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COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,
SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

DEPOSITION OF: MARGARET MOORE

Friday, October 4, 2024

Washington, D.C.

The interview in the above matter was held in room 2157, Rayburn House Office
Building, commencing at 9:57 a.m.

1 Appearances:

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5 For the SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC:

6

7 MITCH BENZINE, STAFF DIRECTOR.

8 MADELINE BREWER, COUNSEL

9 ERIC OSTERHUES, CHIEF COUNSEL

10 PETER SPECTRE, PROFESSIONAL STAFF MEMBER

11 ██████████ MINORITY CHIEF COUNSEL

12

13

14 For MARGARET MOORE:

15

16 RONALD JACOBS, VENABLE LLP

17 WILLIAM VIGEN, VENABLE LLP

1 Mr. Benzine. Thank you.

2 Ms. Moore, my name is Mitch Benzine, and I am the staff director for the majority
3 staff of the select subcommittee.

4 Under the select subcommittee and Committee on Oversight and Accountability's
5 rules, you are allowed to have an attorney present to advise you during this interview.

6 Do you have an attorney representing you in a personal capacity present with you
7 today?

8 The Witness. Yes, I do.

9 Mr. Benzine. Will counsel please identify themselves for the record?

10 Mr. Vigen. William Vigen from Venable LLP.

11 Mr. Jacobs. And Ronald Jacobs from Venable LLP.

12 Mr. Benzine. For the record, starting with the majority staff, can the additional
13 staff members please introduce themselves with their name, title, and affiliation?

14 Mr. Spectre. Peter Spectre, professional staff member with the majority staff
15 with the select subcommittee.

16 Ms. Brewer. Madeline Brewer, counsel for the majority.

17 Mr. Osterhues. Eric Osterhues, chief counsel for the majority.

18 ██████████. ██████████, chief counsel for the minority.

19 Mr. Benzine. Thank you.

20 Ms. Moore, before we begin, I'd like to go over the ground rules for this
21 deposition.

22 The committee and select subcommittee will conduct today's deposition in
23 accordance with the House of Representatives' regulations for the use of deposition
24 authority. This regulation is incorporated verbatim into the rules of the Committee on
25 Oversight and Accountability at Rule 15.

1 The questioning will proceed in rounds. The majority will ask questions for an
2 hour, and then the minority will have an opportunity to ask questions for an equal period
3 of time if they choose.

4 There will be one staff counsel per side asking the questions during each round.
5 To the extent members have questions for the witness, they will be propounded during
6 their side's respective rounds.

7 Do you understand?

8 The Witness. Yes.

9 Mr. Benzine. The clock will stop if the witness needs to confer with counsel.
10 When counsel for the witness is speaking and when members are speaking during the
11 opposing side's round of questions, we will alternate back and forth until there are no
12 more questions.

13 Do you understand?

14 The Witness. Yes.

15 Mr. Benzine. We ordinarily take a 5-minute break at the end of each hour, but if
16 you need a break before that, please let us know.

17 Do you understand?

18 The Witness. Yes.

19 Mr. Benzine. There is a court reporter taking down everything I say and
20 everything you say to make a written record of the deposition.

21 For the record to be clear, please wait until the staffer questioning you finishes
22 each question before you begin your answer, and the staffer will wait until you finish your
23 response before proceeding to the next question.

24 Further, to ensure the court reporter can properly record this interview, please
25 speak clearly, concisely, and slowly.

1 The court reporter cannot record nonverbal answers such as nodding or shaking
2 your head, so it is important that you answer each question with an audible verbal
3 answer.

4 Do you understand?

5 The Witness. Yes.

6 Mr. Benzine. As you have already seen, exhibits may be entered into the record.
7 Majority exhibits will be identified numerically, and minority exhibits will be identified
8 alphabetically.

9 Do you understand?

10 The Witness. Yes.

11 Mr. Benzine. We want you to answer our questions in the most complete and
12 truthful manner possible, so we will take our time. If you have any questions or do not
13 fully understand the question, please let us know. We will attempt to clarify, add
14 context to, or rephrase our questions.

