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HEARING 2

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, DECEMBER 10, 2014

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HOUSE SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACKS IN BENGHAZI, LIBYA

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HEARING 2

WEDNESDAY, DECEMBER 10, 2014

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

The committee met, pursuant to call, at 10:23 a.m., in Room HVC–210, Capitol Visitor Center, Hon. Trey Gowdy [chairman of the committee] presiding.

Present: Representatives Gowdy, Brooks, Jordan, Roby, Roskam, Westmoreland, Cummings, Sánchez, Schiff, and Smith [via speaker phone].

Staff Present: Phil Kiko, Staff Director and General Counsel; Chris Donesa, Deputy Staff Director; Dana Chipman, Chief Counsel; Luke Burke, Investigator; Carlton Davis, Counsel; Sharon Jackson, Deputy Chief Counsel; Sara Barrineau, Investigator; Craig Missakian, Deputy Chief Counsel; Yael Barash, Legislative Clerk; Paul Bell, Minority Press Secretary; Linda Cohen, Minority Senior Professional Staff; Ronak Desai, Minority Counsel; Shannon Green, Minority Counsel; Susanne Grooms, Minority Staff Director; Jennifer Hoffman, Minority Communications Director; Peter Kenny, Minority Counsel; Laura Rauch, Minority Senior Professional Staff; Dave Rapallo, Minority Staff Director; Dan Rebnord, Minority Professional Staff; Kendal Robinson, Minority Professional Staff; Moné Ross, Minority Staff Assistant; Heather Sawyer, Minority Chief Counsel; and Brent Woolfork, Minority Senior Professional Staff.

Chairman GOWDY. I want to welcome everyone. I want to apologize to our two witnesses and to everyone else who has been waiting. Just blame me for the delay. That would be the quickest and easiest thing to do. But we apologize for it. And I will do my best to start on time henceforth.

This is "Hearing Number Two: Reviewing Efforts to Secure U.S. Diplomatic Facilities and Personnel." The committee will come to order. Chairman notes a quorum for taking testimony pursuant to the appropriate House Resolution number and House Rule number.

I will now recognize myself for an opening statement and then the gentleman from Maryland.

In September of 2012, four of our fellow Americans were killed and others were injured in an attack on our facility in Benghazi, Libya. Sean Smith, Tyrone Woods, Glen Doherty, and Ambassador Chris Stevens died under circumstances most of us cannot fathom. Fire, violence, terror, the weaponry of war.

I want to read something and I want to ask my colleagues to listen to what I read, not just to the words, but I want you to imagine having to live through or die through the experience: On September the 11th, 2012, at 9:45 p.m., 20 or more armed men assem-

bled outside the U.S. mission in Benghazi and breached the mission gate. Several Ansar al-Sharia members have been identified among this group. The initial attackers were armed with AK-47-type rifles, handguns, rocket-propelled grenade launchers. During this initial attack, buildings within the mission were set on fire. The fire set during the attack led to the deaths of Ambassador Christopher Stevens and Sean Smith. The remaining State Department personnel escaped to a nearby U.S. facility, known as the Annex, and also came under attack which continued throughout the early morning hours of September 12th, culminating in a mortar attack that killed Tyrone Woods and Glen Doherty.

What I just read is the now official position of the U.S. Government filed in U.S. District Court by the Department of Justice in a motion to detain the one defendant who has been captured and will stand trial.

Twenty or more men, the weapons of war, arson, sustained attacks, precision mortars, terrorist groups.

It is interesting to note the use of the word "terrorist," so rarely used in the days and weeks after Benghazi by people in positions of power is now the very word used in the very statute charging the very defendant accused of killing our four fellow Americans.

"Conspiracy to provide material support and resources to terrorists resulting in death." That's the charge. That is the official charge, the official position of the United States Government.

But in the days after the attack in Benghazi, the word "terrorist" was edited out and changed. Now the administration uses the word "attack." In the days after the attack in Benghazi, the administration edited out and changed the word "attack."

It is one thing to have it wrong initially and eventually get it right. It is another thing to have it right initially and then edit it and change it so that it is wrong.

I remain keenly aware there are those on both sides of the aisle who have concluded that all questions have been answered, there is nothing left to do, no more witnesses to talk to, no more documents to review. It is worth noting that some of those very same folks did not think that Benghazi should have been looked at in the first place.

But I disagree. I do not think we should move on until there is a complete understanding of how the security environment described by our own Government in court documents was allowed to exist.

I don't think we should move on until we understand why we were told special precautions have been taken prior to the anniversary of 9/11. What precautions were taken? Where? By whom? Why were we told the Benghazi facility was secure? Why were we told it was a strong security presence in Benghazi when we now know that was false?

And it wasn't true at the time it was said.

We should not move on until there is a complete understanding of why requests for additional security were denied, by whom they were denied, and why an ambassador, trusted to represent us in a dangerous land, wasn't trusted to know what security he needed to do his job.

It has been 2 years. And we know the requests for additional equipment and personnel were denied, but we don't have a full understanding of why those requests were denied, and we should not move on until there is a complete understanding of that and why the official position of our Government is so different today than it was in the days and the weeks after Benghazi.

The facts haven't changed. The evidence hasn't changed. But the way our Government characterizes Benghazi has changed a lot.

This hearing will continue our committee's efforts to ensure the recommendations made after the attacks on Benghazi are actually implemented. And I will pledge again a process worthy of the memory of the four who were killed and worthy of the respect of our fellow citizens.

But I also pledge that we are going to keep asking questions until we have a complete understanding of what happened. And, to that end, we will have hearings in January and February and March and until. And that means access to all the documents and that means access to all the witnesses with knowledge. This committee will be the last best hope for answering the questions surrounding the attacks in Benghazi. And we may actually wind up answering some of the questions more than once. We may risk answering a question twice. That seems like a really small investment compared with what others have given and are currently giving to our country.

With that, I would recognize the gentleman from Maryland.

[Prepared statement of Chairman Gowdy follows:]

Mr. CUMMINGS. Thank you very much, Mr. Chairman, for holding today's hearing and as well as our previous hearing three months ago on this topic, which was proposed by Congressman Schiff.

These two hearings demonstrate the continued commitment of both Democrats and Republicans to making our embassies safe.

As I have often said, this is our watch. This is not about today or tomorrow. This is about generations yet unborn. And so we all take this assignment very seriously.

Over the course of 18 months of exhaustive investigations—first by the independent Accountability Review Board and then by seven congressional committees—we have learned many answers to questions about what happened in Benghazi and what changes are needed to improve security at our diplomatic facilities overseas.

But as we have also seen, when it comes to Benghazi, too many people are unaware that questions have been answered or are unwilling to accept the answers they hear.

Our "Benghazi on the Record: Asked and Answered" Web site centralizes, in one place, these answers.

Since we met last, the House Permanent Select Committee on Intelligence publicly released its bipartisan, unanimously-adopted report. As our Intelligence Committee colleagues explained "This report and the nearly two years of intensive investigation it reflects is meant to serve as the definitive House statement on the Intelligence Community's activities before, during, and after tragic events that caused the death of four brave Americans."

These bipartisan findings join the previous conclusions of the Republican-led House Armed Services Committee about the military's readiness and response on the night of the attacks.

Our committee's Democratic members have urged the chairman to review and accept these findings as we do not think that there is any reason for this Committee to reinvestigate these facts, repeat the work already completed by our Republican and Democratic colleagues, and squander millions of hardworking dollars that come from hardworking taxpayers.

We appreciate that the Chairman has decided to use this hearing to focus on constructive reform instead of retreading the same ground that other committees have already investigated. Investigated in a way that perhaps one would investigate something if they were looking at it under a high-power microscope.

We urge him to keep his focus on these constructive efforts and not be lured off this path by partisan politics. We are bigger than that, and we are better than that.

And I appreciate you, Mr. Chairman, for our discussions where you have agreed by the end of the year to give us a scope as to exactly what we will be looking at. And hopefully we will be able to come to conclusions about what we do agree on so that we can focus on those things that we still need to investigate.

I also appreciate the fact that you have agreed to meet with me and the Speaker tomorrow with regard to rules of the committee. I think you and I agree that it is nice to have structure because it helps us to deal with issues that may come up. And I do really appreciate that.

Immediately after the Benghazi attacks, the independent Accountability Review Board conducted a blistering examination of what went wrong at the State Department and identified 29 recommendations for reform.

Secretary Clinton accepted every single one of them. And the inspector general reported, "the Department wasted no time addressing the recommendations."

During our first hearing three months ago, Assistant Secretary Starr testified that the Department had closed 22 of the ARB's 29 recommendations.

Since then, the Department has continued making steady progress. I am pleased to hear that. It has closed three more recommendations and continues to make progress on the remaining four.

The Department has now delivered fire safety equipment to all but one high-threat post, and it has affirmed compliance with fire safety and equipment requirements in safe havens and in safe areas in overseas facilities.

The ARB found that the lack of adequate fire safety equipment may have contributed to the tragic consequences that night, so I am heartened to hear that the Department has completed this recommendation since our last hearing.

The Department has also closed a recommendation for increasing diplomatic security staffing to address the staffing shortcomings identified by the ARB. Mr. Starr's testimony indicates that the new positions are fully funded and that the Department intends to complete all of the remaining new hires by early 2015.

The Department has also instituted mandatory threat training for high-risk posts and created a working group to develop joint risk management courses, further addressing shortcomings that the ARB identified with regard to the training and expertise of Department personnel.

I look forward to hearing more from Mr. Starr on the work that remains to be done.

We also are joined today by Inspector General Linick. In a September 2013 report, his office made seven security-related recommendations that overlapped to a large degree with the ARB's recommendations. I was heartened to hear that six of these recommendations are now closed.

Concerns remain, however, including lingering questions about whether the Department has made sufficient changes to ensure that Department bureaus are communicating effectively and decisionmaking authority is centralized and clear.

Regarding the ARB process, the Inspector General's Office examined the 12 ARBs convened following the 1998 East Africa Embassy bombings through the 2012 Benghazi attacks. They concluded that the ARB process "operated as intended—independently and without bias—to identify vulnerabilities in the Department of State's security programs."

The Inspector General nonetheless recommended adjustments to the process, and it is my understanding that the discussions on those recommendations are ongoing.

As I close, one of these recommendations was for the Department to amend its Foreign Affairs Manual to institutionalize responsibility for ARB implementation. As the Inspector General's report noted, "handling of the Benghazi ARB recommendations represented a significant departure from the previous norm in that Secretary Clinton took charge directly of oversight for the implementation process." The Inspector General found that the high-level attention devoted to this task, "establishes a model for how the department should handle future ARB recommendations."

I am interested in hearing from Mr. Starr as to whether the Department has made the recommended change.

And to that end, I yield back.

Chairman GOWDY. Thank the gentleman from Maryland.

[Prepared statement of Mr. Cummings follows:]

Chairman GOWDY. The committee will now receive testimony from today's witness panel. First witness will be the Honorable Gregory B. Starr, the Assistant Secretary for Diplomatic Security at the Department of State. The second witness will be Honorable Steve Linick, the inspector general for the Department of State.

Welcome to both of you. Again, my apologies for you having to wait on me.

You will each be recognized for your 5-minute opening. There are a series of lights that mean what they traditionally mean in life.

With that, Secretary Starr.

STATEMENTS OF THE HONORABLE GREGORY B. STARR, ASSISTANT SECRETARY FOR DIPLOMATIC SECURITY, U.S. DEPARTMENT OF STATE; AND THE HONORABLE STEVE LINICK, INSPECTOR GENERAL, U.S. DEPARTMENT OF STATE

STATEMENT OF THE HONORABLE GREGORY B. STARR

Mr. STARR. Thank you, Chairman Gowdy, Ranking Member Cummings, and distinguished committee Members. Thank you for inviting me again to update you on the State Department's progress in implementing the recommendations made by the independent Benghazi Accountability Review Board, and I will refer to that in the future as the ARB.

I would like to acknowledge my copanelist, inspector Steve Linick. Inspector Linick works closely with the Bureau of Diplomatic Security on many issues, some of which the committee has highlighted for discussion today. And although I am focused primarily on the Benghazi ARB implementation today, I hope to be able to provide some insights into how the Department works with the Inspector General's Office to ultimately improve security around the world.

The task of keeping U.S. personnel overseas safe is dynamic and an ever evolving process. We work constantly to improve our practices and protect our people.

The ARB process is an important tool towards that goal, and today we are safer and more secure because of the recommendations of the Benghazi panel and other ARBs.

Our progress on the Benghazi ARB is measurable and sustained. And, importantly, many of the lessons learned are further incorporated into policy. Of the 29 recommendations, we have now closed 25 of them. That includes three that we have closed since September, my last testimony, based on further work and analysis.

We are committed to finishing the work yet to do on the final four recommendations and will not lose sight of continuing and building on the security and procedural improvements that have already been instituted.

I would like to highlight just a few examples of what we have done to improve our security posture since the attacks in Benghazi. These are specific, tangible changes.

We have more Diplomatic Security and Department of Defense personnel on the ground at our facilities today.

We have increased the skills and competencies for Diplomatic Security agents by increasing the training time in the high-threat course.

We have expanded the Foreign Affairs Counter Threat course for our colleagues beyond high-threat posts because we recognize that the value of these skills extends to all foreign service personnel and other employees at our posts overseas. These are skills that people can take with them to make us safer and make them safer in every post that they are at.

There are broader, more programatic changes. One which I discussed in September is the launch of the Vital Presence Validation Process, or our shorthand for that is VP2. Through VP2, the State Department asks itself hard questions to balance the risks and the benefits at our highest threat posts. The end result is a clear-eyed

risk assessment of whether the U.S. should operate in those dangerous locations and, if so, how do we operate.

Where the process determines that U.S. national interests require us to operate at dangerous posts, the Department undertakes measures to mitigate identified risks and prioritizes resources to do so.

The steps we have taken to implement the Benghazi ARB recommendations underscore an important point. We live in a world with more unstable and dangerous locations. Our foreign policy often demands that we send our people to work in those very places that are increasingly perilous.

We cannot eliminate risk. The threats evolve. As a result, the work of securing our facilities and safeguarding our people is never complete. We are committed to implementing the ARB's recommendations, but we are also committed to looking forward to meeting the new challenges and threats as they develop.

Our best assets in this effort are our people. Our highly trained foreign service officers and security personnel are out in the field every day executing U.S. foreign policy. They deserve the credit and thanks for the work that they do on our behalf.

It is our job to do everything we can to reduce the risks they face. As the Assistant Secretary for Diplomatic Security, I am committed to keeping our people as safe as possible.

I know that the committee as well as the Inspector General's Office shares our commitment in making that true, keeping our people as safe as possible.

With that, Mr. Chairman, I would be happy to answer questions from the committee about the implementation of the ARB.

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

DECEMBER 10, 2014

Good morning Chairman Gowdy, Ranking Member Cummings, and distinguished Committee members. Thank you for inviting me to appear again today to provide you with an update on the Department of State's progress since September to implement the recommendations made by the independent Benghazi Accountability Review Board (ARB). The Department has made tremendous progress on the 29 independent Benghazi ARB recommendations. To date, we have closed 25 recommendations (including three since our last hearing). The remaining four are in progress or nearing completion.

Keeping U.S. personnel overseas safe is an ongoing, evolving process defined by proactive planning and responsive improvements. The ARB and its recommendations have made an important and valuable contribution in this regard, but I would also like to acknowledge my co-panelist Inspector General Steve Linick, who plays an important role in identifying ways that the Department can improve security. Inspector General Linick and the OIG staff have reviewed our implementation of the Benghazi ARB's recommendations and will be coming back this January to update their review.

It is important to put security and the risks our diplomats face in context. We live in an ever more dangerous world, and often U.S. foreign policy demands that we send our people to carry out important missions in places that are unstable and perilous. Often the places where our presence is needed most are those in which it can be most dangerous to operate. The Department works every day to mitigate the risks that are inherent in the diplomatic work that we ask our people to do. But we can never eliminate risk entirely.

The public is familiar with places like Beirut, Nairobi, Dar es Salaam, and now Benghazi where American lives were lost. The Department lives with their legacies every day; those were our colleagues. People may be less familiar with Cairo, Sana'a, Tunis, Herat, and Khartoum – places where the Department's security policies and personnel repelled attacks. They may not know of places like Bangui and Gaziantep, where our new risk management policies are helping us safely reopen or launch new posts.

These success stories can be credited, at least in part, to the Department's commitment to learning and incorporating the lessons learned from tragedies like Benghazi into our policies and procedures. Starting with the Inman building program in the 1980s, and continuing today following ARB recommendations, the Department has demonstrated this commitment by adjusting policies, expanding

training, and marshaling more resources, particularly to our most dangerous posts. To put it simply, the ARB process has saved lives.

In our dangerous world, we know we will not stop every attack. But we do everything we can to reduce the risks facing our diplomats each and every day. Today, our personnel go abroad with more training than ever, to posts that are better secured than ever. For example:

- **Training:** Foreign Affairs Counter-Threat (FACT) training has expanded to all high-threat, high-risk posts. We have also begun a systematic process to expand this training over the next few years to *all* Foreign Service personnel and certain other employees under Chief of Mission authority regardless of a post's threat level. Throughout the week-long course, our officers learn security and life safety skills, such as defensive driving techniques, emergency first aid, how to respond to an attack using fire as a weapon, and how to recognize the signs of an impending attack and to react accordingly.

