

# HEARING 1

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HEARING  
BEFORE THE  
SELECT COMMITTEE ON THE EVENTS  
SURROUNDING THE 2012  
TERRORIST ATTACKS IN BENGHAZI,  
LIBYA  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED THIRTEENTH CONGRESS  
SECOND SESSION

HELD IN WASHINGTON, DC, SEPTEMBER 17, 2014

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TERRORIST ATTACKS IN BENGHAZI, LIBYA

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## HEARING 1

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WEDNESDAY, SEPTEMBER 17, 2014

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE ON BENGHAZI,  
*Washington, DC.*

The committee met, pursuant to call, at 10:02 a.m., in room HVC-210, Capitol Visitor Center, Hon. Trey Gowdy (chairman of the committee) presiding.

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

Staff Present: Phil Kiko, Staff Director and General Counsel; Chris Donesa, Deputy Staff Director; Dana Chipman, Chief Counsel; Sharon Jackson, Deputy Chief Counsel; Mac Tolar, Senior Counsel; Yael Barash, Legislative Clerk; Paige Oneto, Executive Assistant; Luke Burke, Senior Professional Staff; Brien Beattie, Professional Staff; Carlton Davis, Senior Counsel; Susanne Sachsman Grooms, Minority Staff Director; Dave Rapallo, Minority Staff Director; Heather Sawyer, Minority Chief Counsel; Ronak Desai, Minority Counsel; Peter Kenny, Minority Counsel; Laura Rauch, Minority Senior Professional Staff; Brent Woolfork, Minority Senior Professional Staff; Linda Cohen, Minority Senior Professional Staff; Kendal Robinson, Minority Professional Staff; Jennifer Hoffman, Minority Communications Director; Paul Bell, Minority Press Secretary; Mone Ross, Minority Staff Assistant; and Daniel Rebnord, Minority Intern.

Chairman GOWDY. The committee will come to order.

Welcome.

The chair notes a quorum for the purposes of taking testimony pursuant to House rules.

The chair will recognize himself and the ranking member for purposes of making an opening statement. Without objection, the opening statement of any other member of the committee who wishes to provide one will be included in the record.

A little over 2 years ago, four Americans serving our country in Benghazi, Libya, were killed. Two of them were killed when a facility emblematic of our country was set on fire, and two of them were killed when they dared to fight back and defend themselves and others.

Sean Smith, Chris Stevens, Ty Woods, and Glen Doherty represented us. They represented our country and our values. We asked them to go. We sent them. And they were killed because some people hold a deep-seated animus toward us simply because we are us.

So to the family and the friends and the loved ones of those killed, we can never adequately express our condolences and our gratitude. To the families, you have helped each of us understand these four were not just pictures on a television screen; they were sons and husbands and fathers and brothers and friends and fellow Americans.

I remain hopeful that there are some things left in our country that can rise above politics. And I remain convinced that our fellow citizens are entitled to all of the facts about what happened before, during, and after the attacks in Benghazi, and they deserve an investigative process that is worthy of the memory of the four who were killed and worthy of the respect of our fellow Americans.

Some question the need for this committee, and I respect their right to dissent. But the mark of a professional—indeed, the mark of character—is to do a good job with a task even if you don't think the task should have been assigned in the first place. And given the gravity of the issues at hand, I would rather run the risk of answering a question twice than run the risk of not answering it once.

I am willing to reconsider previously held beliefs in light of new facts and evidence, and I would encourage my colleagues and others to do the same. Because we know that all the documents have not yet been produced, and we know that there are still witnesses left to be examined, and we also know that there are witnesses who have been examined in the past but for whom additional questions may be warranted. So I would ask each of my colleagues, given their vast and varied and exceptional backgrounds, to put those talents to good use on behalf of our fellow citizens.

The House of Representatives constituted this committee, and they did so for us to find all of the facts. And I intend to do that, and I intend to do it in a manner worthy of the respect of our fellow citizens.

Our fellow citizens have certain legitimate expectations. They expect us to protect and defend those that we send to represent us. They expect us to move heaven and earth when those who are representing us come under attack. They expect government to tell us the truth in the aftermath of a tragedy always. And they expect that we will not continue to make the same mistakes over and over and over again.

Which brings us to this hearing. Benghazi was not the first time one of our facilities or our people have been attacked. Beirut, Kenya, Tanzania are three that come to mind, among others. And, after these attacks, groups come together and they make recommendations on how to prevent future attacks. That seems to be the process that is followed. A tragedy or an attack comes; we commission a panel, a board, a blue-ribbon commission to study the attack and make sure that we make recommendations to ensure that it never happens again. But yet it does happen again.

And so, to those who believe it is time to move on, to those who believe that there is nothing left to discover, that all the questions have been asked and answered and that we have learned all the lessons that there are to be learned, we have heard all of that before, and it was wrong then.

It is stunning to see the similarities between the recommendations made decades ago and the recommendations made by the Benghazi ARB. And if you doubt that, I want you to compare the recommendations of those made a quarter of a century ago, 25 years ago, with the recommendations made by the Benghazi ARB. We do not suffer from a lack of recommendations. We do suffer from a lack of implementing and enacting those recommendations. And that has to end.

So it is appropriate to review the recommendations of the most recent ARB, and I commend our colleague from California, Mr. Schiff, for suggesting that we do so.

And it is also fair to ask why we have not done a better job of implementing recommendations made, in some instances, decades ago. In other words, why does it take an attack on our people or our facilities for us to make a recommendation? Why not evaluate the threat before the attack? Why not anticipate rather than react?

In conclusion, the people that we work for yearn to see the right thing done for the right reasons and in the right way. And they want to know that something can rise above the din of partisan politics. They want to trust the institutions of government. So to fulfill the duties owed to those we serve and in honor of those who were killed, maybe, just maybe, we can be what those four brave men were, neither Republican nor Democrat, just Americans in pursuit of the facts and justice, no matter where that journey takes us.

And, with that, I would recognize the ranking member from Maryland.

Mr. CUMMINGS. Thank you very much, Mr. Chairman. And I thank you for holding this hearing today.

I know every member of this panel is dedicated to ensuring that our work honors the memories of the four Americans who were killed in Benghazi. Their names must be etched in our memory banks: Ambassador Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty.

I want to thank our colleague Representative Schiff for proposing the topic for today's hearing. And, Mr. Chairman, I want to thank you for accepting that topic so that we can see what has become of the ARB recommendations.

Too often over the past 2 years, the congressional investigation into what happened in Benghazi has devolved into unseemly partisanship. We are better than that. Today we have an opportunity to focus on reform. How can we learn from the past to make things better in the future?

And, Mr. Chairman, I agree with you that, over the years, recommendation after recommendations have been made. The question is, as you said, what became of them.

I do believe that in life there are transformational moments. That is, something happens, it causes you to stop and pause and try to figure out how to remedy the situation and make it better. And the problem is, when those moments come—and they come to all of us—the question is whether we pause, and make things better. Because usually, if we don't, we repeat the errors, and usually things get worse. And this is one such transformational moment.

This kind of oversight can be productive, it can be critical, it can sometimes even be tedious, but it can also save lives. That is what we are talking about. And that is why I want to thank every member of this panel for agreeing to do this, for we are about the business of trying to save lives. That is a very serious mission.

I sincerely hope the select committee will stay on the course of constructive reform and keep this goal as our North Star. It would be a disservice to everyone involved to be lured off this path by partisan politics.

Today we will review the recommendations of the Accountability Review Board, which was chaired by Ambassador Thomas Pickering and Admiral Michael Mullen, the former Chairman of the Joint Chiefs of Staff.

During our previous investigation, the House Oversight Committee, Chairman Gowdy and I, heard directly from both men about how seriously they took their roles. Ambassador Pickering called it "a debt of honor." Their report was independent. It was adopted unanimously by all board members. And it was a blistering examination of what went wrong at the State Department. They made 29 recommendations, and Secretary Clinton accepted all of them.

After they issued their report, the State Department Inspector General issued his own report, finding that quote "The Department wasted no time addressing the recommendations." The Department has been working on implementing those recommendations for the past year and a half, and Congress should ensure that it finishes the job.

Today I would like our witnesses to provide an update on the status of several of the Board's recommendations.

First, the Board found that the Department's response to the deteriorating security situation in Benghazi was "inadequate," and it was inadequate at the post in Benghazi, at the embassy in Tripoli, and here in Washington. Ambassador Pickering explained that the post did not take action despite crossing several tripwires that should have caused officials to review security more closely and develop a stronger response.

The Board recommended that the Department change its procedures to make sure that security breaches are reviewed immediately. Today, the Department reports that it has created a new process that requires posts to report tripwires as soon as they are crossed so security officials can review them immediately and take action if necessary. I want to know if this process is now fully operational and, if so, how it has been working so far.

The Board also found that we should not have relied so heavily on local militia groups, like the February 17th militia, to protect our posts. The Board called this reliance "misplaced," and it found that these security forces were "poorly skilled." The Board recommended the Department strengthen security "beyond the traditional reliance on host-government security, supporting high-risk, high-threat posts."

Today the Department reports that it has 17 new Marine Security Guard detachments and another new Marine unit to enhance security in changing threat environments. In addition, the State Department is now using new funding from Congress to hire 151

new personnel in the Bureau of Diplomatic Security, or DS. I want to hear from our witnesses about whether these actions are sufficient or whether we need to do more.

The Board also found fault with a Deputy Assistant Secretary with DS who denied repeated requests for additional security in Benghazi. At the time, this official oversaw the security of all 275 diplomatic posts around the world.

To address this problem, the Department created a new position to focus exclusively on the security needs of roughly 30 posts experiencing highest threats. The Board praised this action, stating that it could be “a positive first step if integrated into a sound strategy for DS reorganization.” Today, I want to hear from the State Department specifically about how this new position is working and whether they believe we should make additional changes.

Everyone understands that diplomacy, by its nature, sometimes requires us to be in very dangerous places. Our diplomats work in high-threat environments, and although we cannot eliminate every risk, we must do everything that we can to keep Americans as safe as possible when they are serving overseas.

With that, I want to conclude by recognizing the tremendous sacrifices that are made every single day around the world by our diplomatic corps, the intelligence community, and our military servicemembers on behalf of the American people.

And I remind my colleagues that this is our watch. I said to the chairman before we started, this is bigger than us. The things that we do today and over the next few months will have lasting effects even when we are gone on to heaven, and that is how we have to look at this. And so we prepare not only for the present, but we prepare for the future and generations unborn.

Thank you, Mr. Chairman.

Chairman GOWDY. Thank you, gentleman from Maryland.

The committee will now recognize and receive testimony from today’s witness panel.

The first witness will be the Honorable Greg Starr, the Assistant Secretary for Diplomatic Security at the Department of State. The second witness will be Todd Keil, a member of the Independent Panel on Best Practices. And the third witness will be Mark Sullivan, the chair of the Independent Panel on Best Practices.

Welcome to each of you. We will recognize each of you for your 5-minute opening statements. There are a series of lights which mean what they traditionally mean in life, and I am sure that you are familiar with the lighting system.

Because this is an investigative hearing, I will need to administer the oath to the witnesses before taking their testimony. So if the witnesses would please rise and lift their right hands.

Do you solemnly swear the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Let the record reflect all witnesses answered in the affirmative.

Secretary Starr, you are recognized for 5 minutes for your opening statement.

**STATEMENTS OF THE HON. GREGORY B. STARR, ASSISTANT SECRETARY FOR DIPLOMATIC SECURITY, U.S. DEPARTMENT OF STATE; TODD M. KEIL, MEMBER, THE INDEPENDENT PANEL OF BEST PRACTICES; AND MARK J. SULLIVAN, CHAIRMAN, THE INDEPENDENT PANEL OF BEST PRACTICES**

**STATEMENT OF THE HON. GREGORY B. STARR**

Mr. STARR. Chairman Gowdy, Ranking Member Cummings, and distinguished committee members, good morning. And I thank you for your invitation to appear today to discuss the Department of State's implementation of the 29 recommendations made by the independent Benghazi Accountability Review Board, also known as the ARB.

Chairman GOWDY. Mr. Secretary, I don't want to interrupt you. Would you pull the mic just a little—some of us have had a couple—

Mr. STARR. Okay.

Chairman GOWDY [continuing]. Birthdays recently, and we are hard of hearing, so—

Mr. STARR. I too, sir.

I, along with my colleagues at the State Department, look forward to working with you as you examine the issues relating to the 2012 terrorist attack in Benghazi.

The attacks in Benghazi were tragic. Today we honor those we lost by internalizing the lessons from that night to protect our people in the field as they carry out our country's foreign policy work every single day. Over the past 2 years, with Secretary Kerry's leadership, that commitment is being honored. Like you, we want to keep our people safe.

The heart of the Accountability Review Board's recommendations was to enhance the Department's approach to risk management, ensuring that when our national interests require us to operate in dangerous places that we identify the risks and take the proper steps to mitigate them.

The Department has made important strides in that regard. I would like to highlight just a few examples of how we are implementing the ARB's recommendations, including how we are giving high-threat posts the attention and the resources that they need.

However, even with this progress, it is essential for us to acknowledge that, while we can do everything we can to reduce the risk, we can never eliminate it fully.

High-threat, high-risk posts require special attention to confirm our national interests require us to operate there and to provide the right resources to do that. We have instituted a new process called the Vital Presence Validation Process—shorthand "VP2," as we call it—to do just that.

One example of it in action is our recent return to Bangui, Central African Republic. The Department suspended operations there in December of 2012. This year, using the VP2 process and a support cell process that plans for how we go into these operations, the Department engaged in an analysis that determined that we should and could go back. We worked with our colleagues at the Department of Defense to assess the security situation on the ground and develop a comprehensive plan for our return.



I'm proud to report that we deployed DOD and State Department personnel just last week. The embassy is now open. While we must closely monitor conditions on the ground, our return to Bengui demonstrates that our enhanced risk management procedures are working.

Another example of our enhanced risk management posture since Benghazi is how we have improved at training. Chief of Mission personnel, including both security professionals and all Foreign Service personnel, are now better prepared for operating in high-threat environments.

We have increased the expanded training for our DS special agents who receive high-threat training specifically, and then we have also expanded what we call our Foreign Affairs Counter Threat course for Foreign Service colleagues that are going to all of our high-threat posts. And we are working towards making this FACT training, Foreign Affairs Counter Threat training, universal for Foreign Service personnel and employees for all of our posts overseas.

Further, to combat fire as a weapon, we have partnered with the City of New York Fire Department and the Army's Asymmetric Warfare Group to enhance our training curriculum and implement countermeasures in response to fire and smoke as a terrorist weapon.

Finally, with your help, we have added to our security resources. The ARB recommended that we expand the number of Diplomatic Security personnel, and we have done just that. We are well on our way to just finishing that off and hitting all of our targets. It also recommended that we augment the Marine Security Guard program, which we have done as well.

While these are just a few examples of the Department's efforts post-Benghazi, I believe they highlight some of the key progress we have made. I will not outline all of this, all the things that we have done, in the interest of time, but I'm pleased to report that we have made what I consider to be tremendous progress on the 29 Benghazi ARB recommendations. To date, we've closed 22 recommendations and 7 are in progress or nearing completion. Today we are better prepared, better protected and informed to manage the risk.

We look forward to working with Congress and you on ensuring that foreign affairs—our foreign affairs community has safe platforms for carrying out our national interests. I want to thank Congress for the additional resources that you've provided over the past 2 years to improve and sustain this diplomatic platform.

And I'll be glad to answer any questions that you have. Thank you.

Chairman GOWDY. Thank you, Mr. Starr.  
[Prepared statement of Mr. Starr follows:]

**WRITTEN STATEMENT BY**

**Gregory B. Starr**  
**Department of State**  
Assistant Secretary for Diplomatic Security

BEFORE THE HOUSE SELECT COMMITTEE ON BENGHAZI

SEPTEMBER 17, 2014

Good Morning Chairman Gowdy, Ranking Member Cummings, and distinguished Committee members. Thank you for your invitation to appear here today to discuss the Department of State's implementation of the recommendations made by the independent Benghazi Accountability Review Board (ARB), as well as those made by the panels of experts convened by the Department at the recommendation of the ARB. I, along with my colleagues at the State Department, look forward to working with you and your fellow members as you examine the issues relating to the 2012 terrorist attacks in Benghazi.

I have been a security professional for over 30 years. I returned to the State Department in February 2013 after serving nearly 4 years at the United Nations as the Under Secretary General for Safety and Security. My experience within the State Department, as a Regional Security Officer to most recently as the Assistant Secretary for Diplomatic Security, has ranged from responsibility for day-to-day security on the ground at a single post, to running global programs for State and the United Nations at hundreds of locations. These global, wide-ranging responsibilities have provided me with extensive experience and perhaps unique perspective to evaluate, manage, and mitigate the wide range of security threats we face overseas.

The Department is committed to applying the valuable lessons learned from the tragic attacks in Benghazi in today's overseas operating environment. Over the past 2 years, with the Secretary's leadership and support, that commitment has been honored. I am pleased to report that we have made tremendous progress on the 29 independent Benghazi Accountability Review Board recommendations. To date, we have closed 22 recommendations, and 7 are in progress or nearing completion. We appreciate the opportunity today to describe the ways in which we have refined and improved our risk assessment and management. Today, we are better prepared, protected, and informed to manage risk.

