

**United States House of Representatives
Committee on Oversight and Government Reform**

**Deposition of Susan B. Ralston
May 10, 2007**

**Please note the technical and substantive changes to this transcript
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1 RPTS SCOTT

2 DCMN NORMAN

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5 EXECUTIVE SESSION

6 COMMITTEE ON OVERSIGHT AND

7 GOVERNMENT REFORM,

8 U.S. HOUSE OF REPRESENTATIVES,

9 WASHINGTON, D.C.

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14 DEPOSITION OF: SUSAN B. RALSTON

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Thursday, May 10, 2007

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Washington, D.C

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23 The deposition in the above matter was held in Room

24 2203, Rayburn House Office Building, commencing at 10:15

25 a.m.

1 Appearances:

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3 For Committee on Oversight and Government Reform:

4

5 KRISTEN AMERLING, COUNSEL

6 SUSAN SACHSMAN, COUNSEL

7 PHIL BARNETT, STAFF DIRECTOR

8 ANNA LAITIN, PROFESSIONAL STAFF MEMBER

9 KEITH AUSBROOK, MINORITY GENERAL COUNSEL

10 STEVE CASTOR, MINORITY COUNSEL

11

12 Also Present: REPRESENTATIVE TOM DAVIS OF VIRGINIA

13

14 For Susan B. Ralston:

15

16 BRADFORD A. BERENSON, ESQ.

17 JULIE G. KOLLER, ESQ.

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19 1501 K Street, N.W.

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1 Ms. Amerling. On behalf of the Committee on Oversight
2 and Government Reform, I thank you for being here today.
3 This proceeding is known as a deposition. The Chairman of
4 the committee originally sought this deposition as part of
5 the committee's investigation of lobbying contacts between
6 the White House and Jack Abramoff and his associates. And in
7 addition, he originally sought the deposition as part of the
8 committee's investigation of the use of nongovernmental
9 e-mails by White House officials for official business.

10 Based on subsequent representations by your attorney
11 regarding information that you may have and that you may be
12 willing to discuss regarding additional topics under
13 investigation by the committee, today's deposition will also
14 concern political briefings by White House officials to
15 Federal agency officials, White House practices regarding the
16 handling of classified information, and the White House use
17 of intelligence regarding Iraq.

18 My name is Kristin Amerling. I'm the majority counsel
19 designated for this deposition. I'm accompanied by Anna
20 Laitin, who is a committee professional staff member, and
21 Susan Sachsman, who is a counsel for the committee.

22 Would minority counsel please introduce yourselves?

23 Mr. Ausbrook. Sure.

24 I'm Keith Ausbrook, and I'm the general counsel for the
25 Republicans.

1 Mr. Castor. Steve Castor, also a counsel with the
2 Republican staff.

3 Ms. Amerling. Would other committee staff please
4 introduce yourselves?

5 Mr. Barnett. Phil Barnett, the majority staff director.

6 Ms. Amerling. We will also have the benefit today of
7 the presence of the Ranking Member of the committee.

8 Mr. Davis of Virginia. I don't intend to stay for the
9 deposition. I just wanted to thank you for coming
10 voluntarily. Thank you.

11 We are going to do everything we can, from our
12 perspective, to treat you fairly and to make sure that our
13 rules are followed. Your position at the White House has,
14 unfortunately, put you in the middle of events of great
15 interest to the Chairman of the committee and to probably
16 some other committees around, and I hope that we'll be able
17 to take your testimony efficiently. We do not want to have
18 to keep coming back and forth. I'm sorry we don't have all
19 of the documents before you that we may ask you questions
20 on -- we had hoped to be able to do that -- but we want to
21 work as efficiently as we can, and we understand that you're
22 unwilling at this point, without some further assurances, to
23 answer some questions. But I just want to thank you for
24 that.

25 We'll proceed and see how it goes. We want to make sure

1 that on the minority side, your rights are protected and all
2 of the rules are followed, okay? We have a good working
3 relationship with the majority staff. This is not a hostile
4 proceeding between us, and it shouldn't be with you. We are
5 just trying to get at some facts at this point.

6 Again, thank you for coming.

7 The Witness. Okay.

8 Mr. Berenson. Thank you, Congressman.

9 I will just note my appearance for the record.

10 I am Brad Berenson with Sidley Austin, counsel for
11 Ms. Ralston, and I am accompanied today by Julie Koller, my
12 colleague.

13 Ms. Amerling. Before beginning the deposition, I would
14 like to go over some standard instructions and explanations
15 regarding the deposition.

16 Ms. Ralston, because you have been placed under oath,
17 your testimony here has the same force and effect as if you
18 were testifying before the committee. If you knowingly
19 provide false testimony, you could be subject to criminal
20 prosecution for perjury by making false statements or other
21 related offenses. Do you understand this?

22 The Witness. I do.

23 Ms. Amerling. Is there any reason you're unable to
24 provide truthful answers in today's deposition?

25 The Witness. There is no reason why.

1 Ms. Amerling. As you may well have already heard from
2 your attorney, you have the right under the fifth amendment
3 of the Constitution to refuse to answer any questions if a
4 truthful answer to that question may tend to incriminate you.

5 Do you understand this?

6 The Witness. I do.

7 Ms. Amerling. The deposition will proceed as follows:

8 I'll ask you questions regarding the subject matter of
9 the committee investigations for up to 1 hour. When I'm
10 finished, the minority counsel will have the opportunity to
11 ask you questions for 1 hour.

12 The Witness. Okay.

13 Ms. Amerling. Additional rounds of questioning,
14 alternating between the majority and minority counsel, may
15 follow until the deposition is completed. The reporter will
16 be taking down everything you say, and she will make a
17 written record of the deposition. You need to give verbal,
18 audible answers because the reporter cannot record nods or
19 gestures.

20 Do you understand that?

21 The Witness. I do.

22 Ms. Amerling. If you don't hear or understand a
23 question, please say so, and I'll repeat it or rephrase it.

24 If I ask you about conversations or events in the past
25 and you're unable to recall the exact words or details, you

1 should testify to the substance of such conversations or
2 events to the best of your recollection. If you recall only
3 part of a conversation or of an event, you should give us
4 your best recollection of those events or parts of the
5 conversations that you do recall. Do you understand?

6 The Witness. I do.

7 Ms. Amerling. Ms. Ralston, do you have any questions
8 before we begin the deposition?

9 The Witness. No.

10 EXAMINATION

11 BY MS. AMERLING:

12 Q Would you please state your full name for the
13 record?

14 A Susan B. Ralston.

15 Ms. Amerling. Your attorney has indicated that he wants
16 to make some preliminary remarks.

17 Mr. Berenson. Right. Thank you very much, Kristin.

18 Susan is here this morning voluntarily. She wants to
19 assist the committee in its investigation to the extent that
20 she is able to. She is not under subpoena. We understand
21 that the purpose of this morning's deposition is really
22 twofold: first, for her to provide the information that she
23 can provide on a couple of subjects where she can testify
24 without precondition and without any of the further
25 assurances that Congressman Davis referred to; and, secondly,

1 to make a record for the committee of the subjects on which
2 she does not currently feel she can testify without a grant
3 of immunity based on concerns that the testimony may
4 reasonably form some link in a chain of evidence that
5 somebody could regard as inculpatory of her.

6 The subjects this morning that she will be unable to
7 testify to on those grounds are the subjects of the
8 relationship between Jack Abramoff and his associates and
9 White House officials, including Ms. Ralston, and the subject
10 of the use by White House officials of political e-mail
11 accounts at the RNC.

12 She has material, useful information about both of those
13 subjects. She is more than willing to provide it to the
14 committee. However, she will, as we have previously
15 discussed, require a grant of immunity before she is
16 comfortable going forward. That is not because she believes
17 that she has violated the law or that I believe she has
18 violated the law. Neither is true. She doesn't believe that
19 and I don't believe that. Nonetheless, in a situation where
20 the factual issues are developing and emerging as quickly as
21 they are and where legal theories, new legal theories are
22 appearing all the time and developing and emerging as quickly
23 as they are, she doesn't have sufficient comfort that
24 testimony provided in this setting on those subjects will not
25 have some tendency to inculcate her, at least in the eyes of

1 someone who is inclined to be distrustful or to put the worst
2 possible construction on events.

3 So, for that reason this morning, to the extent your
4 questions touch upon the Abramoff affair or the RNC e-mail
5 accounts, I'll instruct her to respectfully decline to answer
6 those questions at the present time in the hope that, at some
7 point in the future, she will be able to do so under a grant
8 of immunity.

9 BY MS. AMERLING:

10 Q Ms. Ralston, your counsel has informed the
11 committee that you may have information relevant to the
12 investigation of presentations given by the White House
13 Office of Political Affairs' staff to Federal agency
14 officials regarding past and future elections that you would
15 be willing to discuss with us today; is that correct?

16 A Yes.

17 Q Now, the second matter under investigation by the
18 committee is White House practices in handling classified
19 information. I understand you'll also be willing to discuss
20 this issue in today's deposition; is that correct?

21 A Yes.

22 Q With respect to the third matter under
23 investigation by the committee of how intelligence in Iraq
24 was handled at the White House, your counsel has informed us
25 that you may have information you would be willing to share

1 concerning the role Karl Rove played in the preparation of
2 White House statements and speeches involving Iraq
3 intelligence; is that correct?

4 A Yes.

5 Q I'll turn to these three issues later in the
6 deposition. I would like to start by asking you a few
7 questions about Jack Abramoff's contacts with you while you
8 were at the White House.

9 Are you willing to answer any questions today regarding
10 your own contacts with Jack Abramoff and his associates while
11 you were at the White House?

12 A No.

13 Q Could you explain the basis for declining to answer
14 those questions?

15 Mr. Berenson. The basis for declining to answer those
16 questions is the basis I set forth at the outset of the
17 deposition.

18 Ms. Amerling. Okay.

19 BY MS. AMERLING:

20 Q Let's turn to a few questions regarding Mr. Rove.

21 While you were serving at the White House, did Karl Rove
22 ever take any official actions sought by Jack Abramoff or his
23 associates for any of Abramoff's clients?

24 Mr. Berenson. Here, too, Kristin, she is not going to
25 be in a position this morning to answer questions with

1 respect to Abramoff contacts with other White House officials
2 or as to the actions of those other White House officials as
3 they related to various things that Mr. Abramoff may have
4 wanted, again for the same reason that I gave at the outset.

5 Ms. Amerling. Okay.

6 BY MS. AMERLING:

7 Q Let's turn to the subject of RNC e-mail accounts.

8 The Republican National Committee has informed this
9 committee that you're among a number of White House officials
10 who had RNC e-mail accounts while working at the White House.
11 I would like to ask you about the RNC e-mail accounts and
12 other nongovernmental e-mail accounts on which you may have
13 conducted official White House business.

14 Where did you get the idea to obtain an RNC e-mail
15 account?

16 Mr. Berenson. We'll have the same objection to this
17 line of questions and for the same reason.

18 BY MS. AMERLING:

19 Q Let's turn to Mr. Rove's use of RNC e-mail accounts
20 and communications hardware provided by the RNC.

21 Would you describe what you know about Mr. Rove's use of
22 RNC e-mail accounts or RNC hardware to conduct official
23 White House business?

