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COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: STEVE RICCHETTI

Wednesday, July 30, 2025

Washington, D.C.

The interview in the above matter was held in room 2335, Rayburn House Office Building,
commencing at 10:00 a.m.

Appearances:

For the COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM:

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1 Mr. Benzine. We can go on the record.

2 This is a transcribed interview of Steve Ricchetti conducted by the House Committee on
3 Oversight and Government Reform under the authority granted to it pursuant to House Rule X.
4 Accordingly, House Rule X grants the Committee broad jurisdiction for the Committee to conduct
5 investigations of any matter at any time.

6 This interview was requested by Chairman James Comer as part of the Committee's
7 investigation into President Biden's alleged mental and physical decline, the Biden White House's
8 efforts to hide that from the American people, and any unauthorized executive actions.

9 Can the witness please state his name and spell his last name for the record?

10 Mr. Ricchetti. Yes. Steve Ricchetti, R-i-c-c-h-e-t-t-i.

11 Mr. Benzine. On behalf of the Committee, I want to thank you for appearing here today.
12 The Committee appreciates your appearance for this interview voluntarily.

13 My name is Mitch Benzine, and I'm the general counsel for Chairman Comer.

14 Under the Committee on Oversight and Government Reform's rules, you are allowed to have
15 an attorney present to advise you during this interview.

16 Do you have an attorney representing you in a personal capacity with you today?

17 Mr. Ricchetti. Yes.

18 Mr. Benzine. Will counsel please identify themselves?

19 Mr. Sauber. Yeah. My name is Richard Sauber, S-a-u-b-e-r, and I'm counsel to Mr.
20 Ricchetti with my two colleagues.

21 Mr. Benzine. For the record, starting with the remainder of the majority staff, can the
22 additional staff members please introduce themselves with their name, title, and affiliation?

23 Mr. Greenberg. Jake Greenberg, counsel for Chairman Comer.

24 Ms. Harker. Margaret Harker, senior advisor for the majority.

25 Mr. Grant. Billy Grant, counsel for the majority.

1 Mr. Spectre. Peter Spectre, profession staff member for the majority.

2 Mr. Soto. Melvin Soto, digital director for the majority.

3 Ms. [REDACTED], fellow with the minority.

4 Ms. [REDACTED], legal intern with the minority.

5 Ms. [REDACTED], chief counsel for the minority.

6 Ms. [REDACTED], senior counsel for the minority.

7 Mr. [REDACTED], senior counsel for the minority.

8 Ms. [REDACTED], counsel for the minority.

9 Mr. [REDACTED], staff director, the minority.

10 Mr. [REDACTED], counsel for the minority.

11 Mr. Benzine. Thank you all.

12 Mr. Ricchetti, before we begin I would like to go over the ground rules for this interview.

13 The questioning will proceed in rounds. The majority will ask questions for an hour, and
14 then the minority will have an opportunity to ask questions for an hour, if they choose.

15 To the extent members have questions for the witness, they will be propounded during their
16 side's respective rounds.

17 The clock will stop if the witness needs to confer with counsel, when counsel for the witness
18 is speaking, and when members are speaking during the opposing side's rounds of questions.

19 We will alternate back and forth until there are no more questions.

20 Do you understand?

21 Mr. Ricchetti. Uh-huh.

22 Mr. Benzine. Can you say yes or no?

23 Mr. Ricchetti. Yes. Of course.

24 Mr. Benzine. There is a court reporter taking down everything I say and everything you say
25 to make a written record of the interview.

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

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

6 Also, the court reporter cannot record nonverbal answers, such as nodding or shaking your
7 head, so it is important that you answer each question with an audible verbal answer.

8 Do you understand?

9 Mr. Ricchetti. Yes.

10 Mr. Benzine. Exhibits may be entered into the record. Majority exhibits will be identified
11 numerically, minority exhibits will be identified alphabetically.

12 Do you understand?

13 Mr. Ricchetti. Yes.

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

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

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

22 Do you understand?

23 Mr. Ricchetti. Yes.

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

1 Do you understand?

2 Mr. Ricchetti. Yes.

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

5 Do you understand?

6 Mr. Ricchetti. Yes.

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

9 Do you understand?

10 Mr. Ricchetti. Yes.

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

14 Do you understand?

15 Mr. Ricchetti. Yes.

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

18 Mr. Ricchetti. No.

19 Mr. Benzine. Please note that if you wish to assert a privilege over any statement today,
20 that assertion must comply with the rules of the Committee on Oversight and Government Reform.

21 Pursuant to that, Committee Rule 16(c)(1) states: "For the Chair to consider assertions of
22 privilege over testimony or statements, witnesses or entities must clearly state the specific privilege
23 being asserted and the reason for the assertion on or before the scheduled date of testimony or
24 appearance."

25 Do you understand?

1 Mr. Ricchetti. Yes.

2 [Ricchetti Majority Exhibit No. 1
3 was marked for identification.]

4 Mr. Benzine. I would like to enter as exhibit 1 a letter transmitted to your counsel dated
5 June 24th, 2025, from Mr. Gary Lawkowski, deputy counsel to the President. This letter informs you
6 that President Trump has determined not to assert executive privilege over your assessment of
7 former President Biden's fitness for the Office of President and your knowledge of who exercised
8 executive powers during his administration.

9 The letter also states that President Trump will not assert immunity to preclude you from
10 testifying before the House Oversight Committee.

11 Ordinarily, we take a 5-minute break at the end of each hour of questioning, but if you need a
12 longer break or a break before that, please let us know and we will be happy to accommodate.
13 However, to the extent that there is a pending question, we would ask that you finish answering the
14 question before we take the break.

15 Do you understand?

16 Mr. Ricchetti. Yes.

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

18 Mr. Sauber. No, but I do. Is now the time or --

19 Mr. Benzine. Yes. Go ahead.

20 Mr. Sauber. First, I understand that the videographer works for the Committee and not the
21 House. Is that right?

22 Mr. Benzine. Yes, sir.

23 Mr. Sauber. Okay. My experience in this regard is that the videographer would be
24 someone from the House. And so I'm not used to having somebody who works for the majority,
25 frankly, doing the videography, and I wonder why the change in procedure.

1 Mr. Benzine. If this shifts to a deposition, only Committee staff are allowed in the room.

2 Mr. Sauber. I'm sorry. I don't understand that answer.

3 Mr. Benzine. What don't you understand?

4 Mr. Sauber. What you said. I just don't understand why we have a Committee person
5 when my experience, even in these voluntary interviews, is that it's a House person.

6 Mr. Benzine. And my answer is if this shifts to a deposition, under House rules, only
7 Committee staff are allowed in the room. So in case of that shift, Committee staff are filming.

8 Mr. Sauber. Okay.

9 Just as a preliminary statement, Mr. Ricchetti is here to testify voluntarily. I am going to do
10 my best not to interject and raise what I believe are legitimate privilege issues or scope issues. And
11 I hope, before getting sort of off track, if there is a concern I have, we could either discuss it outside
12 of the room, try to work our way around it, and we'll do our best not to interject too often.

