

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BASSEM YOUSSEF,

Complainant

vs

FEDERAL BUREAU OF
INVESTIGATION, et al.

Respondent.

Civil Action No.

1:03CV01551 (D.D.C.) (CKK)

Thursday,
March 10, 2005

DEPOSITION OF:

ROBERT THOMPSON

called for examination by counsel for the Plaintiffs,
at 3:00 p.m. pursuant to notice of deposition, in the
law offices of Kohn, Kohn, and Colapinto, 3233 P
Street, NW, Washington, DC 20007, when were present
on behalf of the respective parties:

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

3:01 p.m.

Whereupon,

ROBERT THOMPSON

was called as a witness by and on behalf of the
Complainant and, after having been first duly sworn
was examined and testified as follows:

DIRECT EXAMINATION

BY MR. KOHN:

Q Mr. Thompson, would you please state your
name and address for the record?

A It's Robert C. Thompson, T-H-O-M-P-S-O-N,
6853 Melrose Drive, McLean, Virginia 22101.

Q And have you ever had your deposition taken
before?

A No.

Q And are you represented by counsel today?

A No. I guess not.

MR. KIGER: Yes.

MR. KOHN: Yes?

MR. KIGER: I'll help him. Sorry.

MR. KOHN: Did you want to consult on that?

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1 THE WITNESS: He's our Service's general
2 counsel, but he's not my personal general counsel.

3 MR. KOHN: Okay. Mr. Norman Kiger.

4 THE WITNESS: That's correct.

5 BY MR. KOHN:

6 Q And if at any point during this deposition,
7 if you want to consult with your attorney, you can.

8
9 A Okay.

10 MR. KIGER: Can I just clarify one thing?

11 MR. KOHN: Sure.

12 MR. KIGER: It's my understanding that the
13 questions that are the subject of this deposition
14 pertain to information that arose in Mr. Thompson's -
15 - during the course of his duties at NACIC. So,
16 that's not NCIS information. So, in that respect,
17 I'm not Agency counsel with regard to the
18 proceedings here so --

19 BY MR. KOHN:

20 Q So, the Department of Justice is free to --
21 you can consult with either of the DOJ --

22 A Sure. Sure.

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1 Q -- for agency counsel at whatever you think
2 is appropriate.

3 A Sure. Okay.

4 Q If you don't understand my question, feel
5 free to ask me to rephrase it.

6 A Will do.

7 Q If at anytime you need a break for any
8 reason, personal or otherwise, just let me know and
9 we can take a break.

10 A Shall do.

11 Q Either attorneys can raise an objection to
12 one of my questions. And generally if they don't
13 instruct not to answer, then you're free to answer.
14 But since there's no judge here, you know, to make a
15 ruling on a --

16 A Yes.

17 Q -- question, generally the rule is answer
18 it and someone else down the road can make a
19 relevancy type of --

20 A Judgment.

21 Q -- judgment.

22 A Okay.

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1 Q Sure. And is there reason why you can't
2 tell the complete truth today?

3 A No.

4 Q Okay. Would you please just describe
5 generally your educational background?

6 A High school graduate, bachelor of science
7 at American University, masters in -- M.A. from
8 George Washington University.

9 Q And what's your current job position?

10 A I'm Deputy Director, Management and
11 Administration, Naval Criminal Investigative Service.

12 Q And is that a supervisory position?

13 A Yes.

14 Q Approximately how many people do you
15 supervise? Directly or indirectly? Report to you?

16 A Our agency is roughly 2,250 people and I'm
17 the Deputy.

18 Q So, that means you are the second --

19 A That's correct.

20 Q -- in charge? And how long have you held
21 that position for?

22 A I've held that position since October 2003.

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1 Q And what was your position before that?

2 A I was the sole Acting Deputy Director for
3 about three months prior to that. June to October of
4 2003.

5 Q And before that?

6 A Before that I was the Principal Deputy
7 Assistant Director for Physical Security and Law
8 Enforcement at Naval Criminal Investigative Service
9 headquarters.