24 Mr. Berenson. May I have a moment to consult on this
25 one?

1 Ms. Amerling. Sure.

2 [Witness and counsel confer.]

3 Mr. Berenson. Kristin, I think we'll go ahead and try
4 to answer some questions on this topic. How far we can go,
5 I'm not really sure. I won't be sure until you go down the
6 road a little bit, but at least as to some basics and some
7 preliminaries, there is probably no issue for us.

8 Ms. Amerling. Okay.

9 BY MS. AMERLING:

10 Q Did Mr. Rove communicate over e-mail?

11 A Yes.

12 Q What e-mail accounts did he use?

13 A He had three accounts that I recall. He had an
14 official White House account, a political account, and a
15 personal account.

16 Q And what do you mean by a "political account"?

17 A It was an e-mail account that came over from the
18 campaign. I don't know who managed the account, but it was a
19 GeorgeWBush.com e-mail address.

20 Q And why did he use this account?

21 Mr. Berenson. I'm going to interpose an objection to
22 that particular question on the grounds stated at the outset.

23 Ms. Amerling. Could you articulate, Mr. Berenson? This
24 may be a more appropriate question for you because it is a
25 legal question.

1 Mr. Berenson. Sure.

2 Ms. Amerling. I understand Ms. Ralston is declining to
3 discuss her own use of political e-mail accounts.

4 Can you explain the basis on which she would decline to
5 discuss the use of such accounts by Mr. Rove?

6 Mr. Berenson. Yes. We have decided this morning to
7 allow her to talk about some of the mechanics of Mr. Rove's
8 use of e-mail accounts, but when it comes to the reasons of
9 why he was using political e-mail accounts, there is a
10 reasonable, well-founded concern that a discussion of the
11 reasoning behind the use of those accounts may sweep more
12 broadly than Mr. Rove himself, and may go part of the way
13 toward explaining a pattern of usage among other officials,
14 potentially including Ms. Ralston, and so that's why we are
15 going to decline to answer that question this morning.

16 Ms. Amerling. So, just to be clear, with respect to
17 questions relating to Mr. Rove's reasons for using political
18 e-mail accounts, Ms. Ralston is declining to answer those
19 questions on the basis of her fifth amendment privilege?

20 Mr. Berenson. She is not actually invoking her fifth
21 amendment privilege this morning. She is not here under
22 compulsion, so the fifth amendment really isn't in the
23 picture. What she is doing is notifying the committee of an
24 intention to invoke that and not to respond to those
25 questions if she were under compulsion with respect to those

1 questions. It's merely a technical difference, but I just
2 want the record to be clear.

3 [Counsel and Witness confer.]

4 BY MS. AMERLING:

5 Q Let's go back to questions about Mr. Rove's use of
6 the political e-mail accounts.

7 When Mr. Rove communicated with you over e-mail, which
8 e-mail account did he use?

9 Mr. Berenson. Again, because this involves the use of
10 e-mail by Ms. Ralston herself, we are going to have the same
11 objection and for the same reason previously stated.

12 BY MS. AMERLING:

13 Q When did Karl Rove first start using his RNC e-mail
14 account to send and receive e-mails from the White House?

15 A From day one.

16 Q And for how long did he continue to use this
17 account? I refer to it as an "RNC e-mail account." You had
18 said a "GeorgeWBush account." Was it your understanding this
19 was an account provided by the RNC?

20 A Well, I don't know who the domain holder was or who
21 was in charge of the server during the campaign and when it
22 may have been transferred from the campaign assets to the
23 RNC, and then who was responsible for maintaining the account
24 during the reelect. So it was a political account. I don't
25 know who necessarily was responsible for it.

1 Q Okay.

2 A Does that make sense --

3 Q Sure.

4 A -- given the time frame?

5 Q From now on, when I refer to it, I'll refer to that
6 e-mail account as the political e-mail account.

7 A Okay.

8 Q For how long did Mr. Rove continue to use his
9 political e-mail account to send e-mails from the
10 White House?

11 A The entire time that I worked for him.

12 Q Do you know how frequently he used this account?

13 A It would be hard for me to quantify how much. He
14 used it a lot.

15 Q Did Mr. Rove have a BlackBerry provided by the RNC?

16 A I don't know if the RNC actually provided the
17 equipment. It was a political BlackBerry. I don't know if
18 the BlackBerry came on -- if he had it during the campaign
19 or -- it was a political BlackBerry.

20 Q Did you ever see him use it?

21 A Yes.

22 Q When did he first start using this BlackBerry?

23 A I don't know when he started using it in the
24 White House. My best recollection is that he had it at the
25 very beginning, but I can't say exactly when it started.

1 Q Do you know how often he used it?

2 A He used it daily.

3 Q Many times over the course of a day?

4 A Yes.

5 Q Did he have a White House BlackBerry, an official
6 White House BlackBerry?

7 A No, he did not.

8 Q When he left his office, did he generally bring his
9 political BlackBerry with him?

10 A Yes, he did.

11 Q Did Karl Rove ever discuss whether e-mails sent and
12 received on his political e-mail account or political
13 BlackBerry were being preserved?

14 A Can you repeat the question, please?

15 Q Did he ever discuss whether e-mails that were sent
16 or received over the political e-mail account or by using the
17 political BlackBerry were being preserved?

18 A He and I -- I don't recall a specific discussion
19 between he and I about it. My general understanding was that
20 he thought that the e-mails were being preserved.

21 Q What is the basis for your understanding?

22 A Well, there were times during -- over the course of
23 the time that I worked there, for example, during the
24 campaign, during the 2004 reelect, there was an e-mail that
25 was sent out by the staff about the campaign's e-mail

1 retention policy, and somebody at the campaign called me to
2 notify me that this e-mail was going to go out.

3 Q The e-mail was sent by whom?

4 A By somebody on the campaign staff. So it was a
5 staffwide e-mail, and the e-mail explained the retention
6 policy, but somebody on the campaign staff -- and I don't
7 recall who specifically -- called me to say that it didn't
8 apply to myself and to Karl, and to let him know that when he
9 saw it, it did not apply.

10 Q When did you receive this communication?

11 A It was probably sometime in 2003.

12 Q And did they explain why this policy didn't apply
13 to you or to Mr. Rove?

14 A Well, there were other times during the first 4
15 years or so when Karl would get an upgrade of equipment. And
16 if he got a new computer or if he got a new BlackBerry, I
17 remember conversations with the RNC IS&T staff that because
18 they saved Karl's e-mails, that it would take a long time to
19 load up his e-mail file folders. So we have had general
20 conversations like that with RNC staff, which led both of us
21 to believe that they were retaining his e-mails.

22 Q But you mentioned a specific communication that
23 came out from the campaign sometime in 2003.

24 A Right. But prior to that particular e-mail from
25 the campaign, the RNC prior to that had led us to believe

1 that the e-mails were being saved.

2 Q But why did they say that the policy that was going
3 to be issued wouldn't apply?

4 A Because it was my understanding that -- I don't
5 know if it was my --

6 Mr. Berenson. Did they say anything about why --

7 The Witness. They did not.

8 Mr. Berenson. -- the policy wasn't going to apply?

9 The Witness. It was just a general understanding that I
10 had.

11 BY MS. AMERLING:

12 Q Can you describe what the policy was?

13 A I don't recall a specific policy in writing or
14 being notified verbally or in a briefing what the policy was.

15 Mr. Berenson. Kristin, are you referring to the policy
16 she was notified about by the campaign?

17 Ms. Amerling. Yes.

18 Mr. Berenson. So that e-mail.

19 The Witness. Okay. I thought we were talking about the
20 RNC. Okay.

21 BY MS. AMERLING:

22 Q I was talking about the campaign policy that you
23 said you believed was communicated sometime in 2003.

24 A Okay. So, again, state your question, please.

25 Q Do you recall the substance of that policy?

1 A Oh, that e-mails were deleted after 30 days.

2 Q Now, you described communications with the RNC
3 before you received that policy in 2003.

4 Can you tell us when you received those other
5 communications from the RNC regarding Mr. Rove's e-mails or
6 regarding his RNC equipment?

7 A I can't give a specific time frame.

8 Q Do you recall how many instances there were where
9 you had such communications?

10 A It may have been four or five times. I can't say
11 specifically, but it seemed to be a number of times. Karl
12 would get a new computer. He would lose a BlackBerry.
13 Whenever this happened, there would be some conversation with
14 the IS&T people about his mail file.

15 Q The IS&T people at the RNC?

16 A Correct.

17 Q Do you recall who they were? Do you recall the
18 names of any of those people?

19 A I could think of some names of people it might be,
20 but I don't know if it was definitely who I might name.

21 Does that make sense?

22 Q Sure. Could you tell us the names that you're
23 thinking of?

24 A It might be Dirk Dyman, D-Y-M-A-N. It could have
25 been Mike Ciarrino, and I can't remember how to spell his

1 last name. I think it's C-I-A-R-R-I-N-O, I think.

2 Those are the two people that I remember who worked on
3 the RNC IS&T staff. There may have been others, but those
4 are two that I remember.

5 Q Did Karl Rove ever use his BlackBerry pin code to
6 communicate?

7 A I don't know.

8 Q Did he ever use a pager to communicate?

9 A I think he was issued a White House pager after
10 September 11th, but I think it was more of a pager to
11 receive, not to transmit, I think.

12 Q He was issued a pager by the White House?

13 A Correct.

14 Q But you're not aware of a pager issued by the RNC
15 or by the campaign?

16 A I don't think so.

17 Q Did any other officials at the White House besides
18 Mr. Rove ever discuss deleting e-mails that were sent or
19 received on political e-mail accounts?

20 Mr. Berenson. I'm going to interpose an objection here,
21 again for the same reasons.

22 Ms. Amerling. Could you articulate the reasons?

23 Mr. Berenson. Sure.

24 If we are talking about a pattern or a practice of the
25 use of e-mail accounts, the deletion of e-mails by

1 White House officials other than Mr. Rove himself, that
2 raises concerns that that information could in some way
3 reflect on Ms. Ralston's own conduct or state of mind with
4 respect to those issues. And so at the present time, she
5 will decline to answer those questions, but would be happy to
6 do so in the future with appropriate assurances.

7 Ms. Amerling. I want to go back to the testimony that
8 Ms. Ralston provided about contacts between Jack Abramoff and
9 the White House; and this is, again, a question that's
10 probably better suited for you, Mr. Berenson.

11 She made clear she didn't want to discuss her own
12 actions regarding Mr. Abramoff and his associates. Can you
13 explain the legal basis for her declining to answer questions
14 about the actions of Mr. Rove or other White House officials
15 with respect to Jack Abramoff?

16 Mr. Berenson. Sure. We have previously discussed this
17 off line. The issue here with respect to the relationship
18 between Mr. Abramoff and his associates generally, and the
19 White House and White House officials, implicates in many
20 ways that may or may not already be obvious to the committee
21 from its review of documents and e-mails, conduct and actions
22 by not only those other officials but potentially also by
23 Ms. Ralston herself. She was personal friends with a number
24 of the individuals on Abramoff's staff, and as the
25 committee's own report makes clear, was frequently the

1 recipient of communications from them, even if the
2 substantive matters under discussion related only to
3 activities by other officials in the White House.

4 So the entire subject of the Abramoff team's
5 relationship with the White House and other White House
6 officials is one on which she will have to decline to respond
7 to questions at this time.

