

# KASH PATEL ALSO LIED ABOUT TRUMP'S PERSONALIZATION OF US INTELLIGENCE

First Mother Jones and then NYT had stories this week laying out a bunch of false claims that Kash Patel made about his experience at DOJ.

The headline lie in both is that, in his Government Gangsters book and interviews since, Kash lied about how significant a role he played in the Benghazi investigation, as MoJo lays out here.

"I was leading the prosecution's efforts at Main Justice in Washington, DC," Patel writes.

Several FBI and Justice Department officials who worked the Benghazi case say this description is an exaggeration. Asked about Patel's characterization, a former FBI special agent who was on that investigation for years exclaimed, "Oh my god, no. Not on that case. Not on Benghazi."

[snip]

This former agent said that the counterterrorism section had a small role in the Benghazi probe. Primarily, the FBI and the US attorney's office in Washington, DC, handled the case. "I don't recall Patel having any influence on it," he said. He recounted one meeting during the investigation that Patel attended in which Patel was not taken seriously by the main attorneys on the investigation. "The issue was whether or not we had the information needed to make a charge," the former agent said. "He wasn't a very experienced attorney and was dismissed

by some of the attorneys at the table.  
The message was, we're not paying  
attention to you."

NYT adds a second, perhaps more important reason  
why Kash's lies matter: Because he lied in an  
attempt to claim Democrats went soft on  
terrorism.

*"Despite the fact that we had reams of  
evidence against dozens of terrorists in  
the Benghazi attack, Eric Holder's  
Justice Department decided to only  
prosecute one of the attackers."*  
– "Government Gangsters"

*"I remember this meeting with then-A.G.  
Holder. And we had a deck of like 19  
guys we wanted to prosecute. You know,  
JSOC had them rolled up and we wanted to  
get them all. They killed four  
Americans. You know, it's a legit  
terrorist attack. And the basic general  
response from the F.B.I. and D.O.J.  
leadership was 'it's only politically  
convenient to get one guy.'"*  
– "The Shawn Ryan Show"

Mr. Patel's statements suggest that the  
Justice Department under the Obama  
administration decided to initiate  
criminal proceedings against only one of  
the attackers, Mr. Khattala.

But as early as late 2013, the  
department had already filed sealed  
complaints against about a dozen  
militants, officials said at the time.  
Criminal complaints initiate  
prosecutions, but are often kept under  
seal if the charged person remains at  
large.

And prosecutors filed more secret  
complaints as the investigation  
identified additional suspects. A  
complaint filed against a Libyan man,  
Mustafa al-Imam, in May 2015, for

example, became public only after his capture in 2017. (He was convicted in 2019 and sentenced to more than 19 years in prison.)

Other Benghazi suspects have since died.

Mr. Patel's statement that the military had already "rolled up" as many as 19 attackers implied that they were already in American custody, raising the seemingly inexplicable question of why they did not get sent to trial.

In fact, to date, only Mr. Khattalla and Mr. al-Imam have been tried because the military has not captured any others – including on Mr. Patel's watch as the Trump White House's senior director for counterterrorism.

Capturing a specific person in a war-torn country where the military has scant ground presence is costly, risky and difficult. The operation to find and grab Mr. Khattalla required months of complex planning, including recruiting an informant to befriend and then lure Mr. Khattala to an oceanside villa, where an F.B.I. agent and American commandoes captured him and took him to an American warship waiting off the coast.

These fact checks will make for some interesting questions at Kash's confirmation hearing. With some unspecified exceptions, these stories are primarily sourced to former officials:

- Former agent
- Former official in counterterrorism section
- Andy McCabe
- A former FBI agent who worked for years on the Uganda investigation

- Robert D'Amico, a former F.B.I. agent
- Public documents and interviews with several current and former law enforcement officials

That has the upside of allowing people to talk without fear. It means these people are no longer inside the bureaucracy, able to push back from within.