10 Q And was that a supervisory position?

11 A Yes.

12 Q Approximately how many people did you
13 supervise?

14 A Directly about 70. Indirectly closer to
15 100.

16 Q And when did you hold that position?

17 A I would say the fall of 2001 up until June
18 of 2003.

19 Q And prior to that, what job did you hold?

20 A I was the Deputy Assistant Director for
21 Counterintelligence, Plans, Policy and Programs,
22 Naval Criminal Investigative Service.

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1 Q And what was the time period in that
2 position?

3 A That would have been approximately April of
4 2001 to the fall of 2001, probably September/October,
5 somewhere. I'm not sure. Could be a little later
6 than that in 2001, maybe around the December time
7 frame.

8 Q And what was your -- was that a supervisory
9 position?

10 A Yes.

11 Q About how many people did you supervise?

12 A About 20.

13 Q And then prior to that, what job did you
14 hold?

15 A I was the Acting Director, National
16 Counterintelligence Center under the DCI, Director
17 Central Intelligence at Langley.

18 Q And how many people reported to you in that
19 capacity?

20 A I think just Government employees would
21 have been about 50/53, somewhere in there. Including
22 contractors probably closer to 70.

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1 Q And in that position, who was your
2 supervisor in that position?

3 A I had a triad of supervisors. My immediate
4 rater was Neil Gallagher, who was the Assistant
5 Director of the Federal Bureau of Investigation,
6 National Security Division, FBI.

7 And additionally a DOD official and also a
8 CIA official.

9 Q And were both the DOD and CIA officials at
10 a high senior level?

11 A Yes. Same level as Mr. Gallagher,
12 essentially.

13 Q And how long did you hold that acting
14 position for?

15 A It was approximately 15 months.

16 Q And then what did you do before that?

17 A I was the Deputy Director of the National
18 Counterintelligence Center, same organization, from
19 September -- approximately September 1996 to -- let's
20 see. Fifteen months back would be January or
21 February of 2000, I guess.

22 Q And was that a supervisory position?

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1 A Yes.

2 Q And approximately how many people were
3 supervised from that?

4 A Roughly the same amount as the Deputy
5 working for a Director.

6 Q And what was your position before that?

7 A I'm void.

8 Q Okay. Then just briefly, if we go back to
9 1996, when did you first --

10 A I was over at the Office of Secretary of
11 Defense.

12 Q And you worked essentially for the
13 Department of Defense?

14 A That's correct.

15 Q When did you start with DOD?

16 A I start with the Department of Defense in
17 June of 1976, continued positions in Department of
18 Defense for the Department of the Navy up until I
19 went to the National Counterintelligence Center.

20 Q And prior to 1976 were you in school then
21 or were you working?

22 A I was going to school and working. Both.

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1 Q And the National Counterintelligence
2 Center, is that also known as NACIC, N-A-C-I-C?

3 A NACIC. Yes.

4 Q NACIC. What was the NACIC?

5 A NACIC was a organization formed from a
6 Presidential Decision Directive to coordinate the
7 counterintelligence activities of the United States
8 Government. That was the primary purpose of it.

9 Q And as I understood, was that an
10 organization which was -- was essentially a
11 cooperative effort of a number of intelligence or law
12 enforcement agencies?

13 A Yes.

14 Q And who were the three principal ones?

15 A The three principal ones were the
16 Department of Defense, Central Intelligence Agency,
17 Federal Bureau of Investigation.

18 Q And would each of those agencies have like
19 a senior person there at the NACIC or a
20 representative?

21 A Yes. There was a designated representative
22 that was ad hoc. The senior representative from

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1 those agencies. Yes.

2 Q And while you were -- and all my questions
3 now are going to be focusing when you were the acting
4 director.

5 A Right.

6 Q Do you know who the FBI person was
7 designated or the ad hoc representative?

8 A Well, the senior FBI person, I believe was
9 Bassem Youssef.

10 Q And in that capacity as a senior FBI person
11 there, would you know if you he would have to liaison
12 back with anyone at the FBI?