8 Ms. Amerling. Is she invoking her fifth amendment
9 privilege with respect to questions on that subject?

10 Mr. Berenson. She is not formally invoking her fifth
11 amendment privilege with respect to that subject or to any
12 other subject for the simple reason that the fifth amendment
13 can't even theoretically apply unless there is compelled
14 testimony.

15 However, as I indicated at the outset of the deposition,
16 she is here, making a record for the committee of her intent
17 to decline to answer questions on that subject on the ground
18 of the fifth amendment privilege if, in the future, she were
19 to be compelled to testify on those subjects or with respect
20 to those questions.

21 BY MS. AMERLING:

22 Q A couple of more questions about Mr. Rove's use of
23 political e-mails. The RNC has informed us that -- you had
24 previously said that the RNC had told you that Mr. Rove's
25 e-mails were saved. Was he able to delete them himself?

1 A I believe he had the ability to.

2 Q Did he?

3 A I have no specific knowledge that he did.

4 Q Did you ever receive instructions from any
5 White House officials regarding how to handle e-mails sent or
6 received on political e-mail accounts?

7 Mr. Berenson. I'm going to interpose the same objection
8 for the same reason with respect to that question.

9 BY MS. AMERLING:

10 Q Okay. Let's turn to a different subject. Before I
11 turn to a different subject, I have one additional question.

12 Did Mr. Rove ever receive any instructions from
13 White House officials regarding the use of political e-mail
14 accounts?

15 A He may have but not to my knowledge.

16 [Counsel and Witness confer.]

17 Mr. Berenson. Ms. Ralston may have one additional
18 clarification or piece of information to offer. I just need
19 a moment to consult.

20 Ms. Amerling. Okay.

21 [Counsel and Witness confer.]

22 Mr. Berenson. There is one additional fact about
23 Mr. Rove's equipment and e-mails that Ms. Ralston would like
24 to volunteer to the committee.

25 Ms. Amerling. Okay.

1 The Witness. During the Plame leak investigation,
2 Patrick Fitzgerald and his team took Karl's political laptop
3 and his BlackBerry during the investigation.

4 BY MS. AMERLING:

5 Q Do you know whether other e-mails that Mr. Rove had
6 sent or received over his political accounts were provided to
7 Mr. Fitzgerald as well?

8 A I'm sorry, can you repeat that question?

9 Q Do you know whether records of other e-mails that
10 Mr. Rove sent or received through his political e-mail
11 accounts were provided to Mr. Fitzgerald?

12 Mr. Berenson. Beyond what Mr. Fitzgerald got when he
13 took the laptop and BlackBerry?

14 Ms. Amerling. Yes.

15 The Witness. You know, my recollection is a little
16 fuzzy, but I believe that in the document production, we did
17 search his political accounts.

18 BY MS. AMERLING:

19 Q Who searched them?

20 A We did a search ourselves -- Karl and myself -- and
21 we may have asked the RNC to do a search as well.

22 Q Can you walk me through what you did to search his
23 political accounts?

24 A He -- on his laptop, we -- I would go and do
25 keyword searches, based on the subpoena that we got, and

1 search all of his folders for keywords.

2 Q So these searches were conducted on e-mails that
3 were lodged in his laptop?

4 A Correct.

5 Q And you said you may have asked the RNC to conduct
6 additional searches?

7 A I have a vague recollection that we did, but --

8 Q Do you recall that you asked the RNC to do that?

9 A I believe I did. I have a fuzzy recollection that
10 I did. I believe I did.

11 Q Why were you asking the RNC to do additional
12 searches?

13 A In case -- so that we were very comprehensive in
14 our search. If for some reason I missed it, they would have
15 caught it.

16 Q And when did you ask the RNC to do that?

17 A In response to any given subpoena.

18 Q Well, you had referred earlier to a request from
19 Mr. Fitzgerald in the Plame investigation.

20 Was there more than one request?

21 A For documents in that investigation, there was more
22 than one subpoena.

23 Q How many?

24 A There may have been as many as six or seven.

25 Q And do you know the time frame?

1 A I can't recall the specific time frame.

2 Q Beyond Mr. Fitzgerald's requests, were there other
3 requests from other investigators for Mr. Rove's e-mails?

4 A The only -- there may have been, but the only other
5 major investigation that I recall specifically was related to
6 Enron.

7 Q Do you know when that would have been?

8 A I believe that was in 2001 sometime.

9 Q And you think in 2001 that Mr. Rove searched his
10 e-mails to respond to a request for investigators relating to
11 Enron?

12 A He or I searched.

13 Q And that search included a search of political
14 e-mails sent over the political account?

15 A Correct.

16 Q Were other White House officials aware that
17 Mr. Rove in 2001 was providing e-mails from his political
18 accounts to investigators who were looking at Enron?

19 A I believe so, because all of the documents that we
20 collected were then turned over to the White House Counsel's
21 Office.

22 Q Similarly, with respect to the six or seven
23 subpoenas from Mr. Fitzgerald, or whatever the number was
24 from Mr. Fitzgerald, were White House officials aware that
25 you and Mr. Rove were providing e-mails sent and received on

1 his political accounts to Mr. Fitzgerald?

2 A All of the documents that we collected in those
3 investigations or for those requests as well were also turned
4 over to the White House Counsel's Office to then submit.

5 Q You mentioned that you think you asked the RNC to
6 search for Mr. Rove's e-mails in response to at least one of
7 the Fitzgerald subpoenas.

8 A I believe I did.

9 Q What did they do in response to that request?

10 A I believe they did a search, and I can't recall if
11 anything came up in response, but if it did, those documents
12 would also have been turned over in response to the
13 subpoenas.

14 Q Do you know whether other White House officials
15 were aware that the RNC was conducting searches for
16 Mr. Rove's e-mails in response to the request from
17 Mr. Fitzgerald?

18 A I don't recall a specific notification or a
19 specific discussion with White House staff, but my sort of
20 general understanding is that they knew.

21 Q In 2001, when this was the request from an outside
22 investigation relating to Enron for Mr. Rove's e-mails, did
23 you or Mr. Rove make a request to the RNC to search for
24 e-mails in response to that request?

25 A I don't recall specifically making a request to the

1 RNC. I may have. I just don't recall specifically.

2 Q Did Mr. Rove have a practice of printing out his
3 e-mails?

4 A He did.

5 Q Did he print out e-mails received on his political
6 account?

7 A He would -- we didn't have a political printer. He
8 did not have a political printer in his office, and there
9 were a lot of times that he would forward a document to me to
10 print out. So he would ask me to print them.

11 Q To print e-mails sent or received on his political
12 account?

13 A E-mail, correct.

14 Q And were those printouts stored anywhere?

15 A Well, we had a filing system in our office, handled
16 by Records Management, and they were responsible for all of
17 the files. So every piece of paper which we saved went to
18 Records Management, and they kept all of the files in
19 storage.

20 [Counsel and Witness confer.]

21 BY MS. AMERLING:

22 Q Did he print out all of his e-mails that were sent
23 or received on his political account?

24 A No. No.

25 Q How did he decide which e-mails would be printed

1 out and which ones wouldn't be?

2 Mr. Berenson. If you know.

3 The Witness. Well, if there was follow-up action or it
4 was something lengthy that he would like to read later, he
5 would print it out. He would often get a lot of articles to
6 read, so they would be things to print out and then look at
7 later.

8 BY MS. AMERLING:

9 Q Okay. Let's turn to a different subject.

10 A Okay.

11 Q The subject is the political briefings given by the
12 White House Office of Political Affairs to Federal agency
13 officials, and I would like to start with some questions
14 about your employment history and your position at the
15 White House as background.

16 Where are you currently employed?

17 A I'm a private, independent consultant.

18 Q And to whom do you report?

19 A Myself.

20 Q Where did you work before you held that position?

21 A At the White House.

22 Q And what positions did you hold there?

23 A From 2001 to 2004, I was the Executive Assistant to
24 Karl Rove. In 2003 through 2004, in addition to being
25 Executive Assistant, I was also the White House liaison to

1 the BC04 campaign. In 2005 and 2006, I was also the Special
2 Assistant to the President. I think I got my commission in
3 2004, at the end of 2004.

4 Q And to whom did you report in each of these
5 positions?

6 A To Karl Rove.

7 Q When you were assigned responsibilities as the
8 White House liaison to the campaign, what did that entail?

9 A There was a -- our office was the -- what he called
10 a "funnel" to make sure that all campaign coordination came
11 through our office, meaning myself and him.

12 Q And did you continue to have responsibilities at
13 the White House while you took on those responsibilities as a
14 liaison?

15 A Yes, I did.

16 Q When did your responsibilities with the campaign
17 stop?

18 A Well, let's see. December of '04.

19 Q Prior to your service at the White House, where
20 were you employed?

21 A Greenberg Traurig.

22 Q And what position did you hold there?

23 A I cannot remember my exact title. It was something
24 like Associate Director of Government Affairs, something like
25 that.

1 Q During what time period did you serve in that
2 position?

3 A From January '01 to February of '01. Just over a
4 month.

5 Q And where did you work before then?

6 A Preston Gates.

7 Q During what time period did you work there?

8 A The 2 years prior to that. So it was 2000, '99,
9 and the very end of '98.

10 Q What was your position at Preston Gates?

11 A I was the Executive Assistant.

12 Q And where did you work before that?

13 A Let's see. Directly before that, I worked at
14 M&J Wilcow in Chicago, Illinois.

15 Q And what was your position there?

16 A I was the Executive Assistant to the President.

17 Q During what time period did you work there?

18 A Let's see, I had two separate stints there. I'd
19 have to look up the exact dates, but it was the 2 years prior
20 before I moved to Washington. I had a 1-year break where I
21 worked at Orbis Broadcast Group, and then 2 years prior to
22 that, I was also at M&J.

23 Q Okay. Let's turn to your service at the
24 White House. How did you hear that the position of Executive
25 Assistant to Karl Rove was open?

1 A I heard about it through Jack Oliver at the RNC.

2 Q What was the process for applying for this
3 position?

4 A I met with Jack Oliver shortly after the
5 inauguration. He passed me on to Israel Hernandez, who was
6 the deputy to Mr. Rove. I met with Mr. Hernandez. Then
7 shortly thereafter, I met with Mr. Rove, and then a few days
8 later, they offered me the position.

9 Q Did you know Karl Rove prior to applying for this
10 position?

11 A No, I did not.

12 Q Can you describe your responsibilities as Executive
13 Assistant to Mr. Rove?

14 A I was responsible for managing the administrative
15 duties of his office, which included answering the telephone,
16 managing his schedule, managing the paper flow of his office.
17 He was responsible for four offices, so I was coordinating
18 the activities of those four offices.

19 Q What were the four offices?

20 A The Office of Political Affairs, the Office of
21 Public Liaison, the Office of Strategic Initiatives, and the
22 Office of Intergovernmental Affairs.

23 Q So if a person wanted to meet with Mr. Rove, did
24 they generally go through you?

25 A That is correct.

1 Q And how were phone calls routed to Mr. Rove at the
2 White House? Did they generally go through you?

3 A Yes.

4 Q Is there anybody else who answered phone calls for
5 him?

6 A Well, calls could come through the switchboard
7 directly to him. I was mostly the person answering the
8 phone, but there were other people who, from time to time,
9 helped.