The attacks on our facilities in September 2012 and subsequent attacks, like the 2013 attack in Herat, Afghanistan, remind us that the world remains a dangerous place. However, in order to advance U.S. national interests, it is sometimes necessary for the Department to operate in dangerous places. The decision to do so requires that we carefully balance the risk of operating at over 275 unique locations against our national interest in doing so. Once the decision is made to operate in a particular location, we in Diplomatic Security, together with colleagues throughout the Federal government, must actively monitor and manage the risks inherent in such operation. An enhanced risk management process is one of the important legacies of the Accountability Review Board.

The tempo of threats and attacks against us has not diminished. Every day, the Department assesses threats and our security posture to protect our people and our missions. We strive to deter and mitigate the effectiveness of any attack. It is critical to acknowledge, however, that risks can be mitigated but cannot be eliminated. Even with willing and capable governments as our partners, it is impossible to stop all terrorists or extremists from mounting attacks against us in all cases. In order to counter terrorist threats that affect our country and our allies, to fight pandemic disease, to promote American values such as promoting universal human rights and the rule of law, our diplomats and development experts must deploy around the globe. Often the locations where the threats are highest are those where U.S. presence and influence is needed most.

Given the nature of the threats we face, our work to secure our missions will never be finished. It is an ongoing, evolving process defined by proactive planning and responsive improvements. The Accountability Review Board made an important and valuable contribution in this regard, and I would also like to provide you an overview of the Department's risk management plan for high risk posts, which has been improved and developed in response to the recommendations.

One of the core components of the Department's risk management plan for high risk posts is the High Threat Post Review Board, which I chair. Other members include senior State Department officials representing both regional and functional bureaus. The Board quantitatively and rigorously assesses the threat environment to identify posts around the world that are high-threat, high-risk. This is not a static process and as emergent conditions change, for better or worse, at any post worldwide, designations will shift and posts may be added or deleted from the high-threat, high-risk designation.

Posts that are assessed to be high risk receive specialized risk-management attention. Using the Department's Vital Presence Validation Process, also known as VP2, instituted this year, we ensure that our most dangerous posts have a defined, attainable, and prioritized mission balanced against the resources and risks. Where the process determines that U.S. national interests require us to operate in these locations, the Department undertakes measures to mitigate identified risks and prioritizes resources to do so. Going forward, the Department will continue to use and refine this regularized and repeatable process.

As another aspect of the Department's broad and improved risk management plan, Chief of Mission personnel, including both security professionals and all

foreign service personnel, are now better prepared for operating in high-threat environments. We have increased the training time for our agents in the high-threat training course and expanded our Foreign Affairs Counter Threat (FACT) course for foreign service colleagues to all high-threat posts. And because we recognize that the value of these skills extends beyond high threat locations, we are working towards universal FACT training for all Foreign Service personnel and other employees at our posts overseas. We know that these skills can help safeguard U.S. government personnel whether they serve in Sana'a or Santo Domingo.

We have also responded to the Accountability Review Board's recommendations by strengthening our relationship with the Department of Defense. Over the last 18 months, we have established 17 new Marine Security Guard Detachments as well as a new Marine unit that can augment security in changing threat environments. These resources contribute to day-to-day security and can be called upon to address emergent circumstances, such as during our recent temporary relocation from Tripoli.

Consistent with the Accountability Review Board's recommendations, we have deepened our commitment to the principle that security is the responsibility of everyone within the State Department and the whole U.S. Government. We have implemented this approach in the Department's Framework for Security Accountability. This shared responsibility enables us to take advantage of the broad variety of information available. For example, every morning, I lead a daily threat briefing with security professionals and policy experts to assess information obtained from our intelligence community partners.

In closing, the Department appreciates the insights and contributions of the Accountability Review Board, as well as the complementary recommendations of the panels of experts convened at the recommendation of the Board. The Department shares the Board's goal to improve our security and risk management while advancing U.S. national interests. We are grateful for the additional resources that Congress provided over the past 2 years to improve and sustain this diplomatic platform. We are proud of our progress towards implementing the recommendations.

There is more to the implementation process than I can address in my remarks today. I will be glad to answer any questions you have at this time. We look forward to continuing to work with Congress on ensuring that the foreign affairs community has a safe platform for carrying out our national interests.

Chairman GOWDY. Mr. Keil.

**STATEMENT OF TODD M. KEIL**

Mr. KEIL. Thank you, Chairman Gowdy, Ranking Member Cummings, and distinguished members of the select committee for inviting me to testify today about our independent panel report on best practices in the aftermath of the tragic attack on the U.S. mission in Benghazi, Libya, and to provide our insight regarding the implementation of our recommendations and related issues relevant to our report.

Our panel was committed to identifying best practices from throughout the U.S. Government, the private sector, nongovernmental organizations, and international partners which can finally establish an effective risk management process in the Department of State, improve the security of U.S. diplomatic facilities abroad, and enhance the safety of Department of State and foreign affairs agencies' personnel, not only in high-risk areas but globally.

We identified 40 crucial recommendations to achieve this goal. We continue to stand behind our report in the strongest possible terms and believe that the 40 recommendations and the supporting narratives, which were derived from well-known and established best practices, provide a clear roadmap for an absolutely necessary organizational paradigm change throughout the Department of State to support the current direction of expeditionary diplomacy and the application of proven enterprise risk management enhancements.

Mr. Chairman and distinguished members, I spent a career of almost 23 years as a special agent with the Bureau of Diplomatic Security in the Department of State. As a result of my years of service, I am uniquely familiar with the history and, most importantly, the operating culture both within the Bureau of Diplomatic Security and the Department of State.

As our panel interviewed hundreds of people in the U.S. and abroad and gained valuable ground truth from our travel to 10 countries during our work, including numerous high-threat locations, I couldn't have been more personally and professionally proud and heartened, along with my fellow panel members, by hearing and witnessing the dedicated and admirable work of the men and women of the Diplomatic Security Service.

Each day around the world, the DS team faces extreme challenges and unpredictable risks to provide a safe and secure environment for the conduct of U.S. foreign policy, and they do so with distinction. The men and women of the Bureau of Diplomatic Security are truly dedicated public servants and are owed the gratitude of the American people for their service to this great Nation.

As we stated repeatedly throughout our report, best practices will not save lives unless they are resourced, implemented, and followed. Almost 14—now, actually, almost 15 years ago, as was mentioned in the chairman's opening statement, a number of very similar recommendations were made after the East African embassy bombings, and little has been accomplished by the Department of State since then to improve its approach to risk management.

While we are pleased our report has been finally officially released by the State Department, along with the implementation

fact sheet, we are disappointed with the decision not to implement recommendation number 1, the most important one, and recommendation number 13.

In a meeting earlier this year with Deputy Secretary Higginbottom and Assistant Secretary Starr, we were encouraged by their candor and support for our report and their intent to adhere to the recommendations in our report. In light of the long history of such report and recommendations to the Department of State and with a continuing sense of responsibility, we voiced our concerns in a recent letter to Deputy Secretary Higginbottom both for those recommendations not implemented and those that are apparently relying on pre-Benghazi processes and procedures to demonstrate or achieve implementation.

Now is the time. Clear the smoke. Remove the mirrors. Now is the time for the Department of State to finally institutionalize some real, meaningful, and progressive change. And as the ranking member said, this is a transformational moment. They can't lose this moment.

Words and cursory actions by the Department of State ring hollow absent transparency and verifiable and sustainable actions to fully put into practice the letter and the intent of our recommendations, which will facilitate diplomacy and safeguard the selfless Americans who carry out our national security priorities around the world. The Department of State owes it to those people who have given their lives in service to our country and to those employees who continue to serve our country in some very dangerous locations around the world to continue to identify and implement risk management best practices.

Additionally, we urge the Department to institutionalize the process of outside and independent counsel and guidance on risk management best practices sooner than 2016. The Accountability Review Board recommended that this be an annual process, and we concur that this remains a critical need for the Department and should begin as soon as possible. In our view, this is a decisively important step the Department must take to demonstrate transparency and ensure a continuing dialogue on security best practices with an input from outside, independent experts regarding operations in high-threat and challenging international locations.

Finally, Mr. Chairman, I would like to take just a quick moment to introduce another member of our panel sitting in the audience, Mr. Ray Mislock. Ray's multiple careers in public service include more than 25 years as an FBI agent, 5 years as the Director of Security at the CIA. Ray exemplifies the definition of a great American.

Thank you, Mr. Chairman.

Chairman GOWDY. Thank you, Mr. Keil. And welcome, to your guest.

[Prepared statement of Mr. Keil follows:]

**The Honorable Todd M. Keil**

**Opening Remarks before the House of Representatives, Select Committee on Benghazi**

**Washington, DC**

**September 15, 2014**

Thank you Chairman Gowdy, Ranking Member Cummings and distinguished Members of the Select Committee for inviting me to testify today about our Independent Panel Report on Best Practices in the aftermath of the tragic attack on the US Mission in Benghazi, Libya, and our insight regarding the implementation of our recommendations and related issues relevant to our report.

Our Panel was committed to identifying best practices from throughout the U.S. government, the private sector, non-governmental organizations, and international partners which can which can finally establish an effective risk management process in the Department of State, improve the security of U.S. diplomatic facilities abroad and enhance the safety of Department of State and foreign affairs agencies' personnel not only in high-risk areas, but globally. We identified 40 recommendations to achieve this goal. We continue to stand behind our report in the strongest possible terms, and believe that each of the 40 recommendations and the supporting narratives, which were derived from well-known and established best practices, provide a clear roadmap for security management enhancements throughout the Department of State.

Mr. Chairman and distinguished members, I spent a career of almost 23 years as a Special Agent with the Bureau of Diplomatic Security in the Department of State. As a result of my years of service, I am uniquely familiar with the history and, most importantly, the operating culture both within the Bureau of Diplomatic Security and the Department of State. As our Panel interviewed hundreds of people in the US and abroad, and gained valuable ground truth from our travel to 10 countries during our work, including numerous high threat locations, I couldn't have been more personally and professionally proud and heartened, and my fellow Panel members were equally impressed, by hearing and witnessing the dedicated and admirable work of the men and women of the Diplomatic Security Service. Every day around the world, the DS team faces extreme challenges and unpredictable risks to provide a safe and secure environment for the conduct of U.S. foreign policy, and they do so with distinction. The men and women of the Bureau of Diplomatic Security are truly dedicated public servants and are owed the gratitude of the American people for their service to our great nation.

As we state repeatedly throughout our report, best practices will not save lives unless they are resourced, implemented and followed. Almost 14 years ago, a number of very similar recommendations were made after the East African embassy bombings and little has been accomplished by the Department since then to improve its approach to risk management. While we are pleased our report has finally been officially released by the State Department, along with



an Implementation Fact Sheet, we are disappointed with the decision not to implement recommendations 1 and 13.

In meeting earlier this year with Deputy Secretary Higginbottom and Assistant Secretary Starr, we were encouraged by their candor and support for our recommendations and their stated intent to adhere to the recommendations in our report. In light of the long history of such reports and recommendations to the Department of State, and with a continuing sense of responsibility, we voiced our concerns in a recent letter to Deputy Secretary Higginbottom, both for those recommendations not implemented and those that apparently rely on pre-Benghazi processes and procedures to demonstrate or achieve implementation. Clear the smoke and remove the mirrors, now is the time for the Department of State to finally institutionalize some real, meaningful and progressive change. Words and cursory actions by the Department of State ring hollow absent transparency, and verifiable and sustainable actions to fully put into practice the letter and the intent of our recommendations, which will facilitate diplomacy and safeguard the selfless Americans who carry out our national security priorities around the world. The Department of State owes it to those people who have given their lives in service to our country and to those employees who continue to serve our country in some very dangerous locations around the world to continue to identify and implement risk management best practices.

Finally, we urge the Department to institutionalize the process of outside and independent counsel on risk management best practices sooner than 2016. The Accountability Review Board recommended that this be an annual process, and we concur that this remains a critical need of the Department and should begin as soon as possible. In our view, this is a decisively important step the Department must take to demonstrate transparency and insure a continuing dialogue on security best practices with and input from outside, independent experts regarding operating in high threat and challenging international locations.

Thank you very much, Mr. Chairman.

Chairman GOWDY. Mr. Sullivan, you're recognized for 5 minutes.

**STATEMENT OF MARK J. SULLIVAN**

Mr. SULLIVAN. Good morning, Chairman Gowdy, Ranking Member Cummings, and distinguished members of the committee. Thank you for asking Todd Keil and I to appear before you today.

Mr. Chairman, I consider it an honor to have served on the Best Practice Panel with outstanding and dedicated individuals. Our team of Todd Keil; Richard Manlove; Raymond Mislock, Jr.; Timothy Murphy; and staff Erica Lichliter and Stephanie Murdoch have a combined experience of 175 years of security and law enforcement expertise.

During our careers, each panel member has gained an appreciation and understanding of the importance of having clear lines of leadership in an organizational structure concerning security matters. We, as a panel, also understand that things don't always go as planned, and when they don't, it is vital to implement lessons learned in an effort to prevent them from happening again.

The panel report reflects the independent views of the panel based upon our best professional judgment, experience, and analysis of the best practices, informed by interviews, travel, and extensive research. It was a pleasure to serve with this dedicated group, and I appreciate their professionalism and hard work.

I would also like to acknowledge and thank all of those interviewed in the course of drafting this report from the U.S. Government, private sector, international organizations, and foreign governments.

The Best Practice Panel was the result of the Accountability Review Board for Benghazi, which recommended that the Department of State establish a panel of outside, independent experts with experience in high-risk, high-threat areas to support the Bureau of Diplomatic Security, identify best practices and recommendations from other agencies and countries, and evaluate United States security platforms in high-risk, high-threat posts.

Our report provided 40 recommendations in 12 different areas. Those 12 areas are organization and management, accountability, risk management, program criticality and acceptable risk, planning and logistics, lessons learned, training and human resources, intelligence, threat analysis and security assessment, program resource and technology, host nations and guard force capability enhancement, regular evaluation and change management, leadership, and communication and training.

It was the opinion of the panel all 40 recommendations would further strengthen the Department's ability to protect its personnel and work more safely on a global platform to achieve American foreign policy goals and objectives. The panel's view was that its recommendations were realistic, achievable, and measurable.

On August 29th, 2013, the panel delivered its final report to the Department of State. Of the 40 recommendations we offered, the Department accepted 38. Of the 38 accepted recommendations, the Department of State has reported that 30 have been implemented, and, in addition, the implementation process for the remaining 8 is ongoing.

The two recommendations not accepted are: the Department should, as a matter of urgency, establish an Under Secretary for Diplomatic Security; and, number 13, waivers to establish security standards should only be provided subsequent to the implementation of mitigating measures as agreed by regional bureau or other program managers, advised by Department of State, and as informed by the Department risk management model.

The Best Practice Panel looked across a wide spectrum of private and nongovernmental organizations to identify effective measures to enhance the Department's ability to ensure a safe and secure environment for employees and programs. Not surprisingly, the panel found that many institutions, including governments, refer to the Department of State Bureau of Diplomatic Security as the gold standard for security and seek to model their service after the Bureau of Diplomatic Security.

Nevertheless, any organization must continuously evolve and improve to adjust with a fluid and dynamic environment. The panel continues to advocate that the way forward should be characterized by cooperative efforts that will provide a framework which will enhance the Department's ability to protect Americans. In order to be effective, we must be innovative so that we ensure our institutions adapt and evolve to meet the ever-changing security requirement needs.

In any environment where uncertainty permeates, one certainty we share is the necessary collaborative effort that is needed in our country to ensure the safety and security of all American lives. It is also a necessary certainty that we honor and protect the memories of those citizens who have been lost as a result of violent attacks with dignity and respect.

I would like to take this opportunity to thank the Department of State, the overseas post that hosted our panel visit, and the Bureau of Diplomatic Security for the outstanding support they provided to our panel during our endeavor.

I would also like to thank Chairman Gowdy, Ranking Member Cummings, and members of the Select Committee for inviting us here today in your continued efforts to make America safe.

I look forward to any questions you may have. Thank you.

Chairman GOWDY. Thank you, Mr. Sullivan.

[Prepared statement of Mr. Sullivan follows:]

**Statement of Mark Sullivan  
Select Committee on Benghazi**

Good morning, Chairman Gowdy, Ranking Member Cummings, and distinguished members of this committee, thank you for asking Todd Keil and I to appear before you today.

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- Accountability
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- Program criticality and acceptable risks
- Planning and logistics
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- Training and human resources
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I would also like to thank Chairman Gowdy, Ranking Member Cummings and members of this Select Committee for inviting us today and your continued efforts to make America safe. We look forward to any questions you may have.

Chairman GOWDY. The chair will now recognize the gentlewoman from Indiana, Mrs. Brooks, for her questioning.

Mrs. BROOKS. Thank you, Mr. Chairman.

And I would like to start out by thanking each of the panel members for being here. You've dedicated your careers, whether it's protecting the President, whether it's protecting Foreign Service Officers or those in Homeland Security, and we'd like to thank you for that work.