13 Mr. Benzine. I'm happy to have sidebars, but under House rules you have to object on a
14 question-by-question basis. So we would ask that your objection be noted for the record prior to a
15 sidebar.

16 Mr. Sauber. Even before we go outside the room and talk about it?

17 Mr. Benzine. Correct.

18 Mr. Sauber. Okay.

19 Mr. Benzine. Are we good? All right.

20 My clock reads 10:07, and the majority's hour will begin now.

21 EXAMINATION

22 BY MR. BENZINE:

23 Q Mr. Ricchetti, again, I want to thank you for being here and testifying. I want to ask a
24 couple of introductory questions and then get to your experience in the U.S. Government.

25 Are the American people's questions regarding President Biden's mental acuity while

1 President legitimate?

2 A The questions about his health are certainly legitimate, and the President himself
3 recognized that, took annual physicals, and never did -- always shared with the public anything
4 related to his health.

5 Q Does health include mental acuity?

6 A Yes.

7 Q Was President Biden fit to execute the duties of Presidency during his term?

8 A I believe he was.

9 Q Could President Biden have continued to serve as President through the end of a
10 potential second term in 2029?

11 A I believed he could, although I have to say no one could be projecting 4 years into the
12 future for anybody in this job. It's certainly ground that would be an opinion and speculative rather
13 than something you could warrant.

14 Q Thank you.

15 I want to go through just very briefly your education and experience.

16 You attended Miami of Ohio for undergrad, correct?

17 A Uh-huh.

18 Q What degree did you graduate with?

19 A A bachelor of philosophy and BS in education.

20 Q And then law school at George Mason?

21 A Uh-huh. Yep.

22 Q Who is your current employer?

23 A I have a consulting company.

24 Q And then your first stint at the White House was with President Clinton. Is that
25 correct?

1 A Yes.

2 Q What was your title?

3 A Deputy assistant. The first 3 years, deputy assistant to the President. I had
4 responsibility for the Senate legislative shop. And then my second tour I was deputy chief of staff
5 the last two and a half years.

6 Q And during that time you worked was there ever a gap in your employment with
7 President Clinton?

8 A Yes. In '97 and '98 -- or '96, '97, '98. I left in February '96, had worked for a
9 consulting company, did volunteer work on the campaign. The reelect was in '96. Then in '97, '98
10 had a consulting company, and then came back in August of '98.

11 Q In that gap, did you assist with congressional Democrats during the impeachment of
12 President Clinton?

13 A I came back in August preceding it. In fact, I came back August 20th, but right before
14 the impeachment proceedings. And I was a special government employee from September through
15 January, became chief deputy staff in January, and the impeachment proceedings were after the
16 midterm elections, and then in the Senate in that January and February.

17 Q As an SGE, you were allowed to keep your lobbying practice. Is that correct?

18 A I had my practice. I obviously had to suspend while I was an SGE from anything I could
19 do in the practice.

20 Q And then, as you said, you came back as deputy chief of staff.

21 Did you sell your lobbying business when you returned as deputy chief of staff?

22 A Yes.

23 Q Who did you sell it to?

24 A Tony Podesta.

25 Q Who was White House chief of staff at that time?

1 A John Podesta.

2 Q Who is Tony Podesta's relation to John Podesta?

3 A His brother.

4 Q All right.

5 What did you do between leaving the Clinton White House and joining the Office of Vice
6 President Biden?

7 A I had a lobbying consulting firm.

8 Q Did any other members of your family work for that lobbying firm?

9 A Yes. My brother.

10 Q And then you started with Vice President Biden around 2012? Is that right?

11 A Yeah, in 2012. Yeah.

12 Q What was your title?

13 A Counselor to the Vice President.

14 Q You hadn't worked for Mr. Biden prior to then?

15 A No. I had, obviously, because I ran the Senate legislative office, I knew him in the '90s,
16 but hadn't ever worked for him or with him directly.

17 I had, like I said, I had been with the Clintons in basically the '90s. I ran the Senate Campaign
18 Committee in '91 and '92, went into the White House in '93, worked 5 of those 7 years in the Clinton
19 White House, had a consulting company from 2001 to the beginning of 2012, and went into the
20 Obama White House as counselor to the Vice President in, I think it was, February of 2012.

21 Q Can you describe the process of getting that job? Who interviewed you? Who
22 offered you the job?

23 A Well, the story is a little complicated.

24 I was actually offered a job to go to the Pentagon to work as a counselor for Leon Panetta.

25 The Vice President heard that I might be returning to government to work there and said,

1 "Could you do it here?" And I went up and had a conversation with him and he asked me to join
2 him in the Vice President's office.

3 Q When did that conversation occur?

4 A In December of 2011, beginning of 2012.

5 Q There weren't any conversations prior to then regarding you joining the Vice President's
6 office?

7 A No, I don't -- I can't remember precisely the week-by-week. I was intending to go to
8 the Defense Department, and then this conversation succeeded it.

9 I think, if I remember correctly, being -- you had to go through the national security vetting
10 procedure of a couple or 3 months that existed then.

11 Q The Obama administration had a mandatory 2-year lobbying cooling-off period. Was
12 that waived for you?

13 A No, I don't believe it was.

14 Q Did you stop lobbying 2 years prior to 2012?

15 A Yes.

16 Q And then in 2013 became chief of staff to Vice President Biden. Is that correct?

17 A Yes.

18 Q How long were you in total in the Vice President's office?

19 A For almost 5 years, I guess. I can't remember the exact start date, whether it was
20 February or beginning of March, but it was in that period of time that I came to the Vice President's
21 office, and then I left with him on the last day of the administration.

22 Q Were you involved at all in the initial planning of a potential 2016 presidential campaign
23 for Vice President Biden?

24 A Yes.

25 Q What was your job for that?

1 A I was chief of staff during that period of time, but this was a period of time in 2019, kind
2 of in that interval of time after Beau had passed away in Memorial Day, or that Memorial weekend,
3 and this was in that summer where he at least had to contemplate.

4 Q You just said 2019. Did you mean 2015?

5 A Yeah. I'm sorry.

6 Q I just want to make sure we're talking about the 2016 election.

7 A Yeah. As you'll find, on dates I sometimes will slip on a year, but it was in --

8 Q We'll help where we can.

9 A Thanks. I bet you will.

10 Q Who did you discuss that possible campaign with?

11 A In 2015?

12 Q Uh-huh.

13 A Obviously, with the Vice President, with a number of folks inside and outside the
14 government. Anita Dunn and Bob Bauer were supportive of that effort. I got calls from people
15 around the country encouraging the Vice President to consider getting into the race.

16 This intensified over the late part of the summer as the competition between Senator Sanders
17 and Senator Clinton got more intense. There were more people who were calling for the Vice
18 President to consider getting into the office.