- **Host Nation Support:** In 2014, we created the Special Program for Embassy Augmentation and Response (SPEAR) Program. SPEAR enhances the security of high-threat, high-risk posts by providing training and loaned equipment to host nation security forces that are assigned to respond to emergencies at U.S. diplomatic facilities, but who otherwise could be inadequately trained or equipped to perform that mission effectively. SPEAR is not a one-time training program, but is expected to become a long-term engagement with the goal of institutionalizing the host nation's enhanced capability for U.S. diplomatic community security.

- **Department of Defense Support**: From augmenting security when the situation warrants to providing support if we must temporarily relocate personnel, we continue to collaborate closely with our partners at the Department of Defense. Before 2012, there were only one to two Marine Security Guard Detachment activations per year, after an 18-24 month activation process. I am pleased to report today that we have established 19 new detachments in just a two-year timespan.

Each of these represent the Department's broader commitment to giving the foreign affairs community the training, resources, and support needed to keep our

personnel safe as they protect America's national security, promote our economic prosperity, and advance America's global leadership.

As you asked in September, the Department provided a written progress summary on ARB implementation within 45 days of that hearing. I am here to provide the Committee today with an additional update on the Department's progress in implementing the Benghazi ARB's recommendations.

I am pleased to report that we have made progress since September. Since then, the Permanent Coordinating Committee, on which I sit, met to conduct its annual review of all ARB recommendations. We continue to work closely with the Deputy Secretary for Management and Resources to ensure we maintain constant focus on these critical recommendations at the highest levels of the Department, along with the Under Secretaries for Political Affairs and Management, and other offices and bureaus. I look forward to providing you with details about where we stand. In doing so, I am mindful that there is still work to be done and that the Committee, as well as the Inspector General's office, may have suggestions about how to do even better. We welcome your input. Indeed, the Department shares an interest with the Committee to ensure that we learn the lessons from attacks like those in Benghazi.

As I mentioned, since the hearing in September, the Department closed three more Benghazi ARB recommendations, bringing our total to 25 out of 29 recommendations. We closed Recommendation 12, which concerns hiring additional personnel into the Diplomatic Security Bureau. All 151 new positions have been created and funded, and we anticipate completing the interview and hiring process in early 2015. We also closed Recommendation 17 based on the Department's progress in instituting mandatory Foreign Affairs Counter Threat training for high threat, high risk posts, and creating a joint Foreign Service Institute and Diplomatic Security standing working group to develop joint risk management courses. Recommendation 18 has also been closed. We have procured and installed photo-luminescent directional tape and signage for safe havens and building exits at all of our high-threat, high-risk posts. We also affirmed compliance with fire safety/security equipment in safe havens and safe areas located in non-Inman/SECCA facilities and in high-threat Inman facilities. Furthermore, we have delivered the recommended fire safety equipment to all but one high-threat, high-risk post, with that final delivery pending resolution of a customs issue.

Only four Benghazi ARB recommendations remain open, and we are actively working to close them. For example, in response to Recommendation 7, the Department conducted a review of all overseas facilities to assess whether co-location waivers are required when co-location is not an option. We anticipate completing the waiver process soon. For Recommendation 13, we have increased the assignment lengths for personnel assigned to high-threat, high-risk posts. Although that achieves the letter of the ARB's recommendation, in order to ensure that we can assign the most qualified personnel, the Department continues to seek authority from Congress to waive salary and annuity limitations that will enable us to keep experienced individuals assigned to our most critical posts. For Recommendation 20, the Department has confirmed that Washington can already monitor all high-threat, high-risk posts through surveillance cameras, and continues to install upgraded camera technology. We expect to complete all the equipment upgrades by mid-2016. We are prioritizing upgrades for the posts that need the technology most. Finally, classified Recommendation 5 remains open. The Department is addressing this recommendation as part of its construction plan. We can provide you additional details in an appropriate setting.

The closure of 25 out of the 29 Benghazi ARB recommendations reflects a tremendous amount of progress. The Department has achieved quantifiable goals and has institutionalized important changes to how we conduct our operations. We take the ARB's recommendations seriously and will not close them until it is appropriate to do so. Indeed, as outlined in the Department's October 30, 2014 letter to the Committee, we are holding open several recommendations from past ARBs based on a sober assessment of where we stand. There is more work to do and the entire Department is committed to getting it done.

As we continue our discussion, I believe we also owe it to our diplomats, along with our security professionals, in the field and our personnel who support them from home to acknowledge that their efforts are appreciated, that their work to further U.S. foreign policy is a success, and that we will continue doing everything we can to support and protect them.

In closing, I would like to return to a discussion of risk and diplomacy. Today, the overall threat that the foreign affairs community faces is magnitudes greater in size and complexity than that we experienced a few decades ago. But as the threats have evolved, so have our security protocols. The United States cannot retreat from its work. Diplomacy must persist and is essential to our nation's security. Like you, we want to keep our people safe. I will be happy to answer your questions at this time.

Chairman GOWDY. Mr. Linick.

STATEMENT OF THE HONORABLE STEVE LINICK

Mr. LINICK. Chairman Gowdy, Ranking Member Cummings, and Members of the Committee. Thank you for the opportunity to testify regarding our review of the ARB process and associated work we have conducted in recent years on security-related matters.

Since the September 2012 attacks on U.S. diplomatic facilities and personnel in Benghazi, the OIG has redoubled its oversight related to security, issuing inspection and audit reports specifically targeting security matters. In addition to that work, we inspect posts across the globe, and we review security-related matters at each one.

In my comments today, I will address the ARB process and discuss findings based on our other security-related work.

In September 2013, OIG published its report on the special review of the Accountability Review Board process, the process by which the Department's ARBs are established, supported, staffed to conduct it.

The special review also examined the manner in which the Department tracks the implementation of ARB recommendations.

We found that follow through on long-term security program improvements involving physical security, training, and intelligence sharing lacked sustained oversight by the Department's principals. The lack of follow through explains in part why a number of Benghazi ARB recommendations mirror previous ARB recommendations. We concluded that the implementation of ARB recommendations works best when the Secretary of State and other Department principals take full ownership of the implementation process.

OIG's special review made 20 formal recommendations. In May of 2014, I notified the Deputy Secretary of State for Management and Resources of the status of those recommendations, and I provided additional suggestions and intended to enhance the effectiveness of the ARB process.

Although some of our recommendations related to the special review and my later suggestions remain unresolved at this time, OIG has found evidence that the Department has made progress in addressing some of the security concerns.

During fiscal year 2015, we will be conducting a formal follow-up review on compliance with our own recommendations and with the Benghazi ARB recommendations.

In addition to the ARB review process, OIG has issued a variety of reports covering significant security matters. I take this opportunity to highlight four areas of concern.

The first relates to physical security deficiencies. OIG reports demonstrate that the Department is at increased risk because it lacks sufficient processes and planning to ensure that the Department fully understands the security needs and priorities at posts around the world. If the Department cannot identify security vulnerabilities, it cannot adequately plan, budget for, or implement solutions.

In 2012, OIG conducted a series of audits of posts located in Europe, Latin America, and Africa, which identified physical security

deficiencies at nine embassies and one consulate that required immediate attention. A number of these posts were designated high-threat. OIG auditors found that the posts were generally not in compliance with the Department's physical and procedural security standards.

Security deficiencies common among the posts included, among others, the failure to meet minimum compound perimeter requirements and to properly conduct inspections of vehicles before entering posts.

The most egregious problem that we found in these audits and have identified in recent inspections is the use of warehouse space or other remote facilities for offices which do not comply with standards and places personnel at great risk.

The second area of concern involves exceptions and waivers granted from compliance and security standards. OIG has found that a number of overseas posts had not maintained accurate exception and waiver records. In addition, OIG found that the Bureau of Diplomatic Security was not monitoring posts to determine whether they were obtaining waivers and exceptions for deviations from standards.

The Department has reported that it has remediated that condition at this time.

The third area of concern involves stovepiping of security issues. Although the Bureaus of Diplomatic Security and the Overseas Building Operations share responsibility for ensuring posts' physical security needs, they don't adequately coordinate.

The fourth issue of concern relates to vetting of local guards. DS oversees local guard forces that are a critical part of security at Department missions overseas. They typically are posted outside or just inside the perimeter of the embassy compound and are often responsible for searching vehicles, et cetera.

We conducted an audit of the DS local guard and noted in June 20 of 2014 that none of the six security contractors reviewed by OIG fully performed the vetting procedures specified. One bad actor with the right position and access can seriously endanger the safety and security of personnel overseas.

In conclusion, security issues have been and continue to be a top priority for my office. I want to thank my staff for their professionalism and commitment to this effort. I look forward to continuing to engage with the Department and Congress over these matters in the coming months in an effort to mitigate risks and avoid future incidents like the attacks that occurred in Benghazi.

Chairman Gowdy, Ranking Member Cummings, and Members of the Committee, thank you again for the opportunity to testify today. I look forward to your questions.

Chairman GOWDY. Thank you, Mr. Linick.

[Prepared statement of Mr. Linick follows:]

STATEMENT BY

STEVE A. LINICK

INSPECTOR GENERAL FOR THE U.S. DEPARTMENT OF STATE

AND THE BROADCASTING BOARD OF GOVERNORS

BEFORE THE

SELECT COMMITTEE ON BENGHAZI

U.S. HOUSE OF REPRESENTATIVES

SECOND SESSION, 113TH CONGRESS

REVIEWING EFFORTS TO SECURE U.S. DIPLOMATIC FACILITIES AND PERSONNEL

DECEMBER 10, 2014

Chairman Gowdy, Ranking Member Cummings, and Members of the Committee, thank you for the opportunity to testify before you today regarding our review of the Accountability Review Board (ARB) process and associated work we have conducted in recent years on security-related matters.

My mission as Inspector General is to provide to Congress, policy makers, and the public independent assessments of the programs and operations of the Department of State (Department) and the Broadcasting Board of Governors in order to promote economy and efficiency and to prevent and detect waste, fraud, abuse, and gross mismanagement. That oversight is carried out through audits, inspections, evaluations, and investigations led by the many talented and seasoned professionals who staff the Office of Inspector General (OIG). Needless to say, ensuring the security of U.S. diplomatic facilities and personnel is a top priority for the Department and OIG. I welcome this opportunity to review OIG's work in this area.

Since the September 2012 attacks on U.S. diplomatic facilities and personnel in Benghazi, OIG has redoubled its oversight efforts related to security, issuing inspection and audit reports specifically targeting security matters, which are typically addressed in classified annexes or reports.[1] In addition to that work, we inspect posts across the globe and review security-related matters at each one. In my comments today, I will address the ARB process and discuss findings based on our other security-related work and on the experience of our office.

My comments and responses will, at times, be general in nature because, even if not formally classified, our work has identified specific vulnerabilities, the public disclosure of which could endanger the safety and security of Department employees, assets, and information. If, at the conclusion of this hearing, you have remaining questions that touch upon sensitive and/or classified information, I would be pleased to respond to those questions in an appropriate setting.

About ARBs and OIG's Review of the ARB Process

The ARB process is a statutory mechanism employed to foster more effective security of U.S. missions and personnel by requiring an independent review of significant security-related incidents. The ARB examines the facts and circumstances surrounding incidents and makes written findings and recommendations.[2] According to the *Foreign Affairs Manual* (FAM), "through its investigation and recommendations, the [ARB] seeks to determine accountability and promote and encourage improved security programs and practices."[3] Composed of five members, an ARB is convened by the Secretary of State to investigate security-related incidents involving serious injury, loss of life, or substantial destruction of property at, or related to, a U.S. Government mission abroad. The Secretary of State names four members, and the Director of National Intelligence names the remaining member. Since 1998, 12 ARBs have been convened—the most recent being the ARB chaired by Ambassador Thomas R. Pickering to review the September 2012 Benghazi attacks.

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[1] Two OIG audit reports—*Audit of Department of State Compliance With Physical Security Standards at Selected Posts Within the Bureau of African Affairs* (AUD-HCI-13-40) and *Audit of Department of State Compliance With Physical and Procedural Security Standards at Selected High Threat Level Posts* (AUD-SI-13-32)—summarized findings issued in a total of ten OIG Outlines for Action that identified physical security deficiencies in nine embassies and one consulate.

[2] Diplomatic Security Act, Pub. L. 99-399, sec. 301 (1986); 12 FAM 035, "Findings and Recommendations."

[3] 12 FAM 031.1, "Objective."

On September 25, 2013, OIG published a report on its *Special Review of the Accountability Review Board Process*[4] (Special Review)—the process by which the Department's ARBs are established, staffed, supported, and conducted. The Special Review also examined the manner in which the Department tracks the implementation of ARB recommendations. We found that follow-through on long-term security program improvements involving physical security, training, and intelligence sharing lacks sustained oversight by Department principals.[5] Over time the implementation of recommended improvements slows. The lack of follow-through explains, in part, why a number of Benghazi ARB recommendations mirror previous ARB recommendations. This pattern further underscores the need for Department principals' involvement in order to ensure that implementing actions are sustained. We concluded that the implementation of ARB recommendations works best when the Secretary of State and other Department principals take full ownership of the implementation process.

OIG's Special Review made 20 formal recommendations.[6] The recommendations addressed issues such as meeting minimum security standards before Department staff occupy buildings located in high-threat environments, fully documenting the process for vetting security-related incidents to identify those that do not warrant elevating an incident to the ARB level, and ensuring that this information is communicated to the Secretary of State.

In May 2014, I notified the Deputy Secretary of State for Management and Resources of the status of those recommendations and provided additional suggestions intended to enhance the effectiveness of the ARB process. I suggested that decisions related to the staffing of the ARBs be elevated from an office currently reporting to the Under Secretary of State for Management. I also suggested that steps be taken to enhance the fact-gathering and decision-making processes and the ability to review future ARBs through the use of verbatim transcripts to accurately record and preserve interviews and meetings.

Although a number of our recommendations related to the Special Review remain unresolved, OIG has found evidence that the Department has made progress in addressing some security concerns. For example, the Benghazi ARB found that the lack of shared responsibility between the Bureau of Diplomatic Security (DS) and the Bureau of Near Eastern Affairs (NEA) was a contributing factor to the security vulnerabilities in Benghazi. In our September 2014 inspection report[7] on DS' High Threat Programs (HTP) Directorate, OIG found that HTP staff have effectively integrated themselves into the security-related work of the regional and functional bureaus. Thus, shared responsibility and enhanced communication between DS and the regional bureaus seems to have improved. In addition, the Department has provided to OIG a detailed plan to strengthen security at high-risk, high-threat posts, which includes enhanced training of more than 1,000 DS special agents.

A critical function for OIG is to track compliance with our recommendations. OIG will be following up, in Winter 2015, on the Department's compliance with OIG recommendations in the ARB Special

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[4] *Special Review of the Accountability Review Board Process* (ISP-I-13-44A, September 2013).

[5] The phrase "Department principals" means officers above the level of Assistant Secretary of State—the Under Secretaries, the Counselor of the Department, the Deputy Secretaries, and the Secretary.

[6] ISP-I-13-44A, September 2013.

[7] *Inspection of the Bureau of Diplomatic Security, High Threat Programs Directorate* (ISP-I-14-23, September 2014).

Review. OIG will also review the Department's reported compliance with the 29 recommendations in the Benghazi ARB report.

Recent Significant OIG Findings Concerning Security Issues

In addition to the ARB process review, OIG has issued a variety of reports covering significant security matters. I take this opportunity to highlight four areas of concern: (1) physical security deficiencies; (2) exceptions and waivers; (3) "stovepiping" of security issues within the Department; and (4) vetting of local guard forces protecting overseas facilities and personnel.

Physical Security Deficiencies

Making Department personnel and facilities safe depends in large part on understanding and closing the gaps between established physical security requirements and the real world situations found at each post around the world. Recent OIG reports demonstrate that the Department is at increased risk because it lacks sufficient processes, planning, and procedures to ensure that the Department understands the security needs at posts around the world. For example, in March 2014, OIG reported, in its audit on requesting and prioritizing physical-security activities, that the Department lacked a comprehensive list of physical security deficiencies and funding requests at overseas posts.[8] As a result, the Department could not ensure that the highest priority physical security needs at overseas posts were addressed and that the posts' vulnerabilities to threats had therefore been reduced sufficiently.[9] If the Department cannot identify security vulnerabilities, it cannot adequately implement or fund solutions.

In 2012, OIG conducted a series of audits and reviews of posts located in Europe, Latin America, and Africa, which identified physical security deficiencies at nine embassies and one consulate that required immediate attention.[10] OIG auditors found that the posts were generally not in compliance with the Department's physical and procedural security standards. Security deficiencies common among the posts included the failure to meet minimum compound perimeter requirements; to properly conduct inspections of vehicles before entering posts; to maintain functioning anti-ram barriers, as required; and to install and/or maintain functioning forced-entry/ballistic-resistant doors, as required. Some regional security officers (RSOs) at the audited posts stated that they were not aware of the security requirements, and one RSO explained that the deficiency in question was in place prior to the RSO's arrival at post; however, no action had been initiated to remedy the security deficiency.

Exceptions and Waivers

Exceptions and waivers granted from compliance requirements of the Secure Embassy Construction and Counterterrorism Act[11] (SECCA) or the security standards established by the Overseas Security Policy Board (OSPB) also contribute to increased security risks at posts.

