

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BASSEM YOUSSEF,

Plaintiff,

v.

FEDERAL BUREAU OF INVESTIGATION,
et al.,

Defendants.

Civil Action No.
1:03CV01551 (CKK)

Wilmington, Delaware

March 18, 2005

Friday,

DEPOSITION OF:

LOUIS J. FREEH

called for examination by counsel for the plaintiff,
pursuant to notice of deposition, in the Executive
Offices of MBNA America Bank, 1100 North King Street,
Wilmington, Delaware, when were present on behalf of
the respective parties:

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APPEARANCES

On Behalf of the Plaintiff:

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On Behalf of the Defendants:

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ALSO PRESENT:

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I-N-D-E-X

WITNESS: DIRECT CROSS REDIRECT RECROSS

Louis J. Freeh 6 68 71

EXHIBITSIDENTIFIED

1	Photo of four people	12
2	Career board file	20
3	Division Head Comments, dated 5/29/03	26
4	Teletype, Freeh to State, dated 1/17/97	30
5	Memo, Criminal Investigative IRS to Riyadh, dated 11/03/98	48
6	Excerpts before Senate Select Committee on Intelligence Freeh testimony on 10/8/02	51
7	Special Agent Mid-Level Mgmt. Selection Board	58
8	Inspection Report re Legat,Riyadh	59

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P-R-O-C-E-E-D-I-N-G-S

10:14 a.m.

Whereupon,

LOUIS J. FREEH

a witness, was called by Counsel for the plaintiff, and
having been first duly sworn, was examined and
testified as follows:

DIRECT EXAMINATION

BY MR. KOHN:

Q Judge Freeh, would you please state your
name and address for the record?

A Yes. Louis Joseph Freeh, F-R-E-E-H, 1100
North King Street, Wilmington, Delaware 19807.

Q And you reside in Wilmington, Delaware?

A Yes.

Q This is a deposition in the case of Mr.
Bassem Youssef. And my name is Steve Kohn, attorney
for Youssef.

A Yes.

Q And you're an licensed attorney?

A Yes.

Q And have you ever taken depositions?

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1 A And you're generally familiar with the
2 rules that govern them?

3 A I am.

4 Q And are you represented here by counsel?

5 A No. Well, I should say I am. I'm here
6 with the Department of Justice attorneys who I've
7 discussed the case with very briefly. And they are
8 appearing on behalf on the Department of Justice in
9 connection with my deposition.

10 Q And what's your current job?

11 A I'm the general counsel from MBNA Bank,
12 which is a Delaware corporation, a national bank.

13 Q And prior to that where did you work?

14 A I was Director of the FBI from 1993 to
15 2001.

16 Q And before being the Director of the FBI,
17 what position did you hold?

18 A I was a judge, a District Court Judge in
19 New York City, 1991 to 1993. And prior to that I was an
20 Assistant U.S. Attorney in New York Attorney's
21 Office, Southern District New York, 1981 to 1991. And
22 prior to that I was an FBI agent from 1975 to 1981.

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1 Q And as the Director of the FBI, did you
2 have any involvement in what's know as the Legat
3 Program.

4 A Legat Program. Yes, sir.

5 Q And just briefly, what was your involvement
6 with the Legat Program?

7 A Well, you know as Director one of my
8 responsibilities was to appoint FBI Legats, and that
9 was a selection process that would take place at
10 headquarters. The FBI Director would ultimately select
11 the Legats as well as what we would call the assistant
12 Legats for the program.

13 The other involvement I had over the years
14 as Director was establishing and opening up new Legat
15 offices. And that was a long process that required
16 discussions with the Department of State, the White
17 House, other federal agencies, the countries where we
18 were intending to place Legats. And in that period of
19 time we opened a number of Legats, so that was part of
20 the responsibility of the Director.

21 Q And did you view the Legat program as an
22 important program for the Bureau?

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1 A Yes.

2 Q Why?

3 A Well, in a world where our responsibilities
4 are not only transnational but international and the
5 development of, you know, what we call globalized crime
6 whether it was organized crime drug trafficking,
7 terrorism, financial crimes, you know moving from a
8 U.S. platform to an international platform required the
9 FBI in my view, and the view of many others, to have
10 liaison in many more countries than we had had
11 previously.

12 Q Now you said that you personally would make
13 the decision to appoint a Legat to a particular office?

14 A Yes.

15 Q What were the types of qualifications you
16 were looking for for persons who would take that
17 position?

18 A Well, I mean there would be a number of
19 different factors. The main factor would be the
20 ability of that candidate to understand and perform the
21 functions on behalf of the FBI as the main liaison with
22 the host country, police authorities as well as the

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1 security authorities. So you would want a very
2 experienced agent, someone who had, you know, good
3 investigative credentials.

4 You would want someone who had many of the
5 qualities that we would want for foreign liaison, which
6 means the ability to deal with a wide variety of
7 different agencies in our own embassy as well as the
8 foreign government. So you would want some good liaison
9 skills, good personal skills.

10 You would want good judgment. You would
11 want maturity.

12 The language would be very important, not
13 essential, in many of the countries. Because we were
14 opening up new countries, we didn't have qualified
15 language speakers the Legats. So that would not be a
16 requirement, it would certainly be a preference.
17 Language, therefore, would be very important.

18 All those factors, you know, and
19 suitability, reputation. Obviously, the reliability of
20 someone who would be representing not just the FBI, but
21 the United States in a very sensitive setting. All of
22 those would be important factors.

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1 Q And were you also involved with the FBI's
2 counterterrorism program?

3 A Yes.

4 Q And how involved were you with that aspect
5 of the FBI?

6 A Well, I mean it was one of our major
7 programs, even beginning in 1993 when I became
8 Director. As, you know, the number and complexity of
9 cases developed over the years, the program grew. We
10 ultimately set up a separate counterterrorism division
11 in 1999. It was an integral part of our Legat program,
12 our foreign liaison program.

13 We grew it substantially over the period of
14 1993 to 2001, doubling the number of people involved,
15 tripling I think the budget at one point up to 2001. So
16 it became a very important and a very essential program
17 given the responsibilities, the increasing number of
18 terrorist acts. East African Embassy bombings, USS
19 COLE, obviously, Khobar. You know, they made this
20 program a very critical one and a very prominent one
21 back in headquarters.

22 Q And in terms of your personal involvement,

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1 was the counterterrorism a program that you essentially
2 delegated to others or were you directly involved with
3 managerial aspects?

4 A No. I mean, we had a whole division at the
5 point that I left of counterterrorism, including an
6 Assistant Director. And then section managers all the
7 way down to case squads around the United States. So I
8 didn't -- I wouldn't say I directly managed the
9 program. I oversaw it as I oversaw all the programs of
10 the FBI, as well as the administrative functions.

