

1

2

3

4

5 COMMITTEE ON FOREIGN AFFAIRS,

6 U.S. HOUSE OF REPRESENTATIVES,

7 WASHINGTON, D.C.

8

9

10

11

12 INTERVIEW OF: BRIAN MCKEON

13

14

15

16

Wednesday, November 29, 2023

17

18

Washington, D.C.

19

20

21

The interview in the above matter was held in Room 2255, Rayburn House Office

22

Building, commencing at 10:01 a.m.

1 Appearances:

2

3

4 For the COMMITTEE ON FOREIGN AFFAIRS:

5

6 [REDACTED]

7 [REDACTED], SUBCOMMITTEE ON OVERSIGHT AND

8 ACCOUNTABILITY

9 [REDACTED], SUBCOMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15

16

17 For the U.S. DEPARTMENT OF STATE:

18

19 [REDACTED], OFFICE OF THE LEGAL ADVISOR

20 [REDACTED], NOTE-TAKER

1 For BRIAN MCKEON:
2
3 PETER WHITE, ESQ.
4 MCKENZIE HAYNES, ESQ.
5 Schulte Roth & Zabel
6 555 13th Street NW, Suite 6W
7 Washington, D.C. 20004
8

1 [REDACTED]. This is a transcribed interview of former Deputy Secretary for
2 Management and Resources Brian McKeon. Chairman McCaul has requested this
3 interview as part of the committee's investigation of the Afghanistan withdrawal.

4 Would the witness please state his name for the record?

5 Mr. McKeon. Brian McKeon, M-c-K-e-o-n.

6 [REDACTED]. On behalf of the committee, I want to thank you for appearing
7 here today to answer our questions. The chairman also appreciates your willingness to
8 appear voluntarily.

9 My name is [REDACTED], and I am [REDACTED] on Chairman
10 McCaul's staff on the House Foreign Affairs Committee and am leading the investigation
11 into the Afghanistan withdrawal.

12 I will now ask committee staff present from the majority and minority to introduce
13 themselves as well.

14 [REDACTED]. [REDACTED], from the majority.

15 [REDACTED]. [REDACTED]. I'm [REDACTED] on the majority.

16 [REDACTED]. [REDACTED], [REDACTED] for the minority.

17 [REDACTED]. [REDACTED], [REDACTED] on the
18 minority.

19 [REDACTED]. [REDACTED]. [REDACTED] on the minority.

20 [REDACTED]. [REDACTED]. I'm the [REDACTED].

21 [REDACTED] Thank you.

22 I'd like to now go over the ground rules and guidelines that we will follow during
23 today's interview.

24 Our questioning will proceed in rounds. The majority will ask questions first for 1
25 hour. Then the minority will have an opportunity to ask questions for an equal period of

1 time if they choose. We will alternate back and forth until there are no more questions
2 and the interview is over.

3 Typically, we take a short break at the end of each hour, but if you'd like to take a
4 break apart from that, please just let us know and we'd be happy to accommodate.

5 As you can see, there is an official court reporter taking down everything we say to
6 make a written record, so we ask that you give verbal responses to all questions.

7 Does that make sense, Mr. McKeon?

8 Mr. McKeon. Yes.

9 [REDACTED]. So the court reporter can take down a clear record, we'll do our
10 best to limit the number of people directing questions at you during any given hour to
11 just those people on the staff whose turn it is.

12 Please try and speak clearly so the court reporter can understand and so everyone
13 can hear you. It is important that we don't talk over one another or interrupt each
14 other if we can help it, and that goes for everybody present at today's interview.

15 Witnesses who appear before the committee have the opportunity to freely
16 consult with counsel if they choose.

17 Mr. McKeon, you are appearing here today with private counsel, correct?

18 Mr. McKeon. That is correct.

19 [REDACTED]. Can counsel please identify yourselves and state your names for
20 the record?

21 Mr. White. Peter White, Schulte Roth & Zabel, for the witness, Brian McKeon.

22 Ms. Haynes. McKenzie Haynes, counsel for Mr. McKeon.

23 [REDACTED]. Thank you.

24 It's my understanding that agency counsel from the State Department is also
25 present today.

1 Mr. McKeon, you understand that agency counsel represents the State
2 Department and not you personally, correct?

3 Mr. McKeon. I do.

4 [REDACTED]. Could the agency counsel and note-taker please identify
5 yourselves and state your names for the record?

6 [REDACTED]. [REDACTED] from L.

7 [REDACTED]. [REDACTED] from H.

8 [REDACTED]. Thank you.

9 We want you to answer our questions in the most complete and truthful manner
10 as possible, so we will take our time.

11 If you have any questions or if you do not understand one of our questions, please
12 just let us know. Our questions will cover a wide range of topics, so if you need
13 clarification at any point, just say so.

14 If you do not know the answer to a question or do not remember, it's best not to
15 guess. Please give us your best recollection. If there are things you don't know or you
16 can't remember, just say so, and please inform us who, to the best of your knowledge,
17 might be able to provide a more complete answer to the question.

18 Mr. McKeon, this portion of the interview is unclassified, so if a question calls for
19 any information that you know to be classified, please state that for the record, as well as
20 the basis for the classification and the original classification authority, to the best of your
21 abilities.

22 If you are uncertain of the classification, please consult with your counsel. We'd
23 be happy to go off the record to afford you the opportunity to do so.

24 In the interests of transparency and open access to the Federal Government, we
25 ask that your asserted basis for a classification adhere to the uniform system prescribed

1 by Executive Order 13526.

2 Once you've identified the requisite classification, please respond with as much
3 unclassified information as possible.

4 Do you understand?

5 Mr. McKeon. Yes.

6 [REDACTED]. You should also understand that, although this interview is not
7 under oath, that, by law, you are required to answer questions from Congress truthfully.

8 Do you understand this?

9 Mr. McKeon. I do.

10 [REDACTED]. This also applies to questions posed by congressional staff in an
11 interview.

12 Do you understand this?

13 Mr. McKeon. Yes.

14 [REDACTED]. Witnesses that knowingly provide false testimony could be
15 subject to criminal prosecution for perjury or for making false statements under 18 U.S.C.
16 section 1001.

17 Do you understand this?

18 Mr. McKeon. I do.

19 [REDACTED]. Is there any reason you are unable to provide truthful answers
20 to today's questions?

21 Mr. McKeon. No.

22 [REDACTED]. Thank you.

23 Finally, I'd like to make note that the content of what we discuss here today is
24 confidential, as per Chairman McCaul's terms. We ask that you not speak about what
25 we discuss in this interview to any outside individuals to preserve the integrity of the

1 committee's investigation.

2 For the same reason, the marked exhibits that we will use today will remain with
3 the court reporter so that they can go in the official transcript, and any copies of those
4 exhibits will be returned to us when we wrap up.

5 That is the end of the majority's preamble. Is there anything that my colleagues
6 from the minority would like to add?

7 [REDACTED]. Yes. We note that, notwithstanding any agreement made
8 between the majority, the witness, or his counsel, and/or the State Department for this
9 transcribed interview, there is no provision governing or mandating confidentiality of
10 investigations and/or transcribed interviews in the House or committee's rules for the
11 118th Congress.

12 [REDACTED]. Thank you.

13 The clock now reads 10:06. We will start the first hour of questioning.

14 EXAMINATION

15 BY [REDACTED]:

16 Q Mr. McKeon, before proceeding, we want to define a couple of key terms in
17 the interest of clarity.

18 First, when referencing the term "withdrawal," the majority is referencing the U.S.
19 military retrograde, i.e. the "Go to Zero" order which was officially announced by
20 President Biden on April 14, 2021. This includes related planning by the State
21 Department and other agencies and the decision-making processes.

22 Does that make sense?

23 A Yes.

24 Q Second, when referencing the term "evacuation" or "emergency
25 evacuation," the majority is referencing the evacuation of U.S. citizens and nationals,

1 civilian personnel, and designated persons in August 2021 resulting in the noncombatant
2 evacuation operation initiated on August 16, 2021. This includes related planning by the
3 State Department and other agencies and the decision-making processes.

4 Does that make sense?

5 A Yes.

6 Q Thank you.

7 Mr. McKeon, can you please give us a brief overview of your career at the State
8 Department?

9 A Well, I served there during the transition of President Obama, from Bush to
10 Obama. I don't really count that as working at the State Department, but I was in an
11 office in the State Department in November, December, January 2008-2009.

12 And I was assigned to the State Department transition team very late in the Biden
13 transition. I was originally on the NSC transition team, and then they dual-assigned me
14 once it became known what I was likely to be nominated for. So that was -- it was after
15 January 1; I don't remember the date -- 2 weeks, at most.

16 And then I worked in the State Department from March 19, 2021, to December
17 31, 2022, in the position of Deputy Secretary.

18 Q Thank you.

19 Am I correct in understanding that throughout 2021, including the withdrawal and
20 emergency evacuation, you were serving as Deputy Secretary for Management and
21 Resources, so DMR?

22 A Correct.

23 Mr. White. Objection. He actually stated he didn't start until the 19th of
24 March.

25 [REDACTED]. Thank you for that clarification.

1 BY [REDACTED]:

2 Q Starting from March until December of 2022.

3 And DMR is the third in command of the State Department, correct?

4 A So, in terms of authorities that are delegated to the deputies by the
5 Secretary, it's an equal delegation. I think, in the succession EO, yes, the other deputy is
6 number two, so if the Secretary were disabled and there needed to be an Acting
7 Secretary, it would be the other Secretary. But --

8 Q Thank you. That's helpful.

9 A -- I considered myself equal in authority to Deputy Secretary Sherman.

10 Q Of course. Thank you.

11 And what is the role of DMR within the Department?

12 A Well, it's defined in the FAM, although not in great detail. It was created by
13 a House Republican, who's still here, from Kentucky, Mr. Rogers, who I think saw or had a
14 view from his subcommittee chairmanship in the late '90s of the CJS Subcommittee that
15 State Department didn't pay adequate attention to management resource issues at a
16 senior enough level, so he legislated the position in an appropriations bill.

17 There's only a couple of direct reports -- the director of Foreign Assistance Office
18 and the director of the Small Business -- Disadvantaged Business Unit. I'm forgetting the
19 precise title.

20 If you look on the organizational chart, all the under secretaries report up to both
21 deputies and the Secretary. It was broadly understood that the management family, the
22 Under Secretary for Management, and all the bureaus under that position reported to
23 me. But I had other duties that were outside the M family, in a sense.

24 Q And what were those duties?

25 A I worked on and took the lead on rebuilding the Refugee Admissions

1 Program.

2 Q Uh-huh.

3 A So PRM is not under -- I mean, it's not part of the M family, obviously.

4 I mean, there are other issues that I worked on in the S family of positions. So I
5 spent a lot of time with the DEIA -- I forget what we called her -- special advisor -- one of
6 the specials.

7 [REDACTED]. CDIO?

8 Mr. McKeon. Chief Diversity Officer. Thank you. I spent -- I had regular
9 meetings with the head of the Office of Civil Rights.

10 There were a couple other S-family offices that generally reported to me and I
11 would have regular meetings with.

12 BY [REDACTED]:

13 Q That's helpful. Thank you.

14 A I'd need the org chart to remind myself what those were. H was one of
15 them. The H leadership came to my office every -- how often, [REDACTED]? Every couple
16 weeks? Once a week? I can't remember.

17 [REDACTED]. It depended.

18 Mr. McKeon. Yeah.

19 BY [REDACTED]:

20 Q Thank you. That's very helpful.

21 And when did you first discuss the position of DMR with the new administration,
22 so the Biden administration?

23 A I'm not sure why that's relevant. I'm not sure I remember the date. It
24 was before the election. I had conversations with people who had been already
25 assigned to think about senior positions in the administration. So I put it on the list, and

1 I'm sure I made it known to Tony Blinken.

2 Q And do you know who recommended you to be appointed for the position?

3 A I assume Tony Blinken. But if you have looked at my bio, which I assume
4 that you have, I'm kind of a Joe Biden lifer, so it's not like I needed outside voices.

5 Q Thank you.

6 A And I worked on the campaign full-time for 13 months.

7 Q That's helpful. Thank you.

8 And when did you assume the position?

9 A I was sworn in on March 19, 2021.

10 Q When did you --

11 A I didn't actually work a full day. I was not expecting to be confirmed on the
12 day that I was confirmed, so I went in and got sworn in, got my ethics brief, some
13 readings, and went home. So I actually started work the following Monday.

14 Q Thank you.

15 And when did you officially depart from the Department?

16 A December 31, 2022.

17 Q And you were serving as DMR when you departed from the Department,
18 correct?

19 A Yes.

20 Q Why did you leave that position?

21 A Is that really important?

22 Mr. White. [REDACTED] [REDACTED] --

23 Mr. McKeon. [REDACTED].

24 BY [REDACTED]:

25 Q Thank you.

1 Once appointed by President Biden, to whom did you report to as DMR?

2 A The Secretary of State.

3 Q In practice, was it Secretary Blinken and National Security Advisor Jake
4 Sullivan? Or was it one or the other? Both?

5 A Well, we all worked for the President, and we worked for the
6 Cabinet Sect- -- when I say "we," I mean political appointees in senior positions in the
7 executive departments -- obviously, appointed by the President and worked for him, but
8 also report to directly and work for the Cabinet Secretary.

9 I wouldn't say that I worked for Jake Sullivan. I would say that the interagency
10 system that -- and where decisions are made on a broad range of national and homeland
11 security issues is obviously run on behalf of the President by Mr. Sullivan. But I never
12 thought I worked for Mr. Sullivan. I knew I worked for the President.

13 Q Thank you.

14 And what was your role in the U.S. withdrawal from Afghanistan?

15 A I had no role or involvement in the President's decision in April of 2021. As
16 I've mentioned a couple of times, I didn't arrive until March 19th, and so I was not
17 involved in the interagency meetings leading up to the President's decision.

18 Q When did you first become involved with work relating to the Afghanistan
19 withdrawal?

20 A I can't remember the first moment that I touched Afghanistan issues.
21 Sometime in March or April, there was kind of a division of labor of issues in
22 the -- following the decision of the President, between me and Derek Chollet in terms of
23 interagency workstreams.

24 I worked on how we would continue to provide foreign assistance. If the Taliban
25 started to control areas within Afghanistan, you know, could we be able to continue to

1 provide assistance to people in those districts? I was lead on the SIV issue and the
2 anticipated flow of refugees out of Afghanistan if the Taliban started taking over parts of
3 the country; and then how we were going to secure Embassy Kabul after the U.S. military
4 withdrawal and thinking about the possible need to evacuate the embassy and ultimately
5 evacuate the country.

6 And Derek was working on a couple other issues.

7 [REDACTED]. What were Mr. Chollet's workstreams?

8 Mr. McKeon. I think it was primarily the work on -- I don't know if we've
9 discussed this publicly. I think we have. I mean, some of it's probably classified.

10 Mr. White. Just avoid -- can you say generally without getting into the classified?

11 Mr. McKeon. Yeah.

12 How we would continue to maintain a posture and ability to assess the terrorism
13 threat and continue to take counterterrorism action from outside the country.

14 [REDACTED]. And were there any other workstreams he was focused on?

15 Mr. McKeon. I don't remember. You'll have to ask him.

16 BY [REDACTED]:

17 Q Thank you.

18 And what was your role in the August 2021 emergency evacuation from
19 Afghanistan?

20 A You mean during the 2 weeks?

21 Q Including the planning for the evacuation. That was the 2 weeks prior, or
22 preceding that, that account for that as well.

23 A Well, during the course -- let me go back to April. I mean, during the
24 course of April and leading up to August, there was a lot of work going on within the
25 Department and in the interagency on all the issues that I mentioned that I was

1 responsible for. I mean, there were regular interagency meetings on all those topics.

2 Probably the ones in which there were more meetings than others were on the
3 SIV issue, the decision to try to bring people out who had yet to complete the process,
4 which we started with flights in late July.

5 And then the issue of the residual U.S. military force that would assist with
6 ensuring the security of Embassy Kabul and the U.S. Government facilities at the Kabul
7 airport.

8 And then, certainly, there were a lot of ongoing conversations between State and
9 DOD -- I was not directly involved in a lot of those, but -- on planning for evacuation and a
10 possible NEO.

11 Q Thank you. So is it fair to say that the planning for a potential evacuation
12 began in April of 2021?

13 A No, I think it -- you know, I'm not sure all that preceded my arrival in the
14 Department. I think -- certainly, I think there were some conversations and planning
15 before that, about what the United States would do and try to maintain a platform in
16 Afghanistan if the United States followed the deadline of the Doha Accord. So I don't
17 think the work started on April 14th or 15th, whatever date that was the President made
18 his decision.

19 Q Thank you.

20 And can you please describe the State Department's process for planning relating
21 to withdrawal, including planning for the evacuation?

22 A Yeah, I mean, there was work, as I understood it, going on -- define
23 "withdrawal" for me again.

24 Q Of course.

25 So the withdrawal, in terms of for the majority's reference, is the U.S. military

1 retrograde, i.e. the "Go to Zero" order which was officially announced by President Biden
2 on April 14, 2021.

3 So the drawdown of troops --

4 A Got it. Okay.

5 Q -- from 2,500 to zero.

6 [REDACTED]. And the related planning.

7 Mr. McKeon. Yeah.

8 So one thing that happened -- and you've probably been told this already -- not
9 long after the President's decision, a team went out to Kabul, led by Carol Perez, then the
10 Acting Under Secretary for Management. I think there were some DOD people, but
11 there were several people from different relevant bureaus in the State
12 Department -- somebody from DS, somebody from the SCA Bureau. I'm not sure who
13 else went.

14 And they were there for 4 days maybe and came back with a long list of things
15 that we needed to address and be prepared for in the absence of the United States
16 military.

17 One of those things was taking over the Resolute Support Headquarters, which is
18 pretty much next to the chancery in Kabul. And there was work needed to be done to
19 harden the places where people were living and also harden the facilities -- some of the
20 facilities out at the airport.

21 We were working on, in that respect, also trying to get support from allies who
22 had been part of the NATO mission over the years to help either fund or provide forces to
23 help maintain security of the green zone. So we had a meeting that I chaired with
24 embassy representatives from NATO partners but also some of the Asian partners. I
25 forget when that was. I think it was in May, maybe June. And we were talking to,

1 through our embassy, through State Department, through DOD representatives, the
2 Government of Turkiye about Turkiye providing support for security on the military site at
3 the airport.

4 Then, within the Department, at post, there was planning for how they would
5 evacuate the embassy itself, if time came to that. And I know there was planning going
6 on at the working level between State and DOD in Washington and the embassy and
7 CENTCOM. And at some point in July, I know CENTCOM sent some people forward to
8 Kabul to get eyes on, to further refine the NEO planning.

9 After the President's decision, Ross Wilson asked for authority to go to ordered
10 departure, if you know what that is. If you don't, I can explain it, what it means.
11 You're nodding your head, so I'm inferring that you know what it means.

12 BY [REDACTED]:

13 Q If you could just briefly state for the record.

14 A Sure.

15 Department of State has internally two terms and conditions that it can put an
16 embassy on, short of closing it, in which there is some drawdown of personnel in light of
17 some security threat, whether it's civil conflict or terrorism or what have you -- or a
18 natural disaster.

19 One of those is authorized departure, which allows people who don't feel safe or
20 want to move their families out to do so, and the government will pay for them to leave
21 the post to which they are assigned, and they'll go to a designated safe haven or back to
22 Washington.

23 Ordered departure allows the chief of mission to decide who stays and who goes.
24 And so, not long after the President's decision, the chief of mission, Ross Wilson, asked
25 Washington for permission to go to ordered departure status, which was approved.

1 Both of these conditions have to be approved by Washington.

2 And there was a small drawdown in April of personnel, and then there was
3 another one, I want to say in July. I can't remember when. And there was planning for
4 another drawdown of the embassy footprint going on when Kabul fell.

5 Q And by "not long after the President's decision," you're referencing the April
6 14, 2021, timeframe, correct?

7 A Correct. So I don't remember whether it was late April or early May, but it
8 was within 2 or 3 weeks.

9 Q That's helpful. Thank you.

10 A And we usually make public announcement of those things, because of the
11 no-double-standard practice. So that should be a matter of public record.

12 Q Thank you.

13 Was there a senior leader at the Department exercising overall responsibility for
14 the Department's equities in planning for the withdrawal and a potential emergency
15 evacuation?

16 A Well, as I said to you, I was leading the workstreams that included that. So,
17 in a sense -- in essence and in effect, it was me.

18 Q That's helpful. Thank you.

19 And who were the other senior leaders of the Department most involved in
20 matters relating to the withdrawal evacuation? And what were their roles?

21 A Well, the senior leadership at Embassy Kabul, for one: Ross Wilson; his
22 deputy chief of mission, Ian McCary; and the assistant chief of mission, Scott Weinhold;
23 and all the senior other people there.

24 And in the State Department, the relevant bureaus would be the South Central
25 Asian Affairs Bureau, Diplomatic Security. Within the Executive Secretariat, the Crisis

1 Management and Strategy Office was part of the Operations Center.

2 The Secretary was regularly briefed and wanted to know what was happening.
3 And, you know, the Deputy Secretary and Under Secretary for Political Affairs were aware
4 of what was going on, but they were not directly involved in a lot of those conversations.

5 Q Thank you.

6 And at SCA, who was your main point of contact?

7 A The Acting Assistant Secretary, Dean Thompson.

8 Q Thank you.

9 A And his PDAS, Erv Massinga.

10 Q Thank you. And at Diplomatic Security?

11 A Well, Gentry Smith, the President's nominee, didn't get confirmed until early
12 August, so, before that, the Acting Assistant Secretary was Todd Brown.

13 And I forget who the PDAS was. Later on, it was a guy named Matus. And
14 there are two Matuses in Diplomatic Security. One was in Kabul, but he left. He
15 rotated out, I think, in the summer of '21. So I don't remember whether Matus was in
16 the PDAS job initially in 2021 when I got there or if there was somebody else.

17 Q Thank you. That's helpful.

18 And in terms of Consular Affairs, were you engaged with anyone from that --

19 A Certainly on the SIV issues and consular issues generally. As with Gentry
20 Smith, Rena Bitter, the President's nominee, was not confirmed until less than 2 weeks
21 before Kabul fell, so there was an Acting Assistant Secretary. I'm completely blanking on
22 his name. I'm something.

23 [REDACTED]. Brownlee?

24 Mr. McKeon. Ian Brownlee, yeah. Thank you.

25 And he had a PDAS. And they both retired at the same time in July, so there was

1 somebody else acting for a couple weeks before Rena got there.

2 BY [REDACTED]:

3 Q That's helpful. Thank you.

4 And did you engage with Medical Services, or MED, at any point?

5 A Not that I recall. I mean, Carol Perez probably was.

6 Q Thank you.

7 And who were the key military --

8 A I mean, I engaged with MED on other issues but not necessarily this one, at
9 that time.

10 Q Of course. And this is pertaining to Afghanistan, so --

11 A Yes.

12 Q -- thank you for the clarification.

13 And who were the key military figures working with the State Department on
14 matters relating to the Afghanistan withdrawal?

15 A Well, I don't know day to day who the folks in the bureau were talking to.
16 Probably people in OSD Policy in the bureau known as -- it used to be called APSA; now
17 it's IPSA. There was a DASD for Afghanistan, Pakistan. I'm pretty sure they were
18 talking to her quite a bit. And I think she was on the weekly calls that Carol Perez was
19 doing.

20 I don't know who on the Joint Staff was doing those kind of things. Probably
21 somebody from the J3 and the J5. I mean, the engagements I had in the interagency
22 with DOD were with the Vice Chairman or the Chairman and occasionally the J3 or
23 J- -- usually the J3.

24 Q Thank you. And we, obviously, only want you to testify to your firsthand
25 accounts, so we appreciate the clarification.

1 Who were your main points of contact at the Department of Defense?

2 A I would've dealt with either the Under Secretary of Defense for Policy or the
3 Deputy Under Secretary. And I think Colin Kahl got confirmed sometime in May -- April,
4 May, June. I can't remember exactly. So the acting person before that was a career
5 person named Amanda Dory. I remember her being in some of those meetings. And
6 then I think when Colin was confirmed she moved into the acting -- or performing the
7 duties of the Deputy Under Secretary role.

8 I don't remember when Sasha Baker, who's a Senate-confirmed person -- I can't
9 remember when she arrived. I think she got there -- she might've gotten there in
10 August, actually. Because Amanda at some point transitioned out, but then she was
11 on a -- for a little while in -- during the evacuation, there was a -- I mean, we had a -- the
12 task force was 24/7, but there were certain people in the major departments designated
13 to be the main point of contact for, sort of, big emergencies or big issues that arose
14 overnight. And Amanda, after having done the Acting Under Secretary job for so long,
15 got stuck with that, the overnight duty.

16 Q And by "task force," you're referencing the Afghanistan Task Force, correct?

17 A Yes.

18 Q Thank you.

19 A The State Department task force.

20 Q Thank you.

21 And what were the White House and National Security Council's role in the
22 withdrawal, including planning?

23 A Well, as I said, we had regular meetings in the interagency that I attended at
24 the Deputies Committee level and sometimes at the Principals Committee level, either to
25 represent the Department or to accompany the Secretary, on all the issues that I

1 described, including, you know, the footprint at the embassy. Sometimes the agendas
2 of the meetings had multiple topics.

3 Q And we'll get into the interagency meetings a bit more shortly, but when did
4 those meetings begin, to the best of your recollection?

5 A There were interagency meetings before I got there on Afghanistan,
6 although I think most of them were focused on the President's decision.

7 I'm sure there were interagency meetings at the IPC level, Interagency Policy
8 Committee level, all the time, because the volume of those meetings was quite high, and
9 very quickly, in the Department, we became aware of the volume and the ability, or lack
10 thereof, of the bureaus to keep up with it. And the pace was significantly different than
11 the previous administration.

12 So I'm pretty sure there were meetings on Afghanistan withdrawal planning at
13 that level. I just don't -- I couldn't tell you for sure. I just know I started going to
14 meetings on Afghanistan not long after I arrived.

15 Q And that was going to be my followup question.

16 A Yeah.

17 Q In terms of the meetings that you participated in covering the various roles
18 and responsibilities you previously addressed, when did you first become involved in
19 those?

20 A I can't remember whether it was -- it was probably in April. I don't know
21 that it was in the last 2 weeks of March.

22 Q Thank you.

23 And you noted previously that you worked with our allies and foreign nations,
24 including, sort of, NATO allies. Which foreign officials did you work with in relation to
25 the Afghanistan withdrawal, specifically?

1 A Well, mostly the ambassadors here that I had conversations with. I didn't
2 travel overseas at all for 6 or 8 months of my tenure. So it was just conversations I had
3 with -- either that big group meeting I described, and I had a couple one-on-ones with a
4 couple of European ambassadors who were interested in what we were planning and
5 thinking and what we would like them to do.

6 Q Did you engage with any Afghan officials?

7 A When President Ghani came to Washington, I think June of 2021, the
8 Secretary was out of town, so I hosted a meeting at the Department with the delegation.
9 President Ghani didn't come to the State Department, but the Foreign Minister and other
10 people from the palace.

11 And then I attended, on behalf of the Secretary, the President's meeting in the
12 Oval.

13 Q Thank you. And is that the first and only time you engaged throughout the
14 withdrawal period with Afghan officials, or were there other moments as well?

15 A Not that I can recall. I think those were probably the only ones.

16 Q Thank you.

17 When you assumed the position as Deputy Secretary for Management and
18 Resources in March 2021, where did things stand with respect to the potential
19 withdrawal from Afghanistan?

20 A I couldn't tell you where they stood on March 19, 2021, because I didn't get
21 a briefing that day about it.

22 Q On your first official day of work, did you receive a briefing?

23 A I didn't get a briefing on March 22nd either. I mean, I don't know exactly
24 where it stood in the middle of March.

25 As I've said, my understanding and I was told that there had been planning going

1 on for a while since the Doha Agreement had been signed. I don't know how extensive
2 it was, how robust it was. My sense is it wasn't very robust. And I didn't get -- I don't
3 think I got any briefings during the transition about it, so, you know, I just don't know.

4 Q So how about we focus on when you did receive a briefing. Where did
5 things stand at that point on planning relating to Afghanistan, whether it be a potential
6 withdrawal or whether the withdrawal had already been announced, depending on the
7 date?

8 A I'm not remembering any level of detail about that.

9 Q So when did you first receive a briefing on Afghanistan?

10 A Sometime in April, I suspect.

11 Q And what did Secretary Blinken communicate to you regarding the approach
12 toward Afghanistan and the Taliban, if anything?

13 A So I'm not going to describe any conversations with the Secretary.

14 I think a general understanding in the position of the President and the Secretary
15 was that we sought to maintain a presence with the United States Embassy in Kabul after
16 the military withdrawal, which is why we focused very much on -- one of the things that
17 had been done with the planning -- now it's jogging my memory a little bit -- is, the
18 bureau and post had been asked to plan for different scenarios of the size of an embassy
19 based on the conditions. You know, what functions could we maintain based on certain
20 condition levels, and what would our footprint have to look like to continue to carry out
21 the desired functions.

22 So there was a matrix that described those different scenarios. And the first
23 time I engaged with this issue, I was presented with that, so, obviously, some work had
24 gone on previously. I just can't tell you when that started.

25 Q And was this around the April of 2021 timeframe?

1 A It would've been in April 2021, yes.

2 Q And do you recall what the status of negotiations with the Afghan
3 Government and the Taliban was at that time?

4 A About what?

5 Q In terms of whether there had been engagement with the Taliban, whether
6 there would be a sort of peace government between the Afghan Government and the
7 Taliban, whether we were adhering to the Doha Agreement --

8 A Yeah. Okay.

9 Q -- just more broadly.

10 A You know, as I said, I wasn't involved in the conversations about the
11 President's decision and the interplay between that and whether the Taliban was
12 adhering to the conditions.

13 And the Special Representative, Ambassador Khalilzad -- how shall I put this
14 politely?

15 [REDACTED]: You're not required to be polite.

16 Mr. McKeon. He didn't communicate a lot, at least that I saw. Maybe he
17 communicated directly to the Secretary, but I'm not sure I had a good window into what
18 he was up to.

19 BY [REDACTED]:

20 Q That's helpful. Thank you.

21 And did you at any point provide guidance to the Secretary regarding a
22 conditions-based approach or anything of the like with respect to the Doha Agreement?