13 A Well, certainly I liaison with the folks at
14 the FBI Headquarters fairly routinely. Certainly Mr.
15 Youssef in his position as a senior FBI rep, I'd
16 sometimes turn to him to facilitate some contacts at
17 the FBI Headquarters. Yes.

18 Q How would you describe his performance in
19 that function?

20 A No issues. Excellent.

21 Q Now, as I understand it, when did you leave
22 NACIC?

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1 A I think it was April -- April 2001.

2 Q And as I understand it, that organization
3 then changed name and became a new organization,
4 NCIX?

5 A That's correct.

6 Q And can you tell me at the time that NACIC
7 became NCIX, if you know, what the main differences
8 were going to be? The differences and the
9 similarities between the two organizations to the
10 best of your knowledge?

11 MS. WELLS: Objection to the form of the
12 question. You can answer.

13 THE WITNESS: Well, clearly, I think they
14 wanted to raise the stature of the organization, both
15 from a reporting standpoint as to who the director of
16 the NCIX reported to as well as take on more
17 counterintelligence responsibilities from the
18 participating agencies. I think that was the goal of
19 NCIX.

20 Q And do you have any interactions with NCIX
21 today?

22 A No.

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1 Q And substantively, do you know how much
2 differences there were in terms of the actual
3 program? The day to day activities of the two
4 groups?

5 A No. Because quite frankly when I left in
6 April of 2001, I went to positions that were
7 counterintelligence related per se.

8 Q Okay. When you left, did you know Mr.
9 Shady?

10 A Yes.

11 Q Of the FBI? Did you have any -- as I
12 understand he came in and took over NCIX. Is that
13 your understanding?

14 A That's correct. Yes.

15 Q Did you have any meeting with him or
16 interactions with him about the organizations in a
17 transitional type capacity?

18 A I think as I recall it was mostly telephone
19 conversations and I think at one conference off site
20 where we were all present and I had some
21 conversations with him. Yes.

22 Q And did he discuss with you any personnel

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1 issues in the sense like who the people were? What
2 people were doing?

3 A No.

4 Q To your knowledge?

5 A No. I don't think we got into personnel
6 discussions per se.

7 Q Did he discuss with you any ideas he may
8 have had for restructuring the organization?

9 A No.

10 Q And do you know a Mr. Bassem Youssef?

11 A Yes.

12 Q And when did you first come to know Mr.
13 Youssef?

14 A I would have come to know him upon his
15 arrival at the National Counterintelligence Center.
16 I have kind of a vague recollection of when that was,
17 but I believe it was probably summer of 2002 would be
18 my guess. Or, excuse me. 2000. Excuse me. That's
19 my fault.

20 Q And do you have any recollection about a
21 career board at NACIC in which it would have
22 evaluated the decision to hire Mr. Youssef for the

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1 position there?

2 A Well, clearly, Mr. Youssef would have been
3 brought aboard by the then director of the National
4 Counterintelligence Center, Mr. Michael Waguespack.
5 As the then director of NACIC was being an FBI person
6 himself, sought to bring aboard people that he knew
7 and trusted from the FBI into positions at NCIX.

8 Career Board, I believe there were some
9 boards affiliated with the bringing of FBI agents
10 into NACIC, but I just don't recollect exactly how
11 those functions worked.

12 Q And when came, when you first met Mr.
13 Youssef and he came over to the NACIC, what was your
14 capacity in relationship to him? Were you his
15 supervisor?

16 A In a tangential way initially. Yes. In a
17 tangential way initially because I was the deputy
18 director. When I became the acting director,
19 certainly I was Mr. Youssef's supervisor.

20 Q And when you became acting director, who
21 became the deputy director?

22 A The position was vacant at the time and

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1 remained vacant until NCIX stood up. So, my previous
2 position was vacant.

