host nation. But the SIF is actually still employed. They are still in Sigonella. And an element is in Tunisia providing security there. So they are involved but not in the immediacy of this event.

DR. HECK. Thank you. The last question regarding the security issues and the request for additional security measures that may or may not have been fulfilled. There has been a lot of media reports about a former RSO saying that he had made requests for additional security at the TMF that went unanswered. And I understand that there is the give-and-take between what is requested and what is provided trying to accomplish the mission. Is it possible to get a list of what was requested and what was ultimately provided for the TMF and for the Annex?

MR. KENNEDY: Yes, sir, we can work on something. But all the press

~~TS//SI//TK/G/HCS//NF~~

reports that I have seen keep conflating the discussions about security requests for Tripoli with security requests for Benghazi. For example, when they asked for additional money to expand the local guard force, they received it the same day. They asked for additional funds to purchase Jersey barriers, they got that money by the end of the week.

DR. HECK. So that would be helpful if we had a list of what was requested for Benghazi and what was provided or what was swapped out in lieu of the request.

MR. KENNEDY: Thank you very much, Doctor. There were times they asked, as I said, they asked for A, B, and C and we gave them A, B, D, and E because that was more forthcoming, faster, available and met the same purpose.

DR. HECK. Thank you. I appreciate that.

Thank you, Mr. Chairman. I yield back.

THE CHAIRMAN: Thank you very much. I appreciate the witnesses.

Just for the information of the members, tomorrow morning we are starting early, 7:30, in here. And we will start sharp at 7:30 to cover other issues of importance of the day. Mr. Petraeus will also be testifying that particular day.

To the witnesses, thank you very, very much. We just wanted to show you that we can still debate on this committee today. But I think you can appreciate the frustration level of what has gotten us here. We want to get through this. We want to get on to the more productive issues of the day. But it is important we get through and try to establish the facts on the committee as required, as I said earlier, by the Constitution and our statutory responsibility. So hopefully can get through this in the best manner possible so that we can move on and do good and positive things like you are doing every single day. Thank you very much.

~~TS//SI//TK/G/HCS//NF~~

~~TS//SI/TK/G/HCS//NF~~

I am going to give Mr. Joyce about 7 minutes. We will start at about 12 minutes after the hour. And he does have a 1:30 hard stop time. So for those of you who are interested in getting that update -- and I encourage you to do so -- please stay. For the rest of you, thank you very much. The meeting is adjourned.

[Whereupon, at 1:08 p.m., the committee was adjourned.]

~~TS//SI/TK/G/HCS//NF~~