23 A No. As I said, I was not involved in those conversations. I mean, it's
24 possible I was in meetings about other topics -- you know, we had senior staff
25 meetings -- where this came up. And whether I opined on something, I don't recall. I

1 kind of doubt it. I tended to try to stay in my lane, which is not always, I realize, a skill
2 set that people in the State Department have.

3 Q Can you please describe the prudent planning process for the Afghanistan
4 withdrawal?

5 A I thought we'd kind of covered this.

6 Q Is that the four various options that you mentioned?

7 A Well, and it's also what I've said, the conversation -- the work going on at
8 post between the SCA Bureau and DS and internally in the M family, thinking about -- you
9 know, other parts of the M family, thinking about moving stuff out well in advance. I
10 know we moved a lot of cars and other equipment out back in the summer, well before
11 the fall of Kabul.

12 It was just a lot of ongoing work. It's not something I saw or touched every day,
13 because, you know, I was not the desk officer.

14 Q And what was your position on whether the U.S. should maintain or could
15 maintain its embassy in Afghanistan following the military withdrawal?

16 A Well, my position was, it was understood the President wanted to maintain
17 an embassy, so that was my position.

18 And it was our view in the State Department, with the advice of the Diplomatic
19 Security Bureau and the people at post, that we were going to need a small contingent of
20 United States military to remain.

21 But the President made the decision. It's not for me to have a different opinion.

22 Q What was your assessment of the level of security risk that this would pose?

23 A My assessment, based on the advice I got from colleagues, was that it was
24 manageable. It was obviously going to involve some risk, but risk is part of the State
25 Department's business; it's baked into the business model. We have people assigned at

1 embassies and consulates in a lot of dangerous places. So this was not a new
2 phenomenon.

3 Q Did your position on the security risk change throughout 2021,
4 understanding that you didn't join until March of 2021?

5 A Well, it changed insofar as, in July and August, as we could see the Taliban
6 making some progress in some of the outer districts, we were constantly assessing, both
7 within the Department and in the interagency, the degree to which we could sustain and
8 maintain an embassy and what the size of that footprint would be.

9 And, you know, there's an inherent tension in these situations between the
10 directive from above to maintain the mission and maintain the work that we were doing,
11 the primary function being to support the Afghan Government, and also we were -- in late
12 July, as I'd mentioned, we started the flights to evacuate SIV applicants who had not
13 finished the process, and that takes people.

14 We had also been asked -- or, the President directed back in February, before I got
15 there, to restart the SIV program. And I think he issued an executive order or
16 Presidential memorandum -- I can't remember -- directing the departments to streamline
17 and improve the process. And so the Department sent additional consular officers out
18 in the spring.

19 So all that took people.

20 And you've probably heard this from others. As people were asking us, from
21 either DOD or the NSC, you know, why do you have 2,000 people there still, isn't that a
22 risk? And the answer was always -- part of the answer was the one I just gave you:
23 You're asking us to continue certain missions, so that takes people.

24 And, second, because of the nature of the way that the government had
25 conducted business in Kabul for a couple of decades and the necessity of a security

1 footprint of substantial size, there was what -- somebody came up with the term of "an
2 irreducible minimum" -- that, even if we only had 10 people left doing diplomatic
3 functions, we'd need nearly 2,000 people to keep the buildings running and keep the
4 buildings secure.

5 Q That's helpful. Thank you.

6 And you mentioned security assessments that were provided by Diplomatic
7 Security informing your assessments.

8 Were there disagreements between DS and other offices and bureaus on the level
9 of risk in maintaining a diplomatic presence in Afghanistan without U.S. military
10 presence?

11 A I suspect there were. I'm not sure I'm recalling any that were brought out
12 to me.

13 You know, I think both the main bureaus, SCA and DS, plus Carol Perez and I were
14 all in these conversations. There might've been some degree of disagreement about
15 how much DOD assistance we would need or how much risk we were taking on in
16 maintaining the security at the green zone. Because we were and the Afghans were
17 manning the gates of the green zone, but we were taking on more of the burden of the
18 security technology and, you know, mentoring the Afghans who were at the gates.

19 Q That's helpful. Thank you.

20 And I believe you touched upon this, but at the risk of redundancy, can you please
21 speak to consideration of a stay-behind force?

22 A Yeah. The consideration was that, even though we had a very large
23 contract force that Diplomatic Security funded and operated, it would be useful to have a
24 small U.S. military presence to help in extremis situations and as a quick reaction force, or
25 QRF. And so the number that was roughly settled on ultimately was 650, 700. I can't

1 remember whether anybody recorded a precise number, but in that range. And there
2 were going to be some of them at the embassy and some out at the airport.

3 So not a very large presence, because, you know, these soldiers were going to
4 have to sleep, so there were only going to be X number on duty at any one time.

5 BY [REDACTED]:

6 Q And what was the size of that U.S. troop presence on August 15th, say?

7 A I think it was a little bigger than that. I don't remember knowing why, but I
8 think it was closer to 900 or 1,000.

9 Some of it was because CENTCOM had sent people out in advance to help with
10 the NEO planning, but then also -- you know, I guess they were sitting in Kuwait. There
11 were a bunch of people that had been put on prepare-to-deploy orders, and then
12 Secretary Austin approved their deployment to Kuwait to be there, ready and able to go
13 quickly to Kabul if the need arose. So I don't think those units were already deployed on
14 August 15th, but they went. I don't know what date they went, but they were certainly
15 there by the 16th or 17th.

16 Q And the need for that small troop presence, had this been worked out, in
17 terms of a long-term small troop presence? Like, had that been worked out and
18 finalized?

19 A Within the U.S. Government, it had been finalized. There had never been
20 an agreement with the Taliban. There'd been conversations, I'm sure, with the Afghan
21 Government.

22 BY [REDACTED]:

23 Q Do you recall who within the Department issued the request for the
24 stay-behind force?

25 A Well, it was just part of the policy conversation in the interagency starting in

1 the spring.

2 Q Do you recall who advocated for that stay-behind force?

3 A Well, I did in the meetings that I went to, and the Secretary did in the
4 meetings he went to, and other people did at the meetings they went to.

5 Q Did any bureaus or offices within the Department oppose that request?

6 A Not that I recall.

7 Q The reason we ask is that, in the course of reviewing the AAR narrative, it
8 came to our attention there were disagreements between offices within the Department,
9 including DS, SRAR, and SCA, on whether to initially request that force.

10 Do you recall any of these disagreements?

11 A I don't.

12 Q And how was the plan for a stay-behind force ultimately formed?

13 A I don't know how it was ultimately formed, because it was all -- DOD was
14 ultimately making the decisions on the units and the size of the units. It's not like
15 anybody at State or the NSC is sitting there and saying, "We must have exactly 650
16 people."

17 People were having conversations about what the mission would be and what was
18 going to be tolerable, based on our assessment with the Taliban. And then DOD would,
19 you know, ultimately decide the size and functions of the force -- or, you know, what kind
20 of units and what kind of skill codes they would have.

21 Q Well, thank you.

22 I'd like to enter exhibit 1 into the record.

23 [McKeon Exhibit No. 1

24 was marked for identification.]

25 BY ██████████:

1 Q This is a "Statement by NSC Spokesperson Emily Horne on National Security
2 Advisor Jake Sullivan's Call with National Security Advisor Hamdullah Mohib of
3 Afghanistan." This is dated January 22, 2021.

4 We understand that you were not yet in the position of DMR at that time, so we
5 will not ask you questions about events preceding this. But, according to your testimony
6 earlier, you noted that you were briefed sometime around April on Afghanistan, once
7 assuming the position of DMR.

8 I'd like to go back to a question I have previously asked.

9 According to this statement, the U.S. -- the following was around January
10 2021 -- was assessing whether the -- was assessing the Doha Agreement, including
11 whether the Taliban was living up to its commitments.

12 Did you at any point receive a briefing on whether the Taliban was indeed living
13 up to its commitments pursuant to the Doha Agreement?

14 A I wouldn't have received a briefing, because I was not involved in that
15 decision. Whether it was in my intelligence book some day, I couldn't tell you.

16 Q But after the decision had already been made by the President, had you
17 been informed whether there was an assessment of whether the Taliban was adhering to
18 its commitments?

19 A I very much doubt I had a briefing or a memo that passed in front of me that
20 said that.

21 I'm sure I had some incidental conversations with Derek Chollet about the whole
22 issue, because his office was literally next to mine and we shared the use of a bathroom.
23 So, when I went out the back door of my office into the bathroom, if his door was open
24 and he was sitting there, I would often go in there and we would shoot the breeze on
25 stuff, sometimes about nothing or gossip or sports and sometimes about work. So it

1 may have come up in those conversations.

2 Q Did you believe that the Taliban was adhering to the provisions of the Doha
3 Agreement?

4 A I don't recall thinking much about it, because it was not my responsibility.

5 Q You noted previously that Acting Under Secretary for Management Carol
6 Perez visited Afghanistan in April 2021.

7 To the best of your knowledge, did any other senior leaders visit Afghanistan
8 between President Biden's announcement and the start of the emergency evacuation in
9 August 2021?

10 A The Secretary went there not long after the President's decision. I'm sure
11 Ambassador Khalilzad went there, but I don't know for sure. I don't know if other
12 people on the sixth floor went out there. I don't remember.

13 Q Do you recall when the Secretary visited Afghanistan?

14 A I don't, but I think it was within 2 or 3 weeks of the President's decision. It
15 would be easy to find on the internet.

16 Q Were you involved in the preparation, planning, or other aspects of that
17 trip?

18 A No.

19 Q And you touched upon this briefly previously. Over the course of 2021,
20 prior to the emergency evacuation, did Department officials provide direction to Embassy
21 Kabul to reduce its footprint and/or staffing?

22 A Well, as I said, in April, the original impetus for the ordered departure came.
23 I think it came from Ross Wilson.

24 And then, in July and August, there were lots of conversations internal to the
25 Department and in the interagency. And at various times I think Carol Perez and/or I

1 were communicating with Ross Wilson what the sentiment was, that we needed to try to
2 get smaller to the degree that was possible and still maintain the mission.

3 Q And what was that sentiment? Did anyone oppose the request to reduce
4 the embassy footprint?

5 A It's possible they did. I don't remember. I mean, you know, there's a lot
6 of people in the Department and the embassy. I couldn't tell you if anybody opposed.

7 Q And we only, again, want you to speak to your firsthand accounts of any of
8 this, so if you don't know, that's fine.

9 When did you first get the impression that the situation on the ground in
10 Afghanistan was deteriorating and that the Taliban was making significant territorial
11 gains?

12 A I don't remember when some of the districts started falling. I think in early
13 August you could certainly see that it was happening at a faster pace. And in the
14 interagency, we were certainly looking at that all the time and having conversations
15 about the decision points in the embassy's emergency action plan and whether, you
16 know, those necessitated a smaller footprint. And then, as I said, the embassy was
17 working on a plan for a further drawdown of personnel in August when Kabul fell.

18 There was a decision made across the government, led by the NSC, on the 12th of
19 August -- I think that was the date -- that by the end of August the embassy would be
20 reduced in size such that it could fit in the facilities out at the Kabul airport, and we would
21 close the chancery.

22 And that decision was communicated to at least the chairs and ranking members
23 of the various national security committees, because I remember calling -- making three
24 or four phone calls that day to inform people.

25 Q And these were the hardened facilities you were referencing previously,

1 correct --

2 A Correct.

3 Q -- or the efforts thereto?

4 What was your reaction to the rapid Taliban gains in June and July of 2021?

5 A I mean, my personal reaction was similar to a lot of people in the
6 government, which was that our government, both DOD and State Department
7 representatives, were constantly encouraging the Afghan Government to consolidate
8 their forces and not try to defend every district, because we could -- I think the DOD
9 assessment was that that would be unsustainable for them.

10 And so -- but -- sorry. Your question, again, was what was my reaction?

11 Q Correct.

12 A I mean, we were watching it every day, and there was growing concern that
13 the Afghans were not, as had been expected, fighting to the degree that I think the
14 U.S. military had expected and they were not being responsive to the advice that they
15 were being given by the U.S. military to consolidate their forces. So it was a matter of
16 growing concern.

17 Q And what actions did the Department and/or you take in response?

18 A Well, I think I've addressed that in some prior answers. We were working
19 with the post on a new drawdown in early August before Kabul fell. We were having
20 conversations or meetings in the interagency pretty regularly, looking at things and how
21 much longer we would be able to sustain our presence.

22 Q And you mentioned recommending or advising the --

23 A But, at the same time, we were ramping up the evacuation flights of the SIV
24 applicants. You know, we started with one every 2 or 3 days, and then we had them
25 every other day, and then we had them every day, and then we were getting urged by the

1 White House to do two a day. So there was a lot of work going on to sustain that.

2 And at some point the German Medical Clinic that we were using in Kabul for the
3 medical exam, they were saying that they were going to close. We had to try to figure
4 out how to deal with that.

5 So, you know, the tension that I described earlier of sustaining the functions and
6 missions we had been asked to perform versus the security of our people was
7 ever-present.

8 Q Thank you. That was a helpful explanation.

9 And you mentioned the consolidation -- or, the guidance provided to the Afghan
10 Government regarding the consolidation of its forces. By "the consolidation," are you
11 referencing that they consolidated their forces to Kabul? Or what did that entail?

12 A I don't know what specifically -- whether Scott Miller was still there or it was
13 Rear Admiral Vasely. I don't know what they were saying to them about where they
14 should position their forces, but to consolidate and not try to defend as much territory,
15 because they seemingly were not able to do that. And so, in order to hold off the
16 Taliban from taking major cities and Kabul, they needed to consolidate.

17 Q Did others in the Department ever express concern that the Afghan military
18 would not be able to hold the country without U.S. forces?

19 A You know, I'm sure it came up in interagency meetings. I don't remember
20 people in the State Department saying that. We were relying on the Defense
21 Department's advice on this.

22 Q Thank you.

23 Are you familiar with the July 2021 Dissent Channel cable sent by State
24 Department employees from Embassy Kabul?

25 A Yes.

1 Q When did you first become aware of the dissent cable?

2 Mr. McKeon. [REDACTED], this is kind of an internal process, but it's not that detailed,
3 that I'm about to say.

4 [REDACTED]. And there have been separate briefings, and the committee
5 members have been shown the cable. And so you can --

6 Mr. McKeon. Okay.

7 So the process, as I understood it, was, the head of Policy Planning -- I mean, the
8 cable system is -- what's the word? The way it's set up, these cables go to the head of
9 Policy Planning. You know, if you're perusing the cable system, you can't find it, because
10 it's not there for everyone to see, for good reason.

11 And the process, as I understood it, at least when I was there, is, when a Dissent
12 Channel cable arrived, sometime -- I don't know whether it was the same day, the next
13 day, 3 days later; I couldn't tell you -- an email would go out from either the director of
14 Policy Planning or one of his deputies to a few of the senior people, including me, and it
15 attached the cable, and it said, "We've received this cable. We'll begin drafting a
16 response. If you have any initial thoughts, let us know." And then, at some point in
17 time after that date, a draft response gets circulated.

18 So that's -- I don't know what day I became aware of it, to answer your question.
19 Somewhere in the days succeeding its arrival.

1

2 [11:00 a.m.]

3 [REDACTED]. Thank you. And we won't be getting into the substance of the
4 cable, but you confirmed that you received it. Did you have the opportunity to read it?

5 Mr. McKeon. Yes.

6 [REDACTED]. I just want to note, I don't believe you said you, quote, "received
7 it."

8 I think what he said was that, in the restricted process that occurs in soliciting a
9 response, people are asked for views.

10 Mr. McKeon. A copy was sent to me by SP.

11 [REDACTED]. Okay.

12 Mr. McKeon. It's not slugged to me in the cable system.

13 [REDACTED]. Right. So as part of the response --

14 Mr. McKeon. So I would not have known of its existence unless SP sent it to me.

15 BY [REDACTED]:

16 Q So that was, in terms of process, you were one of the designated individuals
17 who received the cable, correct?

18 A Correct.

19 Q And in this instance, you did ultimately receive it as an attachment or
20 whichever form --

21 A Or it was pasted in. I can't remember. I mean, it was on SIPR.

22 [REDACTED]. Right. But, again, he received it in the process of developing a
23 response. He was not an original recipient.

24 [REDACTED]. Okay. Thank you for that clarification. So we'll stick to that.

25

BY [REDACTED]

1 Q Did you have the opportunity to read it or review it?

2 A Yes.

3 Q And what actions did the Department take in response to the cable?

4 A Well, specifically, a response to the cable authors was drafted, and I don't
5 know when it was transmitted.

6 I think we were generally aware of many of the concerns outlined in the cable, so
7 I'm not sure it changed any work streams or activity we were undertaking.

8 Q Outside of the response as prescribed by the FAM, did Department officials
9 engage with the dissenters?

10 A I have no idea. I did not. I don't think so.

11 Q Okay.

12 A There must have been some communication to the author from SP, but I
13 don't know otherwise.

14 Q Thank you.

15 [REDACTED]. When you received a copy of the dissent cable, did you read it
16 immediately, or was it hours later? Days later?

17 Mr. McKeon. I probably read it the same day. I mean, I didn't check my SIPR
18 email very often, so --

19 [REDACTED]. Did the Department's response -- do you recall if it offered for you to
20 meet with the dissenters?

21 Mr. McKeon. I don't recall.

22 [REDACTED]. But you do recall that you did not meet with the dissenters?

23 Mr. McKeon. Correct.

24 BY [REDACTED]:

25 Q Mr. McKeon, how often did you engage with Special Representative

1 Khalilzad throughout the withdrawal period?

2 A During -- and you're defining that from March or April -- or from the
3 President's decision in April?

4 Q Correct.

5 A Not very often. I don't remember. No more than a couple of times at
6 most.

7 Q And did you --

8 A It wasn't my responsibility to oversee his work.

9 Q Did you meet with him prior to the President's decision at any point?

10 A I don't think so. I don't know.

11 Q And the couple of times that you did meet with him, do you recall what you
12 discussed?

13 A I don't. I mean, he was probably in -- I'm trying to think. I don't think
14 there were any one-on-one meetings. Maybe there was a courtesy call. I'm not sure
15 there would have been one scheduled. But there were group meetings that he would
16 have been in. So maybe it was more than two or three. I'm just not recalling.

17 Q And how often do you engage with Chief of Mission Ambassador Ross
18 Wilson?

19 A I probably had email exchanges or phone calls with him over the course of
20 the period from April to August. This is before the actual evacuation. You know, I'd be
21 afraid to guess and quantify it, so I don't want to do that. It was certainly more than a
22 couple of times. I was communicating with him, as I said, about the next possible
23 withdrawal of the embassy footprint before Kabul fell.

24 When Carol Perez came back from her trip, she said, you know, Ross only signed
25 up to stay through June. Secretary Pompeo had sent him -- asked him to go out. They

1 recalled him to duty sometime in 2020, I think. But Carol said, "If you call him, I think
2 he'll stay till the actual withdrawal in September." So I did that and called him, and he
3 agreed to stay.

4 He came back for President Ghani's visit. So I saw him both in the meeting and
5 in the sessions -- the preparatory session of the President. And I think after the
6 meeting, we talked for a little bit.

7 So that's what I remember.

8 Q And do you recall when you made that call to Ambassador Wilson?

9 A Probably within a week of Carol's return.

10 [REDACTED]. Thank you.

11 And we are out of time, so we'll stop the clock and go off the record.

12 [Recess.]

13 [REDACTED]. So the minority will be asking questions of you. I'm going to go
14 ahead and get started with those.

15 But before I do, we wanted to thank you very much. This is your at least third
16 time appearing before the committee as related to these issues. You came up in
17 November -- on November 21st and also on --

18 [REDACTED]. November 2021.

19 [REDACTED]. -- November 2021 and June of 2022, the first being in an open
20 hearing space and the second in a classified members briefing. So thank you for your
21 continued indulgence on these issues.

22 And with that said, I will also be referencing some of the topics that were
23 discussed by the majority for the purpose of fleshing out our record on the minority's side
24 and ensuring we're latched up with anything needed appropriately.

25 Mr. McKeon. Okay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXAMINATION

BY [REDACTED]:

Q With that said, I wanted to discuss the term "withdrawal." We have a bit of a different take from the majority on that.

So we understand the withdrawal to describe the retrograde of U.S. troops, equipment, and personnel from Afghanistan, and as such -- this is the important part -- the withdrawal of U.S. military personnel was initiated in the February 2020 Doha deal, involved partial troop drawdowns prior to 2021, and was completed by August 31st, 2021.

Does this comport with your understanding?

A Yes. But I've never been up on all the details of those withdrawals in 2020.

Q Okay. And importantly, for your awareness, when we reference the withdrawal, we believe that began by the Trump administration with the onset of the Doha deal in February 2020.

Also to note, it included the drawdown of all U.S. Embassy personnel in Afghanistan in addition to a military withdrawal.

And the last note, U.S. troops and equipment are primarily the domain of DOD and military leadership, not the State Department.

Does that comport with your understanding?

A Yes.

Q Great.

And as for the term "evacuation," we understand it to describe the removal of American citizens and their eligible family members, lawful permanent residents and their eligible family members, SIVs and their eligible family members, and certain other Afghan allies.

1 As such, this encompassed the civilian-led Operation Allies Refuge that began in
2 July 2021 and the subsequent military NEO that occurred from August 16th to 31st, 2021.

3 Does that comport with your understanding?

4 A Yes.

5 Q Great.

6 Turning to a bit more on your background prior to joining the State Department.

7 Can you tell us a little bit as your tenure as then-Vice President's Deputy National
8 Security Advisor, particularly how it may have related to your time as DMR?

9 A I was Vice President Biden's Deputy National Security Advisor for a little over
10 3 years, from January 21 of 2009 to late March of 2012.

11 The Vice President has what I would call -- describe as a miniature National
12 Security Council staff. There was a National Security Advisor, which at the time was
13 Tony Blinken. There was me. And there were five or six what we called special
14 advisors on different issues, either geographic or functional issues.

15 But we didn't have enough staff or space to cover the entire waterfront of issues
16 that came before the National Security Council or the Homeland Security Council, so we
17 depended and interacted with the NSC staff substantially and relied on them for a lot of
18 briefing support.

19 And so honestly, the work in supporting Vice President Biden and also
20 representing him in the interagency meetings, I would not say a lot of it was directly
21 relevant to the DMR job except actually some of what we have talked about, which is
22 situations where there are threats to embassy and embassy security.

23 And after Benghazi there were regular interagency meetings at the deputy
24 level -- at the deputies level focused on threats to embassies for a while there -- I think in
25 the second Obama term -- transitioning to other jobs here. They were weekly and then

1 biweekly. I think by the end of the Obama administration, maybe they were monthly.
2 I can't remember. They were certainly at least biweekly.

3 So that part of the job in OVP, and then subsequent jobs certainly relevant to
4 thinking about threats to embassies and our embassy posture, how we protect it in
5 extremis situations. But honestly, I'm not sure the rest of my job in the Vice President's
6 Office was that relevant to the job I had at the State Department.

7 Q Okay. To what extent did your work there relate to Afghanistan?

8 A Well, in 2009 there were two decisions by President Obama to expand the
9 U.S. troop presence. Most people only remember the one in the fall of 2009 that
10 substantially increased our presence. But there was actually a decision -- a
11 recommendation awaiting President Obama when he came to office.

12 I think the previous -- the Pentagon had previously presented it to President Bush,
13 and either Mr. Hadley or President Bush said, "I'm not going to make that decision."

14 Q Okay.

15 A "We'll refer that to President Obama."

16 And so that occurred -- I think the President's decision was February 2009.

17 And so my role in the Vice President's Office -- Tony Blinken would go to the -- he
18 had, I think, by whatever it was called -- PPD-1. The first memo that the President issues
19 in the national security system in a new administration is usually setting the frame and
20 contours of how the NSC system will work.

21 And I believe Tony Blinken or the person sitting in the Vice President's National
22 Security Advisor job was given a seat at the Principals Committee and also the Deputies
23 Committee. So he would go to a lot of those meetings. I would go to some of them,
24 depending on his availability and interest. And when Vice President Biden would travel
25 overseas, Tony Blinken would go with him, as would the regional person on our team and

1 the regional people from the NSC, and I would stay home and cover all the meetings that
2 they were missing.

3 So I was certainly in DCs and PCs and maybe even some NSCs on Afghanistan, both
4 on the first decision in February and then some of the meetings in the fall of 2009.

5 There was also an initial review that Bruce Riedel was brought in to lead. He's a
6 former State Department guy. There was a 30-day review, and I remember going to a
7 couple of meetings that he chaired.

8 Q A review of what specifically?

9 A What we were doing in Afghanistan.

10 Q Okay. And you also served at the NSC during the Obama administration as
11 COO and later Executive Secretary. Is that correct?

12 A So I had multiple titles. The title COO doesn't actually exist.

13 Q Yeah.

14 A It's just a way of describing the function.

15 Q Right.

16 A The two titles are irrelevant. The Executive Secretary, which is the only
17 position in the National Security Council that's actually in the National Security Act, and
18 it's a Presidential appointment, and I was the chief of staff.

19 They had -- previously, under President Obama, there were two different people
20 doing those jobs, and Tom Donilon and Denis McDonough came to me and said, "We've
21 got this great opportunity for you. We'd like you to do the job of two people."

22 So functionally, it was a COO job in the sense that I was managing -- I'm
23 anticipating your next question on the function, but I can stop if you want.

24 Q No, go for it.

25 A There's an Executive Secretariat that manages the paper flow and quality

1 control for national security memos to the President and papers for Deputies Committee
2 meetings, Principals Committee meetings, and National Security Council meetings. They
3 don't staff or help with the meetings below the Deputies Committee level.

4 So I managed that team, but I also managed kind of what I would say the back
5 office teams in the NSC, the records management operation -- which is actually pretty
6 sizable -- and the administrative arm. They call it the resource management office. It
7 has a personnel person, a facilities person, a security person -- security of the documents,
8 not security of the building.

9 And then the chief of staff role, the chief of staff hat is really just managing
10 problems for the National Security Advisor and the Principal Deputy or John Brennan. I
11 had an office right next to John Brennan.

12 So 90 percent of the staff are detailees from other government agencies because
13 the budget at the time was \$12.5 million, which doesn't buy a lot of people. And I think
14 that's still the case. I'd be surprised if it's higher than \$15 million today.

15 And so I would interview all the candidates for director positions just to give the
16 final -- put a face to the name and give final approval and give advice to the senior
17 directors on challenges they were having or sometimes just be kind of the glue between
18 them and the senior leadership, who they were busy people. They didn't always
19 respond to emails. So if people had problems, they would come to me.

20 I would speak with some regularity with the chiefs of staff of DOD and/or State
21 Department or Homeland Security.

22 Q Did any of this work involve Afghanistan policy?

23 A Not that I recall, except for Tom Donilon. This is probably -- I don't need to
24 get into this.

25 Q Okay. Fair enough.

1 Is it fair to say that there was a development of management skills during your
2 role at the NSC?

3 A Yes.

4 Q Great.

5 You also served at the Department of Defense. Is that correct?

6 A Yes.

7 Q And what were those roles?

8 A I was -- the title then was Principal Deputy Under Secretary of Defense for
9 Policy. The job still exists, but they took the word "principal" off because there are no
10 other Deputy Under Secretaries for Policy.

11 I had that job from the summer of 2014, August of 2014, technically to the end of
12 the administration. But in June of 2016, the Under Secretary, Christine Wormuth,
13 decided she wanted to spend the summer with her teenage daughters and not work 14
14 hours a day, so she resigned, and I became the Acting Under Secretary in the middle of
15 June and was Acting Under Secretary for the 210 days.

16 That expired on January 13th, 2017, and then I became Performing the Duties of
17 the Under Secretary. Same office, same responsibilities, just my signature block on
18 memos changed.

19 Q Understood.

20 A And the duties -- OSD policy is, for lack of a better term, the State
21 Department or the Defense Department has regional and functional offices, staffs the
22 Secretary, the Deputy Secretary, and the Under Secretary on interagency work and
23 interaction with foreign ministries of defense and at the Assistant Secretary level. Those
24 folks engage with foreign ministries of defense as well.

25 Under Secretary Wormuth and I kind of had a division of labor of the various

1 portfolios where I was kind of on point for de facto the Under Secretary for those issues.
2 I didn't have to go to her on every decision I was making, and I would deal directly with
3 the Secretary or the Deputy Secretary as needed on issues.

4 Q Any involvement on Afghanistan policy during that time?

5 A Minimal. It didn't really fall in the division of labor on my side of the house.
6 And then, when I became the Acting Under Secretary, Secretary Carter asked the
7 Assistant Secretary for Asia Pacific, Dave Shear, to move into my office and do the duties
8 of the Deputy Under Secretary. And since he had been the Assistant Secretary for Asia
9 Pacific -- which, in the DOD geography, runs from Afghanistan to the Pacific Islands -- it
10 didn't make any sense for me to pick up Afghanistan.

11 I remember being involved in the conversations and recommendations on
12 investing in buying for the Afghan Security Forces Blackhawk helicopters to replace the
13 Russian helicopters, which were getting harder and harder to sustain because of certain
14 sanctions.

15 Q Okay.

16 A Other than that, I don't recall being much involved in Afghanistan.

17 I vaguely recall now, when Secretary Carter came in he had a number of briefings
18 on specific issues on a Saturday, and I think I was in one that was led by the DASD for
19 Afghanistan and Pakistan.

20 Q Okay. Fair to say, however, that your career has focused on international
21 relations?

22 A That's fair to say.

23 Q Okay. And to briefly mention, you also served on the Hill on the Senate
24 Foreign Relations Committee prior to you entering the executive branch. Is that
25 correct?

1 A That's correct.

2 Q Okay.

3 [REDACTED] And did your work at the Senate Foreign Relations Committee touch
4 on Afghanistan at any point?

5 Mr. McKeon. As chief counsel for the Democrats -- or, i.e. for Senator Biden, for
6 the 12 years that he was either the chairman or the ranking member. So it certainly did
7 in the post-9/11 period and the authorization for the use of force in response to the 9/11
8 attacks.

9 And then there was efforts and legislation that I think -- I can't remember who
10 developed it -- related to assistance to Afghanistan in the early days that I was certainly
11 involved in.

12 And Senator Biden was, I think, the first member of Congress to travel to Kabul in
13 2002. I didn't go on that trip, but I was certainly involved in --

14 [REDACTED]. Preparing.