3 Q I'm having this being marked as Thompson
4 Exhibit 1.

5 (Whereupon, the document was marked as Deposition
6 Exhibit 1 for identification.)

7 BY MR. KOHN:

8 Q And for the record, Exhibit Number 1 is a
9 one-page document. In the very top of the documents
10 on the right-hand side, is a date printed 5/10/2000
11 printed by Youssef, Bassem to Vacancy Number
12 20000238.

13 MS. WELLS: Just for the record, it's 328.

14 MR. KOHN: 328. I'm sorry.

15 BY MR. KOHN:

16 Q Do you recognize this document?

17 A No. Not offhand. This looks like it's an
18 internal FBI advertisement for a position. And it
19 appears from the description of the position that
20 it's probably at the National Counterintelligence
21 Center, but it's an internal FBI document.

22 Q And if you can look at where it says

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1 "description", and if you could read that and tell me
2 to the best of your knowledge, if this mirrors the
3 description of the position that Mr. Youssef was
4 hired into?

5 A The GS-15 vacancy lists this position as
6 being posted to increase the incumbent and has
7 overall responsibility to assist the director and
8 deputy director in execution of their duties,
9 critical responsibilities including office staff
10 supervision, evaluation development subordinates,
11 liaison with the corporate representatives from
12 across the intelligence community and insure an equal
13 opportunity to subordinates.

14 Q You don't need to read it, but you can read
15 it just to yourself --

16 A Okay.

17 Q -- and my question would be, does this
18 generally describe the position that Mr. Youssef
19 would fill at the NACIC?

20 A Yes.

21 Q As I understand your testimony, when you
22 became acting director, he became a direct report to

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1 you?

2 A That's correct. Maybe not immediately. I
3 think there was a person in the position that he
4 ultimately occupied at the National
5 Counterintelligence Center. And so probably at his
6 initial arrival he didn't report directly to me.
7 There was someone in between us, I think.

8 Q And could you just briefly describe your
9 understanding of the position he held?

10 A Well, ultimately, the position he held
11 under me and I see it appears to have been blacked
12 out here for some reason and I don't know why that
13 would be.

14 Q This is a much -- this is a very early
15 declassified version. Other documents that have come
16 in our testimony which a lot of the stuff has all
17 been filled in. I know the name of the organization
18 has been released officially. So, I'm not --

19 MR. KOHN: If you guys need to go off the
20 record and discuss -- why don't we do that. Why
21 don't we go off the record for a minute and see if he
22 can answer that question.

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1 Carlotta?

2 MR. KIGER: Actually, this was very ad hoc
3 the way it was declassified because the NACIC was
4 actually on the website. It's unclassified so the
5 whole world can see it. I don't know why -- but
6 that's --

7 THE WITNESS: I guess that's my issue. I
8 think the NACIC -- the existence of the NACIC was
9 unclassified nor do I recall that the three principal
10 positions or four principal positions, only the
11 director position in NACIC I don't believe were
12 classified.

13 BY MR. KOHN:

14 Q So, can you give -- we're off the record
15 now. Can you give testimony or what do you mean? Or
16 what do you want to do?

17 MS. WELLS: I mean it's really up to him.
18 He's the one that's in the best position now.

19 MR. KOHN: In which? Counsel and Mr.
20 Youssef will express their opinion as to whether the
21 information blacked out in Exhibit 1 was still
22 classified and the general consensus was it wasn't.

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1 And the witness expressed his understanding that it's
2 not classified.

3 And on that basis, I believe the witness is
4 going to answer the question which is essentially to
5 describe what Mr. Youssef's job was.

6 THE WITNESS: Ultimately, Mr. Youssef
7 became the head of the Executive Secretariat Office
8 within the NACIC. That position as someone
9 identified in this document related to liaison with
10 appropriate representatives across the U.S.
11 Government that dealt in counterintelligence issues
12 and he also filled the role of Executive Secretary
13 for a number of multi-agency groups that develop
14 policy and other initiatives in support of the
15 counterintelligence community at large.