19 Q Did you ever have discussions with President Obama regarding a potential Vice
20 President Biden campaign?

21 A Yes.

22 Q What did he say?

23 A He was -- certainly had concerns about how the Vice President could handle the burden
24 of running for President given just the heavy emotional toll that understandably anybody would have
25 been living through over the summer that the Vice President was living through.

1 Q Did you ask President Obama for an endorsement?

2 A No.

3 Q Did you have any discussions with Secretary Clinton regarding the potential of Mr. Biden
4 jumping in?

5 A I don't think so. I did see -- the time I saw them was at a service, I think, or a memorial
6 service for Beau, and so I saw them after that. But I never talked to her specifically about whether
7 he should run or not.

8 Q And after Mr. Biden left the Vice Presidency, did you return to your lobbying and
9 consulting firm?

10 A No. I did -- I helped him think through the strategy for what he's going to do in the
11 post-Vice Presidency. I had done that for President Clinton as well when he left.

12 And so I helped him think through and construct a strategy for what he was going to do
13 afterwards, which included relationships at the University of Delaware, the University of
14 Pennsylvania, extending the reach of his foundation.

15 And we put together something called the Biden Cancer Initiative, which in that period of
16 time, I think as a tribute, in a bipartisan way, they passed legislation named after Beau for NIH
17 money, and an increase in NIH money dedicated to cancer research.

18 And so he created the cancer initiative as we left to kind of extend the reach of the work that
19 he intended to do in that space.

20 So he had a cancer initiative, a foundation, a relationship with the University of Delaware that
21 was focused on domestic policy, and work at the University of Pennsylvania that created an institute
22 in his name at the University of Pennsylvania where he did -- the design of it was for diplomacy and
23 work focused on foreign affairs.

24 Q So you didn't have any --

25 A And I worked at the University -- so I was hired and worked at the University of

1 Pennsylvania. I was, I can't remember the title, managing director, I think, of the Biden Institute at
2 the University of Pennsylvania and I worked there for 2 years.

3 Q But you weren't a registered lobbyist --

4 A No.

5 Q -- nor had any clients during that time?

6 A No. I had clients in a consulting business, but I didn't lobby.

7 Q Who was -- what's the difference?

8 A Well, if you contact Members of Congress and you meet certain criterion for lobbying,
9 you need to file lobby reports. But I didn't do that. It was the same thing as I left lobbying
10 in -- remind me.

11 Q 2010-ish.

12 A Yeah. Yeah, it was 2010, 2011, I had a counsel, I asked the counsel for an
13 interpretation from the Senate counsel's office, the House and Senate counsel's office, to give me
14 instruction on how to appropriately reorient my career to an advising capacity rather than lobbying.

15 They wrote out an instruction. We wrote how we should do this. They affirmed the
16 method for doing it. And we got instructions so that I could.

17 I probably hadn't officially met the description of a lobbyist for a number of years because I
18 wasn't doing work on the Hill or representing people on the Hill that met the criterion for lobbying.

19 I had always filed lobby reports. I guess "over-filed" would have been the word. Anybody
20 who was paying we registered with the House and Senate to say that we were lobbying because the
21 firm did.

22 I was told if I wasn't doing that anymore I actually wasn't meeting the criterion for a lobbyist,
23 so in the last 2 years I did not register and did not lobby.

24 Q And then you said -- I'm going to ask about each one individually.

25 A Sure.

1 Q But that you helped Vice President Biden set up the Biden School at the University of
2 Delaware?

3 A Yes.

4 Q What did that look like?

5 A Well, at the time the university had discussed building a building in his name over -- I
6 don't know -- since he left the United States Senate.

7 And so one of the things that the university was doing was considering building a building,
8 and they offered to create a Biden -- I can't remember if we called it an institute or a school or a
9 program within the university discipline focused on government and public affairs.

10 And so during that, probably the last 6 months of the Vice Presidency, as we were
11 contemplating what he was going to do afterwards, they began to put proposals on the table for
12 what it is that they would be willing to do in his name and how he would orient his work.

13 Q Did Mr. Biden teach at the University of Delaware for that school or was --

14 A He did. Both at the University of Delaware and the University of Pennsylvania he did
15 occasional presentations. I wouldn't say teaching a course, but he did presentations where either
16 the political science department students were invited, or a number of times he did the University of
17 Pennsylvania. It was kind of an open invitation to the campus and they did it in an auditorium.
18 The President of the university kind of led an interview with him and he engaged with the students
19 afterwards in the way he often did.

20 Q And a similar process for setting up the Penn Biden Center?

21 A Yeah.

22 Q And then you said you were managing director of that center?

23 A Yes.

24 Q Did you also negotiate Mr. Biden's post-vice presidential book deal?

25 A I didn't negotiate it, although I did participate in some of the interviews as he

1 considered some -- I'll be more precise. I think most of the interviews he had with potential
2 publishers, and with the firm that was actually representing him in the book negotiation, I
3 participated in all of those.

4 Q Have you participated in his just-announced post-presidential memoir deal?

5 A I didn't. Not in the deal, unfortunately, but in the -- I'm helping him write his memoirs
6 to the best of my ability. I'm going to help him think through how to write about his Presidency and
7 to contribute to that.

1 BY MR. GREENBERG:

2 Q Just so I'm clear, during this period of time, setting up the center at the University of
3 Delaware, the center at Penn, was this your full-time job?

4 A No. I was chief of staff, and we had the Vice Presidency every day. I was chief of staff
5 for the Vice President.

6 Q No. After the Vice President departs office --

7 A Yeah.

8 Q -- you were -- were you employed by former Vice President Biden at that time?

9 A No. By the University of Pennsylvania.

10 Q Got it.

11 A As managing director. But the discussions, which led to the things that he did
12 afterwards, we had while he was Vice President in that last 6 months.

13 Q Understood. Thank you.

14 BY MR. BENZINE:

15 Q And in addition to Penn, Ricchetti consulting, you were also --

16 A I didn't start that until the following year because we were launching, finding -- doing all
17 the things mechanically to get the Penn and Delaware projects off the ground, including
18 the foundation. Again, having experienced this with President Clinton, even finding the real estate,
19 living through the transition, where is he going to live, where -- we worked all those things out in the
20 months, in the 3 or 4 months preceding that, and then started doing it all the 21st or the 23rd or
21 whatever the date was after President Trump took office.

22 Mr. Greenberg. And just so I'm clear, during this time period, CelticCapri was not -- you
23 were not receiving any paycheck from CelticCapri?

24 Mr. Ricchetti. No.

25 Mr. Greenberg. And what is CelticCapri.

1 Mr. Ricchetti. I think that was the joint business venture between the Vice President and
2 the First Lady.

3 Mr. Greenberg. Thank you.

4 BY MR. BENZINE:

5 Q And then eventually you became chairman of Mr. Biden's 2020 presidential campaign.

6 A Yes.

7 Q Is that correct?

8 A Yep.

9 Q When did you start that?

10 A I think we officially started in April of -- do the dates for me -- April of 2019, right? Or
11 that was our official announcement. We'd been working on it for a number of months in the kind of
12 preparatory phase. I can't remember.