15 Mr. McKeon. -- planning.

16 BY [REDACTED]:

17 Q Have you received any awards for your contributions related to foreign
18 policy or national security?

19 A I received two awards from the two different Secretaries of Defense. I
20 worked for Hagel and Carter. It's the same award. I can't remember the name of it.
21 It's the highest civilian award they give.

22 Q DOD Medal for Distinguished Public Service?

23 A Okay. I'll take your word for it. And I received the Secretary of
24 State's -- or Department of State -- whatever it's called -- Distinguished Service Award.

25 Q Thank you.

1 Have your insights on foreign affairs or national security been published or
2 included in public reporting?

3 A Well, during the years that I was not serving in government, from 2017 to
4 2021, I published some op-eds or papers in various publications, Foreign Policy, Defense
5 News, Foreign Affairs.

6 Q Thank you.

7 Fair to say you're a distinguished State Department official?

8 A I don't know about distinguished, but experienced State Department official.

9 Q Fair to say you're an experienced DOD official as well?

10 A Yes.

11 Q And fair to say you have a specialty in foreign affairs and national security?

12 A Correct.

13 Q Great.

14 Do you have any experience in conflict settings?

15 A I was living and working for an NGO in Belfast, Northern Ireland, in the late
16 1980s for a period of about 4 months, and it was actually kind of a dodgy period when
17 there was -- they weren't -- the IRA was not blowing up buildings, but there were some
18 episodes between British security forces and the IRA that were a little -- made my parents
19 very concerned.

20 Q Fair enough.

21 Have you ever participated in or worked with a crisis-related task force in the
22 Federal Government?

23 A Not in a formal task force, per se. So I've certainly been involved in crisis
24 meetings, crisis situations, but no formal task force. I'm trying to answer your question
25 directly.

1 Q What percentage of your career has been spent related to crisis
2 management in terms of international relations?

3 A I wouldn't say that in any of the Senate jobs I was engaged in crisis
4 management.

5 It would be hard to quantify. I'd say between the jobs I had in the Obama
6 administration -- this is before I went to the State Department?

7 Q Any time in Federal Government, yeah.

8 A I see. So in all the jobs I had under President Obama and the job I had at
9 the State Department, I would define crisis management broadly. Usually it's in the
10 context of when there are threats to American facilities overseas and they are significant
11 enough that they, when I was in the White House, rose to the interagency level.

12 At the Defense Department, one of the offices I oversaw was the -- what was it
13 called? Stability operations and humanitarian affairs. And one of their -- they kind of
14 had a grab bag of issues in their portfolio.

15 One of the issues they had was support to -- DOD support to embassy security. I
16 mean, there was a whole framework that was developed after Benghazi. So I oversaw
17 that office.

18 And so whenever we had situations in that period that involved a threat to an
19 embassy and possible need to evacuate -- Yemen in 2015 being one of them -- I was
20 involved in those matters.

21 In the State Department one thing going into the job, I knew that the Department
22 frequently did drawdowns of missions and embassies and consulates. I was surprised at
23 how often it happens. I couldn't quantify it, but I could name 10 posts off the top of my
24 head that were -- we had some kind of drawdown during my tenure -- it was probably
25 more than that -- in addition to Kabul.

1 So I can't quantify the time, but it was frequently something I worked on.

2 Q Okay. Do you have experience engaging in interagency planning and policy
3 formation?

4 A Yes.

5 Q Developing contingency plans?

6 A From my DOD experience, yes.

7 Q Consulting with emergency action committees at post?

8 A Never directly with the whole committee. Speaking directly with the chief
9 of mission or indirectly in an interagency meeting with the chief of mission or DCM in a
10 meeting, talking about what the emergency action committee had recommended or how
11 they were seeing things. And whenever an EAC is held, there's a cable that's sent in.
12 So I would often read those.

13 Q Okay. Experience analyzing intelligence relevant to a specific topic?

14 A I mean, I don't know what the current situation is for reading or reviewing
15 intelligence regularly here. It was, in theory, available to us. Harder to obtain and see
16 because most of it was in a SCIF in the Capitol. So it's not like I read intelligence every
17 day.

18 When I worked in the Senate, in most of my time -- with the last two jobs I had
19 under President Obama, I received the President's daily brief. I didn't have it when I was
20 in OVP. And I had it at the State Department. And I got some other briefing materials
21 when I was in OVP.

22 So for the 8 years I was working for President Obama and the 2 years -- nearly 2
23 years I worked for President Biden, I was reading an intelligence book every day. So I
24 guess that gives me experience in assessing the intelligence.

25 Q Okay. So fair to say you feel competent at analyzing intelligence?

1 A Yes.

2 Q Developing and making policy recommendations for Department or
3 administration leadership in Washington?

4 A Well, that was certainly part of my job and key parts of my job at the
5 Defense Department and State Department. So yes.

6 Q And overseeing or directing partial or full drawdowns of U.S. military or
7 diplomatic personnel?

8 A Yes. Is your question do I have experience in those?

9 Q Yes. Correct.

10 A Yes.

11 Q Okay. Have you ever worked in a complex evacuation situation such as
12 this, the NEO?

13 A Yes.

14 Q Could you describe in what capacity you did?

15 A I was minimally involved in the immediate -- immediacy of Benghazi. So
16 I -- and I can't really remember much about it. I probably went to one meeting that day
17 or the next day.

18 Mr. McKeon. This is a White House equity of President 44?

19 [REDACTED]. It is, but --

20 Mr. McKeon. No, I mean the next thing that's on my mind.

21 [REDACTED]. Oh, well, then, if it's not necessary --

22 Mr. McKeon. It involves the -- it's not necessary. It involves the President.

23 But let me put it this way. I traveled frequently with President Obama
24 domestically as the NSC representative, including in the days after Benghazi. So there
25 were things that I did on his behalf or advised him of in real time.

1 At the Pentagon, the main withdrawal -- there were a couple of -- the main
2 withdrawal I remember was Yemen in 2015 that we were focused on. And there were a
3 lot of meetings within DOD and in the interagency leading up to the evacuation of the
4 post.

5 And then there was a moment in -- when -- well, this is not really a crisis. So I
6 can describe it if you want. It's sort of relevant.

7 BY [REDACTED]:

8 Q Sure.

9 A There was a moment in 2016 where a combatant commander decided that a
10 certain country where we had people assigned to the U.S. mission -- and also we had U.S.
11 forces -- was too dangerous for families. And so the combatant commander came in
12 with a memo warning anybody that was coming that it was time to evacuate the families.

13 The State Department did not to want evacuate the families because they didn't
14 think it was that dangerous and it was going to screw up some things in the capital city
15 and the American school.

16 And it wasn't really a great decision from a DOD perspective in my mind because
17 when you go from 2- or 3-year accompanied tours to 1-year unaccompanied tours, you
18 are not likely always going to be getting the best people for those 1-year tours because, I
19 think it's my sense, and I've heard this anecdotally, a lot of times people going on
20 unaccompanied tours where they can get maximum danger and hardship pay are people
21 with family problems or need the money for their alimony, and they may not always be
22 the best performers. Maybe that's not fair.

23 So, anyway, I was certainly trying to see if we could -- how we could navigate that
24 decision, but Secretary Carter decided to endorse the recommendation.

25 Q Thank you.

1 Turning to your time as DMR, I understand that you were sworn into office on
2 March 19th, 2021. Is that correct?

3 A Yes.

4 Q But you were called to serve in mid-January of 2021. Is that correct?

5 A I was told before Christmas that I would be put into vetting to be nominated
6 for and had all my vetting interviews over the holidays, and then the nomination was
7 announced in the middle of January.

8 Q Fair enough.

9 What did you understand your job responsibilities to be when you assumed this
10 role?

11 A Well, I think I've described what it was in the first year. So did I completely
12 know everything I would be doing beforehand? No.

13 I talked to the three people who held the job previously and to some of their
14 chiefs of staff to get their advice, and I had a sense of what it would be. But it's
15 still -- because it's only been filled three times in the 20 -- no, four times. Up until then,
16 it had only been filled three times. Now there is a fifth person holding the job.

17 In the 23 years since it was created, there's still not a -- it's not -- there's not a firm
18 foundation for exactly everything that person should or could do. And a big institution
19 and bureaucracy like the State Department has to get used to certain practices and
20 modes of operation, and since it had been vacant for 4 years when I got there -- well, first
21 of all, we had to rebuild the staff because there were no -- there were billets, but no
22 humans filling them. And we kind of had to make our presence known because a lot of
23 people had no idea what the office was or would do, so --

24 Q Did you understand any of your responsibilities to include Afghanistan?

25 Mr. White. Are you talking about before he started or some point later?

1 BY [REDACTED]:

2 Q As you began your job in those initial days in March.

3 A Well, I knew I was not going to be working on the decision that the President
4 made to withdraw U.S. military forces. I probably realized at some point we would -- I
5 would be working on the security of the embassy, but it's not something I thought about
6 on March 19th.

7 Q Okay. What about as related to the SIV program in Afghanistan?

8 A This is my expectation when I walked into the job?

9 Q Perhaps in your first week or two. As you settled into your new role, did
10 you understand that you would have responsibilities as related to Afghanistan
11 specifically?

12 A At some point in time, I did. I just don't remember when that was.

13 And there was -- at some point, I became aware of an OIG report -- a State OIG
14 report on the SIV program that kind of dinged the previous administration for not
15 sustaining a position of senior coordinating official at a 7th Floor level, as had been done
16 under President Obama. And if I'm recalling correctly, Heather Higginbottom, the last
17 person to hold the DMR job under President Obama, had filled that role.

18 So I said to my staff, well, this is stupid. This is a vulnerability that the OIG is
19 going to ding us again if we don't designate somebody like me. So just let's get me
20 designated.

21 Q Okay.

22 And you spoke a little bit about staffing constraints as you stepped into this role.
23 Were there any other constraints that you felt you and your team operated under at that
24 time?

25 A Well, the whole Department operated under constraints because of what it

1 inherited.

2 Q Could you describe a bit further?

3 A Well, the first Secretary under President Trump imposed a hiring freeze for
4 some period of time, which meant they were not hiring to attrition. So there were
5 substantial vacancies in the civil service that were still -- had built up and had not been
6 taken care of.

7 There had been less damage in terms of the numbers to the Foreign Service,
8 although a lot of very experienced people were pushed out or decided to resign or retire.

9 Q Why were they pushed out?

10 A My understanding from reading press accounts is they were -- some of them
11 were pushed out because they were not seen as likely to be loyal to President Trump and
12 the new administration.

13 For example, the Acting Under Secretary for Arms Control, Tom Countryman, was
14 on his way to some kind of multilateral meeting in Europe, and he got a phone call at the
15 airport that said, "Come home. You're out of the job."

16 So a lot of those people just decided to retire. Pat Kennedy, the Under Secretary
17 for Management for many years, was one of those people.

18 So there was, I would say -- I don't want to say there was a hollowing out of the
19 Foreign Service. I think there was a lot of senior experienced people who either were
20 pushed to leave or what I would describe as self-deported, decided they couldn't work for
21 the new President.

22 And then, even in the course of his administration, there was an ambassador for
23 one that I can recall -- the ambassador to Panama, John Feely -- who came to a point
24 where he decided he couldn't be faithful to the lesson he had learned in the 100 course:
25 That if you can't support the President, it's time to resign.

1 Q And when you were referring to the "new President" where individuals
2 self-deported, you were referring to Trump?

3 A President Trump. That's correct.

4 Q Okay.

5 A So there were morale problems. People were kind of exhausted from
6 COVID and the drama of -- what I would call the drama of the Trump administration.
7 There were a lot of difficult senior officials in the State Department. It was my
8 understanding people were terrible -- bad managers, yellers -- to include the last
9 Secretary of State.

10 Q Which would have been whom?

11 A Pompeo was a yeller. A major yeller. I heard that from several people.

12 And there's always, when a new team comes in, there's a little bit of excitement
13 about the change, but there's wariness about the new team.

14 So I would just say it was kind of an exhausted workforce because of the
15 challenges of COVID and what I'd describe as the drama.

16 And it's hard to overstate, I think, the sense of isolation a lot of people at overseas
17 missions felt because they were locked down in their homes in countries with
18 substandard health systems, and there were some delays in getting the vaccines out to
19 post.

20 I spent a fair amount of time in the first several months doing outreach to posts by
21 doing virtual town halls, somewhat to introduce myself, somewhat to try to connect with
22 people at a time when we still weren't really traveling much. The Secretary traveled,
23 but not many other senior people did.

24 And I felt like that was both part of me understanding what some of the
25 challenges were that people were confronting overseas in the workforce, and also

1 showing that we were interested in investing in them.

2 Q Were you able to hire individual into the empty roles?

3 A Yes. And the transition hired -- during the transition I hired a couple of
4 people. But it took a while to fill all the positions.

5 Q Okay.

6 A I had a couple -- we had a couple of people who just got plucked from other
7 jobs, and they were about to rotate out in the summer. We just basically stole them
8 from other bureaus and had them detailed to us for 3 months.

9 Q Okay. So speaking to your team, once it was more fully formed, what was
10 the work quality of those individuals? Was it superior?

11 A It was high. There were a couple people who were probably not
12 performing at the level they should to be on the 7th Floor, but they were all talented.
13 Some of them were a little more genuine.

14 Q Okay. Did you feel that they were competent to do their jobs?

15 A Yes.

16 Q Did you feel that it was an improvement to have that many individuals
17 staffing you and the team versus how it was previously?

18 A What do you mean by "previously"?

19 Q You had talked about when you stepped in there were lots of empty spaces,
20 morale was low --

21 A Well -- so I'm sorry. I was focusing on my immediate office.

22 Q Sure.

23 A What I was describing earlier was a Department-wide phenomenon. So I
24 don't want to --

25 Q Were you also experiencing a staffing decrease in your office specifically

1 during that time?

2 A I mean, when I walked in, the two people who got hired during the transition
3 and during -- while I was awaiting confirmation, I kind of probably broke Senate protocol
4 because I wasn't yet confirmed, but I hired a chief of staff and an OMS, so at least I would
5 have somebody there to help me on the first day. And then other people came over the
6 course of the next couple of months.

7 Q Okay.

8 A So, yeah, we were short-staffed for a while.

9 Q Thank you.

10 And what sort of tasks does DMR manage on a day-to-day basis?

11 A Well, as I described earlier, in the first hour, supervising the Under Secretary
12 for Management in the M family. But it's not like I was duplicating that person's job. I
13 was looking at some of the major challenges they would have and trying to either help
14 them with them or convene meetings to try to push things in a certain direction. And I
15 had regular meetings both with Carol Perez and John Bass, usually scheduled for twice a
16 week when we were both in town.

17 The director of foreign assistance reported to me directly. The Bureau of Budget
18 and Planning didn't report to me directly. It reported through the Under Secretary for
19 Management.

20 But I had a substantial role in the development of the budget request that went to
21 the Secretary and then ultimately to OMB and litigating issues that would come up
22 related to usually foreign assistance spending -- less often on the operations side -- that
23 would come up from time to time either within the building -- debates with AID because
24 the AID Administrator reports to the Secretary and director of foreign assistance, who I
25 assume that you know is an office manned by both State and USAID employees, and it

1 manages the entire portfolio of foreign assistance to the Secretary, that is chopped to the
2 Secretary under the executive orders.

3 And so a lot of time interacting with senior AID people and senior OMB people
4 and litigating disputes or funding demands that would come from the NSC. So that was
5 a big part of the job, as I referenced earlier.

6 I spent a lot of time with certain S Bureau officials with regular meetings. I
7 mentioned the CDIO, the chief of the Civil Rights Office, H, and I know there was one or
8 two others. I'm trying to remember. If you give me an org chart it'll come back to me.

9 Q So you just described a whole host of tasks. Would you agree with the
10 statement that duties are not linear as DMR?

11 A Correct.

12 Q What about are broad in scope?

13 A Yes.

14 Q And change in real time?

15 A Yes.

16 Q Would you agree with the sentiment that you were providing operational
17 support and management infrastructure for the Department?

18 A Yes. I mean, that job is effectively the COO of the Department. I mean,
19 most government departments that only have one Deputy Secretary, that person is
20 effectively the COO but also the alter ego to the Secretary on policy.

21 And the State Department has this construct of two deputies. So you can't
22 completely divorce policy and operations. Obviously, decisions on -- some decisions on
23 foreign assistance have a foreign policy impact. So there is certainly some overlap in the
24 duties between the two Deputy Secretaries. And on any major decisions in litigating
25 resource allocations, I would certainly -- I would -- if I thought she would have an interest,

1 I would talk to Deputy Secretary Sherman about that.

2 Q What happens to this operational support and management infrastructure
3 when there's a time of crisis?

4 A I'm not sure I understand what you're asking.

5 Q Does operational support and management infrastructure persist even when
6 there's an ongoing crisis in the world?

7 A Yeah. It's a big department. The world continues. So yes.

8 Q Is it fair to say that you continued in your role as DMR processing operational
9 and management on a day-to-day basis even as the withdrawal and eventual NEO
10 occurred?

11 A Up till the middle of August, yes. During the NEO, I probably spent half of
12 my day working on the NEO and the other half doing the rest of my job -- trying to do the
13 rest of my job.

14 Q And was there infrastructure to support you when half of your day turned to
15 the NEO?

16 A Well, yes, in the sense that the Department swung into action --

17 Q And what do you mean --

18 A -- and was supporting me --

19 Q Okay.

20 A -- and supporting the other principals.

21 Q In your professional experience, what would have happened if the DMR only
22 focused on the withdrawal in the months leading up to the NEO?

23 A That's a hypothetical. I don't really know. I'm not sure the outcome
24 would change.

25 Q What informs that opinion?

1 A In the weeks leading up to it -- Pete's trying to give me advice with a note
2 here.

3 Mr. White. No. I'm writing a note to myself.

4 Mr. McKeon. Sorry. Say it again.

5 ██████████. In your professional experience, what would have happened to the
6 Department, its employees, et cetera, if the DMR fully focused on the NEO?

7 Mr. McKeon. Oh, I see. Okay. Yeah. Certain decisions wouldn't have gotten
8 made that needed to get made. The Department keeps spinning. There's lots of other
9 things going on in the world that need senior-level attention. So I couldn't completely
10 drop everything I was doing to work on Afghanistan.

11 ██████████. Okay.

12 BY ██████████:

13 Q So I'm going to move us back in time just slightly and pick up on some of
14 your earlier testimony regarding the transition of administrations. But first I just want to
15 make sure I understand.

16 You testified previously that you've been involved in two transitions, from
17 President Bush to President Obama and then later from President Trump to President
18 Biden?

19 A Correct.

20 Q Is that correct?

21 Were there any other Presidential transitions you were involved in?

22 A No.

23 Q Okay. And so that we have a clear record, what was your role in the
24 transition from President Bush to President Obama?

25 A I was assigned to the State Department transition team and went into the

1 Department every day in the transition space on the first floor.

2 If I recall correctly, our task was to prepare a pretty comprehensive memo, about
3 40, 50 pages, assessing the state of the Department and its ability to deliver on some of
4 President Obama's significant campaign pledges.

5 There was also an interagency group, if you will, led by people at transition
6 headquarters on some issues, like what ultimately became the President's executive
7 order on closing the detention facility at Guantanamo Bay. I would go to those
8 meetings.

9 And then at some point, when the Secretary of State-designate Clinton showed
10 up, I was asked by her folks to help as part of the team preparing her for her confirmation
11 hearings since I've been through a couple of those at the Foreign Relations Committee
12 from the committee side.

13 Q And when did your work on the State Department transition team from
14 President Bush to President Obama begin?

15 A Not long after the election. I don't remember the date.

16 Q Okay. And so your testimony --

17 A Maybe the Monday after the election.

18 Q So it started soon after the election --

19 A In some ways, it started before because President Obama's campaign set up
20 informal teams that were kind of the core of the teams that would ultimately be formed
21 to start doing work. So I was put on that team in August after President -- Vice
22 President -- Senator Biden was put on the ticket by President Obama -- by Senator
23 Obama.

24 Q Okay. So there was an anticipatory effort to prepare for transition prior to
25 the election?

1 A Correct.

2 Q It began formally within a matter of days of the election?

3 A Correct.

4 Q And your testimony is that it entailed writing memos of 40 or 50 pages in
5 length --

6 A I mean, we were each -- sorry. I didn't completely finish that question.

7 The whole team had this task of doing this one big memo. We were each
8 assigned or self-assigned a number of bureaus to go do interviews in those bureaus and
9 then pull together the paper.

10 And there were 12 or 14 people on the team. We didn't have a committee of 14
11 writing a paper. I think there was one person who took the lead, but I was probably one
12 of the co-editors or authors.

13 Q And as part of the input and preparation of that extensive paper, you
14 requested and received briefings and written information from the Department on
15 relevant or key topics. Is that a fair characterization?

16 A Yes. I mean, the drill -- I don't know how much they did it in the more
17 recent transition because I was only there for a couple weeks -- was we had a few people
18 assigned from the Executive Secretariat who would help us schedule meetings with
19 Department officials and also task paper from the Executive Secretariat and requests for
20 information from the Department.

21 Q And in your experience in that first transition from President Bush to
22 President Obama, when you were working over a few months to prepare that kind of
23 information for the new team, what did it require from the outgoing team, from
24 President Bush's --

25 A Cooperation.

1 Q Can you describe what it looked like?

2 A Well, I can only describe the State Department. Their people were quite
3 willing to have meetings and respond to taskings for memos. There was probably a
4 binder of memos on certain issues that the Exec Sec would have anticipated and tasked
5 before the transition team started. I'm almost certain that occurred, but I'm not
6 remembering right now sitting here that I saw such a binder.

7 Q Okay. Let's pivot to the second transition you worked on, from President
8 Trump to President Biden.

9 How would you describe that transition based on your prior experience in the
10 earlier transition? How did it compare?

11 A Well, as you recall, whatever they call it, the certification, there's some
12 moment where the GSA Administrator has to certify who is the President-elect -- and tell
13 me if -- I'm getting the term wrong, I think -- and that was delayed substantially. And so
14 for the first couple weeks of the transition at least, I was initially assigned only to the NSC
15 team.

16 You know, we didn't have much to do other than talk to -- I think we had the idea
17 of talking to some former people who had more recently served in the government,
18 whether it was under Trump or even under President Obama, but who were out of
19 the -- who were not then serving under President Trump.

20 And we had internal conversations among the NSC team about what we needed
21 to think about and the tasks we needed to do to get people in and the senior directors
22 that were going to be -- the political appointees who would go into the NSC jobs. But it
23 was hindered.

24 And I was also assigned to accompany the Vice President-elect to the PDB along
25 with one other person because she didn't have a staff at that point and didn't have a

1 National Security Advisor selected. And even that was delayed. I can't remember if it
2 was delayed until certification or if it came right before that. But it didn't start
3 immediately.

4 Q And upon certification, you were still on the NSC transition team at that
5 point?

6 A Yes.

7 Q And did the level of cooperation change at that point?

8 A I wasn't interacting because we were under COVID. So nobody was -- very
9 few people were going into any office. There was a transition space at the Department
10 of Commerce, and the only time I went there was to accompany the Vice President-elect
11 to her PDBs.

12 So I was not interacting with NSC -- current NSC staff. Mr. Sullivan was talking to
13 Mr. O'Brien periodically, and I think some other people were talking to some other folks,
14 but I didn't engage directly with the NSC staff. I don't think the cooperation was -- it still
15 was a little bumpy in the first week after certification.

16 Q And then when did you switch to the State Department transition team?

17 A I don't think I actually switched. I think I was dual-listed, although I wasn't
18 doing anything more for the NSC team by that point. It was sometime in early January.
19 I can't remember. The first week in January, I think.

20 Q And can you describe what that transition process looked like at the State
21 Department at the time that you began in early January?

22 A My sense and my recollection from the time was that the cooperation had
23 been better than the NSC because I think the career State Department people were
24 interested in helping the guy who was the head of it. It was Dan Smith who had
25 performed the same function in 2008.

1 And so what I was told by Derek Chollet and Uzra Zeya, who were the co-chairs
2 and co-leaders of the team, was that the cooperation was pretty good.

3 Q The cooperation was good, but they attributed that to the performance of
4 career officials?

5 A Correct.

6 Q And you testified previously, I believe, that you hadn't received any briefings
7 on Afghanistan during the transition. Is that accurate?

8 A That's my recollection. It could be a faulty one.

9 Q Did you or other members of --

10 A I know I got a briefing from Todd Brown on a different subject, which is
11 technically classified.

12 Q Fair enough.

13 A But it won't be surprising to you what it is.

14 Q Did you or other members of the State Department transition team consider
15 Afghanistan a relatively important issue that would need your attention early in your
16 tenure?

17 A In my tenure?

18 Q Uh-huh. Or in the tenure of the new administration.

19 A Oh, yes, definitely, because we knew the deadline of the Doha Agreement.

20 Q And based on your prior experience in an earlier transition, did you expect
21 that you would receive briefings or information on Afghanistan from the outgoing team?

22 A I mean, I would have thought that somebody on the State Department team
23 would have. I wasn't looking for that.

24 Q But your testimony is that you didn't?

25 A Not that I recall. I could be wrong about that. I mean, I didn't go into the

1 Department --

2 Q Okay.

3 A In the 2 weeks, I probably went into the Department two or three times
4 because, again, it was still peak-COVID period before going into offices.

5 Q Okay. So on the whole, your experience in the transition to the Obama
6 administration versus the transition to the Biden administration, is it fair to say that the
7 level of cooperation you received was less in the second transition than in the first?

8 A Yes, both because of the delay and the, I think, less than full cooperation
9 from the NSC side, and then just the hindrance of COVID.

10 [McKeon Exhibit No. 2
11 was marked for identification.]

12 [REDACTED]. Okay. I want to introduce, in the limited time we have left, exhibit
13 2.

14 I know you testified previously, I believe, that you didn't have a great sense of the
15 partial drawdowns of U.S. troops that had happened in 2020 and prior to the Biden
16 administration taking office in January 2021. But I want to go over this exhibit, read a
17 little bit of it into the record, and ask you a few questions.

18 At the top, this says, "Pentagon says U.S. has dropped to 2,500 troops in
19 Afghanistan, AP News."

20 And if you look further down on the paper --

21 Mr. White. [REDACTED], could I ask you to hold on for 1 second? He doesn't have it
22 in front of him right now because counsel is looking at it. Just give us 1 minute.

23 Mr. McKeon. I read the lede.

24 Mr. White. You got that part?

25 Mr. McKeon. I got that part. That's enough, I think, depending on your

1 question.

1

2 [12:05 p.m.]

3 BY [REDACTED]:

4 Q And now that you've got it in front of you, do you see that it says "Published
5 10:16 AM EST, January 15, 2021"?

6 A Yes.

7 Q So this is an AP News article, the title that I just read in, from January 15,
8 2021. And I want to read the first two paragraphs into the record.

9 It begins, "The U.S. military has met its goal of reducing the number of troops in
10 Afghanistan to about 2,500 by Friday, a drawdown that may have violated a last-minute
11 congressional prohibition."

12 "The reduction could complicate matters for the incoming Biden administration,
13 which must determine how to handle a Trump administration commitment to the Taliban
14 to remove all U.S. military, intelligence and contractor personnel from Afghanistan by
15 May as a move to spur peace negotiations. Those talks are in an early stage."

16 Does this generally reflect what your understanding was at the time?

17 A Yes.

18 Q And further down on the page, next-to-last paragraph, it reads, "President
19 Donald Trump, who ordered the reduction in November, when there were about 4,000
20 U.S. troops in Afghanistan, said Thursday that troop levels in Afghanistan had reached a
21 19-year low, although he did not mention a troop number. Last February his
22 administration struck a deal with the Taliban to reduce American troop levels in phases
23 and to go to zero by May 2021. It is unclear how the incoming Biden administration will
24 proceed."

25 Does that comport with your understanding at the time of the situation?

1 A Yes.

2 Q And if you turn to the second page of the article, about halfway down, it
3 reads, "The Afghanistan decision was seen by some as unnecessarily complicating the
4 decision-making of the incoming administration. Trump at the time had refused to
5 acknowledge that he had lost the election and would be ceding to Biden on Jan. 20.
6 Some in Congress, including fellow Republicans, opposed Trump's decision."

7 Does that comport with your understanding at the time?

8 A Well, you packed a lot into that. What am I understanding?

9 Q The paragraph that I just read in on --

10 A Yes.

11 Q -- page -- okay.

12 A I didn't know if you were asking me to agree with the various assertions that
13 you read.

14 Q Fair enough. Fair enough. But, generally, as the facts are laid out in the
15 excerpts from this article that I've just read, those comport with your understanding --

16 A Yes.

17 Q -- of the facts at the time?

18 You've testified previously that your sense was that planning pursuant to the Doha
19 Agreement wasn't very robust in the prior administration. What informs that opinion?

20 A I don't remember. I think it was just a general sense from talking to folks.

21 Q So, upon starting at the Department, you had a sense --

22 A Once I started working on these issues, yeah.

23 Q -- that --

24 A There was some planning. I don't want to say there was zero. I think
25 there was definitely some planning.

1 Q But your sense at the time was that the planning wasn't very extensive?

2 A Maybe wasn't very advanced, is probably the way to say it.

3 Q Okay.

4 You also referred previously in your testimony to a volume of, I believe,
5 interagency meetings that was quite high, and it even tired out State Department officials
6 who had to attend these meetings. And you testified that the pace of these interagency
7 meetings regarding Afghanistan and planning for the withdrawal was significantly
8 different in the previous administration --

9 A No, I was describing -- I'm sorry, I just talked over you again.

10 Q No, please, correct it.

11 A I was describing the pace generally of interagency meetings on all matters
12 under the umbrella of the National Security Council staff.

13 Q Okay. So --

14 A That my understanding is, and most people in the Department indicated,
15 that there was not a very robust interagency process under President Trump, and there is
16 a very robust process under President Biden. So that's why I was talking about people in
17 the bureaus in the State Department being stressed by the pace and volume of meetings.

18 Q Okay. I want to make sure I'm clear. So, basically, when you started with
19 the State Department in early 2021, you had the sense, based on your interactions with
20 colleagues who'd been there previously, that the interagency process under President
21 Trump had not been robust, correct?

22 A Yes.

23 Q And also that the planning pursuant to the Doha Agreement for a U.S.
24 withdrawal from Afghanistan was also not very robust, correct?