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[8] *Audit of the Process To Request and Prioritize Physical Security-Related Activities at Overseas Posts* (AUD-FM-14-17, March 2014).

[9] Ibid.

[10] AUD-SI-13-32, June 2013, and AUD-HCI-13-40, September 2013.

[11] Sec. 606(a) of H.R. 3427 of the 106th Congress (113 Stat. 1501A-454-255) (22 U.S.C. § 4865), incorporated by reference pursuant to sec. 1000(a)(7) of Pub. L. 106-113 as Appendix G (1999).

OIG has found conditions of non-compliance with security standards for which posts had not sought exceptions or waivers.[12] A common example is the use of warehouse space for offices. Under the Department's security rules, office space must meet more stringent physical security standards than warehouse space; Department employees who work in warehouse spaces, which do not meet required physical security standards for offices, are at risk.

OIG also found that a number of overseas posts had not maintained accurate exception and waiver records.[13] In some cases, OIG inspectors found that RSOs were unable to locate an exception or waiver approval or denial that was on file with DS. When a new RSO, chief of mission, or deputy chief of mission arrives at post, accurate, up-to-date records can help ensure that the RSO and senior management have current knowledge of outstanding exception and waiver requests. Only in this manner can the RSO ensure that mitigating steps are understood and completed and that restrictions, such as building use, are enforced. To address these issues, OIG recommended that DS require overseas posts to: (1) submit an annual written certification that exceptions and waivers have been requested for all circumstances where standards cannot be met and (2) provide a statement of assurance signed by the chief of mission certifying that post is adhering to all stipulations in existing waivers and exceptions. To date, this recommendation remains unresolved.

Stovepiping of Security Issues

The Department also is at increased risk regarding security because it stovepipes or segregates relevant DS responsibilities. DS is the entity responsible for establishing standards and for keeping staff and facilities safe. A different Department bureau, the Bureau of Overseas Buildings Operations (OBO), is responsible for construction and maintenance of Department facilities overseas. Although DS and OBO share responsibility for ensuring that posts' physical security needs are addressed, adequate coordination between the bureaus is lacking.[14] Because OBO is appropriated funds for addressing physical security deficiencies, it takes the lead in determining which physical security projects will be funded and when. As noted in a March 2014 OIG report,[15] in response to an OIG questionnaire, a Department employee stated that "the largest problem with physical security funding is that OBO...considers it a DS thing and DS...does not control funding....This confuses the whole process, introduces delays and makes it cumbersome." In that same report, OIG found that DS and OBO maintained differing interpretations of the OSPB standards and lacked agreement on prioritization factors for major physical security upgrade projects and a long-range plan to address physical security needs. In OIG's 2014 inspection of DS' HTP Directorate, OIG found that OBO's lack of a formal mechanism to expeditiously address urgent needs of high-threat posts served as an obstacle to the Directorate's work of supporting those needs.

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[12] *Review of Overseas Security Policy Board Exceptions and Secure Embassy Construction and Counterterrorism Act of 1999 Waivers* (ISP-I-13-06, January 2013).

[13] Ibid.

[14] *Inspection of the Bureau of Diplomatic Security, High Threat Programs Directorate* (ISP-I-14-23, September 2014); *Compliance Follow-up Review of the Bureau of Overseas Buildings Operations* (ISP-C-11-26, May 2011).

[15] *Audit of the Process to Request and Prioritize Physical-Related Activities at Overseas Posts* (AUD-FM-14-17, March 2014).

Issues with Vetting Local Guard Forces

DS oversees local guard forces that are a critical part of security at Department missions overseas. They typically are outside, or just inside, the perimeter of embassy compounds and are often responsible for searching individuals and vehicles entering posts.

OIG conducted an audit of the DS local guard program to determine whether security contractors had complied with contract requirements for vetting the suitability of local guards at posts overseas and whether RSOs had performed adequate oversight of the local guard vetting process.[16] OIG found in its June 2014 report that none of the six security contractors reviewed by OIG fully performed the vetting procedures specified. Inadequate oversight of local guard vetting processes places missions and personnel at heightened risk. One bad actor—with the right position and access—can seriously endanger the safety and security of our personnel overseas.

In conclusion, security issues have been and continue to be a top priority for OIG. I look forward to continuing to engage with the Department and Congress over these matters in the coming months in an effort to mitigate risk and avoid future incidents like the attacks that occurred in Benghazi. Chairman Gowdy, Ranking Member Cummings, and Members of the Committee, thank you again for the opportunity to testify before you today. I look forward to your questions.

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[16] *Audit of Contractor Compliance With and Department of State Oversight of the Process Required for Vetting Local Guards* (AUD-HCI-14-24, June 2014).

Chairman GOWDY. The chair will now recognize the gentlelady from Indiana, Mrs. Brooks.

Mrs. BROOKS. Thank you, Mr. Chairman.

And thank you both for appearing here today and for your service to our country.

As the inspector general, Mr. Linick, and all inspector generals for all agencies, would it be correct to say that generally you are charged with ensuring that in this case that the State Department is effectively managed and accountable for its decisions? Is that what inspector generals do?

Mr. LINICK. Yes.

Mrs. BROOKS. And you conduct audits. We have heard you talk about audits, evaluations. The way inspector generals do that is they conduct audits, evaluations, inspections. And you have just mentioned some of those. Is that correct?

Mr. LINICK. Yes. And we look at programs and operations as well.

Mrs. BROOKS. And so you are like the internal watchdog or internal police department for an agency and for the State Department specifically.

Mr. LINICK. Yes.

Mrs. BROOKS. But you are not appointed by the Secretary of State. Is that correct?

Mr. LINICK. No. I was appointed by the President and confirmed by the Senate.

Mrs. BROOKS. And when were you appointed?

Mr. LINICK. I was appointed in September of 2013.

Mrs. BROOKS. So that means that actually you have complete independence, don't you, from the State Department and the decisions that they make?

Mr. LINICK. Yes, we are independent.

Mrs. BROOKS. And before that, you actually, as I understand, like myself, were Federal prosecutor, focused on fraud types of matters.

Mr. LINICK. I was for 16 years.

Mrs. BROOKS. And, in your finding that you undertook of the ARB, it is my understanding that you felt—and this is quoting—your most important finding was that the oversight of the ARB recommendations must be at the highest levels within the Department. Is that correct?

Mr. LINICK. That's correct.

Mrs. BROOKS. And what highest level were you referring to?

Mr. LINICK. At least at the Deputy Secretary level.

Mrs. BROOKS. And, in your opinion, is that where the implementation of the ARB recommendation stands at this point?

Mr. LINICK. That remains an unresolved recommendation. We did receive revisions to the Foreign Affairs Manual yesterday, and we are looking at them now.

Mrs. BROOKS. And so the recommendation—and that recommendation was made by the IG that, in fact, the Foreign Affairs Manual should specifically state to other employees of the Department that these recommendations would be undertaken by the, at a minimum, Secretary of State or the highest levels, the principals like the Deputy Secretary. Is that correct?

Mr. LINICK. That is correct.

Mrs. BROOKS. And so you have stated that, in fact, they have provided that to you yesterday.

Mr. LINICK. Yes. We did receive a revision to the Foreign Affairs Manual, but we have not analyzed it yet. So the recommendation remains unresolved.

Mrs. BROOKS. And so let's talk about unresolved or closed and findings. When the inspector general makes recommendations and brings forth their findings, they are in several different categories. Is that correct?

Mr. LINICK. That is correct.

Mrs. BROOKS. Unresolved, closed, resolved.

Mr. LINICK. Exactly, yes.

Mrs. BROOKS. Can you share with us what "unresolved" means?

Mr. LINICK. So there are really two buckets. There are open recommendations and closed recommendations. Open recommendations can either come in two forms: They can be resolved or unresolved. So if the Department agrees in principle with a recommendation, that will be open and resolved. It will not be closed until the Department proves to us—because we are in the trust but verify business—you know, that it, in fact, has been implemented.

An open recommendation which is unresolved means generally the Department disagrees with the OIG. And we don't have resolution on that. So it remains open as well.

Mrs. BROOKS. Can I just ask—and sorry to interrupt—approximately how many open and unresolved recommendations are there?

Mr. LINICK. In the ARB report?

Mrs. BROOKS. Yes.

Mr. LINICK. At this time, there are seven unresolved recommendations. Like I said, a couple of them that—that might change. We are also doing a compliance follow-up review, which means we are actually going and doing another inspection to see whether or not our recommendations actually have been complied with.

Mrs. BROOKS. Is that common practice, that you always do that—compliance reviews of your recommendations?

Mr. LINICK. We don't always do that. It is very resource-intensive. Typically what would happen is the Department would come back and say, here is documentation showing that we have implemented your recommendation and we would close it.

The compliance follow-up review is really a different animal because we actually do a completely separate inspection or audit to—and actually do interviews and test whether or not implementation has occurred. It is not something we do frequently. We do it in cases where we believe the recommendations are significant or where we felt that compliance was lacking.

Mrs. BROOKS. And do you also, when you go back and do the compliance review, do you also look into recommendations that have been closed?

Mr. LINICK. Yes. We look at all of the recommendations from soup to nuts to see where they stand. So just because we have closed them because we have documentation we are going to go behind that documentation and verify whether, in fact, it has been implemented.

Mrs. BROOKS. Are you aware as to whether or not prior inspector generals actually ever did what you are doing with respect to compliance reviews when it comes to physical security of our Embassies?

Mr. LINICK. I believe our office has done some compliance follow-up reviews.

Mrs. BROOKS. But is it fair to say that a number of the recommendations that were in the Benghazi ARB were also in the Nairobi ARB?

Mr. LINICK. Oh, absolutely. We did see a number of repeat recommendations, from enhancing training to enhancing the Marine Security Guard program, to enhancing interagency sharing and so forth.

Mrs. BROOKS. So there have, obviously, been previous ARBs where recommendations were made where the State Department closed or agreed with the recommendations but yet we still had the same problem.

Mr. LINICK. That is correct.

Mrs. BROOKS. In 2012.

Mr. LINICK. That is correct.

Mrs. BROOKS. So, with respect to the closed—and there are a number of closed recommendations—what do you expect to happen—what does "closed" mean? You have talked about open and unresolved. What do closed recommendations mean?

Mr. LINICK. Closed recommendations mean they provided documentation to us to prove that they've complied with the recommendation. In the compliance follow-up review, we will interview and look more closely and drill down to see whether or not it is, in fact, closed.

So closed is a preliminary conclusion, if you will, about the status of the recommendation.

Mrs. BROOKS. And, in fact, when would you have received the—when you have made the decision that something was closed or not closed?

Mr. LINICK. We would make that decision after our compliance follow-up team, we have a special team that does this, reviews the documentation and then determines whether that documentation, in fact, meets the intent of our recommendation.

Mrs. BROOKS. But, in fact, as late as June of 2014, in fact, you just mentioned physical security deficiencies, exceptions in waivers, stovepiping, and vetting of local guards are still unresolved and so are not closed.

Mr. LINICK. Those—those were recommendations from other reports. In other words—so we have done—we have done the ARB review, and we have focused on process and we have focused on how they implemented the ARB recommendations. We have issued a number of other reports which identify, among other things, lack of compliance with standards, and inadequate vetting of local guards. And we made a whole bunch more recommendations in connection with those reports, and they are at various stages of closure, et cetera.

Mrs. BROOKS. The Best Practices Panel's most important recommendation—you are familiar with the Best Practices Panel, which happened after the ARB, are you not?

Mr. LINICK. I am indeed.

Mrs. BROOKS. In fact, it, too, indicated that elevating the importance of security and making diplomatic security an equal partner was its most important recommendation. Is that correct?

Mr. LINICK. I believe that was recommendation number one.

Mrs. BROOKS. And yet we learned at that time at our last hearing that the State Department rejected that recommendation. Has there been a change from our last hearing to today?

Mr. LINICK. Well, we are not monitoring compliance with that recommendation, so I don't know the answer to that question.

Mrs. BROOKS. Do you know with respect to this exact recommendation, and that is the fact that we believe—and that panels have made the recommendation that, in fact, all of the implementation of the various recommendations of the ARB should be made at one of the highest levels. These are the principals. Is that correct? The principals under the Secretary of State?

Mr. LINICK. Yes, that is correct.

Mrs. BROOKS. And, in fact, the oversight right now in the implementation is being made in the Office of Management Policy and Rightsizing. Is that correct?

Mr. LINICK. I believe they are tracking the implementation of it, yes.

Mrs. BROOKS. And that is actually what Mr. Starr said. And "tracking" just means, is it being done? Is that correct?

Mr. LINICK. We think that the Deputy Secretary ought to take responsibility for oversight of the implementation, that she take responsibility for making sure that those recommendations are followed through, that there is sufficient funding to ensure that they are completed and that they are adequately shared among the State Department community so everybody knows what they are, why they are important. That is what we are seeking with our particular recommendation.

Mrs. BROOKS. Do you know who at the State Department, at the time that they rejected that recommendation, and that recommendation was rejected, do you know who at the State Department made that decision to reject that recommendation?

Mr. LINICK. The Sullivan recommendation or our recommendation?

Mrs. BROOKS. Both. The recommendation to reject that the Deputy Secretary should be the level responsible for implementing all of these recommendations.

Mr. LINICK. As to the Sullivan recommendation, I don't know who—who, if anyone, rejected that. I know the Deputy Secretary is considering our recommendation. And, in fact, I believe, like I said, there is a revision to the Foreign Affairs Manual which apparently does embody that. But we haven't closed that yet because we haven't had the opportunity to analyze it and assess it.

Mrs. BROOKS. And, Mr. Starr, do you know who made that decision at that time?

Mr. STARR. I don't believe that there was a decision not to comply with that recommendation.

Two things, Congresswoman. One, it was the Secretary himself who ultimately decided that we did not need an Under Secretary after consideration through various levels of the Department.

In terms of the implementation of the ARB, the paperwork that we have put forward to modify the FAM does show that it is the Deputy Secretary for Management and Resources who will be the oversight officer for ARBs.

And if you would permit me, just for a second. While this is a change to the FAMs, I have been in multiple meetings since the arrival of Deputy Secretary Higginbottom, and I was in multiple meetings beforehand while Tom Nides was still the Deputy Secretary, where the Deputy was taking direct charge of the oversight of the implementation of the ARB recommendations.

The MPRI group is the staff that is tracking them and then bringing these up and presenting them to the Deputy Secretary. And then we have had multiple meetings where myself, major officers from all the regional bureaus, the Deputy Secretary heading the meeting, plus MPRI, plus CT, plus the other bureaus have been in these.

So I think it is very clear that the Deputy Secretary and our highest levels have been involved in the implementation of the ARB. What we are doing now is making sure that it is codified in the FAMs.

Mrs. BROOKS. Thank you, Mr. Chairman.

I yield back, but I would like to add, it is about time. Thank you.

Chairman GOWDY. Thank the gentlelady from Indiana.

The chair will now recognize the gentlelady from California, Ms. Sánchez.

Ms. SÁNCHEZ. Thank you, Mr. Chairman.

I want to welcome and thank both witnesses for being here today.

And I want to follow up on this line of questioning with respect to the physical security of Embassies and mission facilities.

Two of the past ARB recommendations that remain open, if I am not mistaken, are from the 1999 Nairobi and Dar es Salaam ARBs. And in those ARBs, they recommended that physical security upgrades be made immediately and that State work to obtain sufficient funding for building programs because that was a need that was identified.

And as a result of those recommendations, the Capital Security Cost Sharing Program was initiated to pay for the costs of building new Embassies and consulates. Is that correct?

Mr. STARR. That is correct.

Ms. SÁNCHEZ. With funding constraints and other challenges delaying efforts to better secure its facilities, how is the State Department addressing the need to provide necessary security at this point?

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

Congress has been extraordinarily generous with the Department. Since the Nairobi bombings in 1998, we have constructed nearly 100 new facilities around the world.

We have done major security upgrades to our facilities around the world that we could not replace right at that moment.

There is not a post out there that doesn't have anti-ram walls and vehicle bars and gates, does not have guard programs, police protecting it, forced entry doors and windows, shatter-resistant

window film. Now, after Benghazi, additional Marines, additional RSOs.

We have been committed since, quite frankly, since 1985 in increasing the programs.

I think the funding that we originally got under the Capital Cost Sharing Program was about $1.3 billion a year. And by 2012, 2013, instead of the original six or eight facilities that we were able to build a year, we were building perhaps one or two, perhaps three because of inflation costs.

After Benghazi, Congress was again very generous with the Department and has authorized almost another billion dollars. And we are now, again, on an enhanced building program, building about six or seven new facilities a year.

So I would say that while that recommendation remained open, technically, the Department, with the help of Congress, has done an amazing job enhancing the safety and security of our people through the years.

I will not say that it is perfect. Clearly, I am here, and my job is to implement reforms after Benghazi and lessons that we have learned. We made mistakes there. But for the vast majority of places, I would tell you that the recommendations that came out of the Dar es Salaam and Nairobi bombings and those ARBs, we have assiduously been trying to implement those, and Congress has been very helpful.

Ms. SÁNCHEZ. Could you give me an idea, Mr. Starr, because it is a big job to try to go back and renovate facilities and bring them up to modern security standards.