13 There's this -- the way that you start a campaign, there were several months of like -- I can't
14 remember what the precise word was.

15 Dick, you might remember.

16 But there's an interval of time where you can basically -- you have a lawyer and you do the
17 structural things. And so we were doing all of the preparation in the months preceding the official
18 announcement of the campaign.

19 And I can't remember, I think we might have -- the campaign itself might have been organized
20 to start on the 1st of March, or something like that, but I think we announced in April, although on
21 dates -- I notice you guys all got big notebooks so that you can remember all of this.

22 I'm trying to remember stuff, and I have a couple of things that I wrote to myself just so I
23 could remember dates more precisely, so I'll try to get at it. But you might be able to help me
24 remember.

25 Q I believe the official announcement was April of 2019.

1 A Yeah. Exactly.

2 Q When did Mr. Biden approach you that he may want to run for President in 2020?

3 A We talked about it in 2018. It was in -- we talked about it in 2018, 2017.

4 I guess it's important maybe for context and to help you to understand better how we
5 approached everything.

6 We certainly in 2016 were hopeful that Hillary was going to be elected President rather than
7 President Trump. That was where he had made a decision not to run.

8 We structured what he was going to do in the post-Vice Presidency. He basically said, "I've
9 never worked in the private sector, done anything. I just want to continue to do the kind of work
10 that I did as Senator and Vice President in the post-Vice Presidency. So however we can design
11 what I'm doing, I want to just keep doing public service in the way I've always done it."

12 Obviously, we didn't win the 2016 election, and so in 2017 the -- all of these things, which we
13 had already begun to try to put in place and to orient our work toward, certainly we had in our minds
14 that it was possible that he might think about running again.

15 And depending on the level of encouragement and support, he would make a calculation
16 about that. Although at that stage in his career he certainly earned the right to orient his life
17 differently, to make some money, which he had received a generous advance for writing a book, and
18 in that book really wanted to write about Beau and the things that were important to him. So we
19 made that decision.

20 And in 2017 a lot of his work was standing up these entities. And then he spent a decent
21 chunk of the summer of 2017 writing the book.

22 And then I think got that done by, I want to say October, November, December, something in
23 that time range. And part of the book was a book tour where he did speeches and interviews kind
24 of attached with either famous people or colleagues around the country.

25 And while he was doing that book tour, the reception for him at, I think we did 30 or 40

1 different locations, was quite generous and enthusiastic, and even because of the subject matter
2 empathetic because it was so personal.

3 And so in that period of time we began to consider the possibility of running for President.
4 And in 2018 he did -- one of the other things that he had established in this time was a political action
5 committee so that he could raise money to pay for his travel and to support candidates in that 2018
6 midterm election.

7 So he was on his book tour, he was giving some speeches, he had the two university programs
8 that we were standing up at the foundation, the cancer initiative. He had programs attached to
9 each of them. And we were busy in the way we had been busy in the Vice Presidency, to be honest
10 with you.

11 And at the end of 2018 we began to kind of more seriously look at both what would be
12 required mechanically to run for President and just a way to roll it out if he made the decision to go.

13 Q When he --

14 A Am I oversharing here? Am I? I mean, do you really want to know all this or -- I'm
15 asking.

16 Q Yeah. The context is helpful.

17 A Okay. Good.

18 Q When he approached you in 2018, did you agree that he should run for President?

19 A Yes.

20 Q This is just --

21 A It wasn't like an "approach me" thing. I worked for him every day. And it's an
22 interesting part of this, and I think it will help you to understand the relationship that I had with him
23 during the Presidency, and many others did.

24 We were in kind of an ongoing dialogue. It was a daily conversation. There wasn't like
25 moments in time where we sat down and said here is the -- there's not that kind of bifurcation in

1 the -- I'm sure you have the same relationship with the Chairman -- there wasn't this kind of
2 bifurcated, "On this day we decided to do this." There was just a momentum and then an
3 understanding amongst us that we would begin to kind of develop and think through what running
4 for President, again, would entail.

5 President Biden said before there were some things that had occurred publicly, like
6 Charlottesville, that were animating or motivating features to his decisionmaking.

7 And, again, there was on a personal level a lot going on just as a family in dealing with Beau's
8 passing and what that represented to them and the emotional impact of that. And we were living
9 through that with him and with the family, and it was ever present in even our thinking about
10 running for President, both in terms of the impact on the family and the impact on him just as a
11 father.

12 And partially -- and I think the President said this before -- it animated a desire to run again,
13 because that's -- he always believed that's what Beau would have wanted him to do.

14 Q This is just my own ignorance. What is the difference between a campaign chairman
15 and a campaign manager?

16 A The campaign manager does the functional running on the ground State campaign
17 operations, the work that's done, the field operation, the knocking on the doors, the things that
18 involved kind of the, again, not the mechanical, but the meat of the campaign itself. And the
19 chairman's role has typically been as a person who's more public facing, external relationships,
20 fundraising.

21 And in our case, in the chairman's role, I hired most of the people, or with the President met
22 and hired the campaign people, and organized and put it together.

23 Q During this time, prior to the 2020 election, was it ever discussed that Mr. Biden would
24 only serve one term?

25 A We discussed doing that as a feature of the campaign itself, that he might consider

1 doing that, and I had -- I don't remember which one of us propounded it.

2 It might have been me because it was something that we had considered as one of the things
3 that he might do, and it might be politically something that the public would consider attractive, not
4 only just with respect to President Biden, but perhaps any candidate.

5 Q Did you ever see or hear Mr. Biden struggling to communicate on the campaign trail in
6 2020?

7 A I certainly saw days when he made mistakes or he stumbled or said -- mixed up a date
8 or forgot a name or made what I consider kind of common mistakes that I could make myself, or
9 anybody else that I knew could make themselves.

10 Those were the kinds of mistakes that you make even as you're under pressure or giving a
11 speech or just the garden variety kinds of things that human beings sometimes fall into or make.

12 Q Did the frequency of those mistakes, had they increased since he was Vice President?

13 A No.

14 Q Did you ever -- were there any ever discussions regarding COVID and the lockdowns
15 benefiting Mr. Biden on the campaign trail?

16 A No, I don't think so. I mean, there's been a lot of post facto -- as you know, in politics
17 there's a lot of people that ascribe either genius or frailty in something that has happened in a
18 campaign, but really the truth is you make these judgments kind of on a day-to-day and a
19 week-to-week basis about what to do in a campaign, and oftentimes things, you know, events,
20 everything else that's going on animate how people feel about the politics and success or failure of
21 any strategy.