In preparation for today, I looked at the Department of State's website and learned that there are reports that show—and I certainly am certain that you're aware—since the 1970s, there have been over 500 attacks on our diplomatic facilities abroad in over 92 different countries. From 1998 through December of 2013, there were actually 336 attacks against U.S. personnel and facilities. These include things like rocket attacks, firebombing, attempted murder, arson, takeovers, vandalism.

It wasn't until 1987 that the State Department started what are called accountability review boards, and there have been 19 ARBs since that time. They've reviewed only—and, as I understand, it's the mission of the ARBs to review only the most significant attacks against our diplomatic personnel and to review specifically security and intelligence and whether or not government employees breach their duties.

As the chairman and the ranking member have brought up, in the 1998 East African bombings, 300 lives were lost—12 Americans; the rest were Africans. And an ARB was convened then, and, as we have already heard, they made several findings and recommendations then. This follows what was called the Inman panel, which was 14 years before the East African ARB. And, again, many of those findings and recommendations were found in East Africa in their ARB. At the time, the then-Secretary of State accepted all of the recommendations in the East Africa ARB. And now here we are, 14 years later, and some of those same recommendations have been repeated by the Benghazi ARB.

And so we seem to have a State Department that has a long history of repeat recommendations. But I think there's a significant difference between recommendations and implementation. And I would like to talk about how that happens and how that has happened.

In fact, the board in East Africa urged the Secretary of State to, quote, "take a personal and active role in carrying out the responsibility of ensuring the security of the U.S. diplomatic personnel abroad," and it was essential to convey to the entire Department that security is one of its highest priorities.

Assistant Secretary Starr, are you familiar with the East Africa recommendations?

Mr. STARR. Not every specific recommendation, but with the report, yes, ma'am.

Mrs. BROOKS. And do you agree with the report?

Mr. STARR. Yes.

Mrs. BROOKS. Are you aware that, after the Benghazi ARB, then-Secretary gave her personal assurance, as well, that she put overall responsibility for implementing all of the ARB recommendations in the hands of the Deputy Secretary? Are you familiar with that?

Mr. STARR. Yes, I am.

Mrs. BROOKS. And that was, in fact, in her letter in December of 2012 to, at the time, the Honorable John Kerry, chairman of Foreign Relations. She indicated that the Deputy Secretary would be overseeing the implementation of the ARB. Are you familiar with her letter?

Mr. STARR. Yes.

Mrs. BROOKS. And, then, are you familiar with the fact that when Secretary Kerry became the Secretary of State, he initially kept it at the Deputy Secretary level? Is that correct?

Mr. STARR. Yes.

Mrs. BROOKS. And could you please speak into the mic? Thank you.

Mr. STARR. Yes, ma'am.

Mrs. BROOKS. Today, however, overall responsibility for oversight and implementation of all of the recommendations is with an office known as Management Policy, Rightsizing, and Innovation—is that correct?—1 of 11 separate offices that reports to the Under Secretary of Management.

Mr. STARR. MPRI is tracking. They are not necessarily responsible for implementing, but they are doing the job of tracking the implementation, yes.

Mrs. BROOKS. And it is their job.

And so I would like to just point out for those who might not be familiar—and you, too, are an Assistant Secretary reporting to the Under Secretary of Management. Is that correct?

Mr. STARR. Yes, ma'am.

Mrs. BROOKS. And so, with respect—and you say that they are tracking the implementation. However, that is the office that is day-in and day-out going in and trying to ensure that all of those recommendations are being followed. Is that correct?

Mr. STARR. One office, yes.

Mrs. BROOKS. And so, at this point, the ARB recommendations, it's really not at the Secretary of State level; it's not at the Deputy Secretary of State level, the second level; it's not with an Under Secretary; but the tracking is happening at the fourth tier. Is that correct? The tracking and making sure that day-in and day-out—it's at the fourth tier.

Mr. STARR. The tracking is going on at MPRI, but I can also give you further information about how it is, in fact, being closely looked at by the Deputy Secretary herself.

Mrs. BROOKS. And the Deputy Secretary—are you familiar with the Inspector General's report, sir?

Mr. STARR. Yes, I am.

Mrs. BROOKS. And the Inspector General who issued the report in 2014 also believed that at the highest levels in the Department, those are the individuals that must be personally responsible for overseeing those recommendations. Isn't that correct?

Mr. STARR. Yes, it is.

Mrs. BROOKS. And, in fact, indicated in the IG report that that's how lasting change and cultural change would happen, is if implementation were at the highest levels of the Department.

Mr. STARR. Yes, that is true.



Mrs. BROOKS. I would like to ask Mr. Keil, if I might, your Best Practices Panel indicated that where a security function is placed in a department is a statement of how that organization values security and its personnel.

Do you recall that finding, Mr. Keil?

Mr. KEIL. Yes, ma'am, very well.

Mrs. BROOKS. And can you please explain, with respect to recommendation number 1, which has not been implemented by the Department, can you please talk about the importance of that recommendation of elevating the importance, actually, of Mr. Starr's position, to a higher level? So can you please talk about the importance of that recommendation and what you understand as to why the Department is not elevating the importance of security within the organization at the current time?

Mr. KEIL. As we looked at other government agencies, non-governmental organizations, and the private sector, it became very clear that the placement of the chief security officer with responsibility for the safety of the programs and the people—it clearly depends on where it is placed within the organization. And especially at the Department of State, where visuals, because of the culture of the Department of State, are so crucially important, the placement of that position was crucially important.

Mr. Starr previously served up at the United Nations in charge of their Department of Safety and Security. In that organization, he was an Under Secretary. That position was an Under Secretary. The United Nations recognized that important—in that diplomatic world, where you see things really matters.

And, ma'am, if you would actually look at our recommendation number 40, we recommended that the Secretary should establish a comprehensive change management strategy throughout the Department that is led by the Deputy Secretary for Management and Resources. So those two things clearly come together and are crucially important.

Mrs. BROOKS. And, in your view, the Best Practices Panel, when they looked at the organization of the Department, it was clearly your view that overall responsibility for security from a visual standpoint, which is important in large organizations, was too low on the org chart. Is that right?

Mr. KEIL. From a visual standpoint and also from an operational standpoint. I remember, on the first day, when we brought out the org chart as part of our panel, Mr. Sullivan was trying to find the Bureau of Diplomatic Security, and I had to keep pointing him further and further down the org chart until he identified it.

Mrs. BROOKS. And while it might not just be where it's placed on the org chart visually, it has to do with command and control, does it not?

Mr. KEIL. Exactly. Command and control and informed decision-making.

Mrs. BROOKS. And, in fact, when you are a lower level on an organization chart, that requires you to then move up within the organization to get approval for things that you would like to do. Is that correct?

Mr. KEIL. Yes, of course.

Mrs. BROOKS. I'd like to just briefly wrap up with Mr. Sullivan.

And with respect to—you've led a large Federal agency, the Secret Service. Is that correct?

Mr. SULLIVAN. Yes, ma'am.

Mrs. BROOKS. And you understand the span of control. And so, with respect to the need to lead lasting cultural change in an organization, which is what I believe this panel is going to try to lead and to do, where does that need to start?

Mr. SULLIVAN. I think it needs to start at the top.

Mrs. BROOKS. And when you start at the top, which would be the Secretary of State, if you want to emphasize within your entire organization the importance—and in this place—of security, the Deputy Secretary or the Under Secretary, which are considered principals in a department—is that correct? And that's the highest levels?

Mr. SULLIVAN. Yes, ma'am.

Mrs. BROOKS. And with respect—do you have any other comments you would like to make with respect to Mr. Keil's assessment?

Mr. SULLIVAN. No, I'd just—you know, when we look at, you know, management, that is a very large and very complex directorate. And it has some very important and critical functions going on there, but it's personnel, it's budget procurement. I believe there may be about 20 or 21 Assistant Secretaries and Deputy Assistant Secretaries reporting up to that Under Secretary.

And, for us, quite frankly, this was not about an upgrade in title. I mean, quite frankly, from my perspective, I don't really care what the title is. I just think there needs to be a direct report up to the—you know, in my former position—and I may be biased—you know, I reported directly to the Secretary. We had the Deputy Secretary of the FBI was on our panel, and the FBI Director reported to the Attorney General.

We just believe that that's the way that this should be structured. We think, internally and externally, it tells people, you know, where security is thought to be and the importance of security. But, again, this was not about an upgrade in title. This was just about clarity of who's in charge of security.

Mrs. BROOKS. Thank you.

And I yield back.

Chairman GOWDY. The gentlelady from Indiana yields back.

The chair will now recognize the gentleman from Washington, Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman.

We've talked a lot about process—sort of, who's in charge, how can we—I always think one of the first recommendations when everything goes wrong is go back and review who was in charge, how we can change the process, how can we sort of move around who was and who should be responsible. But what I really want to focus on is what should be done, regardless of who it is, who's in charge of it.

The challenge I see—and as I've traveled around the world to various different posts, I'm just awed and amazed at the risks that people who serve in the State Department take every day. I went to a consulate we have up in Peshawar in Pakistan, and just listen-

ing to the personnel there talk about going back and forth to work every day, all the security that's involved.

We are in a lot of dangerous places throughout the world. And most of the people in the State Department that I talk to take a certain amount of pride in that. That's their job; they go into tough places to make sure that American interests are respected and watched over.

But the question becomes how do you protect them? So we've got the Africa recommendations and these recommendations. What have we learned about what you can specifically do, forgetting for the moment of who's in charge of doing it, to enhance security at high-risk posts?

And I guess it'd be a two-piece, and I'll start with Mr. Starr. How do you identify the high-risk posts, first of all? And then, second of all, once you identify one, what do you do? How do you then try to enhance security and make sure that people are protected?

And if you could tie that back into what played out in Benghazi. I don't think there's any question that people view that as a high-risk post. What should have happened as a result of that identification that didn't? And then the broader question about high-risk posts and how you approach them, now and before.

Mr. STARR. Thank you, Mr. Congressman.

We have always rank-ordered our posts according to threat. We look at the threat of terrorism; we look at the threat of civil disorder. This is done in a process every single year with a tremendous amount of input from the post itself, from the emergency action committee on the post, which has members from all the different agencies that are represented. We rank-order these posts and give them ratings for terrorism, for civil disorder, for things like crime, counterintelligence, human intelligence, technical intelligence—

Mr. SMITH. And then the question, the real key question there is, then what? Okay, once you identify them, how do you try to better protect them?

Mr. STARR. We look at these posts, and for years we have worked through something called the Overseas Security Policy Board to craft policies, security policies, and standards—physical security standards, technical security standards, procedural security standards—on what we can do at these posts at these different threat levels.

Once we decide and we see that a post is in our highest threat—let's say a critical threat category, we are going to devote more RSOs. We are going to look at, what's the size of the Marine detachment? Does it need to be larger?

In terms of our posts in the physical security, that plays a huge role in when we decide which posts we want to rebuild under the Capital Security Cost-Sharing Program. And we prioritize replacing the most vulnerable posts with newer, much more robust, much safer facilities that we build with, you know, funding from Congress and the Overseas Office of Buildings.

We look at the threat, and we make determinations—now, in the aftermath of Benghazi, we have categorized our 30 highest-threat, highest-risk posts. We sent out teams specifically to those posts, and in addition to just making sure that they meet the security

standards, are there things that we need to do in addition to the security standards that make sense? These were multi-agency teams that we sent out.

We continue to look at the threat information from every post around the world that we get every single morning. We start at 8 a.m. every morning looking at the threat information that we get. But one of the critical lessons we learned from Benghazi is that there are many times—and we know this from times past—that we don't get specific threat information before an attack. If we did, we would thwart the attack.

Mr. SMITH. Right.

Mr. STARR. And, you know, Congresswoman Brooks talked about how many attacks that we have suffered over the years. That's our document that we put out to ensure that people know what the environment is.

We look at the threats, and then we determine, what do we have to do? We have been practicing risk management for years. In many cases, we take our dependents out of posts, or we may downsize the post, or in critical places we may actually close the post for a certain amount of days or we may evacuate the post. There are times when we go to the U.S. military and ask Department of Defense to augment our protection on the ground. In Sana'a and in Tripoli, we had nearly 100 Marines with us.

So, on a daily basis, we look at exactly what's happening at our posts overseas, try to make sure that we are aware of whatever intelligence is out there, try to make sure that we are fully aware of the larger instability question, "What does that mean to us?", and put the right resources in the right place and take the proper steps.

Mr. SMITH. So as a result of the ARB, on this specific instance, what do you think you learned specifically about Benghazi? What should have been done there that wasn't?

And, actually, let me ask Mr. Sullivan that question.

Mr. SULLIVAN. You know, sir, our focus was not to evaluate what happened in Benghazi. Our focus was to, you know, come up with best practices. During the course of that, we did become aware of certain things that did happen in Benghazi. This may be a way of answering your question.

When we met with the Assistant Secretary—and we met as a panel—we quickly determined that we were going to take our approach from a tactical approach to a more strategic approach. We recognized that, you know, they didn't need us to tell them what type of weapons to get, what type of fire equipment to get, that they needed—we needed to approach this from a strategic perspective.

I think one of the things you see in any type of a situation where things go bad is communication. And I think this comes down to communication. And, you know, we made recommendations under planning and logistics; we made four different recommendations there. And I believe for any type of a trip, whether it be to Benghazi or wherever you go, there has to be a cohesive plan, there has to be logistics, you have to do a very good job of risk management.

Obviously, there was a communication breakdown for that visit to Benghazi. I think it was mentioned earlier that there were numerous tripwires there. I think in that spring, starting maybe in March of 2012 and going up until July or August of 2012, there were numerous incidents that were occurring in Benghazi. I think one embassy moved out; the British moved out of Benghazi. That needed to be communicated. That needed to be discussed. They needed to talk about, you know, what were the mitigating measures they were going to take to protect our people at that mission.

And, again, I think that, unfortunately, four people paid the price because that communication didn't occur and that planning and logistics, quite frankly, didn't happen the way we are recommending it should occur and which I have every confidence that Assistant Secretary Starr and his staff are working on right now.

Mr. SMITH. Mr. Keil, did you want to add something on that?

Mr. KEIL. I think, Congressman, the first question is not about how many people you send, how many walls you build, and how high they are. The first question has to be—and that's where we change from a tactical approach on our panel to a strategic approach on our panel. The first question has to be, do we need to be there? Do we need to be in Benghazi? Do we need to be in Peshawar?

And the Department lacks a risk management process to make those informed decisions. Do we need to be in those places? Do the risks—are the risks less than the national security priorities or the policy gains? The Department does not have that process to determine do we need to be there and do we need to stay.

And that's the center and the heart of our report. The Department needs that process. Not just give them more people, not just give them more guns, not just build the walls higher. Do we need to be there? And if the national security priorities outweigh the risks, fine, then go. There's nothing wrong with that. We are not saying don't go. But you need that risk management process, which the Department lacks, to make those determinations.

Mr. SMITH. Yeah.

Mr. STARR. Congressman, could I just—my good friend Todd Keil here—could I just say perhaps it should be past tense, “lacked” as opposed to “lacks”? This is one of the things that we have concentrated on most over the past 2 years. It is the heart of the Vital Presence Validation Process.

Mr. SMITH. Yeah. And talk about that because Chairman Gowdy talked at the outset about the necessity of this panel. There is no question that there was a necessity to look at what happened in Benghazi and learn from it. But we have done that with a number of different reports, and as you point out, we have made this change now.

So what is different about that communications level as a result of the ARB and some of the other studies that we have done?

Mr. STARR. Sir, the biggest single change that I would really like to point out is the Department's acceptance—not just acceptance but embracing this concept that, first and foremost, as Todd just alluded to, Mr. Keil just alluded to, we need to ask the question, why are we in the most dangerous places?

Mr. SMITH. Right.

Mr. STARR. And the 30 places that we identified as the highest-threat, highest-risk, that's exactly what we are doing, going through every single one of those 30 and doing this Vital Presence Validation Process.

The first step is, what is our national interest for being there? Why should we run these high risks that we have already identified as a high-threat, high-risk post? And if the answer comes out that the risks don't outweigh why, you know, we should be there, the national interest, then we are going to make decisions that either we have to put additional security in or we are going to have to withdraw our presence.

Mr. SMITH. And we have actually, in the last year, pulled out of posts as a result of that process, correct?

Mr. STARR. Not as a result of that process. That's the longer strategic process. But the risk management process and the principles of it, yes, exactly so. We have pulled out or closed posts because of these things.

Mr. SMITH. Thank you, Mr. Chairman.

Chairman GOWDY. I thank the gentleman from Washington.

The chair would now recognize the gentleman from Kansas, Mr. Pompeo.

Mr. POMPEO. Thank you, Mr. Chairman.

Mr. Starr, you said in your just recent testimony that there was no immediate tactical warning—that's the same thing that the ARB found—about the incident before Benghazi. Is that correct?

Mr. STARR. That's my understanding, yes.

Mr. POMPEO. And it is also the case that, in your experience, that's often not the case, that there's an immediate tactical warning?

Mr. STARR. That is very true, sir.

Mr. POMPEO. And so I want to talk about that intelligence. You, in your opening statement, didn't mention anything related to findings 21 and 22 that had to do with intelligence. In fact, none of these matter, VP2 is not an important fact if you don't have the threat analysis right. Ranking them, all of the various things you've talked about are meaningless if you don't have the threat analysis correct—that is, if you don't have the right intelligence and have it in the right place.