11 Q Do you know a Mr. Bassem Youssef?

12 A Yes.

13 Q And how did you first become aware of Mr.
14 Youssef?

15 A I think in connection with the
16 establishment of the Legat in Riyadh, as best I can
17 recall. Certainly met him and came to know him after he
18 was appointed as Legat. And I couldn't recall the exact
19 circumstances under which we met, but I think it was
20 probably in connection with the establishment of the
21 office. A lot of the previous work leading up to the
22 office because of his -- his knowledge of the language,

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1 his experience as an agent. I would connect it with
2 that, but you know there may be other circumstances
3 under which we specifically met, but I don't recall.

4 Q I just want to call your attention to in or
5 about 1994. Do you remember at all attending -- what
6 is the DCI Award?

7 A The Director of Counter Intelligence
8 Award?

9 Q Yes.

10 A Yes. It's an award, I think, that the
11 Bureau sponsors.

12 Q And do you know what the selection process
13 or how people are chosen for that?

14 A Not specifically, no.

15 Q Within the intelligence communities is that
16 considered prestigious?

17 A Yes. It's a recognized award.

18 Q Do you remember at all in, I believe, 1994
19 attending the DCI Award ceremony in which the award was
20 given to Mr. Youssef?

21 A I don't specifically recall that, no.

22 Q Okay. I think he said it would the

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1 Director of Central Intelligence.

2 A Okay. So that was a CIA award?

3 (Whereupon, the document was
4 marked as Exhibit 1 for
5 identification.)

6 MR. KOHN: I'm going to have marked as
7 Exhibit 1 a Xerox of a photograph of Mr. Youssef and
8 Judge Freeh and with members of Mr. Youssef's family.

9 And I'll just state for the record this is
10 a photograph of when Mr. Youssef got the DCI Award and
11 you were present. And it was a photograph taken.

12 BY MR. KOHN:

13 Q Does that refresh your recollection at all
14 as to this?

15 A Yes, I mean it does. I -- I certainly
16 remember meeting his family. I wouldn't initially have
17 put it at this ceremony, but I do remember meeting his
18 family, yes. Obviously, the picture reflects my meeting
19 there.

20 Q And do you have any recollection what he
21 was given that award for?

22 A I'm sorry, I don't.

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1 Q You mentioned that you first remember him
2 through him as a Legat. What do you remember about
3 that; how his name came to your attention and the
4 process for that?

5 A Well, I mean, he was in the Legat package
6 that was presented to me. We have a selection board.
7 And Bassem's name together with some additional
8 candidates were put in that package after a selection
9 and review process that would be designed to give to
10 the Director three or four qualified candidates for
11 Legat. And I selected him at that particular time. It
12 was the first agent that we were sending to Saudi
13 Arabia, as I recall.

14 Q This Saudi Arabia post, why was that
15 created?

16 A Well, it was created as a integral part of
17 our counterterrorism program and strategy. When I
18 became the Director, we were talking about
19 counterterrorism it -- it surprised, I guess, that we
20 didn't have offices in Cairo and Riyadh, Tel Aviv,
21 Islamabad, places like that. So one of the things that
22 I did early on was the sort of process where we would

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1 establish those embassies.

2 My view was, you know, we couldn't cover
3 those kinds of programs with countries on the level
4 with Saudi Arabia out of Rome, which is I think what we
5 did at the time. It was just, you know, the agents
6 would get there once or twice a year, if that, and they
7 had no personal relationships with the in-country
8 services. So not just because of the OPM-SANG bombing
9 and the Khobar case, it was clear that we needed
10 physical presence of liaison agents in those countries.

11 Q And as I understand it Mr. Youssef would
12 have to open up an office, establish a new office
13 there?

14 A Yes.

15 Q And if you know, in terms of difficulty do
16 you think it would be harder for an agent to come into
17 a nation and establish a new office or if there was one
18 already present to come in and take over a continuing
19 operating office?

20 A Yes. Well, I guess it would depend on the
21 country. I mean, there were some countries we opened
22 offices up where, I mean, the host countries were so

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1 thrilled and excited about getting us there, like in
2 Warsaw, that you know it was a very easy, almost
3 mechanical process.

4 Saudi Arabia was a much more challenging
5 process. So I would probably describe that as a much
6 more difficult understanding then, you know, either
7 filling a ongoing Legat office or putting one in a
8 country where, you know, all the circumstances made it
9 just a much more hospitable event.

10 Q And if you can briefly describe some of the
11 circumstances that would make Saudi Arabia a more
12 challenging office to open for the FBI at that time?

13 A Yes. Well --

14 MS. WELLS: Object to form.

15 THE WITNESS: I think the -- you know, the
16 main -- the main challenge there was we had never -- we
17 had never had a relationship with the Mabahith, the
18 equivalent of federal police, the security service
19 there which performs the function of the federal
20 police. I mean, there was no liaison to speak of. We
21 had some connections through Rome. We had some
22 connections through the CIA and RSO and the Embassy,

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1 but there was no relationship there. So that as the
2 hardest thing. This was a service that didn't know the
3 FBI. We didn't really know them. There was no ongoing
4 relationship, I don't think, any base point of trust to
5 start from. So, I mean, it was -- it was a difficult
6 undertaking.

7 BY MR. KOHN:

8 Q And in terms of the cultural issues, the
9 differences, say, the way Saudi government viewed
10 American law enforcement or certain activities with the
11 American cultural issues, did that pose any particular
12 problems?

13 A Yes. I mean, a lot of their -- you know, a
14 lot of their equivalent criminal process we would call
15 it, you know, is tied up in Shari'a, which is the
16 religious law, religious courts as opposed to civilian
17 courts.

18 You know, the notion that FBI agents could
19 perform even assisted -- Saudi assisted interviews or
20 do any kind of operational activities in the country
21 was something that was very strongly resisted for a
22 long time. They didn't understand our process. They

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1 didn't understand the fact that under all rules, for
2 instance, of information that they gave us in many
3 cases would have to be turned over to defendants in a
4 criminal case in discovery.

5 So, I mean it is very -- you know foreign
6 in the proper sense of the word; processes and
7 procedures and expectations and understandings of each
8 other's process. So that's -- that's what the liaison,
9 you know, difficult.

10 Q And prior to Mr. Youssef taking that
11 position, were there what I would call either
12 misunderstandings or tensions between the Saudi Arabian
13 government and the United States on issues such as
14 access to suspects in various terrorist activities that
15 related to the United States?

16 A Yes, before and after. I mean, there was a
17 continuing series of difficulties in, you know, making
18 requests that would be fulfilled by the Saudis in a
19 manner that we could, you know, use the information or
20 the evidence that they were providing. I mean, it was a
21 constant back and forth and negotiation and discussion.
22 And sometimes, you know, I would have to go very senior

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1 levels of the Saudi government to get particular
2 requests addressed because they were either not
3 understood or not accepted at lower levels -- senior
4 levels but levels beyond -- below the top government
5 officials.