25 A That is my sense. I don't have a firm recollection. But, as I said, I don't

1 want to say there was no planning. I think that --

2 Q Okay.

3 A -- there was planning.

4 Q But based on the article that we read into the record previously, had the
5 withdrawal from Afghanistan effectively already started by the time that you began
6 office?

7 A Well, yes, because the numbers were down to 2,500, which I believe I
8 recall -- I don't know if it's in this article; I probably read it elsewhere over time, either at
9 the time or since -- that, initially, the President, President Trump, directed the
10 Department of Defense to go to zero and they managed to claw back and persuade him
11 to accept 2,500.

12 Q So did it strike you as unusual at that time that, with outgoing President
13 Trump's intent to go to zero and with troop drawdowns all the way to 2,500 at the time
14 he left office, there wasn't more extensive planning that you could perceive related to a
15 U.S. withdrawal from Afghanistan?

16 A It's a little surprising, yes.

17 Q And what were the impacts of that on you when you began your tenure?

18 A Well, I don't want to say there was an impact or a burden on me. It was
19 just a burden on the whole system to get the planning to a better place.

20 Q Okay. So the burden on the system, you mean the entire State
21 Department, essentially, was --

22 A Right, yeah.

23 Q -- constrained by a lack of planning for withdrawal that had happened before
24 January 20, 2021, notwithstanding that troops were being withdrawn?

25 A Right.

1 Q Okay.

2 Mr. White. [REDACTED], there's one thing that Brian whispered to me that he
3 remembered about an activity during the transition.

4 Mr. McKeon. Yeah. So if you're -- I don't want to interrupt this line of
5 questioning.

6 BY [REDACTED]:

7 Q No, no, that's fine. Please.

8 A So, during the NS -- and I'm not sure if I would say I was wearing my NSC
9 transition team hat or just the hat of somebody who had worked for the President-elect
10 for a long time and had worked on the campaign. There were a number of meetings
11 amongst various senior people on policy issues, either amongst ourselves or with the
12 President-elect, that also took up time during the transition.

13 Q Internal to the --

14 A Internal to the transition, yes.

15 Q Okay. Thank you.

16 A But that took up a good bit of my time during the transition.

17 Q Okay. Thanks.

18 We're out of time, speaking of.

19 [REDACTED]. We can go off the record. Thank you.

20 [Recess.]

21 [REDACTED]. We can go back on the record.

22 BY [REDACTED]:

23 Q Mr. McKeon, we're going to transition topics a bit, focusing on the SIV effort.

24 But before we do so, I wanted to ask, what efforts did you or your team make to
25 identify the number of Americans in Afghanistan in 2021 prior to August?

1 faces increasing scrutiny from Congress about the status of U.S. citizens and green card
2 holders that are still stranded in the Taliban-controlled country."

3 If you then look to paragraph 3, Representative Chris Smith is quoted asking you,
4 "Isn't the operating assumption about 14,000?" -- and with 14,000, I believe he's
5 referencing legal permanent residents -- to which you respond, "We don't track [legal
6 permanent residents]. It's a good question why we don't."

7 The article then proceeds, stating your response, quote, suggests "the lack of
8 clarity might be because the State Department does not require Americans and legal
9 permanent residents traveling abroad to report their whereabouts."

10 It then states, "The new number sheds light on the extent to which the United
11 States' chaotic withdrawal from Afghanistan left U.S. citizens, residents, and important
12 Afghan allies in the lurch as a lightning-fast Taliban offensive swept across the country."

13 And then you, quote, "revealed 289 U.S. citizens remain in Afghanistan as of
14 Tuesday and a further 81 Americans are ready to depart" and that, quote, "140
15 Americans have departed in the last week."

16 What efforts did you make to identify the number of LPRs in Afghanistan in 2021
17 prior to August?

18 A I don't recall that I made any. We don't track LPRs, as I said.

19 Q Did you at any point try to improve that by tracking or instilling a
20 self-reporting mechanism for LPRs?

21 A I don't think there's anything preventing an LPR from registering with the
22 Department's system. I don't know where Mr. Smith got the number 14,000. I don't
23 think I had ever heard that before or since.

24 Q Given the broader implications of a U.S. military withdrawal, including the
25 sustainability of the embassy, were you satisfied proceeding throughout 2021 without

1 confirming that number?

2 A There's uncertainty in a lot of things, and this is part of it. And I don't know
3 of a system that would've ended that uncertainty other than forcing Americans to
4 register. And if Congress thought that was a good idea, we would implement it, but I
5 think we would get a lot of resistance from people in Congress and in the American public
6 if we forced people to tell the government where they're traveling to. Because that's
7 sort of the instinct of Americans: "I don't have to tell the government where I'm going."

8 Q What extra efforts did you take to mitigate the problem of not knowing how
9 many LPRs were in Afghanistan in 2021?

10 A I think I already answered that question.

11 Q And is that no other -- no additional efforts?

12 A Correct.

13 Q Did you or the State Department formulate and finalize a plan for evacuating
14 Americans from Afghanistan at any point throughout 2021?

15 A Well, we were working on a NEO plan, which would have included
16 evacuating Americans, yes.

17 Q Was that plan ever finalized?

18 A Well, the bulk of the plan is -- with the military assistance is what military
19 forces would be used. There were certainly still discussions about who we would
20 evacuate in addition to Americans, but it was always a given that we would have to
21 evacuate Americans if it came to that.

22 So, yes, in the sense we were planning to evacuate Americans who were in the
23 country, we had capability and understanding of what we would need to do that.

24 Q How about evacuating LPRs, legal permanent residents?

25 A I think we expected that we would do that, yes.

1 Q Was a plan ever finalized for that?

2 A It's the same answer I gave you on American citizens.

3 Q And how about evacuating SIVs?

4 A So, when you say "SIVs," what do you mean?

5 Q Special Immigrant Visa holders, so those who are holders of Special
6 Immigrant Visas as well as those who are eligible for SIVs.

7 A That's two very distinct and quite different numbers.

8 Q And we can address one first and then the other.

9 A Yeah. We certainly were anticipating trying to evacuate the SIV holders.
10 And consistent, I think, with the operation that was already underway in late July and
11 early August, we would be looking to find applicants who were well along in the process.

12 Q And when you speak to the efforts already underway in late July, early
13 August, can you elaborate on that? Was that a sort of renewed effort, or was that an
14 additional push that came at the behest of the administration to move forward with SIVs?
15 What did that process entail?

16 A So let me back up. I think I mentioned earlier, in February, the President
17 issued a directive to revive and improve the SIV program, and the State Department and
18 other agencies took steps to do that, including deploying additional staff to Kabul,
19 consular staff. And the pace and number of visas issued per week picked up
20 considerably if you compare the numbers in February/March and in the summer. I don't
21 have them off the top of my head.

22 We also vastly expanded the staff in the office, in the SCA Bureau that did basically
23 the bulk of the work on chief-of-mission approval. Ultimately, someone in Kabul had to
24 give the approval. And that staff went from -- I want to say it went from about 10 to 40
25 or 45, maybe close to 50, by the fall of 2021.

1 So we took all those measures to expedite the processing of SIV applications and
2 getting people through the system and giving them visas in Kabul. Not everybody who
3 got a visa would then automatically get on a plane. Some people wanted it as a safety
4 valve in case they wanted to leave.

5 Then there was a decision made, after several weeks of conversations in the
6 interagency, to begin to bring people out who had not yet completed the process but
7 were pretty far along in it. And we still had them go through their panel medical exam
8 in Kabul. And, you know, so that took a while, to decide how we would do that, where
9 we would do that, where we would bring people. That took several weeks. And that
10 started in late July.

11 So those were two related but slightly distinct efforts. One was building up
12 infrastructure to speed up issuing SIVs, and the second was bringing out people who had
13 not completed the process.

14 Q That's a helpful nuance. Thank you.

15 And did any of the aforementioned plans include planning for an evacuation while
16 the Taliban controlled Kabul?

17 A Those two things I just described were really focused on the SIVs and getting
18 them out before Kabul fell.

19 Q And when I reference "aforementioned plans," I am referencing the plans for
20 evacuating Americans, the plans for evacuating LPRs and SIVs, understanding that these
21 plans likely varied. But did any of these plans contemplate conducting an evacuation
22 while the Taliban controlled Kabul?

23 A Yeah, I don't think -- as we discussed the evacuation and the NEO, I think we
24 considered all possibilities. I don't think there were discrete elements of the plan,
25 Taliban in Kabul or not. I don't remember.

1 Q Thank you.

2 I'd like to now introduce exhibit 4 into the record.

3 Mr. White. I don't know if it matters to you, but -- and it's not the part of the
4 article you are quoting, but the article copy that we have has significant portions
5 redacted, just for the record.

6 [REDACTED]. Of course. We do not make reference to those portions in the
7 article.

8 Mr. McKeon. I've never seen this document, so you're gonna --

9 [REDACTED]. We'll give you an opportunity to take a look.

10 Mr. McKeon. -- I'm going to need 10 minutes to read a 5-page document, or
11 6-page document.

12 [REDACTED]. We'll point you to the relevant portions, and --

13 Mr. White. Nope. He's going to read the whole article -- the whole document,
14 if you want him to comment about the document. That's the way that's going to go.
15 So, if you want to use your time to do that, we'll do that.

16 [REDACTED]. Could we just go off the record for a moment?

17 Mr. White. No, this is on the record time.

18 [REDACTED]. No, just to clarify a point, because --

19 Mr. White. If you want, that's fine.

20 [REDACTED]. Thank you.

21 [Discussion off the record.]

22 [REDACTED]. We can set the document aside.

23 I'll just ask you questions, as you've already mentioned this mechanism by which
24 we -- I don't want to use the term "track" -- by which we determine how many Americans
25 are overseas --

1 ██████████: Can we reset the clock?

2 Mr. White. ██████ did.

3 ██████████: Oh, okay.

4 BY ██████████:

5 Q So, with respect to the F-77, can you speak to some of the flaws that you're
6 aware of regarding the data that's provided pursuant to F-77?

7 A My understanding of it was that -- and I don't know whether it started after
8 Benghazi or there was some other event that led to this, but it was -- it might've been
9 Lebanon, 2006, comes to mind that somebody told me -- that the formula they used in
10 the F-77 was deliberately expansive to contemplate, I think, all the uncertainties that go
11 with this kind of situation. So it's a very imprecise number.

12 Q Throughout your tenure at the Department, were there any steps taken to
13 improve the accuracy of this data?

14 A I don't recall. I know we had conversations in the middle of the Kabul
15 evacuation that we should take another look at it. I don't remember what was done
16 about that.

17 Q Mr. McKeon, I'd like to transition to Special Immigrant Visas.

18 To the best of your recollection, what was the total universe of Afghans who
19 would've been eligible for SIVs throughout 2021, understanding that this number may
20 have changed?

21 A I don't remember the number. Potentially eligible, you know, that
22 would've been very hard to forecast, because there are so many people who might have
23 worked for the Department of Defense, in particular, that we would not necessarily have
24 a sense of that universe.

25 And then Congress, sometime in 2021 -- I think it was in the summer -- changed

1 the time and service requirement from 2 years to 1, so that expanded the universe of
2 possible applicants.

3 Q Do you recall what the universe of possible applicants were?

4 A I don't. And we usually had a number that we would extrapolate out the
5 number of family members that might be eligible, which would take X number and then
6 multiply it by three or four, so --

7 Q Can you speak to the efforts the State Department took to identify this
8 universe?

9 A I'm not remembering any that were brought to my attention. That doesn't
10 mean that things weren't happening to try to identify this universe with DOD.

11 I mean, there was a significant issue with DOD and the chief-of-mission approval
12 process because of the lack of records. Somebody might've worked for a contractor
13 that's gone out of business.

14 And so that was one of the issues that we were really focused on, trying to get
15 DOD to get a little more skin in the game in helping us identify these people who
16 would've worked for DOD and being able to validate their employment.

17 Q Do you recall when these efforts might have began?

18 A The one I just described?

19 Q Uh-huh. Correct.

20 A Sometime in -- I think it was sometime in the spring or summer of 2021.
21 Maybe it was earlier. I can't remember.

22 Q Can you please speak to what Operation Allies Refuge was?

23 A It was the effort I described to -- I think this is the one that started in late
24 July. I'm no good with operation names. Is that --

25 Q Correct --

1 A Are we talking about the same thing, the evacuation flights that began on
2 July 29th, I think?

3 Q Correct. And I just want to clarify for the record that that was -- that's
4 helpful.

5 Can you speak to why it began in late July 2021 and not sooner?

6 A I think I've already said, the process of trying to determine where we would
7 bring these people, how we would do it logistically and mechanically, both in Kabul and
8 getting the panel medical done and then where we would bring them, took several weeks
9 in the interagency.

10 Q In the course of our investigation, we've learned from the Association of
11 Wartime Allies that they offered a list of thousands of Afghan SIV applicants to the State
12 Department in July 2021 but did not hear back until August 17, 2021.

13 Is this true?

14 A I don't know. You're telling me something I've never heard.

15 Q That's helpful. Thank you. And, of course, we only want you to testify to
16 what you personally are aware of.

17 So I would like to introduce now exhibit 4 into the record, given that we retracted
18 the last one. And I'll give you an opportunity to take a look at this.

19 [McKeon Exhibit No. 4
20 was marked for identification.]

21 ██████████: That's --

22 ██████████: Exhibit 4.

23 ██████████: Okay.

24 ██████████: I did not make reference to that last one, given the time you
25 required.

1 [REDACTED]: Yep, thanks.

2 [REDACTED]: Of course.

3 [REDACTED]: So this will be 4. Got it.

4 [REDACTED]: Correct.

5 BY [REDACTED]:

6 Q And this is a teleconference including yourself, in your capacity as DMR, and
7 USAID Principal Advisor to the Administrator Mark Feierstein on May 28, 2021.

8 Do you recall this teleconference?

9 A I do.

10 Q Would you like to have an opportunity to take a look?

11 A It's fairly long, so why don't you just ask the questions, and I can look at the
12 segment.

13 Q I'd like to direct your attention to page 3, paragraph 1.

14 Here, as part of your ongoing opening remarks, you state, quote, "We are also
15 requesting the resources we need to support our commitments to key allies and partners,
16 both in this budget and in separate requests. For example, we will be working with the
17 Congress to seek an additional 8,000 Afghan Special Immigrant Visas to meet our
18 commitment to those who have supported our efforts in Afghanistan at great risk to
19 themselves and their families. We are working with the interagency to accelerate SIV
20 processing so we can make use of those visas."

21 Now, if you could please turn your attention to page 8, at the bottom, here you're
22 asked, "Thank you for doing this. Could you please clarify the funding you mentioned
23 for programs that help Afghans who worked with U.S. personnel? And just to clarify, are
24 these translators, and what is the total cost of helping those people? And how is that
25 request any different from the 2021 budget?"

1 To which you respond, quote, "So the program that I think folks are familiar with is
2 called Afghan Special Immigration Visa program. Congress provides authorization for a
3 certain number of visas each year. Typically, in the last few years, they've provided
4 4,000 slots. We're asking for 8,000 this year."

5 At this time, so May 28, 2021, give or take a few days, do you recall how many
6 Afghans were eligible for SIVs?

7 A I don't.

8 Q Can you speak to why the Department requested 8,000 slots instead of some
9 higher number from Congress?

10 A My recollection, which is pretty vague on this, is that, given the pace, this
11 was the expectation of what we would use in the fiscal year and what Congress could
12 tolerate. Because I was told there were certain elements of Congress, Senator Grassley
13 being one, that was often a sticking point in expanding the SIV program aggressively.

14 Q And did the State Department successfully fill all of its SIV slots prior to
15 mid-August 2021?

16 A I don't think so. And when you say all the slots, you mean the ones to
17 date? We didn't have the 8,000, because this was part of the '22 budget.

18 Q The slots that --

19 A So whatever slots we had at that point. I mean, we had more built up.
20 We didn't just have 4,000. We had ones from prior fiscal years. So it was a pretty
21 good number, a healthy number.

22 Q That's a helpful clarification. And I mean the slots --

23 A I don't know that number. I'm sure that's a knowable fact, but I don't know
24 it.

25 Q Okay. Apologies for the interruption.

1 Q That's going to be the third paragraph.

2 A Okay.

3 Q So I'll just repeat that.

4 So the report states, quote, "AWA estimates that 81,000 SIV applicants in
5 Afghanistan had visa applications pending as of August 15, 2021 (the day Kabul fell) and
6 that at least 78,000 remain left behind -- 96% of the SIV applicants were left behind."

7 Are these numbers accurate, to the best of your recollection?

8 A I don't recall the number. I know it was tens of thousands. I don't recall
9 knowing those who remained behind.

10 Q Do you believe the State Department underestimated the SIV-eligible
11 population?

12 A Well, we had the number of those who had actually started their application.
13 As I recall, there was a significant number of people who applied who didn't get very far
14 in the process because either they never finished their application packet or they couldn't
15 get the proof of employment or there was obvious fraud.

16 So you would have a pretty big number of people who had actually done the initial
17 application with the facility in New Hampshire and then a much lower number of people
18 who were actually likely to make it through.

19 So I don't know what this number is. Is this people who have actually filed an
20 application but we have no idea where they are in the process? Because I want to say it
21 was almost 50 percent that were washing out before they got to the chief-of-mission
22 stage or an interview stage. So having a number of 180,000, or whatever it is, is not
23 very meaningful unless you have more detail about where these people were in the
24 process, given the high washout rate.

25 Q That's helpful. Thank you.

1 I'd like to enter as exhibit 6 a transcript of a State Department briefing dated
2 July 21, 2021.

3 [McKeon Exhibit No. 6
4 was marked for identification.]

5 BY [REDACTED]:

6 Q I believe it was a briefing including yourself.

7 So the briefing is titled "Briefing with Deputy Secretary for Management and
8 Resources Brian P. McKeon and Afghanistan Task Force Director Ambassador Tracey
9 Jacobson with On-Background Q&A by Senior State Department Officials on Operation
10 Allies Refuge." It's dated July 21, 2021.

11 Do you recall this briefing?

12 A I do.

13 Q I'd like to direct your attention to page 5, at the top of the page. Here, the
14 following question is asked, and I believe it's by a reporter, but I defer to you on who the
15 questioner was. Quote --

16 A They would've all been from reporters.

17 Q Thank you.

18 Quote, "Can you talk about the others in the program and where else" --

19 A It would've been somebody named Andrea Mitchell, who I believe works for
20 NBC News. It's on the page before.

21 Q Perfect. Thank you.

22 So, here, the following question is asked by Ms. Mitchell: "Can you talk about
23 the others in the program and where else they might be going and how long it will take to
24 get what was originally estimated as as many as 70,000 people, including families,
25 accommodated? Because obviously their lives are right now in danger. Thank you."

1 To which Senior State Department Official One responded, quote, "So the total
2 number of applicants to the SIV program number just over 20,000, but about half of those
3 have not yet completed the initial stages of the application process, so we're not in a
4 position to move forward with their case until they do so. So I'm not sure where the
5 70,000 number comes from. The 4,000 number and their families, they would be
6 targeted for the next phase of bringing people to third-country locations, and that
7 process in the third country would take longer because they're not as far along in the
8 screening process as those who we will bring to the United States."

9 Do you believe that the 70,000 figure given by the reporter was a reasonable one
10 and perhaps an underestimation?

11 A Well, this -- I'm State Department Official Number One. I just want to clear
12 that up.

13 Q Thank you.

14 A I would've had -- this was a telephone thing, so I would've had documents in
15 front of me. So this is the number that I was given of the pending applications. And
16 this half who had not completed the stages, that tracks with what I said a couple of
17 minutes ago.

18 The 70,000, I don't know where it comes from. I would guess -- no, I shouldn't
19 guess. It's probably an extrapolation based on what I said earlier, which was, you take
20 an applicant and you multiply times three or four, in terms of family members, and
21 maybe that's where it comes from. But I don't know. You'd have to ask Andrea
22 Mitchell.

23 Q To the best of your recollection, when did the State Department ask the
24 Department of Defense to provide assistance with employment verification in the SIV
25 process?

1 A I thought I already answered that.

2 Q Just for clarity of the record, as we'll have some followup questions.

3 A My answer hasn't changed. I don't remember what I said. I thought it
4 was sometime in the spring or summer.

5 Q Would it jog your --

6 A Can [REDACTED] read it back?

7 You don't have access to it, do you?

8 The Reporter. It would take a while for me to --

9 Mr. McKeon. Yeah.

10 BY [REDACTED]:

11 Q Okay. Would it jog your memory if we said it was around June 2021?

12 A Well, that's consistent with what I said. So, if that's when it was, yes.

13 Q Can you speak to why this request was not made sooner?

14 A I don't know the answer to that.

15 Q So I'd like to enter as exhibit 7 a report from the State Department --

16 A Can I say one thing? Sorry.

17 Q Of course.

18 A I believe this number of 20,000 in the data, this briefing, is before the
19 statutory change from 2 years to 1 year of eligibility. I think that -- I mean, you could
20 look it up, but I think it was the supplemental in late July or early August. So --

21 Q That's helpful. Thank you.

22 A -- that expanded the number of potentially eligible people by a lot.

23 Q That's helpful. Thank you.

24 I actually have some followup questions as to my prior inquiry.

25 Can you speak to the challenges the State Department faced in verifying

1 employment during the SIV process?

2 A Well, with people who worked for the embassy, my understanding was we
3 had pretty good records, so that that was not a huge challenge. It was people who
4 worked for contractors, particularly DOD contractors, that was a significant challenge, as I
5 referenced earlier.

6 In particular, you could have companies, contractors, that either were no longer in
7 business or had merged or been bought out by other firms. And so tracing those
8 records was a significant challenge.

9 Q What steps --

10 A And I don't know why it was not done before June. I don't know why it
11 wasn't done in 2020 or 2019 or 2018.

12 Q What steps did the Department take to improve this process prior to
13 August 2021?

14 A I think we just discussed that, but asking DOD to come up with a mechanism
15 to facilitate the verification.

16 Q Did you at any point recommend the Department begin working on this
17 issue sooner?

18 A I don't recall.

19 Q So I'd like to enter as exhibit 7 a report from the State Department Inspector
20 General dated October 2022.

21 [McKeon Exhibit No. 7

22 was marked for identification.]

23 BY [REDACTED]:

24 Q This report is titled "Compliance Follow-Up Review of the Afghan Special
25 Immigrant Visa Program" and is dated October of 2022, as mentioned.

1 A Can I just say something before you ask?

2 Q Please.

3 A The Department had significant issues with the conclusions of the Inspector
4 General, which are laid out in the report in some detail. And I signed it, so I stand
5 behind everything that's in there. So maybe we could save some time.

6 Q Okay. We just have some followup questions regarding this. And this is
7 only to get, for the record and purposes of the investigation, to get your perspective on
8 the findings. And if you believe it's better directed towards the response, happy to look
9 at that.

10 [REDACTED]: I'm going to defer to you, but I just do note that if you ask the
11 questions, he's made clear that the response remains the response. And that is in
12 reference to the recommendations from the IG.

13 Mr. McKeon. I can verify that I read the response that we were sending back on
14 the recommendations very closely, because I was signing it. So everything I read at the
15 State Department that I was signing -- or, everything at the State Department that I
16 signed I read closely.

17 [REDACTED]: I'd prefer to still ask you the questions, and if you'd like to direct
18 our attention there, happy to do so.

19 Mr. McKeon. Okay.

20 Mr. White. Do you have a copy of that?

21 Mr. McKeon. It's all in here.

22 Mr. White. Oh, it's in there? The response is in there?

23 Mr. McKeon. Oh, yeah.

24 Mr. White. Okay. Thank you.

25 BY [REDACTED]:

1 Q So I'd like to direct your attention to page 3, as marked in the bottom
2 right-hand corner. And this is the definition of "Senior Coordinating Official," or SCO.
3 Again, this is for clarity of the record.

4 A Page 3 of the report?

5 Q Correct, page 3. It's right here at the bottom.

6 A Oh, at the top. Okay.

7 Mr. White. Well, you're saying at the bottom --

8 Mr. McKeon. The number is on the bottom, is what [REDACTED] --

9 [REDACTED]. The number is on the bottom.

10 Mr. White. I see. Got it.

11 [REDACTED]. The definition is at the top, "Senior Coordinating Official," SCO.

12 Mr. White. I follow you.

13 BY [REDACTED]:

14 Q It states here, "The Department is required to designate an SCO to oversee
15 the Afghan SIV program. The SCO, a position currently held by the Deputy Secretary of
16 State for Management and Resources, is required to develop proposals to improve the
17 efficiency and effectiveness of the Afghan SIV program, coordinate and monitor
18 implementation of those improvements, and include these improvements in their reports
19 to Congress. The SCO is also responsible for coordinating with DoD and DHS on
20 interagency Afghan SIV-related matters."

21 Does this comport with your understanding of the responsibilities of the SCO?

22 A Generally. It's been a while since I've read the statutory provision.

23 Q So let's turn to page 20 next of the report. And this is going to be the final
24 paragraph.

25 Here, the report states, quote, "Although the former acting Under Secretary of

1 State for Management was the designated SCO until June 2021, the current SCO told OIG
2 that he began receiving briefings and working on aspects of the Afghan SIV program in
3 April 2021, shortly after he joined the Department. Even though he was working with
4 some Department officials, OIG found limited evidence of the direct coordination
5 between Department SCOs and the appointed DoD and DHS SCOs contemplated in
6 Recommendation 1 of AUD-MERO-20-35, with which the Department concurred. For
7 example, when OIG asked for evidence of interagency SCO coordination, the Department
8 referred to a July 2021 meeting at the Deputy Secretary level regarding Afghan SIVs.
9 However, the Department could not provide details about who attended, the content
10 discussed, or how it related to the Afghan SIV-related discussions -- OIG noted that
11 Deputy Secretaries at DoD and DHS are not the designated SCOs. Furthermore, when
12 OIG asked the DoD SCO whether she had met with the Department's SCO, she said she
13 had never had a meeting specific to the Afghan SIV program with him."

14 Per the provided definition, you were the referenced SCO during that timeframe,
15 correct? So following June 2021?

16 A Yes. I think. I mean, when was I designated? April?

17 Q Correct.

18 A Was I designated in April?

19 Q It states here, "Although the former acting Under Secretary of State for
20 Management was the designated SCO until June 2021, the current SCO told OIG that he
21 began receiving briefings" --

22 A So I was not designated until June?

23 Is that right, [REDACTED]?

24 [REDACTED]: That's right.

25 Mr. McKeon. Okay.

1 BY [REDACTED]:

2 Q Can you please speak to these findings if you have anything to add,
3 specifically as to the lack of coordination on the SIV program?

4 A Sure. I haven't looked at the Department response, but what I would say is
5 a couple of things.

6 One, there were interagency meetings happening pretty regularly on the SIV
7 planning for the Operation Allies Rescue in that time period. They were at both the IPC
8 level and the Deputies Committee level. So the coordination was happening in real-time
9 in those meetings.

10 I think the report says this, but it doesn't then contain a sentence that it probably
11 should, which is, the officials at DOD and DHS were, shall we say, several levels down
12 from the Deputy Secretary and not people I would typically interact with.

13 I did talk to Deputy Secretary Hicks at one point about the system of validating
14 employment, because there was a point -- and this may have -- I can't remember whether
15 this was before or after August 2021. I think it was after. We were getting word that
16 DOD wanted to stop doing it and send the responsibility over to us. So I called Deputy
17 Secretary Hicks and said, "You guys gotta keep doing this. This is not something we can
18 take on."

19 I occasionally had phone calls with Deputy Secretary Tien at DHS about the SIV
20 planning. Before or after Deputies Committee meetings, I don't remember but I
21 probably talked to people above Becky Zimmerman's level at the SD about these issues.

22 So, to me, it's -- sure, there's a statutory requirement that we're supposed to
23 coordinate, but the report doesn't reflect the realities of how the government operates.

24 Q That's helpful. Thank you.

25 I'd like to now direct your attention to page 21, the next page. This will also be

1 the final paragraph.

2 A Page 21. Okay.

3 Q Correct. And this is going to be the final paragraph, at the bottom of the
4 page.

5 A Okay.

6 Q Quote, "In addition, OIG found that the SCO's internal coordination and
7 monitoring of the implementation of improvements to the SIV program was limited.
8 Although the SCO told OIG that he began to receive briefings in April 2021, officials from
9 various Department offices told OIG that they were not aware of the SCO's involvement
10 in strategic decisions about their respective offices. Officials also told OIG that they
11 received limited to no guidance from the SCOs regarding Afghan SIV processing. For
12 example, an NVC official told OIG that she had to make staffing decisions without any
13 recommendations from the Department's SIV SCO, and ASIV Unit officials said SCO
14 interaction for resource improvements would be beneficial. ASIV Unit officials also told
15 OIG that they have not had any interaction with the SCO on Afghan SIV program staffing
16 and believed SCO involvement would be beneficial for increased productivity."

17 For clarity of the record, "NVC" stands for the "National Visa Center," correct, one
18 of the two offices involved in processing Afghan SIV within Consular Affairs?

19 A That's correct.

20 Q Can you please speak to these findings, specifically as to the employees'
21 assertion that they were not aware of staffing decisions and a lack of coordination?

22 A National Visa Center in New Hampshire reports to the Bureau of Consular
23 Affairs. And they -- as I'm sure you know, consular operations are essentially
24 fee-funded, and so they have broad authority to make decisions about resources. So,
25 honestly, they knew the SIV program was a priority, and if they needed more staff, NVC

1 and the office directors, or DASes in CA, had the guidance they needed to make that
2 decision.

3 I know I had meetings with CA, SCA, and the ASIV unit chief. I think it changed at
4 some point. I know this meeting -- I'm pretty sure this meeting was before August 2021,
5 but there were meetings after, where I said to them, "This is a very high priority for the
6 Secretary. If you need resources, let us know."

7 So my experience does not square with the assertion of the ASIV unit chief.

8 Q Do you believe more should've been done to fix these staffing issues,
9 whether it be at the bureau level or other parts of the Department?

10 A As I mentioned earlier, we quadrupled and I think ultimately quintupled the
11 ASIV unit resources and told them that they had liberty to ask for more if they needed
12 them. So I feel like -- I believe what we were doing on that were adequate.

13 It took some time to train people to undertake these roles. People were coming
14 in to do them on a temporary basis; spouses of Department employees doing eligible
15 family member kind of work. And so you couldn't just go to 100 and have the
16 throughput substantially expanded, was my recollection of what I was told about how this
17 worked.