Would you agree with that?

Mr. STARR. Yes, sir. But I would just add that it is not just the intelligence. You also have to look at the entire situation in the country. It's analysis and intelligence.

Mr. POMPEO. Yes, of course. I would agree with that, as well. Indeed, there were some 20 incidents that were referred to by Mr. Sullivan a bit ago in and around from March of 2012 up and through the death of the four Americans where there was an incredibly deteriorating situation in and around Benghazi. Would you agree with that, as well?

Mr. STARR. The situation was deteriorating.

Mr. POMPEO. And finding number 21 said careful attention should be paid to that kind of thing, when the situation deteriorates. In your July 14th fact sheet, your only response to that particular finding was that the Department has addressed this recommendation.

Can you tell me what that is, what it is you've done to address this recommendation?

Mr. STARR. I can discuss part of it in open session, sir.

As I alluded to earlier, literally, we start every morning at 8 a.m., looking at every bit of threat intelligence and threats that come in from a wide variety of sources, not just the intelligence community but from our posts and the reporting.

Beyond that, we bring in personnel from the regional bureaus, the political officers and others that are with us, that we are not just looking at the threat intelligence. Because, as you pointed out and as we well know, in many cases, we don't pick up the threat before an attack.

Mr. POMPEO. I don't want to interrupt, but if you can tell me if this is different pre-Benghazi as opposed to post-Benghazi, this process, I'd appreciate that as you go through.

Mr. STARR. This is different, sir. We are incorporating the regional bureaus with us. We are looking at the political reporting in addition to the intelligence reporting.

We are looking at sources that we get from private companies, from NGOs in the area, the entire question of instability, what is the overall threat profile, and I would say that a much better job of looking at the entirety of the threat situation as opposed to just whether or not we know whether there's a specific threat against us.

Mr. POMPEO. And after all the incidents in the previous years that have been recounted so eloquently this morning, you weren't doing that before the incidents of September 11, 2012, or before the ARB's findings? Is that right? The State Department wasn't doing that? Is that what I understand from your testimony?

Mr. STARR. I think we're doing it better than we were before.

Mr. POMPEO. And can you tell me if any of these changes would have made an impact on the lives of those four Americans in Benghazi, had we been doing those before that date?

Mr. STARR. Hard for me to say, sir. I was at the United Nations at that time. I can tell you that, at the U.N., when I was the Under Secretary General, we were aware of the deteriorating security situation in Benghazi. On the date of the attack, September 11, 2012, I still had U.N. personnel in Benghazi as well.

Mr. POMPEO. Let me change topics just a little bit.

One of the findings of the Best Practices Panel that now dates just a bit over a year ago was that the State Department had not interviewed the DS agents who survived the attack at the Benghazi Special Mission Compound as of that date.

Is that still the case?

Mr. STARR. The agents were interviewed by the FBI. The agents were interviewed by Diplomatic Security.

Mr. POMPEO. So the State Department now—so was the panel incorrect or did you conduct these interviews after the panel's report—the independent panel's report?

Mr. STARR. The FBI 302s and the interviews were done prior to the Best Practices Panel. We had discussed tactics with the agents, but we were not—we had not fully debriefed them on the incident because we had the FBI 302s.

Mr. POMPEO. It may have been important to know what the folks on the ground saw that night. Right? In order to implement the security considerations, it would be very important to know what those people saw?

Mr. STARR. Yes, sir.

Mr. POMPEO. The same for the folks who were their TDY who weren't there that night but had been there previously.

Has the Department of State interviewed all of those persons at this point?

Mr. STARR. Has the Department of State—all of the—I hesitate to say “all.” We have interviewed a number of people that we thought relevant to the attack.

Mr. POMPEO. When those interviews were conducted by the Department of State, were they conducted individually or in groups?

When the interviews were conducted by the Department of State, were they conducted individually or were they group interviews?

Mr. STARR. Individually.

Mr. POMPEO. All right. So I asked that question because, you know, the ARB conducted group interviews. And I've seen that dynamic. I was in business for 16 years before this. When the boss is sitting around, the underling isn't often as candid as they might be in a situation where they were there independently.

So as we look at the ARB's findings in trying to evaluate if they are sufficient for you to do what you need to do, that is, to implement them, it's important to know the basis for what the ARB did as well. And I appreciate that.

So these interviews were conducted by the Department of State individually?

Mr. STARR. Yes, sir.

Mr. POMPEO. Thank you.

Mr. Keil, Mr. Cummings referenced the State Department's Inspector General's report. One of the things that it said is—it indicated that at least two Secretaries of State have asked the question about whether the ARB was a sufficient process, that is, is it capable of handling investigations of the complexity of the kind that we see here.

Do you think that the ARB itself is sufficient to make this transition from facts known about an incident to conducting good security policy moving forward?

Mr. KEIL. I think there are limitations in the law that establishes the ARB and it—especially when you're talking about a complex catastrophic incident, they have significant limitations in what they can and can't do. So it clearly impacts their effectiveness.

Mr. POMPEO. And, Mr. Starr, back to you, finding 23 goes to some of those limitations. It goes to the ARB's capacity and its authority to recommend disciplinary action on the basis of unsatisfactory leadership. It indicates that you all are prepared to help us change the statutory authority of the ARB so that they can do that.

Are you prepared to testify today that you'll help us continue to make sure that the ARB does, in fact, have the ability to make sure that the leaders of organizations are held accountable for any errors that they may have made?



Mr. STARR. Yes, sir. And it's my understanding that we have been looking at this and working with the Congress since December of—sorry—January of 2013 on this.

May I also just say that one of the points that I think is important to make is that, while the ARB in several cases may not have the expertise to look at everything, the fact that the ARB recommended that we consider putting together a Best Practices Panel that could then delve further into the specifics I think proves that the ARB can make recommendations that can go beyond what they can do and look even further.

I think that's a very good example of the fact that, while the ARB may not have the exact expertise that you're talking about, recommendations can be made that bring in other experts to do these things.

Mr. POMPEO. I appreciate that.

And so you think it's important that the ARB have the capacity to at least recommend some type of disciplinary action against senior leaders in various agencies that they're reviewing?

Mr. STARR. The ARB already has the ability to recommend disciplinary action if they find a breach of duty. I think what we're looking at now is whether or not—if they find a lack of leadership. I would support that as well.

Mr. POMPEO. Right. Right. Thank you. That's exactly what I was asking.

I have a handful of questions that go to the scope of the ARB. Mr. Starr, I know you weren't on that—none of you were—but I want to make sure we understand precisely what's there.

Do you know if the ARB had the opportunity to interview the CIA employees and contractors who were on the ground that night who might know something about the security at the SMC as well as the other facilities in Benghazi that evening?

Mr. STARR. I do not know the answer to that, sir.

Mr. POMPEO. Do you know if they have had the opportunity to interview the DIA people who might have known something about the intelligence and the security situation on the ground that night?

Mr. STARR. I'm sorry, sir. I do not know the answer to that.

Mr. POMPEO. Great.

I won't go through the rest. There's a handful more questions about what I think the scope of the ARB has in its information. I think they're important.

I also wondered if you had all had a chance to review any of the intelligence that had been gathered as a result of the capture of Abu Khattala, who would know a fair thing about what was going on that night on the ground as well.

And so I'm interested in whether you all have had the chance to incorporate that into your ideas about implementing the ARB.

Mr. STARR. We are aware of the debriefings. We're looking at some of the debriefing material that is relevant to us, and we are taking the proper steps based on what we find.

Mr. POMPEO. Great. Thank you.

Mr. Chairman, I yield back.

Chairman GOWDY. Chair would now recognize the gentleman from Maryland, Mr. Cummings.

Mr. CUMMINGS. I thank you very much.

Mr. Starr, I want to pick up where Mrs. Brooks left off.

How is the Department tracking its compliance with the Benghazi ARB recommendations? Can you tell me briefly.

Mr. STARR. Mrs. Brooks is correct that the MPRI office is the one that is actually doing the tracking as we go through these.

But I can tell you that I have had many meetings with the Deputy Secretary, myself, anyone that has anything to do with the response of a particular ARB answer or Best Practices Panel answer or the management panel answer where we have sat with the Deputy Secretary and literally gone through every single one of the recommendations: Where are we? How have we answered it? What is the response? How far along in implementation are we?

We have these meetings about every other month. She's out at the moment. But, literally, she has been on top of this and tracking it since the beginning.

Mr. CUMMINGS. And so you said that there were seven ARB recommendations that have not been completed. Is that right? Is that what you said?

Mr. STARR. We are still in progress or nearing completion on seven of them, but they're not totally fulfilled.

Mr. CUMMINGS. And do you have a timeline on those?

Mr. STARR. Some of those, sir, are what I would refer to as evergreen recommendations. And I'll give you an example. One of the recommendations was for better language training for the Diplomatic Security agents.

Since that time, we worked with FSI and specifically put together some courses in Arabic, Urdu and French. We call them Arabic, Urdu or French alert courses. They're much shorter. They're specific to training DS agents in the types of language capabilities that they need in a short period of time.

We have the courses in place, but the reality is it's going to take me a long time, you know, as I—as agents get ready to rotate overseas, then put them into the training and then get them trained. So that's the type of recommendation that's going to actually be open for a long time.

Mr. CUMMINGS. So—but all of them aren't like that, are they, of the seven?

Mr. STARR. Many of them are evergreen recommendations.

Mr. CUMMINGS. Well, what I'm trying to get to—

Mr. STARR. Some of them will be closed in 2015.

Mr. CUMMINGS. Yeah. Let me tell you where I'm going with this.

I've seen over and over again in my 17 years in Congress that departments will come in, say they're going to do things, and then they wait. There's no checking up on them. A new Congress comes in and the next thing you know, it hasn't been done. We want to be effective and efficient. This is a moment that we've got to take advantage of.

So can you—of those seven, the things that you know can be done in a definite amount of time, can you give us a timetable on those so that we can, at least while we are a committee—can hold the Department accountable? Is that a reasonable request?

Mr. STARR. I think that's a reasonable request, sir. I'd rather not do it orally right at this moment, but we can supply you with the

information on where we are on those recommendations, implementation panel.

I would say, sir, that there is no doubt in my mind that we are going to implement every one of these recommendations. I think one of your questions is whether or not we have been implementing ARB recommendations. One of the exercises we went through last year was to review every single ARB recommendation that has been made since 1988.

The office of MPRI, that office that is tracking these—we sat down with them and went through every recommendation in the past to make sure that we were doing our best to fulfill those, and that office is going to track these in the future as well.

I think I—I can understand some hesitancy about whether, you know, this—if we drag these out, they're not going to get done. I can assure you, sir, that, while I am there, while Secretary Kerry is there, we are going to make sure that every single one of these recommendations is fulfilled.

Mr. CUMMINGS. As I get older, I realize that we're not going to be here but so long. We are in the places that we're in for a season, and it may come to an end in any—in all kinds of ways.

That's why I want you, as I said in my opening, under our watch. I want some definite timetables so that we can hold somebody accountable. Other than that, we're going to be going through—Mr. Keil said it best—we'll be going through this over and over and over again.

Can you understand what I'm saying?

And so—but you just gave me some more information that I'd like to add on to your list. If there are crucial things that we've been looking at, recommendations from 1988 that you are working on, would you add those, the significant ones—going back to Mrs. Brooks now—that you haven't been able to complete that you're working on so that we can have a timetable on that?

I think that the most important thing that we can do coming out of this—and I promised the father of Tyrone Woods. I looked him in the eye. And he asked us one question—and, by the way, every family that we talked to said the same thing: Make it safer for somebody in the future.

So, Mr. Starr, are you with me? I just want to make sure you're with me.

Mr. STARR. Yes, sir. I am.

Mr. CUMMINGS. All right. So will you come back to us—how much time do you need to give us what I just asked for?

Mr. STARR. Let me take this back to the Department and let me work through this. I will try to get you these answers as fast as possible.

Mr. CUMMINGS. 45 days?

Mr. STARR. Absolutely.

Mr. CUMMINGS. Very well.

Mr. Chairman, we can talk about this. But, Mr. Chairman, it may be appropriate later on for us to have a hearing just on the progress that has been made. And I know that's the chairman's decision, but I don't—I think we need to make sure that we stay on top of this.

Mr. Starr, the independent ARB found that the tripwires, which are security incidents, that are supposed to trigger reviews and responses were “too often treated as indicators of threat rather than essential trigger mechanisms for serious risk management decisions and actions.”

The Senate Select Committee on Intelligence came to a similar conclusion in its bipartisan report. It said “There were tripwires designed to prompt a reduction in personnel or the suspension of operations at the mission facility in Benghazi. And although there is evidence that some of them had been crossed, operations continue with minimal change.”

As a result, the ARB recommended that the State Department “revise its guidance to post and require key offices to perform in-depth status checks of post tripwires.” Is that right?

Mr. STARR. Yes, sir.

Mr. CUMMINGS. And in response to this recommendation, the State Department set up a “tripwires committee” in Washington.

As I understand it, the purpose of this entity is to review tripwires when they are triggered to help ensure that post and the relevant regional bureaus respond quickly to deteriorating security environments.

Mr. Starr, who is on that committee?

Mr. STARR. Regional bureaus—representatives from regional bureaus. It’s chaired out of the crisis management group out of the State Department operation center.

I think the biggest single change, sir, is that, in past years, the tripwires were usually something that the post itself would look at as part of their emergency action plan and then, if they’d crossed a tripwire, they would determine what action needed to be made and then report to us what decisions they were going to have.

At this point, the major change is that anytime a post crosses a tripwire, it has to be reported to Washington. At that point, CMS gathers a group of people that review what tripwire was crossed. They look at the implications on it, and we make decisions on what should happen.

Now, in many cases, the post may have already made the decision, but this is a new review that goes on back on the Washington level as well and with a much greater degree of oversight and a much greater degree on emphasis on action if a tripwire is crossed.

Mr. CUMMINGS. Can you give me an example that’s actually happened with regard to that, what you just said.

Mr. STARR. Sir, I would say that tripwires are not just security concerns, but I’ll try to concentrate on a security concern.

The activities in Kiev and Ukraine recently, at the beginning of those activities, when it was clearly unsure what was happening and we had civil disorder in the city, the post reported that quite a few tripwires had been crossed for instability and for insecurity.

Decisions were made at that point, and we made a decision that we were moving our dependents and nonessential personnel out of Kiev. We moved them out until the situation had ceased, had rectified itself.

We looked at what we call reverse tripwires. Was the situation really changed and what had changed? And then we made the decision—we ultimately made the decision to return the families in

about 2 weeks after the situation in the middle of town that could have affected our personnel was resolved.

Mr. CUMMINGS. I look forward to receiving the information that we requested.

Thank you, Mr. Chairman.

Chairman GOWDY. Thank the gentleman from Maryland.

The chair will now recognize the gentleman from Georgia, Mr. Westmoreland.

Mr. WESTMORELAND. Thank you.

Mr. Starr, the ARB found that—systematic failure in the security posture in Benghazi and it was inadequate for the special mission compound.

And just a little side note here. 3 days after the attack, we had been calling at the Embassy. We were told that it was a temporary mission facility. And now it's being called the special mission compound.

Was there any reason for the terminology continuing to evolve into something?

Mr. STARR. I think, sir, as it was neither an embassy nor a consulate nor a consular agency, there was just some—

Mr. WESTMORELAND. Do you call it a temporary mission facility or do you call—

Mr. STARR. I think the term of "temporary mission facility" is probably the right definition.

Mr. WESTMORELAND. Okay. So—all right.

Anyway, they had hired the Blue Mountain, I believe, is that correct, to do the screening of any visitors and the perimeter protection?

Mr. STARR. My understanding from the ARB and other reports was that it was a contract with the Blue Mountain security company for Libyan individuals and agreements with—I think it was the 17th militia as well.

Mr. WESTMORELAND. That was the host country security, was the 17th Brigade?

Mr. STARR. Well, in the absence of a practical and real host country security, I think that was the best that they could do.

Mr. WESTMORELAND. But the Blue Mountain was unarmed. Is that correct?

Mr. STARR. Correct.

Mr. WESTMORELAND. Who's responsible for vetting these contractors like Blue Mountain that's going to be used at some of these facilities?

Mr. STARR. In terms of—vetting in terms of a contract and performance and those types of things?

Mr. WESTMORELAND. Yeah. Uh-huh.

Mr. STARR. Normally, sir, it's—we have an open competition process. How we contract for guard services is a function that has been given to us with very specific requirements from Congress.

It's open competition, and the—you know, whoever can bid on it and meet the requirements does it. I think, in contingency-like situations like we were finding in Benghazi, there was probably, probably, very little competition, very little—

Mr. WESTMORELAND. So was this the lowest priced bidder?

Mr. STARR. That, sir—I'm not there at the time. I can't really tell you. I don't—

Mr. WESTMORELAND. Are you aware that two contracts that these people had in Tripoli were canceled and that the RSO at the temporary mission facility had recommended that they not be used?

Mr. STARR. I have read reports of that, sir.

Mr. WESTMORELAND. Okay. You were once an RSO. Correct?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. In your distinguished career, do you ever remember recommending that a service not be used that you were familiar with anywhere and then them being hired over your protest or your recommendation?