6 Q And at the time of his appointment were
7 there any particular issues outstanding related to the
8 Khobar Towers terrorist attack?

9 A Yes. I mean, for a long time we were trying
10 to get access to witnesses who had been detained by the
11 Saudi government and who we thought had information
12 relative to the attack. And we wanted that FBI agent -
13 - I wanted FBI agents to be able to interview them
14 directly and do that with the understanding that not
15 only would the information be used, but there may come
16 a point where we'd actually need to take the deposition
17 testimony or provide these individuals as witnesses in
18 an American proceeding. And that was a very difficult
19 concept for the Saudis to understand: (1) because it
20 was a request being made as they were in the middle of
21 their process, which was a religious court process and
22 they were very concerned about FBI contacts tainting

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1 their process or interfering with their process and
2 didn't understand why we couldn't just interview them,
3 take the information, bring it back to our court. We
4 were explaining to them that, you know, we had to have
5 direct access and that ultimately they might have to
6 appear in court or we might have to take their
7 deposition with defense counsel and defendants present
8 electronically or whatever. And those were very
9 difficult concepts for them to understand.

10 Q Now, at the time you were in your mind
11 selecting who would be the first Legat in Saudi Arabian
12 representing the FBI, I mean was that a given, the law
13 enforcement needs of the United States? Was that an
14 important appointment?

15 A Yes.

16 Q And was that one that you wanted to be very
17 careful that the person was the right person for that
18 job?

19 A Yes.

20
21
22 -- PGS 20 - 22 REMOVED, SUBJECT TO PROTECTIVE ORDER -
23

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1 Q Now, at the beginning when I asked you
2 questions about the general qualifications for Legat,
3 and you mentioned liaison, you mentioned good working
4 relations, a number of things, why would experience in
5 international terrorism be important? Why not just put
6 someone who has had a really strong recognized liaison
7 background and let him learn international terrorism
8 while in Saudi Arabia?

9 A Well, I'm not saying you couldn't do that.
10 I mean, if we had an -- you know, an outstanding
11 criminal investigator who had no particular
12 counterterrorism experience and no other candidate, you
13 know, I would not preclude that candidate from going
14 there. Because part of the Legat's primary
15 responsibility is really facilitating investigations,
16 making sure that the host country police are being
17 tasked to provide the right information. And you need
18 the experience of a good criminal investigator to know
19 what's relevant, you know what documentary and physical
20 evidence has to be selected, how that information was
21 obtain whether it's tainted or could be suppressed in
22 an American court. So, I mean, I wouldn't exclude

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1 someone with criminal and non-counterterrorism
2 background. But if you have a candidate that has the
3 counterterrorism background in addition to everything
4 else, it would certainly be all other things being
5 equal, a preferable candidate.

6
7 --PGS 24 - 26 REMOVED, SUBJECT TO PROTECTIVE ORDER --
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16

MR. KOHN: Okay. I'm going to show the
witness a document we'll mark as Exhibit 3.

18

19

20

(Whereupon, the document was
marked as Exhibit 3 for
identification)

21

22

MR. KOHN: And for the record, Exhibit 3
are division head comments to Mr. Youssef's prior

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1 liaison in Cairo, Egypt. And for the record, it's a
2 one page document in the top left hand corner it says -
3 - it looks like the number 11 with some handwritten
4 notations, division head comments. And the first line
5 says "Based on SA Youssef's Egyptian heritage," and it
6 goes on.

7 BY MR. KOHN:

8 Q If you would please look at that and see if
9 that refreshes your recollection of anything you may
10 have heard or known about his prior work in Cairo.

11 A Yes. You know, I -- again, sitting here
12 today I can't say that it does. But, you know, what I
13 would have done in addition to reading the document
14 you've marked as Exhibit 2, you know I would have had
15 conversations. It would have been my normal practice
16 to talk to, for instance, Alan Ringgold who is on the
17 copy count. I would have surely spoken to Randy
18 Perleman. And, you know, I would have asked about both
19 candidates, and in that conversation I may have been
20 told about his liaison work in Egypt. I don't remember
21 getting a letter from the Ambassador. But -- you know,
22 I got so many fine letters about agents and I just

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1 couldn't -- I couldn't recall.

2 Q And -

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5 ■ PGS 28 - 30 REMOVED, SUBJECT TO PROTECTIVE ORDER -

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46 MR. KOHN: And I'm going to show the
47 witness a document that we've marked as Exhibit 4.

48 (Whereupon, the document was
49 marked as Exhibit 4 for
50 identification.)

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1 MR. KOHN: And for the record Exhibit 4 is
2 a document on the first page, it appears to be a
3 teletype. It's dated January 17, 1997 apparently from
4 Director FBI to State Department. And it appears to be
5 12 pages long, I believe.

6 BY MR. KOHN:

7 Q Do you recognize this document?

8 A No. I mean, I recognize it as a copy of an
9 FBI communication, but I don't recognize it as a
10 document.

11 Q And for the record, this appears to be a
12 teletype announcing to the State Department and the
13 Embassy in Riyadh that Mr. Youssef had been appointed
14 to the Legat position.

15 And if you can turn to the second page, the
16 top two paragraphs are kind of like a summary of his
17 background. Do you know in looking at this it talks
18 about the Desert War major case. Do you know what the
19 Desert War case was?

20 A No. No. I'm thinking it's, you know, the
21 first Iraqi war, but I'm not familiar with it.

22 Q And would this have been something that was

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1 sent out in your name? If you look on page 3, it has
2 your name to it?

3 A Yes. I mean, everyday the FBI -- and I'm
4 trying to correct this without any success -- thousands
5 of documents would go out under my name and come to me,
6 and I saw probably none of them in original form. This
7 is just a format that they would use.

8 Q Okay.

9 A This would have been probably sent out by
10 Ringgold or someone in the Foreign Liaison. I would not
11 -- in other words, it would not be necessary for me to
12 review or sign off on .

13 Q Now after his appointment, do you remember
14 calling Mr. Youssef and telling him he got the job?

15 A I'm sure I did. That was my normal
16 practice. I don't recall that conversation, but I
17 almost certainly would have done it and I don't think I
18 ever failed to do that.

19 Q And at the time of that appointment was
20 there a sense of urgency to get Mr. Youssef from the
21 United States into Riyadh?

22 A Yes.

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1 Q And why?

2 A Well, again, you know once the State
3 Department and the Saudi government had approved the
4 establishment of the office, we would want to have
5 somebody on the ground as quickly as possible just to
6 evidence our commitment and strong interest in it. But
7 also we had some very major investigations now going
8 on, so it was essentially that we have somebody on the
9 ground who would coordinate the investigation. Not
10 conduct it, but be a liaison for it.