18 But I believe we, in vastly expanding the staff we inherited, we had made a
19 significant effort to streamline and expedite processing, as directed by the President.

20 Q Thank you.

21 I'd like to introduce as exhibit 8 "Talking Points For: PTDO USD(A&S), Project
22 Rabbit Discussion with State Department," dated February 18, 2022.

23 [McKeon Exhibit No. 8

24 was marked for identification.]

25 [REDACTED]. I'm sorry. I just need to quickly -- this has been a document we

1 produced to you?

2 [REDACTED]. This is a court file. It's from IRAP v. DOD, No. 22-6513 SDNY.

3 Mr. McKeon. So an IRAP case.

4 [REDACTED]. Yeah. I just wanted to make sure of its origin. Thank you, [REDACTED]

5 [REDACTED]. Of course.

6 I'll give you an opportunity to take a look.

7 [REDACTED]. [REDACTED], what is this document? A court pleading?

8 [REDACTED]. It's part of a court pleading by the International Refugee
9 Assistance Project against DOD, and the case number is 22-6513, and it was filed in SDNY.

10 [REDACTED]. Okay.

11 Mr. McKeon. These are DOD talking points for Andrew Hunter prepared for this
12 meeting.

13 BY [REDACTED]:

14 Q Thank you. And the attendees --

15 A And Andrew Hunter was performing duties of the Under Secretary for
16 Acquisition and Sustainment.

17 Q Thank you. That's helpful. And the attendees for this meeting include
18 yourself, correct?

19 A That's what it says. I don't know if I was there.

20 Q Do you recall this meeting?

21 A I recall meetings about Project Rabbit. I don't remember if there was one
22 on 18 February.

23 Q What can you tell us about Project Rabbit?

24 A So it's the mechanism that DOD put in, developed to -- it was some kind of
25 software program, as I understood it, as was explained to me by somebody on my staff, to

1 expedite and facilitate employment verification of SIV applicants who had worked for
2 DOD entities and contractors.

3 Q Do you recall when this project began?

4 A Sometime in 2021.

5 Q Would it jog your memory if I said August 2021?

6 A No. I thought it started earlier.

7 Q Okay.

8 So I'd like to direct your attention to the third bullet point on the first page. And
9 these are part of the "Opening and Key Messages."

10 It states here, quote, "I would like to start by sharing my perspective on the
11 challenge Project Rabbit has sought to address. In late July 2021, we were asked to
12 provide assistance with employment verification for applicants in the pre-Chief of Mission
13 portion of the SIV process."

14 "SIV applicants were unable to identify or locate former employers in order to
15 obtain required employment verification letters and/or letters of recommendation; and in
16 many cases, the team at State was unable to reach employers and/or receive responses
17 needed to verify letters submitted by SIV applicants."

18 Next bullet point: "To address this challenge, my team, along with Defense
19 Digital Services, developed an approach to directly engage employers in the process.
20 This was critical, due to the fact that while DoD maintains data on contracts that were
21 awarded, we do not maintain any employment records for individuals employed under
22 DoD contracts."

23 Can you speak to why this DOD group only received this tasking from the
24 Department in late July of 2021 on this issue?

25 A I can't speak to what happened before March of 2021. And I think I've said,

1 it was just part of our process generally of trying to find other ways to speed up this -- to
2 expedite this process.

3 Why it happened in July instead of June or May, I cannot tell you. I believe
4 somebody in our department thought this would be a good idea, somebody who
5 understood these kinds of things, and recommended that we engage DOD on it.

6 Q What was your role in pressing DOD to move on this need?

7 A I don't recall whether I was asked to intervene or DOD was persuaded to do
8 it quickly.

9 I do recall, whether it was this meeting or a subsequent meeting, what I described
10 earlier, where DOD decided they had done enough and they needed to hand over the
11 responsibility to the Department of State, and we had issues, concerns about that in two
12 respects: one, the funding available to us for this; and, two, we thought it unlikely that
13 DOD contractors would be responsive to the Department of State and that DOD
14 contractors who hoped to solicit additional business from the Department of Defense
15 would be more responsive to the Department of Defense.

16 Q Was this problem resolved by mid-August 2021 or ever?

17 A Yeah. I think Project Rabbit, as what I was briefed, was an important and
18 very useful development in facilitating employer verification, which is why, when I got the
19 sense, either from this meeting or some other time, that DOD wanted to get out of the
20 business, I called the Deputy Secretary of Defense and said, "Kath, you need to stay in this
21 business," and she agreed to it.

22 Q That's helpful. Thank you.

23 [REDACTED]. Do you wish that State had pushed DOD on this issue sooner?

24 Mr. McKeon. I mean, it would've been useful if it'd before the Biden
25 administration, sure.

1 ██████████. So, when it --

2 Mr. McKeon. It should've -- I mean, at any time, it would've been useful. That's
3 obvious. I've said that, right?

4 BY ██████████:

5 Q So we're going to transition now to the noncombatant evacuation, or NEO.

6 I imagine I know the answer to this question, but, Ambassador, are you familiar
7 with what a NEO is -- not "Ambassador" -- Mr. McKeon, are you familiar with what a NEO
8 is?

9 A Yes.

10 Q In the course of the withdrawal planning, can you please state for the record
11 when the possibility of a NEO first came up?

12 A I don't know the date. I know there was planning going on in the -- as I
13 think I said in the first hour -- planning going on in the Department between the
14 Department and the Department of Defense at post, between post and CENTCOM. I
15 don't remember the date, but it was well before August.

16 Q And who at the Department was involved in that planning?

17 A I think I answered this question before.

18 Q Specifically for the NEO.

19 A It's the same people who worked on the evacuation, if that's how I answered
20 the question in the first hour.

21 Q Was there --

22 A I really think I've answered this question.

23 Q Was there an Afghanistan NEO working group?

24 A Probably. I don't recall knowing that.

25 Q Do you know who led the working group?

1 A I mean, as I've said, the lead bureaus on this sort of activity would've been
2 SCA and DS. So I would think it would have been somebody in SCA. But I don't know
3 what level.

4 Q Do you recall how often this working group met?

5 A I don't know.

6 Q Do you know what work product this working group produced?

7 A Well, ultimately, the bulk of the military assistance to the NEO plan was a
8 CENTCOM document. That's what I remember seeing.

9 Q Were you in the NEO working group?

10 A No.

11 Was there a NEO working group?

12 Q Apologies. There was, correct. Yes.

13 A Okay.

14 Q Do you recall the role of the Office of Crisis Management and Strategy within
15 this working group?

16 A No. I mean, they have a general role of setting policies on emergency
17 action and crisis planning. And they engage posts when they foresee some crisis is
18 coming, to make sure that they're doing all the things that they need to be doing. And
19 so it would make sense that somebody from CMS would be in the working group.

20 Q So, based on what we've learned in our investigation, as well as your
21 testimony, it sounds like there were two parallel tracks within the Department -- one
22 which was focused on maintaining the U.S. diplomatic presence in country; and the other,
23 planning for the NEO.

24 Can you speak to which one took priority throughout your tenure?

25 A Well, I would say there was planning for the evacuation of Embassy Kabul

1 and then, by extension, planning for a NEO. Because we could close an embassy or
2 reduce the footprint without necessarily engaging in a NEO.

3 As I think I've said already, the two imperatives of continuing to perform policy
4 functions as directed by the President and ensuring the safety and security of American
5 personnel and being prepared to withdraw if that became necessary were in tension and
6 they were both priorities. I'm not going to tell you there was one priority over the
7 other.

1 [1:14 p.m.]

2 BY [REDACTED]:

3 Q As the events sort of transpired in Afghanistan, including the territorial gains
4 of the Taliban, as well as the concerns that we've previously mentioned in late July and
5 then onto August 2021, did one of those paths become a more realistic option at one
6 point? And, if so, when?

7 A I wouldn't put a date on it, other than a couple days before August 15th. I
8 mean, I think we were still seeking to maintain an embassy presence, albeit a smaller one,
9 as I mentioned, have stated earlier, to draw down to a smaller number.

10 But we were of the view that at that time the Afghan security forces would be
11 able to sustain and defend the capital. So it's consistent with what I've said before.

12 Q When did you first learn that a NEO would be requested?

13 A You mean formally requested and the approval of the President? Well, the
14 date of the Exec Sec from -- the Executive Secretary of the State Department to the
15 Executive Secretary of the Defense Department is August 16th.

16 I think the initial reports that the Talibs were 25 kilometers outside of Kabul
17 were -- I can't remember whether it was the 14th or the 15th. I think it was early on the
18 14th our time. So that's certainly when we knew that we were about on the brink of it.

19 Q Was there a plan in place for the NEO prior to the August 2021 emergency
20 evacuation?

21 A Well, as I said, there was the planning that had been done and there was the
22 plan for the military-assisted evacuation, and we had expected certain categories of
23 populations who would be automatically part of this, American citizens, au pairs, et
24 cetera. But there were still -- sort of how big that universe of evacuees would be was
25 still a work in progress.

1 Q Can you please speak to the level of detail in those plans, to the best of your
2 ability?

3 A I'm not sure what you're asking. I mean, that's a pretty open and broad
4 question.

5 Q Let me reframe.

6 From my understanding, it sounds like these plans were ongoing throughout July
7 and into August when Kabul ultimately fell.

8 So am I correct in understanding that the plan had not been finalized at that point
9 when the city fell in the hands of the Taliban?

10 A I'm not -- my sense of it from this experience is that, whether it's an
11 evacuation just of the embassy or a NEO, there are extant plans, like the emergency
12 action plan, and then as crises become more imminent, the plans continually get refined.
13 So you're asking was there a magic final date where somebody stamped "final" on a
14 document, I don't think so.

15 Q And that's why I asked the follow-up question of the level of detail in these
16 plans. So had it already -- specific eligible populations, had there been determinations
17 made as to that, what level of progress or stage were these plans in at that point?

18 A Well, I think I answered that.

19 Q Are you aware if this was the plan that was followed and executed off of on
20 August 16th?

21 A No. There were some audibles called in the 2-week period.

22 Q And to what extent did the plan account for worst-case scenarios?

23 A I don't remember.

24 Q Do you recall if the Department ever put together a plan for conducting a
25 NEO with the Taliban controlling everything but HKIA?

1 A I believe we've looked at all scenarios, including that, but I don't recall for
2 certain.

3 Q Were there potential events the Department identified as decision points
4 that would need to trigger a NEO?

5 A The decision points that were in the emergency action plan, they got refined
6 in the course of July, early August too, as we watched the progress of the Taliban for -- it
7 was focused on the embassy presence, but it sort of follows naturally that the possibility
8 of a NEO might be there.

9 And as I understand the practice of decision points, the Department, I think after
10 Benghazi, got away from the practice of specific tripwires where if X happens, Y must
11 happen, and rather adopted what as a lawyer you might understand, a totality of the
12 circumstances test of multiple decision points and that some combination of them might
13 lead to a decision.

14 They inform a decision there, and there's not an automaticity in the decision
15 points because there are human beings and senior leaders involved in this, and we're not
16 going to take any EAP and have that make a decision that has such consequences.

17 ██████████. Okay. I appreciate that clarification. That's very helpful.
18 Thank you.

19 And we're at 30 seconds, so we'll stop the clock now and go off the record.

20 [Recess.]

1

2 [2:07 p.m.]

3 ██████████. Back on the record. Starting the clock. Thanks very much.

4 We will be returning to questions from the minority.

5 BY ██████████:

6 Q We want to spend a little bit of time talking about your understanding

7 related to the Biden administration's review of Afghanistan policy in early 2021.

8 Are you aware of such a review?

9 A I'm aware that it happened.

10 Q Do you understand or could you explain what the review entailed?

11 A Well, I didn't take part in it, so I don't have granular detail. My
12 understanding was the core question was, when given the fact of the Doha Agreement
13 requiring the withdrawal of the United States forces by 1 May, that the President was
14 presented with a decision of whether to adhere to that or not.

15 Q Okay. And so you --

16 A After review. I mean, they didn't go to him on January 21st.

17 Q Okay. And what were the key questions that the review sought to answer?

18 A Well, I think it was outlined in -- some of that was outlined in the statement
19 that was presented earlier from Mr. Sullivan, but other than that I don't know because I
20 wasn't there.

21 ██████████. And I don't know. I have no objection to the query. But he
22 stated pretty clearly he did not participate in it, so this would all just be secondhand
23 knowledge.

24 ██████████. Understood.

25 BY ██████████:

1 Q Perhaps a better question is, did you assess the findings of this review when
2 you stepped into your role as DMR?

3 A No. It wasn't done. It wasn't done until the President made his decision
4 in mid-April.

5 Q And then once the review had concluded, did you review the assessment as
6 it was conducted?

7 A No. I just was told the outcome.

8 Q Okay. And what was the outcome?

9 A The President decided that the United States would withdraw its military
10 forces by 11 September.

11 Q Okay. Did you agree with that assessment?

12 A I think I answered this earlier. It really wasn't for me to have an opinion at
13 that point. The President has decided, so --

14 Q Okay. Are you familiar with the Department's After Action Review on
15 Afghanistan?

16 A Yes.

17 Q Okay. Did you participate in the review?

18 A I was interviewed by Dan Smith and a couple of other people.

19 Q Okay. And who is Dan Smith?

20 A He's a retired senior foreign service officer whose last job was -- what was
21 his last job?

22 [REDACTED]. Acting S.

23 Mr. McKeon. Oh, Acting Secretary, that's right. He had been the Executive
24 Secretary and been ambassador at least once or twice, very well respected senior officer,
25 and he was asked in his retirement to come lead this review.

1 BY [REDACTED]:

2 Q Okay. And what is your professional assessment of Mr. Smith's
3 character -- Ambassador Smith's character?

4 A Very high. He's really a solid guy and I'm sorry he retired and didn't stay.

5 Q Okay. And have you reviewed the unclassified portion of the After Action
6 Review?

7 A Yes.

8 Q Okay.

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

11 BY [REDACTED]:

12 Q I'd like to introduce into the record exhibit No. 9. Exhibit No. 9 is a publicly
13 released unclassified portion of the After Action Review on Afghanistan, January 2020 to
14 August 2021. It is dated March 2022.

15 Do you want to take a few moments to just flip through it and refamiliarize
16 yourself with the document?

17 A I kind of skimmed it on the internet a couple of days ago, so that's --

18 Q Okay. So it's fresh in your mind. Fair to say?

19 A Relatively.

20 Q Okay. Turning to page 11 of the AAR, referring to paragraph number 3, I'd
21 like to read into the record the second sentence, starting with "When the Trump -- "

22 "When the Trump administration left office, key questions remained unanswered
23 about how the United States would meet the May 2021 deadline for a full military
24 withdrawal, how the United States could maintain a diplomatic presence in Kabul after
25 that withdrawal, and what might happen to those eligible for the Special Immigrant Visa

1 (SIV) program as well as other at-risk Afghans."

2 Do you agree with this finding?

3 A I'm sorry. I got interrupted by a text from a Member of Congress, not Mr.
4 Crow, so I apologize.

5 Q Not a problem.

6 It's paragraph 3, if you would like to review it.

7 Mr. McKeon. Yeah. I shouldn't have looked at my phone. I apologize.

8 Can we give her a minute back because my --

9 [REDACTED]. No problem.

10 Mr. McKeon. -- because of my lack of attention?

11 Yeah, I think that's generally accurate.

12 BY [REDACTED]:

13 Q Okay. How did you go about in 2021 to address the issues set forth here?

14 A Well, as I've said earlier today, I took on the task of being the lead State
15 Department person in the interagency, and that's also internally, on working on the
16 question of how we would maintain our diplomatic presence in Kabul post-withdrawal
17 and working on the SIV program in terms of expediting the processing of those in the
18 pipeline or moving out those people who are far along in the pipeline.

19 We also, in the summer of 2021, created some new refugee categories for those
20 who were not eligible for the SIV program, so they would certainly fall under at-risk
21 Afghans. So we were giving people who had been helpful to the Afghanistan project, if
22 you will, an avenue for seeking refuge in the event of a bad event because they wouldn't
23 be eligible for the SIV program.

24 Q Thank you.

25 Were you concerned at the time that these issues weren't being resolved?

1 A At what time? When you say "at the time."

2 Q So, specifically, how did the May deadline come to be extended for the
3 withdrawal?

4 A Well, the President just announced it as part of his decision. I don't
5 remember whether we ever got assent from the Taliban via the Khalilzad channel. I
6 think we just asserted that it was going to take longer to come out and could not meet
7 the May 1 deadline and that was the decision of the United States.

8 Q And would that have been because adequate planning had not been
9 conducted in order to meet the May deadline?

10 A I don't know what went into the decision to pick September 11th.

11 [REDACTED]. But it was your testimony previously that your perception upon
12 starting in the role at State was that there had been not very robust -- or there was
13 insufficient planning for withdrawal under the prior administration?

14 Mr. McKeon. Yes, that's correct. And I think one of the -- definitely one of the
15 elements of this that everyone was focused on, but particularly the military, was since we
16 were ignoring the deadline in the Doha Agreement or self-deciding to extend it, whether
17 U.S. forces would be facing -- would be targets on the way out. So I think probably that
18 was one of the factors, making sure there was adequate time for that.

19 [REDACTED]. So when you mean -- when you said "targets on the way out," can
20 you unpack that a little bit for us?

21 Mr. McKeon. That as we -- as the United States military drew down and
22 withdrew from bases around the country, the Taliban, in retribution for our having blown
23 past the deadline, would take it out on U.S. forces by attacking them.

24 [REDACTED]. Okay.

25 BY [REDACTED]

1 Q So I want to just -- again, apologize for any redundancy, but I want to make
2 sure we're crystal clear on some of the things to which you've already testified.

3 So one of the things that you previously testified to was an effort that you were
4 central to leading to energize withdrawal -- energize planning for the U.S. withdrawal
5 after the President took his April 14th, 2021, decision. Is that correct?

6 A Yes. But as I said, there had been generally work that had occurred in
7 January -- after January 20th -- that I was not a part of. I think I mentioned this before.
8 I have a distinct memory of the first time I was getting read into this, I was presented with
9 a document that was -- I don't know if matrix is the right word. It was a bunch of
10 scenarios under which we could envision. And matched against that, the scenarios, was
11 what embassy functions could we continue to maintain and how many people would that
12 take. So there were like five or six scenarios.

13 Q Okay.

14 A So that work had been done before I got there.

15 Q Okay.

16 A Whether it was underway before January 20th, I don't remember.

17 Q Okay.

18 A But it was definitely work had been done on it.

19 Q Okay. Thank you for clarifying that.

20 A It's not like the interagency waited until April 16th to start that work.

21 Q Okay. So your testimony in sum is you had a perception that there hadn't
22 been robust planning prior to January 20th, 2021. You were not privy to, but you
23 sensed that there was increased planning between January 20th and when you took
24 office. And certainly after you took office you led a robust planning effort.

25 Is that a fair characterization?

1 A Yes.

2 Q Okay. You testified previously in response to some questions about a
3 residual force to stay behind.

4 Do you recall that testimony?

5 A I do.

6 Q And I believe you had indicated that Diplomatic Security and Embassy Kabul
7 were advocating for such a force, but ultimately that force was not part of the President's
8 decision. Is that accurate?

9 A It was not made in mid-April.

10 Q To retain any military residual force?

11 A Right, right. And so then there were interagency meetings over the course
12 of the next few months that led to a decision that we would have such force. And as I
13 recall, in the early days of these conversations, there were certainly senior military people
14 who were heard to say, "The President said zero. Why aren't we going to zero?"

15 Q Okay. So I want to make sure we're clear then on your earlier testimony.

16 The President took the decision on April 14th, 2021, to continue the U.S.
17 withdrawal down to zero?

18 A To meet the provisions in the Doha Agreement.

19 Q By September 11th?

20 A Right.

21 Q And subsequent to that an interagency planning process occurred about
22 embassy continuity and security of the embassy, correct?

23 A Right.

24 Q And is it your testimony that that planning process resulted in a
25 recommendation for residual military force to protect the embassy?

1 A Yes. And the requests -- I don't remember whether the NSC had a position
2 going into these conversations. In theory they shouldn't because they should be
3 brokering agreement not steering decisions, but that's not always how it works.

4 But, yes, the Department came to the view -- and I don't remember exactly when
5 it was -- that it would be very useful to maintain an embassy to have this additional
6 assistance from the military.

7 Q And what was the result of that recommendation? Was it presented to the
8 NSC as something for approval?

9 A Yeah. There were multiple interagency meetings at the various levels to
10 discuss the force, what they would be required to do and the size of that force. And I'm
11 sure in the usual way of the Joint Staff and the planners at CENTCOM it went through
12 multiple iterations as they weighed the reality that this was going to happen.

13 Q That what was going to happen?

14 A That the President was likely going to approve it.

15 Q Going to approve a residual force?

16 A Yes.

17 Q But, ultimately, was a residual force approved?

18 A Yes.

19 Q Do you remember when that was?

20 A Sometime in -- not -- I can't remember when. July or August.

21 Q And, ultimately, was that decision, the approval, rendered moot by the
22 precipitous change in circumstances on the ground in Kabul in mid-August?

23 A Well, it was rendered moot because we closed the embassy. But
24 we -- those forces were there when Kabul fell. It's not like a new unit -- I mean, they
25 may have been new people who came in who were not previously part of the 2,500. I

1 don't remember whether they took 650, 700 out of the 2,500 and said, "You guys are
2 staying," or they brought in new units. I have no idea. But they were there when
3 Kabul fell, I believe.

4 Q Okay. In your understanding of the Doha Agreement and its terms, would
5 such a residual force have been permissible under the terms of the agreement?

6 A Under a strict reading, I don't think so.

7 Q Did the interagency contemplate the risk that the Taliban might see such a
8 stay-behind force as a violation of the Doha terms?

9 A Yes.

10 Q Can you unpack that a little bit? What did those conversations discuss?

11 A Looked at just that question, and I think the considered view of a lot of
12 people, including -- sorry, █████, I'm going into views -- a view of the -- can I talk about the
13 views of another State Department official?

14 █████: Yes.

15 █████: He's in a good mood after lunch.

16 █████: All I had was coffee.

17 [Laughter.]

18 Mr. McKeon. Yeah, that's impressive.

19 I think it was the view of Ambassador Khalilzad that the way we would present
20 this to the Talibs was, "You guys say you want Western embassies to remain open. This
21 is kind of a normal thing that we do, is to have security to protect our embassies. This is
22 the size we're going to determine. But they're not there to fight you guys. They're
23 there to defend their embassy."

24 So he, I think, more or less thought we should try to present it as a fait accompli
25 with that message and see what happens.

1 [REDACTED]. And is it fair --

2 [REDACTED]. Could I ask a question?

3 [REDACTED]. Yes.

4 [REDACTED]. Did you ever ask Ambassador Khalilzad why he didn't include that in
5 the language in the Doha Agreement?

6 Mr. McKeon. I didn't.

7 [REDACTED]. Did he ever advise anyone on why that provision was never
8 included in the agreement?

9 Mr. McKeon. Not that I recall, but I think at that point, I think the ship had
10 sailed. I'm not sure anybody was thinking about that.

11 BY [REDACTED]:

12 Q So the planning that you and others undertook in the interagency around
13 embassy continuity and securely maintaining U.S. diplomatic presence post-withdrawal,
14 that planning occurred for you from the start of your tenure until August of 2021.

15 Presumably it involved other steps besides a residual force that the USG would
16 take to maintain a secure footprint. Is that correct?

17 A Yes.

18 Q Can you describe some of those other steps that were developed?

19 A Well, yeah. As I mentioned earlier, one of the things that was an ongoing
20 work stream led by Carol Perez was how we would take over some functions that DOD
21 was doing in and around the Green Zone and how we would take over and maintain and
22 secure the Resolute Support headquarters.

23 So there are a lot of basic -- what I'd call basic blocking and tackling of absorbing
24 or transferring over contracts and making sure we had adequate personnel to do the
25 Green Zone perimeter security. So I mentioned earlier going to the allies for either

1 money or people to help us with that.

2 I know that the embassy and folks in the M family were working on how can we
3 get stuff out of there that doesn't need to be there.

4 So I remember specifically being told that a whole bunch of armored vehicles had
5 been transferred out of the country sometime in the 3-month period before August,
6 getting -- reducing classified holdings, that kind of thing, where you prepare for that kind
7 of contingency.

8 And there was conversations, as I think I mentioned earlier, about persuading the
9 Government of Turkiye to provide troops to help ensure security at the Kabul airport.

10 Q Okay. And when you testified just a few minutes ago, you referred to the
11 ship had sailed. I want to make sure we're clear on what you mean.

12 When you refer to the ship sailing, you mean --

13 A The Doha Agreement. The Doha Agreement didn't contemplate a residual
14 force.

15 Q I see. Okay.

16 A And he was asking me whether we were relitigating that essentially or asking
17 why didn't the Doha Agreement cover that, and I don't remember it being discussed.
18 Maybe it was at some other point, but I was never in a conversation where it was.

19 Q Okay. Thank you. I had misunderstood your reference previously.

20 A So the decision, zero means zero in the document, that ship had sailed.

21 Q Okay. So then back to August, you took many steps that you just testified
22 to related to embassy security and embassy continuity. But, obviously, the embassy
23 didn't continue to exist in Kabul because the Taliban took over Kabul. So two questions.

24 First of all, but for the Taliban's takeover in Kabul in -- of Kabul mid-August, was it
25 your assessment that the interagency was on track to maintain safely a U.S. Embassy

1 presence in the country post-military withdrawal?

2 A Yes. And that was the direction we had from the President. But
3 reminder, I also said on the 12th of August the decision was made that we would get out
4 of the chancery and move everyone to the airport who could fit in the airport and
5 everyone else would have to leave the country by the end of August.

6 Q But prior to that August 12th --

7 A Yes.

8 Q -- you had undertaken planning, and largely it was successful, if you were
9 ready to continue a U.S. Embassy presence safely from that point.

10 A We believed so. And it's not that we banked on it entirely, but we
11 thought -- well, no, never mind.

12 Q Okay. And regarding that shift in mid-August, you testified previously, I
13 believe, that there was growing concern about Taliban gains and that as a result U.S.
14 officials had been pressuring the Afghan Government to focus on consolidating their
15 resources and ability to defend their territory. Is that correct?

16 A Yes.

17 Q So in light of this -- let me start over.

18 Notwithstanding those growing concerns, were you surprised at the speed with
19 which the Taliban took over in Kabul --

20 A Yes.

21 Q -- in mid-August?

22 A Yes.

23 Q What informs that opinion?

24 A Why was I surprised? I mean, generally the intelligence assessment
25 was -- there was no assessment that said that Kabul would fall in 11 days after 1 August or

1 in mid-August.

2 I think there was general view from the military -- and I heard the Chairman of the
3 Joint Chiefs say it -- that the Afghan military was very capable and would fight and
4 certainly would protect the capital.

5 And I think, based on my own experience at the Department of Defense and the
6 shift to responsibility in 2014, if you're putting the Afghans in the lead, obviously, they
7 had a lot of support from us, but they were doing most of the fighting and dying after
8 2014.

9 And so I -- from that experience at DOD, although I hadn't gotten detailed
10 briefings on the state of the Afghan military, when I returned to government, I guess I
11 agreed with what I heard General Milley say.

12 Q So your testimony is that the planning for embassy continuity that had gone
13 on in 2021, did you see that as reasonable because you thought there would be a longer
14 time horizon in which the U.S. Embassy could continue to operate?

15 A Correct.

16 BY [REDACTED]:

17 Q We have a couple of questions for you about the trip you testified regarding
18 Ambassador Perez.

19 So you previously testified that she took a trip to Kabul in April 2021. Is that
20 correct?

21 A Yes.

22 Q And you did not attend that trip, correct?

23 A I did not.

24 Q Did you speak with her in advance of that trip?

25 A I'm sure I did. I don't remember any details of it.

1 Q Do you recall what the purpose of her --

2 A And I met with her twice a week when she was in town, so I'm sure we
3 talked about it.

4 Q Do you recall what the purpose of her trip was?

5 A It was to do some of the things I was discussing earlier in response to [REDACTED]
6 questions, to assess what would it take to sustain the embassy from the management
7 perspective, to maintain the platform both financially, contractually, security-wise, which
8 is why she brought somebody from DS with her. You know, from soup to nuts, what
9 would it take to make sure we can sustain the embassy.

10 [McKeon Exhibit No. 10
11 was marked for identification.]

12 BY [REDACTED]:

13 Q Okay. I'd like to introduce into the record exhibit No. 10. Exhibit No. 10 is
14 a draft transcript from the transcribed interview of Jonathan Mennuti dated Thursday,
15 July 20th, 2023. This interview was conducted by our committee. No need to review
16 in full.

17 Do you know who Jonathan Mennuti is?

18 A I do.

19 Q And who is he?

20 A He's a senior foreign service officer who for a period, at least in 2021 -- I
21 can't remember how long he continued -- was the acting -- or the chief of staff to
22 Carol Perez.

23 Q Okay.

24 A Last I knew he was in Sarajevo --

25 Q And what is his --

1 A -- where his wife has got a big job in the embassy, and I think he is with the
2 European international mission.

3 Q And what is his professional reputation?

4 A As far as I know, it's good. I'd never met him before 2021.

5 Q Okay. Fantastic.

6 If I could draw your attention to page number 36. Page 36, line 20. Line 20
7 starts with Q. That means question.

8 "And what did you understand the purpose of the trip to be?"

9 "Trip" is referring to the April 2021 trip to Kabul.

10 Mr. Mennuti answers on line 21.

11 "At the time, I don't recall that I knew why she was going. But when she came
12 back it was clear to me that her intention was to get firsthand understanding of what the
13 situation was there in terms of the functions that she was responsible for. And then, as I
14 said, the conclusions that she drew was that the M family, the Department, the
15 interagency had needed to work with more urgency to create the conditions for
16 the" -- turning to page 37 -- "embassy to continue to function after the military left."

17 Stopping there, does this comport with your recollection of Ambassador Perez's
18 trip to Kabul?

19 A It does.

20 Q Okay. And could you provide any color as to Mr. Mennuti's description of
21 urgency to create the conditions for the embassy to continue to function after the
22 military left?

23 A Yeah. I think she realized the scope, particularly the consequence of taking
24 over Resolute Support headquarters.

25 And the other thing at the airport that I haven't mentioned was NATO had a level

1 3 medical facility at the airport, and we wanted to maintain that, so we needed to figure
2 out who would do that. So there was just a lot of things that needed to be addressed.