22 Q Was it part of the strategy to keep Mr. Biden in Delaware instead of outside on the
23 campaign trail?

24 A No. It's so interesting. I'm glad you're kind of asking me, and I hope this is helpful.

25 Obviously, in -- again, make sure I'm getting the years correct as I'm doing all this -- but in

1 2019 we were on the road like constantly in October, November, December. We spent weeks in
2 Iowa, we went to New Hampshire.

3 We had -- even in 2019 we had a couple of rough debates, as you know. We were kind of
4 ahead in June in the Democratic primary. We had a couple of rough debates. The race became
5 more competitive. And as we went into Iowa we were hopeful, but we didn't end up doing very
6 well in Iowa or in New Hampshire.

7 I was saying to Dick, just because part of just in preparing to do this interview I started to just
8 recall sequences and events and time frames.

9 And it is very interesting, in 2019, by the time we got to August and September, as we were
10 running, there were a lot of people who thought we were toast, that the Vice President, it was a
11 mistake for him to have run, that he didn't do well in a couple of the debates, and that he might be
12 too old, and he was making some mistakes.

13 And, by the way, and that we, by encouraging and supporting what he was doing, were
14 hurting his legacy, that we were kind of contributing to the potential for failure and running was
15 going to subtract from this, I would say, even bipartisan legacy of both accomplishment and
16 friendship that he enjoyed when he left the Vice Presidency.

17 And, again, if you just -- even the tributes to him from Republican Senators as he left the Vice
18 Presidency and how generous in the House and in the Senate members were to him as we were
19 leaving the Vice Presidency, it was an important feature of his career.

20 And, actually, in the summer of 2019, in the campaign sense, we were struggling. A lot of
21 people suggested that it was just a terrible mistake that we ever let him or encouraged him to run, as
22 if somehow this was our decision, and as you know, as you're working for a Member.

23 And, again, I think this is important for me to say up front, the President as President and as
24 Vice President, he made these calls. Like we teed up decisionmaking for him and alternatives and
25 different ideas, we tried to think through everything pro and con about this.

1 You try to put yourself in the shoes of the other person that related to what that discussion
2 with President Obama and the Vice President was.

3 Under the pain of that period of time, it's sometimes hard to imagine, it was excruciating to
4 live through with him. It was extremely difficult in that period of time.

5 But, again, when he was Vice President, as he was President, we tried to take into
6 consideration in our advice to him all the things that were going on. And in that period of time a lot
7 of people thought, boy, big mistake.

8 We believed that we had a clearer sense of where the public would be, where the Democratic
9 Party would be, and that's how we made decisions.

10 Q And then, after he was successful in the election, you became assistant to the President
11 and counselor?

12 A Yes.

13 Q Correct?

14 A Uh-huh.

15 Q Were you hired during the transition?

16 A Yes. I mean, I think so, right? I think we all were, right, in that transition. I mean, I
17 started on day one.

18 And, again, this is at that vaccine point, just to further underscore. Everybody went -- I
19 mean, everybody went into isolation during that period of time. That was the most intense public
20 health experience any -- I think any of us have seen in our lifetimes.

21 BY MR. GREENBERG:

22 Q Backing up to what Mr. Benzine had asked you about the possibility of then former Vice
23 President Biden considering announcing that he would only seek one term as President, was that a
24 conversation that happened multiple times, or was that just something that happened one time and
25 you were done with it?

1 A I can't remember if it was one time or three times, but not often. And he made a
2 decision that he wasn't certainly going to announce that.

3 As a candidate, we considered a whole variety of what I thought would potentially be
4 innovative ideas, and some would have been pushing the edge of the envelope about what people
5 were comfortable about.

6 So we considered all kinds of things, ways to run. Some of the ideas might seem farfetched.
7 But considered picking a Vice President as you were starting to run. We considered -- certainly had
8 a conversation about avoiding the Iowa caucuses or the New Hampshire primary just because of the
9 orientation of them.

10 It certainly was, as we were considering running for the Presidency, trying to be innovative in
11 the way that we approached running was one of the things that we thought about.

12 He considered a number of these things. We had, like I said, I don't know whether it was
13 one or two or three conversations in those respects, and he made decisions not to, basically, to make
14 a decision to only run for one term.

15 He decided we were going to do the Iowa caucuses. He decided we were going to approach
16 how we raise money in a certain way. I mean, we made a bunch of decisions about the campaign.

17 And I would say on some of the stretchier ideas, which some people would have thought
18 were not good ideas at all, the President made the decision not to do them. Obviously, we went to
19 the Iowa caucuses and the New Hampshire primary and we participated.

20 Q Was there anybody who was particularly adamant that President -- Vice President Biden
21 not say that he was going to be -- run for a single term?

22 A I don't remember whether, you know, who amongst us was most adamant about it.
23 The President made a decision that he would certainly not campaign on that theme.

24 And the concern was that in offering yourself up, or suggesting up front that you were only
25 going to be a one-term President, that by the time you got to your second or third year Congress and

1 the institutions of looking at the Presidency, that you have the features of a lame duck Presidency.

2 And so that was --

3 Q By the time that you arrived in the White House, were you working under the
4 assumption that President Biden would seek a second term?

5 A Yes.

6 Q Then you brought up --

7 A The answer is yes, although with all of the caveats about life itself intervening and --

8 Q You brought up that there were concerns by maybe late summer of 2020 about how the
9 campaign was being run or how -- I'm sorry. Do you want to clarify?

10 A By the end of 2019.

11 Q By the end of 2019. I'm sorry.

12 A Yeah.

13 Q And I believe you said -- one of the words that you used was that President Biden was
14 too old. That was what you were -- how --

15 A Yes.

16 Q -- one concern that you were --

17 A Yes.

18 Q -- trying to address.

19 A Yes.

20 Q What did you understand too old to mean? President -- Vice President Biden was two
21 and a half years older than President Trump. So specifically what was your concern?

22 A Well, it's just a general concern that you could see in polling data about both President
23 Trump and about President Biden, the public thought that -- a majority of the public thought that
24 they were both too old to be seeking office, if you want to be -- you know. Did you hear that part?

25 Q Yes, I did.

1 A Okay. I mean, and as we were getting ready to run in that period of time, including as
2 when he was Vice President, just his chronological age, which we were certainly conscious of, and the
3 issue of his age as he was running for President was a feature that we had to -- we certainly were
4 aware of it, and we certainly were cognizant in developing our strategy to make sure that we were
5 compensating for that, or that we could prove by both the work and how hard he was working and
6 how he campaigned that age wasn't an issue.

7 And, again, we also knew at the same time that this was a feature that applied to President
8 Trump for the reason you just said, that the public actually thought they were both too old to run,
9 but they were both being nominated. While the public thought they were too old to run, they were
10 winning nomination contests and winning elections and running very competitively against each
11 other, as you know.

12 BY MR. BENZINE:

13 Q Going back to you getting named counselor to the President, were you in the running
14 for chief of staff?

15 A I think so, but I don't know for sure, I mean, again, not knowing precisely the President's
16 mind about all this. But I think so.