16 BY MR. KOHN:

17 Q And just generally, how would you describe
18 his performance for you?

19 A To the best of my recollection his
20 performance was excellent. Timely, efficient, hard-
21 working, motivated, engaged.

22 Q In terms of the NACIC, how important was

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1 Mr. Youssef's position to the functioning of the
2 office?

3 A Well, clearly, it was one of the -- when I
4 was the acting director and there was no deputy, it
5 was critical in the sense that probably more
6 important than the other two office head positions of
7 the three, only because in the absence of a deputy,
8 that position essentially didn't actually serve as a
9 deputy but certainly was utilized for the outreach
10 function that the deputy position held. Outreach to
11 the community at large. Counterintelligence
12 community at large.

13 Q And have you ever heard of the term "SIS"
14 or SES?

15 A yes.

16 Q Okay. What's an SIS?

17 A An SIS is a Senior Intelligence Service
18 position.

19 Q And the SES is what?

20 A Senior Executive Service position.

21 Q And do you know how those two relate to
22 each other?

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1 A Roughly. Senior Executive Service is under
2 Title 10, I believe. The Senior Intelligence Service
3 positions, at least in the DOD are military
4 department positions, roughly equivalent to Senior
5 Executive Service positions in all but title, but
6 they are intelligence oriented.

7 Q And so the type of job level and functions
8 of an SIS and SES are roughly equivalent?

9 A That's correct.

10 Q And to your understanding, was the position
11 that Mr. Youssef was operating in at the NACIC, was
12 that at an SIS level?

13 A At the time it was a GS-15 level.

14 Q But do you know if he was a GS-15 employee,
15 do you know what the functions that he was doing that
16 it was essentially an SIS position?

17 A No. It was classified as a GS-15 position
18 and so the functions were being performed at a GS-15
19 level.

20 Q And do you if the group chief position
21 there, if that was GS-15 or SIS?

22 A Group chief at the NACIC --

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1 Q Yes.

2 A -- was GS-15 positions?

3 Q And did Mr. Youssef supervise any group
4 chiefs, do you know?

5 A Well, I believe he did. Yes. He did
6 supervise some other GS-15s. That's correct.

7 Q And in his capacity as a supervisor of
8 other GS-15s, would he be effectively in some form of
9 SIS-type position, if you know?

10 A You know, I'm not sure. I don't think it's
11 unheard of that other GS-15s supervise other GS-15s.
12 I don't think you have to be a Senior Executive
13 Service member to supervise other GS-15s.

14 Q And I want to go over some of Mr. Youssef's
15 areas of responsibility. You've touched on some of
16 them.

17 Do you know what the "Red Team" exercise
18 was? Do you know what that was?

19 A Yes.

20 Q And just briefly, what was that?

21 A I believe that's probably classified. So,
22 I'm not sure --

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1 Q Okay. Don't go into any detail on it, but
2 in terms of the "Red Team" exercise, do you think one
3 person could perform that function or was that
4 something that a staff would have to do?

5 A That was, I believe, a staff activity.

6 Q And just how would you describe mr.
7 Youssef's performance on the "Red Team" exercises?

8 A I believe he was key and instrumental to
9 making sure that they went forth, certainly monitor
10 the progress.

11 Q In terms of -- do you know if he had any
12 budget oversight responsibility?

13 A Yes. I believe he did. Under his
14 Executive Secretariat Office responsibilities, they
15 had the NACIC budget under their responsibility.
16 Yes.

17 Q And approximately how much was that budget?

18 A I think it's roughly about \$10M.

19 Q I'm going to ask a series of questions all
20 about just essentially and if you give one
21 description, you can say same as the other. So, I'm
22 going to ask you how you would rate or describe Mr.

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1 Youssef's performance in a series of areas.