Could you estimate how many facilities you are talking about that you have to deal with in terms of assessing the physical security of those buildings? Ballpark figure.

Mr. STARR. There are 275 U.S. Embassies, consulates, and consulate generals. There are approximately 10 other special missions. The facilities that make up those missions number over 1,000 different buildings.

Ms. SÁNCHEZ. It is quite an undertaking, then, to consistently be upgrading their security. Would that be a fair statement?

Mr. STARR. I think that is a fair statement.

Ms. SÁNCHEZ. Now, the Benghazi ARB found that the State Department must work with Congress to restore the Capital Security Cost Sharing Program at its full capacity.

Can you talk a little bit about the history of the funding and why Congress needed to restore to the full level the Capital Security Cost Sharing Program?

Mr. STARR. Thank you, Congresswoman.

As I alluded to just a moment ago, the original costs coming out of the Nairobi and Dar es Salaam ARBs were approximately $1.3 billion a year.

In 1999 and 2000 and 2001, as we geared up the program, that gave us the ability to replace six, seven, eight, sometimes nine facilities a year—or individual buildings at least—and do some major security upgrades.

But that funding level was constant from about 2000 until about 2012.

Increased building costs, inflation and other things had reduced what we could do with that $1.3 billion. So we were hopeful, and, as I say, Congress was very generous in recognizing that that number had been eroded by inflation, and after Benghazi and I think in line with the ARB recommendation, worked with the Department and added nearly another billion dollars to that.

So we are currently at approximately $2.3 billion under the Capital Cost Sharing Program per year, which has allowed us to do more security enhancements and build and replace more unsecure facilities.

Ms. SÁNCHEZ. Thank you. It is important to note that Congress does play a role in making sure that these facilities are physically secure.

Mr. Starr, I would also like to ask you about temporary facilities.

During our previous hearing, a number of members had questions about the diplomatic facility in Benghazi—whether it was a special mission compound or a temporary mission facility and whether the term used meant less stringent physical security standards applied to that facility.

That issue was investigated by the ARB and numerous congressional committees over the past two years. At our last hearing, you addressed this concern, explaining, and I am going to quote from your testimony, "whether it is temporary or interim or permanent, that we should be applying the same security standards that the OSPB has put in place."

Is that still your understanding of how the Department is applying these standards today?

Mr. STARR. Yes. That is a very hard lesson that we learned after Benghazi. I can tell you that in one particular location in the world—I won't say it—where we have had to have operations where we were under great pressure to put people in and establish a temporary facility, I turned that down and said that we will continue to operate solely on a TDY basis until such time as we can identify a facility and bring it up to the necessary level of security in order to declare it a facility, i.e., meeting the OSPB standards for that type of facility.

I got no pushback from the Department and, in fact, got a tremendous amount of support for this.

I think you have correctly identified that the Benghazi—whatever you call it, the temporary facility or the special mission facility—despite efforts to do security upgrades to it, we know that it did not meet all of the standards. And we want to avoid a situation like that going forward.

Ms. SÁNCHEZ. I just want to point out that Mr. Linick, in his written testimony, noted in a March 2014 audit on physical security funding that diplomatic security and the Overseas Building Operations Bureau have differing interpretations of what the required physical security standards are for those overseas facilities. And the same IG report notes that in January 2013, the Department clarified that a single standard applies to all facilities.

In June 2013, the Department further clarified that the OSPB standard set forth the minimum requirements.

Has there been better communication now between the Department and the Diplomatic Security and Overseas Building Oper-

ations and an agreed-upon standard for what those physical standards should be?

Mr. STARR. There is no disagreement on what the physical security standards should be. Those standards are in our foreign affairs manuals and foreign affairs handbooks. They are approved by the Overseas Security Policy Board. And there is no disagreement on the standards.

We do have different standards for a, let's say a standalone building or an office that is in tenent commercial office space.

But OBO, Overseas Buildings Operations, is very clear and understands what those standards are. There is no misunderstanding what the standards are and that they are there.

I do think that the Inspector General's inspections have been very helpful to us in many ways. Although sometimes I will disagree with some of the recommendations, and as Steve alluded to, we have some open recommendations where we may disagree. Ultimately, we come to resolution on the vast majority of them.

In terms of what the inspectors found in some of their reports, it is my job as the head of security when we find security deficiencies that the IG may find to make sure that we are addressing them as fast as possible.

And Steve's inspectors in one instance did find that we had some significant differences between OBO and DS at a post overseas. I met 2 days after the inspectors came back with the head of OBO, we resolved those differences, and we have moved on and settled the differences and made the decisions on where we have to go.

I meet virtually every week with the head of OBO. My staff meets at lower levels with OBO, and we have taken that recommendation very seriously.

Ms. SÁNCHEZ. Appreciate your testimony.

And I yield back.

Chairman GOWDY. Thank the gentlelady from California.

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

Mr. WESTMORELAND. Thank you, Mr. Chairman.

And thank you for being here.

Mr. Starr, just a point of clarification.kv When they use the term "closed" on the recommendations, that does not mean they are completed. Correct?

I didn't know it was that hard a question.

Mr. STARR. As Steve alluded to, there is resolved; there is closed. We do our best when we get a recommendation to look at it and determine——

Mr. WESTMORELAND. But "closed" does not mean the recommendation has fully been implemented. Right?

Mr. STARR. Closed—in most cases, it does. It means that we have, in fact, effected the change that was necessary to meet that recommendation.

There are some recommendations that I would say, sir, are evergreen recommendations. If we put the policies and procedures in place and have to go through it, they may go on for a longer period of time.

Mr. WESTMORELAND. Thank you.

You were in diplomatic security at the State Department from 1980 through your retirement in 2009. Is that correct?

Mr. STARR. Yes, sir. I was an agent.

Mr. WESTMORELAND. And from then, you went to head of the security for the United Nations?

Mr. STARR. Correct, sir.

Mr. WESTMORELAND. And, at the U.N., you were the Under Secretary to Safety and Security. Correct?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. Is it true your Office of Diplomatic Security, or the DS, and the Bureau of Overseas Buildings Operations, or the OBO, are the two offices within the State Department that have the primary duty to ensure the safety and security of these overseas facilities?

Mr. STARR. That is an accurate statement, sir.

Mr. WESTMORELAND. According for the Foreign Affairs Manual, your office is expressly charged with the responsibility for ensuring that all new construction and major renovations comply with physical security standards even though the OBO does the actual construction. Is that true?

Mr. STARR. Correct.

Mr. WESTMORELAND. And under—which Under Secretary is the DS?

Mr. STARR. I serve—I am under Under Secretary Kennedy, the Under Secretary for Management——

Mr. WESTMORELAND. And who is the Under Secretary? OBO?

Mr. STARR. Yes.

Mr. WESTMORELAND. Also.

And the Under Secretary for Management, Mr. Kennedy, has been in a position since November of 2007, I believe? Is that correct? You don't know.

Mr. STARR. I believe so, sir, but I am not certain of the date.

Mr. WESTMORELAND. Okay. Has Mr. Kennedy been with the State Department, as far as you know, from the early 1970s?

Mr. STARR. I think Pat came in in about 1975.

Mr. WESTMORELAND. Okay. In fact, when the East African Embassies were bombed in 1998, Mr. Kennedy was in your position. Is that correct?

Mr. STARR. At the time of the bombing, sir, my recollection is that we had a vacancy in the position and Under Secretary.

Mr. WESTMORELAND. He was the acting.

Mr. STARR. He was the acting.

Mr. WESTMORELAND. Okay. And although you returned to the State Department after the Benghazi attacks, you are aware that virtually each and every finding and resulting recommendation in the Benghazi ARB centered on the special mission compound or facility being a high-threat post sorely lacking in personnel and physical security. Is that correct?

Mr. STARR. I am aware of those recommendations in the ARB, sir, yes.

Mr. WESTMORELAND. Are you aware that your own inspector general, Mr. Linick, since Benghazi, has conducted three reviews or audits in physical security issues at overseas posts particularly in these high-threat posts?

Mr. STARR. Yes, I am, sir.

Mr. WESTMORELAND. Are you also aware that the IG issued two other reports, one that looked at how you manage your local guard program and another that looks at how you manage your Marine security?

Mr. STARR. Yes, sir, I am.

Mr. WESTMORELAND. Let's take a look at the IG report issued in June of 2013 that looked at how you comply with the physical security standards at five specific overseas posts that are considered high threat. Do you recall that report?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. As I understand it, that report only looked at Embassies or consulates that were constructed after the year 2000. Is that correct?

Mr. STARR. I believe so, sir.

Mr. WESTMORELAND. So all built after the East African Embassy bombings in 1998, where an ARB was sharply critical of the then-existing physical security standards. Is that correct?

Mr. STARR. I would say the Inspector General pointed out that there were some deficiencies in not meeting some of the standards.

Mr. WESTMORELAND. That means that they were all built after Congress passed the Secure Embassy Construction and Counterterrorism Act, as it is known, and gave the State Department a whole lot of money to improve those physical security overseas. Is that correct?

Mr. STARR. Correct.

Mr. WESTMORELAND. So, in this report, the IG team looked at physical security at the five posts that had a high-threat level and the audit team looked at such things as the height of the perimeter walls, the outside boundary, how far the buildings were from those outside walls, looked at the anti-ram barriers, the procedural—other barriers or resistant doors.

Whether the local guards, which we have talked about prior, were properly inspecting, whether there were safe havens inside the building, and the like. Is that correct?

Mr. STARR. Yes, sir.

Mr. WESTMORELAND. So let me ask you how the five Embassies or consulates did. Did any of them comply with all of the security standards that were reviewed?

Mr. STARR. No, sir. None of them are perfect.

Mr. WESTMORELAND. Okay——

Mr. STARR. If I may, sir. Every one of those facilities has police and guards on the outside. Every one of those facilities——

Mr. WESTMORELAND. I understand. I know. But my question was, had all of them been met? And your answer was no.

Mr. STARR. No, sir. I want to make it clear, though, that most of the things that the Inspector General found were minor, do not present major vulnerabilities to us. Our philosophy of concentric rings of security——

Mr. WESTMORELAND. Okay. I have got some more questions.

Mr. STARR [continuing]. I don't expect that any Inspector General going out, any teams, is not going to find some things that can be improved.

Mr. WESTMORELAND. I understand. But your answer was no. Correct?

Mr. STARR. Correct, sir.

Mr. WESTMORELAND. Now, the overseas post in question, once the problems were identified, took some sort of action to correct all the deficiencies. But you said they were very small deficiencies. Is that correct?

Mr. STARR. In relation to what vulnerabilities they posed, yes, sir.

Mr. WESTMORELAND. So at least at some of these posts, those problems have been fixed. Is that correct?

Mr. STARR. It is my job to make sure that any time we see one of these vulnerabilities——

Mr. WESTMORELAND. Are they fixed?

Mr. STARR. Yes, they are. They are resolved.

Mr. WESTMORELAND. Did the inspector general ask that you issue a directive to all your posts worldwide to see whether other posts have the same problems?

Mr. STARR. For some things, yes.

Mr. WESTMORELAND. Okay. Did you agree to do this?

Mr. STARR. No, I did not.

Mr. WESTMORELAND. Oh, okay.

Mr. Linick, I want to follow up on another review of the physical security related posts overseas. I understand that your office hired an outside company to review how the State Department processes these requests and prioritizes requests for these physical security upgrades.

Mr. LINICK. Yes, sir.

Mr. WESTMORELAND. When the auditors looked at this, did they find a comprehensive list of all these reports or the deficiencies?

Mr. LINICK. They didn't find a comprehensive list of security needs and requests for security needs at posts around the world.

Mr. WESTMORELAND. So they didn't find a list of what may have been called in or asked for?

Mr. LINICK. They did not—they did not find a list.

Mr. WESTMORELAND. Okay. Were the auditors able to review a list of these funding requests or a list of which requests were denied or granted?

Mr. LINICK. There wasn't a list.

Mr. WESTMORELAND. So there wasn't a list.

Mr. LINICK. No.

Mr. WESTMORELAND. From DS, no list?

Mr. LINICK. We did not find a comprehensive list of——

Mr. WESTMORELAND. OBO, no list?

Mr. LINICK. No. But I understand they are working on that right now.

Mr. WESTMORELAND. Okay. Is it true that the auditors found that the DS and OBO do not coordinate with each other to determine which requests should be given a priority?

Mr. LINICK. They did find that in two respects. One, there were disagreements about the standards, which have since been remediated, which Mr. Starr had mentioned.

Mr. WESTMORELAND. So the fact that Mr. Starr and the OBO get together once a week or once a month or whatever it is, they still

not come up with any of these lists that could be combined to be looked at?

Mr. LINICK. I don't believe we have seen a comprehensive list. But I am not entirely sure of that so I would have to get back to you.

Mr. WESTMORELAND. Do you know of any comprehensive lists that may have been put into long-term planning for the future security of the request that has been made from these posts?

Mr. LINICK. I know the Department has agreed to do it and so that recommendation has been resolved. But it still is open.

Mr. WESTMORELAND. Thank you.

I yield back, Mr. Chairman.

Chairman GOWDY. I thank the gentleman from Georgia. We are now going to try to go to the gentleman from Washington, Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman. Can everybody hear me?

Chairman GOWDY. Yes, sir.

Mr. SMITH. Thank you. And I really appreciate your flexibility for this [Sound difficulties.]

Chairman GOWDY. Adam, I may get you to act like you are mad and yell a little bit. I think the witnesses—we can hear you pretty good but not great. So if you could act like we are talking and you are yelling at me.

Mr. SMITH. Trey, do you need me to repeat that? Do you need me to repeat what I just asked?

Chairman GOWDY. Yes, sir. The witnesses are kind of leaning forward. If you could yell it as loud as you are willing to do it, Adam.

Mr. SMITH. I will do that. I will repeat the question. My question was, there have been attacks before, and one of the allegations of the Benghazi ARB is that after those attacks, like the Embassy bombing in Africa, we issued a report, and we just sort of Groundhog's Day. We don't make improvements. We don't respond. In my reading of what has happened since some of those previous attacks, I don't believe that that is accurate. I was just wondering if you gentlemen could outline—as one example, the 1998 Embassy bombings in Africa—what improvements were made as a result of the study of that problem? How much more money was spent? How were facilities upgraded? What has been done prior to Benghazi, to actually improve security at our overseas facilities?

Mr. STARR. Congressman, thank you for the question. This is Greg Starr. I recognize that there are some similarities in the types of recommendations that were made going back through the years on ARBs, but I, like you, find it difficult to accept the premise that it is *Groundhog Day*, that we are just revisiting the same things.

As I said before, a tremendous amount of progress was made through the years in building new facilities, in training different personnel, in adding local guard programs. Much of this work was done in concert with Congress. Congress has been very helpful in many ways in terms of funding and oversight. From 1988 to 1992, after the original Inman Commission, we built 22 new facilities. But then, after the end of the Cold War, the money sort of dried up and ran out, even though we wanted to build nearly 100. After the bombings in 1998, the money flow for building new Embassies

was given to us by Congress very generously, and we have replaced a tremendous amount of facilities. We have never had to give up one of those new facilities that we have built yet.

I think the increases that we have done in training for our personnel, additional Marine detachments, things like more armored cars, and the things that we have done after Benghazi, the better, much closer relationships with the intelligence community and DOD, I think some of those things you can say, Well, weren't you doing those things, you know, after Nairobi? Weren't some of those things said in the ARBs? And there are some similarities, but I think the types of things we are facing are similar as well. I think we are going to see similar types of attacks. You may get, even in the future, the need for more training than we are even doing now. So I appreciate the comments because I believe, like you do, that while there may be some similarities, this is not *Groundhog Day*. We have made significant progress since Nairobi and Dar es Salaam. There are very few ARB recommendations through all of the ARBs that have been left open, and those few that are open we are still working to close. So thank you for the question, sir.

Mr. SMITH. One of the big issues about Benghazi, not all State Department facilities are the same. I mean, when we think of our State Department presence overseas, I think most people typically imagine our embassy, the main facility. But as everybody knows, we have a number of different facilities where people are located throughout the world. One of the most dangerous places that I went to was Peshawar, where we have a consulate in Pakistan, a few years back—very dangerous place, very high security.

Now, when you are determining what security to provide when you go to these temporary mission facilities or to the annexes or consulates and—specific to Libya, specific to the two facilities that were attacked—how would they have fallen under the new rules implemented after some of these other attacks, in understanding how to properly provide security for two facilities like the ones that were in Benghazi, which were not traditional Embassies or even consulates for that matter? Is this something that had been contemplated previously, and if so, what was the discussion about how to properly provide security for these different types of facilities?

Mr. STARR. Unfortunately, sir, I am at a little bit of a loss. As one of the Congressmen has pointed out that while those discussions were taking place on what was going to happen for Benghazi, I was at the United Nations. I do know that we have all accepted the recommendations from the ARB, that perhaps there was a little too much confidence in the chief of mission and what he was saying, that we know that we did not meet all of the OSPB standards for either of those two locations, either the special annex or the special mission. I know that we are concentrating on learning the lessons from that. We have no temporary facilities today, no temporary facilities at all. And should we have to have those types of facilities, we will have a very long, hard discussion about what needs to go into them and make sure that they are as safe and secure as possible before we would let them be occupied. I am just at a little bit of a loss. I can't comment on things that happened when I wasn't here, sir.