17 Q And then it was reported -- how many of your children ended up working in the Biden
18 administration?

19 A Four.

20 Q Is that all of them?

21 A Yes.

22 Q Okay.

23 A A minivan full.

24 Q Did you clear their employment through the Office of Government Ethics?

25 A Yeah. We didn't -- I didn't -- just didn't stay involved. All of my kids were

1 hyper-qualified. My oldest had worked on the Hill for 7 or 8 years at the Foreign Relations
2 Committee before he went to the State Department. My daughter was at the Aspen Institute. My
3 number three kid didn't join until the -- I think the third or the fourth year, worked for Debbie Dingell
4 on the House side for 5 years. My youngest went to the Treasury Department when he graduated,
5 took the entry-level jobs over there.

6 Q But you went through the OGE for all of their employment?

7 A Yes. I don't know whether I went through OGE. They were hired outside of my
8 purview at different locations.

9 Q I'm going to ask you to bear with me. It's a long list of names. But for now just to
10 kind of set the baseline of the conversation going forward, a yes or no to if you have had any
11 conversations, including in-person, calls, texts, any conversations with the following people regarding
12 President Biden's ability to be President of the United States.

13 A Uh-huh.

14 Q The First Lady?

15 A Can I ask just a word clarification?

16 Q Yeah.

17 A Just so I make sure I don't answer this incorrectly.

18 About his ability to be President versus his capacity to be President, you know what I mean?
19 I think the word -- the answer to every one -- and maybe you need to do this one-by-one for some
20 purpose.

21 Q Yes.

22 A So i would be happy to be helpful.

23 I don't think I ever had a conversation that I can recall where somebody questioned his ability
24 to be President. We all believed he was doing a good job. I mean, I know there's different points
25 of view about this. But we all believed that he was -- we were making progress as a country, he was

1 delivering on the things he had promised to the country, made commitments to the country when
2 we ran.

3 We knew it was a turbulent and difficult time that we inherited, and we thought we were
4 making progress in the country, from our point of view, every day in the Presidency, and that he was
5 performing -- in fact, it was the foundation of our rationale for running for reelection, was that we
6 were making progress as a country and that he was doing a good job in the Presidency in leading the
7 country.

8 And so I think that answers the ability question.

9 Q Would your definition of capacity be -- what would your definition of capacity be? You
10 brought up the difference between ability and capacity.

11 A He was clearly performing in the job of the Presidency every single day in what I
12 personally believed, and many millions thought in the country, that he was performing admirably in
13 the job.

14 I had said this publicly and privately to anybody, and anybody who knows me, either side of
15 the aisle, as you know, as I have many relationships with Republican leaders, the Speaker, previous
16 Speaker, I hope most everybody, I have a reputation for at least being a straight shooter and honest
17 broker.

18 And we sincerely believed that the President was doing a good job and that he had, most
19 importantly, from our point of view, and mine personally, the capacity and the character and the
20 judgment to be President every day of his Presidency.

21 Q So I'll reword then. Any conversations with the following people regarding the
22 President's age or his ability to be reelected.

23 Mr. Sauber. I'm sorry. Let me just interrupt.

24 Are you asking him about whether anyone said to him that they didn't think the President had
25 the mental or physical capacity to do the job?

1 Mr. Benzine. Right now all I'm asking is if he had any conversations with these people
2 regarding the President's age. And we'll even -- I'll even conjoin it, his age in conjunction with his
3 chances at reelection.

4 Mr. Ricchetti. Yes. The answer to that is yes.

5 BY MR. BENZINE:

6 Q Okay. I'm going to go down the list.

7 A Yeah. And let me, again, just to -- I'm trying to be -- that's why I'm here voluntarily.
8 I'm trying to be as helpful as I can. I'm hoping that you will consider all this with an open mind.

9 We all knew that age was an issue. All of us. It was available in the data, we certainly
10 could see it in the polling information, that age was a concern about the President when we were
11 running in 2019.

12 It actually was an issue when we were running in 2015, it was a consideration, because at that
13 time, again, in that age category, he was in the kind of Ronald Reagan chronological age category
14 during that time.

15 As you know, even in the 1980s age was a consideration with respect to Reagan when he ran
16 the first time, and especially when he ran the second time after he had that choppy debate. And so
17 there are all kinds of issues.

18 Again, I'm 68 and I've lived and been around this long enough to have experienced those
19 things in American politics. And so the consideration of age was something that we were aware of,
20 and certainly the President was aware of, and Vice President, as he was running.

21 What he has said all the time, but he said it as a joke, he never felt that he was -- he never felt
22 like he was his chronological age. He always felt much younger.

23 In fact, he was -- and, again, he did this publicly, everybody saw. "When somebody tells me
24 the number I just -- I never felt that way." He's physically healthy.

25 And secondly, so we did think about how to approach age, and he always believed that just

1 doing the job and showing everybody by campaigning or performing in the Presidency that that
2 would answer the questions about age.

3 And although it was a feature both for President Trump and for President Biden where the
4 public kind of perceived whether they should run or not as a negative because of their age, if you still
5 survey how the public felt in the race, they were running against each other dead even, basically,
6 through all of this time, including the time when we won in 2020, right?

7 That was a very close race, the numbers were close, and it was close in the 2 or 3 years in '21,
8 '22, and '23 against each other, even though there were these features about them that the public
9 viewed negatively. And age was for both President Trump and for President Biden a consideration.

10 I'll just say, I hope Dick doesn't mind me revising to this extent, but so was job performance at
11 a period of time. President Trump was at 40 percent, and he still ended up getting whatever the
12 number was, 49 percent or 48 percent of the vote. Same thing applied to us as we were
13 considering running for reelection.

14 Those things about data and polling were features, but then when they were running against
15 other people -- the President used to always say, "Don't compare me to the Almighty, compare me to
16 the alternative."

17 Mr. Sauber. Let me just try to differentiate here. Did he have conversations about age as a
18 political issue with whoever you want to ask him about? Did he have conversations about age as a
19 capacity to do the job issue? That will be easy for him to differentiate, if that helps.

20 Mr. Ricchetti. Yeah. If that helps you. I mean, you see what I'm saying. We talked
21 about age, we knew it was an issue, and we tried to design a strategy.

22 BY MR. BENZINE:

23 Q I'll start with a broader question, then.

24 A Sure.

25 Q Did you have concerns regarding President Biden's age and his capacity to be President?

1 A No.

2 Q Okay.

3 I'm going to go through the list, age in conjunction with reelection, with the understanding
4 that there were no concerns regarding his capacity to be President. Is that fair?

5 A Yes, that's fair.

6 Mr. Sauber. So age as a political issue.

7 Mr. Benzine. Yes.

8 Mr. Ricchetti. Okay. And I'll do this with everyone. But the answer is going to be yes to
9 everybody. We were hyper-aware that the age -- his age was an issue.