15 Do you understand?

16 The Witness. Yes.

17 Mr. Benzine. If we ask about specific conversations or events in the past and you
18 are unable to recall the exact words or details, you should testify to the substance of
19 those conversations or events to the best of your recollection.

20 If you recall only a part of a conversation or event, you should give us your best
21 recollection of those events or parts of conversations that you do recall.

22 Do you understand?

23 The Witness. Yes.

24 Mr. Benzine. You are required by law to answer questions from Congress
25 truthfully. This also applies to questions posed by congressional staff in this deposition.

1 Do you understand?

2 The Witness. Yes.

3 Mr. Benzine. If at any time you knowingly make false statements, you could be
4 subject to criminal prosecution, including for perjury.

5 Do you understand?

6 The Witness. Yes.

7 Mr. Benzine. This includes both knowingly providing false testimony, but also
8 stating that you do not recall or remember something when in fact you do.

9 Do you understand?

10 The Witness. Yes.

11 Mr. Benzine. Furthermore, you cannot tell half-truths or exclude information
12 necessary to make statements accurate. You are required to provide all information
13 that would make your response truthful. A deliberate failure to disclose information can
14 constitute a false statement.

15 Do you understand?

16 The Witness. Yes.

17 Mr. Benzine. Is there any reason you are unable to provide truthful testimony in
18 today's interview?

19 The Witness. No.

20 Mr. Benzine. The Federal Rules of Evidence and Criminal and Civil Procedures
21 are not applicable for today's deposition. Under the House deposition regulation, a
22 witness' attorneys may instruct a witness to refuse to answer a question except -- may
23 not instruct a witness to refuse to answer a question except to preserve a privilege. The
24 House recognizes constitutionally based privileges and not necessarily those privileges
25 derived from common law.

1 Do you understand?

2 The Witness. Yes.

3 Mr. Benzine. Finally, the contents of what we discuss in the deposition today is
4 confidential under the House deposition regulation. Under the rules, the chairman and
5 ranking member shall consult before any release of testimony, transcripts, or portions
6 thereof. The select subcommittee is conducting this deposition, but this consultation
7 would occur between Chairman Comer and Ranking Member Raskin.

8 Do you understand?

9 The Witness. Yes.

10 Mr. Benzine. Do you have any other questions before we begin?

11 The Witness. No.

12 Mr. Benzine. Can the reporter please swear in the witness?

13 The Reporter. Yes, sir.

14 Ma'am, will you please raise your right hand?

15 Do you solemnly declare and affirm under the penalty of perjury that the
16 testimony you are about to give will be the truth, the whole truth, and nothing but the
17 truth?

18 The Witness. I do.

19 Mr. Benzine. Thank you.

20 EXAMINATION

21 BY MR. BENZINE:

22 Q Ms. Moore, during the COVID-19 pandemic, did you have any conversations
23 with Dr. David Morens regarding his obligations pursuant to the Freedom of Information
24 Act or document retention laws and policies?

25 A On the advice of counsel, I assert my constitutional privilege under the Fifth

1 Amendment and respectfully decline to answer the question.

2 Q Thank you.

3 Let the record reflect that Ms. Moore has invoked the Fifth Amendment right
4 against self-incrimination.

5 Ms. Moore, please be very clear, are you declining to answer the question put to
6 you solely on the ground that you believe the answer will incriminate you?

7 A On the advice of counsel, I assert my Fifth Amendment privilege and
8 respectfully decline to answer the question.

9 Q Ms. Moore, is it your intention to decline to answer all questions put to you
10 today by the select subcommittee on the basis of the Fifth Amendment right against
11 self-incrimination?

12 A Yes.

13 Mr. Benzine. Does the minority have any questions or wish to make a
14 statement?

15 [REDACTED]. No, we don't.

16 Mr. Benzine. Ms. Moore, pursuant to the terms of the subpoena, you are free to
17 depart.

18 And we can go off the record.

19 [Whereupon, at 10:05 a.m., the deposition was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date