Mr. SMITH. We talked about two other, I think, huge issues when it comes to providing security at our overseas facilities. Number one is money, particularly at this point, and I might also add particularly at the moment that Benghazi was attacked. I don't imagine that there have been too many times in the history of our country when we had as many facilities throughout the globe that could not have been perceived to be at a high-threat level. First of all, it was the anniversary of 9/11. Second of all, we had already in the days prior, had riots and attacks on Embassies in I forget how many different countries. I certainly know in Cairo why the Embassy was attacked, and I think in somewhere close to a dozen others, we had that. The number one issue, and I will let you—well, I will mention them both.

The number one issue is simple resources. In a world full of incredibly dangerous places, how do you decide how to properly allocate resources between a Benghazi and a Cairo and a Peshawar and Sana'a, and Yemen, and all those different places? What role—Congress, as you said, has been generous after some of these previous attacks, but there is still finite resources, number one. How do you make those decisions when there are so many places to protect?

And then the second issue that I have encountered is, quite frequently, the chief of mission will disagree. The chief of mission will go to places where maybe the folks back in Washington, D.C., have said that he or she should not. There are many, many members of the State Department out in other countries who feel that their hands are being tied. In fact, I have heard this complaint now from a large number of State Department people referring to it as the "Benghazi effect", that they can no longer do their job because we have gone back the other way and tried to be too cautious. Those are two very difficult issues, resources and then the conflict between a member of the State Department out in a foreign country in a dangerous place trying to do his or her job versus meeting the security. How do those two things get balanced throughout the State Department and throughout all of your security team?

Chairman GOWDY. Adam, before they answer, this is Trey. There is less than a minute on the clock, but given the technical difficulties, I am going to let them answer this question in full and give you another question, given the difficulties we had on the front end, but I wanted to let you know where we were in terms of time.

Mr. SMITH. Right. That is my last question.

Chairman GOWDY. Okay. Answer as long as you need to, Mr. Starr and Mr. Linick.

Mr. STARR. Thank you, Congressman. On the question of resources, you are correct, while Congress has been very generous with us, I am not going to sit here and say that it is solely a question of resources. Every year we look at every post in the world in concert with the Emergency Action Committee, in concert with the intelligence community, in concert with my threat analysis, and in concert with the regional bureaus; and we rate those threats for civil disorder, for terrorism, for crime, and for a couple of other things, and we rate them critical, high, medium, or low threats. Those ratings help us determine how to best allocate resources. We start with a base position that every one of our facilities should

meet the minimum OSPB standards, and as Steve has pointed out, there are some times where we have problems even doing that. When we find it, we upgrade them as fast as we can and make sure that they are there. There are many posts that we have to go very far above the minimum standards because of the specific nature of the threats, and the threats can differ.

At a place where it is a threat of a car bomb, we are looking for additional setback. We are looking for additional barriers. When it is mob attacks, we may be looking at additional reinforcements in terms of the military on the ground. But we look at those threats at least for every single post in a formalized manner every single year, and I start my day every single morning with a threat roundup and looking at what is out there and make determinations whether or not we need to reinforce or do something at our Embassies. As you correctly pointed out, that does translate into problems sometimes where we have officers that feel that they can't get out. We often have places where we have to balance getting the job done with an officer's individual security and what the threats are. I think that is a healthy tension. I want Foreign Service officers that want to get out and want to get the job done. And I want posts that are looking closely at what the threats are and whether they should get out. Now, at our highest threat level posts, I think you will that find some of our officers may be frustrated sometimes because the security has to be overwhelming in many ways, has to be very strong. And the rest of our posts around the world, our people are getting out. Our people are engaging. Foreign Service officers are building democracy. There are rule-of-law programs, justice programs, USAID programs, humanitarian programs, and they are fulfilling those requirements. It is a balance, and it is a dance, I agree, but it is an important one, and the tension is good.

Mr. LINICK. Congressman, this is Steve Linick.

Just a couple of comments to add on to that. We haven't looked at the sufficiency of resources, but our work in the resource area concerns how resources are prioritized. In other words, does the Department know what its resources are? Does the Department know what requests are made? Do they know how to prioritize across the board? That is really the point of the report that we issued on the topic of resources, which has been referenced already. And if the Department cannot make a determination as to which projects are high priority, then it is going to be difficult to solve problems and develop budgets.

As to the second question on the Benghazi effect, I think ultimately this comes down to good risk management, and the ARB's first recommendation discussed the need for the Department to make sure there is a mechanism in place to weigh policy concerns against risks. One of our recommendations was that this is so important that this should be elevated to the highest levels of the Department so that someone who is in a position of weighing policy considerations, namely whether we maintain presence in certain very dangerous areas, can make that determination and also be responsible when they have to sign on the dotted line and put people at temporary facilities or wherever in high-threat posts.

Mr. SMITH. Can I just quickly follow up on that last point, and then I will be done. I think the problem and the issue when you

say take it up to that higher level, but once you have taken it up to that higher level, isn't that person further away from the specific understanding of a given country or a given area? In some ways if you are going up to someone who's at that deputy level, they are more distant from the problem and in some ways probably less qualified to make the call on whether or not a given action is proper for the security environment. Isn't that one of the reasons why the State Department has been reluctant to implement that specific recommendation?

Mr. LINICK. I am not sure whether or not they have been reluctant to adopt that recommendation. I know they have their VP2 risk management system, and I don't know to what extent that answers the question of raising risk management at a higher level. I guess I would say that we know that some of these decisions involve competing interests. At the lower levels, you have got your policy folks and then your security folks. Somebody has to be in charge of reconciling some of these competing interests because we know our policy folks want us to be in places. They want us to be out doing diplomacy. And our security folks want to minimize risk. So what we are saying is there needs to be somebody who is managing those competing interests and then taking responsibility for those decisions.

Mr. SMITH. All right. Thank you very much, Trey. And thanks to the committee for the flexibility for allowing me to participate by phone.

Chairman GOWDY. Adam, thanks for participating. Take care of yourself, and we will see you in January.

Mr. SMITH. Thank you.

Chairman GOWDY. With that, the chair would now recognize the gentleman from Ohio, Mr. Jordan.

Mr. JORDAN. I thank the chairman.

Mr. Starr, safety is critically important, and I appreciate what you said in your written testimony. You said we want to keep our people safe. We will continue doing everything we can to support and protect them. It shouldn't be a partisan issue, should it? Republican, Democrat, shouldn't matter?

Mr. STARR. I don't think that is a partisan issue, sir. I have never had a problem up on the Hill where that is an issue.

Mr. JORDAN. No. I wasn't insinuating that. I am just saying that these people put their lives on the line. It doesn't matter whether you are Republican, Democrat, who you are, what side you come from, the simple test should be, are the policies and actions we are putting in place making people safe. You would agree?

Mr. STARR. Yes, sir.

Mr. JORDAN. From Secretary of State Madeleine Albright this after—it was a cyber security breach, but my guess is she would refer to any security breach. She said this, and I quote, "Even a score of 99 out of 100 is a failing grade." That is a pretty strong statement, and I understand we don't live in a perfect world. You have talked about that. We live in a dangerous world, and you have got to balance diplomacy with security and safety concerns, but I think the tenor of her statement was what we just talked about. Safety is critical, and we should do everything we can. It is of paramount importance. We should do all we can to make sure

our people are safe. You would agree with that, wouldn't you, Mr. Starr?

Mr. STARR. I need to try to do that, sir, but I will just add one inflection on this and that our primary and most important goal is to carry out the foreign policy of the United States Government.

Mr. JORDAN. I understand. I understand the balance.

Mr. STARR. And then while doing that, we have to do everything we can to safeguard our people.

Mr. JORDAN. I get it. I get it. Mr. Starr, the number one question I get back home about Benghazi, the number one question I get, why were we there? Why were we there? It seems to me it is a fundamental question, especially in light of the very dangerous security situation that existed in Benghazi and, frankly, some other key facts. We have talked about this before, but Mr. Starr, the State Department has its own standards for physical security, the Overseas Security Policy Board standards. Were those followed with the Benghazi facility?

Mr. STARR. No, sir, they were not met.

Mr. JORDAN. And when you deviate from the standards, there is a waiver process that you are supposed to adhere to. Was the waiver process followed?

Mr. STARR. I do not believe so, sir, no.

Mr. JORDAN. No. Mr. Keil was here just a few months ago, and he said neither the standards or the waiver process was followed. And the State Department had a special designation for the Benghazi facility. Isn't that correct, Mr. Starr. Didn't you guys call it the temporary mission facility or the special mission——

Mr. STARR. I think it was the temporary mission facility or special mission facility.

Mr. JORDAN. And was this a term created solely to do an end run around the standards and the waiver process?

Mr. STARR. Sir, I don't believe anybody intentionally tried to run around the waiver or the standards process. I think it was a question that it was neither an Embassy or a consulate. I think they were trying to find——

Mr. JORDAN. If I could Mr. Starr, when Mr. Kyle testified here just 3 months, sat right there beside you, a gentleman that served 23 years at the State Department, he said, in talking with people and based on my experience, it was a purposeful effort to skirt the standards. Let me ask it this way.

Mr. STARR. Well, I would disagree with Mr. Kyle.

Mr. JORDAN. Okay. He has got a pretty good record, like you do as well, Mr. Starr. How many facilities does the State Department—diplomatic facilities—does the State Department currently have around the world?

Mr. STARR. 275 Embassies, consulates and consulate generals, composing approximately 1,000 buildings.

Mr. JORDAN. Your Web site says you have 285 U.S. diplomatic facilities worldwide. Is that accurate?

Mr. STARR. 275 consulates, Embassies, consulate generals, and there are approximately 10 special missions, such as——

Mr. JORDAN. Okay. Of the 275 or the 285, whatever number you want to use, are any of those today designated temporary mission facility or special mission compound?

Mr. STARR. No.

Mr. JORDAN. None of them?

Mr. STARR. None.

Mr. JORDAN. Which sort of brings me back to my question, Mr. Starr. What was so important about Benghazi that we didn't follow our own standards; we didn't follow the waiver process; we created a term that is not used at any of our facilities, any of the 285 today, special mission compound or temporary mission facility, a designation not used anywhere else today? What was so important that we do all that to be in Benghazi; we do all that to be in a place where four Americans were killed?

Mr. STARR. Sir, I would have to refer you to the results of the ARB, which I think address that.

Mr. JORDAN. No, no. You are the witness from the State Department. I am asking you.

Mr. STARR. I was not there when those determinations were made, and today we do not have facilities like that.

Mr. JORDAN. No, no, no. I am asking you as the representative from the State Department to tell me what was so important that we don't follow the standards; we don't follow the waiver process; we create a new term out of thin air, and none of the facilities today—we are the United States of America. We have got more facilities probably than any other country in the world, 285, and none of them use that designation today.

Mr. STARR. Correct.

Mr. JORDAN. Tell me what was—why—we were in Tripoli. Why did we have to be in Benghazi?

Mr. STARR. I would have to refer you to the ARB, sir.

Mr. JORDAN. Well, let me add to it. Maybe this will help you think about giving us an answer. In the 13 months prior to the attack on 9/11/2012, there were 200 security incidents in Libya, IED, RPG, assassination attempt on the British Ambassador. I mean, this was the Wild West. Repeated requests—here is the thing—repeated requests from our security personnel at the facility, repeated requests for additional security. They said we need more help. We need more good guys here. You guys said, Nope, we are not sending. In fact, what, they had you reduced. So again I ask, that situation, probably the most chaotic situation that we have around any of our facilities, a whole new term, don't follow the standards, don't adhere to the waiver process, why were we there?

Mr. STARR. Sir, I think the ARB points out that there were mistakes made. I think it is very obvious that we had a tragedy that occurred, and I am not denying that a tragedy occurred.

Mr. JORDAN. None of us are saying that. I am trying to get answers from you.

Mr. STARR. What I am saying is that I think we have to learn from that lesson. I am not the witness to tell you what happened——

Mr. JORDAN. You are the State Department representative here at the hearing on the select committee to find out what happened. The most fundamental question is, why were we there in the first place?

Mr. STARR. I am here to discuss the things that we have put in place since the ARB and what we are doing to protect our people now.

Mr. JORDAN. Let me ask you one other thing. Let me ask you another thing here. Do you happen to know the name of the government that was in place when we had those 200 security incidents in the 13 months leading up to this tragedy? Do you happen to know the name of the government that was in place when we had the IED attacks, the RPG attacks, the assassination attempt on the British Ambassador, what was the name of the Libyan Government at the time, Mr. Starr. Do you know?

Mr. STARR. No, I don't offhand.

Mr. JORDAN. I will tell you. The Transitional National Council, Transitional National Council. Not exactly a title that inspires confidence, screams stability, does it, Mr. Starr? And yet we had to be there. We just had to be there. Now this committee, this committee is going to try to find out the answer. Since won't give it to us, since you won't hazard a guess, this committee is going to try to find out the answer. But, in the meantime, we are going to make sure we keep focused on what we started our conversation here about, Mr. Starr, and that is the safety of our people who serve abroad.

Now, there was one good thing that came out of the ARB, one good thing. They said we are going to have a best practices panel, and that best practices panel made 40 recommendations, and the most important one is the one that Mr. Linick talked about earlier. The number one recommendation—frankly, the one that many of the other 39 hinge upon—says we need to create at the Under Secretary level, an Under Secretary for Diplomatic Security. Is the State Department going to do that, Mr. Starr, at the Under Secretary level?

Mr. STARR. A decision has been made not to implement that recommendation.

Mr. JORDAN. You are not going to do it. How many Under Secretaries are there at the State Department, Mr. Starr?

Mr. STARR. I believe there is seven.

Mr. JORDAN. I think there is six, based on the chart you just gave us: Under Secretary for Political Affairs; Under Secretary for Economic Growth and Energy and Environment; Under Secretary for Arms Control and International Security Affairs; Under Secretary for Management; Under Secretary for Civilian Security, Democracy, and Human Rights; and the Under Secretary For Public Diplomacy and Public Affairs.

And yet we can't have an Under Secretary for the security of our people who risk their lives every day around this planet. You know the Under Secretary for Public Diplomacy and Public Affairs, do you know what part of the job description of that Under Secretary? To foster cultural exchange in international broadcasting. Now I am not saying cultural exchange in international broadcasting isn't important. All I am saying is the safety of the people who serve at these 285 facilities should be just as important. And you guys say, Nope, we are going to keep you way down here, Mr. Starr. In fact, you are the one—diplomatic security, Assistant Secretary, as Ms. Brooks pointed out, you are way down the chart. Why don't you

want to move from the kids table to the adult table, Mr. Starr? Why don't you want to move on up to the Under Secretary level? Did you make that case to Secretary Kerry and say, I think security is important enough I should be at the Under Secretary level? Did you make that case?

Mr. STARR. The case that I made to the Secretary was that in any instance that I needed to get to the Secretary and the access that I needed with him, the Deputy Secretaries or the Assistant Secretaries, I had to have the access necessary to do my job.

Today I have that access. Whether I am an Under Secretary or an Assistant Secretary—and I have been the Under Secretary General For Safety and Security at the United Nations, and that is a different organization—I can tell you that, regardless of whether I am the Under Secretary Or the Assistant Secretary, I have the control and the access that I need to fulfill my responsibilities.

Mr. JORDAN. I will tell you this, Mr. Chairman, if I could. I will tell you this. I remember at Thanksgiving, it was a lot easier to make the argument at the adult table than it was to try to do it from the kids table. I would rather be there. In fact, I am not the one who thinks it is the greatest idea in the world. I think it is a great idea, but I am not alone. Clear back in 1999, Secretary Albright said the same thing. She thought we should have this at the Under Secretary level. Todd Kyle and the Best Practices Panel thought we should have it at the Under Secretary level, and the guy sitting beside you thinks we need to elevate this to the highest level.

So I guess we got two big questions that this committee needs to answer. Why in the world won't the State Department do what everyone knows needs to be done, elevate this position to the highest level that we can, make it equal with cultural exchange in international broadcasting? And then the big question, again, that I hope we get an answer to in this committee, why were we there? Why were we there with these facts and these circumstances? That is a fundamental question that the American people want to know and the families of these four individuals who gave their lives would like to know as well.

With that, I yield back.

Chairman GOWDY. I thank the gentleman from Ohio.

The chair recognize the gentleman from Maryland, the Ranking Member, Mr. Cummings.

Mr. CUMMINGS. Thank you very much, Mr. Chairman.

First of all, I would like to thank our witnesses for being here today.

In particular, I want to thank you, Secretary Starr.

I listened to what was just stated and asked, but my concern—and I am sure it is the concern of this entire committee—is that when all the dust settles, that the request of every single family member that we met—when the dust settles, I hope it is carried out, and that is—that our facilities are safer so that things like this unfortunate incident does not happen again.

The Department's update shows continued strong progress towards full implementation of the ARB's recommendations. As the Benghazi ARB reminded all of us, "The total elimination of risks is a nonstarter for U.S. diplomacy, given the need for the United

States Government to be present in places where stability and security are often most profoundly lacking and host government support is sometimes minimal to nonexistent."

Nonetheless, we owe Americans serving overseas our best efforts to keep them as safe as possible. Mr. Starr, I want to commend you for dedicating your career to achieving that goal. I have no doubt that you are committed and determined to see the implementation of these recommendations through. According to your testimony, since September 17, that hearing we held that day, the Department has closed three more Benghazi ARB recommendations. One of the three that you closed involves the hiring of additional diplomatic security personnel. Is that right? I think that was recommendation No. 12.