11 Q And was one of those major investigations
12 ongoing the Khobar Towers bombing?

13 A Yes.

14 Q Did you have any involvement in that
15 investigation?

16 A Yes. I mean, like many of the major
17 investigations it was something that I was initially
18 very involved in. Continuously over the years, you
19 know, I made a number of trips to Saudi Arabia and met
20 with senior officials, worked closely with their
21 Ambassador here. And then throughout the U.S.
22 Government because of the nature of the crime and the

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1 enormity of the attack, you know, it was a case I
2 maintained a great deal of interest in until I left the
3 FBI.

4 Q And were you aware that in Saudi Arabia Mr.
5 Youssef was also working on that case?

6 A Yes.

7 Q My first question is did you learn anything
8 in headquarters that gave you an indication as to
9 whether Mr. Youssef was successful in establishing
10 liaison with the Saudi government.

11 MS. WELLS: Object to form.

12 THE WITNESS: You know, on a number of
13 occasions the Saudi government officials with whom I
14 dealt compliments Bassem on his liaison in a very
15 positive way. I couldn't tell you exactly who it was. I
16 don't think it was the Crown Prince, for instance. It
17 was probably the Minister of the Interior, Prince Naif.

18 In fact, I know that he complimented Bassem to me on,
19 you know, at least one occasion, probably more than one
20 occasion.

21 And then the officials in the Mabahith, the
22 police service there, and again I can't remember the

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1 names. But, yes, they would -- they would on occasion
2 because I would ask them or they would volunteer
3 compliment him on his liaison and his work there.

4 BY MR. KOHN:

5 Q And the Minister of Interior, in terms of
6 your understanding of the way the government of the
7 Kingdom of Saudi Arabia operates on a day-to-day basis,
8 how important were good relations with the Minister of
9 Interior of that government be to the FBI for the FBI
10 to do the mission that it was intended to do?

11 A Yes, that would be essential.

12 Q And did the Minister of Interior have a
13 control over the various police departments and law
14 enforcement agencies?

15 A Yes, absolutely.

16 Q And you've already testified, the Mabahith,
17 were they part of the Ministry of Interior?

18 A Yes. They reported to the Minister and his
19 officials. But, you know, in terms of law enforcement,
20 national security, internal security, external security
21 -- no, external security is not included in that
22 portfolio. All the other matters would be directly

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1 under the Minister of the Interior. And he would be --
2 he was my principal liaison over there, even though I
3 think he was probably a more senior equivalent official
4 than the FBI Director. But he was my liaison, he was
5 the individual that I would most frequently interact.

6 Q Other than hearing it from Saudis, were you
7 able to observe anything in terms of access, in terms
8 of assistance in cases, things like that, that would
9 give you an indication that objectively Mr. Youssef did
10 establish good liaison in a way that was beneficial to
11 the United States?

12 A Well I know when I was in Saudi Arabia and
13 he would accompany me to these meetings, I think
14 sometimes he would translate. But Prince Naif
15 generally, you know, had his own translator. But I
16 would watch them interact. I could certainly observe a
17 very good relationship, very cordial relationship, very
18 respectful relationship from the point of view of the
19 Minister. And, you know, my sense from that meeting
20 but also meetings with the police officials that he was
21 -- he was very well regarded there.

22 Q In terms of the Khobar Tower case, do you

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1 remember there was a time, as I understand it, that the
2 Saudi officials were still not allowing some form of
3 direct access or questioning and the FBI put together a
4 series of written questions they wanted submitted to
5 those prisoners to be answered. Do you remember that?

6 A Yes.

7 Q Do you remember whether Mr. Youssef had any
8 role whatsoever in facilitating the interaction between
9 the United States and the Saudi Arabian government to
10 have those questions answered?

11 A Well, he was certainly involved in that.
12 And, you know, I know we had meetings in the Kingdom
13 with various police officials. I think Prince Naif on
14 one occasion. We would make that request and talk
15 about the request and discuss it. So he was clearly
16 involved in that.

17 While I was in Washington I would have many
18 other meetings and Bassem was not in attendance because
19 he was in Saudi Arabia where he needed to be. But, you
20 know, I was meeting with the Saudi Ambassador. On other
21 occasions I would meet with the Crown Prince, Prince
22 Sultan, the Defense Minister, many of the other Saudi

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1 officials who were in the United States. And, you know,
2 I was pressing that request. A number of other
3 requests later, but I was pressing initially the
4 request that, you know, we be at least allowed to
5 furnish them questions.

6 So, you know, I mean there were a lot of
7 people working on that request at the same time.

8 Q And do you remember the circumstances of
9 actually getting the answers to the questions?

10 A Yes.

11 Q What do you remember about that?

12 A Well, I mean there came a time when we got
13 from the Saudi Government I think delivered two Bassem
14 directly and then back to the case agents in
15 Washington, you know, the answers or summaries of the
16 questions that we were asked to be put to them. And we
17 were very excited about that. That was a very
18 important development of the case.

19 Q So to the best of your recollection, the
20 Saudi officials gave it to Mr. Youssef and then he
21 forwarded it for the FBI?

22 A Yes, which would have been the normal

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1 course through any Legat.

2 Q And do you remember any conversations with
3 Mr. Youssef about that?

4 A You know, I'm sure we had conversations. I
5 can't remember anything specifically except I do
6 remember we were quite excited, even though it was a
7 very, very far distance between that and, you know,
8 what we could ever get in terms of evidentiary
9 materials. So we continued to press for direct FBI
10 interviews, which at one point we were allowed to
11 perform but with the presence of Saudi officials. And
12 then we continued to press for FBI officials without
13 the Saudi officials. That took an awfully long time.
14 And that really wasn't accomplished until 2000. So
15 there was a continuing difficulty, as I alluded to
16 before, in getting the Saudis even at the highest level
17 to agree to giving us access in a manner that we could
18 then use for evidence. Because we were not looking to
19 brief these guys for intelligence. We were looking to
20 develop witnesses that could be used in a prosecution
21 in the United States.

22 Q And do you remember what Mr. Youssef's role

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1 was in trying to facilitate those interviews?

2 A Yes. I mean, he had an integral role
3 because he would be the direct liaison with the
4 Mabahith and, you know, my request to the Saudis were
5 always forwarded to him. And the information and then
6 the response back from the Saudis were -- was responded
7 to. But, you know, that wasn't -- we were working at
8 other levels. In fact, very high level and I was in
9 the White House, you know, asking literally the
10 President and the Vice President to make that specific
11 request and others to the Crown Prince in meetings in
12 Washington, meetings in New York. And as I said, I was
13 meeting on some occasions with the U.S. Ambassador and
14 other FBI officials with the Crown Prince in Washington
15 making the request. So it was multiple channels which
16 were going on at the same time.