10 Q When Mr. Rove wanted to communicate with other
11 individuals in the White House, what did he do?

12 A He might pick up the phone himself and place the
13 call. He might ask me to place a call or he might just walk
14 to that person's office.

15 Q What about when he wanted to e-mail someone? Did
16 he go through you?

17 A No.

18 Q When people sent draft documents to Karl Rove for
19 his review, did they go through you?

20 A Primarily.

21 Q When he edited documents, did you play a role in
22 communicating revisions that he made to others?

23 A Sometimes. Sometimes he would give the edits
24 himself.

25 Q When you communicated these revisions, how did that

1 work?

2 A He would give the edits and comments to me. He
3 might write -- he might give them to me verbally and/or in
4 written form, and I would communicate it to the person.

5 Q When people came to meet with Mr. Rove, did you
6 greet them and bring them in to Mr. Rove?

7 A Yes. I sat just outside his office, so they
8 couldn't get to him without walking past me.

9 Q Did you have a door between your office and his
10 office?

11 A Yes.

12 Q Did anyone else have a door between their offices
13 and his office?

14 A No.

15 Q You said you managed Mr. Rove's schedule. How did
16 you learn what would be on his schedule?

17 A Well, there were internal meetings that were
18 regular meetings that we would -- that were on his schedule.
19 There were appointments that he would tell me to put on
20 there. Sometimes there would be meetings or speaking
21 engagements that we would discuss, but nothing got onto his
22 schedule without his knowing it. We would talk about his
23 schedule regularly. He would want to know what was coming up
24 in the next few days, what was coming up even a month out.
25 So we would talk about his schedule pretty frequently.

1 Q Did you remind Mr. Rove of his appointments?

2 A Yes. That was a big job, trying to keep him on
3 time, moving, being where he needs to be.

4 Q Who else besides you reported to Mr. Rove?

5 A Well, in our office suite, there were one or two
6 other individuals right there. One was Israel Hernandez. In
7 2003, we added a staff assistant named B.J. Gergen, and
8 outside of that, there were probably 50 or 60 people in those
9 four offices that I mentioned earlier who worked directly for
10 him.

11 Q And those people included Sara Taylor?

12 A She is one. Correct.

13 Q And Scott Jennings?

14 A Correct.

15 Q And Matt Schlapp?

16 A Correct.

17 Q And Ken Mehlman?

18 A Correct.

19 Q This committee has been examining evidence where,
20 in January of this year, a member of the Office of Political
21 Affairs gave a PowerPoint presentation at the General
22 Services Administration that discussed outcomes of the
23 midterm election and Republican targets for the next
24 election. And the White House has recently acknowledged that
25 the Office of Political Affairs gave similar presentations on

1 at least 20 occasions to 15 agencies, before and after the
2 2006 elections, as well as giving an undetermined number of
3 presentations surrounding the 2002 and 2004 elections.

4 At the time that you worked at the White House, were you
5 aware that employees of the Office of Political Affairs gave
6 similar political presentations to political appointees of
7 Federal agencies?

8 A Yes, I was aware.

9 Q How many times were presentations like that given?

10 A I can't -- it's impossible for me to say how many
11 times they gave it. I know it was a regular occurrence. I
12 could only be involved in the number of times that Karl
13 specifically gave the presentation himself, but they may have
14 given it many times without my knowledge.

15 Q How many times are you aware of that Mr. Rove gave
16 the presentations?

17 A During the first couple of years, my
18 recollection -- my best recollection is that he gave it,
19 possibly, at least once to each of the agencies.

20 Q Which agencies?

21 A The major -- the major Cabinet agencies.

22 Q What about after that?

23 A After he had done them at least once, he more often
24 deferred to one of his deputies to give the presentation. So
25 it would have either been Barry Jackson or Ken Mehlman, or

1 whoever the Political Affairs Director was, and that person's
2 deputy. There were a lot of demands for his time, and since
3 he had met with each of the agencies at least once, then he
4 preferred that somebody else try to give it.

5 Q Was it his idea to give these presentations?

6 A You know, I can't say specifically it was his idea,
7 but my general understanding is that it was he and whoever
8 the head of the Political Affairs Office was who decided that
9 they would do it.

10 [Counsel and Witness confer.]

11 The Witness. There were -- each of the agencies would
12 sometimes have meetings, and there were written requests that
13 came in requesting him to appear at a retreat or at a meeting
14 with politicals that they wanted him to speak at.

15 BY MS. AMERLING:

16 Q Were all of the occasions on which he gave
17 political presentations to agencies based on a request from
18 the agencies or did the White House offer to do these
19 presentations?

20 A I think it was a mixture of both.

21 Q Do you know specifically where they were given?
22 You said they were given at the agencies, but where were they
23 given?

24 A Well, I know -- I can't recall specifically. I
25 know, at least on a couple of occasions where there was a

1 retreat, the briefing was given off site, after hours, or at
2 a weekend location.

3 Q Were there occasions when the presentations were
4 given during work hours?

5 A There may have been, but I don't recall
6 specifically. I mean, that information would be either in
7 the request or in the communication, but I can't recall
8 specifically.

9 Q Do you recall any occasions when the briefings were
10 given in Federal office buildings?

11 A They may have, but I don't recall specifically.

12 Q Do you know who decided where the presentations
13 would be given?

14 A I don't.

15 Q Did anyone talk with you about how decisions were
16 made regarding which agency employees to invite?

17 A It wasn't discussed with me specifically.

18 My general understanding was that this was for
19 politicals. I mean sometimes the briefings were high-level
20 briefings for members of the Secretary's senior staff, and
21 sometimes the briefings were for Schedule Cs. To my
22 knowledge, the briefings were restricted to politicals.

23 Q Do you know why that was the case?

24 A Nobody discussed that with me, personally.

25 Q Did you ever hear anybody discuss the reasons?

1 A Not that I recall.

2 Q Were these presentations given consistently
3 throughout your time at the White House or were they given
4 more frequently around the time of elections?

5 A You know, my recollection is that they may have
6 been more frequent. They seemed to be a regular occurrence,
7 though.

8 Q When you say "more frequent," do you mean more
9 frequent around the time of elections?

10 A Yes.

11 Q And how were these presentations drafted?

12 A The Office of Political Affairs would draft it.

13 Q Who was involved in the drafting?

14 A Several people. The head of the Office of
15 Political Affairs would be one of the key people. They would
16 get information from somebody on staff who was not an expert
17 but who had experience in polling information, and sometimes
18 they did get information from the RNC.

19 Q Besides the head of the Office of Political
20 Affairs, who else was involved in drafting the presentations?

21 A You know, there may have been others, but I think
22 the primary responsibility was the Office of Political
23 Affairs for the first draft. Karl was engaged in editing,
24 but the first drafts would always come from Political
25 Affairs.

1 Q Do you know where the presentations were stored?

2 A Stored in what way?

3 Q When there were drafts of the presentations that
4 were developed and then ultimately a final copy, where did
5 these documents get stored?

6 A Well, the Office of Political Affairs handled it.
7 They are the ones who printed it, created it on their
8 political accounts.

9 Mr. Berenson. Do you know for sure that it was always
10 done on their political accounts?

11 The Witness. I believe so.

12 BY MS. AMERLING:

13 Q Do you know whether they printed out copies of the
14 presentations and stored them in White House offices?

15 A Yes, they printed them out. I don't know where
16 they stored them.

17 Q And was there a standard presentation?

18 A There was a fairly standard presentation that
19 changed from time to time depending on who it was being given
20 to, the time of year, what the priorities were for the
21 White House at the time, but there was a fairly standard
22 template.

23 Q Was this the same presentation or similar to one
24 that was used to solicit Republican donors?

25 A I don't think so. I mean I have seen so many

1 presentations that that would be a completely different kind
2 of presentation.

3 Q Did presentations given before elections differ
4 from presentations given after elections?

5 A Yes.

6 Q How did they differ?

7 A Well, the political information would be very
8 different. Going into an election cycle, they are kind of
9 laying out their best estimate of how races might fall, what
10 the target States are; and then after the elections, it's
11 more of a rehash of what happened.

12 Q When you say "target States," what do you mean by
13 that?

14 A There were States that were a priority for
15 political -- for the Office of Political Affairs. They
16 called them "target States."

17 Q A priority with respect to what?

18 A These were States that -- they were States that
19 were important, given the races and the political activity of
20 that particular time. So, for example, if there were key
21 races in Florida, then Florida might be a target State.

22 Q Key races for Republicans?

23 A Republicans.

24 Q And did the presentations discuss future elections
25 and candidates?

1 A Yes. If they were prior to an election cycle, yes.

2 Q Did they discuss, as the one given at the GSA did,
3 targeting specific Democratic seats and defending specific
4 Republican seats?

5 A The presentations that I remember did.

6 Mr. Castor. I would like to interject here.

7 We have been going for about an hour. If Ms. Ralston
8 would like to take a break, we would like to make sure that
9 that opportunity is provided. I don't need a break
10 personally, but --

11 The Witness. That would be great.

12 Ms. Amerling. You would like a break?

13 The Witness. That would be great.

14 Ms. Amerling. Let's go off the record.

15 [Recess.]

16 Mr. Ausbrook. Okay. Let's go back on.

17 I want to welcome you. I know you have been through
18 some questioning already. I want to thank you for being
19 here.

20 The Witness. Thanks.

21 EXAMINATION

22 BY MR. AUSBROOK:

23 Q My name is Keith Ausbrook, and I'm the Republican
24 General Counsel for the committee, and I understand that you
25 have one additional statement that you want to make with

1 respect to previously asked questions.

2 A With regard to the filing of where these
3 presentations were kept, I wanted to point out that there may
4 have been the possibility that Karl kept copies of that
5 presentation in his own separate files, but I just don't
6 recall. They wouldn't have been part of the White House
7 files.

8 Q Okay. Not part of the White House files. Do you
9 mean because they were --

10 A They were political in nature.

11 Q They were political files?

12 A So they would not have gone into Records
13 Management.

14 Q So did he have a set of files that were political
15 files in the same way that he had separate e-mail accounts?

16 A Correct.

17 Q Let me ask you a few questions, sort of broadly,
18 about the Office of Political Affairs.

19 When you went to work there, what was your understanding
20 of what the Office of Political Affairs does?

21 A I can't remember if they actually told me "this is
22 what Political Affairs does," but they were -- the way I
23 viewed it is that each office had constituencies.

24 For example, with Intergovernmental Affairs, their
25 constituency was nonFederal-elected officials -- mayors,

1 Governors, local officials. In Public Liaison, their
2 constituency was all of the outside groups, and the
3 constituency of Political Affairs was the Hill, Congress.

4 Q What was the Office of Political Affairs designed
5 to do with respect to its constituency?

6 A Well, they worked with Legislative Affairs on any
7 domestic agenda items. They worked with the other
8 committees -- the RNC, the NRSC, the NRCC -- to coordinate
9 their activities. They worked on campaigns and races.

10 Q When you say "worked on campaigns and races," what
11 did they do on campaigns and races?

12 A They would work with the committees in identifying
13 particular districts -- or races that they might be helping,
14 and how the White House was going to help those particular
15 races with political activity. So, for example, if there was
16 a race in a State, the White House might allocate resources,
17 political resources, through surrogates.