2 Q The first one would be, how would you rate
3 his performance in liaison skills?

4 A I thought it was excellent. I think he has
5 a very good demeanor. Well spoken. Communicates
6 effectively.

7 Q And organizational, administrative
8 performance?

9 A Certainly as far as the NACIC which had an
10 existing structure before he arrived, so there really
11 wasn't much room for improvement there. But dealing
12 with working groups and other community activities, I
13 think he was -- did an excellent job in putting
14 together those working groups and the agenda for
15 those working groups and driving policy and strategy.

16

17 Q How would you describe his interpersonal
18 skills?

19 A As I think I said before, his demeanor was
20 always fine.

21 Q And his analytical skills?

22 A I think he was like most GS-15s, I think he

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1 was very capable at analyzing issues.

2 Q How would you describe his leadership
3 skills or potential?

4 A I think he was very effective in leading
5 his particular office and their activities.

6 Q And how would you describe his
7 communication skills?

8 A I think I touched on that before. I think
9 he is good.

10 Q Would you agree or disagree if I said, do
11 you believe he had a effective working relationship
12 with other law enforcement persons?

13 A I think clearly you have to be -- have an
14 effective relationship for the agency to function or
15 that particular center to function.

16 Q If someone asked you and this is a
17 hypothetical question. But there was essentially a
18 criteria for a position and someone said, you know,
19 one of the things would be a proven management
20 ability. That was a question. Do you think Mr.
21 Youssef, from what you observed, would qualify as
22 having proven management abilities?

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1 A Yes.

2 Q If another criteria was strong,
3 organizational and administrative experience?

4 A I don't know what his prior experience was,
5 but clearly you have to have that capability to
6 operate in that position.

7 Q And if one of the criteria was outstanding
8 liaison abilities, do you think he would meet that?

9 A Yes.

10 Q Now, you testified that you had experience
11 in foreign counterintelligence?

12 A Yes.

13 Q FCI? How would you compare his background
14 and experience in FCI or Foreign Counterintelligence
15 with background and experience in international
16 counter-terrorism?

17 MS. WELLS: Object to the form of the
18 question.

19 BY MR. KOHN:

20 Q If you can offer an opinion in terms of
21 comparing/contrasting --

22 A I guess I don't understand the question.

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1 Q Okay. Do you think that the skills you
2 have for doing -- effectively working on an
3 operational level, let's say, foreign
4 counterintelligence, would be the same skill set you
5 would need to effectively work in international
6 counter-terrorism?

7 MS. WELLS: Objection to the form of the
8 question.

9 BY MR. KOHN:

10 Q If you can answer? If you can't, that's
11 fine.

12 MS. WELLS: There's no foundation that he
13 even knows anything about working in counter-
14 terrorism here. How do you even know that he's in a
15 position to make the comparison?

16 BY MR. KOHN:

17 Q Are you in a position to make that
18 comparison?

19 A I'm going to say this. In the NACIC we
20 were a staff element partly from there was an
21 operational component to NACIC, but Bassem did not
22 work in an operational component per se.

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1 We did deal with the National Counter-
2 Terrorism Center which was in the same building we
3 were in.

4 Certainly, some of the skills that apply to
5 counter-terrorism are the same for
6 counterintelligence or the same for law enforcement,
7 is the same for whatever.

8 Q Would there be different skills to the best
9 of your knowledge?

10 A Probably, but I don't know what those would
11 be off the top of my head.

12 Q Now, I know some of this just may -- this
13 is -- the series of questions are all very different,
14 the answers you just gave. So, there's no trick to
15 this. I'm just going to kind of like throw out some
16 words and descriptions and I'm going to ask you if
17 you think that's an accurate description of what you
18 observed in Mr. Youssef's performance.

19 That he was not acceptable?

20 A That was not my experience.

21 Q He worked below standards?

22 A That was not my experience.

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1 Q Poor?

2 A That was not my experience.

3 Q He performed adequately? That's about it.

4 A I don't know what adequately means. He
5 certainly performed the minimum standards.

6 Q That he did not represent the FBI well?

7 MS. WELLS: I'm going to objection -- all
8 these questions are being taken out of context. And I
9 don't really see the relationship to what he observed
10 five years ago.