17 Q There came a time I think where you visited
18 Saudi Arabia and Mr. Youssef facilitated that or
19 accompanied you?

20 A Sure. There was probably a couple of
21 visits.

22 Q And how would you describe Mr. Youssef's

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1 performance during those visits?

2 A Yes. I mean, I would perform it as -- I
3 would characterize it as -- as excellent. I mean, I was
4 very pleased with his performance.

5 As I said before, I noted a very good
6 relationship between him and the Saudi officials. I
7 observed a good relationship between him and the
8 Ambassador. So I was very pleased with what I saw.

9 Q I just want to go back to Los Angeles for a
10 moment before the Legat.

11 A The Legat.

12 Q The Legat. I'm sorry.

13 Do you remember Mr. Youssef being given FBI
14 credentials in a phony name?

15 A No.

16 Q And within the FBI is that something -- is
17 that very uncommon that an agent would be given -- do
18 you know why an agent would be given official FBI
19 credentials in a phony name?

20 A Yes. Sure. It would be for security
21 reasons. And we did that with Joe Pistone who would be
22 undercovering organized crime case. We did it

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1 occasionally for individuals. Joe Pistone I remember
2 specifically because I had him as a witness in a case
3 when I was a prosecutor. So we would do that from time-
4 to-time for security reasons.

5 Q Do you know --

6 A Not undercover reasons, but security
7 reasons.

8 Q In the area of counterterrorism, do you
9 know if that was something that had been done on a
10 common basis or uncommon, do you know?

11 A I would say it would be uncommon. It would
12 not -- I would not have thought of it as a common
13 process. I think it would be an unusual event.

14 Q In terms of Mr. Youssef's overall
15 performance at Legat Riyadh, how would you describe --
16 I know you've given testimony on this before, but if
17 you were like the rating official, and I know you
18 weren't, but how would you overall describe his
19 liaison?

20 MS. WELLS: Object to the form. Asked and
21 answered.

22 THE WITNESS: Yes. I mean, I would give

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1 him a very, very high performance based on, again, what
2 I saw and what observed, what I heard, what I knew at
3 the time.

4 BY MR. KOHN:

5 Q And what about interpersonal skills?

6 A Same -- same answer. I mean, again, you
7 know I was with him at meetings. I talked to lots of
8 Saudi officials when he was present, when he wasn't
9 present and, you know, on several occasions I mean he
10 was complimented by those officials directly to me.

11 Q And what about leadership?

12 A Yes. I mean, someone goes into a country,
13 sets up a Legat office under those types of challenging
14 circumstances, I'd give him very high -- again, the
15 same high regard and evaluation on that.

16 Q And just for the record, was the Khobar
17 Towers bombing case considered a major case of the FBI
18 at the time?

19 A Yes.

20 Q Object to form.

21 BY MR. KOHN:

22 Q And I don't know if there's a formal rating

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1 system, but I understand that the FBI would
2 jurisdiction over hundreds of different types of crimes
3 and different levels. Was there a system to rate
4 priorities like, in other words, how you would view
5 Khobar Towers versus, say, a bank robbery in Tulsa,
6 Oklahoma? Not to say that wasn't a terrible thing, I'm
7 just wondering for resources --

8 A Yes. I don't think we had -- we didn't have
9 -- we didn't have a specific rating system. But, I
10 mean, it was one of the top dozen cases during the time
11 that I was there. And that wasn't because I wasn't
12 interested in it. It was because of, you know, a crime
13 and a terrorist act of that nature which, you know, as
14 the investigation developed reflected not just
15 individual participation but state participation. I
16 mean it became a very immensely important
17 investigation, not just to the Bureau, but to the
18 United States.

19 Q And just overall in terms of what Mr.
20 Youssef did for the Khobar Towers investigation, how
21 would you rate his performance on that?

22 A Very good.

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1 Q I want to call your attention, to you
2 remember at some point there was a meeting in I believe
3 in your office in headquarters with Prince Bander, the
4 Ambassador, Prince Mohamed bin Naif, the Assistant
5 Minister of Interior, I believe Dale Watson was there?

6 I believe Mr. Youssef was there.

7 A Yes.

8 Q And do you remember during that meeting you
9 asking one of the representatives from Saudi Arabia
10 about how they would like to continue the liaison
11 between the two, between Saudi Arabia and the United
12 States?

13 A Yes, not specifically. We had a couple of
14 -- first of all, I had a lot of meetings with -- with
15 Prince Bandar in my office. I think when Prince Mohamed
16 came, that was a -- I mean that was a very -- I think
17 he visited twice when I was at the FBI. And he had a -
18 - I think he was one of the -- I think he was the
19 Deputy Minister of the Interior, that was his title.
20 But he was also the son of the Minister.

21 So we put together, you know, a day of
22 briefings and meetings. And I remember that

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1 specifically. I don't remember that specific question
2 being asked.

3 Q Do you remember Prince Mohamed -- the
4 account that I have here indicates that there came a
5 point where Prince Mohamed stopped speaking in Arabic
6 and then broke into English and relayed a message from
7 the Minister of Interior, words to the effect we want
8 you to know we think Bassem is a good guy and that we'd
9 like to continue liaison with him. Does that refresh
10 your recollection at all?

11 A No. No, it doesn't.

12 Q But in overall, was it your impression that
13 the Saudis, that Mr. Youssef was very important --
14 played an important role in facilitating liaison
15 between Saudi Arabia and the United States?

16 A Yes. I mean, not just my impression. I
17 mean, they told me that, so --

18 Q Okay. Now was Riyadh considered a hardship
19 post?

20 A Yes.

21 Q Why?

22 A Well, for a number of reasons. One just

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1 physical security for FBI personnel, their families,
2 you know that would be different from a lot of other
3 postings other overseas. Maybe not today or post-
4 September 11th, but certainly when we opened up the
5 office.

6 Also, I mean, the restrictions on just
7 social activities. Your spouse, if your spouse happens
8 to be the wife. You know, the schools, the culture,
9 the religious law which even foreigners have to
10 subscribe to.

11 You know, we used to have issues about
12 sending female agents over there. In fact, the case
13 agent in Khobar was a woman, an excellent agent. And,
14 you know, we had to talk about at senior levels, you
15 know, how she would interact, what she would wear when
16 she visited the Kingdom, etcetera. I mean, it's a very
17 difficult post for anybody to be in.

18 Q And as I understand it, the assignment
19 would be a two year assignment?

20 A Generally a two year assignment.

21 Q And were you involved at all in the
22 decision to extend Mr. Youssef from a two year to a

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1 second two year post then?