Mr. STARR. Not in my experience, sir.

Mr. WESTMORELAND. Okay. But you would have at some point recommended somebody or maybe not recommended anybody? I mean, was it your job to look at the performance of these people that you were aware of and report it?

Mr. STARR. As an RSO, when we have guard contracts, if we find that our contractor is not performing, we have a variety of ways. We can deduct money or we can ultimately find that they are not performing.

And if they're found to be lacking and can't perform the contract, they can be terminated, they can be barred. They can actually be barred if that, you know, goes that far.

Mr. WESTMORELAND. All right. You had mentioned the 17th—February 17th, the Martyrs' Brigade, I believe is what it was called, and we have been told that that was basically the host company security. Is that true or not?

Mr. STARR. I would hesitate to call that host country security, sir. I think, at best, it probably had some control in that area of the city, but this is based on what I've read from the reports.

Mr. WESTMORELAND. Is there an individual that would be at the post that would be responsible for ensuring that the 17th Brigade was responsible and dependable?

Mr. STARR. Sir, I wasn't there at the time. As a former RSO, I can probably tell you that there were likely limited choices.

And one of the things that an RSO would do at that point, if he was faced with limited choices, was try to train them as best he could to try to make the best of whatever situation he was handed.

Mr. WESTMORELAND. He would have to train the February brigade or—

Mr. STARR. If he found that they were not up to the levels that he wanted, he would engage and assist in the training and making sure that they understood the guard orders and making sure that they had the capabilities that were necessary.

Mr. WESTMORELAND. Okay. Now, let's say that—and they were hired to—in case there was an attack inside the compound to respond.

Who would have the contact information? And who would've been responsible on the post for contacting this protective brigade of martyrs?

Mr. STARR. There were—as I read the reports, sir—again, I was not here at the time—there were personnel on the compound. They

had telephone communication with their own groups. The agent that was in the—

Mr. WESTMORELAND. With their own groups?

Mr. STARR. With other personnel in the group. With other personnel.

And there was communication on the part of the ARSO, who was in the operations center, who was making phone calls, and there were phone calls that were being made from the annex.

Mr. WESTMORELAND. Okay. Let's go to the tripwires that Mr. Cummings was talking about.

The Foreign Affairs handbook defines tripwires as events that activate, initiate or set in motion post plans to prevent harm to the post, its personnel, the U.S. citizen community or other U.S. national interests. The handbook also notes that, when a tripwire then occurs, it requires that an action be taken.

Are you familiar with that?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. It's my understanding that the tripwires are preplanned, preapproved measures that should be taken in light of a security-related incident or threat. Is that true?

Mr. STARR. That is true, sir.

Mr. WESTMORELAND. Has the State Department emphasized to the post the purpose of having tripwires?

Mr. STARR. Has the State Department?

Mr. WESTMORELAND. Having tripwires.

Mr. STARR. Yes.

Mr. WESTMORELAND. When a tripwire is breached, meaning something bad has happened, that breach is the trigger to take specific action; is it not?

Mr. STARR. At a minimum, it is a—it is a warning that the post must review what has occurred and then determine whether action needs to be taken, at a minimum.

Mr. WESTMORELAND. Take action rather than just requiring that they sit around and reevaluate the situation?

Mr. STARR. Well, sir, tripwires are written in advance of activities. We try to cover a wide variety of situations that could occur. Predicting the future and exactly what your actions are going to be is very difficult.

I think the purpose of tripwires really is to indicate that, "Wait. Something has just happened. This could be significant. We need to consider whether or not we need to take action in this case."

Mr. WESTMORELAND. Okay.

Mr. STARR. As I said previously, it was normally a post activity. Now, once a tripped wire is tripped, it is looked at both by the post and by the various sections in Washington.

Mr. WESTMORELAND. Would you consider a hole being blown in the perimeter wall of the temporary mission facility—would you consider that a tripwire?

Mr. STARR. I'd certainly say that's a good indicator, sir. Probably crossed the tripwire, at that.

Mr. WESTMORELAND. And that event would have probably—should have caused some action or discussion. Correct?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. Would an attack on another diplomat's coming into Benghazi that caused that country to pull out—would that have been a tripwire?

Mr. STARR. I assume you're referring to the attack on the British Ambassador, sir.

Mr. WESTMORELAND. I am.

Mr. STARR. That's another tripwire, sir. Yes.

Mr. WESTMORELAND. Okay.

Mr. STARR. I certainly think that's an indication of security problems and instability.

Mr. WESTMORELAND. And so those were two tripwires that you would consider significant; would you not?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. And what was done with the security after those two tripwires were tripped?

Mr. STARR. Sir, as I said, I was not here at that time. I was not in Diplomatic Security.

Mr. WESTMORELAND. Well, you've read reports.

Mr. STARR. I've read the reports—

Mr. WESTMORELAND. Yes.

Mr. STARR [continued]. And I'm aware that the RSOs were increasing physical security. They were engaged in building safe havens inside the facility. They had engaged in training with the guards, training routines. They had run drills with the annex.

I think they were—from what I've read, they were doing the types of things that an RSO would do when he sees the situation beginning to deteriorate.

Mr. WESTMORELAND. Well, thank you for your testimony.

Thank all of you for being here.

And let's hope we can get some results out of this tragic event.

Chairman GOWDY. I thank the gentleman from Georgia.

The chair will now recognize the gentleman from California, Mr. Schiff.

Mr. SCHIFF. Thank you.

At the outset, Mr. Chairman, I want to thank you for conducting the hearing today and for the way that you have worked with us to bring together witnesses and follow up on ARB recommendations. I greatly appreciate it.

I want to ask you gentlemen something that cuts in a bit of a different direction than the questions you've had thus far, and that is—I serve also on the Appropriations Subcommittee on State and Foreign Operations, and I have an opportunity to meet with a lot of Foreign Service officers both here in Washington and around the world.

Many of them have described to me what they consider the "Benghazi effect" on their jobs. And, by that, they refer to such a heightened concern about security that many of them feel they cannot fulfill their mission anymore, that they are confined to a bunker, that they're not allowed to undertake things they think are necessary to their job responsibilities.

And I think this sentiment was best expressed in June by Vice President of the American Foreign Service Association, Matthew Asada, who wrote, "Does our collective response to Benghazi threaten to make the Foreign Service less knowledgeable about the



world, less effective on the ground and, ultimately, less influential with the host country and the U.S. government itself?”

That’s a question that Ambassador Stevens might have asked. And I wonder if you could share your thoughts on it. As we implement the recommendations of the ARB and of your panel, how do we make sure that we’re not preventing our people from doing their job?

We all acknowledge this is a dangerous thing. And, as my colleague pointed out, our facilities have been attacked literally hundreds of times over the last couple decades. It’s happened in the past. It’s going to happen again. We want to protect our people as best we can, but we want them to be effective. That’s why they’re there.

So if you each could share briefly your thoughts on: Are we striking the right balance or has the “Benghazi effect” meant that we are undermining the ability of our people to do their work?

Mr. STARR. Congressman, you are going to the heart of the question of risk management and how do we implement risk management.

I will tell you that, over many years, with the support of Congress, we’ve made great strides in building safer and securer facilities so that an attack on a facility that could hurt everybody in one attack—we’ve done great things in terms of protecting that.

And I think, if you look at the number of attacks against our facilities and how few have actually been successful—most have been driven off with casualties by our security personnel or others only—we’ve made great strides in that.

But we can’t lock people inside embassies. The whole point of diplomacy is to get out. And I think we need to understand—and a lot of the processes that we’ve been talking about are at our highest-threat, highest-risk posts. We’ve got the most security and, in many cases, it will be the most restrictive for our Foreign Service personnel.

But we’ve got to have the security programs in place to get them outside of the wall as well, and that means protective security details and it means armored vehicles and it means working with the host country security services.

Every single day that we run motorcades outside of our embassy in Kabul or in Iraq or in Sana’a or the ones that we ran in Tripoli, we were taking risks.

But every single day we were judging what that risk was versus the need to get out and making sure that we could balance those risks and that we were not running those motorcades or getting our people out for not very good reasons. They had to be very important reasons.

In lower-threat-level posts, we’re operating almost normally around the world. We have physical security at our post, but our people get out every single day.

That’s the work of diplomacy: Talking with people, understanding the country, representing the United States, and bringing information back. And you don’t do that without talking to people.

So I think all the efforts that we’ve made in terms of recognizing what are our highest-threat, highest-risk posts, doing risk management and making sure that we’re getting the people out when we

can, but understanding that, if too many people get injured or it's too dangerous we can't operate or, if we're negligent or we're not taking the threat seriously enough, we won't be there either.

We'll close that post if we get too many people killed or too many people injured or the threat is too high. Those are the types of things that we need to weigh every single day, and we do.

I can understand the frustration of Foreign Service officers at our highest-threat-level posts. No, sir. They cannot live on the open economy. They cannot just go to a coffee shop. But we are still, even in the highest-threat locations, getting them to the meetings that they need to get to.

Mr. SCHIFF. But I don't think that's the issue for them, as much as they would like to be accompanied by spouses and go to a local coffee shop.

What they've expressed to me is not that, which they understand, but that they can't undertake the meetings they want in the places they need to go to have those meetings and have the contacts they need to be able to gather the information for our government, to be able to convey the U.S. position to people. They can't do their job because they're confined by a hyperconservative point-of-view perspective back in Washington.

And do you get that feedback? And are there any situations where you feel the pressure has been such—to be so risk-avoidant—that we're not allowing our people to do their job?

Mr. STARR. I think, in the immediate aftermath after Benghazi, there is a deep appreciation of that attack and we may have—the pendulum may have swung the other way for a while.

I think today, with the systems that we have put in place, with the risk management that we are doing every day, with things like VPVP, the additional resources that you're giving us, I would not agree with that statement, sir.

I think we need to take certain precautions, and we do. But I talked with Ambassador Deb Jones when we were still in Tripoli. I talked with the Ambassador in Sana'a about whether we're getting out enough and doing the things that we're doing. And they're saying, yes, we are, and it's the right balance.

Mr. SCHIFF. Gentlemen, let me ask a different question because I have very limited time.

One of the problems we had in Benghazi was an overreliance on the willingness, ability, or loyalty of the local militias to provide security.

Are there any places around the world today where you feel we're continuing to place an overreliance on local militias for security of our facilities?

Mr. SULLIVAN. You know, that was something that, you know, we talked an awful lot about, Congressman. The fact that—you know, when you go into a situation like that, you have to be able to evaluate the will and the capability of a particular guard force.

And I think, no matter where you go in the world, you're going to always have to come up with that evaluation. And if you don't have that will and you don't have that capability, no amount of money you're going to pay in that contract is going to resolve that.

And that's why, again, it goes back to risk management. If you don't have those capabilities locally, you know, you have to go and

bring them in yourself. And I can't speak to where they aren't—you know, who has them and who doesn't have them where—in the world.

But I really do think, when you look at the reaction of that guard force, you know, leading up to that, those tripwires that were spotted there, I mean, that was a real concern. And, again, I just go back to there wasn't the will—there might have been the will, but there just was not the capability.

Mr. SCHIFF. Mr. Keil, on either question.

Mr. KEIL. Well, I think, first of all, sir, one of our recommendations—well, to start with, as Mr. Sullivan pointed out in his opening statement, when we first started with our panel, we thought we were going to look at these tactical issues of building bunkers and building higher walls.

We quickly realized that wasn't the answer because that doesn't facilitate diplomacy, and we moved to the strategic and looked at the Department in overseas posts and risk management.

We asked Ambassadors, Deputy Chiefs of mission and Foreign Service officers as we traveled overseas, "Tell us about the State Department's risk management process." Without exception, each one said there is none and they make it up. And, sadly, I think, to this day, while they may be making progress, that's still a significant concern.

Risk management process—as you indicated, sir, the Foreign Service is a dangerous business. We have to be out there. We have to do these things that are national security priorities, but we have to do it under a risk management process that's effective and sustainable and transparent.

Mr. SCHIFF. Thank you, Mr. Chairman. I yield back.

Chairman GOWDY. Thank the gentleman from California.

The chair will now recognize the gentleman from Ohio, Mr. Jordan.

Mr. JORDAN. Mr. Keil, how many years of experience do you have in the security field?

Mr. KEIL. Approximately 30, sir.

Mr. JORDAN. And how many years did you serve in the State Department at that same area?

Mr. KEIL. Almost 23.

Mr. JORDAN. Did you get good evaluations? High reviews? Strong reviews?

Mr. KEIL. Yes, sir.

Mr. JORDAN. So good, in fact—I looked at your resume—that you actually were put on the security detail to protect the Secretary of State. Is that accurate?

Mr. KEIL. Yes, sir. Secretary Warren Christopher and Madeleine Albright.

Mr. JORDAN. Protecting two Secretaries of State.

And then your most recent service in the public sector was as Assistant Secretary at Homeland Security. Is that right?

Mr. KEIL. Yes, sir.

Mr. JORDAN. And that's an appointment from the Obama Administration?

Mr. KEIL. Yes, sir.

Mr. JORDAN. Do you trust the agents in the field, Mr. Keil?

Mr. KEIL. I trust them implicitly. They have the best perspective. They know the ground truth. They know what's going on.

Mr. JORDAN. Under their assessment, their instincts, they're the guys on the ground putting their lives on the line just like you did.

So when they make a recommendation to the State Department, you take that seriously?

Mr. KEIL. Yes. I would.

Mr. JORDAN. And are you familiar with the fact that the guys on the ground in Benghazi repeatedly asked for additional security and were repeatedly denied?

Mr. KEIL. Yes, sir. From what we saw.

Mr. JORDAN. Routinely denied. They said, "We need"—"Look, this thing is out of control. We need some more good guys here" and repeatedly asked for that and repeatedly denied.

And it was worse than that, wasn't it, Mr. Keil?

Mr. KEIL. Possibly. Yes, sir.

Mr. JORDAN. Yeah.

Because what they asked for, they not only—they said, "We need more," but what they had was actually reduced. Is that accurate?

Mr. KEIL. Yes.

Mr. JORDAN. We heard about a year and a half ago testimony from Colonel Wood, who was on the ground in Benghazi, and he said this: "We were fighting a losing battle. We couldn't even keep what we had."

Now, Mr. Keil, my guess is—you know, we've heard—we're the United States of America. We've got facilities all over the globe. And my guess is, at every facility, the security people would say, "We could use a few more folks here. We'd like a few more." My guess is that that happens.

But wasn't the situation in Libya and Benghazi somewhat unique?

Mr. KEIL. Sir, when you look at the intelligence, the threat reporting, the deteriorating security environment, and the numerous incidents, yeah. I would prioritize Benghazi.

Mr. JORDAN. Some have talked about, "We had IED attacks, RPG attacks, assassination attempt on the British Ambassador. This is as bad as it gets." And they said, "We need more good guys here." And the State Department says, "No. You're not going to get that. In fact, we're going to reduce what you had."

If you were an agent on the ground in Benghazi at the time, Mr. Keil, would you have been lobbying for more help to come to Benghazi?

Mr. KEIL. I'd probably be doing more than lobbying. I'd be extremely frustrated and try to push every button I could possibly push.

Mr. JORDAN. Flip it around. You're the guy at the desk in Washington. You get the request from these guys on the ground for more help.

Would you have fought to make that request happen?

Mr. KEIL. As a matter of fact, sir, my last position with DS, I was the regional director for DS Regional Bureau, vetting those requests from the field. I would have put a significant amount of priority on Benghazi requests.

Mr. JORDAN. Oh. So you had that job?

Mr. KEIL. Yes.

Mr. JORDAN. Before Benghazi, you had that job?

Mr. KEIL. Correct.

Mr. JORDAN. And you would have went to bat for these folks?

Mr. KEIL. Yes. I would have.

Mr. JORDAN. Mr. Keil, what's the Overseas Security Policy Board?

Mr. KEIL. Overseas Security Policy Board is an interagency board that is the genesis from the Beirut Embassy bombings; the Inman Commission, which created the Diplomatic Security Service; the Inman standards. It's an interagency board that creates physical security, technical security, procedural security requirements—

Mr. JORDAN. So these were standards developed interagency. So they're the State Department standards. Is that correct?

Mr. KEIL. State Department leads OSPB.

Mr. JORDAN. And this resulted from the Embassy bombing in Beirut where 63 people were killed, 17 Americans?

Mr. KEIL. Yes, sir.

Mr. JORDAN. And were the standards followed at the Benghazi facility?

Mr. KEIL. Sir, we saw a memo which authorized the continued opening of the Benghazi mission, which referred to it as the special mission compound. In talking with people, and based on my experience, it was a purposeful effort to skirt the standards.

Mr. JORDAN. So the standards weren't followed?

Mr. KEIL. No.

Mr. JORDAN. Now, my understand is there's a waiver process that you have to follow if, in fact, you're going to deviate from the standards.

Was the waiver process followed?

Mr. KEIL. That was one of our recommendations, sir. And when you're not following the standards, you don't have to follow the waiver process either.

Mr. JORDAN. So they didn't follow standards or the waiver?

Mr. KEIL. Correct.

Mr. JORDAN. Mr. Keil, what's your overall impression of the ARB report?