1 BY MR. BENZINE:

2 Q We'll do yes or no, and then we'll dive in.

3 A Okay.

4 Q The First Lady?

5 A Yes.

6 Q Hunter Biden?

7 A Yes.

8 Q Ashley Biden?

9 A I don't think so.

10 Q Naomi Biden?

11 A No.

12 Q Valerie Biden Owens?

13 A Yes.

14 Q The Vice President?

15 A Yes.

16 Q The Second Gentleman?

17 A Yes.

18 Q President Obama?

19 A Can I interrupt myself here for a minute?

20 I can't actually remember. I just remember if they were in a meeting. Anyone who was in
21 a campaign strategy meeting the issue of how we were dealing with the President's age as a political
22 matter was something somebody would have discussed.

23 I don't remember whether I specifically spoke -- if you're asking for me to be hyper-precise
24 here, I would say I don't remember. I can't be hyper-precise about did I speak to the Vice President
25 about this, did I speak to Valerie Biden Owens. I can't remember whether I specifically spoke to

1 them.

2 But if they were on a conference call, or they were in a strategy meeting that we were
3 conducting associated with the campaign or running for reelection, almost -- certainly a number of
4 times Mike, who was presenting kind of the polling data, would say, "The biggest issue we're facing is
5 this perception that you're too old to run."

6 So everybody heard that, and we knew that that was the most significant issue that we
7 needed to, you know --

8 Q So the yeses are not necessarily one-on-one conversations --

9 A Yeah.

10 Q -- but they could have been a part of a conversation regarding --

11 A Yeah. If you don't mind me being --

12 Q No.

13 A I'm trying to be as accurate as I can be.

14 Q We prefer precision.

15 A Yeah.

16 Q President Obama?

17 A No.

18 Q President Clinton?

19 A I don't think so.

20 Q Secretary Clinton?

21 A I don't think so. I can't say for sure about -- I talk to President Obama less frequently.
22 I talk to President Clinton and Hillary more frequently. And I just -- I can't remember whether the
23 issue of age ever came up as we were contemplating or thinking through the strategy.

24 But, again, in the political context it certainly -- anybody who was following our politics and
25 whatever challenges and hurdles we had to win reelection was aware that age was an issue.

1 Q Ron Klain?

2 A Yes.

3 Q Jeff Zients?

4 A Yes.

5 Q Rahm Emanuel?

6 A I don't -- really don't remember Rahm.

7 Q That's okay.

8 A If I had a conversation -- I don't think -- again, he was ambassador in Japan at this time,
9 and he's a friend of ours, so we had conversations, but I can't remember that we were talking about
10 how do we deal with age specifically.

11 Q Bill Daley?

12 A I think so.

13 Q Jake Sullivan?

14 A Yes.

15 Q Anita Dunn?

16 A Yes.

17 Q Mike Donilon?

18 A Yes.

19 Q Bruce Reed?

20 A Yes.

21 Q Bob Bauer?

22 A Yes.

23 Q Jacob Spreyer?

24 A I don't think so. He was probably not -- junior and not in the kind of strategy meetings.

25 Q Stefanie Feldman?

1 A No.

2 Q Jen O'Malley Dillon?

3 A Yes.

4 Q Anthony Bernal?

5 A Yes.

6 Q Annie Tomasini?

7 A Yes.

8 Q Neera Tanden?

9 A Yeah, I think so, although she, again, she wasn't as often in these meetings. I'm sure
10 she sat in some during the --

11 Q Ashley Williams?

12 A I don't remember ever discussing that with her. Again, she was not in the -- those
13 discussions.

14 Q Dr. O'Connor?

15 A No.

16 Now, again, Dr. O'Connor, medically, he did his annual physicals, things like that. So any
17 consideration, health, was kind of Doc's purview. And so we were aware of things like that, but not
18 where I said, "Age is an issue, how do we overcome it politically?" to Dr. O'Connor. He wasn't in the
19 political advising.

20 Q We'll get into more detail in a bit, but I want to back up just a little bit right now.

21 A Sure.

22 Q When Dr. O'Connor would present a letter of the annual physical every year, were you
23 involved at all in that letter?

24 A I was not involved in the letter or in whatever his findings were. We did have
25 discussions amongst the senior staff about how to communicate that, how to present it. So the

1 senior staff was aware that an annual physical was being conducted, that we were going to release it
2 publicly, and how to do that. But no --

3 Q Since we're on this topic, did Dr. O'Connor ever express concerns regarding President
4 Biden's mental acuity?

5 Mr. Sauber. Sorry. What -- I'm sorry for interrupting. Are you finished with that yes/no
6 list?

7 Mr. Benzine. No, no. I'm unpacking this one a little bit more and going back to the list.

8 Mr. Sauber. Can we just finish sticking to the list? I just want it to be clear that even
9 though you don't repeat the question, that this is a question about whether he had discussions about
10 age as a political issue with this list of people.

11 Mr. Benzine. Yeah.

12 Mr. Ricchetti. Yeah. Good.

13 BY MR. BENZINE:

14 Q I'll get to --

15 A And remember my caveat about I can't remember every conversation I had with 50
16 people.

17 Q Yes. And we'll get back to Dr. O'Connor later.

18 A Thanks.

19 Q Kate Bedingfield?

20 A Yes.

21 Q Jen Psaki?

22 A Yes. Although, again, they are a little bit preceding the period of time. They both, I
23 think, left the office before kind of like the reelect was really taking shape. But, again, in preceding
24 times this age issue also existed, as in 2019 as well.

25 Q We're staying within the scope of this question. Were there any conversations with

1 Ms. Bedingfield or Ms. Psaki in 2024?

2 A I don't think -- no, not that I -- I think by that time Jen was at MSNBC.

3 Q David Axelrod?

4 A No.

1 [11:00 a.m.]

2 BY MR. BENZINE:

3 Q Karine Jean-Pierre?

4 A Yes.

5 Q Nancy Pelosi?

6 A You know, I don't know whether -- I truly can't remember. I talked to her frequently,
7 but I don't ever remember whether this subject came up.

8 Q Chuck Schumer?

9 A Again, I don't remember whether we had the kind of discussion where age was an issue,
10 although in the period of time before we made a decision to get out, as a political matter we certainly
11 discussed it. You know, we discussed it. But I can't -- are we in a time window? I'm just trying to
12 do --

13 Q 2019 to present.

14 A 2019 to present? The answer with Schumer and Pelosi would be yes.

15 Q Okay.

16 Hakeem Jeffries?

17 A Yes.

18 Q You don't need to list them, we'll get to them, but other Senators?

19 A Yes.

20 Q Other Members of the House?

21 A Yes.

22 Q Did any members of the Cabinet participate in any of these conversations?

23 Mr. Sauber. With him, you mean?

24 Mr. Benzine. That he's aware of.

25 Mr. Ricchetti. They weren't in the campaign strategy meetings, I think, but there were some

1 Cabinet members who we discussed age-related matters.

2 Again, it's an awkward -- this is 99 percent in the context of political decision-making and
3 how to strategize about it. So I am certain sometimes this came up in a lighthearted way.
4 Sometimes -- you're right, it simply was, no question, it was a -- from a political standpoint, it was a
5 strategic challenge.