18 Q "Surrogates" being like political appointees and
19 others who were permitted to engage in campaign activities --

20 A Exactly.

21 Q -- even though they are employed by the Federal
22 Government?

23 A Exactly.

24 Q Do you recall any sort of formal description of the
25 function of the Office of Political Affairs in writing?

1 A I believe there is a description on the White House
2 Web site, but I couldn't tell you what it says exactly.

3 Q Do you recall receiving a briefing about how people
4 in the Political Affairs Office could manage their dual
5 functions -- their campaign functions and their official
6 functions?

7 A There was a White House counsel briefing, but I
8 can't remember exactly the extent to which we discussed the
9 dual role. They may have received briefings from the RNC
10 counsel, but I'm not aware.

11 Q But did you ever receive a briefing from RNC
12 counsel about that?

13 A Not that I recall.

14 Q Do you know if anybody received briefings about how
15 to use the different e-mail accounts?

16 Mr. Berenson. I'm going to interpose our previous
17 objection there for the same reasons stated at the outset.

18 Mr. Ausbrook. Okay.

19 BY MR. AUSBROOK:

20 Q I'll get back to the political briefings that
21 Mr. Jennings gave and Mr. Rove gave on occasion.

22 When you said that they may have become more frequent
23 around the campaign, were you talking about before an
24 election or after an election, or both?

25 A I said they may. I believe they may have been more

1 frequent during an election cycle.

2 Q We in the House are in election cycles all the
3 time, so --

4 A That's the thing. It's like every 2 years there's
5 a lot of activity.

6 Q Yes. Do you know if the counsel's office ever
7 advised the political office or your office about legal
8 issues surrounding those briefings?

9 A They may have. There were presentations that we
10 did run by the White House Counsel's Office, but I can't
11 recall if those were the presentations given to briefings in
12 agencies, but there were times that we did run political
13 presentations by the counsel's office.

14 Q What did you run those by them for?

15 A To make sure that the content was okay.

16 Q Do you know what the concerns were with the
17 content? Was it whether the content was appropriate?

18 A You know, I can't say specifically.

19 Q Do you recall any conversations in the Political
20 Affairs Office or in your office about these kinds of
21 briefings during the Clinton administration?

22 A There may have been, but I don't recall
23 specifically.

24 Q Did anyone ever suggest that the purpose of these
25 briefings was to use government agencies to advance

1 congressional campaigns?

2 A Well, some of the information that was provided --
3 politicals were allowed to, on their own time, participate in
4 campaigns and political activities. And I don't have a
5 specific recollection that that was the directive of those
6 briefings, but the politicals were made aware of key races
7 that the White House was interested in.

8 Q So you're saying that the briefings were limited to
9 providing this information to politicals, possibly, so that
10 they could engage in the campaigns that they are allowed to
11 do, but not so they could use the resources of the agency for
12 political campaigns?

13 A Well, I don't recall ever attending a briefing
14 specifically, so what was said at those briefings, I don't
15 know.

16 Q I think you mentioned that the people who prepared
17 the presentations actually used their political resources to
18 prepare the presentations.

19 Do you know whether they were specifically advised to do
20 that with respect to those presentations?

21 A I don't know.

22 Q Did anybody ever discuss that it was important to
23 do that, to distinguish between the political aspect of their
24 jobs and their official aspects?

25 A There may have been specific discussions, but I'm

1 not aware.

2 Mr. Ausbrook. Okay. That's all that we have.

3 BY MS. AMERLING:

4 Q I have a few more questions about the political
5 briefings.

6 A Okay.

7 Q You said earlier that the presentations that were
8 made in these briefings sometimes changed, I think you said,
9 based on the agency or the White House priorities.

10 What types of changes do you recall were made based on a
11 specific agency?

12 A Well, I can't -- I don't know with regard to a
13 specific agency, but one of the things that they discussed in
14 the presentation were key priorities that the President was
15 trying to accomplish in the near term, and so it's possible
16 that the presentation content changed. If it were focused
17 on -- for example, education was a key priority during that
18 time frame, so there may have been more detail if the
19 presentation were given to the Education Department.

20 Q Some agencies had more than one political briefing
21 during an election cycle. For example, at Commerce,
22 reportedly, political appointees attended an Office of
23 Political Affairs presentation at the agency, and then the
24 Secretary, with senior Commerce political staff, attended a
25 second private briefing at the White House.

1 Do you know how those briefings would have differed?

2 A I don't. My best guess is that they broke it up
3 because of space and the number of employees in those two
4 groups. The Schedule Cs would have been a much larger
5 briefing, so I can't imagine how many appointees they had,
6 but my best guess is that it was just two briefings broken up
7 because of space.

8 Q Do you know why briefings would have been held at
9 the White House?

10 A You know, I don't. I mean, my best guess is that
11 Secretaries were more often at the White House. It was a
12 nice thing for the senior appointees to come into the
13 building, but I don't recall specifically why. It's just
14 kind of my best guess.

15 Q Did anyone ever discuss why these briefings would
16 help agency heads fulfill the agencies' missions?

17 A I don't recall specific discussions, but sort of my
18 general understanding is that Karl felt that it was important
19 to communicate to the agencies that they felt like they were
20 in communication with the White House, that they were in
21 touch with what the President was doing, that they were in
22 touch with senior officials more to coordinate just the
23 activities.

24 Q Did anyone ever discuss why the briefings included
25 information on targeting specific Democratic seats or

1 defending specific Republican seats?

2 A I don't recall a specific discussion myself. You
3 know, there may have been conversations between Karl and the
4 Office of Political Affairs about why, but just, you know, as
5 to a general understanding of the political environment,
6 sensitizing the political appointees as to why the political
7 environment is important, I think Karl made that fairly clear
8 during the time that I worked for him that the environment,
9 the political environment, was important to what we were
10 trying to accomplish.

11 Q Were all of the discussions about these briefings
12 conducted over political e-mail accounts?

13 A Well --

14 Mr. Berenson. Hold on just a moment there.

15 [Counsel and Witness confer.]

16 Mr. Berenson. I'll go ahead and let her answer this
17 question.

18 Ms. Amerling. Okay.

19 The Witness. The majority of the discussions about the
20 presentation, I think, were face to face. I mean, Karl met
21 with his staff very frequently, and so the discussion of the
22 presentation or a contact presentation was either -- I don't
23 think would have been taking place over e-mail. It would
24 have been either on the phone or in person.

25 BY MS. AMERLING:

1 Q You said earlier, I believe, that Mr. Rove said the
2 briefings were a way to keep the agencies coordinated; is
3 that accurate?

4 A That the White House wanted the agencies to
5 understand what the President's priorities were. So it was
6 to communicate the priorities and make sure that they were --
7 that that's what they were focused on as well.

8 Q In 2002, were you familiar with a dispute in Oregon
9 over whether or not to divert water from the Klamath River
10 Basin to nearby farms?

11 A I recall that.

12 Q What was Mr. Rove's involvement in that dispute?

13 A You know, I do not remember the exact details, but
14 there were discussions with Barry Jackson, and I guess it
15 would have been Ken Mehlman at the time for the Office of
16 Political Affairs, but as a policy matter, they did discuss
17 it.

18 Q Barry Jackson, Ken Mehlman and Mr. Rove discussed
19 this issue?

20 A Correct.

21 Q Was anyone else involved?

22 A Well, as I recall, this subject did come up
23 frequently in our directors' meetings. We had a directors'
24 meeting every day, pretty much every day.

25 Q What is a "directors' meeting"?

1 A It would be -- the participants would have been
2 Karl, myself, Israel Hernandez, each of the directors of the
3 four offices that he managed, and sometimes those directors
4 would bring a deputy, and this meeting was held in his
5 office.

6 Q In Karl Rove's office?

7 A Correct. And we met almost every day.

8 Q For how long was the subject of the "Klamath River
9 Basin water diversion" issue a topic of these directors'
10 meetings?

11 A Oh, I can't say specifically, but it was definitely
12 mentioned on multiple occasions.

13 Q And what did the discussions entail?

14 A You know, I would have to look at what the issue
15 was, but I think some of the discussions involved Barry
16 Jackson's reporting on what was going on, what was going on
17 policywise in terms of discussions inside the building.

18 Q What do you mean by that?

19 A Well, there was a policy process in the White House
20 that, on some key issues, Karl deferred to Barry -- his
21 deputy on policy -- to kind of run and manage. So if there
22 were policy meetings with policy people, leg people,
23 intergovernmental, anybody who was involved in the policy
24 process, then Barry might have been reporting to Karl about
25 what those discussions were about.

1 Q But you don't remember the details of those
2 discussions?

3 A I don't remember the details.

4 Q Were you --

5 A I'd have to look at the issue.

6 Q Were you aware that in early January 2002, Karl
7 Rove gave a PowerPoint presentation, that he used to solicit
8 Republican donors, to 50 Department of Interior managers at a
9 Department retreat in Shepherdstown, West Virginia?

10 A You know, I don't remember that one specifically,
11 but he gave those kinds of presentations. I wouldn't doubt
12 it.

13 Q Do you recall his discussing with you that he was
14 going to give a presentation related to the Klamath River
15 issue at a retreat?

16 A I don't have a specific recollection. He may have,
17 but I don't have a specific recollection.

18 Q Were you aware that Mr. Rove traveled to Klamath
19 River in late January and early February 2002 and spoke to
20 the farmers there?

21 A He traveled so much. He may have. I vaguely
22 recall that trip, but he traveled so much that I --

23 Q Do you recall anything about that trip?

24 A No. I just have a very vague recollection of it.

25 Q Were you aware that Mr. Rove put together a

1 Cabinet-Level task force on Klamath River issues?

2 A He may have, but I don't remember.

3 Q You were not involved in that?

4 A It sort of sounds vaguely familiar, but I just
5 don't remember the details.

6 Q Were you aware that the Interior Department's
7 inspector general investigated the White House's involvement
8 in the Interior Department's decision about Klamath River
9 water levels?

10 A I do not remember that.

11 Q Let's turn to a different subject, the subject of
12 the White House's handling of classified information.

13 A Okay.

14 Q Did you hold a security clearance when you were at
15 the White House?

16 A I did.

17 Q And when did you get that clearance?

18 A I got my full clearance in the summer of '01. I
19 got a Top Secret security clearance.

20 Q Did you hold that clearance throughout your service
21 at the White House?

22 A Yes, I did.

23 Q Did you receive any briefings or other guidance
24 from White House officials regarding how to handle classified
25 information?

1 A Yes.

2 Q When did you receive those?

3 A You had to get them -- I cannot remember how many
4 times, but there were -- they could have been yearly, but I
5 remember attending more than one briefing.

6 Q And from whom did you receive these briefings?

7 A Mark Frauenfelder at the White House. I believe he
8 is in the Secret Service or in the Security Division.

9 Q Did anyone else participate in these briefings?

10 A I think it was a briefing that multiple people
11 presented on, and he was sort of the lead person in charge,
12 but I don't think -- I don't think it was restricted to one
13 person.

14 Q Do you remember any other officials who gave these
15 briefings?

16 A Well, the White House Counsel's Office also gave us
17 briefings. I recall briefings from the person in charge of
18 ethics on various -- you know, different people during
19 various times of the year -- but I do not remember if that
20 was the briefing on the classified information. There were
21 just multiple security briefings.