2 A Yes, I would have definitely been involved
3 in that, at least having to approve it.

4 Q And as I understand it, when that approval
5 process would happen, there would be like a poll taken
6 of the various persons he would interact with and to
7 see if they would object, or does that refresh your
8 recollection?

9 MS. WELLS: Object to the form.

10 THE WITNESS: No.

11 BY MR. KOHN:

12 Q And I'm going to show the witness, which
13 would be Exhibit 6. I'm going to change the marking on
14 this from 6 to 5 in my hand.

15 (Whereupon, the document was
16 marked as Exhibit 5 for
17 identification.)

18 MR. KOHN: So Exhibit 5 is a two page
19 document. It's dated 11/03/98 to Riyadh, attention
20 Bassem Youssef. And it says drafted by Austin,
21 Patricia.

22 THE WITNESS: Yes.

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1 BY MR. KOHN:

2 Q If you see this on the second full
3 paragraph, it references I believe canvassing the
4 various sections to determine if there are any
5 reservations regarding granting the extension.

6 A Yes.

7 Q Do you see that CID and NSD responses were
8 very complimentary?

9 A Yes.

10 Q Does that refresh your recollection as to
11 whether there was a process before granting an
12 extension that there would be a canvass of major
13 principals to see if there were any concerns about
14 that?

15 A Yes. I can't say that I remember that as a
16 process, but certainly what I would expect to happen is
17 if an extension was going to be given, you know,
18 certainly within the headquarters units there would
19 have to be some due diligence done as to the
20 performance of that person before we'd make a decision
21 to extend them.

22 I would have probably been involved in one

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1 of those discussions. Probably -- I don't remember one,
2 but Ringgold being gone now, it would have been with
3 Mike DiPretoro. They would not -- I mean, they would
4 not extend -- a Legat would not be extended for this
5 period of time without my approval.

6 Q And just for the record, CID stands for?

7 A Criminal Investigative Division.

8 Q And NSD?

9 A National Security Division. This was prior
10 to having the Counterterrorism Division.

11 Q And would those be very important divisions
12 that Mr. Youssef would have to have effective, say,
13 liaison or interactions with?

14 A Yes, the two most important at the time.

15 MR. KOHN: And now I think I'll be showing
16 the witness Exhibit 6, which are excerpts from a
17 hearings before the Select Committee on Intelligence,
18 U.S. Senate. And this from the official print of the
19 Committee.

20 (Whereupon, the document was
21 marked as Exhibit 6 for
22 identification.)

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1 THE WITNESS: 2002.

2 BY MR. KOHN:

3 Q 2002. It's the joint inquiry into
4 intelligence activities before and after the terrorist
5 attacks of September 11, 2001. And I believe the
6 testimony here of -- and I have excerpted some of the
7 testimony of Judge Freeh from that hearing.

8 And the page numbers I'm going to refer to
9 when I use this exhibit are the page numbers from the
10 Committee print, which are on the very top. Not the
11 page numbers on the bottom.

12 And for the record, do you remember
13 testifying for this Committee on or about October 8,
14 2002.

15 A Yes.

16 Q And --

17 A Page 465.

18 Q First I'd like to call your attention --
19 yes, and the testimony here, this is your testimony
20 beginning on page 449.

21 A Yes.

22 Q And if you'd just go to page 463, which is

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1 part of your testimony you reference in talking about
2 the Legat program, and I'm looking at the very top
3 paragraph, full paragraph, you say "Riyadh and other
4 critical locations around the world." You mentioned Tel
5 Aviv, Ankara, a number.

6 A Yes.

7 Q Why was Riyadh a critical location around
8 the world?

9 A Yes, well as I said before, you know in
10 terms of the counterterrorism program when I took over
11 as Director, you know, and I understood where we had
12 offices, I couldn't understand why we didn't have
13 offices in the countries that are recited on page 463.
14 Cairo, Islamabad, Tel Aviv, Ankara, Riyadh in the
15 sense that for counterterrorism purposes, both
16 enforcement as well as intelligence, those were the
17 central countries of, you know, U.S. concern, focus and
18 vulnerability. So it didn't make any sense that we
19 could run that program without having agents on the
20 ground in those places.

21 Q And the --

22 A And -- excuse me. And many other places.

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1 These are the ones that I happened to recite because we
2 opened offices there.

3 Q And the last sentence, you state "Critical
4 alliances and partnerships with law enforcement
5 security services in those countries has paid enormous
6 benefits and has protected this nation and our people
7 from acts of terrorism."

8 A Yes.

9 Q So that sentence, that would relate back in
10 part to Riyadh?

11 A Yes.

12 Q And would it be your testimony that the
13 work of Mr. Youssef in Riyadh contributed to those
14 positive results identified here?

15 A Yes, certainly contributed to them.

16 Q And if you could please turn to page --
17 we're looking at page 464/465. And this was your
18 testimony related to the Khobar Towers?

19 A Yes.

20 Q And on page 465 at the very top paragraph
21 towards the middle you mention "Arabic speaking Special
22 Agent who became the first FBI agent assigned to Saudi

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1 Arabia quickly made critical liaison relationships of
2 trust were established between FBI and Mabahith." Is
3 that agent Mr. Youssef?

4 A Yes.

5 Q And if you could please turn to page
6 596/97.

7 A Okay.

8 Q And that is there's a question on 596 from
9 Senator Shelby and he's talking about, if you look at
10 the very bottom of 596/597, he's talking about
11 apparently there had been prior testimony given to his
12 Committee about problems and impediments between the
13 Saudi government and the United States regarding the
14 Khobar Towers. Do you see that?

15 A Bottom of 96?

16 Q Yes. The bottom of 596, the top of 597.
17 Senator Shelby says "I recall and the record will
18 reflect that in the Committee that you told us in
19 Committee on several occasions dealing with Khobar
20 Towers that the problem impediment early on -- maybe it
21 improved." Do you see that?

22 A Yes.

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1 Q So would it be true that prior to Mr.
2 Youssef becoming the Legat there had been some problems
3 with that interaction between the Saudis and the United
4 States, and apparently that had been discussed before
5 Mr. Shelby's Committee?

6 MS. WELLS: Object to the form.

7 THE WITNESS: Yes, but as I said, problems
8 both before and after. I mean, no reflection on
9 Bassem's good work here. I mean, the problems continued
10 way beyond the period that he got there, the liaison
11 problems. Not because of his representation, but
12 because of the matters I described to you earlier in
13 the deposition.

14 BY MR. KOHN:

15 Q And then in response to that question, if
16 you see you mentioned that -- and I'm looking at
17 there's a one paragraph answer. You're addressing him
18 and you're saying that, if you see it, "slowly but in a
19 very, very positive fashion ultimately resulting in the
20 type of access that I testified to." You're talking
21 about that there had been, it looks like from this
22 testimony, an improvement in that relationship?