Mr. KEIL. Mr. Sullivan and I testified before the House Oversight and Government Reform Committee. Ambassador Pickering referred to the ARB as being fiercely independent.

In that same hearing, Admiral Mullen admitted to Oversight and Government Reform that he was reporting on ARB proceedings to the senior staff of the State Department outside of the precepts and the requirements of being a member of the ARB. I don't think that fits anyone's definition of being fiercely independent.

Mr. JORDAN. You don't think it was independent at all?

Mr. KEIL. Not based on what was—

Mr. JORDAN. Frankly, I share your belief. I mean, when Secretary Clinton gets to appoint the co-chairs of the board, when Cheryl Mills calls him up and asks him to serve, when neither Secretary Clinton or Cheryl Mills are interviewed, when they get a draft report before it goes public, in essence, they get to edit the report before the rest of the world gets to see it.

And as you point out, when Admiral Mullen told the committee—told the committee he—now, think about this. He’s been on the job a few days. As the cochair of the supposedly independent ARB, been on the job a few days, he interviewed Charlene Lamb and he discovers that Charlene Lamb is going to 2 days later come in front of the Oversight Committee and he realizes she’s not going to be a good witness.

What does he do? Just what you referenced, Mr. Keil. He gets on the phone and calls the Chief of Staff to the Secretary of State and says, “Hey, Charlene Lamb is not going to be a good witness. She’s not going to reflect well on the State Department.” He gives a heads-up to the very person he’s supposed to be investigating. So of course this thing wasn’t independent.

I mean, think about—we asked Mr. Mullen, “Why do you care whether she’s a good witness or a bad witness? It’s your job to get to the truth for the American people and for the families of those four individuals who lost their lives, not to give a heads-up to the higher-ups in the State Department.” So it was anything but independent.

But here is—there was one good thing that came out of the ARB, in my judgment, at least one good thing. They created the Best Practices Panel that you and Mr. Sullivan sat on. Right?

Mr. KEIL. Yes.

Mr. JORDAN. And you guys made a whole bunch of recommendations?

Mr. KEIL. Yes, sir.

Mr. JORDAN. How many recommendations, again?

Mr. KEIL. 40 recommendations.

Mr. JORDAN. 40 recommendations.

And some of them are more important than others. Is that right?

Mr. KEIL. Yes.

Mr. JORDAN. And the most important one is which one?

Mr. KEIL. The creation of an under secretary for Diplomatic Security. In fact, sir, in our executive summary, we said one clear and overarching recommendation that’s crucial to the successful and sustainable implementation of all of the recommendations in this report is the creation of an under secretary.

Mr. JORDAN. And is that the first recommendation you listed in your report?

Mr. KEIL. It’s recommendation number 1.

Mr. JORDAN. So it’s recommendation number 1.

Most of the others hinge on the implementation of that recommendation?

Mr. KEIL. Yes, sir.

Mr. JORDAN. It’s designed to give accountability and responsibility to one particular person at the State Department. Is that correct?

Mr. KEIL. To identify those who are—

Mr. JORDAN. Yeah. Something Mrs. Brooks talked about in her opening questions.

Mr. KEIL. Yes, sir.

Mr. JORDAN. Designed to give accountability and responsibility to someone at the State Department.

And is this the first time that this recommendation has been put forward, Mr. Keil?

Mr. KEIL. No, sir. Our Board—or our panel—excuse me—was a bit surprised to actually uncover a memo from now 15 years ago that Secretary of State Madeleine Albright had signed after the East African Embassy bombings, ordering the creation of an under secretary for Diplomatic Security.

Mr. JORDAN. So we have the Overseas Security Policy Board created after Americans were killed in Beirut. That wasn't followed. We have a recommendation from Madeleine Albright, the lady you protected, that says we need to create an under secretary after Americans were killed in the East African Embassy bombings.

Mr. KEIL. Yes, sir.

Mr. JORDAN. And that wasn't followed.

I mean, has the State Department said they're going to implement this at all?

Mr. KEIL. They said it's one of the recommendations they are not going to implement.

Mr. JORDAN. They're not going to implement it. They're not going to implement it.

My question is real simple, Mr. Chairman: What's it going to take? What's it going to take for the State Department to put in place the practices that are going to save American lives?

They didn't listen to the guys on the ground, the pros who know what they're doing in a situation that anyone looks at and says, "Wow, we need more Americans there to help."

They didn't listen to the guys on the ground who put their lives on the line. They didn't follow their own standards that were developed in 1983 after the Beirut Embassy bombing. They didn't follow the waiver process to deviate from those standards. And now they're not following the Best Practices Panel's number one recommendation.

What's it going to take? The ranking member in his opening remarks said this is a transformational moment. Well, somebody better tell the State Department that because—I mean, think of this track record. I hope the member is right. I hope they get it.

But if they're not going to listen to two guys with the experience that Mr. Keil and Mr. Sullivan have and say the one thing we need—the one main thing we need is this person of accountability, the one main thing, how—that everything else hinges on, I mean, talk about the arrogance of the State Department.

So, hopefully, one of the things this committee can do is at least convince them to follow these guys, what they said. At least convince them of that.

Mr. Keil, thank you for your service. It's an amazing record what you have done for our country.

Mr. Sullivan, yours as well. We appreciate the work on the Best Practices Panel.

Mr. CUMMINGS. Would the gentleman yield?

Mr. JORDAN. 42 seconds, I would yield.

Mr. CUMMINGS. Why don't you ask the question of the State Department?

Mr. JORDAN. You can ask him that question. The way this works—

Mr. CUMMINGS. What's your—

Mr. JORDAN. Reclaiming my time, you're welcome to do it, Mr. Chairman. I think you spent a lot of time on Mr. Starr. I chose to focus on Mr. Keil, who's got 30 years of experience, appointed by the Obama Administration, 23 years in the State Department, viewed so highly that he was actually on the protective detail for Secretary of State Warren Christopher, Secretary of State Madeleine Albright.

I chose to use my 10 minutes on Mr. Keil. Minority can use their 10 minutes on whatever witness they want. In fact, this is a hearing they called. You can handle it however you want to.

With that, I yield back, Mr. Chairman.

Chairman GOWDY. I thank the gentleman from Ohio.

I now recognize the gentlelady from California, Ms. Sánchez.

Ms. SÁNCHEZ. Thank you, Mr. Chairman.

And thank you to all the witnesses for joining us for what I hope will be a productive and a forward-looking hearing on what can be done and what is being currently done and what we have yet to do in terms of trying to prevent a tragedy from Benghazi from happening again or, at the very least, minimizing the potential for something like that to happen again.

I am going to begin my questions sort of in the same realm of where the questioning left off, talking about the security accountability framework within the Department of State.

The Best Practices Panel, which was led by Mr. Sullivan, determined, "Clearly defined accountability and responsibility for security at every level is fundamental for effective security management within an organization." And the panel recommended the development of an accountability framework.

Is that correct, Mr. Sullivan?

Mr. SULLIVAN. Yes, ma'am.

Ms. SÁNCHEZ. In response to that recommendation, the Department created a security accountability framework that the Department explained clearly defines key actors, their roles and responsibilities, and governance mechanisms.

Mr. Starr, I'd like to begin with you. Can you please describe the responsibilities at each of the various leadership levels.

Mr. STARR. I think the first leadership level starts with the Secretary of State. The Secretary acknowledges that he is ultimately responsible for the security of our personnel overseas.

Beneath that in the accountability framework, the next person that has the direct responsibility for security is me, Assistant Secretary for Diplomatic Security.

And I would have to say that we looked long and hard at the recommendation of whether it needed to be an under secretary position or an assistant secretary position. It was a recommendation by the panel.

The Department looked at this very seriously, ultimately weighed all of the points behind it, and made a decision that what was probably more important is whether or not I, in my position, had the direct access to the Secretary that was necessary.

And under both the accountability framework and then the FAM, we have modified it so that I am directly reportable to the Secretary for security threat information and security threats against



our people. I do still report to the Under Secretary for Management.

Now, we think that that's key because, isolated and alone, Diplomatic Security would not have some of the capabilities that we have when we work closely with the management bureau, with Overseas Building Operations, with IRM and others. But I just wanted to put that back in the record.

One of the things that the accountability framework does is talks about the fact that all of us in the Department of State are responsible for security, but it specifically designs the roles of the deputy secretaries and what they do. It defines roles that the Under Secretary for Political Affairs and the Under Secretary for Management has.

The most important thing that it does is define roles for the other assistant secretaries, the people that I work side by side with every single day, who run the regional bureaus, the NEA Bureau, the WHA Bureau, the EUR Bureau, and it assigns security responsibility to them. And, in fact, their job descriptions have been changed to reflect the security responsibilities.

Ms. SÁNCHEZ. Let me—

Mr. STARR. All of this is contained in the accountability framework.

And then one final thing, which I think is critical, we can't do the security that we need to do unless every individual Foreign Service officer understands that they have a role in their own security as well, and it goes to defining that.

Ms. SÁNCHEZ. So those expectations have been communicated, then, on down the security framework. Is that correct?

Mr. STARR. Yes.

Ms. SÁNCHEZ. And State Department employees have a clear understanding of what the chain of command, so to speak, is for security decisions and security decision-making?

Mr. STARR. Overseas it was always clear. It ran from the RSO and the Deputy Chief of Mission to the Chief of Mission and that letter of responsibilities that the Chief of Mission has. So it was always clear overseas.

It was a little less clear within the Department who had the responsibilities, and this document goes a long way taking information that was already in the FAM and putting it together into a clearer framework. Yes.

Ms. SÁNCHEZ. If I can go back for just a second to the number one recommendation about creating a different position that would be in charge of security, explain some of the thought-making process that went into the ultimate decisions not to accept that recommendation and to essentially make you responsible for security.

Mr. STARR. Well, first and foremost, I think it has to be acknowledged that I am responsible, whether I am the Assistant Secretary or whether it will be changed to an under secretary position. The Department looked at this and had to weigh different things. An under secretary typically has additional responsibilities than one focus on something.

If you look at other under secretaries and the range of things that they do, one of the things the Department made sure of was that this position, my position, A, had the access that we need to

the Secretary and to the other leadership and, second, that I wasn't being diverted from the just pure security role by other duties. Under secretary positions in many cases would carry other duties.

My predecessor was the Assistant Secretary for Diplomatic Security and the Director of the Office of Foreign Missions, the Office of Foreign Missions. One of the things that we did in the aftermath of Benghazi was to separate those two functions, and now there's an ambassador in charge of overseas foreign missions. I am not distracted by that role.

Ms. SÁNCHEZ. Okay.

Mr. STARR. I can focus exclusively on security.

Ms. SÁNCHEZ. I appreciate the answer. I have two other questions I'd like to ask, and I'd like to get to them.

Mr. Sullivan, do you think that the new framework that the Department of State has adopted clearly defines accountability and responsibility for security?

Mr. SULLIVAN. Congresswoman, we haven't been fully briefed on that. From what I heard just now, I mean, I think that's a great start. But, clearly, there does have to be accountability. People do have to know, you know, who's in charge of security.

And, also, to the point that was made earlier, how all the employees feel around the world, I mean, I think that that leadership is important to let them know that they're valued, that they're supported, and that those people that are making decisions are going to be made accountable for those—every employee is going to be made accountable for those decisions that they're making.

Ms. SÁNCHEZ. Thank you.

I want to hit on the issue very quickly—I have very limited time—about temporary staffing.

Several investigations into the attacks in Benghazi found that the temporary staffing of security officers was what contributed to poor security at the Benghazi facility. The bipartisan Senate Homeland Security and Governmental Reform Committee found—I'm going to quote from that report—"For example, DS agents stationed in Benghazi were always on temporary duty assignments, remaining there for relatively short periods, often no longer than a month."

The Independent Accountability Review Board concluded that the utilization of temporarily assigned agents in Benghazi was problematic—and I'm quoting from their findings—"the short-term transitory nature of Benghazi staffing to be another primary driver behind the inadequate security platform in Benghazi. Staffing was, at times, woefully insufficient, considering the post security posture and high-risk, high-threat environment. The end result was a lack of institutional knowledge and mission capacity which could not be overcome by talent and hard work alone, although the Board found ample evidence of both in those who served there."

So based on one of the ARB's recommendation, the Department has set a policy for one-year minimum tours at high-threat posts and a minimum of 120 days for temporary duty assignments.

Now, Mr. Starr, you've held a number of positions during your tenure at the Department, including that as a regional security officer.

Why is it valuable for security officers to spend longer durations at posts? And what's the benefit to developing an understanding of the local environment?

Mr. STARR. It is critical. In your first 30 days on the ground in a place, you are just trying to figure out where you are, how things are operating, where the threats are.

We absolutely concur with that recommendation of taking steps to ensure that the personnel that we put on the ground are there for longer periods of time.

Ms. SÁNCHEZ. And has the Department been able to achieve those requirements in its actual practice?

Mr. STARR. Yes, it has. The fact is that we don't actually have any temporary facilities at the moment. I can give you an example, though, that—you know, we just reentered Bangui. We have mobile security teams of agents on the ground with U.S. Marines that are there.

Those agents are going to stay for a much longer period of time, probably up to 90 days, until we're sure that we have the proper security that we can then start replacing them with the permanent personnel that we're going to have on the ground. The 30-day rotations, as the ARB pointed out, were not conducive to the security operation.

Ms. SÁNCHEZ. And are there any other incentives that the Department can provide or can think to provide for personnel to undertake those longer assignments?

Mr. STARR. I don't think it's a question of necessary or additional incentives. I think it's a question that we needed to understand that constantly rotating like that was not in our best interest.

I think my agents clearly understand that, and I think it really isn't about additional incentives. It's about just knowing that that's not the proper procedure and we needed to change it.

Ms. SÁNCHEZ. Not a great practice.

Thank you for your forthright answers.

And I yield back to the chairman.

Chairman GOWDY. I thank the gentlelady from California.

The chair would now recognize the gentlelady from the state of Alabama, Mrs. Roby.

Mrs. ROBY. Thank you, Mr. Chairman.

Returning to the questioning of Mr. Jordan about the waiver process briefly, Mr. Starr, the Overseas Security Policy Board sets the physical security standards that must be met, and it's also my understanding that they're either temporary, interim, or permanent. Correct?

Mr. STARR. Yes.

Mrs. ROBY. And overseas diplomatic facilities can be further classified as residential, office, or other categories as well?

Mr. STARR. Yes.

Mrs. ROBY. Okay. And how was Benghazi classified in 2012?

Mr. STARR. My understanding from the reports is that it was the temporary mission facility.

Mrs. ROBY. Okay. And was that classification found in the OSPB standards?

Mr. STARR. No.

Mrs. ROBY. Are there any OSPB standards for a temporary office facility? There's not. Right?

Mr. STARR. Our outlook on that is that, whether it's temporary or interim or permanent, that we should be applying the same security standards that the OSPB has put in place and that, if we can't, then we need to look closely at what risks we run—

Mrs. ROBY. So the—sorry to interrupt you.

But the office and the residential do not require a higher level of security if they're in that category?

Mr. STARR. Office—there are higher levels. When we build offices, when we build facilities, those have a higher level of security than residences do.

Mrs. ROBY. The Benghazi facility was being used as both. Correct?

Mr. STARR. Yeah. I'd say that's an accurate portrayal, from what I understand.

Mrs. ROBY. Okay. And so, in a dual case where it's being used as a residential and an office, what standards apply? The higher standards. Correct?

Mr. STARR. Correct.

Mrs. ROBY. Okay. And so those OSPB standards should have applied to the Benghazi facility?

Mr. STARR. That is the way that I would apply them now. As I say, I wasn't here. But if we had a similar situation, we would be applying the higher standards.

Mrs. ROBY. I just want to make sure this is very clear.

Your policy is that anytime a facility is being used for more than one purpose, whatever type of facility has the higher—or the highest level of physical security standards, those standards should be applied?

Mr. STARR. That is correct.

Mrs. ROBY. Okay. But that didn't happen in Benghazi?

Mr. STARR. Not—I would have to say I can't answer that question.

Mrs. ROBY. Looking ahead, when you talk about in this era of expeditionary diplomacy, is it possible for the State Department to open a temporary residential facility?

Mr. STARR. We don't have any at the moment. I can't imagine that we would or that I would approve it.

Mrs. ROBY. Okay.

Let's turn to the Marine Security Guard detachments. Were Marine Security Guard detachments ever deployed to the Benghazi compound?

Mr. STARR. No.

Mrs. ROBY. The Benghazi compound, we've already established by multiple questions here, it was a temporary facility. And Marine Security Guard detachments are never deployed to temporary facilities, correct?

Mr. STARR. Not in my experience.

Mrs. ROBY. Okay. So the increase in Marine Security Guard detachments as a result of the ARB recommendation 11, therefore, would not have actually helped in Benghazi, correct? I mean, if it's a temporary facility and they can't be deployed, then it won't help.

Mr. STARR. Oh. I just want to make the point, I'm not saying that additional personnel on the ground would not have helped. But, yes, you are correct that we would not—in my experience, we would not have put a Marine Security Guard detachment into a temporary facility.

Mrs. ROBY. Okay.

So we've also already established here today that there's currently 30 posts that are considered high-risk, high-threat. How many have benefited, of those 30, from the Marine Security Guard personnel?