22 Q So you don't recall any specific occasion on which
23 a member of the White House Counsel's Office provided a
24 briefing relating to the handling of classified information?

25 A I think -- my best recollection is that it was Mark

1 Frauenfelder's office who gave the briefing about the
2 handling of classified information.

3 Q Did Karl Rove have a security clearance while you
4 were at the White House?

5 A Yes.

6 Q When did he receive his clearance?

7 A You know, I don't know exactly when. I believe he
8 had it from -- beginning early on.

9 Q Did he receive briefings or guidance from
10 White House officials on the handling of classified
11 information?

12 A I believe he did because it was a requirement of
13 being on staff. You had to attend briefings.

14 Q Do you know that he actually did receive such a
15 briefing?

16 A I'm fairly certain he did, but I don't believe he
17 would have had his security clearance without attending the
18 briefing.

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1 RPTS THOMAS

2 DCMN MAGMER

3 [11:50 a.m.]

4 BY MS. AMERLING:

5 Q And do you recall what guidance was provided in
6 these briefings?

7 A You mean all of the detail?

8 Q Can you describe what you recall?

9 A Um, there was a fairly lengthy presentation -- I
10 would say maybe it was 15 or 20 minutes long -- in terms of
11 how to handle the classified documents, where they should be
12 kept. We had a secure safe in our office. They shouldn't be
13 taken out of the building.

14 Q Okay. Can you describe what procedures were in
15 place for Mr. Rove to receive classified information at the
16 White House?

17 A Well, somebody in his office had to sign for the
18 document. Whoever was on staff handing out the materials
19 would walk the materials around to each office, and then
20 somebody with a clearance had to sign for it. If it was
21 above a Top Secret clearance, than Karl would have had to
22 sign for it personally.

23 Q And what procedures were in place for Mr. Karl --
24 Mr. Rove to receive classified information over the phone?

25 A Well, he had some type of secure phone in his

1 office, or he could take a call in the SIT room.

2 Q In the situation room?

3 A Correct.

4 Q What about receiving classified information over
5 the fax? Did you have a secure fax?

6 A We did not. Those faxes would have come in over
7 the situation room.

8 Q And were there procedures in place for Mr. Rove to
9 receive classified information from the CIA?

10 A I don't know if there was a distinction. There may
11 have been, but I don't know.

12 Q Was there any general understanding about the
13 sensitivity of receiving information from the CIA?

14 A I don't recall specifically.

15 Q As an example, do you know whether information that
16 someone worked at the CIA was presumed to be classified or
17 sensitive information?

18 A I am sorry. Say that again.

19 Q Was the fact that someone worked at the CIA
20 presumed to be classified or sensitive information that
21 shouldn't be disclosed?

22 A I don't remember any specific discussion about
23 that.

24 Q Are you aware of any violations of security rules
25 by Mr. Rove?

1 A Not that I am aware of.

2 Q Are you aware of any violations of security rules
3 by anyone else at the White House?

4 A I have no knowledge.

5 Q Do you know whether White House security officers
6 ever conducted inspections of West Wing offices to check for
7 compliances for ways of handling classified information?

8 A I don't recall that. There may have been, but I
9 don't recall.

10 Q Do you know whether outside agencies ever requested
11 to conduct an inspection of the West Wing to ensure that
12 effective security procedures were in place?

13 A Again, there may have, but I don't recall.

14 Q Did anyone at the White House ever talk with you
15 about the renewal of Mr. Rove's security clearance in 2006?

16 A Well, there was a regular procedure that after
17 5 years you had to be reinvestigated; and I believe in 2006
18 there were a number of staff who had been there for 5 years,
19 myself included, who went through the reinvestigation
20 process.

21 Q Did anyone ever talk with you about Mr. Rove's
22 reinvestigation process?

23 A Well, it's possible. Because the FBI agent who
24 would come in and do the interviews -- I did several. They
25 might have talked to me about Karl, but I can't remember

1 specifically. I did several. I did several interviews on
2 other staff.

3 Q It has been reported that in June and July of 2003
4 several White House officials told reporters that Valerie
5 Plame Wilson, the wife of Ambassador Joseph Wilson who
6 conducted a mission to Niger investigating possible uranium
7 sales to Iraq, worked with the CIA. In June or July of 2003,
8 were you familiar with the name Valerie Plame Wilson?

9 A You know, I don't remember the exact timing. I
10 have talked to investigators before about this matter, and
11 the timing and all of the details are pretty fuzzy. So I
12 don't know if I was aware of it prior to all of the press
13 reports or after. It is just hard for me to say, pin down
14 exactly.

15 Q So you don't have a recollection of how you heard
16 of Valerie Plame Wilson in the first place?

17 A Correct. I believe it was after the story came
18 out.

19 Q Did you hear or see any communications by Karl Rove
20 about Joe Wilson or Valerie Plame Wilson with anyone at the
21 White House?

22 Mr. Berenson. At any time?

23 Ms. Amerling. Yes.

24 The Witness. Yes. As I mentioned, there was an
25 investigation, an ongoing investigation, for several years.

1 So Joe Wilson was, you know, something that he did -- that we
2 talked about and were aware of.

3 BY MS. AMERLING:

4 Q Who did Mr. Rove talk about this subject with?

5 A Um, well, at least on one occasion I recall in one
6 of our director's meetings it being discussed, but I can't
7 remember the exact content of that discussion.

8 Q Were you aware of any communications by Mr. Rove
9 about Joe Wilson or Valerie Plame Wilson with the Office of
10 the Vice President?

11 A You know, it is -- that investigation was so
12 lengthy that the timing of all of the conversations is not
13 really clear in my mind.

14 I believe he did talk to the Vice President's Office
15 about it, but I just don't remember when, with whom, the
16 context.

17 Q Why do you believe that he talked with that office
18 about this subject?

19 A I just have a vague recollection that he and
20 Scooter Libby talked about this subject often.

21 Q Often?

22 A Often.

23 Q During what time frame?

24 A I don't know. I mean, I -- it is really hard for
25 me to say.

1 Q And when they discussed this topic, do you know
2 specifically what they said?

3 A No, I was not present.

4 Q And the conversations were not repeated to you?

5 A No.

6 Q Were you aware of any discussion between Karl Rove
7 and anyone else about a plan to disclose information about
8 Ms. Wilson's CIA employment to the press?

9 A I am sorry. Say that question again.

10 Q Were you aware of any discussions between Karl Rove
11 and any others about a plan to disclose information about Ms.
12 Wilson's CIA employment to the press?

13 A Um, I don't think -- I think I have a vague
14 recollection of it being discussed but not until after the
15 story.

16 Q And who discussed this issue?

17 A Karl -- well, Karl may have talked about it with us
18 in his office.

19 Q And what did he say?

20 A Well, to me personally he said that he never knew
21 her name, and it wasn't him who disclosed it.

22 Q Do you remember when he told you that?

23 A It was sometime during the investigation.

24 Q Did he discuss with you whether he disclosed
25 information that Joe Wilson's wife was a CIA employee,

1 irrespective of whether he knew her name?

2 A You know, I think we talked about it during the
3 investigation as it related to a lot of the documents that we
4 had to produce during this time period.

5 Q "We" meaning you and Mr. Rove?

6 A Correct.

7 Q What did those discussions entail?

8 A Well, we talked about -- we tried to put together a
9 time line of -- he may have talked to reporters. He talked
10 to -- he was trying to refresh his recollection as well. So
11 he had asked me to search for people that he may have talked
12 to in our phone log and meetings, to check his e-mail.

13 So during the course of the investigation, there were
14 times that we discussed Plame, Wilson, Novak, the reporters.
15 I mean, it just -- over the time period, there were a lot of
16 documents that we had to produce, call logs, calendars. And
17 so in relation to the time line, he and I discussed, you
18 know, whether he made those calls and whether he had those
19 conversations and meetings.

20 Q And what did he say?

21 A You know, I would have to go back and look at all
22 of the documents. But he didn't recall -- he recalled
23 talking to Novak.

24 Q Did he recall what he said to Novak?

25 A I don't believe we discussed the details of it.

1 Q Did he recall talking with Matthew Cooper of Time
2 Magazine?

3 A You know, he may have. I mean, I talked with the
4 special investigator's office about this before, and, you
5 know, my recollection back then may have been a little bit
6 more clear. But at this point, where I sit here right now,
7 it is hard for me to remember it -- remember it all, because
8 it was such a lengthy investigation.

9 Q Based on the various conversations you had with
10 Mr. Rove about this subject, did you come to believe that he
11 had disclosed to anyone in the press the fact that Joe
12 Wilson's wife worked at the CIA?

13 A Well, it is hard for me to distinguish what he and
14 I may have talked about and what I read in the press. So it
15 has been recounted in the press that he said to Bob Novak
16 when he said, "I heard that Joe Wilson's wife worked at the
17 CIA," and he said, "I heard that, too." Now I don't know if
18 he told me that, or if I just remember it from reading it in
19 the press.

20 Q Do you have any information about how Mr. Rove
21 learned that Valerie Wilson was an employee of the CIA?

22 A I don't remember. I think I recall he heard it
23 through gossip.

24 Q Gossip from whom?

25 A I don't know.

1 Q Do you know who else at the White House was aware
2 of this fact that Valerie Wilson was an employee of the CIA?

3 A Well, from the press accounts I know that Scooter
4 Libby did.

5 Q From your personal knowledge?

6 A No, not from my own personal knowledge.

7 Q Do you have any information about whether Karl Rove
8 was aware that Ms. Wilson's identity as a CIA employee was
9 classified information?

10 A I don't have any knowledge about that.

11 Q Do you have any information about whether anyone
12 else at the White House was aware of it, that that was
13 classified information?

14 A I don't.

15 Q What documents would contain information on how
16 Mr. Rove or others at the White House learned of and
17 disclosed information relating to Ms. Wilson's CIA
18 employment?

19 A I don't know what documents might exist.

20 Q Are you aware of any internal investigations
21 conducted by any White House official regarding the
22 disclosure of Valerie Plame Wilson's identity as a CIA --

23 A There may have been, but I don't recall.

24 Q You have no recollection of one?

25 A Hmm-mm.

1 Q Let us turn to the subject of how the White House
2 used intelligence on Iraq.

3 The committee is examining this issue, including how the
4 President used Iraq intelligence in his State of the Union
5 address in 2003. Can you tell us what you know about the
6 process of the White House for drafting and vetting the State
7 of the Union address?

8 A The process started probably late November, early
9 December. It was a fairly high-level process and quite
10 secretive. So the speech itself, I probably didn't see a
11 draft until very close to the actual time of the speech in
12 January. So they had conducted meetings.

13 Q When you say "they," who are you talking about?

14 A White House senior staff and legislative and policy
15 people.

16 Q Including Mr. Rove?

17 A Correct.

18 Q And what role did Mr. Rove play in the development
19 of the State of the Union address?

20 A He was involved in meetings. He was engaged in the
21 process itself, so he was the person to -- at the beginning
22 saying, okay, it is time to start thinking about the State of
23 the Union. We should start meeting. He would be tasking
24 people to look at particular issues. He would have people
25 meet with outside people to solicit their opinions. He would

1 have people talk to other people in the agencies.

2 So he was engaged in the process of collecting
3 information and then internally deciding what the key items
4 were going to be included in the speech. He was involved in
5 the drafting of the speeches, looking at revisions, making
6 comments, sitting in speech prep.