11 You can answer it.

12 BY MR. KOHN:

13 Q Do you think -- I mean, if someone said at
14 the NACIC -- do you think he represented the FBI
15 well?

16 A At the time I was there. Yes.

17 Q Would you describe him as someone who would
18 read the newspaper all day?

19 A Not from my experience.

20 Q Did you have any issues with this
21 attendance or not being accountable for where he was
22 or, you know, his presence in the office?

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1 A Clearly, I relied, especially since there
2 was no deputy and I was acting director, I relied on
3 my three office chiefs extensively, so I needed to
4 know where they were pretty much on a daily basis,
5 not a daily basis, on an hourly basis where they were
6 and what they were doing.

7 Q And you were able to do that with mr.
8 Youssef?

9 A Yes.

10 Q And what was -- the testimony I know is you
11 were his supervisor. Describe for the record what
12 was your opportunity to actually observe what he did
13 in his job. In other words, what's your experiential
14 basis for being able to give an opinion as to his
15 performance.

16 A Well, clearly we had staff meetings.
17 Clearly there were actions and tasks assigned which I
18 was responsible to insure moved to completion. Like
19 the other office chiefs, I would deal with them
20 almost exclusively all day long as well as other
21 parts of the counterintelligence community, but
22 certainly internally, those three were my principal

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1 points of contacts with the work effort going on in
2 the National Counterintelligence Center.

3 Q Based on your knowledge, are you an SES
4 employee?

5 A Yes. Let me say, I'm SIS.

6 Q SIS.

7 A I'm currently and then I was SIES and most
8 recently up until a month ago, they just changed it
9 to DISES, D-I-S-E-S. Defense Intelligence Senior
10 Executive Service. So, it's undergone three
11 transitions, but yes. I'm a senior executive.

12 Q Would SES, SIS, SIES, DISES, would all of
13 them in terms of the management be essentially the
14 same type of level?

15 A Yes.

16 Q Based upon -- and how long have you been in
17 an SIS or SIES type position?

18 A Since 1996.

19 Q Have you ever had to supervise people at an
20 SIS or SES position?

21 A Yes.

22 Q Do you currently supervise anyone at that

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1 level?

2 A Indirectly. Yes.

3 Q Based upon your knowledge of the general
4 type of skill sets that someone would need to perform
5 at an SES level, from what you observed with Mr.
6 Youssef, do you think he had the ability to perform
7 at that level?

8 MS. WELLS: I would object to the form of
9 the question.

10 THE WITNESS: I think that if there had
11 become a Senior Executive Service position available
12 or a SIS position available, he certainly would have
13 been competitive.

14 MR. KOHN: Can we just go off the record
15 for a moment to talk to my client for a second.

16 (Whereupon, off the record from 3:39 p.m.
17 to 3:40 p.m.)

18 BY MR. KOHN:

19 Q To the best of your knowledge, and it may
20 have been blacked out here, we're not sure. But,
21 would it be fair to say that Mr. Youssef had a group
22 chief position at NACIC?

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1 A I don't recall if we classified our
2 positions in NACIC as group chiefs. I don't think
3 that was the -- we had office chiefs and we had
4 branch chief, but I don't recall the term "group
5 chief" per se being applied to NACIC off the top of
6 my head.

7 Q But my question is and I understand that
8 mr. Youssef was a GS-15 and this might help us. Do
9 you know, if you know, if the, I believe it would be
10 the CIA's classification for the position Mr. Youssef
11 held? In other words, on paper? If they classified
12 the position was an SIS, although it was being worked
13 -- the person hold it would be a 15 or was a 15, but
14 the paperwork for the position. Do you recall
15 whether that was classified as an SIS?

16 A You'd really have to go back to the PDD,
17 the Presidential Decision Directive and the PRD,
18 which established the NACIC which talked about those
19 office positions and the level -- proposed level of
20 those positions.