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1 A Yes. Yes. The relationship improved, as I
2 said, up to, you know, May of 2001 which is when I left
3 my direct involvement in Khobar. But there were --
4 there was an increasing continuum of improvement in
5 that relationship from an FBI law enforcement point of
6 view during that period.

7 Q And how would you describe Mr. Youssef's
8 contribution while he was the Legat to that improved
9 relationship?

10 MS. WELLS: Object to the form.

11 THE WITNESS: Yes. Well, and as I said
12 before, I think he was the essential player. I think
13 his -- his very good work there, the high regard that
14 the Saudis had for him advanced that. But, you know,
15 it was nothing that Bassem could have accomplished on
16 his own in terms of what we ultimately needed there.
17 And what we ultimately needed was FBI agents sitting
18 one-on-one without Saudi police officials interviewing
19 people who detained in their equivalent criminal
20 process. And that was the objective that we had to get
21 to, which we didn't get to until late 2000. And that
22 required literally, you know, the involvement of the

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1 President of the United States and the Crown Prince
2 directly.

3 Q And did you have any involvement in the
4 selection process for when Mr. Youssef came back to the
5 United States? He was given a position in the NACIC?

6 A I don't know if that was a position that
7 the Director signed off on or not. I just don't recall.
8 There was a limited number of positions that, as you
9 saw with the Legat position, the FBI Director
10 personally signs off on. I'm not sure if that was one
11 or not.

12 -- PGS 57 - 59 REMOVED, SUBJECT TO PROTECTIVE ORDER --
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4 MR. KOHN: And I'm going to show the
5 witness a document I have had marked as Exhibit 8.

6 (Whereupon, the document was
7 marked as Exhibit 8 for
8 identification.)

9 MR. KOHN: And for the record Exhibit 8 is
10 from an inspection report of the Legat Riyadh office.
11 Unfortunately, the Bates stamped numbers don't appear
12 very well on it. The last page has the number 7644.
13 And the first page is 7630, although it's cut off.

14 THE WITNESS: Okay.

15 BY MR. KOHN:

16 Q Did you review inspection reports?

17 A Some of them, not all of them.

18 Q Did you review this particular inspection
19 report out of Riyadh?

20 A Yes, I don't recall that I did, Mr. Kohn.
21 Let me look through it quickly, if I might.

22 MS. WELLS: And I'd just like to note for

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1 the record that this document is not complete. The
2 table of contents notes that the findings and the
3 appendix of findings would be on 17 and that that would
4 run up to the abbreviations on page 25. And the
5 exhibit that's been introduced stops at page 15.

6 MR. KOHN: And I agree. This is the first
7 15 pages of the report.

8 THE WITNESS: I don't -- looking at this,
9 I don't recall having reviewed this. On many occasions
10 I would review an inspection report. I generally would
11 put notes on the summary page if I had a particular
12 comment or inquiry or follow-up that I wanted done, or
13 if I wanted to have somebody commended or if I wanted
14 to write a note to the Ambassador or something. I don't
15 see anything on here that indicates I reviewed it, and
16 I don't recall reviewing it.

17 BY MR. KOHN:

18 Q If you could please look, and I'm looking
19 at the page numbers that are in the report itself.

20 A Yes.

21 Q If you could please look at page 5. At the
22 very bottom it references comments that apparently

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1 Ambassador Flower gave to the inspectors in which the
2 Ambassador is quoted as saying he was "Just the right
3 man" for the position. Did you have any discussions
4 with Ambassador Fowler about Mr. Youssef?

5 A Yes, I did. And, you know, consistent with
6 what's reflected on 7634, he was very complimentary of
7 Bassem and his work there. And they, of course, when
8 they were in a reporting position, the Chief of Mission
9 is obviously the senior U.S. official in country. So
10 although Bassem was a FBI agent, he also reported
11 directly to the Ambassador. And he was very
12 complimentary of him.

13 Q And if you could please look at page 14 of
14 the report, which is 7643. And just put a number here.

15 "As an analysis of Legat Riyadh's investigations
16 determined that there were 2589 case leads were open"
17 and then it gives some statistics. I'm just wondering
18 if you can answer it. Do you know in looking at the
19 number of case leads and the type, how busy this office
20 was?

21 MS. WELLS: Object to the form.

22 BY MR. KOHN:

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1 Q Can you make a determination on that in
2 terms of the amount, the workload?

3 A Well, you know, maybe not on the basis of
4 these numbers, because I'm just out of practice in
5 terms of comparable Legat case loads and whatnot. But,
6 I mean, I have a better source than what I would
7 remember here, and that's just my experience with that
8 office. It was a very, very busy office. And covering
9 not just Saudi Arabia, but a number of -- you know,
10 very complex and important neighboring countries. So,
11 I mean it was -- I would have call it then, would call
12 it now and based on my recollection an extremely busy
13 office.

14 Q And what type of feedback did you -- what
15 did you either observe or the type of feedback you
16 received concerning Mr. Youssef's work in the
17 neighboring countries other than Saudi Arabia?

18 A You know, I don't recall anything
19 specifically. I certainly don't recall anything
20 negative at all. But I can't tell you. And I know --
21 I visited a number of those countries. I think -- and
22 I'm not sure if Bassem accompanied me or not. He

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1 certainly would have if he was the Legat at the time.
2 I really don't have a memory of that, but certainly
3 nothing except -- I don't remember anything negative or
4 anything that would have caused me any concern or alarm
5 about his performance. I think he was -- he spent most
6 of his time in the Saudi relationship, which was a full
7 time job.

8 Q Now, the 9/11 attack happened a number of
9 months after you left the Bureau, correct?

10 A Yes.

11 Q Were you aware that after that attack the
12 FBI what's known as TDY'ed a large number of agents and
13 personnel to assist in the investigation?

14 MS. WELLS: Object to form.

15 THE WITNESS: Yes. I knew that many --
16 many FBI personnel was deployed overseas and -- yes.

17 BY MR. KOHN:

18 Q And if there was a major criminal action,
19 would it be typical for the FBI to TDY agents to work
20 on that case?

21 A Overseas?

22 Q Or domestically?

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1 A Yes, certainly domestically that would be
2 our practice. Overseas would really depend on the host
3 country and, you know, the relationship there. I mean,
4 if it happened in France, we wouldn't be sending a
5 large number of FBI agents. It would depend on the
6 country and the circumstances.

7 Q Based upon your knowledge of Mr. Youssef,
8 his background experience, his performance, and this is
9 hypothetical. But hypothetically if you were the
10 Director at the time right after the 9/11 attack, would
11 Mr. Youssef have been someone that you may have -- and
12 assume he was back in headquarters or back in
13 Washington not working counterterrorism. And for the
14 record, he was at the NACIC. Would he be the type of
15 person that you'd consider to TDY onto that type of
16 activity?