3 And, as I said, she held weekly conference calls with people in the M family who
4 worked for her, plus I'm pretty sure some DOD people were on it. I attended one or two
5 of them, and I have a distinct memory on this. I was telling an anecdote -- can I do this?

6 [REDACTED]. Sure. Is it clean?

7 Mr. McKeon. Where the OBO representative on the call, Overseas Buildings
8 Operations --

9 Mr. White. Thank you.

10 Mr. McKeon. -- that maintain and build embassies, were talking about how long
11 it would take to either do the secure overhead cover, where we were going to house
12 some people, or something else. And they said something about it's going to take us 6
13 or 10 months or something. And Carol said, "No. We need a 6-week solution, not a
14 6-month solution."

15 So she was really pushing hard for the teams and the system to go faster than the
16 norm.

17 BY [REDACTED]:

18 Q Okay. And what is your overall assessment --

19 A And I'm paraphrasing that. Don't quote me on the exact.

20 Q Absolutely.

21 A But it was definitely OBO.

22 Q Okay. What was your assessment as to her preparation regarding closing
23 the embassy or creating a contingency plan?

24 A I mean, I thought we were doing as well as -- she was doing a good job.
25 The teams were doing a good job. Again, thought we had more time than August, so

1 there were still some things that hadn't been buttoned down by August for sure.

2 Q So given the information that everyone had at the time --

3 A Of course, we thought September was our target, September 11th.

4 Q Is it your assessment that, given the understanding at the time, contingency
5 planning was adequate and appropriate as to maintaining a diplomatic presence in Kabul?

6 A Yes.

7 Q And when there was a precipitous change on the ground in Kabul, did
8 Ambassador Perez shift her plan accordingly to close the embassy?

9 A Well, it's a corporate decision. And what I mean by that is it's an
10 interagency decision led by the NSC and the White House that we should close the
11 embassy. It wasn't -- I mean, technically, I think Carol is part of the approval chain, but it
12 was at least bigger than the Acting Undersecretary for Management.

13 So I'm sorry. Your question is?

14 Q Was there a successful pivot from contingency planning to closure of the
15 embassy?

16 A Yes. And what I should say is, in terms of closing the embassy and
17 evacuating the humans who were working there, I remember at certain points -- and I
18 don't remember when in these conversations -- somebody in the embassy
19 leadership -- maybe it was Ross Wilson or Scott Weinhold -- saying it would take multiple
20 days to close up and destroy the classified and classified equipment and all that. And
21 they were obviously planning to need to do it faster if they needed to, and they did it in
22 48 hours.

23 So that work that they had done, either in getting stuff out and in thinking about
24 how they would to do this, we were able to evacuate everybody from the embassy in
25 48 hours from the go time, the decision to go, and get them to the airport safely.

1 BY [REDACTED]:

2 Q And for clarity of the record, is 48 hours to draw down an embassy faster
3 than it would normally be?

4 A I don't know if there's data on that. For an embassy of that size, it's pretty
5 fast.

6 Q So I also want to pivot back to Special Immigrant Visas. I know there was a
7 pretty extensive back and forth on that, so I'm going to try not retread ground that you've
8 already covered, but I just want to make sure we're crystal clear.

9 For context, do you recall approximately when the SIV program began?

10 A I think it was in the 2000s.

11 Q So it's fair to say that --

12 A At least there was one for Iraq, and I can't remember when it was also put in
13 place for Afghanistan.

14 Q Is it fair to say that it's a longstanding program that has spanned multiple
15 administrations?

16 A Correct.

17 Q And when you started your tenure, you testified previously that I think you
18 self-moved yourself into assuming the statutory role of SCO, correct, that had been
19 unfilled in the prior administration?

20 A Right. But I think I had already raised my hand, was involved in working on
21 it. And then I discovered, as I said in reading an old OIG report, there was this
22 human -- this thing called an SCO, and there was an IG report that had been somewhat
23 critical of, I guess, the last administration, the previous one.

24 And so, as I said, I went to my staff and said, "Well, this is a stupid vulnerability.
25 Let's just get me designated since I'm doing the work anyway."

1 Q And subsequent to that you described some other steps that you drafted or
2 helped effectuate to improve and speed up SIV processing, correct?

3 A Yeah. I mean, that was part of the conversations. Government is a team
4 sport and nothing I did all by myself would make all this happen. I certainly had
5 meetings and gave direction. And certainly the one thing that I think certainly helped
6 me and my team was getting Project Rabbit going and expanding the ASIV unit in SCA
7 substantially and telling them they had all the money they needed, just to tell us what
8 they need.

9 Q Okay. And you were asked previously about the universe, the population
10 of SIVs and their eligible family members that the Department was anticipating it would
11 need to process in 2021.

12 Is it fair to say that that number was dynamic throughout 2021?

13 A I don't know that I said the number that we would have to process in 2021.

14 Q I think you were asked for that number, and you didn't necessarily provide a
15 clean answer, but I'd like to understand the reasons.

16 Did the number of anticipated SIVs and their eligible family members who would
17 need to be processed by the State Department and the interagency, was that number
18 static throughout 2021?

19 A No. People were applying all the time and people were falling out all the
20 time because of the challenges I described earlier, people not being able to validate their
21 employment or they're washing out because somebody had assessed there was a
22 fraudulent application.

23 And then Congress changed the statutory requirement for 2 years of service in
24 order to be eligible and reduced it to 1. But that was very late in the game. So it
25 certainly changed the outlook of what the number -- we knew the number was going to

1 be able to grow -- or going to grow -- we just didn't know by how much.

2 Q And is it also fair to say that individuals who may have been eligible for the
3 SIV program were making their own personal decisions as to whether or not to apply for
4 an SIV throughout that year?

5 A It's always the case that people had to take the first step to apply.

6 Q And is it fair to assume that for some of those potentially eligible SIVs they
7 may have been assessing the conditions on the ground in Afghanistan as part of their
8 decision process?

9 A I'm sure it's fair to say that. I don't know that from direct experience or
10 conversation. I do remember people telling me they had a sense that some people had
11 already received SIVs but didn't leave immediately, were getting them as an insurance
12 policy, but didn't necessarily want to leave Afghanistan at that time.

13 Q And you testified previously to a precipitous takeover by the Taliban of Kabul
14 that was surprising to you.

15 Do you believe that precipitous takeover had impact on the number of people
16 who may have then wanted to leave the country as SIVs or through some other means
17 and come to the United States?

18 A Yes.

19 Q Okay. You were also asked about the number of, I believe, 8,000, the
20 number of SIVs that you requested, that the Department requested of Congress in the
21 middle of 2021 and why you didn't ask for more. I just want to make sure we
22 understand the landscape in which that request was made.

23 Were you aware at the time of congressional constraints on the SIV program?

24 A As I think I mentioned previously, I was told that it was not a simple matter
25 to just get an authorization for a big number, that there were certain Members of

1 Congress -- and Senator Grassley sticks out in my recollection -- that would stand in the
2 way of authorizing a big number.

3 And also we had, I think, unused allocations from prior fiscal years that people
4 believed would be adequate to deal with the current application pool.

5 Q And do you know what was informing Senator Grassley and others' desire to
6 limit the expansion of the SIV program?

7 A I wouldn't dare try to get inside Senator Grassley's head. I'm sorry.

8 Q Fair enough.

9 I think we already introduced the After Action Review as an exhibit, exhibit 9. I'd
10 like to call your attention to page 13 of that exhibit -- sorry -- yeah, page 13 and
11 paragraph 13 at the top.

12 It reads, "At the time the Trump administration signed the agreement with the
13 Taliban in February 2020, there was a significant backlog in the Afghan SIV process. That
14 administration made no senior-level or interagency effort to address the backlog or
15 consider options for other at-risk Afghans despite its commitment to a military
16 withdrawal."

17 The next paragraph, number 14, it reads, "When the Biden administration came
18 into office, senior administration officials within the interagency took steps to accelerate
19 the SIV process. For its part, the Department provided additional resources that began
20 to reduce the backlog and established an interagency Afghanistan Coordination Task
21 Force that facilitated the departure of 1,962 Afghan SIV applicants and family members in
22 late July and early August 2021."

23 And I will keep going and read paragraph 15 because I think it's also relevant to
24 your prior testimony.

25 "Since most at-risk Afghans would not be eligible for the SIV process, the Biden

1 Administration expanded eligibility to allow a wider range of Afghans to apply to the U.S.
2 Refugee Admissions Program. Within the Department, the Bureau of Population,
3 Refugees, and Migration led efforts to streamline Afghan referrals under the Priority 1
4 designation to allow consideration based on individual applicants' circumstances and
5 apparent need for resettlement. PRM also established a new Priority 2 designation to
6 provide more options for at-risk Afghans who had an affiliation with the United States,
7 which the administration announced the beginning of August."

8 Do the facts laid out in these paragraphs, 13, 14, and 15, comport with your
9 understanding of steps that were taken by the Department and the interagency?

10 A Paragraphs 14 and 15, yes. Paragraph 13 comports with my general
11 understanding, but I don't have any details about it.

12 Q Okay. And you testified --

13 A And then, of course, a month later everything shut down with COVID, so
14 there's not a whole lot going on in terms of consular interviews anywhere.

15 Q You mean a month later?

16 A March of 2020.

17 Q Fair enough. Thanks for clarifying.

18 So you testified previously that there had been longstanding challenges in the SIV
19 program, including a desire by some in Congress to limit the size of that program and the
20 number of visas that would be allocated.

21 Is it fair to say that in 2021 the Department and the administration were looking
22 for other available mechanisms it could use to broaden pathways for entry by eligible
23 Afghans into the United States?

24 A Well, yes. As is in that paragraph 15, there was believed to be a
25 community of people who had helped us -- and when I say the Afghanistan project, kind

1 of a broad umbrella term for our investment and presence in the country -- who would
2 not be eligible for an SIV, but we needed to find some pathway for them, and PRM
3 recommended these two category priorities.

4 Q And I believe you testified previously that one of your other duties as DMR
5 was to help shepherd that expanding of the U.S. Refugee Admissions Program, correct?

6 A There was definitely a charge from the President to revive the Refugee
7 Admissions Program, which it's fair to say that -- well, the number of admissions that
8 were authorized was reduced substantially by the prior administration from the last year
9 of President Obama. It was around -- I think 80,000 was the authorized number, and I
10 think the last year of the Trump administration it was 20,000 or fewer.

11 And it's not exactly a secret that there was certain antipathy to foreigners
12 immigrating to the United States during -- among some senior officials in the Trump
13 administration, to include the President.

14 Q Okay. So then based on your testimony today regarding Special Immigrant
15 Visas and the U.S. Refugee Admissions Program, is it a fair understanding for us to have,
16 based on your testimony, that constraints on available pathways for Afghans to enter the
17 United States existed prior to the Biden administration taking office and you worked to
18 reverse those constraints over the course of 2021?

19 A I mean, I think that's a fair summary. There's no immigration program that
20 favors one country over another to begin with.

21 The SIV program is just, as the term implies, a Special Immigrant Visa program that
22 has been created in Iraq and Afghanistan because of our longtime presence there and the
23 assistance that we had from locals in undertaking that presence, but it was not an
24 unlimited program. It never was envisioned to be, and Congress had imposed a number
25 of constraints on it.

1 And, in addition, there was some legislation -- I can't -- I think it was not in the
2 early stages, but maybe 8 or 10 years ago -- that gave the Department or the executive
3 branch categories to prioritize -- prioritization of certain categories with translators and
4 interpreters being in the first category.

5 So that was just the reality that we had to grapple with, and there were a number
6 of steps that were more or less laid out in the statute that we couldn't just skip.

7 Q But you were working to lessen those constraints?

8 A We worked to streamline them, and I think we even brainstormed and may
9 have asked -- we may have asked Congress, when we asked for the money for the
10 Operation Allies Refuge, we may have asked for some legislation to eliminate or
11 streamline some of those statutory requirements.

12 Q Okay. And speaking of Operation Allies Refuge, can you tell us more about
13 the factors that led up to the standing -- that led to the standing up of that operation in
14 July 2021?

15 A Well, there's a concern both within the administration, but we heard it from
16 Members of Congress, that the SIV program by itself was never going to be fast enough to
17 take care of a lot of the folks who worked with us who were in the SIV pipeline so that we
18 should figure out other avenues to get people out of the country.

19 So that led -- that sentiment led to the process in the interagency that ultimately
20 led to Operation Allies -- was it Refuge, Rescue? I can't remember. I'm terrible with
21 operation names.

22 Q So the objectives of the operation were to move people out of Afghanistan
23 who had achieved some degree of success --

24 A Who had gone --

25 Q -- in the SIV process?

1 A Who were near to the end of the process -- I can't remember which
2 stage -- either before or after the interview. But of the dozen or so steps in the process,
3 they were probably past the first nine or ten. I can't remember where we drew the line
4 initially.

5 Q And at the time that Operation Allies Refuge was stood up, were you aware
6 of any concerns within the Afghan Government that it could negatively impact
7 perceptions of their stability if you started to fly --

8 A I think there was a general --

9 Q -- SIV holders and others in the process out?

10 A I think there was a general concern about a brain drain of us taking out some
11 of the more educated and experienced people who had worked with us.

12 And I think there was -- I can't remember who might have told us this, probably
13 the embassy, that they were hearing concerns from the Ghani government about the
14 signals that it would indicate. But it was more a focus on -- what I remember more was
15 the brain drain issue.

16 Q And when these flights began, I think in late July, were they departing
17 Afghanistan with every seat occupied?

18 A These are contract flights that we paid for with Qatar Airways. I think they
19 were more or less full. There might have been a few seats empty, but I don't think they
20 were half full.

21 I mean, there are humans involved, and they had to go through all this, the
22 remaining steps that we asked them to do, like a Panel medical and get a COVID test.
23 And I can't remember if we were giving them COVID vaccines. I think we were or we did
24 as soon as they got here.

25 And people would be scheduled to go on a flight, and then all of a sudden some

1 family member wouldn't be ready, and so it was too late to get somebody else queued up
2 for that flight.

3 So there definitely -- I'm pretty sure there were some empty seats, but the
4 objective was to fill every seat.

5 Q Okay. But you also testified previously that essentially that the demand
6 signal from Afghans for availing themselves of one of these flights would have been
7 impacted by the personal calculations they were making about the situation on the
8 ground?

9 A Yes. And their own situation, whether they were ready to leave. Life
10 happens. Somebody gets sick, something else is going on in their lives, and they say, "I
11 can't go Tuesday. Can I go Thursday?"

12 [REDACTED]. Okay.

13 BY [REDACTED]:

14 Q Would you assess that at that point in July that the desperation was not the
15 same as it was maybe in August?

16 A Hard to know because some of these folks may have been out in the
17 provinces and gotten themselves to Kabul and were seeing out in the provinces that the
18 Taliban was making gains. I don't remember that I had enough granularity to know that.

19 Q I'm sorry. You said what?

20 A I'm not sure I had enough granularity on what was motivating people to get
21 on these airplanes to know.

22 Q Okay.

23 A You know, as I said, we certainly had a sense, and I was told there were
24 definitely SIV holders who still weren't getting on flights if they were offered. If they had
25 an SIV, they could just sign up to take -- to get a plane ticket paid for by the International

1 Organization for Migration as part of the PRM program and go at any time. They didn't
2 have to wait for these flights. They could have gone out on commercial aircraft which
3 were still flying.

4 [REDACTED]. Thank you.

5 We'd like to talk a little bit about communications that you had during the
6 withdrawal and inevitable NEO.

7 You spoke about this prior, but can you detail how much interaction you had with
8 the interagency during the April to August 2021 time period?

9 Mr. McKeon. Well, there were regular Deputies Committee meetings that I
10 attended on some aspect of Afghanistan, often be multiple elements of an agenda, not
11 one subject. It's not like we had a meeting one day on the embassy and the next day on
12 SIVs. It might be conjoined in the same meeting.

1

2 [2:59 p.m.]

3 BY [REDACTED]:

4 Q What was the frequency of those meetings?

5 A At least once a week. Sometimes I think there might have been more.
6 But I don't have access to my calendar.

7 Q And as the posture changed towards the NEO, did those interagency
8 meeting frequency increase?

9 A Probably. Certainly after we turned the page into August and we were
10 really having multiple conversations, regular conversations about the embassy footprint
11 and the decision points, yeah, I think we had more frequent meetings.

12 Q And who were the key players at these meetings?

13 Mr. McKeon. [REDACTED], am I allowed to talk about people?

14 Mr. White. I think people but not content. Is that fair to say, [REDACTED]?

15 [REDACTED]: Well, if you can describe the agencies and the offices
16 from the -- so, for example, if you were talking about the State Department, you would
17 say DMR attended.

18 Mr. McKeon. Yes, but since we were in the -- still in this COVID environment, we
19 were doing it all by secure video. A lot more people were in the room, either on the
20 screen or not. And it was usually the case --

21 BY [REDACTED]:

22 Q The thrust of the question is --

23 A No, I'm coming to that.

24 Q Okay.

25 A I got your question.

1 There are a lot more people participating in all the agencies and at the NSC than in
2 the pre-COVID days would be allowed into the Situation Room. Usually, you got to go
3 by yourself and maybe with a plus one.

4 So I really enjoyed that part of the COVID period, because I didn't have to travel to
5 the White House and I had a lot of lifelines in the room.

6 The NSC chair, as they do all of these meetings, State, DOD, both OSD and Joint
7 Staff, DHS, intelligence community is always in these meetings. I'm sure
8 there's -- sometimes HHS because of the medical, Panel medical and COVID issues when
9 we're talking about SIVs. I can't remember the other ones.

10 The invitation is to a Deputy Secretary. And this is one of the weird quirks of the
11 government. The NSC is always surprised that Deputy Secretaries can't go to their
12 meetings every day and have to send an Under Secretary or maybe even a Deputy Under
13 Secretary. And then there's a lot of stupid fights about whether that person should be
14 allowed to come to the meeting and why can't -- where is the Deputy Secretary and all
15 that.

16 Q Is it fair to say the key players were in attendance at these meetings or
17 someone in their stead?

18 A Yes. And at that time I, as I said, I didn't travel overseas until October or
19 November of '21. I think I took one or two domestic trips in the first 6 months. So I
20 was around all the time, I didn't have an excuse. Sometimes people like to be happy to
21 go travel so they can avoid Washington meetings.

22 [Laughter.]

23 Q Were these meetings --

24 A Secretary Carter being one of them.

25 Q Were these meetings constructive, in your opinion?

1 A Well, that's a big question.

2 Q Did they result in clear outcomes and directives?

3 A Ultimately, yes, decisions get made, but there's often a lot of debate in these
4 meetings and tasking of more work and more options and then come back and have
5 another meeting that is only slightly different than the previous meeting. That's just the
6 way of the interagency, at least in my experience in the two administrations I served in.

7 [REDACTED]. But is it your belief that ultimately the debate contributes or can
8 contribute to a stronger decision outcome?

9 Mr. McKeon. Yes, I think fundamentally, the process, when it works, contributes
10 to a better outcome because you have, if people are being intellectually honest, coming
11 at it both with their agency perspective and ideas that the other agencies won't have.
12 But there is a utility in the conversation and collaboration.

13 And then ultimately, another virtue often unstated of the process is you get
14 interagency buy-in to the outcome, because they can't claim that they didn't get a shot at
15 influencing the decision.

16 And, I mean, I remember this well from the Obama administration. A lot of the
17 domestic agencies complained that they didn't have good insight or were not being
18 adequately consulted by White House decisions. And people from the National Security
19 Agency said, "We don't have any problem. NSC runs a good process. We get to have
20 our voice heard."

21 BY [REDACTED]:

22 Q So fair to say, by extension, the vigor with which there was debate really
23 underscores how much thought and contemplation went into decision-making related to
24 the withdrawal and NEO?

25 A That's a fair statement.

1 Q How much interaction did you have with folks on the ground in Kabul over
2 the April to August time period?

3 A Well, I left out -- usually Embassy Kabul was in these interagency meetings at
4 the deputy and principals level, Ross Wilson and/or one of his two deputies. Embassy
5 Kabul, as I'm sure you know, had both a deputy chief of mission and an assistant chief of
6 mission, which I don't think we have anywhere else in the world. Maybe still in
7 Baghdad. "We" being the State Department. I'm not there anymore.

8 And we would occasionally, Carol and I, would have phone conversations or email
9 chains with Ross Wilson or maybe even once in a while a video -- a video chat.

10 So it was pretty regular between the interagency meetings and our bilateral within
11 the State Department meetings, our conversations. It was certainly once or twice a
12 week, probably.

13 Q Is it fair to say that during the NEO in particular you had a pulse of what was
14 happening on the ground?

15 A Generally, because we were having multiple meetings a day, but I tried to
16 stay out of the business of calling them independently because they had enough to do.

17 Q Fair enough.

18 And how would you characterize coordination between the U.S. military and
19 civilian personnel during the NEO?

20 A My impression was that it was good. I'm sure, as in anything that complex,
21 there were disagreements and people are moving really fast and people didn't know
22 everything they needed to know. But, given the circumstances, my understanding was
23 it was good.

24 Q What informed that understanding?

25 A Well, the interagency meetings we had during the evacuation. The senior

1 people who were out there were on the screen or on the call were Ross Wilson, Scott
2 Weinhold. Ian McCary, the DCM, was out of the country at the time, [REDACTED]
3 [REDACTED]. And then
4 John Bass went out to help not long after.

5 And so on these calls, those guys, one of those three or two of those three were
6 on the calls. And I think Admiral -- Rear Admiral Vasely and probably one of his folks
7 were always on the calls as well.

8 You know, there's a lot of stuff happens. People get mad at other humans.
9 Those sorts of things don't trickle 8,000 miles back. So I don't want to tell you
10 everything was perfect.

11 Q Understood.

12 [REDACTED]: [REDACTED], I have no problem, but when we get to it I'm going to note
13 that when I review we're going to want the [REDACTED]
14 stricken.

15 [REDACTED]: Absolutely. We'll be happy to support that.

16 Mr. McKeon. Oh, yeah. I'm sorry.

17 [REDACTED]: No, that's okay.

18 BY [REDACTED]:

19 Q We have heard from other witnesses that support by and cooperation with
20 the military and the Department was strong and preparation for the NEO was sufficient to
21 get this extremely challenging job, that be evacuating, done.

22 Would you agree with this assessment?

23 A That's my own experience, yes.

24 Q What informs that assessment?

25 A Well, just what I saw and experienced in having served at DOD alongside

1 Frank McKenzie and knowing how the Joint Staff operates and how things operated at
2 COCOM. And I know all the senior people in OSD Policy. I'm friends with the Secretary
3 of Defense's chief of staff. I think if there were big problems, I would have heard about
4 it.

5 I mean, Frank McKenzie is not shy. He would have called me. General Milley
6 called me directly two or three occasions in my tenure. My secure phone rings and he's
7 barking on the phone. And the way he talks: "This is Mark Milley."

8 So it wasn't about these things, but he called me about some other things a couple
9 of times. He is not shy, as you probably noticed.

10 Q Fair enough.

11 [REDACTED]. That concludes our round. Thank you. We can go off the
12 record.

13 [Recess.]

14 BY [REDACTED]:

15 Q So in the majority's last round, we left off on discussions surrounding the
16 NEO, and I have a couple follow-up questions relating to the NEO specifically.

17 So in terms of the date on which the NEO was requested, it's our understanding,
18 based on your prior testimony as well as documents, that the NEO was requested in
19 August 16th, 2021, correct?

20 A Correct.

21 Q Did anyone in the State Department or, more broadly, in the administration
22 call for a NEO to be initiated prior to that date?

23 A Not to my knowledge.

24 Q Did you take part in or were you aware of any internal discussions between
25 the State Department and the Pentagon regarding the decision to shut down Bagram?

1 A I was not involved in any decision or conversation about whether to shut
2 down Bagram other than -- I mean, this is going to be the content of a Rock Drill.

3 ██████████: I beg your pardon?

4 Mr. McKeon. This will get into the content of the Rock Drill, one of the Rock
5 Drills.

6 ██████████: Could we go off the record for a second?

7 ██████████: Yes, of course.

8 [Discussion off the record.]

9 BY ██████████:

10 Q Were you personally involved in the decision to shut down Bagram Airfield?

11 A I was not.

12 Q What did you think about the decision or now the necessity to conduct the
13 NEO through Hamid Karzai International Airport?

14 A I'm not sure what I thought about it at the time. I think my sense -- sense
15 of it now -- is that if we had retained Bagram and done the NEO through Bagram it would
16 have presented a set of challenges, including the need for a much bigger U.S. military
17 footprint to protect the road and protect the field, because it's so much bigger than HKIA.

18 So that made sense to me in the sense that we didn't want to -- if we're putting
19 forces back into the country to conduct the evacuation/NEO, which we ended up doing
20 about what -- 6,000 is the number I have in my head -- it would have -- I think it would
21 have required a lot more than that.

22 And I think, based on concerns about, again, what I said earlier about the Taliban
23 shooting at our guys because we weren't really adhering to the deadline of the Doha
24 Agreement, that that would be a different risk.

25 I would guess that was DOD's calculation, but, again, I wasn't really in those

1 conversations, so --

2 Q That's helpful. Thank you.

3 Did anyone at the Department raise concerns about conducting the NEO through
4 HKIA?

5 A At the State Department?

6 Q Correct.

7 A No, because it's what we had available to us.

8 Q Did anyone at the Department of Defense communicate concerns to you
9 directly?

10 A About doing it at HKIA?

11 Q Correct.

12 A Not that I recall, no.

13 Q Can you speak to the decision-making process that led to the issuance of the
14 NEO request?

15 A Well, after we got word from Embassy Kabul that the Taliban was 25
16 kilometers outside the city, obviously, that led to a lot of activity and decisions about
17 what we needed to do and on what speed.

18 And so that set in motion the process to ask -- request the NEO. But I don't
19 remember what were the three meetings or conversations that led to that. I don't
20 remember.

21 Q And do you recall --

22 A I mean, we were all working in that 2-week period 18 hours a day. So it's
23 all a little bit of a blur to me.

24 Q And do you recall who communicated to you that a NEO was going to be
25 requested?

1 A I don't. I'm sure it was just part of the ongoing conversations we were
2 having internally and with post and within the interagency system that that's what we
3 were going to do.

4 Q Thank you.

5 A And I think it went to the President. That's what the White House public
6 AAR says.

7 Q I believe that's the process, from the Secretary of State Exec Secretary to the
8 DOD Exec Secretary and then ultimately sign-off by the President.

9 A But I think the President approved it before we papered it. But the request
10 from the Exec Sec is the other way around.

11 Q Thank you for that clarification.

12 A The State Department Executive Secretary does -- has a lot of authority, but
13 not that kind of authority. She's a ministerial actor at that point. It's now a he, sorry,
14 but at that time it was a she.

15 Q So I'd like to go back to exhibit 9, which was entered into the record by the
16 minority. It's the After Action Review. I have an additional copy if it would be helpful.
17 If you could please direct your attention to page 12, part of the findings.

18 A Okay.

19 Q So as part of the public AAR's findings -- and this is the unclassified
20 version -- bullet point 9, it's about halfway through the page, states, "U.S. military
21 planning for a possible NEO had been underway with post for some time, but the
22 Department's participation in the NEO planning process was hindered by the fact that it
23 was unclear who in the Department had the lead."

24 Can you speak to why this was unclear?

25 A I can't. I don't know what that finding is based on. I'm sorry. I don't

1 remember it coming up in my interview with Dan Smith and his team.

2 Q Who would you say had the lead in the Department on the NEO planning
3 process?

4 A Well, as I think I've said earlier, I was taking the overall lead for the planning
5 on sustaining the Embassy and then the flip side of it, an evacuation of it, which rolls into
6 a NEO.

7 So nominally, it would have been me, but it's -- you know, the bureaus were doing
8 the day-to-day work. And I don't know what's at the root of this finding by the review
9 team.

10 Q If you could look to bullet point 10 next, which states, "A major challenge for
11 the NEO planning was that" -- sorry -- "A major challenge facing NEO planning was
12 determining the scale and scope of the operation, especially when it came to how many
13 at-risk Afghan nationals would be included, how they would be prioritized, and how long
14 their evacuation might take. Senior administration officials had not made clear
15 decisions regarding the universe of at-risk Afghans who would be included by the time
16 the operation started nor had they determined where those Afghans would be taken.
17 That added significantly to the challenges the Department and DOD faced during the
18 evacuation."

19 Can you speak to this finding specifically and why there hadn't been clear
20 decisions made regarding the universe of at-risk Afghans?

21 A So I think, as I said earlier, the assumption was, of course, a typical NEO is
22 American citizens, embassy staff, LPRs. And we had baked in or were expecting we were
23 going to have to -- we were going to want to evacuate SIV applicants or at least those
24 who were well along in the process.

25 But the broader, quote/unquote, at-risk Afghan universe had not been fully

1 addressed, and I think that's just a part of the -- of our system. There was no
2 natural what was the legal avenue for bringing these people to the United States.

3 And we created the refugee categories Priority 1 and 2, but that, of course,
4 requires people to leave the country and then apply for refugee status, which obviously at
5 this point was not going to be a viable option in the immediate term, because people
6 wanted to leave then.

7 So it was really just a question of how much we were willing to take on.

8 And then on the issue of -- you're asking about the facilities?

9 Q Correct.

10 So in -- this is getting into diplomatic conversations, [REDACTED]. So what do you want to
11 do with this?

12 [REDACTED]: So the fact that the communication occurred and the countries
13 with which it occurred and the general subject matter is not a problem. If you were
14 going to try to quote a foreign official, that would --

15 Mr. McKeon. I wouldn't quote a foreign official.

16 [REDACTED]: Right. Okay. Fine. That's fine.

17 Mr. McKeon. So in the context of Operation Allies Refuge -- is it refuge or
18 rescue? I keep getting this wrong. Refuge?

19 BY [REDACTED]:

20 Q It's refuge.

21 A Thank you.

22 We were seeking assistance from a third country to host people we brought out
23 who didn't have a visa yet so that we could finish the process there on their territory.

24 We had diplomatic conversations with a couple of countries in the Middle East.
25 Those never concluded, not for lack of trying on our part, but the lack of willingness on

1 the part of the third country to take on the risk, because they kept asking -- and we had
2 an okay but never a perfect answer -- "What happens if these people don't clear your
3 vetting process? We're going to be stuck with them." That's essentially what they
4 were asking.