Mr. STARR. I would have to get back to you with the exact number. I think—I think about 20. We have opened four Marine detachments since Benghazi at our high-threat, high-risk posts. There are still some that do not have Marine Security Guard detachments. There's a variety of reasons why they do not.

Mrs. ROBY. Okay. Is it your intent to get to a place where you have these Marine Security detachments at all of the high-risk, high-threat locations, posts?

Mr. STARR. I would like to have Marine Security Guard detachments at every one of our high-threat, high-risk posts. There are impediments that in some cases cannot be overcome.

Mrs. ROBY. At the ones that currently do not have the Marine Security detachment, how exactly does the Department plan to augment security at these high-risk, high-threat without highly trained Marine Security Guards?

Mr. STARR. In some cases, we have made up by using Diplomatic Security agents. In some cases, it's a mixture of Diplomatic Security agents and other security elements that we have within Diplomatic Security. In some cases, we have made risk-managed decisions where we have taken personnel out and lowered our presence—in some cases, our families are not there—or we lowered the number of employees to minimum numbers.

In many cases, we make representations with the host governments, and now we analyze whether or not the host government has both the capability and the will to provide the necessary level of protections. And if we find that we don't have those types of protections or we think that the risks are too high, then we won't be there.

Mrs. ROBY. Okay.

If an ambassador at a high-risk, high-threat post picks up the phone and calls the seventh floor of the State Department today asking for additional security, physical or personnel, who ultimately makes the decision to grant or deny that request?

Mr. Starr.

Mr. STARR. The last person in the chain would be me. The request would probably not go to the seventh floor; it would probably go to me on the sixth floor, or it would go through the RSO to our personnel.

But I can tell you that, today, I have available mobile security teams to deploy. We work very closely with—

Mrs. ROBY. But, ultimately, I'm just—I'm asking who makes that decision.

Mr. STARR. It can be approved at lower levels—

Mrs. ROBY. What's the lowest level it can be approved?

Mr. STARR. Oh, I think the lowest level would be the regional director of the—of Diplomatic Security.

Mrs. ROBY. And if an ambassador sends a cable, would it be the same—rather than picking up the phone, it would be the exact same?

Mr. STARR. Exactly the same.

Mrs. ROBY. Okay.

And would the decisionmaking process change if it was not a high-risk, high-threat post?

Mr. STARR. No, it would not.

Mrs. ROBY. Okay. And was Benghazi considered high-risk, high-threat or a critical threat?

Mr. STARR. Pardon me. I actually don't know what the rating was of Benghazi. We did not have the 30 identified high-threat, high-risk—

Mrs. ROBY. Okay.

Mr. STARR [continuing]. Posts listed at that point.

Mrs. ROBY. Well, who denied the additional Diplomatic Security personnel requested in Benghazi by those who were working and living there and in Tripoli? Who was the person that denied that?

Mr. STARR. I'm going to have to refer you back to the results of the ARB. I came back 5 months after the attack. I wasn't—

Mrs. ROBY. What I'm trying to get at, is that same person who was also responsible for ensuring the physical security of Benghazi, is that the same person that is vested with that responsibility today?

Mr. STARR. I think the Board pointed out that there were lapses in judgment on the part of the Director and several others, including the Deputy Assistant Secretary for International Programs.

Mrs. ROBY. Okay.

If a DS agent at the post writes back to headquarters requesting additional physical security upgrades or increased personnel performing security duties, who is responsible for making the decision to deny or grant that request from a DS agent?

Mr. STARR. I think the first thing that would happen is that the discussion would go on, is this an individual request from DS? Has it been vetted through the emergency action committee at the post? Is this a post request?

Mrs. ROBY. Okay. And is it affected by whether you've categorized this as a high-risk, high-threat?

Mr. STARR. We pay more attention to our high-threat, high-risk posts on a daily basis, but I would tell you that any request for additional security resources for any of our posts overseas is going to be met with immediate action. We would make decisions on how we can best fulfill those requirements.

Mrs. ROBY. So, to get to the point, even if a post is not high-risk, high-threat, we know in certain parts of the world things are very volatile and can unravel in a moment's time, despite threat assessment or not. And what I'm getting at is, is the Department, now, today, in light of what happened in Benghazi, prepared to pay better attention when the folks on the ground are saying, "We need help," and—which was not what happened in the days and weeks leading up to the attack in Benghazi.

Mr. STARR. My answer to you is unequivocally “yes.” That is what I have been spending my time since February 1st in 2013 on, making sure that we have the resources, the programs, the knowledge, the capabilities to respond quickly and effectively to any cry for help. Moreover, not just respond to the cries for help, but to try to better place ourselves before those come in and make sure that we’re ready for these things.

Mrs. ROBY. Thank you.

Mr. Chairman, I yield back.

Chairman GOWDY. I thank the gentlewoman from Alabama.

The chair will now recognize the gentlewoman from Illinois, Ms. Duckworth.

Ms. DUCKWORTH. Thank you, Mr. Chairman.

As a member of the Oversight and Government Reform Committee and also the Armed Services Committee, I’ve spent a great deal of time working on all of the—working my way through all of the reports on the attacks in Benghazi. And as the committee begins our work here today, I think the most appropriate way that we can honor the brave Americans who lost their lives in Benghazi is to make sure that we learn from those past mistakes and never, ever make them again. And I heard that from the family members, as well. Let’s never let their buddies down the way we let their family members down.

And so I want to go back to the discussion on the security and interagency cooperation. But, first Mr. Keil, I was there the day that Admiral Mullen testified, and I have to disagree with you. You may question his professional integrity, but when Admiral Mullen, a man who served in Vietnam, 43 years of military service defending this great Nation, comes before our committee and swears an oath of office and says—and then testifies that he was fiercely independent in the ARB, I would tend to believe him. And, in fact, the ARB was incredibly scathing of the State Department in its report. And I want to go to that report.

Mr. Starr, I just want to follow up a little bit on what my colleague, the gentlelady from Alabama, her line of questioning about the Marine Security Guard details. So if you don’t have a—if you have a post that does not have a detail because they’re not at a temporary facility, for example, can you talk about other details that can be there? Are there other military options that can be assigned to those temporary details? You talk about the mobile security teams, Marine augmentation units. Are there other options if the Marines can’t actually be assigned there full-time?

Mr. STARR. Yes, there are other options. We currently are trying to expand 35 more detachments, but it should be noted that, at the moment, we have more than 275 diplomatic facilities, counting the embassies, consulates, and consulate generals. We have only 173 Marine Security Guard detachments. We have never had enough Marines, nor will we ever, to cover every single post. And in many of our posts around the world, if we put a Marine Security Guard detachment in, we would probably have more Marines than we had Foreign Service Officers at some of these places. So we carefully look at where we need to use this scarce resource.

We have had excellent cooperation from the Marine Corps in terms of augmenting the different units and getting more detach-

ments. As I say, we have opened 17 more detachments since Benghazi, on our way to opening 35 totally. And we should be done by the end of next year.

Additionally, the Marines have created something called Marine Security Augmentation Units, where we can send additional Marines in under the rubric of the Marine Security Guard program that helps us where we have different situations.

But the thrust of your question was, what do we do in places where we don't have Marines or we don't have permission to send Marines? We have different capabilities.

We have Diplomatic Security agents that are high-threat, high-risk-trained, our highest-level operators, mobile security operators. We have the ability to request from the Department of Defense—and they have never let us down—for things like FAST teams to come in and protect our embassies and consulates when we need that.

We have a robust program where we have security contractors. In many cases they're Americans, but sometimes they're third-country national contractors. But we have used contractors for many years. Now, there are some downsides to that, and there are some countries that won't allow them. And we've learned some very painful lessons over the years about contractors, that we have to have incredible amounts of oversight and make sure that we're using them properly. But it is still a tool.

We have local guard forces and local protective elements that we hire directly from the country that we're in. And I would tell you that some of these units in places around the world, even unarmed, have done amazing acts of heroism protecting our people.

And then, ultimately, we have the host-country services, which we now evaluate for both whether they have the capabilities to protect us or the will to protect us. And in those cases where they may not have the best capabilities or we may think that we're challenged, one of the things that the additional funding that Congress has given us is the ability to start a program where we can train those host-country forces, whether it be police or national guard, directly around the embassies and increase their capabilities.

So we have a number of different possibilities.

Ms. DUCKWORTH. You had said, Mr. Starr, that the State Department has always engaged in the process of risk management and is well-experienced at it. I have to say I was disappointed with the risk management process that was undertaken leading up to the Benghazi attacks, and I would hope that that risk assessment and mitigation process has become more robust.

I want to speak specifically to interagency cooperation between DOD and the Department of State. You said that DOD has never let you down. On that night, the ARB and various reports, including Armed Services Committee, has stated that there was no way that those F-16s, that those military—U.S. military forces could have made it there in time to save our Americans' lives.

What have we done since to make sure that in the future they can be present in time to save American lives? As these special dates come up, September 11th, these anniversaries, or as you hear more chatter that is going on and you think there might be the potential for greater risk, what tripwires are in place, what processes



are in place for you to call the DOD and say, hey, maybe you need to help us and reposition some forces so that if we do have another Benghazi we can call and that those F-16s can be there in time in the future so that we don't lose American lives? What process is happening between DOD and Department of State at this point?

Mr. STARR. The Department of Defense has put together a program that they essentially refer to as the new normal.

We have looked closely at what capabilities DOD can bring for defensive use at the American embassies and consulates overseas. There has to be a realization that we don't have bases everywhere in the world. In many cases, while we would like to be able to say that the Department of Defense could respond to any one of our embassies within 4 hours, physical distances, just the amount of distance between where our military is stationed and where our diplomatic facilities are make it impossible.

And then, even if they could respond in a certain amount of time, this idea that, you know, we're magically going to get paratroopers coming out of the back of planes and they're going to land on the American embassy isn't realistic. We still have to go through airports, we have to get permission from host countries to get personnel in, we have to transport them from the airport to the embassy somehow. And in the midst of a crisis, this isn't really realistic about what's going to happen.

What we've worked with DOD on is making sure that we're better prepared to predict what is going to happen, looking at instability. And as DOD has often said, we'd rather be on the ground in advance of something happening than trying to react after something happens.

Now, it doesn't mean in certain cases that they haven't been on a very close leash with us. I can give you the example of Tripoli recently, where we had in many cases Special Forces and helicopters and Marines on less than 1-hour notice to respond to the embassy. And in high-high-threat, critical-threat situations, those are the types of things that we're working with DOD on, to make sure that they have very close-at-hand response capabilities.

But I can tell you that, with 275 locations around the world, we can't do that often. We can't do that everywhere. DOD is seeking increased basing options. And I would highly recommend a discussion with DOD on this about where they are going in terms of basing closer and more closely to U.S. embassies and facilities. They have excellent plans. They are working closely with the State Department on this.

But, ultimately, we've got to do a better job of making sure that we have the right preparations on the ground in advance. In those situations that are absolutely critical, we'll have DOD very close to us. And they've worked tremendously with us in places like Tripoli and Sana'a and other places.

So I just have to tell you I have the utmost respect for the way that the Department of Defense, U.S. Marine Corps, and Army and Air Force have responded—and the Navy—have responded to our needs.

Ms. DUCKWORTH. In the last minute that I have left, can you talk about, at what level at the State Department does that request to DOD have to take place?

For example, in the case of Tripoli recently, where you said that they had them on a 1-hour leash to respond, does that come from you, or can it come from lower? If an ambassador determines that, through his risk analysis assessment with his Diplomatic Security team that's there, that he needs this, how far does he have to go before you can have something like a FAST team that's ready to come in or something along those lines? How high up through the State Department bureaucracy does he have to go?

Mr. STARR. In an emergency, the Ambassador is going to call the commander of the nearest combatant command. And they meet all the time; they talk with each other. And in an emergency situation, he can pull the string immediately.

In a less-than-emergency situation, in a way that we're looking at it to try to preposition ourself, he would state something or make a request, or we may make the request and say, we think you need this. We would work through the Office of the Executive Secretaries, who send an exec-sec back and forth. I can instigate it. The Ambassador can instigate it. The Assistant Secretary of the regional bureau can instigate it.

In most cases, it's a collaborative effort, and we're talking with each other. We're either having a SVTS or we're having phone conversations. But in the most extreme cases, the Ambassador can go directly to the combatant commander that is closest to him and request support and then, even, notify us afterwards.

Ms. DUCKWORTH. Thank you.

I yield back, Mr. Chairman.

Chairman GOWDY. I thank the gentlelady from Illinois.

The chair would now recognize the gentleman from Illinois, Mr. Roskam.

Mr. ROSKAM. Thank you, Mr. Chairman.

And I thank the three panelists for your testimony today.

Mr. Keil, what's a special mission compound?

Mr. KEIL. Sir, if I could just take 2 seconds, I'd like to clarify one point that Ms. Duckworth made.

Mr. ROSKAM. Feel free.

Mr. KEIL. I wasn't making any subjective judgment on Admiral Mullen. I was simply stating the facts. The precepts and regulations of the ARB say you cannot discuss the proceedings outside of the ARB. Admiral Mullen, he admitted he did that. It's a statement of fact. It's not a subjective judgment.

Mr. ROSKAM. In legal terms, that's called *ex parte* communication.

But go ahead and answer.

Mr. KEIL. Thank you. I didn't go to law school.

Sorry, sir, could you give me the—

Mr. ROSKAM. Yeah. What's a special mission compound?

Mr. KEIL. I don't know. To be honest, in our review, Under Secretary Kennedy, in authorizing that, made up that term in order to avoid the OSPB security standards.

Mr. ROSKAM. It's an interesting thing; yesterday, in our office, we did a LexisNexis search of "special mission compound, not Benghazi." Now, there may be other ways to search, there may be other ways to look out over the landscape. The result of looking for

that term yielded nothing. Throughout all those data files, all across the fruited plain, absolutely nothing.

So what does it mean if something is simply, then, redefined? What does it mean if something is said, “Well, we’re just going to declare this as something other than that which is to be regulated”? That means you have no regulations. Isn’t that right?

Mr. KEIL. Correct, sir.

Mr. ROSKAM. Mr. Sullivan, you mentioned in your opening statement one of the regrets that you have as a member of the panel is that the Department of State didn’t adopt your recommendations as it relates to waivers. What is your recommendation as it relates to waivers?

Mr. SULLIVAN. Well, we think—we believe waivers are—waivers are needed, and we want to see those waivers. Because when you have a waiver, what that will do is set in motion standards. And people all recognize that, once you have those standards, you have to meet those standards.

What we saw in this particular instance was, since there were no standards, there was no waiver, there really were no standards set. And I think somebody brought up the fact before that there were a lot of people coming in that were TDY and some very dedicated people, some very hardworking people, and some extremely well-intentioned people and dedicated people. However, these were people that were extremely inexperienced, and they were coming in for 30-day periods. And they would come in for 30 days, they would identify vulnerabilities, they would take care of that vulnerability, and then the next person would come in, and that process would continue. And—

Mr. ROSKAM. So you’re saying you need an orderly process by which things are waived, not declarations on the part of the Department of State that it’s all waived. Is that right?

Mr. SULLIVAN. Right. It goes back to what we talked about before: risk management. And, you know, in its simplest terms, risk management is all about identifying the threat, identifying the vulnerability, and then coming up with the mitigation for that threat. And we just did not see that formalized process ongoing.

Mr. ROSKAM. Secretary Starr, question: You said earlier, in an answer to Congressman Smith, that on Benghazi they didn’t get the threat information.

Now, I understand that “threat information” may be a term of art, but to Mr. Westmoreland’s point earlier, certainly a bomb blowing up on the side of a wall, the whole litany of events that took place beginning March 18th, 2012, until the first time there was a communication from Ambassador Stevens, isn’t that enough information?

So you’re not saying nobody was aware of the nature of the threat. Is the threat a term of art?

Mr. STARR. Congressman, thank you for the question.

I think the distinction that I was trying to make was that there was no specific threat information that had been developed by the intelligence community—

Mr. ROSKAM. In other words—

Mr. STARR [continuing]. To say that we were under attack.

Mr. ROSKAM [continuing]. These people are coming over the hill-top at this moment in time.

Mr. STARR. Right.

Mr. ROSKAM. Okay. Let me ask you this——

Mr. STARR. And, as I said, we don't normally get that. I think your point that there were a number of different things going on—I think people were aware of the overall level of instability.

Mr. ROSKAM. Okay. Well, here's my point. In the Senate Intelligence Committee report, they reported, on June 6th of 2012, Ambassador Stevens recommended the creation of teams and so forth. The team was never created in Benghazi despite the Ambassador's recommendation.

There were other events subsequent to that. Then Ambassador Stevens reaches out again, sends a cable to the State Department headquarters, requesting a minimum of 13 temporary duty personnel. And the State Department never fulfilled his request, and headquarters never responded to the request with a cable.

And then they follow up on August 16th of 2012, a month before these events. Again, a cable to the State headquarters, Stevens raised additional concerns, et cetera, et cetera, et cetera.

Now, go to the ARB. The ARB says one thing two times about Ambassador Stevens, and it's worth noting. They said this about him: "His status as the leading U.S. Government advocate on Libya policy and his expertise on Benghazi in particular caused Washington to give unusual deference to his judgments." They said that on page 6 of the report. They cut and pasted—they liked it so much, they put it on page 34 of the report.