Mr. STARR. Yes, sir.

Mr. CUMMINGS. And your October letter said that you had filled 120 of those 151 newly created slots. Do you still expect to complete your hiring by early 2015?

Mr. STARR. We are on track to do that, sir.

Mr. CUMMINGS. And what is entailed in that? Is it hard to find people?

Mr. STARR. In some cases, actually, because we have very high standards and some of these positions are very technical, we have had some difficulties.

But, sir, I would like to point something out. The recommendation was to get increased diplomatic security personnel for high and critical threat posts and for additional mobile security deployment teams. The 151 positions asked for additional people for positions beyond those two things. We have already created every one of the positions in MSD for the mobile security teams and at our posts overseas, taken agents that were already on board, filled those positions in those locations. And what we do is back hire now to fill the positions that we took those more experienced agents out of and put the new ones there. So we have fulfilled the recommendation of what it is, even though we continue to hire some additional personnel. I think we have more than fulfilled that recommendation.

Mr. CUMMINGS. So you are still missing some people, though, because you are moving people?

Mr. STARR. Right. We are still hiring to fill the people that we put in behind there. Although the agents have all been hired, it is a couple technical specialities that we are filling in behind.

Mr. CUMMINGS. Okay. You also closed the recommendation related to risk management courses and enhanced threat training for personnel at these high-risk posts. How will this training better prepare our diplomats in high-threat regions?

Mr. STARR. We have increased the Foreign Affairs Counterthreat Training that we offer to our Foreign Service personnel now, not just people going to our high-threat, high-risk posts. Every one of them has to go through that training, and prior to this, we did not quite have the capacity to do that. We are now increasing that training to everyone in the entire Foreign Service over the next 4 years. Additionally, the Foreign Service Institute has put courses in that are complementing our skills-based training, courses like "How to Conduct Diplomacy in a High-Threat Environment," which

brings back officers from some of these tough places and shows best practices on how you accomplish your job when you are faced with things like sometimes you can't travel to the ministry; sometimes there is different types of security requirements. So I think we are addressing it both through skills-based training on security and in the Foreign Service Institute on training our people before they go into these high-threat environments, how do we best do our jobs.

Mr. CUMMINGS. So the third closed recommendation was to procure fire safety equipment at high-threat posts. Mr. Starr, is that complete?

Mr. STARR. It is complete with one exception, sir. I have one post where the equipment is sitting, a specific type of respirator mask is sitting one country away, and I am trying to get it in today and tomorrow to that post, and we have had some customs issues, but we have delivered the types of equipment and the training in conjunction after talking with the New York City Fire Department and others to all of our high-threat posts around the world.

Mr. CUMMINGS. Would you get us a notification when you have completed that one thing you just said?

Mr. STARR. I will, sir.

Mr. CUMMINGS. So they are receiving the training? Everybody has received the training on this equipment?

Mr. STARR. We have worked closely with the fire department to identify the equipment, and then when we ship the equipment out, there are training programs on the equipment. And then there are other things that OBO has done in terms of fire safety as well.

Mr. CUMMINGS. With the closure of those three recommendations, that leaves four recommendations still open. Is that right?

Mr. STARR. Yes.

Mr. CUMMINGS. Your October letter shared with us target dates to complete implementation of those final four recommendations. Are you on track to complete those recommendations?

Mr. STARR. We are on track, sir. The one that will stretch the longest is the implementation of a new type of CCTV camera at our posts overseas. The technical requirements associated with that have been more difficult than we first envisioned. We have a schedule to do it. I hope to have it done by fall of 2015. I am leery that it might go longer than that, so one of the things we are saying is that it will absolutely be done by the summer of 2016, but we are pushing to get it done earlier than that.

Mr. CUMMINGS. And the other three, when will they be complete?

Mr. STARR. I believe that the recommendation concerning co-location waivers will be done within probably 2 months. The recommendation concerning assignment durations for high-threat posts, we have essentially fulfilled that recommendation. We are working with Congress to look at something called a dual-compensation issue so that, if necessary, we can bring back highly talented officers. I believe that we can close that recommendation regardless of whether or not we get approval for the dual-compensation waiver, so I think we will have an answer in terms of closing that recommendation within 2 months as well. And there is one further classified recommendation that we are on track to close, but I would prefer not to discuss it in this hearing.

Mr. CUMMINGS. As I said in our previous hearing, I want to make sure again things get done, and so I want you to get back to us exactly when you expect—I would like to have that in writing—when you expect these things to be done, and provide the committee with that information because we want to hold you to that. All right?

Mr. STARR. As the inspector general has said, there is also going to be a review of our compliance as well, so it is not only you, sir, the Inspector General——

Mr. CUMMINGS. We will call it double coverage.

Mr. STARR. Exactly, and I will get back to you on that.

Mr. CUMMINGS. All right. Now, Mr. Starr, Representative Westmoreland discussed with you and the Inspector General the June 2013 audit that took place before creation of the High Threat Programs Directorate. The audit found some security deficiencies at posts it examined. Is that correct?

Mr. STARR. Yes, sir.

Mr. CUMMINGS. Mr. Starr, and I will ask you when the Inspector General's Office released its 2014 report on High Threat Programs Directorate, one of the Inspector General's key findings in that report is that this newly created body, "helped create a culture of shared responsibility for security within the Department and has forged strong partnerships with regional security officers and counterparts in regional and functional bureaus as well as within the interagency community." I think that is an extremely positive finding, given the fact that the Accountability Review Board considered the lack of shared responsibility around security issues to be systemic failure just two years ago.

Mr. Starr, could you discuss how you think the creation of the high-threat program has created a culture of shared responsibility in the State Department? And then my final question, to tell us how does this culture of shared responsibility that the IG praises improve the safety and security at our Embassies abroad?

Mr. STARR. Thanks for the question, Congressman. We have addressed this in many different ways. The High Threat Directorate itself, just by the fact that we concentrate on looking every single year at our top 30 posts, the ones that we worry about the most, the VP2 process that we are in the process of conducting for those 30 posts, the fact that we have written into every senior officer's job description and every officer in the State Department their individual responsibilities for security, the fact that I have officers that are attending the meetings of the regional bureaus every single week, in some cases every single day, and when we are looking at the programs, we are also talking about the security implications therefore, I think have highlighted the fact that none of us can operate independently of considerations of security at this point.

I think there has been a culture change in the Department. I think having to weigh the importance of our programs and why we are in very dangerous places under the VP2 process has brought a laser-like focus on why we are there, what the real threats are, and have a clear understanding of the threats, not ignoring the threats, what we have done to mitigate those threats, and then a decision at the end of that—is our presence still adequate, and is

our presence warranted despite all these things—I think has brought a new culture to the Department in many ways.

I think that I have never seen security taken as seriously as it has been in the last 2 years, and I say that not lightly because I have been here a long time, and security has been taken seriously for many, many years in the Department. But I think some of these processes that we have put in place at this time are new to the Department and are doing exactly what the ARB wanted and what you are talking about. Is it working itself into the culture? And the answer is yes.

Mr. CUMMINGS. Right. And the culture is very significant. It is one thing when you have got an aberration. It is another thing when you actually believe in something, you are doing it every day, and it becomes a part of your DNA, that is the DNA of the State Department.

Mr. STARR. Yes, sir. I would add one other thing, sir. The officers that are reaching the senior ranks of the Department today in many cases have spent significant amounts of time over the last decade in places like Iraq, Pakistan, Afghanistan, Sana'a, Yemen, Cairo, other places where we have true security problems. The officers that I work with today, every single day at my level and above, are keenly aware that security must be balanced with our program implementation. They have lived it.

Mr. CUMMINGS. Thank you very much, Mr. Chairman.

Chairman GOWDY. Thank the gentleman from Maryland.

The chair will now recognize the gentlelady from Alabama, Ms. Roby.

Mrs. ROBY. Thank you, Chairman Gowdy.

Mr. Linick, are you familiar with the 1997 OIG recommendation regarding the need to prioritize MSG detachments at diplomatic posts using a methodology based on the OSPB security standards?

Mr. LINICK. I am vaguely familiar. I wasn't here in 1997.

Mrs. ROBY. Okay. Are you aware that it was closed in 1998?

Mr. LINICK. I think that is right. I think that is right.

Mrs. ROBY. And to the extent you can answer this, it was closed because the Department amended its memorandum of agreement with the Marine Corps to include procedures for establishing the size of existing detachments and procedures for activations and deactivations. Is that correct?

Mr. LINICK. I don't recall why it was closed without looking at the documents.

Mrs. ROBY. Well, in 2014, your office again looked at whether—at where and how Marine Security Guard detachments were being utilized at the State Department posts overseas. Is that correct?

Mr. LINICK. That is correct.

Mrs. ROBY. And were you able to determine whether there is a methodology for prioritizing and assigning new MSG attachments to overseas posts and whether that methodology was effective?

Mr. LINICK. Our auditors found in that report that there were no formal procedures to select or identify posts. They couldn't show how the Marine Security Guard units compared with other posts. There was no formal plan for expansion. They simply just didn't have the processes and procedures that one would normally think you would have.

Mrs. ROBY. So you weren't able to figure out how DS makes the determination of where these Marines go?

Mr. LINICK. We were not.

Mrs. ROBY. And is it the same or similar issue to your knowledge—I know you don't seem as familiar with the 1997—but the Inspector General then told DS to create a process or methodology to select posts, so this is a similar situation. Correct?

Mr. LINICK. I will accept that premise.

Mrs. ROBY. Okay. So how can we on this committee have confidence that recommendation 11 from the Benghazi ARB made just 2 years ago, that the Department and DOD will provide more capabilities at higher-risk posts? How can we have the confidence that that will be fully implemented?

Mr. LINICK. Well, that is the challenge of closing recommendations. We have a compliance follow-up group that I can tell you what they do now, and they do look very closely at the actions that the Department takes to close recommendations. They wouldn't close it unless they felt that there was significant progress.

Mrs. ROBY. Mr. Starr, I am going to follow up with you on this point. According to the OIG, only 40 percent of the new MSG detachments have been assigned to posts with high or critical rating for political violence terrorism. In light of your last statement in the previous questions, you said you have never seen security taken so seriously in the past 2 years. Well, how does the fact that only 40 percent of the high-risk, high-threat posts have these Marine security guard detachments, how does this satisfy the ARB recommendation 11 to expand that program to provide more capabilities and capacities at higher risk posts?

Mr. STARR. Thank you for the question, Congresswoman. There is actually a very clear, very simple answer for this. Most of the posts that are high threat, high risk already had Marine Security Guard detachments at them. That is why the 40 percent number is there. Of the 30 posts that we ranked as our highest threat, highest vulnerability, 19 of them already had Marine Security Guard detachments. We have added two to those. Of the remaining nine posts, five of those posts, there is no one there. The post is in name only. We don't have people on the ground, Mogadishu, Herat——

Mrs. ROBY. Let me interrupt you for just a second.

Mr. Linick, do you agree with those numbers?

Mr. LINICK. I haven't confirmed those numbers, so I don't know.

Mrs. ROBY. Okay.

Mr. STARR. And there are several other posts. There is about four posts in that high-threat list where we would like to put Marine Security Guard detachments; the host government has not allowed us to do that. But the reason that that figure seems very strange is that in the vast majority of cases, we have already got Marine detachments at those places that are high threat.

Mrs. ROBY. Let's be very clear about this, Mr. Starr. How many current high-risk threat posts do not have MSG detachments?

Mr. STARR. Of the 30 highest-risk, highest-threat-level posts, nine do not, but five of those nine are not functioning posts. They are closed. So four.

Mrs. ROBY. Do you agree with that, Mr. Linick, or do you not know?

Mr. LINICK. I don't know.

Mrs. ROBY. Okay. Is there a timetable, Mr. Starr, in place for assigning the MSG detachments to the, you say four posts? Is there a timetable?

Mr. STARR. I would like to do it tomorrow, but I will tell you I find it unlikely that I am going to be able to assign Marine detachments to those posts.

Mrs. ROBY. And you say it is because host nation problems.

Mr. STARR. Host nation problems.

Mrs. ROBY. When I talked to you last time, 3 months ago, it doesn't seem like we have made much progress, but I asked you, you know, what is your plan with the ones that you don't? If you have got host nation problems, are there other ways to get security there? And you said in your testimony, if we find that we don't have those types of protections—you listed adding DS agents, several other mitigating things—but you said if we don't find that we don't have those types of protections or that we think that those risks are too high, then we won't be there. So why have we not made progression on those four posts that you are stating now we still do not have those protections in place?

Mr. STARR. In some cases, we have other types of protection. The host nation has stood up and given us high levels of protection. In some cases, I have a tremendous amount of other resources there, including Diplomatic Security agents and armed contractors that meet the threat. In some cases, we have made a determination that the host government is standing up and fulfilling its responsibilities, and while we would still like to have Marines there, the fact that we don't does not mean that we cannot continue. This is some of the things that we are looking at as we do this VP2 process, when we weigh why we are at a post, what the threats are, what resources we have overall, and as I say Marines are one tool in our tool kit.

Mrs. ROBY. Mr. Linick, I want to take Mr. Starr's answer and follow up with you. Do you think that is sufficient?

Mr. LINICK. My question is along the lines of the report, what are the plans? Where are the plans? Where is the methodology? What plans out there are there to negotiate with host governments that are unwilling to take us, those kinds of things?

Mrs. ROBY. And you have not gotten a clear answer from DS on exactly how this is going to be handled. Correct?

Mr. LINICK. All the recommendations are open at this time.

Mrs. ROBY. All the recommendations are open. And based on the questions from Ms. Brooks earlier, "open" means they are unresolved and there is no evidence there that they are doing anything to make it better?

Mr. LINICK. Well, actually, there are a number of open resolved recommendations. In other words, the Department has agreed in principle to comply, but there are two recommendations which are unresolved, which means we just disagree.

Mrs. ROBY. Of the six, there are four unresolved—excuse me, four resolved and two unresolved?

Mr. LINICK. That is correct.

Mrs. ROBY. But even the resolved, you have just gotten them to say that they want to do something, but you have no actions to back up their words?

Mr. LINICK. That is correct.

Mrs. ROBY. So we still have, according to Mr. Starr's testimony, we have four places, very dangerous places of the world where American lives are at stake because we don't have the proper security in place?

Mr. STARR. Congresswoman——

Mrs. ROBY. This is for Mr. Linick. Is that correct?

Mr. LINICK. I have to accept those facts because I don't know independently whether that is true.

Mrs. ROBY. Recommendation six of your report recommends that DS Marine security guard programs conduct a staffing and resource assessment and judiciously allocate appropriate resources to facilitate compliance with the Benghazi Accountability Review Board Report to upgrade security for personnel at high-threat posts. Has this been done?

Mr. LINICK. Not according to the facts that I have heard.

Mrs. ROBY. So, in fact, the Department has yet to comply with Benghazi's ARB recommendation 11. Correct?

Mr. LINICK. We believe Benghazi ARB recommendation 11 intended for there to be Marine Security Guards at all high-threat posts.

Mrs. ROBY. And so I want to hear you say that is correct.

Mr. LINICK. Yes, that is correct.

Mrs. ROBY. Thank you very much. I have got 22 seconds left. I did want to touch a little bit on the local guard force, and let's see, real quick, Mr. Linick, if I can just get to the point with you, you had two findings in your report: A, security contractors did not fully comply with the vetting requirements called for in the contracts; and, B, the regional security officers at overseas posts took it upon themselves to vary the vetting and approval process and failed to ensure that the security contractors provided all the required documentation. That is correct?

Mr. LINICK. That is correct.

Mrs. ROBY. So did any of the security companies that had contracts fully perform all vetting required in their contracts?

Mr. LINICK. No. We looked at 87 personnel files, and none of them—none of the security contractors performed all of the vetting requirements contained in the contracts.

Mrs. ROBY. And of the six Embassies reviewed, did any of them allow guards to work before being fully vetted?

Mr. LINICK. Yes, a number of them allowed them to work without vetting.

Mrs. ROBY. Mr. Chairman, I just do not understand how this can be just 2 years after four Americans were killed in Benghazi, we have local guards that are not fully vetted that, clearly, Mr. Chairman, show that we have a severe security threat in very dangerous places where American lives are at stake today. Thank you so much. Thank you for being here.

I yield back.

Chairman GOWDY. I thank the gentlelady from Alabama.

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

Mr. SCHIFF. Thank you, Mr. Chairman.

Thank the gentlemen for being here. I appreciate your service very much. Mr. Starr, I wanted to ask you, just for some historical perspective, because I think many Americans may be under the impression that what took place in Benghazi was extraordinary in the sense that we have never had attacks on our diplomatic facilities or tragedies like this in the past.

Tragically, we have had a great many over the years, and I wonder if you could shed a little light on maybe the last 20 years. How many times have our facilities been attacked? How many times has that resulted in injuries or fatalities? Is the problem getting worse because the world is now more unstable? It seems like there are more high-threat posts now than ever. Is that just an impression, or is that the reality? And what does that mean in terms of the prioritization you mentioned at the outset? And that is—the priority is for a diplomatic post to implement the policy of the United States—that has to be done in a way where we can protect our people, but they are there for a reason.