5 So then in the immediacy of then the evacuation, then one of those countries
6 stepped up in a big way right away, and then the other countries in Europe and the
7 Middle East. We put that together very quickly.

8 But that is why there was no willingness to host the Afghans, which is why we
9 used in the initial stages of Operation Allies Rescue Fort Lee, Virginia, rather
10 than -- ideally, the lawyers who worry about immigration issues -- and people who don't
11 actually clear the vetting standards we're required to follow if they came here, once they
12 set foot on United States soil, legally, as I understand it, it's kind of hard to deport them
13 without a long, involved process.

14 So the lawyers who worry about that issue across the government wanted these
15 final steps to be on done in a foreign country.

16 Q And what was the U.S.' response to these foreign countries regarding what
17 would happen if the Afghans did not pass the vetting requirements or process?

18 A So before the evacuation, I don't remember what assurances we were giving
19 them. I honestly can't remember. After the evac -- once the evacuation was underway
20 and after we came up with the option that we have or the government has -- I guess still
21 has, I've lost track of it -- at Camp Bondsteel in Kosovo, people who needed further
22 vetting would be housed there in the interim.

23 So we more or less promised the governments that hosted the people we brought
24 out during the evacuation that we would take responsibility for people who did not clear
25 the vetting process.

1 Now, there are some cases where, like in Europe, I mean people were free to walk
2 off the base. And in Germany, we were very concerned about letting any of the Afghans
3 get in front of a German official because German asylum law is if you present yourself to a
4 German Government official, you can ask for asylum. So we had to make sure we didn't
5 have German officials wandering too close to the Afghans at Ramstein.

6 Q That's helpful. Thank you.

7 And can you speak to any agreement the U.S. Government reached with the
8 Taliban as the situation deteriorated in Afghanistan and the Taliban ultimately took
9 control of the country?

10 A I don't know that there were any agreements in the diplomatic sense that
11 were written down on paper, like the Doha Agreement. I think there was a modus
12 vivendi worked out on the on-the-ground situation between the United States military
13 and the Taliban.

14 Q And I believe this was a military decision, but do you have any knowledge or
15 insight into why the U.S. chose not to take security control of Kabul during the evacuation
16 and, instead, allowed the Taliban to do so?

17 A I don't.

18 Q I'm now transitioning a bit to the on-the-ground situation.

19 Ambassador Bass was sent to Afghanistan around mid to late August 2021,
20 correct?

21 A Yes.

22 Q Do you know why he was sent during that time period?

23 A My recollection was that he volunteered to go to help, having been a former
24 ambassador to Afghanistan very recently. I'm not sure I'm right about that recollection,
25 but that's my recollection, that he volunteered to go.

1 I think it was a recognition that we needed another senior hand to help the
2 leadership team, particularly in light of the fact that the DCM was not there.

3 Q Was it always part of the plan to send in a second senior official or, in this
4 case, second ambassador to Afghanistan?

5 A No, not in advance, but I don't know how long it had been since Ian McCary
6 left. I don't think he had been gone very long.

7 Q Was Ambassador Bass sent by Department leadership, whether it be by his
8 own request or at the request of another official, because there were concerns
9 surrounding Ambassador Wilson's ability to conduct the evacuation?

10 A So I read that in the excerpt of Mr. Foer's book in the Atlantic that says this.
11 And I won't use an epithet, but that is just nonsense. I don't know where it comes from.
12 I don't agree with it.

13 In my view, Ambassador Wilson performed at the same level he had beforehand.
14 So I don't know what's at the root of it, but I don't agree with it.

15 Q What did you understand the division of responsibilities to be between
16 Ambassador Wilson and Ambassador Bass?

17 A I mean, I don't know all the details of what they sorted out. I think John
18 was focused on working with the consular team and the military on the plans for the
19 gates and getting people into the gates and folks out on the perimeter, whereas
20 Ambassador Wilson was still doing his job as the chief of mission, leading the overall
21 team, responding to Washington demands to be in meetings and take phone calls, though
22 I'm sure Ambassador Bass got phone calls as well.

23 But Ambassador Wilson was still the chief of mission of Embassy Kabul. John
24 was not there to be the substitute or sort of second DCM. He was just there as a senior
25 management coned officer who had served in Afghanistan who was very good in a crisis.

1 Q So Ambassador Wilson was in charge of the evacuation, correct, ultimately?

2 A Yes, that is correct. But they were working side by side every day with the
3 USFOR-A. Sorry. That's an acronym. U.S. Forces Afghanistan or USFOR-A,
4 U-S-F-O-R-A.

5 Q Thank you.

6 [REDACTED]. Which is a military element.

7 Mr. McKeon. Military, yes.

8 BY [REDACTED]:

9 Q What was your role in consular operations, including providing visas for
10 Afghan partners and at-risk Afghans during the emergency evacuation?

11 A My role in consular operations?

12 Q Correct.

13 A Well, I'm not a consular -- I don't have a consular commission, so I had no
14 role in that. I'm not sure what you're asking.

15 Q Let me reframe. Did you play any role in determining which populations
16 were eligible to be evacuated?

17 A Those decisions were made collectively in the interagency.

18 Q Which was led by the NSC, correct?

19 A That's correct.

20 Q Do you know when those determinations were finalized, specifically as to
21 which populations were eligible?

22 Mr. McKeon. Okay, [REDACTED]?

23 [REDACTED]. I mean, if you could describe the process -- I'm not going to put
24 words in your mouth, but it is a process, as the question presumes there was --

25 Mr. McKeon. Can we go off the record?

1 [REDACTED]. Yeah.

2 [Discussion off the record.]

3 [REDACTED]. We'll go back on the record.

4 And I'll preface this with, when I say finalized, I don't mean that there was one list
5 and this list never changed. But understanding that this list may have changed
6 throughout time, can you speak to whether there were any sort of finalized
7 determinations at any point regarding which populations were eligible?

8 Mr. McKeon. Well, as we've said before or I've said before, Americans were
9 eligible, LPRs were eligible, and then decisions were made, as was said.

10 The determinations evolved over the course of the days, depending on the
11 situation on the ground and the ability of people to get there and the picture we were
12 seeing as it was -- you could see it on TV, but also as it was portrayed for us by the people
13 on the ground.

14 And I think there was a desire ultimately to try to evacuate as many Afghans as we
15 could who had some nexus that we could find to the United States without being rigid
16 about all the categories.

17 And then, of course, we were getting calls and emails from around the
18 government and from former and current military officials and NGOs around the country
19 about XY populations, they're on a bus headed toward the gate, can you get them in, and
20 all of that. So a lot of that.

21 There were conversations and decisions taken in all these meetings. "Yes, we
22 will work on these people. Yes, we will work on these people." That's best as I can
23 describe it.

24 [REDACTED]. That's helpful. Thank you.

25 BY [REDACTED]:

1 Q Prior to the Taliban taking Kabul August 15th, so prior to that, had there
2 been a decision made relating to which populations would be eligible outside of
3 Americans and LPRs? Was that still being worked on?

4 A My recollection is we definitely had a decision on certain categories of SIVs,
5 people in the Operation Allies Refuge groups and embassy employees, the LES staff.

6 But the universe of potential applicants -- because the P-1 and P-2 program had
7 just been started so a lot of people hadn't applied. So it was hard to determine how big
8 is this universe. It could be quite large. And we didn't know who that universe
9 consisted of or what they consisted of.

10 So no, there had been no final decision on P-1s and P-2s, for example. And
11 arguably, the term "Afghan allies" is pretty broad and can include people who might not
12 even be eligible for a P-1 or P-2 but were active or had roles that were consistent with the
13 United States' objectives in Afghanistan and might be seen as a Taliban target.

14 Q So I'd like to talk about the expansive U.S. airlift from HKIA during the NEO
15 and specifically a breakdown of evacuees by category.

16 Are you aware, among those who were evacuated, how many were U.S. citizens?

17 A I don't remember any of these numbers. I'm sure I saw a document with
18 the current estimates or estimate in September and October, because we were still, even
19 as they were in the overseas bases or on the U.S. bases, we were still trying to determine
20 how we could categorize some of the people that we brought in.

21 Q And does this apply to other categories, such as LPRs, Afghans at risk, et
22 cetera?

23 A No. I think we had pretty good numbers on LPRs if they showed up and
24 they were brought in. That would definitely apply to Afghans at risk. Probably, I think
25 there were people who would have been eligible to apply for refugee status in that

1 category, but there might have been others who weren't. I don't remember those
2 numbers.

3 Q Do you recall what those numbers were, for example, for LPRs?

4 A No. No. I mean, we evacuated 70,000 Afghans or so. There was a
5 pretty big number of people who had helped a certain government agency, as you
6 probably know.

7 Q Do you recall how many of those individuals were SIVs?

8 A I don't. I don't remember the numbers.

9 Q I'd like to talk a bit more about American citizens in Afghanistan.

10 Do you recall how many Americans have been evacuated from Afghanistan after
11 August 31st, so after we withdrew, understanding this number has changed throughout
12 time?

13 A How many Americans we facilitated --

14 Q Their evacuation.

15 A -- the exit from Afghanistan since August 31 to December 31, 2022 --

16 Q Correct.

17 A -- because I have no knowledge since then.

18 I don't know the number. We had a lot of challenges with the Kabul airport
19 reopening as a functioning commercial airport and the radar not working and nighttime
20 operations not being permitted.

21 Fights between two governments to try to control the air corridor and have
22 primacy of the place in running the airport. Not our government, two foreign
23 governments.

24 Unhappiness on the part of the Taliban, like the Ghani government, that we were
25 facilitating a brain drain. I think we heard that message.

1 Unhappiness on the part of the Taliban that these flights didn't include any spaces
2 for Afghan laborers who were going to the Middle East and would, therefore, then be
3 sending remittances back that would help their economy.

4 So there were just a lot of challenges to this. And then the overall relationship
5 between the United States and the Taliban was obviously, and I assume still is, pretty
6 scratchy, because we've never formally recognized them.

7 So there was an effort made, I'm sure you've been briefed on or asked people
8 about, to set up a team in the Department called the CARE unit.

9 A lot of money was given to them to try to facilitate regular flights, but it was very
10 inconsistent in our success, at least in the 15 months or 16 months after August that I was
11 in the Department. We'd have flights lined up that some Taliban official would call it off.
12 It was a big challenge.

13 So I don't know the number. I wouldn't even hazard a guess. It was not like 10
14 or even it was 100, but I don't -- I can't tell you what it was. Between 100 and 10,000.

15 Q Thank you.

16 A I don't think it was 10,000. And some exited the country through overland,
17 and the CARE team worked on overland operations, mostly Pakistan.

18 Q Overland, so third countries?

19 A On the ground, through Afghanistan to Pakistan.

20 Q Okay.

21 A And then they would just get normally processed by Embassy Islamabad's
22 consular section, either as refugees or if they had ability to get into the IV program -- or
23 SIV program.

24 Q In addition to the two mechanisms you just pointed to, one being sort of
25 CARE, which was prompted by the Department or by the administration, and then sort of

1 the on-the-ground passage through Pakistan, for example, what was the Department's
2 post-August 31st plan for getting Americans and Afghan allies out?

3 A Well, we were using the CARE mechanism to get Americans out too. So
4 they were getting priority if there were Americans ready to go, and there's regular
5 contact with them by Consular Affairs to try to find Americans who wanted to -- who
6 wanted help to leave. And so that was all part and parcel of the CARE operation. It
7 wasn't just Afghans.

8 Q And did the Department anticipate that the Taliban would be as great of a
9 hindrance as they've been in those efforts?

10 A I expect we didn't think it would be easy, because of the broader dynamics
11 of the U.S.-Taliban relationship, which, quite naturally, since we were engaged in military
12 operations against them for almost 20 years, is not really surprising.

13 Q It's our understanding that President Biden throughout this period had made
14 a promise that the U.S. would not leave Afghanistan until all Americans had been
15 evacuated.

16 Does that comport with your understanding of his assurances as well?

17 A I recall he gave a TV interview where he essentially said something like that,
18 yes.

19 Q Do you believe this promise was broken?

20 A I believe we tried to evacuate any American who wanted to leave. We
21 obviously didn't succeed. I don't think it was a promise broken.

22 Q So you note "any American who wanted to leave." Is it your testimony that
23 Americans, and most likely many of these Americans being Afghan Americans, might
24 have -- were not intimidated by the Taliban in reaching the gates and wanting to leave?

25 Because when we're trying to sort of -- I'm trying to distill this understanding of

1 any American who wanted to leave and what that means within the realities of what it
2 meant to leave Afghanistan, and particularly Kabul, at that period, with the Taliban
3 controlling the gates.

4 When making the statement, do you acknowledge that some Americans, including
5 Afghan Americans, may have wanted to leave but could not do so due to intimidation by
6 the Taliban?

7 A I think my answer to that is there's a lot of reasons that explain why people
8 left or did not leave. And for those who did not leave, in some cases it was people who
9 had extended families, and we were telling them they couldn't bring a big extended
10 family.

11 And, as I've been educated on Afghan culture, it's very important to take care of
12 the entire extended family, not just your immediate family, which is what the, I believe,
13 the INA and the SIV statute both cover.

14 I expect there were some Afghans or Americans who had roots in Afghanistan
15 who, either by word of mouth or having tried once or just what they heard from friends,
16 were fearful of trying to get to the airport or were intimidated. But I don't know any
17 numbers on that.

18 [McKeon Exhibit No. 11
19 was marked for identification.]

20 BY [REDACTED]:

21 Q I'd like to introduce -- I believe we're on exhibit 11 -- the transcript of
22 remarks made by Secretary Blinken. This is dated August 15th, 2023.

23 A I'm sorry, did you want me to read it? I thought you were just going to --

24 Q I'll give you an opportunity to take a look at it.

25 A It's pretty long. Why don't you just tell me where you're going.

1 Q So I'd like to direct your attention to the top of page 9.

2 A Okay.

3 Q So here Secretary Blinken says, quote, "And as you know, we brought back
4 virtually all of the American citizens who said they wanted to depart in the course of the
5 withdrawal, and that effort continued well after and continues to this day, and I believe
6 some 900 or so additional American citizens who've told us at one point or another that
7 they wanted to leave we've made sure could get home."

8 So this goes back to my initial question of how many Americans were left behind.

9 Exactly how many Americans who had said they wished to depart were left behind
10 in Afghanistan at the end of August 2021?

11 A I can't remember the number. The number changed every day of how
12 many Americans we identified as being in the country, because people would pop up on
13 the net. And, as I said, even post-August we found Americans had gone back to
14 Afghanistan to take care of their families after Kabul fell.

15 So I don't know the number on August 31. I think it was -- it was not a very large
16 number, based on our understanding as of that date.

17 Q Given the realities on the ground in Afghanistan, is it fair to say, though, that
18 it's possible not all of these individuals were individuals who wanted to stay past the
19 August 31st deadline?

20 A It's possible, but I'm not going to speculate about the motivations of each
21 and every one of them.

22 [McKeon Exhibit No. 12

23 was marked for identification.]

24 [REDACTED]. So I'd like to enter as exhibit 12 an article published in Politico
25 dated May 16th, 2022.

1 So I'd like to direct your attention to the second page. The article is titled
2 "Biden's broken promise to SIV holders." I'll read the relevant language into the record,
3 and that's likely going to be the whole page.

4 "A former Afghan interpreter for the U.S. Army who qualified for a Special
5 Immigrant Visa last year, Hamdullah has not been able to get out since. He fears for his
6 safety, so much so that we're using a pseudonym to protect his identity -- though we
7 confirmed his service through photos, documents, emails, and a U.S. soldier who served
8 alongside him.

9 "Hamdullah had been scheduled to fly out of Afghanistan on August 14. But the
10 flight was canceled as the Taliban took over Kabul. His passport was at the American
11 Embassy and destroyed as part of the evacuation procedures.

12 "He was among the group of Afghans who the President's team pledged they'd
13 not forget -- the individuals who risked their lives for a war Biden concluded was
14 unwinnable.

15 "But, over time, the Biden administration has not met that commitment for
16 Hamdullah and others. Last week, in a meeting with outside advocates for such
17 Afghans, the State Department said they now estimate there are between 70,000 and
18 160,000 Afghans eligible for SIVs, reserved for people who directly assisted the U.S.
19 effort. That's up from the 62,000 estimate last year. Given the current rules and
20 bureaucracy, the administration has issued about 9,500 SIVs since they came into office."

21 Is it fair to say that potentially over 100,000 Afghans eligible for SIVs were left
22 behind in Afghanistan?

23 Mr. McKeon. I don't recall knowing that number.

24 ██████████. Would you say that President Biden didn't fulfill his
25 commitment to our Afghan allies?

1 Mr. McKeon. No, I would not. We're continuing -- the administration and the
2 State Department are continuing to try every means to get folks out, as I just described
3 about 5 minutes ago, and that program has confronted numerous challenges.

4 ██████████. If you don't recall a 100,000 number, what number do you recall?

5 Mr. McKeon. I don't recall a number. I mean, I thought it was bigger than
6 20,000 in the summer of 2021, but that briefing document I was quoted saying the
7 pipeline at that time was 20,000. I thought it was bigger.

8 ██████████. So I'd like to continue down sort of the post-August 31st, 2021,
9 questioning.

10 Are you aware of how many Afghan allies, including former Afghan Government
11 officials and Armed Forces members, were killed in retribution by the Taliban after August
12 2021?

13 Mr. McKeon. I'm not aware of a number, no.

14 ██████████. Are you aware of how many Afghan allies, including former
15 Afghan Government officials and Armed Forces members, were tortured by the Taliban
16 after August 2021?

17 Mr. McKeon. I remember reading some reporting, internal government
18 reporting from the IC about some of the things you described, but I don't recall that
19 anybody had a sense of the volume. Maybe that's changed.

20 ██████████. Just switching topics real quick.

21 Are you able to explain what the Bureau of Contingency and Crisis Response was.

22 Mr. McKeon. It was never a bureau. It was a proposal that Secretary Pompeo
23 approved late in 2020 or early 2021. I'm not sure. And then when Secretary Blinken
24 took office -- or maybe even before that, because he was not confirmed until around the
25 26th of January -- but a pause was put on the plans to proceed with it.

1 As of that time, my recollection was the bureau itself had not been established,
2 although I think Dr. Walters may have been either appointed or was about to be
3 appointed, but otherwise the bureau didn't really exist.

4 ██████████. Did you support or oppose the creation of the bureau?

5 Mr. McKeon. I assume you've seen the memo, since it got leaked, from me to
6 the Secretary about the review that we conducted about whether to proceed with the
7 bureau as proposed by Secretary Pompeo or to not proceed with it.

8 And my recommendation is in that memo. It speaks for itself. If you don't have
9 the memo, I'd be surprised.

10 Do they not have it, ██████?

11 ██████████. Well, they don't have it officially or under authorization. But
12 you're free to speak to it, because you're here right now.

13 And so I would have him not confirm whatever you may have in your possession.
14 But if you want to -- if you don't mind recounting your recommendation, which I do think
15 they've probably seen.

16 Mr. McKeon. It's on the internet.

17 We conducted a review led by my team. And the recommendation of the
18 Secretary and the memo was not to proceed with the proposed bureau, which he
19 approved the recommendation.

20 ██████████. Can you provide a little bit more detail on why you didn't want it
21 to proceed?

22 Mr. McKeon. It's in the memo if you haven't seen it -- if you've seen it, which I'm
23 guessing you have.

24 ██████████. I think the point is we would like to hear, given the fact that the
25 means by which it was received is not something we can inherently rely upon in the

1 course of our interviews. So we would like to have your sort of more firsthand account.

2 Mr. White. Well, actually I think he's just authenticated that document as his.

3 [REDACTED]. No. Well --

4 Mr. White. Hold on.

5 So I don't -- I think that document speaks for itself. If there's something you
6 want to ask about that's particular, go ahead.

7 But asking him generally, I don't think that's fair, given that there is a document
8 that you have that you believe comes from him that lays it all out. I don't think it's fair 3
9 years later to ask him a question about his reasons when they were all written down
10 before.

11 [REDACTED]. And that's legitimate. But I just want to be very clear for the
12 record. We don't know what document they have. They haven't shown it to us. He
13 can't authenticate anything he hasn't seen.

14 And your point remains valid. But we don't even know what they're holding.
15 So the Department is not authenticating anything.

16 Mr. McKeon. Got it. Okay.

17 BY [REDACTED]:

18 Q So just so we're clear in understanding, you recommended against this
19 bureau. It had not yet been established, to the best of your recollection. It was
20 something that was in process under the prior administration.

21 A No, it was not established. It was not firmly established.

22 Q That's my point. Yes, that's --

23 A The Secretary -- the previous Secretary of State approved it. My
24 understanding is he ignored some holds from the Foreign Affairs Committees on both
25 sides of the aisle and proceeded notwithstanding that, those objections.

1 And Secretary Blinken, having been a former Senate staffer, wanted to have a
2 different tone in terms of holds and all of that, so he wanted us to review it rather than
3 just proceed.

4 Q Were there discussions within the Department surrounding sort of
5 the -- were there discussions within the Department surrounding the Department's
6 jurisdiction, specifically diplomacy over operations, and that it's the Department's
7 responsibility to focus on diplomacy and leave operations to the Department of Defense?

8 A That's not really the nature of the conversation about the creation or not of
9 the CCR bureau.

10 ██████████. That's helpful. Thank you.

11 BY ██████████:

12 Q Just a couple other things.

13 You had mentioned that SRAR Khalilzad, I think the quote was, didn't
14 communicate a lot.

15 A Well, at least not with me. I don't --

16 Q Not with you. And that you met with him maybe a couple of times.
17 Do you think it would have been --

18 A Or I was in bigger meetings with him.

19 Q Okay. Do you think it would have been helpful to have more insight into
20 what Khalilzad was doing and to have more insight in what the Taliban was telling him?

21 A I mean, I think I had reasonable insight into the conversations he was having
22 from other people in the SRAR office. So, obviously, it's always helpful to hear it from
23 the horse's mouth, but he had a deputy, the guy who's now the SRAR, Tom West, and he
24 had some staff. And so they were -- we were hearing things from them. I'm not sure it
25 was a huge handicap.

1 Q And you had mentioned meeting with members of the Afghan Government
2 in the summer of 2021. Are you able to speak to what the Afghan Government asked
3 for?

4 Mr. McKeon. I'm not really at liberty to talk about diplomatic conversations, am
5 I?

6 [REDACTED]. So in this particular case, the government no longer exists. To the
7 extent you have an accurate recollection of generic issues, there would not be a
8 restriction.

9 Mr. McKeon. Yeah. Then I should have started with this. I'm not sure I
10 remember very much about those meetings.

11 I was -- as I said, I hosted a meeting with a delegation led by the Foreign Minister
12 at the State Department. There were probably five or six Afghan officials there and five
13 or six of us. I'm sure we just talked about the state of play of the situation on the
14 ground, our continued support for the Ghani government.

15 And then Ghani and some of his people met with President Biden. And I was in
16 that meeting, but I can't -- I'm not going to talk about a meeting in the Oval.

17 [REDACTED]. So you don't recall in the meeting that you had if the Afghan
18 Government asked for anything?

19 Mr. McKeon. I don't recall. I don't recall much about the meeting. I
20 remember the meeting room and the fact that somebody tested positive for COVID and
21 we found out 5 minutes before the meeting. So he was not going to be able to go to the
22 Oval, and so there was a little drama about that. I don't remember much about the
23 meeting, I'm sorry.

24 [REDACTED]. And this is just a -- sorry that I'm jumping around a little bit, but
25 this is a follow-up on the dissent channel.

1 You had said you didn't meet with any of the authors or signatories of the dissent
2 channel cable. Do you, in hindsight, do you perhaps wish that you had?

3 ██████████: I just need to make clear for the record that because of the nature
4 of the restrictions about which you have been briefed as to the identities, he may not
5 know whether he subsequently met with a signer of that cable, because he would not
6 have been given the names.

7 ██████████: Well, that's fair enough. So I guess what I'm asking is him
8 seeking out.

9 Is there any -- in hindsight, do you wish that you had sought out meeting with the
10 dissent channel cable signatories?

11 ██████████: So, again, I'm going to cut you off there, because under the -- and
12 you guys have been briefed on this extensively -- under the existing FAM, he would have
13 been in violation of Department regulations if he on his own had tried to seek out
14 dissenters. It's prohibited.

15 ██████████: Fair enough.

16 And I just had one final question.

17 When it came to your meetings with the military, did you ever ask that they slow
18 down the speed and pace of the retrograde.

19 Mr. McKeon. This gets to the Rock Drill conversation, the May one.

20 ██████████: Okay. Then I'm not going to object to an answer.

21 Mr. McKeon. It's not so much me.

22 ██████████: But it's going to be --

23 Mr. McKeon. It's not so much me. It's other people who did it first.

24 ██████████: So that's going to be classified. So I'm not saying he can't answer
25 your question, based on what I think he will answer. It's just that that is going to be

1 classified, because it was classified at the time. And DOD would have to be the
2 person to waive -- or the entity to waive it.

3 [McKeon Exhibit No. 13
4 was marked for identification.]

5 BY [REDACTED]:

6 Q So we'll transition to our last topic.

7 So this is exhibit 13. So this is a State Department media note dated May 9th,
8 2022, titled "Deputy Secretary Brian McKeon Travels to Qatar."

9 It states, "Deputy Secretary of State for Management and Resources Brian P.
10 McKeon is in Qatar May 9-10, where he will discuss a range of U.S. priorities in the region,
11 reiterate U.S. appreciation for the long-standing friendship between the United States
12 and Qatar, and highlight the Qatari government's strong support and ongoing
13 cooperation on Afghanistan issues. He will also discuss promoting cooperation on global
14 health and pandemic preparedness as well as global security challenges."

15 What is your assessment of Qatar vis-à-vis its actions relating to Afghanistan?

16 A So you're not asking me about the trip, you're asking me just generally my
17 assessment of Qatar?

18 Q Specifically, as a takeaway from this trip and as to your more broad general
19 experiences throughout the years with the government as DMR.

20 A So in my takeaway from the trip, I had a 2-day calendar schedule planned, as
21 is said there, and then I was supposed to go on to Iraq.

22 The first day was all internal to the U.S. Government with embassy and visiting
23 Camp As Sayliyah and Al Udeid, and some meetings.

24 I don't think there were any Afghans in either place. It was all U.S. officials, the
25 consular team that was doing visa SIVs there and the military folks. And some of it was

1 kind of a presenting this is what happened in August 2021, this is what we did kind of
2 thing.

3 And then the evening of the first day, [REDACTED] [REDACTED]
4 [REDACTED]. [REDACTED]
5 [REDACTED]. So I had no interactions with officials of the state of Qatar on
6 that trip.

7 Q I'm very sorry to hear that.

8 A Thank you.

9 [REDACTED]. [REDACTED]

10 Mr. McKeon. Yeah.

11 Just generally, I mean overall the fact that they have allowed a venue for our
12 conversations with the Taliban over the years and allowed us to set up this Afghan Affairs
13 Unit in Doha after we closed Embassy Kabul, the assistance they stepped up to give to us
14 during the evacuation, including basically giving us some free flights on Qatar Air for
15 flights to the lily pads.

16 Like any government in the world, we have some challenges and disagreements
17 with, but they've been very -- a very productive relationship on this account in facilitating
18 a lot of things.

1

2 [4:10 p.m.]

3 BY [REDACTED]:

4 Q Thank you.

5 So that concludes our questions. I want to briefly touch upon your preparation
6 for this interview.7 How did you first learn of the committee's interest in conducting a transcribed
8 interview?

9 A When I got the letter from [REDACTED]. --

10 [REDACTED]. [REDACTED].

11 Mr. McKeon. -- [REDACTED] -- sorry -- by email, whenever that date was. It was in
12 late August, early September.

13 BY [REDACTED]:

14 Q And what was your reaction?

15 A Well, it was not a surprise, because, back in 2021 or 2022, Mr. McCaul had
16 put out statements and documents and sent letters to the Department asking for a list of
17 interviews with officials, and I think it tracks with the list of people who were asked to
18 come in this current round.

19 Q What kind of preparation did you take for this interview?

20 A So the team sitting down the table here, we've had some meetings -- some
21 with just my attorneys, some with a broader group -- not very long, 2 or 3 days' worth, a
22 couple hours each time.23 I've read some unclass- documents that are available on the internet and a
24 handful of unclass- documents that the Department provided to me that I had either
25 some role in creating or I was an original recipient of.

1 That's basically the preparation.

2 Q Thank you.

3 And I want to give you an opportunity to speak to what you are most proud of
4 about the withdrawal and subsequent evacuation.

5 A I'm proud of the fact that there was a historic evacuation of 124,000 humans
6 in a very short time period, include the embassy staff and the LES staff and a lot of Afghan
7 allies.

8 And the commitment and the ability that we had -- or the operation we undertook
9 to resettle the Afghans who came here in a very short time period. There were about
10 70,000 of them who were resettled in the space of less than 6 months, depending on
11 where you start the clock on when they came to the United States and when they all
12 were resettled in February of '22.

13 You know, in a good year in the Refugee Admissions Program -- before President
14 Trump, the Refugee Admissions Program would resettle about 70,000 people a year with
15 long lead times -- who's coming when, where are they going to go, what community
16 they're matched with, and all of that. And the government really stepped up and
17 performed a lot of small and medium miracles to get 70,000 people placed in
18 communities around the United States.

19 Q And what was your biggest regret, if anything?

20 A You know, obviously, we would've liked to have had more time to bring
21 more people out. You know, it's -- you'd have to be hard of heart to not feel that
22 burden, that not everyone got out that we wanted to get out.

23 ██████████. Well, we certainly appreciate you answering our questions
24 today.

25 On behalf of Chairman McCaul and the rest of the committee, as well as the staff,

1 thank you for appearing voluntarily. We have a lot more we could ask, but we
2 understand it's getting late, and appreciate your time and engagement with us.

3 Do you have any closing remarks?

4 Mr. McKeon. No. Thank you.

5 Mr. White. Thank you for the opportunity.

6 [REDACTED]. Of course.

7 We can go off the record.

8 [Recess.]

9 [REDACTED]. All right. We'll go back on the record.

10 Thanks again for being here voluntarily today. And since I know we may stand
11 between you and the end of this interview and getting your free time back, I'm going to
12 endeavor to be as quick as we can with some follow-on questions we have.

13 BY [REDACTED]

14 Q I want to expand a little bit on some earlier testimony you gave. You
15 testified that about 50 percent of your time during the NEO was spent on activities
16 related to the NEO. Is that correct?

