

## UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF COLUMBIA

IN THE MATTER OF:

BASSEM YOUSSEF,

Complainant,

v.

FEDERAL BUREAU OF  
INVESTIGATION, et al.,

Agency.

CA No. 1:03CV01551  
(D.D.C.) (CKK)Monday,  
March 14, 2005

Washington, D.C.

DEPOSITION OF

GARY BALD

called for examination by Counsel for the Complainant,  
at 2:00 p.m., pursuant to notice of deposition (OR by  
agreement of counsel), in the law offices of Kohn,  
Kohn, and Colapinto, 3233 P Street, NW, Washington,  
DC, when were present on behalf of the respective  
parties:

**NEAL R. GROSS**  
COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

  
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1           Q     Did you bring anyone else in to assist you  
2     in making that decision?

3           A     No.

4           Q     It's your understanding that you thought  
5     that once Mr. Cummings was substituted in for  
6     Mr. Youssef, you thought perhaps they wouldn't follow  
7     through on the training?

8           A     I was hoping that they would go through on  
9     the training because I thought that that was something  
10    that they would benefit from. I was hopeful.

11          Q     But you thought there was a likelihood  
12    that it wouldn't happen? I thought that's what you  
13    said.

14          A     I was not oblivious to the possibility  
15    that it wouldn't happen, and the reason for that is I  
16    believe that Ed Curran, and I don't have ; this is my  
17    personal belief, that Ed Curran invited Bassem because  
18    he felt like he could get a presentation that he would  
19    ; that would be helpful to his team without having the  
20    United States government's perspective on how to do  
21    terrorism investigations adding to the mix.

22          Q     When you say the U.S. government's

1 perspective :-

2 A Yes.

3 Q -- are you talking about the FBI?

4 A The White House and the CIA and the  
5 Department of Homeland Security and the National  
6 Security Agency and the Department of Defense.

7 Q It's your testimony that all of these  
8 entities do not want states engaging in their own  
9 independent counterterrorism investigations?

10 A Yes.

11 Q Do the states know this? Do they know  
12 this is the policy of all these organizations?

13 A I don't know.

14 Q Have you told them?

15 A No.

16 Q Now :-

17 A And that has been a matter of discussion  
18 in the joint interagency meetings that those groups  
19 have on a regular basis.

20 Q But it would be your testimony that not  
21 only the FBI holds this opinion, but the White House,  
22 CIA and Homeland Security all hold the same opinion?

1           A     And to put it in my words, that unilateral  
2 terrorism investigative components are counter-  
3 productive to the security of our nation.

4           Q     Well, if that's the case, why wouldn't a  
5 directive come out to all the states saying don't do  
6 it?

7           A     You would have to ; that would be a  
8 political directive. You have states that have their  
9 own constitutions or their own charters that they  
10 follow. You have a blurred line between criminal  
11 activity and terrorist activity that makes those  
12 boundaries very difficult to define.

13                    You would have to ask ; for something like  
14 that to go out would be a political directive or a  
15 political document.

16          Q     The ; now, Mr. Youssef is an FBI employee,  
17 correct?

18          A     Yes.

19          Q     At the GS-15 level?

20          A     I believe so.

21          Q     You understood he had worked with  
22 Mr. Curran in the past?