17 MS. WELLS: Object to the form.

18 THE WITNESS: Yes. And I'm not good at
19 hypothetical questions. Sure, I mean, based on all the
20 matters we talked about this morning, the documents
21 that you've showed me, I would certainly consider him.
22 I mean, it would have to be in the context of, you

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1 know, where it was we needed him. You know, what his
2 relative availability is -- I mean, who else was
3 available. I mean, it would be a very hard question to
4 answer.

5 I would certainly, you know, consider him
6 as a person who we would deploy in that kind of a
7 situation, yes. But, you know, it would have to depend
8 on a lot of other factors.

9 BY MR. KOHN:

10 Q And in terms of his background and
11 experience, if you can answer it, what types of
12 assignments do you think would have been practical to
13 deploy him at?

14 MS. WELLS: Object to the form.

15 THE WITNESS: Again, domestically,
16 internationally?

17 BY MR. KOHN:

18 Q Domestically.

19 A Domestically? Well, you know, I don't that
20 we would -- that we would have deployed him from his
21 current assignment domestically, you know, after 9/11
22 if he was in headquarters, I guess. I think, you know,

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1 given his experience, certainly his language, you know,
2 domestically he would probably have a much more
3 required role and be of greater help back at
4 headquarters as opposed to going out to a field office.

5 Internationally certainly given his
6 language experience, his relationships with the Saudi
7 officials, other countries he would be, you know, in my
8 mind anyway a candidate that we would consider sending
9 into a TDY situation.

10 Q Based upon your knowledge of Mr. Youssef,
11 did you know of any reason why that he shouldn't be
12 used in a TDY'd or a permanent role in -- well, first
13 of all, like in a TDY assignment for a terrorist attack
14 such as the 9/11/01 attack?

15 MS. WELLS: Objection.

16 BY MR. KOHN:

17 Q Do you know of any reason why you may not
18 want to use him.

19 MS. WELLS: Object to the form.

20 THE WITNESS: Yes. I mean, I think -- the
21 decision to use him, rather it was formally appointing
22 him as a Legat or putting him, as I did with John

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1 O'Neal, in charge of a particular investigation
2 overseas, I mean I would have to -- I would have to
3 know what the circumstances were at the time.

4 BY MR. KOHN:

5 Q Okay.

6 A I mean, I would factor in everything,
7 certainly my own personal knowledge, my regard for him,
8 my high regard for my relationship. But I would want to
9 factor in a lot of things. And, you know, would he be
10 the right person in that particular situation? I don't
11 know. I mean, what -- what is the situation? Is he
12 dealing with Vice Fowler or is he dealing if some other
13 State Department official? It would depend on a lot of
14 things.

15 Q Would there be any truth to the statement
16 that you were unhappy with Mr. Youssef's performance in
17 Saudi Arabia?

18 A No.

19 MR. KOHN: Let me just go off the record
20 for a moment.

21 (Whereupon, at 11:28 a.m. off the record
22 until 11:37 a.m.)

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1 MR. KOHN: No further questions.

2 MS. WELLS: We have a few.

3 CROSS EXAMINATION

4 BY MS. WELLS

5 Q In your testimony that you provided
6 earlier, just to provide a little more content.

7 Can you please describe your understanding
8 of what the role that Legats overseas would play in
9 investigations?

10 A Yes. I mean, the Legat role is primarily a
11 liaison role. So they would not be operational
12 investigators in almost all circumstances. And one of
13 the agreements that we have with the host country is
14 that they don't conduct the investigation. In most
15 countries they're very sensitive about the Legats even,
16 you know, picking up a phone and calling and somebody
17 in country to get information. We have more leeway in
18 some countries than others. But their main function is
19 to liaison, so they would you know have the
20 relationship with the host country these services and
21 then agents coming into the country or DOJ attorneys
22 coming into the country, or requests for information,

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1 they would sort of be the traffic cop to ensure that
2 the information flowed in the right direction and that
3 the investigators when they were allowed to operate in
4 the country, to do so.

5 MS. WELLS: Off the record.

6 (Whereupon, at 11:38 a.m. off the record
7 until 11:45 a.m.)

8 BY MS. WELLS

9 Q Okay. I believe before we went off the
10 record you were talking about you had answered a
11 question about what in general what a role of the Legat
12 would be in an overseas investigation.

13 A Yes. And it would be characterized, you
14 know, as a liaison role. For instance, the FBI has an
15 investigation to conduct which relates to witnesses or
16 evidence in a country. They would be the officer in the
17 embassy contacting the police services, making all the
18 arrangements, requests for records, requests for
19 interviews be taken place wither by local police
20 officials or FBI agents who would visit.

21 On the other end if the host country has
22 requests for information in connection with one of

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1 their matters, they want to speak to witnesses in the
2 United States, there are bank records, they want funnel
3 those requests through the liaison. So the liaison is
4 -- traffic cop is the wrong word for it, but it's
5 really a liaison and coordinating function, not an
6 investigative function.

7 Q And is what you just described consistent
8 with your understanding of Bassem Youssef's role was in
9 the Khobar Towers investigation?

10 A Yes.

11 Q And can you please state for the record who
12 in your mind was the lead investigator for that
13 investigation of Khobar Towers?

14 A Well, it would be Issac Jenkins. There was
15 a number of Washington-based agents who -- I mean, I
16 would consider them -- did consider them the case
17 agents. They were the people who were responsible for
18 the case, the case was assigned to them and they were
19 preparing what we needed to get to an indictment.

20 Q Okay. Now to switch gears a little bit.
21 There has been some allegations in this case and there
22 have been some questions in other depositions about

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1 whether or not you are aware of any contacts by the
2 Saudi Arabian government post-9/11/2001 to use Mr.
3 Youssef as a liaison between them and the United States
4 Government. Does that ring a bell with you? Is that
5 anything that you're familiar with?

6 A No.

7 MS. WELLS: I have no further questions.

8 REDIRECT EXAMINATION

9 BY MR. KOHN:

10 Q Just a brief follow-up, which is in the
11 context of Saudi Arabia at the time period that Mr.
12 Youssef served as the Legat how important was it to the
13 interests of the United States that his liaison work?

14 A Yes. Well, it was essential. I mean, if
15 that liaison didn't work, the substitute for it would
16 be in-country the CIA and the State Department, usually
17 the regional security officer or back here, you know,
18 myself and other officials in the executive dealing
19 with Saudi officials, Ambassadors at very senior
20 levels. So, I mean, that -- that had to work.

21 Q Okay.

22 MR. KOHN: Nothing further.

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1 (Whereupon, at 11:48 a.m. the taking of the
2 deposition was concluded, signature having not been
3 waived.)
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