17 A And it's a rough estimate. I mean, I was there from 8:00 a.m. to 10:00,
18 11:00, 12:00 most nights. So I don't know. It might've been less than 50.

19 Q Okay. But --

20 A Fifty being Afghanistan, 50 the rest of my job. It's a very rough guess.

21 Q But it was a significant portion of your time.

22 A Sure, because there were multiple meetings a day just on Afghanistan in the
23 interagency and/or with the Secretary.

24 Q And help us understand, what activities with respect to the NEO took up the
25 majority of that time that you were spending on it?

1 A You know, making sure, if post had requested something, like more consular
2 officers, that these requests were getting addressed.

3 Dealing with incoming from the NSC about specific people or populations.
4 Specific, like, you know, this bus is somewhere -- although they were also calling Kabul.

5 And then there were at least -- my recollection is, we often had two Deputies
6 Committee meetings a day. And then there was probably a Principals Committee
7 meeting or NSC meeting sprinkled in there sometimes. I would go to the DCs. I
8 probably went to the PCs with the Secretary. I'm not sure if I went to any meeting the
9 President was in, maybe one or two, but I don't recall. So there were just a lot of
10 meetings.

11 Q Okay. So, if I understand your testimony right now, roughly speaking --

12 A I guess the other thing I was doing was -- one of the other things I was doing,
13 not the only thing -- I would frequently walk down to the task force folks, although,
14 because of COVID and the size, they were not all in one place; they were in different parts
15 of the building. But I would frequently go to the area where the senior folks on the task
16 force were, which was just down the hall on the seventh floor, just to check in with them
17 and see what they needed. And sometimes, you know, on the fly there'd be
18 conversations, and then I'd go back and try to do something to help them.

19 And, in particular, there was a lot of focus from the Secretary and the White
20 House about the Americans -- ensuring we were in touch with them as much as possible,
21 what our fix was on that. And, you know, I'm sure you've heard this or read this, but
22 substantial work was parceled out to missions all around the world to call Americans at all
23 hours, particularly at big posts like Manila and Mission India.

24 Q Okay.

25 So, roughly speaking, your time involved essentially getting staff what they

1 needed, whether it was at Embassy Kabul or on the task force, to achieve the objectives
2 that had been set out for --

3 A Yes.

4 Q -- the Department in the NEO.

5 A And there were also, as is usually the way in these things, arguments
6 between us and the DOD about who was going to pay for what. I think some of that got
7 deferred -- some of the litigation on that got deferred until after August 31, but some of it
8 was in real-time, where DOD was signaling, you know, "State's going to pay for that."
9 And, you know, at certain times, my staff recommended and I agreed that we needed to
10 jump on it right away before it became a reality and all of a sudden we were getting a \$10
11 billion bill for reimbursement for something that we believed under the MOU was DOD's
12 responsibility.

13 Q Okay.

14 So the time that you spent on the NEO during the NEO, roughly speaking, involved
15 getting State Department personnel what they needed, whether in Kabul or in
16 Washington, to get the job done and pursue the priorities and objectives that had been
17 laid out, including prioritizing AMCITS and getting them out.

18 It also involved interagency engagement and maybe untangling some of these
19 challenges that you referred to about lines of responsibility and who would cover what
20 within the interagency.

21 And then the other bucket you referenced was with respect to special requests for
22 individuals to be evacuated from Afghanistan? Is that correct?

23 A Yes.

24 And then the other thing I mentioned -- it just occurred to me. You know, as we
25 discussed earlier, the so-called lily pads, the platforms in the Middle East and Europe

1 were set up very quickly. And so there were either logistical or human support issues,
2 getting people assigned. Because a lot of people at post just volunteer to go do it, but in
3 a couple places we needed an ambassadorial-level person to take the lead. And
4 sometimes there would be some issues that were sticky that they were confronting, and
5 they would call, out of the blue, the Ops Center or to talk to somebody on the seventh
6 floor. It wasn't always me, but I'm sure they talked to Under Secretary Nuland
7 sometimes. But just, kind of, ongoing guidance and help.

8 And Carol Perez was having a daily call with them, I think, to run through what
9 they needed in terms of support, scheduling flights, because we were paying for the next
10 stage of the flights, things like that.

11 Q And of the activities that you described just now, did you have any sort of
12 priority with which you approached them? Or was it more of a "get everything done as
13 soon as possible" with simultaneous priorities?

14 A Well, there was definitely a big push on making sure we understood -- or
15 trying to understand the universe of Americans in the country seeking to leave. And so
16 that was certainly a high priority; there was no mistake about that. It was an
17 all-hands-on-deck moment of doing as much as we could to make the operation succeed.

18 Q Okay.

19 With respect to American citizens as really a priority among your work during the
20 NEO -- I know you answered some questions on this previously, but I just want to be
21 crystal-clear for the record -- is it your testimony that, essentially, there was an effort by
22 the Department to assist Americans to leave Afghanistan by August 31 who had made it
23 known to the State Department that they wanted to leave, correct?

24 A Yes.

25 Q Because it's, obviously, an American individual's decision as to whether --

1 A Correct.

2 Q -- or not they want to leave.

3 And what was your recollection at the time in terms of how many Americans, if
4 any, had made themselves known to the Department as wanting to leave but were not
5 able to do so by August 31?

6 A My recollection of the number at the end of August was somewhere around
7 100 or in the low hundreds. But then somebody showed me the testimony from
8 November and it was up into the 200s.

9 Q So that leads to my next question, right? Is it possible that Americans
10 could've been in Afghanistan and not communicated to the State Department before
11 August 31, 2021, a desire to leave?

12 A Oh, sure.

13 Q And is it possible that some Americans could've gone to Afghanistan at any
14 point after August 31 of their own volition and then subsequently been in touch with the
15 U.S. Government for assistance leaving?

16 A I recall being told that people that they were in touch with post-August-31
17 had returned to Afghanistan.

18 Q So is it fair, then, to conclude that the number was dynamic over the course
19 of your tenure at the Department, in terms of Americans --

20 A Yes. I think I said that earlier today, but I'm happy to repeat it.

21 Q But your testimony was that this was a priority, to get AMCITS out, and, by
22 and large, I believe you described it as something that was not a promise broken. You
23 just testified now that it was a priority. Is that accurate?

24 A Yes.

25 Q Okay.

1 You mentioned the special requests that were coming into Washington and also
2 sometimes straight to personnel in Kabul for assistance evacuating individuals. Can you
3 tell us a little bit more about what those special requests were, what that entailed
4 generally?

5 A I mean, it'd have to be at a level of generality, because I can't remember
6 with specificity. But there was people advocating from here and in the Congress, and
7 even Mr. McCaul was advocating for a group of, I don't know, artists or athletes or
8 something.

9 Leadership of the U.S. Institute of Peace was calling around trying to get folks out
10 that worked with them.

11 Contractors. Contractors for other government agencies -- DOD, AID, what have
12 you -- who, again, might have qualified for P-1, P-2, but not necessarily.

13 And just a range of others who, as I said earlier, what they were doing in
14 Afghanistan, whether in 2020, in 2021, or in years prior, were consistent with the U.S.
15 overall objectives and mission and to help the Afghans create a new Afghanistan, so
16 artists, human rights advocates, writers, that kind of thing.

17 Q Okay. So potentially a wide-ranging set of requests --

18 A Very broad. Yeah.

19 Q -- special requests. And do you have a sense of roughly how many of these
20 requests you were aware of during the NEO?

21 A Many, but -- and, you know, there was also people doing private charters,
22 which I'm sure you've heard about.

23 Q We'll get to that in a minute.

24 A Yeah.

25 Q But how did you work on these special request cases when someone would

1 call you or --

2 A I would --

3 Q -- call the Department?

4 A -- pass them to the task force or I'd pass them to Kabul. But I think Kabul
5 had enough issues with people freelancing and calling them from around Washington,
6 including a Member of Congress who just showed up at HKIA without permission, to get
7 another call. And that was a Democrat. If you don't remember who it was --

8 Q We do.

9 A Yeah. And so I restrained myself from calling folks in Kabul. If they
10 needed to call me, that was fine, but they were getting enough phone calls.

11 Q And you restrained yourself and tried to limit the effects of this,
12 quote/unquote, "freelancing," because why?

13 A Because those people were working 22 hours a day, and they had a very
14 large task ahead of them, and I didn't think it was very productive for me to do rifle-shot
15 phone calls to people and say, please take care of this group.

16 Q Uh-huh.

17 A They were making judgments based on the situation on the ground and what
18 they knew and the realities of getting people into the gates and how it worked or not
19 worked, and I just didn't think that was my job, to tell them how to do that.

20 Q Okay. So you're saying that it was your intent to afford State Department
21 personnel on the ground during the NEO the flexibility and the space that they needed to
22 accomplish the mission.

23 A That was my goal.

24 Q What percentage of your time during the NEO was spent, roughly speaking,
25 on these special request cases?

1 A That would be hard to say. It wasn't a huge amount of my time. I mean,
2 my email was flooded. I'm not sure I ever got to all the emails. But I'm sure those
3 people went to other people as well. I don't know.

4 Q Were you aware of any instances in which somebody may have been
5 prioritized or pushed to be permitted to evacuate in the NEO who, but for the advocacy
6 from someone calling the Department, wouldn't have been eligible or wouldn't have
7 qualified to evacuate?

8 A I'm not aware of any specifics. And, you know, as I said earlier, I think, in
9 response to the majority's line of questioning, you know, the definition of "Afghan allies"
10 is pretty broad, potentially, right? And the decision criteria evolved about who would be
11 admitted to the airport and who would be evacuated.

12 You know, there's essentially guidance given that anybody -- obviously anybody
13 with a passport, people who can prove that they were in the SIV pipeline, and other
14 people who could show some nexus to our commitment and the American program and
15 projects, there was more latitude given in the guidance to the field.

16 Q Uh-huh. And the latitude was given for what reason?

17 A I mean, this was a decision led by the NSC.

18 So can I talk about the reasons?

19 ██████████. To the extent you know them.

20 Mr. McKeon. Yeah.

21 I mean, I think the general reason is, we knew we had a limited amount of time.
22 As we got closer to the August 31 date, the intelligence was pretty clear that ISIS-K was
23 planning something, so we knew we were running out of time. And so we didn't want
24 opportunities -- if people were able to get themselves to the airport and show that they
25 had some nexus, as I said, I think the decision was to let them in.

1 Q So is it fair to say that the administration -- or, at least, you and other
2 officials that you were in contact with -- your intent was to do as much as you could as
3 fast as you could to evacuate as many people as you could?

4 A That's a fair statement.

5 Q And what is your assessment of the Department's success on that front?

6 A Well, I think I discussed it a little bit previously. The evacuation of 124,000
7 people -- obviously, they're not all Afghans; there were Americans and other foreign
8 nationals -- was an amazing logistical achievement that has never occurred before.

9 And as I said in the last question that ██████ asked, obviously, you know, we didn't
10 get everyone out, so -- I said what I said about that.

11 Q But you did get 124,000 out.

12 A Yes.

13 Q Okay.

14 Let me pivot to the private-charters thing you mentioned. I was going to ask you
15 if you were aware of any evacuation efforts undertaken by private groups. It sounds like
16 you were. Can you describe these private charters that you were aware of?

17 A I mean, there were benefactors or NGOs that chartered aircraft to evacuate
18 groups or people who would fit in the categories that we've discussed -- the broad
19 definition of "Afghan allies."

20 And there was coordination on the ground and from Washington -- but I think it
21 was primarily on the ground -- that, essentially, the decision was, if the military team
22 managing the flow of the aircraft could manage it and we assessed the bona fides of this
23 organization bringing in this charter, they were going to get a landing slot to come in.

24 Q So, for these sorts of private evacuation efforts that you became aware of
25 during your time in Kabul, did you or State Department personnel that you were aware of

1 engage those private groups to try to coordinate and facilitate those --

2 A No, I didn't --

3 Q -- private evacuations?

4 A -- personally. It was kind of the same as the other special requests that I
5 was getting. I was pushing it to where it belonged, people who were doing that
6 hour-to-hour work.

7 Q And, by and large, if these private efforts were known to the Department,
8 there was an effort made to incorporate them into the outflow at HKIA?

9 A By and large, I'm sure it's the case. I suspect it's the case that not every
10 plane that wanted to come in got in, for whatever reasons, but I don't remember the
11 details.

12 Q Were you aware of any instances in which private evacuation efforts were
13 undertaken independently of the State Department or without the knowledge of the
14 State Department?

15 A What I -- I mean, I don't know that that ever happened with regard to planes
16 going into Kabul. I vaguely recall that where those planes went -- which was not Qatar
17 or the UAE or any of the European bases, but they went to other third countries -- those
18 conversations and arrangements with the foreign governments, a lot of the -- and the
19 people chartering the aircraft had those conversations. Sometimes they wanted to get,
20 kind of, the blessing of the State Department to engage the foreign government to do
21 that.

22 So I think there were some planes that landed in other third countries that I'm not
23 sure we knew was going to happen until it happened.

24 Q Were you aware of instances in which private evacuations were undertaken
25 to move people who were not eligible for admission to the United States?

1 A Well, I'm aware of -- the one example I would give you that I recall -- and I
2 think I spoke to it in the November 2021 hearing. There were groups trying to get
3 aircraft into Mazar-i-Sharif and then bring them to Qatar.

4 And the reason they were trying to do that is, they wanted to get these people
5 into our system, the evacuation system that was operating then. And the airline
6 company they were using was, I think, a sketchy Afghan airline -- maybe that's not a
7 polite term -- an Afghan airline that had a bad safety record and couldn't land anywhere
8 in the European Union. So they had to go somewhere, and they wanted to come to
9 Qatar. And, you know, our view was, because of our commitment to the state of Qatar,
10 once those people landed in Qatar, we own them. And we had no ability to valet (ph) a
11 manifest in Mazar.

12 And we had circumstances where people were calling the Department to say,
13 "We're bringing a charter in to Mazar, and we've got X number of Americans. Why can't
14 you help us?" And the challenge there was, they would send us the passport
15 information, and we would call the contact information the Consular Affairs had from the
16 passport records, and we'd find a significant number of these Americans who were in the
17 United States. So we started to be suspicious about the bona fides of these people.
18 And some of these flights were, you know, 2 Americans and 80 Afghans that we had no
19 idea who they were.

20 So, yes, that was a concern.

21 Q Okay.

22 And what impact did those sorts of private evacuation efforts have on the
23 Department's overall ability otherwise to conduct an orderly evacuation of eligible
24 individuals?

25 A It added to the complexity of an already-complex undertaking.

1 Q Fair enough.

2 If you'll indulge me very quickly, I know we've spent a lot of time on SIVs, but I just
3 want to be crystal-clear.

4 You testified earlier that the number of SIVs in the pipeline, in the processing
5 pipeline, at any moment is dynamic. Is that correct?

6 A Yeah. I think it changes all the time, because people were applying and
7 people were falling out. So, yes, it's not a static number from week to week.

8 Q Okay.

9 And you testified, I believe, already that there were longstanding challenges to the
10 SIV program, including foot-dragging by the Department of Defense on employment
11 verification, congressional constraints on the number of SIV visas available, and a
12 slowdown in SIV processing under the Trump administration, correct?

13 A I mean, I don't think the number of authorized visas was really a limiting
14 factor, because we had unused ones from prior fiscal years. But the other things you
15 described, yes.

16 Q Okay. And those were challenges that you took direct action to address
17 during your tenure?

18 A Yes. But, you know, that work was underway, because the President issued
19 a directive in early February, so it was underway before I got there.

20 Q The President's directive in early February was to improve --

21 A To push forward on the SIV program and streamline to make it more
22 efficient.

23 Q Great.

24 And you were asked some questions in the earlier round about the CARE team and
25 efforts that CARE has worked on to get people out of Afghanistan subsequent to August

1 31, 2021. With respect to those efforts, you named a number of challenges that the
2 CARE team has had to work through. I just want to make sure we've got them.

3 These include objections by the Taliban to what the CARE team wants to
4 effectuate? And squabbles among other countries about --

5 A Trying to get the contract to run the airport.

6 Q Okay. Anything else?

7 A I know I said some other things. Do you want me to try to remember
8 them?

9 Q It's okay.

10 A I also, to be a little bit cynical here, thought that maybe not enough money
11 had passed in Kabul to the right people to get the airport contract going.

12 Q Meaning that corruption in Afghanistan may have been undercutting the
13 efforts that the USG was trying to effectuate?

14 A Yeah, I guess that's the more precise way of saying it.

15 Q All right.

16 I also want to pivot to the Contingency and Crisis Response Bureau that you were
17 asked about previously. And I believe you testified that it wasn't made into a bureau
18 under the Biden administration, and you spoke to your recommendation to the Secretary
19 that it not become a bureau.

20 Were you aware, at any point during your tenure and your review of this proposed
21 CCR Bureau, of congressional holds on the Department's prior notification that it would
22 be standing up this bureau?

23 A Yes. I believe I said that earlier.

24 Q Were you aware of whether these holds were bipartisan in nature?

25 A I think I was. I knew it was on both sides, but I think it was --

1 Q Uh-huh. And bicameral?

2 A When I say "both sides," I mean bicameral. And I thought I was told it was
3 both parties, at least in one of the houses.

4 Q And did you have a sense of what the concerns were that were underlying
5 these congressional holds in the Trump era to stand up the new bureau?

6 A I didn't have a great sense of what the continuing concerns in Congress
7 were. Perhaps they track with the concerns that we had and that were discussed in the
8 review, which was, first, it was going to really gut the Bureau of Medical Services, which is
9 an important office that provides medical support for not just State Department officers
10 but anybody deployed and assigned to a United States mission overseas and their
11 families. And so -- and I'm sure Carol Perez gave you more details on this, but it was
12 going to take a big chunk of their budget.

13 Q And their workforce?

14 A And some of the workforce, yeah.

15 My understanding of the conception of it was that it was not even -- despite the
16 name, Crisis and Contingency Response, it wasn't going to be a turnkey operation to do
17 crisis management for the Department.

18 The Operational Medicine Unit within the Bureau of Medical Services, as I
19 understood it, provides medical support in nonpermissive environments and helps
20 evacuate people who have a medical issue at post that can't be handled in that country or
21 a nearby country. So they had, at the time -- I don't know what they have now -- a
22 handful of planes on contract on standby for this purpose.

23 So it's not like there was a whole fleet of planes that could've gone into action in
24 Kabul. And, in any event, before the request for military assistance for a NEO, the
25 airport was open, the A Bureau was able to charter aircraft, and that's exactly what we

1 did in Operation Allies Refuge.

2 Q And were there commercial aircraft going in and out of Kabul as well?

3 A Yeah, at the time. I mean, up until very close to August 14th, yes.

4 We hit a little bit of a hiccup in our government when the FAA came up on the net
5 and said they were going to issue a Notice to Airmen about flying over Afghanistan and
6 the territory of Afghanistan. So we were a little worried that that was going to lead to a
7 pretty big spike in insurance rates and make it harder for us to contract the aircraft to
8 take out the folks under Operation Allies Rescue.

9 I think, ultimately, the Administrator did issue the NOTAM, but I guess the state of
10 Qatar decided they were less concerned about it.

11 I had another thought, and now I'm --

12 Q I interrupted you. We were speaking of your concerns --

13 A Oh, yeah.

14 Q -- about standing up the CCR Bureau.

15 A There was an element, at least as I understood it from what I heard
16 from -- or what I read in the papers and I remember from Dr. Walters, that they had all
17 these people they wanted to get trained and firearm-certified to go out into extreme
18 situations with DS and get some specialized training. That was unusual for medical
19 personnel.

20 Q To be armed?

21 A Right. And the training was, like, 3 months. It was not, like, a 2-week
22 course. And DS, of course, was not really excited about this for reasons you can
23 understand.

24 Q So was your sense during the review that these concerns were expressed
25 across the Department by different bureaus and offices that would've been impacted by

1 the standing up of a CCR Bureau?

2 A Yeah, I mean, all the relevant bureaus and offices that would've been
3 impacted by the decision were consulted during the review, as well as, you would expect,
4 L and BP because of the budget aspects of it. And I don't remember anybody other than
5 Dr. Walters and some of the folks who worked for him who were advocating it.

6 Q And just for the record, who was Dr. Walters?

7 A He was the head of this unit in the Bureau of Medical Services called
8 Operational Medicine.

9 Q OpMed for short?

10 A OpMed, yes.

11 Q And what was his reputation, as you were aware of it?

12 A Well, I mean, what I understand, before I got there and then also when we
13 were deploying the vaccines to post, OpMed, working with the A bureau and the M front
14 office, did a very good job at getting the vaccines out to posts.

15 I don't know what you mean by "his reputation."

16 Q If you are aware of his professional reputation in the Department.

17 A I don't really want to personalize it, which maybe is not a part of your
18 question.

19 Q That's fair. We can continue.

20 Is it correct that the proposal to stand up the CCR Bureau would have entailed
21 putting him at the head of that bureau?

22 A Well, Secretary Pompeo had appointed him. I don't know if it was to the
23 Assistant Secretary-equivalent position or just -- I'm not clear on that.

24 I don't know if you remember, [REDACTED].

25 I certainly think he thought he should be.

1 Q And --

2 A But no -- I mean, no decision had been made by Secretary Blinken, because
3 there had been no decision to proceed with the bureau.

4 Q Fair enough. But, in your understanding, had he become the head of a new
5 CCR Bureau, would that have constituted a promotion from his current job at the time as
6 head of OpMed?

7 A Well, yeah, if he's running a new bureau and he's not running the Bureau of
8 Medical Services. So, yes, he'd be the head of a bureau, whether he's got the Assistant
9 Secretary title or some other AS equivalent since Congress has capped the number of
10 Assistant Secretaries.

11 Q And were you aware that he left the Department in the middle of 2021?

12 A He left not long after the decision was made. I don't know when he left.
13 The decision was made in June or July. And I was the one who informed him of the
14 decision.

15 Q And you earlier referred to the memo that you wrote that had been leaked.
16 I have to say, I have actually not seen that in any --

17 A Well, maybe it's just the cover page, but I've seen it on --

18 Q So when was that memo leaked, to your recollection?

19 A It was before my hearing in November of 2021, because I remember the
20 committee asked me about it.

21 Q But it was after the decision, obviously, that you made -- or, the
22 recommendation that you made and the Secretary's decision --

23 A I don't know if it was simultaneous with the decision or after.

24 You know, there's a software program where memos are uploaded for processing
25 and editing. So, unless it's restricted in some way, any bureau that's clearing on the

1 package has access to it.

2 Q Okay.

3 A Now, I think they had a copy of the one that I initialed or the Secretary
4 initialed, so I'm not sure how that leaked.

5 Q So, essentially --

6 A But anybody who was part of the review and would've reviewed the decision
7 memo and written papers relevant to the review, I think, would've had access to the
8 decision memo.

9 I don't know that for sure, because I never use the system. Other people did.
10 They presented me with printed-out packages. But I assume that's how it got
11 leaked -- that somebody who didn't like the outcome pulled it from the system and put it
12 out.

13 Q Okay.

14 A Maybe they didn't have the Secretary's initials on there. I don't know.

15 [REDACTED]: They wouldn't have access to --

16 Mr. McKeon. They wouldn't have access to the initialed version. Okay.

17 BY [REDACTED]:

18 Q Okay. We won't belabor that further then.

19 Do you have questions?

20 [REDACTED]: Uh-huh, I do.

21 [REDACTED]: Okay.

22 BY [REDACTED]:

23 Q The last things I want to ask you -- give me a minute here.

24 When did you conclude your tenure as DMR?

25 A December 31, 2022.

1 Q Did you debrief or have an exit interview with any Department officials?

2 A Sorry. I'm texting the Member of Congress who told me to stop by if I was
3 done by a certain time. I didn't meet her deadline.

4 Debrief with any officials?

5 I mean, I had regular conversations with John Bass about issues that he was going
6 to take over as Acting DMR for the period until Mr. Verma was confirmed, which ended
7 up being about 3 months, I think. And so, you know, there were pieces of the job, like
8 managing the budget squabbles that go on all the time, that John was only aware of from
9 the lens of BP, because BP is under M, but the Directorate of Foreign Assistance is not.

10 So I'm sure I talked to him about that and some other issues that he would not
11 have had visibility into. But anything in the M family he had.

12 Q Okay.

13 A I had some conversations with Rich Verma before he was confirmed, just to
14 give him my perspective on some issues.

15 Q Great. Thank you.

16 And you previously testified that you were interviewed as part of the After Action
17 Review. Is that correct?

18 A Yes.

19 Q Were there any resources or support that you offered to Department
20 employees upon their return from Kabul after the NEO?

21 A I mean, I know that -- as an entity, I don't know that it was my idea or
22 whether somebody needed me to approve something, possibly -- there was certainly a
23 sense that there were going to be people who might need some mental health counseling
24 who'd gone through a very challenging experience. And I think there was a lot of
25 messaging about that, including from the Secretary, that people should not be afraid or

1 ashamed to step forward and ask for help.

2 And then there were people who had been assigned to Embassy Kabul who
3 needed jobs, right? So they were initially -- I think we created an entity in the
4 Department that was colloquially referred to as "Kabul West" where some of those folks
5 were, if they didn't go to the Doha AAU.

6 And then some of those people ended up migrating to the CARE team. And then
7 others in the Foreign Service went to -- you know, they found other jobs, either longer
8 tours or so-called Y tours. Are you familiar with what a Y tour is?

9 Q Is it your assessment that you and other individuals who served during the
10 withdrawal and evacuation received adequate support from the Department?

11 A Based on what I know, yes. I don't know of people who expressed
12 concerns that they didn't receive adequate support, but that doesn't mean it didn't make
13 its way to me.

14 ██████████: Thank you.

15 Any further questions?

16 ██████████: No.

17 ██████████: No further questions.

18 On behalf of Ranking Member Meeks and the minority staff, we would like to
19 thank you very much for your service, including your testimony here today.

20 If there is anything else you would like to share with us, we'd be all ears.

21 Otherwise, we can conclude our round.

22 Mr. McKeon. Nope, I'm good. Thank you.

23 ██████████: Thank you very much.

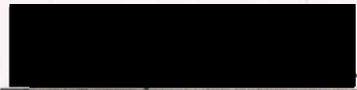
24 We can go off the record.

25 [Whereupon, at 4:56 p.m., the interview was concluded.]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Certificate of Deponent/Interviewee

I have read the foregoing 186 pages, which contain the correct transcript of the answers made by me to the questions therein recorded, *subject to the errata and clarifications I submitted through counsel this day.*



Witness Name

12/18/2023

Date

Errata Sheet for the Transcribed Interview of Brian McKeon
dated 11/29/2023

1) majority errata, (2) minority errata, (3) State/agency counsel, (4) private counsel (as applicable) and witness errata

Page	Line	Change	Reason
Universal		Change “Rock Drill” to “ROC Drill” and “Rock Drills” to “ROC Drills”	
2	6	Change to [REDACTED]	
2	7	Change to [REDACTED]	
2	9	Change to [REDACTED]	
10	7	Insert “Deputy” after “other”	
10	15	Insert “and” after “management”	
12	13	Strike “readings” and insert “read-ins”	
16	18	Insert “that” after “work”	
17	2	Strike “site” and insert “side”	
23	2	Insert “the first” before “6”	
28	24	Change “in extremis” to “in <i>in extremis</i> ”	
37	10	Insert “/” between the two letters “SP”	
38	12	Insert “/” between the two letters “SP”	
40	13	Change “So the minority will be asking” to “The minority will now ask”	
40	17	Strike “on November 21st and also on –”	
40	19	Change “the first being in an open hearing space and the second in a classified” to “the first in an open hearing, and the second in a classified”	
40	21	Strike “on these issues”	
40	23	Change “fleshing out our record on the minority's side and ensuring we're latched up with anything needed appropriately.” to “fleshing out the minority’s record and ensuring we’re latched up appropriately.”	
41	3	Change “I wanted to discuss” to “I want to discuss”	
41	13	Change “we believe that began by the Trump” to “we assert that it was spurred by the Trump”	
42	6	Strike “a bit more on”	
42	7	Change “as your tenure” to “about your tenure”	
43	4-5	Change “in extremis” to “in <i>in extremis</i> ”	
44	16	Change “The two titles are irrelevant” to “there are two titles that are relevant”	
44	17	Insert “staff” before “position”	
45	18	Strike “they”	

46	21	Change “or” to “of”	
46	21	Insert “; it” after “Defense Department”	
46	23	Insert “;” after “defense”	
46	23	Change “Those” to “those”	
47	1	Change “for” to “or”	
47	24	Strike “you”	
51	25	Strike “Okay”	
53	11	Insert “without” after “memo”	
56	22	Change “Feely” to “Feeley”	
56	23	Insert “A-” before “100”	
58	12	Change “genuine” to “green”	
58	2	Change “individual” to “individuals”	
59	23	Insert “;” after “Secretary”	
59	23	Insert “the” before “director”	
81	1	Change “and” to “in”	
94	21	Change “at the SD” to “at OSD”	
99	24	Insert “started” before “before”	
103	23	Change “au pairs” to “LPRs”	
107	7	Change “related to the Biden” to “of the Biden”	
107	10	Strike “Do you understand or”	
108	9	Change “did you review the assessment as it was conducted?” to “did you asses it?”	
111	8	Change “read into” to “read-in to”	
111	19	Strike “So when you mean –”	
119	17	Change “about the trip you testified regarding Ambassador Perez” to “about Ambassador Perez’s trip”	
135	18-19	Change “National Security Agency” to “national security agencies”	
135	22	Strike “really”	
138	2	Insert “a” before “COCOM”	
144	9	Insert “,” after “used” and after “Refuge”	
162	24	Change “Afghans” to “Qataris”	
163	4-5	Mr. McKeon answered in the interview, “So I had no interactions with officials of the [S]tate of Qatar on that trip.” After the interview, Mr. McKeon remembered that “[he] participated in the groundbreaking ceremony for a new U.S. Embassy in Doha on May 9, 2022. During that event, [he] exchanged pleasantries with a few Qatari officials in attendance, but these did not involve substantive diplomatic exchanges.”	
164	21	Strike “a” the first time it appears and Insert “the”	
169	2	Change “volunteer” to “volunteered”	
176	10	Change “valet (ph)” to “validate”	

176	15	Strike "the" the second time it appears and Insert "that"	
184	9	Change "Directorate" to "Director"	