And yet, ignoring the Ambassador, who, by their own admission, is the expert in the area, and ignoring his requests for support, that's not giving unusual deference to his judgments, is it, Mr. Secretary?

Mr. STARR. Difficult question, Congressman.

Mr. ROSKAM. No, it's very straightforward.

Mr. STARR. No, I don't think it is. I think it's a difficult question. I think that Chris Stevens was a tremendous ambassador with a tremendous amount of——

Mr. ROSKAM. Look, there's no question that he was tremendous. There's no question that he was a hero. He made——

Mr. STARR. From what I——

Mr. ROSKAM [continuing]. Specific requests of the Department. The Department in the ARB said this person is uniquely qualified, Secretary, and he was ignored.

Mr. STARR. And I think this is why the ARB recommendations are what they are.

Mr. ROSKAM. Well, this is why the ARB recommendations and the panel say you can't have this kind of waiver authority.

When Ms. Roby asked you the question, are there any plans for temporary facilities in the future, you were pretty clever in how you responded. You said, we don't have any plans for it, and I'm not likely—and I'm paraphrasing now—I'm not likely to approve it. And you know what that tells me? That tells me you can do it all again. That tells me that you can take the special mission compound, you can call it something else, you can call it a temporary

consular facility, you can take two adjectives and put it in front of a noun and call it some other thing, and do it all again.

So here's the question: If Madeleine Albright signed off on certain recommendations, if the Best Practices Panel makes certain recommendations, why is it that the State Department is clinging to this legacy of power that has failed? Why are you grasping on it so much? Why not walk away from it?

And nobody here is criticizing a very tough job, but the nature of the job, Mr. Secretary, means that this, to Mr. Cummings' point, needs to be the transformational moment. And why not be the transformational moment to say, we're not just going to choose to redefine things, and we're going to revisit how we do these waivers, and we're going to do everything we can, in cooperation with Congress, to honor Chris Stevens' legacy, to honor the legacy of those who suffered, who you served with and you know.

But why cling to this old thing that just isn't working? Are you the only one that doesn't see it?

Mr. STARR. Congressman, I think I have a distinct view, having served 29 years for the State Department, 4 years for the United Nations, and I'm back again.

I think that in accepting all of the recommendations of the Accountability Review Board, I think in accepting 38 out of 40 recommendations made by the Best Practices Panel, I think the Department has made tremendous progress and efforts in the time that I have been back and Secretary Kerry—

Mr. ROSKAM. But the opportunity—

Mr. STARR. Not every—

Mr. ROSKAM. You want to knock it out of the park right now, Mr. Secretary.

Mr. STARR. Not every recommendation is gold. Every recommendation needs to be looked at from the recommendation's standpoint but then from the organization as well.

Mr. ROSKAM. Okay. So take your argument. A couple of minutes ago, you made this point as it relates to the responsibility of a Foreign Service Officer, that they have a responsibility to be mindful of their own security. That was in response to Ms. Sánchez. Every Foreign Service Officer must understand that they have a role in their own security. I agree with that wholeheartedly.

And yet, when Ambassador Stevens played a role in his own security on cable number one, cable number two, and cable number three, that responsibility was not absorbed or reflected in the State Department.

And you're not offering anything as it relates to fundamental change. Because based on what the rules are right now, Mr. Secretary, you have the authority, you have the capacity, and you've got the flexibility to do the Benghazi structure again. Am I wrong?

Mr. STARR. The rules have been changed. Who is responsible is clearly defined.

Mr. ROSKAM. Who is responsible is fourth down on the food chain. And by your own recommendations—

Mr. STARR. Well, sir, I would disagree with that. I am responsible.

Mr. ROSKAM. Yeah, but I'm telling you—

Mr. STARR. I can give you the latest example, when we're trying to open a facility in southern Turkey. We had a request to put personnel in on the ground for start operations, for humanitarian operations. They're in there TDY. We need a facility.

We are in the process of leasing a facility. We know where it's going to be. A request came to me from the people on the ground saying, can we use it in advance of the security upgrades being done, being accomplished? My answer: No.

Mr. ROSKAM. Okay. That's beautiful. And in light of Mr. Cummings' response and his admonition to us that we're here for a season, you're going to be there for a season, and in another season someone is going to succeed you. And in that new season, when someone with your judgment and your deference doesn't have that level of capacity and they don't have your kind of stick and your background, they're going to be under tremendous pressure, and they're going to say, "Yes."

I yield back.

Chairman GOWDY. The chair thanks the gentleman from Illinois and recognizes himself.

It strikes me that there are at least two issues at play, two major issues. Number one is the efficacy of the ARB process itself, whether or not it is in our best interest to allow any entity to essentially grade its own papers. We don't do that in any other category of life. We don't get to sentence ourselves when we're in court. We don't get to grade our own papers in the classroom.

The other aspect of the efficacy of the ARB is who they interviewed and who they didn't interview, whether or not they have to accept recommendations or don't have to accept recommendations. That's a separate issue to me, is whether or not the ARB process works, whether or not it has shortcomings.

The second issue is, let's assume, arguendo, that the ARB process works. Let's just make that assumption for the sake of argument. Is anyone following the recommendations of the ARB?

So, Mr. Secretary, I want to read something to you. "We are disturbed at the inadequacy of resources to provide security against terrorist attacks. We are disturbed at the relative low priority accorded security concerns. And we praise the Ambassador for seeking security enhancements long before the attack."

Do you know what that comes from, Mr. Secretary, what I just read?

Mr. STARR. I believe it's part of the Accountability Review Board report.

Chairman GOWDY. From 1999. That was the—

Mr. STARR. Dar as Salaam and Nairobi, correct?

Chairman GOWDY. That was the ARB from 1999. And you can lay it almost perfectly over what happened in Benghazi.

And one other point. The 1999 ARB made it really clear, they went out of their way to make it clear, they were disappointed that the recommendations that came after the bombings in Beirut were not being implemented, something called the Inman Commission. So the '99 ARB criticizes existing State Department employees for not following the Inman Commission from 14 years prior. That is a quarter-century's worth of recommendations, and yet here we sit.

So what I want to do—because, honestly, I commend Mr. Schiff. His was a wonderful idea, and I thank each of you for coming. But given the inescapable interconnectivity between recommendations made after Beirut and after eastern Africa and now after Benghazi, we're going to look at some of those past ARB recommendations.

And I'll give you one, Mr. Secretary. "For diplomatic buildings abroad not meeting Inman"—of course, Inman being, again, Beirut bombing—"not meeting Inman standards, essential physical security upgrades should be made immediately." That was the recommendation of the 1999 ARB.

Mr. Secretary, I'm going to read you another one. This goes to Mr. Cummings' point, which I thought was a wonderful point. "Diplomatic petitions should be made to all governments with whom we have relations to remind them of their obligation to provide security for our embassy."

Who in Libya were we to call? Who? Mr. Cummings' point is a wonderful point. It was so good, the 1999 ARB made the recommendation: Make sure the host country is aware of its obligations. Who did we call in Libya?

Mr. STARR. Is that a question, sir?

Chairman GOWDY. Yeah, when I pause, that's generally an indication I'm waiting on you to answer, but I'll make it more clear in the future.

Mr. STARR. I think this is the heart of the question. There are times when, for the national interests of the United States, we are going to have to have diplomats, humanitarian programs, rule-of-law programs, and other things in places where the host country—

Chairman GOWDY. Mr.—

Mr. STARR [continuing]. Does not have a government.

Chairman GOWDY. Mr. Secretary—

Mr. STARR. And in those cases we must take the lessons from this ARB and previous—

Chairman GOWDY [continuing]. Was there a government in Libya for us to contact?

Mr. STARR. No, not at that time.

Chairman GOWDY. All right. So that recommendation of the 1999 ARB we were not able to do.

Let's move to one that perhaps we were able to do. This was also a recommendation from the 1999 ARB. And, again, the ARB is presented to us as a panacea. I mean, that's the evolution of what happens, is there's an attack, there's a blue ribbon panel, we're going to study, we're going to make recommendations, and this is never going to happen again.

So back to the 1999. "The Secretary of State should personally review the security situation of diplomatic facilities, closing those which are highly vulnerable and threatened." Why do you think the 1999 ARB went out of its way to use the word "personally"?

Mr. STARR. No comment, sir.

Chairman GOWDY. What—is the answer privileged? I mean, that's a recommendation from the 1999 ARB, the Secretary of State should personally review. And I'm asking you, with all due respect—we're not going to get to the word "review." We've got to get past the word that modifies "review," "personally."

Why did they think it was important that the Secretary of State, himself or herself, personally review?

Mr. STARR. I think, ultimately, the Secretary, who bears the responsibility for the security, has to be brought the information that is necessary for him to make decisions.

Chairman GOWDY. All right.

Mr. STARR. That is my job.

Chairman GOWDY. Okay.

Mr. STARR. I have gone to the Secretary of State on different occasions, and we have talked specifically about the security of different places. Tripoli was one of them in particular since I have been back, but we have also looked at Sana'a. We've talked about Kabul. We've talked about the other locations, as well.

Where I have concerns about the safety and security of our personnel and if I believe that we are not doing the things that we need to do, then it is my responsibility to bring it to the Secretary.

Chairman GOWDY. And I appreciate that, Mr. Secretary. Was it done on September the 10th of 2012? Was it done prior to Benghazi? Because this recommendation has existed for more than 10 years.

Mr. STARR. I was not here at that time. I'm sorry, I cannot tell you.

Chairman GOWDY. Well, your answer mirrors what the 1999 ARB further said, which is, first and foremost, the Secretary of State should take a personal and active role in carrying out the responsibility of ensuring the security of U.S. diplomatic personnel.

Is that being done now, and was it being done prior to your tenure?

Mr. STARR. In the time that I was here previously—and I have served under multiple Secretaries of State—I have heard every Secretary talk about the importance of security. I have heard every Secretary state to the personnel, the Department, that security is their function, their personal security has to be their function. And that goes for Madeleine Albright, that goes through Secretary Clinton, Secretary Rice, and with Secretary Kerry, who has also made those statements and has made statements that the safety and security of our personnel is absolutely one of our highest priorities.

Chairman GOWDY. And I appreciate that, Mr. Secretary. But, again, I think words have consequences, and they have meaning, and most people use words intentionally. And the 1999 ARB intentionally used the words “personally” and “active.” That, to me, does not mean talking about something. A personal review is not simply talking about it.

Is the personal review ongoing? Is that ARB recommendation still accepted, I guess, is my question. Does the State Department still accept these recommendations from the 1999 ARB, and is it being done?

Mr. STARR. Yes. I think the best and clearest example that I can give you today is a new process that we put into place, the VPVP process, the Vital Presence Validation Process, where we, again, look at what are our vital national interests and why should we be in these high-threat, high-risk locations. We put this process up, and it goes all the way to the Secretary.



Chairman GOWDY. All right. And that is a great point which leads very nicely into the next point I was going to make or ask you about. What is it about that recommendation that is so talismanic that it couldn't have been made prior to the attack in Benghazi?

Mr. STARR. I think the Department of State has practiced risk management from the day that I—

Chairman GOWDY. With "risk management" being: We're going to weigh the risk of being somewhere with the benefits of being somewhere.

We know the risk of being in Benghazi. Can you tell us what our policy was in Libya that overcame those risks? In other words, why were we there?

Mr. STARR. These questions, I think, have been fundamental to the Department for over 30 years. It is the reason why in many places we have evacuated or we have shut down operations or we've taken our families out or we've gone down to essential personnel only or we've asked for Marines to come in and support us while we're there. I don't think—

Chairman GOWDY. Right. And my point being, Mr. Secretary, none of that was done in Benghazi.

So what—we know the risk in Benghazi. My colleagues and you and others have done a wonderful job of highlighting some of the tripwires, I think is the diplomatic term. What policy were we pursuing in Libya that was so great that it overcame all of the tripwires and all of the risk?

Mr. STARR. Not being here at the time, sir, I cannot answer that question for you.

I do believe, personally, from my time at the United Nations, that many of us understood that if we lost the eastern half of Libya, that if we lost the confidence of the people after the revolution in Libya, that we were going to pay a terrible price.

And I don't want to put words into Chris Stevens' mouth. I think he was an immensely talented diplomat. And I was not here at that time. But I think it was clear in Chris' mind why he needed to go to Benghazi and what he was trying to accomplish.

I think today we have more formalized processes to make sure that those decisions are documented. The VPVP process makes us go through a process that I don't think was there prior to Benghazi. I think the results of the Accountability Review Board and the Best Practices Panel and the recommendations that we've accepted ensure that, as we go forward, we've got a clearer, more precise, more mandated process for risk management.

But I would tell you, sir, that every single day for the years that I was with the Department of State, we were weighing the safety and security of our personnel versus what our national security priorities were. And I think that's a fundamental tenet that you will find that everybody in the Department agrees with.

Chairman GOWDY. Well, I appreciate you bringing the hearing, towards its conclusion, back to Chris Stevens and back to the other four who lost their lives. But Mr. Stevens was equally clear that he needed help. He was equally clear that the situation was getting worse in Benghazi. He was equally clear in asking the people who

sent him there to represent us to provide adequate security. And none was forthcoming.

With that, I would recognize the ranking member for his closing remarks.

Mr. CUMMINGS. First of all, I want to thank you all for being here today. I thank all of you.

One thing I want to remind all of us is that we are Americans, everybody trying to do the best they can to protect our people.

When we look at what happened in Benghazi, there are a lot of lessons to be learned. The question is not only have we learned them, but then how do we address them.

And, you know, quarterbacking—what do they call it, Monday-morning quarterback?—I think when you look back on things, a lot of times, you realize the things you could have done differently that probably would have made things better. But, you know, we cannot bring back the past, but I think we can make a difference right now.

It's clear that our diplomats are in some very dangerous situations. I think we all agree on that. And so now we've got to figure out how we go about protecting them even better than we have in the past.

And so that's why, Secretary Starr, I asked you about coming back to us and letting us know exactly what you're working on, those things that you still have to do, and reporting back. It is so important because, when all the dust settles, the question is, what did we accomplish?

I've been here 17 years, and I've seen a lot of arguments back and forth, but I think we must concentrate on being effective and efficient and getting something done. The arguments that have been made and the frustration that you hear from both sides, trying to figure out what happened—and I believe that everybody is acting in an honorable way with great intentions—but I want you all to understand we're just trying to figure out what happened so that we make sure, if there were things that went wrong or could have been better, that it does not happen again. That's what it's all about.

So, Mr. Chairman, again, I want to thank you for this hearing, and I want to ask you to do something for me. I want to bring Mr. Starr back in either December or January. He's already told us that in 45 days or less he can tell us about what he's working on and give us some kind of timetable. But I want him to come back and tell us what has been achieved. And that's very, very important for me and, I feel, for the whole committee.

And, Mr. Chairman, if you will, I mean, that's your call, but I think it would be unfortunate if, when this committee ends, that we have not addressed these recommendations and addressed them in a way that would please the families of the deceased.

And that brings me back to them—four great Americans who lost their lives. And I think we all made a commitment in one way or another to them that we would do everything in our power to find out what happened and at the same time to make sure we did the best we could to protect our folks overseas, to tighten up security if that's appropriate. And it is, and we've got to do that.

And so, with that, Mr. Chairman, I want to thank you.

Chairman GOWDY. I want to thank the gentleman from Maryland for all of his help in, frankly, getting ready for this hearing and the cooperative nature with which he has always worked with me.

And I think it's an excellent idea. We will work with the Secretary. I don't want to pick a date that is inconvenient with his schedule. December suits me better than January. Just, I'd rather do it sooner rather than later. But we will work with the Secretary, and I will work with you on the nature of whether or not that would be a hearing with all of our colleagues, whether or not that would be with just you and me. We'll work all that out, but I will pledge to you it will be done. And it will be done in December if it suits his schedule.

And I also want to just say this. I mean, we were given two different tasks—and I say “we”; the House voted for us to be in existence—find out everything that happened before, during, and after the attack in Benghazi; and then do everything—and the Speaker has been very clear in my conversations with him about this—do everything you can to make sure that it never happens again.

And part of that is taking recommendations that have been made in the past and asking whether or not they've been implemented. The other part of that, frankly, is anticipating things that might possibly happen. We do not have to wait on a tragedy to make recommendations.

And I noted, Mr. Cummings, during the Secretary's opening statement—I'm not minimizing this at all. If it comes across as me minimizing it, I am not. But he mentioned that they were partnering with the New York Fire Department. That's a great idea, but it does necessarily lead some of us to conclude, why could that not have been done previously? I mean, fire has been around a long time. It's been a weapon for a long time. Why now? And that's not fair for me to ask him, which is why I didn't ask him. But the notion that we have to wait on something bad to happen before we can act to do something that all 12 of us agree ought to be done.

So, again, I thank all of my colleagues. I want to thank Mr. Schiff again for giving me this idea. I hope he will share some others with me.

And, again, as we adjourn, I want to adjourn in memory of Chris Stevens, Sean Smith, Ty Woods, and Glen Doherty and pledge a process that is worthy of their memory and one that our fellow citizens can respect regardless of their political ideations.

And, with that, we are adjourned.

[Whereupon, at 12:50 p.m., the committee was adjourned.]