In any case, none of this will prevent Kash from being confirmed. Like Kash, John Ratcliffe fluffed his counterterrorism experience, in Ratcliffe's case, to get elected. That led Trump to ditch his nomination a first time, but not in 2020 when he was confirmed on a largely partyline vote; the second vote was successful in significant part because then Acting Director of National Intelligence Ric Grenell, who was being babysat by Kash, was such a shitshow that Ratcliffe was a less-awful alternative.

But Kash has lied about more than his own inexperience. As NYT noted, he also likes to lie for partisan gain. That's how he has convinced Republicans to support his nomination.

It's a third kind of lie that hasn't factored much in discussions of his tenure at FBI. Kash Patel has been absolutely central to Trump's efforts to personalize intelligence obtained by US officials. And there is abundant reason to believe he lied about that, at least publicly, when he claimed, in May 2022, that Trump had declassified all the documents found at Mar-a-Lago. There's a bunch about Kash's role in the classified documents investigation – for example, why Kash and John Solomon suddenly got status as Trump's representatives to the archives when prosecutors asked for surveillance video, or what Kash told prosecutors in November 2022 when he sat for immunized testimony – that is not yet public.

But it may *become* public, possibly as early as

this week and presumably well before his confirmation hearing. Indeed, if (for example) one of the things the FBI found during the August 8, 2022 search of Mar-a-Lago but did not charge was some version of the Crossfire Hurricane binder, that may show up in Jack Smith's closing report.

Another thing that might show up in Jack Smith's report is what someone whose potty mouth resembles that of Eric Herschmann (person 16 here) had to say, in an interview days before Kash testified, about the claims that Trump "declassified everything" made by some "unhinged" person who exactly matches Kash (person 24).

According to Per. 16 [REDACTED] there was no standing declassification order. The first time Per. 16 [REDACTED] heard that FPOTUS had "declassified everything" was when it appeared in the media in 2022. Per. 16 [REDACTED] had never heard that while in the White House. Per. 16 [REDACTED] believed no one in the White House, to include Per. 44 [REDACTED] and [REDACTED], or any of [REDACTED], would testify that there was such an order, with the exception of possibly Per. 24 [REDACTED].

Per. 16 [REDACTED] believed Per. 24 [REDACTED] was pushing the "declassified everything" line of thinking. Per. 16 [REDACTED] saw Per. 24 [REDACTED] at the White House regularly. Per. 24 [REDACTED] bragged a lot about Per. 24 [REDACTED] access while working for U.S. Congressman [REDACTED], who was now Per. 24 [REDACTED] first got into the White House. Per. 24 [REDACTED] knew a lot of people. Per. 24 [REDACTED] was friendly with [REDACTED] and [REDACTED] at the White House. Per. 16 [REDACTED] thought Per. 24 [REDACTED] was motivated "to move up in the world" and would brag about the "unbelievable things" Per. 24 [REDACTED] had seen.

Per. 16 [REDACTED] interacted with Per. 24 [REDACTED] since January 2021 "maybe once." They did not leave on the best of terms. Per. 16 [REDACTED] explained at one point Per. 24 [REDACTED] wanted the position of [REDACTED]. Per. 16 [REDACTED] told Per. 24 [REDACTED] he was not qualified for that job and relayed the same to [REDACTED]. Per. 24 [REDACTED] did not obtain the position. Per. 16 [REDACTED] explained Per. 24 [REDACTED] was "unhinged" and "crazy" but at one point was under real consideration for the job.

As MoJo and NYT lay out, Kash Patel has lied to inflate his own resumé. He has lied to attack Democrats. According to Olivia Troye (whom Kash did not sue after threatening to do so).

But he was also a key player in Trump's effort to take home classified documents and put them to his own personal use.

That, too, is unlikely to give Republican Senators pause before putting him in charge of FBI's signals collection (often with NSA involvement) and informant programs. But it is likely to be far more important than fluffing his resumé going forward.