And there are many posts where we are where we could ask the same questions. Why are we in Yemen? Why are we in Iraq? Why are we in any of these places that are inherently dangerous? There are foreign policy objectives in each of these places, as there was in Libya. We have increasingly difficult calls to make about where we post our people, what risks we are willing to undertake in furtherance of our policy, and it is one of the reasons I have such great respect for our people that are in the diplomatic corps, because they are at risk. There is just no avoiding it these days. Can you set a little of the historic trend for us? What has been our experience with violence at our facilities? To what degree is that phenomenon changing, and is it changing for the worst?

Mr. STARR. We have more posts today categorized at high or critical threat for civil disorder or terrorism than at any time in my service in the Department. I think we are seeing a lot of different threats emerging. I don't think that is a surprise to anyone. We are challenged in many ways, but, again, going back to what we have been doing since Nairobi and Dar es Salaam, which was when Al Qaeda first came in our view full face, that we had to recognize that we had a determined nonstate enemy against us, a lot of the programs that we put in place and the buildings that we have built have helped make us safer and balanced that security.

But, Congressman, as you say, over the last 10 or more years, we have had multiple, multiple attacks on our facilities and our people in Iraq, many, many attacks in Afghanistan. In Herat last year, we had a horrific attack with two truck bombs, eight suicide bombers trying to kill our people at the consulate in Herat. Our security systems worked. We killed all of them. We lost, tragically, some third-country national security guards and some Afghan police officers, but no Americans were killed in that.

As has been alluded to here, at the same time as the Benghazi attack, we had huge crowds and mobs that were coming over our facilities and attacking our facilities in Cairo, in Tunisia, and in Sudan. And in the last two posts, 8 and half hours before the host

country came to our support, our facilities held, and no Americans were injured. We have had and lost certain Foreign Service officers and one-off attacks, lone-wolf types of attacks, including John Granville in Sudan not too many years ago. We have had RPG attacks, truck bomb attacks, car bomb attacks, car bomb attacks on our motorcades. We have had aircraft that have been shot at.

We have had almost innumerable attacks on our facilities over the last 20 years. And you are right; they are going up. It is a challenge. I would first say that it is a testament to the Foreign Service that our officers still want to get out and implement the important Foreign Service goals that we have to. It is a testament to their willingness to take new types of training and for the Department to take on these security risks.

Congress has been a very important partner in how we have met these risks, particularly since the 1998 bombings in Dar es Salaam and Nairobi, and we appreciate that.

We will continue to work on these things, but I don't think it is a surprise to anybody that we are living in a world that has a high degree of instability in many countries. There is a lot of open discussion about how extremism is drawing in new youth, disaffected personnel, and has a calling that is being heard by certain people. So we have our challenges cut out for us, and we are going to do the best we can to meet those challenges while still implementing the foreign policy of the United States government.

Mr. SCHIFF. Thank you. Mr. Starr, let me drill down on a couple specifics that I think have manifested themselves in light of this increasing threat environment and increasing number of high-risk posts, and that is more people that are on temporary assignment and people that are of short duration in some of these high security threats. Many of us that have visited our diplomatic facilities overseas meet people that are there for short tours. You talked about one way of trying to fill the gap with retirees. It may be desirable to bring in the retirees who have great experience, but why is that necessary? Are we having trouble attracting enough personnel to go to these high-threat posts? Is there a mutually reinforcing cycle where people who go to a high-threat post therefore get recommendations from people in those posts for future assignments and are kind of locked into high-threat posts? What is the impact on our personnel of the proliferation of dangerous places where they work?

Mr. STARR. Congressman, the situation that we face is that most of these high-threat posts are unaccompanied. We are asking more and more of our personnel to take unaccompanied tours away from their families for longer periods of time. Generally, these have been 1-year tours, but we are now at a point where we are asking more of our officers to serve 2-year unaccompanied tours overseas without their families. We have rotated many of our Foreign Service officers and many of my security agents and my security personnel through multiple hardship tours without their families at these high-threat posts at this point.

The Foreign Service has a certain amount of personnel. We have not had to rely particularly on very many TDY personnel. Some of the other agencies that are present at our posts overseas have greatly relied on temporary duty personnel, not so much the De-

partment. We have had officers that stood up and continue to stand up and serve at these places. But it is not without cost. It is not without, in some cases, fracturing families, or are we asking them to serve tour after tour in high-threat posts multiple times at these places? Do we have behavorial problems and other things that are coming out of this? And the answer in some cases is yes.

In many cases, where we have a need to put our best people in some tough places where we are asking sometimes for temporary personnel but sometimes for longer periods of time, the Department is asking to bring back some of the retired people. Somebody is going to use that vast experience that they have got, and they are going to pay them for it. We would like to be able to avail ourselves of that as well if possible.

Mr. STARR. But I do think that the State Department has been at the forefront of filling our positions with mostly full-time assigned personnel. Although we, too, rely on TDYs occasionally.

Mr. SCHIFF. Just one last question, because I only have a minute left, I wanted to follow up on. I think we all recognize the importance of having high-level attention paid to the ARB recommendations by the top principals in the State Department. And I fully concur that Secretaries Clinton and Kerry have embraced and even established this as a best practice.

You had mentioned that it was codified in the Foreign Affairs Manual very recently. But the embrace of that by those top principals, that was from the very beginning. In fact, that was a standard that they set, was it not?

Mr. STARR. I think it was very evident from the statements of Secretary Kerry and our principals that we were in this together. And everybody had to get on board.

What we are now doing is bringing it around to the fact of putting it in the policy. And Steve has pointed out that is important. We need to make those changes. We need to codify this going forward. And we are doing that. But I agree with you that I have spent many hours and many meetings with the Deputy Secretaries and many others. And I have had discussion with the Secretary about what security means to us.

Mr. SCHIFF. Thank you, Mr. Chairman.

I yield back.

Chairman GOWDY. Thank the gentleman from California.

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

Mr. ROSKAM. Thank you, Mr. Chairman.

Secretary Starr and Mr. Linick, thanks for your time.

Secretary, I find your argument inconsistent in this sense. And I just want to bring to your attention a couple of statements that you have made to my colleagues, some of the realities that I perceive, and walk you through my thinking.

A couple of minutes ago, you told Ranking Member Cummings that there has been a culture change in the Department. And if there has been a culture change in the Department, that presupposes that you basically offer everything up that is an obstacle and to recognize and to reflect, look, this is a problem, and we are going to rid ourselves of every single problem that was an obstacle to a remedy.

Couple of minutes ago, you made the argument to Mr. Schiff—not an argument, but you made the point, increasingly dangerous world. Nobody here disagrees with that. It was compelling you used words like "extremism," "disaffected youth," and these posts that are unaccompanied because they are miserable places to go, presumably.

And yet one of the things that is the remedy to that is the waiver authority in recommendation No. 13 that the department continues to cling to.

So the recommendation of the Best Practices Panel in No. 3, it says this, it says, Waivers to establish security standards should only be pursued subsequent to the implementation of mitigating measures as agreed by Regional Bureau or other program managers advised by D.S. and as informed by the Department risk management model.

That is a great idea.

Now, here is the problem. The Department—and I don't know where you were in the discussion. But the Department has said, We don't think that is a great idea. In fact, we think this: In certain cases involving national security—I am going to come back to that because that is such an ambiguous term—an exception can be approved based on the mitigating measures already in place—presuming that there are mitigating measures, I might add—even though future mitigating measures may be planned to bring the facility even closer to or in conformance with the OSPB physical security standards. In such cases when time is of the essence to further U.S. national security interests, the Department requires flexibility to grant an exception prior to the implementation of planned mitigating measures.

So here is my point. That is a gaping exception. That is an exception, Mr. Secretary, that anything can get through. And I mean anything.

So if it is simply, look, this is national security, all of a sudden, that becomes a laminated hall pass for somebody at the Department of State to say we are declaring this a national security emergency. Yeah, we have gone through to the whole process, the process that you described that is identifying the high risk—high-threat, high-risk posts, going through VP2. So far, there is no restraining influence.

Then there are two choices, either recharacterize something as a special mission compound or something else or go through another process.

And even within the other formalized process, there is still this waiver authority. And people around you, Mr. Secretary, are saying, Give it up.

And by your own argument, I might add, you are making the argument that you should give it up, that there is a culture change that is so big that you are describing it to Ranking Member Cummings and a world that is so dangerous that you are using all kinds of words that we all agree with. So why in the world hang on to this thing?

Mr. STARR. For a very specific technical reason, sir. We pick a place. Sometimes the best that we can get in a short duration if

we are going to go back in. We have to make decisions on what needs to be done and what levels of things we can't possibly do.

I can't create 100 feet of setback when there isn't 100 feet of setback. We may have to accept that.

And at a certain point we have to make decisions: Are we going to accept that, do the rest of the things that we need to do, or are we just going to say, no, we are not going to accept that? And then continue looking until we find a place.

By the way, I have never found a place to lease in 30 years in the Department that actually had a hundred feet of setback that was available.

Mr. ROSKAM. Secretary Starr, what is different than the reasoning that you just articulated to me just now from the reasoning that put us in Benghazi and that allowed four people to be killed? What is different?

Mr. STARR. There is—I will admit that there is some measure of risk in what I am saying. But——

Mr. ROSKAM. Huge risk, based on what you told Mr. Schiff.

Mr. STARR. No, I don't agree that it is huge risk. I think that we have to——

Mr. ROSKAM. You told him it was a dangerous world filled with extremists and disaffected youth. That was 5 minutes ago.

Mr. STARR. True.

But I think that we have to be able to make decisions to progress. In some cases, if we are going to lease a new facility, we are going to have to admit that we are going to have to give waivers to certain things in order to fulfill that.

Mr. ROSKAM. So what is different about what you just articulated.

Mr. STARR. The difference is that we have to do the waivers, that there has to be a decision process.

Mr. ROSKAM. Yeah. But then why don't you agree to the mitigation? That was the key finding of the Best Practices.

Mr. STARR. Because in some places, we can't get the mitigation.

Mr. ROSKAM. If you can't get the——

Mr. STARR. I can't rare——

Mr. ROSKAM. Look.

Mr. STARR. I cannot get a blast-proof building unless I build it.

Mr. ROSKAM. Then why do we ask people to go to these places?

Mr. STARR. Because in some cases, the foreign policy imperatives of why we need to be there mean that we are going to take reasonable levels of risk.

Now, what we have to be careful is that we don't take unreasonable levels of risk. There has to be an open and fulsome discussion about why we need to be there. What risks are we really running? Do you really understand the threats? If you put people——

Mr. ROSKAM. Look, Best Practice Panel recommendation is trying to codify that risk discussion.

And if you rewind the tape today and you listen to the answers that you gave—and I was carefully listening to this. Earlier in the last—in our last discussion time, the last hearing, Mrs. Roby asked you a question, and you and I had an exchange about your answer.

But just to refresh your memory, she asked, Is it possible for the State Department to open a temporary residential facility? And you

said, We don't have any at the moment; I can't imagine that we would or that I would approve it. You, singularly, Mr. Starr.

Earlier today, in part of the exchange, you said, I am committed to keeping our people as safe as possible.

Now, I get it. That is opening statement language, and there is nothing wrong with that.

You then told Ms. Sánchez, I turned that down.

You then told Mr. Jordan, I have access.

And your bristle was up a little bit because he was pushing you around. But you were saying, I have access to the Secretary of State.

Now, here is the problem: When you are gone, that next person will be confronted with the same discussion that you admitted is basically that there is nothing really different about the thinking that went in on Benghazi, to your knowledge, because you told us you weren't there.

I am telling you that I think it is very similar, that line of thinking that says, yes, it is dangerous, got to get 'em, we gotta go, and, yeah, there is no time. We got to check these boxes and yeah, yeah, yeah.

And you have got this national security exception that the exception like I have described is this big. And we are right back into this situation.

Notwithstanding the culture change that you have offered up. Do you see where this is going? Which is why people around you are saying Give it up. Offer it up. You don't need it.

Mr. STARR. I think that that relying on one recommendation——

Mr. ROSKAM. This is not one recommendation.

Mr. STARR. No, that is one particular recommendation that we don't agree with because of a technical reason that we have to be able to say in advance and write the waivers and say, We are going to accept waiving that security standard, gives us the ability to do these things.

Mr. ROSKAM. Look, in your answer, though——

Mr. STARR. The larger issue, though, is things like VP2 and having processes in place.

And I recognize that this one particular one is confusing in terms of it seems like we don't want a process.

Mr. ROSKAM. Oh, it is not confusing to me.

Mr. STARR. It seems like we don't want a process there. But the fact is there is a process there.

Mr. ROSKAM. I don't think there is anything confusing about this. You are basically saying, we are not going to mitigate—you are not basically saying. You are saying we are not going to mitigate. And these answers that the State Department has offered, it presupposes mitigation that is already in place. And it is relying on a speculation of possible mitigation.

In fact, it says it may be planned. May be planned.

That is speculation beyond speculation. This is speculation upon speculation. Do you see how it is that people are coming to the conclusion that in a post-Starr era, that, like it or not, is coming, in a post-Starr era, when special committees are not around, there is going to be every bit of possibility and pressure based on the national security exemption, which as I have described it is this big.

All of a sudden we are right back into this situation and we are grieving the loss of life.

I ask you to revisit this. I ask you to reconsider this. This is something that you are clinging to. And that you ought not.

I yield back.

Chairman GOWDY. Thank the gentleman from Illinois.

Chair now recognizes the gentleman from Maryland.

Mr. CUMMINGS. You know, Mr. Starr, Mrs. Roby asked Mr. Linick about the vetting of local security guards. I am really—and I thought she had an excellent line of questioning.

I want to make sure I understand what is going on here, because when the dust settles, again, I want to make sure our people are safe.

When we talk about the vetting, can you tell me why there is no vetting in those—I think it was four countries, Mr. Linick.

Mr. LINICK. It was six countries.

Mr. CUMMINGS. Six.

Mr. LINICK. Six contractors.

Mr. STARR. Congressman, the answer is that it is not true there was no vetting. What the report points out is that they didn't fully comply with the vetting requirements.

There are places around the world where we work that our normal vetting requirements, things like requiring a police check, can't be accomplished. There are places where we are or the contractor is not allowed to perform a background investigation. This is, of all places, in one place is Italy. We cannot vet contractors in Italy because of personal rights and statements that they have in law. It does not mean that we don't do our best job to vet the people that we bring on board.

Now, I want to say one thing clearly. When Steve and his inspectors go out and they find a circumstance where they say, Hey, we don't think the contractor is living up to the vetting requirements, I want to know that and we take that seriously and we go back and say, Okay, what is happening here?

And, in some cases, we may find that there is a reason that the contractor isn't fully vetting the people. He may have to use alternate methods. But there may be cases and Steve's people may find out that he is trying to put some shortcuts in place. He doesn't want to pay for the vetting. And we need to know those things. And that is valuable guidance that Inspector Generals' teams are bringing back to us.

So I think it is a dual answer. One, I want to know what they are finding because these inspections are part of our backstop, and they are important to us.

Second, there may be reasons in some cases that there may not be a full vetting. Cases that we can't do it.

There are different types of workarounds. And certain places because we can't do police checks or they don't make any—you just buy a police check, essentially. We are looking at family ties. You know, does everybody know this person? Does this person really want to work at the Embassy? And people have known his character for a long time. So there may be workarounds.

And, finally, there are places where we know that we have significant issues hiring local employees to be guards. And, in some

of those places, we made the decision that we bring in third-country contractors at tremendous expense because there is no other way to get the vetting done, and we don't trust the people.

So it is a holistic answer. I don't want to say that we don't value, and I necessarily disagree with the IG on some of these things. They play a really important role. The inspection process is important to us. And when Steve's people come back and say, Hey, something is not right here, we look at it. We try to correct it as fast as possible. Or we have an understanding that maybe it doesn't quite meet the needs, and then we will have an open recommendation and we will go back and forth with the inspector on that.

I would note, sir, that our guards have stood by us through thick and thin. Some of them have stayed years after we have closed our facilities and protected them.

We have never had a green-on-blue incident with any of our guards. In many cases, they have showed loyalty to us far beyond what we could ever do.

Are our guard programs perfect? No. And we strive to keep them up to snuff every single day, try to require the highest possible compliance with the rules and regulations that we put in place.

And Steve's people play an important role in keeping us there. So it is, all told, I need those guards, and we are going to continue doing that. And I think we are doing overwhelmingly a good job. Are there some things we need to work on, yes, and when we find them, we are going to work on them.

Mr. CUMMINGS. Are you familiar with the June 2014 Inspector General's report with regard to an audit of the Department's oversight of the vetting process used for local security guards? You are familiar with that audit?

Mr. STARR. Yes, sir.

Mr. CUMMINGS. And he reported and explained that contractors are challenged in vetting local security forces because of local privacy laws, lack of credit reporting services, and difficulty in obtaining official records in the host country.

And how do you operate within those kind of constraints? You go for—you do as much as you can and then you—I mean, how do you—you want to vet. And so is there a certain point where you say, well, there is just not enough vetting that we can do that we can hire these folks? How does that work?

Mr. STARR. When we make a determination that we really can't do any vetting, and we have no confidence in the guard force, that is when we may turn to this other alternative, third-country nationals, that we bring in from another country that we can vet if we can get permission from the host country to do that.