7 Q So drafts of the State of the Union address came to
8 his -- to him?

9 A Yes.

10 Q And how did that happen? Did that go through you?

11 A Well, in the beginning, the drafts were circulated
12 amongst the senior staff without any staff involvement. So
13 the drafts were handled directly from speech writing to Karl.
14 Or I mean there were many drafts in the beginning that the
15 staff didn't see until much later on; and for State of the
16 Union, it was a very close-hold process.

17 By the time the drafts actually started getting
18 circulated in a more open fashion -- I mean, you might be on
19 draft 20 by then. So, in the beginning, it was a very
20 close-hold process.

21 But then as we got closer to the speech, the regular
22 staffing process kicked in, which meant that the staff
23 secretary's office would circulate the speech to all of the
24 key people for comments.

25 Q And that is when you might receive a copy of it?

1 A Um-hmm.

2 Q To pass along to Mr. Rove?

3 A Correct. But he had been engaged in the process
4 from the very beginning.

5 Q And you have been describing the process in general
6 for State of the Union addresses.

7 Did Mr. Rove play the same role that you have described
8 specifically for the State of the Union address in 2003?

9 A For every State of the Union.

10 Q And you said he was involved in tasking issues to
11 be handled that were covered by the State of the Union
12 address, is that correct?

13 A Um-hmm.

14 Q Did he play a role in tasking the development of
15 the section of the 2003 State of the Union address that had
16 to do with the statements about Iraq's nuclear capability?

17 A He may have. But in the beginning -- again, it is
18 very high level, very close-hold. What he would have done is
19 definitely been involved in the drafting or in, you know, the
20 editing and the wording of the speech.

21 Q All parts of the speech?

22 A Correct. So -- as a whole. He would have read
23 through it multiple times.

24 Q Do you know who had the idea to include in the 2003
25 State of the Union address the claim that Iraq sought uranium

1 in Niger?

2 A I don't.

3 Q Do you know what input Karl Rove had with respect
4 to inclusion of that claim in the address?

5 A You know, he -- in the time that we were
6 circulating the drafts towards the end, he may have made a
7 specific comment, but I don't have a specific recollection
8 that he weighed in on that phrase.

9 Q Did anyone at the White House ever discuss with you
10 the use of that claim in any public statements made by White
11 House officials?

12 A No.

13 Q Karl Rove didn't discuss this claim with you?

14 A No.

15 Mr. Berenson. Do you want to clarify that last answer?

16 The Witness. I don't recall. I don't have a
17 recollection of anyone discussing with me specifically that
18 claim.

19 BY MS. AMERLING:

20 Q When it became public that the basis for that claim
21 was forged documents, were there any discussions that you
22 recall about who would take the blame for use of that
23 statement?

24 A I don't recall.

25 Q Do you recall anyone expressing concern about the

1 reports that the underlying basis of the claim was forged
2 documents?

3 A You know, there may be -- there may have been
4 conversations just from a communication standpoint.

5 Q When this news came out about, the claim that
6 President had made in his State of the Union address about
7 Iraq seeking uranium in Niger, that that claim was based on
8 forged documents, that was a pretty striking news report. Do
9 you recall Karl Rove expressing any concern about that
10 report?

11 A You know, I have a vague recollection that that
12 conversation took place. Karl was involved in most major
13 communications efforts of the White House, and so I would
14 strongly believe that he -- that he was engaged in it, but I
15 just don't have a specific recollection.

16 Q You said you recall that -- you think conversations
17 took place about this?

18 A I think.

19 Q But you don't recall what was said?

20 A You know, it would have been uncommon for Karl not
21 to be engaged in the subject matter. But I don't recall
22 specific discussions that he had. I mean, I am quite
23 confident that he was engaged in it.

24 Q Do you remember anyone else at the White House
25 expressing concern when this report came out?

1 A Well, concern in general or concern to me?

2 Q Concern -- well, to you personally, or did you hear
3 anyone discussing their concerns about this?

4 A Well, I just remember the topic, when it happened,
5 that it was a topic of discussion in the building. I don't
6 have a specific recollection of it.

7 Q So you don't recall any White House officials
8 taking steps to investigate how that claim -- once the news
9 came out that the basis for the claim was forged documents,
10 you don't recall any White House officials taking steps to
11 investigate how that claim was used?

12 A You know, they may have. I just -- I don't know
13 what those would have been.

14 Q Okay. I have a few additional questions concerning
15 the political briefings.

16 Are you aware of any instances in which a White House
17 official used government resources to benefit individual
18 candidates for political office?

19 A No, I don't have any specific knowledge that I can
20 remember.

21 Q Do you recall Ken Mehlman approving quotes from
22 President Bush to be used by Republican candidates in Guam to
23 be used during the 2002 election?

24 A Yes. It was not uncommon for candidates to request
25 a photo, approved use of a photo or a quote, and there was an

1 internal process to get those approved.

2 Q Do you recall any efforts by White House officials
3 to secure White House meetings or photo opportunities for Ben
4 Fitiaf in 2001 when he was a candidate for governor in the
5 Commonwealth of the Northern Mariana Islands?

6 Mr. Berenson. I am going to jump in here and lodge the
7 same objection that I lodged for the previous reasons. I
8 think this has some nexus to the Jack Abramoff issue.

9 BY MS. AMERLING:

10 Q Can you explain the systems in Rove's office that
11 enabled him to separate political and official work? For
12 instance, did he have separate computers?

13 A He had two separate computers.

14 Q Did he have different phones?

15 A He had two different phones. He didn't always
16 carry both phones, but he did have two different phones. He
17 only had one BlackBerry, though.

18 Q And how did the political laptop or political
19 BlackBerry get set up in the first place? Who was involved
20 in setting that up?

21 A My recollection is that the RNC provided the
22 equipment and Israel Hernandez, his other deputy who worked
23 with me in the Office of Political Affairs, helped arrange
24 it.

25 Q So RNC IT people came in to the White House to set

1 up this equipment?

2 A That is correct.

3 Q And if something went wrong with the equipment that
4 was provided by the RNC, who addressed the problem?

5 A The RNC.

6 Q So RNC technical people would come over to work on
7 the equipment?

8 A Yes.

9 Q I have a few more questions about the political
10 e-mail accounts.

11 You mentioned that Mr. Rove had a political e-mail
12 account, a personal e-mail account, and a White House e-mail
13 account; is that correct?

14 A Um-hmm.

15 Q Can you describe how often he used each of those
16 accounts?

17 A It would be difficult for me to give a percentage,
18 but I would say that he used his RNC e-mail account the
19 majority of the time or his political account the majority of
20 the time. He did use his White House account. He had to be
21 in the office to use it. But it is really difficult to
22 quantify how much.

23 Q Did he use his personal account for official
24 business?

25 A Not that I am aware of.

1 Q Do you know how often he used his official account?

2 A He used it when he was in the office, but it is
3 hard for me to quantify how much he used it. But most of the
4 time he used his political account.

5 Q Do you know what his personal e-mail account
6 address was?

7 A It was an AOL account. I don't remember right now.

8 Q Do you know whether Ken Mehlman used a political
9 e-mail account?

10 A You know, Karl also had a "Rove.com" e-mail
11 address.

12 Q You are referring to a personal e-mail address?

13 A Well, it was -- it wasn't -- I don't know how you
14 would classify it, but it was a "Rove.com" e-mail address.
15 There were -- I can't remember when, but at some point his
16 Rove.com e-mails all went to the same political account. So
17 if you sent an account -- if you sent an e-mail to George W.
18 Bush.com or if you sent an e-mail to him at Rove.com, it went
19 to the same place.

20 Q Do you know why his e-mail was set up that way?

21 A I don't.

22 Q Do you know whether he made any official
23 communications over his Rove.com e-mail account?

24 A He may have, but I can't think of -- I mean, he may
25 have, because he used it all the time.

1 Q Do you know whether e-mails sent or received on his
2 Rove.com account were provided to investigators who sought
3 e-mail records from Mr. Rove?

4 A I believe so. They took his political laptop; and,
5 as I mentioned, that laptop was taken during the leak
6 investigation. All of the e-mails just kind of got funneled
7 into the same political server.

8 Q What about --

9 A That is what I believe.

10 Q Okay. What about Mr. Mehlman? Do you know whether
11 he used his political e-mail account to send or receive
12 e-mails while he was at the White House?

13 A I believe he did.

14 Q Did he ever e-mail you over that account?

15 Mr. Berenson. We are going to interpose an objection
16 here on the same basis as before.

17 Ms. Amerling. Could you articulate the basis of that
18 objection for us?

19 Mr. Berenson. Sure. It's as I described it before. We
20 have tried to accommodate the committee's interest this
21 morning by allowing a fair bit of questioning with respect to
22 Mr. Rove's own use of various e-mail accounts. But any
23 questions that go to the larger issue of use of political
24 e-mail accounts for official business by other members of the
25 White House staff such that they might form part of a picture

1 of an overall practice or overall pattern, we are not
2 comfortable responding to at this time.

3 So that is essentially why.

4 Ms. Amerling. This question goes to whether Mr. Mehlman
5 actually used his e-mail. We have been seeking information
6 from the RNC on this issue, and at this point they haven't
7 been able to turn up a record of use by Mr. Mehlman.

8 Mr. Berenson. Well, how about if you ask whether Susan
9 has specific knowledge that Mr. Mehlman ever used his RNC
10 e-mail account. I think that question probably wouldn't be
11 objectionable.

12 Ms. Amerling. Okay.

13 BY MS. AMERLING:

14 Q Ms. Ralston, do you have specific knowledge about
15 whether Mr. Mehlman ever used his political e-mail account?

16 A He did.

17 Q And do you know how frequently he used that?

18 A I couldn't quantify it. He used it frequently,
19 daily.

20 Q Let me ask you about several other White House
21 officials, the same question.

22 Do you have any knowledge regarding whether Dan Bartlett
23 used political e-mail accounts while at the White House?

24 A He did.

25 Q Do you know how often he used it?

1 A I don't. Dan -- I don't think Dan had a political
2 account the entire time he was there. I think the political
3 account issue to him was done around the re-elect. There
4 were a number of White House staff who didn't get their
5 accounts until that time.

6 Q Do you have any knowledge about whether Israel
7 Hernandez used a political e-mail account to send e-mails?

8 A He did.

9 Q Do you know how frequently he used that account?

10 A I know he used it regularly.

11 Q What about Cathie Martin, the same question for
12 Cathie Martin?

13 A I don't know.

14 Q I am going to give you a couple more names and then
15 with each of those names I am asking the same question: Did
16 they use a political e-mail account to send or receive
17 e-mails?

18 A Um-hmm.

19 Q Anita McBride?

20 A I don't know.

21 Q Matt Schlapp?

22 A Yes.

23 Q Do you know how frequently Matt Schlapp used his
24 political e-mail account?

25 A I believe he used it daily.

1 Q Kara Ahern?

2 A I think so.

3 Q Darren Bearson?

4 A I believe he had one and he used it, but I don't
5 know how frequently.

6 Q Do you know how frequently Kara Ahern used her
7 account?

8 A I don't.

9 Q Glynda Becker?

10 A She had an account. She probably used it daily.

11 Q Daily, you said?

12 A Probably.

13 Q Anthony Casale?

14 A I believe he had one, but I don't know how often he
15 used it.

16 Q Do you know whether he used it at all?

17 A I don't.

18 Q Alicia Clark?

19 A I believe she had one. I don't know how
20 frequently.

21 Q Okay. We have a list of about 37 names here I am
22 going to go through. For each of these individuals also, if
23 you could tell us what you know about the position they held
24 at the White House.