21 My recollection and somewhat vague to be
22 quite frank with you was that certainly the director

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1 and deputy director positions were senior executive.

2 It's also my recollection that somewhere in the PRD,
3 there was mention or an implementing documents for
4 the NACIC that the office key positions be also
5 senior executive positions. That's my recollection.

6

7 But in fact, it never occurred. It never
8 came to fruition.

9 Q And was Mr. Youssef in an office chief
10 position?

11 A Yes. Executive Secretariat office.

12 Q Okay. And so that classification to your
13 knowledge might exist on a document, PRD?

14 A That's correct.

15 Q And what does that stand for?

16 A Presidential Review Directive, I think.
17 There were so many implementing documents to the
18 establishment of the NACIC that talked about senior
19 executive positions and those three positions, as I
20 recall, were -- were put in policy as potentially
21 being senior executive positions. But in practice,
22 we never got to that stage.

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1 Q When you say we never got to that stage,
2 what does that mean?

3 A Well, I guess what it means is from a
4 practical standpoint and you'd have to talk to
5 probably Mr. Waguespack. He probably had a better
6 recollection since he stood up the NACIC.

7 My recollection is is at the time all the
8 individuals assigned to the NACIC were detailees from
9 other agencies. And there's a scarcity of Senior
10 Executive Service positions at large in the
11 Government. And probably there was a factor
12 involving the building of other agencies to provide
13 senior executive positions to support the NACIC.

14 Q So, in other words, it would be hard to get
15 an SES person for either FBI, CIA or DOD to agree to
16 the detail to the NACIC?

17 A To the NACIC, that's correct?

18 Q So, essentially it was more of a recruiting
19 issues and staffing issue as opposed to a task issue?

20 A Primarily, that was my understanding. Yes.

21 Q Okay. If could just go off the record for
22 a moment.

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1 (Whereupon, off the record from 3:44 p.m.
2 to 3:50 p.m.)

3 MR. KOHN: Back on the record.

4 BY MR. KOHN:

5 Q When Mr. Youssef worked for you, did he
6 have any responsibilities for planning or
7 promulgating the national CI strategy?

8 A Yes. I believe he did.

9 Q And did he have any responsibility for --
10 strategic input into the national CI budget?

11 A Yes.

12 Q Did he provide assistance in providing
13 strategic direction to the CI community?

14 A Yes.

15 Q And develop and implement a process to
16 measure community progress and meeting strategic
17 objectives and providing accountability?

18 A Definitely.

19 Q And did he have any role with the writing
20 or publishing of the CI National Strategy?

21 A Yes. I believe he did.

22 Q And as well as preparation of execution

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1 strategies and collection requirements for the CI
2 community?

3 A Could you restate that again?

4 Q preparation of execution strategies and
5 collection requirements for the CI community?

6 A My feeling is that was probably more --
7 another office chief's responsibility than his
8 responsibility.

9 Q And I think you testified already that he
10 did have major liaison responsibilities within the CI
11 community?

12 A That's correct.

13 Q And did he have any oversight of different
14 branches?

15 A Yes.

16 Q How many? Do you remember?

17 A At least two or three as I recall.

18 Q And do you know in terms of that function,
19 how many people he would have been responsible either
20 directly or indirectly supervising?

21 A I just don't recall a number. No.

22 Q Do you think that he could have had some

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1 form of oversight -- supervisory, whether it be first
2 or second or third level, whatever, for up to 40
3 people?

4 A That's possible. I doubt with the total
5 population of NACIC as I stated before, it was
6 probably a little less than that. I suspect it was
7 somewhere in the 20 to 30 people range, if I had to
8 guess.

9 Q Okay. And in terms of the functions that
10 we have just mentioned in this list, how would you
11 describe his performance doing those jobs?

12 A Again, I think he did an excellent job.

13 Q Okay.

14 Nothing further.

15 Okay. We're off the record.

16 (Whereupon, the taking of the testimony was
17 concluded at 3:53 p.m., signature having not been
18 waived)

19

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