In many cases, it is more subtle than that, sir. As I say, when the police check, it may not be worth the piece of paper that it is printed on or where there are privacy laws that we can't do things, in many cases we look at who knows this person? What recommendations have they got? Are they family? Are they tied to the Embassy in some place?

We have got to have guards. We have got to have people manning those posts. We have got to have people that are, you know, checking the people when they come in and checking their packages and inspecting the cars.

And even when some of those vetting procedures may not comport with what we do in terms of a security clearance back here in the United States, we have a great deal of faith and confidence in them, even though, in some cases, we may not meet every requirement. We may not be able to cross every T and dot every I. We have to take at a certain point some levels of risk.

Mr. CUMMINGS. Just one other thing, Mr. Starr. We have spoken extensively about risk management. During our last hearing, you spoke about how important it is to assess both the willingness and the capability of the host country forces to provide local security.

How does the State Department consider the potential issues with local guards today when considering whether to operate in a certain country? And how has that changed since Benghazi?

Mr. STARR. I don't know that that has actually changed since Benghazi, sir. I would say that it has been an ongoing issue for us. There are some countries that will not allow us to have guard contractors. In some cases, we can hire them directly. There are some countries where we have made that determination that because of counterintelligence issues or because we may think that the guard force could be infiltrated, and we don't have faith and confidence that we may use third-country contractors, this has been an ongoing issue since 2002.

We look at every country very carefully. We make a determination how we can best fulfill the security requirements in that country, whether it is a contract, whether it is a PSA, direct-hire guard force, whether it is a third-country national guard force.

We rely in great part on the experience of the RSOs in the field and the contracting officers and the general services officers to give us advice here in Washington and listen to them and then make recommendations and decisions based on the best knowledge that we have.

Mr. CUMMINGS. Let me say this. I want to thank both of our witnesses for being here today. We really do appreciate it.

And we appreciate your willingness to work hard every day to make our people safer. I know, Mr. Starr, that we have—I know we pressed you hard today. Please recognize and understand that we do so to ensure the Department's feet are held to the fire because it is important for all of us that we do this right. And I remind you again it is our watch. Your testimony in September and October update you have provided us, we appreciate. And your testimony today shows continued progress. And we appreciate your willingness to work with us and anyone else who helps to make our Embassies safer. So I want to thank you for that.

And I want to thank you, Mr. Linick, for all that you are doing because you, too, help us keep these feet to the fire.

With regard to the ARB, I think we are making good progress. But I want to make sure everything is done. And I know that there are some ARB recommendations, quite a few of them, from past ARBs. I think we need to take these opportunities and try to address as much as we possibly can, even back then, because those things are still ongoing. Right, Mr. Linick There are still problems.

Mr. LINICK. Yes, that is correct.

Mr. CUMMINGS. So, again, I want to thank both of you again.

Mr. Starr, don't forget that we want to know when those other recommendations of the ARB will be completed and to let us know when they are, in fact, completed. All right? Okay?

Mr. STARR. Yes, sir. We will get those answers to you.

And, sir, I expect to be pressed pretty hard. This is tough business, and it is important business. And you can press as hard as you want. Myself and Steve, we are both pretty tough guys. And we appreciate even the tough questioning.

The opportunity to put those things on the table with you in an important committee like this is important to me, too.

Mr. CUMMINGS. Thank you very much.

Chairman GOWDY. I thank the gentleman from Maryland.

Secretary Starr, I was going to pursue a line of questioning. And I will get to that at some point.

But when Jimmy Jordan asked you why were we in Libya—and I am not going to ask you the same question because you made it clear you are not the right person for us to ask. And I am going to respect that. But I want to make sure you understand why Jimmy would ask you that question and why all of us are asked that question with alarming frequency in our districts.

The last hearing we had, you did a very good job of explaining to those of us who are not in diplomacy that you have to weigh and balance. I think you said you have to weigh and balance the policy with the risk to determine whether or not you should have a presence.

And it just struck me that there is no way you could possibly weigh and balance policy versus risk if you don't understand what the policy is.

And then I started thinking, when Jimmy was talking, I wonder where the question came from.

And I knew I had seen this somewhere. Do you know someone by the name of Ben Rhodes?

Mr. STARR. I don't know Ben Rhodes personally; I know the position that he was filling.

Chairman GOWDY. I don't know him either. But there was a memo 3 days after four of our fellow Americans were killed in Benghazi. And I will skip over goal number one of his communications memo. Actually, I won't. Because it says to convey that the U.S. is doing everything we can to protect our people and our facilities.

And it just struck me, if you really were doing everything you could, we would not have had 50 separate recommendations after he wrote that memo and this now the second hearing to make sure that those recommendations were implemented.

But I am going to skip over that goal to get to the second goal.

The second goal, Secretary Starr, was to underscore that these protests are rooted in an Internet video and not a broader failure of policy.

So I am going to skip over the video part of that for now and get to the second clause, the dependent clause in that sentence, "not a broader failure of policy."

How can we judge whether or not a policy has failed or succeeded if no one tells us what the policy objectives were?

How can we do that?

How can you weigh and balance the risk?

Jimmy's gone through the risk, members on the other side have gone through all the escalating episodes of violence in Benghazi. And it may well be that the reason for us to have been there supersedes all of those episodes of violence. But how? How can a committee of Congress know that if no one tells us why we were there?

So you are not the right person to ask. Who would you ask if you were us? Who should we bring to explain why were we in Libya?

Mr. STARR. The policy questions I think should more properly be directed to the NEA Bureau, Near Eastern Affairs Bureau that had responsibility for that.

Chairman GOWDY. I am looking for a name, preferably. Who would be able to tell us what policy we were pursuing in Libya was so important to skip over all the things that Mr. Roskam pointed out and to weigh and balance the episodes of violence in such a way that the presence outweighed the violence.

Mr. STARR. At the risk of having her never talk to me again, the Assistant Secretary for NEA Anne Patterson, I think, is the highest-ranking person in the NEA Bureau, and at the time of the attack was the U.S. Ambassador in Egypt. And I think Anne or one of the Deputy Assistant Secretaries in the NEA Bureau could give you the best answer on that.

Chairman GOWDY. All right. Well, I thank you for that name.

And I want to make sure you and I are on the same sheet of music.

Do you understand why we would have that question? I mean, do you think that that is a fair and legitimate question for us to ask, what the policy was, so we can then weigh and balance it, as you instructed us to do?

Mr. STARR. I think that is a reasonable question, sir.

Chairman GOWDY. Okay, well, thank you.

Now, Secretary Starr, last time you were with us we not only discussed the most recent ARB recommendations, but we went back and highlighted some from the past. And one in particular from 1999 caught my attention: The Secretary of State should take a personal and active role in carrying out the responsibility for ensuring the security of U.S. diplomatic personnel abroad. It is essential to convey to the entire Department that security is one of the highest priorities.

And Secretary Starr, just in case somebody missed that part of the 1999 ARB, the authors reiterated that point with this: The Secretary of State should personally review the security situation of Embassies and other official premises, closing those which are highly vulnerable and threatened.

Two previous ARB recommendations that you could essentially lay on top of one another. They are identical.

And I don't think they are identical because they forgot that they put the first one. I think they are identical because they were trying to send a message to us. This is really important. And it is deserving of the attention at the highest levels of the Department.

So here is what I want to do. I want to ask you, I want to know, specifically with respect to Benghazi, in October of 2011, there was a specific request for a machine gun to defend our facility in Benghazi. And, in August of 2012, just a month before the attack

on our facility, a document again lists a machine gun as equipment needed and requested.

Do you know who denied the requests for those machine guns and why?

Mr. STARR. No, sir, I do not.

Chairman GOWDY. Who should I ask and find out?

Mr. STARR. You can ask me, sir, and I will go back and research that.

Chairman GOWDY. Would you do that for me?

Mr. STARR. Yes, I will.

Chairman GOWDY. Have you watched the video surveillance from the night of the attack?

Mr. STARR. I have.

Chairman GOWDY. Without going into great detail, would you agree with me, or do you at least see why somebody on the ground might have asked for that piece of equipment, given what you and I have seen in the surveillance video? I mean, thinking back to the video, can you see how that might possibly have come in handy that night?

Mr. STARR. In my review of what happened and looking at that, I think the agents made the right decisions at that point not to engage. I think that they were equipped with fully automatic weapons, not quite the rate of fire power of a machine gun. I agree that, you know, machine guns can be very menacing and have a tremendous effect. But, in this circumstance, I'm not sure——

Chairman GOWDY. They wanted them for the rooftop. They wanted them for the rooftops.

I want you to go back if you would and watch the video and see whether or not you conclude the same way that I concluded or not. And I appreciate if you could go back and, with specificity, I want to know who reviewed that request, who denied that request, and is there an appeals process within the State Department in light of these two previous ARB recommendations that the Secretary of State should take a personal and active review that the Secretary of State should personally review the security situation. Is there an appeals process where someone hypothetically could say, you know what? You are giving me a no, but I'm going to take this up the food chain. Does that exist?

Mr. STARR. Yes.

Chairman GOWDY. All the way up to the highest levels of the State Department?

Mr. STARR. I will tell you that the one thing the Department has that very few other agencies has is something called the dissent channel. And it is a channel that we highly prize and that if you disagree with policy or you disagree with a decision, that officers in the Department of State at all ranks and all locations have the ability to send something directly in at the highest levels through a dissent channel cable and say, I disagree with something, and it goes to the highest level.

Chairman GOWDY. In June and July of 2012, mere months before the attack in Benghazi, the Ambassador himself requested a security team be extended to stay longer.

Mr. STARR. Security team in Tripoli, sir, not Benghazi.

Chairman GOWDY. In Tripoli, yes. But it doesn't take much to imagine him traveling from Tripoli to Benghazi with an increased security presence, does it? If there were more security folks in Tripoli, and he is traveling to Benghazi, it is not that much of a stretch to surmise that some of them may have actually traveled with him.

Mr. STARR. When he traveled to Benghazi in that trip, sir, he took additional RSOs with him. There were additional RSOs that could have gone as well but they made the determination——

Chairman GOWDY. For a grand total of how many?

Mr. STARR. Five at post.

Chairman GOWDY. All right. And how many were there before the foot print was reduced?

Mr. STARR. Three.

Chairman GOWDY. No, no, no. How many were there before their deployment ended?

Mr. STARR. I don't think there was ever more than five at that post, sir.

Chairman GOWDY. In Tripoli?

Mr. STARR. No, I am sorry. In Benghazi, I am sorry.

Chairman GOWDY. I am talking about—I am talking about that the Ambassador would have had access to.

Because you and I agree the number that he had access to was reduced, despite the fact that he asked for more.

Mr. STARR. The military team, the SST team had departed. Additional DS agents were put into post.

Chairman GOWDY. What I want you to find out for me is this, because this is a Presidentially-appointed Ambassador who made a pretty plaintiff pleading. In fact, I will quote it to you: "Our efforts to normalize security operations have been hindered by a lack of host nation security support, an increase in violence on foreign targets, and neither compound meets OSPB standards."

Do you know would said that?

Mr. STARR. From your context, I would think it would be the Ambassador.

Chairman GOWDY. It was the Ambassador himself in a—what I would describe as a pretty plaintiff pleading for some help. And this is the response he got: No. I do not not want them to ask for the team to stay.

Do you know who said that to the Ambassador, the Presidentially-appointed, Senate-confirmed Ambassador?

Mr. STARR. It was referring to the SST and that might have been Ambassador Kennedy.

Chairman GOWDY. It could have been. But it was actually Charlene Lamb. And Charlene Lamb is not, has not been, and is not likely to ever be the Secretary of State for this country.

And so when I see her responding to a Presidentially-appointed, Senate-confirmed Ambassador who is making a pretty plaintiff pleading for some extra help and she says, "Do not not make that request," I want to know whether the Ambassador had the ability to go above her head and go straight to the top. And if not, why not?

Mr. STARR. The Ambassador certainly did have the ability to go over her head.

Sir, I do think that the one salient point that must be discussed is that there was quite a bit of discussion about relieving the SST, the military team that was there and only provided static security at the compound, with additional diplomatic security agents who could provide static security and mobile security. I think that was why the decision was made to release the SST. We were replacing it with personnel that actually had more capabilities.

Chairman GOWDY. Well, Secretary Starr, my time is up. But sometimes when everyone is to blame, no one is to blame. And part of the frustration that Mr. Roskam I believe so eloquently remarked on today was the designation of the facility itself. And then you have our heretofore failure to understand what policy would have been so important——

You testified that we have how many un-personed posts right now? Five? Did I hear you correctly? Five? You were going through a series of numbers. And you said, Well, five of those you can discard because actually there is no one there.

Mr. STARR. Correct.

Chairman GOWDY. So we do close facilities.

Mr. STARR. Yes, sir.

Chairman GOWDY. And I am assuming that someone did the weighing and balancing on those five and decided, you know what? Through the miracles of technology, or whatever, we don't have to have a physical presence there.

So you can understand why we would like to know what weighing and balancing went on with respect to Libya. And I want to know who saw these requests for extra equipment and personnel, who denied them, and whether or not you believe—and, inspector general, you can help here, too—whether or not you believe that there is a culture in the State Department where there would be any consequences for following the dissent channel, because some companies do say, "Sure, I have an open door policy," but sometimes when you walk through that open door, your career takes a hit.

With that, I want to thank the ranking member and all the other members.

Thank both of you.

You and I get together privately. You discuss a reasonable timetable for getting answers to those questions.

And, with that, the members would have five additional days to put whatever they want, any questions, in the record.

Thank both of you for your time.

Mr. Starr, in your case, twice. And if you would convey to the men and women who work for the State Department how grateful all of us, irrespective of politics, are for their service.

And, with that, we would be adjourned.

[Whereupon, at 12:59 p.m., the committee was adjourned.]

Statement for the Record
Tammy Duckworth
Hearing 2 "Reviewing Efforts to Secure U.S. Diplomatic Facilities and Personnel"
December 10, 2014

Mr. Chairman, thank you for holding this important hearing. I am pleased with the Committee's continued attention to ensuring that the difficult lessons learned from the terrorist attacks in Benghazi translate into real and lasting improvements in security at our facilities overseas.

We all understand that we cannot make the world 100% safe and that there are critical reasons why the United States will continue to be in places that are dangerous. But we must do all we can to make our embassies safer for the dedicated men and women who continue to serve this great country at posts all around the world.

In the aftermath of the attacks that resulted in the death of four brave Americans in Benghazi, the Benghazi Accountability Review Board led by Ambassador Thomas Pickering and Admiral Mike Mullen, two men with unparalleled experience and impeccable reputations, was quickly convened in order to determine what went wrong. Ultimately, the Review Board made 29 recommendations. To its credit, the multiple Congressional investigations that followed the efficient work of the ARB, have not questioned its hard-hitting recommendations for reform.

Every single recommendation was accepted and, over the past two years, the State Department has worked to make the necessary changes. Our first hearing in September provided an opportunity to get an update from Assistant Secretary Starr, who followed-up on that hearing with a written letter a month later showing that the Department continues to make steady progress.

I thank Mr. Starr for providing that update and for joining us again today. While I regret that I will not be able to attend in person, I will be following the proceedings closely and participating in any necessary follow-up to ensure that the Department completes the remaining reforms.

Mr. Starr's written testimony indicates that, since our first hearing, the Department has closed an additional three recommendation, bringing its total closed to 25 of the ARB's 29 recommendations. I think that's a positive development and I look forward to hearing how the Department plans to address the final four recommendations as they work towards implementation.

A principle concern of mine going into this Committee has been the role of the Marine Security Guards (MSG), their resources and allocation and how the State Department is coordinating with the Department of Defense and the Marine Corps to address security shortfalls at high-risk, high-threat posts. During our last hearing, I asked Secretary Starr how the State Department was working with the Department of Defense to augment security -- one of the available capabilities is the Marine Security Guard Detachments. Mr. Starr responded that the Department has, "opened 17 more detachments since Benghazi, on our way to opening 35 totally."

Mr. Starr's written testimony says that the Department has established two additional detachments since September. During the course of today's hearing, I hope to hear how the Department is planning to deploy additional detachments to the remaining 16 posts, particularly

at high-risk, high-threat locations and any additional details that can be provided on how the Department has otherwise augmented its security posture in the absence of a MSG unit.

I also understand that the Department is taking steps to address recommendations made by the Inspector General to improve that inter-agency coordination process and long-term management of the MSG program. I look forward to hearing more from Inspector General Linick and Mr. Starr on this particular matter.

The role and use of private contractors through the Local Guard Program also deserves equal attention and scrutiny. While I understand that overseas local guard forces are a critical part of security at Department missions overseas, I remain concerned about a possible over-reliance and inability to adequately vet them, the standard to which they're trained and how they are integrated into the Embassy's security command and control structure. I am glad that the OIG conducted its June 2014 audit on contractor compliance on vetting local guards. I look forward to hearing more about how this process can be strengthened, and what steps State is taking to implement the OIG's recommendations, particularly those that can be applied globally.

Lastly, Secretary Starr discusses balancing risk and diplomacy in his written testimony. During our September hearing, I expressed my disappointment in the lack of an adequate framework for assessing and managing risk in the lead up to the Benghazi attacks. I welcome the witnesses' insights on how the Department has continued to improve its risk management processes and whether further changes are warranted.

Thank you Mr. Chairman.

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