25 Mr. Berenson. Oy vey.

1 The Witness. You want to go back to the beginning?

2 BY MS. AMERLING:

3 Q What was Kara Ahern's position?

4 A She -- at one time, she was the political person in
5 the Vice President's office.

6 Q And then her position changed?

7 A I don't -- I can't remember what she was before
8 that, but at one point she was political affairs for the Vice
9 President's Office.

10 Q What about Anita McBride? What was her position?

11 A She was chief of staff for the First Lady.

12 Q Okay.

13 A She still is.

14 Q Darren Bearson?

15 A He was an associate director -- I think that is the
16 title -- in the Office of Political Affairs.

17 Q Glynda Becker?

18 A Same position.

19 Q Anthony Casale?

20 A I think he was a staff assistant. He may have been
21 an intern at one point.

22 Q Now, let's go back to the question -- I am going to
23 continue down this list and ask the question about whether
24 these individuals used a political e-mail account.

25 Alicia Davis?

1 A She was also an associate director in the Office of
2 Political Affairs. I believe she had an account that she
3 used daily.

4 Q Mike Davis?

5 A Same.

6 Q What was his position?

7 A Also an associate director in the Office of
8 Political Affairs.

9 Q And you believe he also used it daily?

10 A I believe he did.

11 Q Paul Dyck?

12 A Same position. He was associate director in the
13 Office of Political Affairs. I believe he had an account. I
14 believe he used it daily.

15 Q Bridget Elliott?

16 A I don't know who that is.

17 Q Angela Flood?

18 A She was in the Office of Political Affairs. She
19 was the deputy political director, I think, from 2003 and
20 2004.

21 Q And did she have a political e-mail account?

22 A I believe she did.

23 Q And how --

24 A I believe she used it daily.

25 Q Luke Frans?

1 A He was in the Office of Political Affairs, but I
2 can't remember his exact position.

3 I believe he had an account, and I believe he used it
4 daily.

5 Mr. Berenson. May I have just a moment?

6 The Witness. Just a point of clarification. When I
7 have been saying "daily," I probably should use the term
8 "regularly." Because I can't say exactly how much they used.
9 They use it on a regular basis.

10 BY MS. AMERLING:

11 Q Okay. How about Wesley Fricks?

12 A He was my deputy in the Office of Strategic
13 Initiatives. He did have an account, and he used it on a
14 regular basis, I believe.

15 Q Noe Garcia?

16 A Noe Garcia was in the Office of Political Affairs.
17 I believe he was an associate director. I believe he had an
18 account, and I believe he used it on a regular basis.

19 Q Tim Griffin?

20 A Tim Griffin, I think he came on board in 2005. He
21 wasn't there for too long. But he was the deputy political
22 director in Political Affairs. I believe he had an account,
23 and I believe he used it regularly.

24 Q Brad Hester?

25 A Brad was also in the Office of Political Affairs.

1 I think he was an associate director. I believe he had an
2 account which he used regularly.

3 Q Doug Hoelscher?

4 A Doug was in the Office of Political Affairs. I
5 can't remember his exact position. It may have changed while
6 he was there. But I believe he had an account, but I have no
7 idea how often he used it.

8 Q Do you know whether he used it at all?

9 A I believe he did, but I don't know how frequently.

10 Q Okay. Nathan Hollifield?

11 A Nathan was in the Office of Political Affairs, and
12 I think he may have started off as a staff assistant, maybe
13 later became associate director, I think. I believe he had
14 an account but -- which he did use, but I don't know how
15 frequently.

16 Q Matt Hunter?

17 A Matt Hunter was in the Office of Political Affairs.
18 I believe he was an associate director. And, you know, I
19 believe he had an account, but I don't know how frequently he
20 used it.

21 Q Do you know whether he used it?

22 A I believe he used it.

23 Mr. Ausbrook. You are reading from a list the people
24 that RNC has.

25 Ms. Amerling. They have not provided information

1 about --

2 Mr. Ausbrook. You are asking her to verify. I don't
3 think it is necessary. I don't mind you asking what she
4 knows about their uses of it, but to ask her whether she
5 knows or didn't know, I think that was answered by the RNC.

6 Ms. Amerling. My question was did they have one and can
7 she answer it.

8 Mr. Ausbrook. Your question -- if you wish to exclude
9 that from that, that would be fine. Your questioning was did
10 they have one.

11 BY MS. AMERLING:

12 Q Matt Hunter?

13 A I believe he was associate director in Political
14 Affairs, but I don't know how often he used it.

15 Q Do you know whether he used it?

16 A I believe he did.

17 Q Tracy Jucas?

18 A She was Matt Schlapp's executive assistant in the
19 Office of Political Affairs. And she did use it, but I don't
20 know how frequently.

21 Q Shelby Lauckhardt?

22 A She was briefly an executive assistant in the
23 Office of Political Affairs. I don't know if she used it at
24 all. She wasn't there very long.

25 Q Henley MacIntyre?

1 A Henley was an executive assistant in the Office of
2 Political Affairs. She worked for Sara Taylor. I don't know
3 how often she used her account.

4 Q Do you know whether she used her account?

5 A I believe she did. I don't know.

6 Q Jeanie Mamo?

7 A She is in Media Affairs. She had -- she must have
8 had an account. But I don't know if she used it. I mean,
9 she would have been in that category of staff who got e-mails
10 because of the re-elect.

11 Q Kate Marinis?

12 A She was Ken Mehlman's executive assistant in the
13 first 2 years. I don't know how often she used her account.

14 Q Do you know whether she used her account?

15 A She may have. I believe she did. But I don't know
16 how often.

17 Q Annie Mayol?

18 A Annie was a -- she was an associate director in the
19 Office of Political Affairs. She did use it. Not often.

20 Q Kelley McCullough?

21 A She was in the Office of Political Affairs. She
22 was -- at one point, she was an associate director. She was
23 also working at the campaign. She did have a political
24 account. She did use it. I believe she used it on a regular
25 basis.

1 Q Michael Napolitano?

2 A He was a staff assistant in the Office of Political
3 Affairs. I don't know how often he used his account, though.

4 Q Do you know whether he used his account?

5 A He probably did. I don't know how often.

6 Q Kasey Pipes?

7 A Kasey Pipes was in the Office of Strategic
8 Initiatives. I don't know if he used it.

9 Q Lori Raad?

10 A Lori Raad. She is in the Office of Political
11 Affairs. She probably used it on a regular basis.

12 Q Krista Ritacco?

13 A She was Dan Bartlett's executive assistant. I
14 think she was in the category of staff who got it during the
15 campaign. I don't know if she used it.

16 Q Leonard Rodriguez?

17 A In the Office of Political Affairs. He probably
18 used it on a regular basis.

19 Q Steve Schmidt?

20 A Steve Schmidt was on the campaign staff, but when
21 he came on board he was in the Vice President's Office. He
22 was the political person. I believe he used it, but I don't
23 know how often.

24 Q Sarah Simmons?

25 A Sarah Simmons. I don't know who she is. She might

1 be in the First Lady's office. I don't know.

2 Q You don't have any knowledge about her use?

3 A No.

4 Q Meredith Terpeluk?

5 A She was in the Office of Political Affairs. I
6 don't know if she used it.

7 Q Dave Thomas?

8 A He was in the Office of Political Affairs. He -- I
9 don't know if he used it.

10 Q Travis Thomas?

11 A Travis, I don't know if Travis was ever a White
12 House employee. Travis Thomas. I mean, he worked on the
13 campaign, but I don't know if he was ever -- if he was, I
14 don't remember.

15 Q Okay. And, finally, Nicolle Wallace?

16 A She started off in Media Affairs, and she went to
17 the campaign. Then she came back to the White House in
18 Communications. And I don't know if she used it.

19 Q Do you know whether anyone at the White House had
20 an official BlackBerry?

21 A If anybody at the White House?

22 Q Yes.

23 A Yes. I mean, there were people who had official
24 BlackBerries.

25 Q Do you know whether anyone in the Office of

1 Political Affairs had an official White House BlackBerry?

2 A I don't know.

3 Q Anybody that you are aware of, that you have
4 specific knowledge of?

5 A No, I don't think so.

6 Ms. Amerling. I am finished with my round of questions.

7 Do you have any?

8 BY MR. AUSBROOK:

9 Q Let us go back to the briefings that you got on how
10 to handle classified information.

11 A Um-hmm.

12 Q And people were required to attend those briefings.
13 Was not attending a briefing grounds for losing a clearance?

14 A I believe it was.

15 Q Are you aware of anyone who was ever deprived of
16 their clearance for not attending a briefing?

17 A I don't know.

18 Q When you said that you think that -- I think you
19 said that the knowledge about Valerie Plame and her identity
20 as a CIA agent was learned through gossip. Do you know if --

21 A Well, her -- that Joe Wilson's wife was a CIA agent
22 was learned through gossip.

23 Q But they didn't know her name?

24 Mr. Berenson. I think the previous testimony was that
25 your understanding had been that that was how Karl learned

1 it, right?

2 The Witness. Right.

3 BY MR. AUSBROOK:

4 Q Do you know if he had any conversation with Richard
5 Armitage about her?

6 A They talked. I don't know if they talked about
7 her.

8 Q Okay. When you were talking about the process for
9 developing the State of the Union, specifically the 2003
10 State of the Union, was Karl Rove's job in looking at the
11 State of the Union address to examine the substantive for
12 policy statements within the speech? For example, was it his
13 job to say, gee, this doesn't sound right if the CIA had a
14 part of the speech that said, as it did, that the British
15 have learned that Saddam Hussein tried to get uranium from
16 Africa?

17 A I don't know about Karl's involvement for that
18 particular section.

19 As a matter of course, when he reviewed speeches, he
20 looked at it, he looked at the body -- the whole body of the
21 speech. He could comment on substantive policy matters, but
22 with regard to that specific, I don't know. I don't know.

23 Q Were you aware of any objections within the White
24 House to those 16 words in that speech at the time?

25 A I don't recall any.

1 Q You were asked about the later discovery that the
2 documents -- that there were forged documents on which the
3 speech was relied. Do you recall any discussion that in fact
4 the speech -- that when those claims were made that the
5 speech did not, in fact, rely on that so no investigation on
6 why it relied on false documents was necessary?

7 A I am sorry. What is the question?

8 Q Let me break that down a little bit.

9 Do you recall anybody saying that the claim that the
10 speech relied on forged documents was false?

11 A The claim of the speech relied -- I don't. I don't
12 recall.

13 Mr. Ausbrook. Okay. The other question isn't
14 necessary. That is it.

15 Ms. Amerling. No further questions.

16 Mr. Ausbrook. No further questions?

17 Ms. Amerling. I don't have any further questions.

18 I just want to thank you again on behalf of the
19 committee for coming in and taking the time to talk with us
20 today. Okay.

21 Mr. Berenson. Thank you.

22 [Whereupon, at 12:50 p.m., the deposition was
23 concluded.]

24

25