6 BY MR. BENZINE:

7 Q When is the last time you spoke to former President Biden?

8 A Over the weekend.

9 Q What did you discuss?

10 A His book, the progress he was making on the book, how he was doing, physically,
11 personally, because, I think you're aware, he's getting cancer treatment himself right now.

12 Q Did you discuss this interview with him?

13 A No. I told him I was doing it. So I have been, in the last couple or 3 weeks, as we
14 knew we were making a decision to come and do this voluntarily, I thought it better.

15 I've been helping him with his memoir, so we've been doing sessions on different legislative
16 accomplishments, the things that we got done in the years. And I've been doing those sessions with
17 him and trying to avoid anything in this vicinity so that I could, when I came here, be able to just do
18 this without any complication with other conversations.

19 Although, again, I talk -- I talked to the President, until the last 2 or 3 weeks, as I was getting
20 ready to do this, I would talk to him two or three times a week.

21 Q Did the investigation ever come up in those conversations outside of telling him that it
22 was happening?

23 A No, just that we were going. I did have conversations with him. And Dick can talk
24 about whether we should be exerting executive privilege on whether or not my point of view about
25 doing this was --

1 Mr. Sauber. Well, let's leave the substance out until --

2 Mr. Ricchetti. Yeah.

3 Mr. Benzine. Well, did the President instruct you to invoke executive privilege today?

4 Mr. Ricchetti. No.

5 Mr. Benzine. What was the President's interpretation on whether or not you should invoke
6 executive privilege?

7 Mr. Sauber. That gets into really -- is there some other way to get at this? He was not
8 instructed, as he just said, by the President to invoke executive privilege. Can we leave it at that at
9 this point?

10 Mr. Benzine. Were there any conversations about invoking executive privilege?

11 Mr. Ricchetti. Yes.

12 Mr. Benzine. Did the prospect of invoking executive privilege come up in those
13 conversations?

14 Mr. Sauber. I don't know what that means.

15 Mr. Benzine. What -- like, what -- there were conversations regarding whether or not to
16 invoke executive privilege.

17 Mr. Sauber. Yes.

18 Mr. Benzine. Did those conversations include the possibility of the President invoking
19 executive privilege?

20 Mr. Sauber. There was -- I'm not -- there was a discussion of the issue. Did the President
21 say he wanted to invoke executive privilege? What was his advice?

22 I mean, I just don't understand what that means. If there was a discussion of the issue, you
23 would imagine that there's a discussion of the various options.

24 But the key point at this point is the President has not instructed him to invoke executive
25 privilege.

1 Mr. Benzine. Did the President want to invoke executive privilege?

2 Mr. Ricchetti. I don't -- couldn't read his mind about that.

3 Mr. Sauber. Okay.

4 BY MR. BENZINE:

5 Q Did the President instruct you to restrict your testimony in any way today?

6 A No.

7 Q You said over the last 2 or 3 weeks your conversations with the President kind of were
8 less than before, because you wanted to avoid any look of impropriety before this interview.

9 A Yes.

10 Q Is that fair?

11 A Yeah.

12 Q Was the President aware of this investigation prior to you discussing it with him?

13 A Whatever was available publicly he's been aware of, and he has attorneys'
14 representation who's helping, giving him advice, and he certainly is aware of this. Although, I don't
15 know how information is being transmitted to him about the schedule, who's appearing when, things
16 like that, because I think that's being handled by his lawyer now.

17 What is awkward for us is we were engaged in the post-Presidency trying to get things set up
18 and doing work. This happened. The consideration about whether to do this voluntarily or not is
19 one that everyone is dealing with, and that --

20 Mr. Sauber. Okay.

21 Mr. Ricchetti. And we each have representation. We all have lawyers now to help guide us
22 through.

23 Mr. Benzine. In your conversations with the President, was Mr. Sauber present?

24 Mr. Ricchetti. No.

25 Mr. Benzine. Regarding this interview.

1 Mr. Sauber. Yes or no?

2 Mr. Ricchetti. No.

3 BY MR. BENZINE:

4 Q Okay. Did the President ask you about invoking your Fifth Amendment right against
5 self-incrimination?

6 A He did not.

7 Q He did not?

8 A No.

9 Q Did he ask you about invoking any other rights outside of EP, attorney-client, or
10 otherwise?

11 A No.

12 Q What's the President's thoughts on this investigation?

13 Mr. Sauber. On what?

14 Mr. Benzine. On this investigation.

15 Mr. Sauber. I'm sorry, of what relevance could that possibly be in an investigation of the
16 President --

17 Mr. Benzine. It's relevant into how the witnesses portray themselves during the interviews.

18 Mr. Sauber. I don't get that. Seriously, I don't understand. How he portrays himself?

19 Mr. Benzine. If in his conversations with the President, the President said this investigation
20 is bullshit, that would certainly color how the witness testifies.

21 Mr. Sauber. I don't understand that. He's here testifying under oath -- or, sorry, not under
22 oath. He's here testifying voluntarily and truthfully. What the President thought or didn't think is,
23 seems to me, totally irrelevant.

24 Mr. Benzine. All right. I'm going to take your instruction to not answer the question as the
25 President --

1 Mr. Sauber. I'm asking --

2 Mr. Benzine. -- thinks poorly on this investigation. So you could either say what the
3 President thinks about it, or we'll make our own assumption.

4 Mr. Sauber. That's completely improper. But go ahead.

5 Mr. Ricchetti. I don't --

6 Mr. Sauber. Did the President express to you his view of this investigation?

7 Mr. Ricchetti. I certainly think that he thinks this is unfair, ill-advised, and it was not a good
8 idea.

9 Mr. Greenberg. Does the President think that questions about his mental acuity are
10 improper questions?

11 Mr. Sauber. Of what relevance could that possibly be?

12 Mr. Benzine. It goes to the state of the witnesses.

13 Mr. Sauber. State of his?

14 Mr. Benzine. It goes to the state of all the witnesses.

15 Mr. Sauber. But you're only asking him this question. What difference does it make about
16 the other witnesses? I mean, it -- repeat your question again. I'm sorry.

17 Mr. Greenberg. Does the -- did the President ever convey to you whether he thinks
18 questions about his mental acuity are legitimate questions?

19 Mr. Sauber. And --

20 Mr. Ricchetti. What --

21 Mr. Sauber. Hold on one second.

22 Mr. Ricchetti. Uh-huh.

23 Mr. Sauber. Yes/no. Is that a yes/no answer you can give?

24 Mr. Ricchetti. You mean, is it a yes? I mean, the answer is yes. I can say yes.

25 Mr. Benzine. He thinks they're legitimate questions?

1 Mr. Ricchetti. No.

2 Mr. Benzine. No. Okay.

3 Mr. Ricchetti. He thinks --

4 Mr. Sauber. Yeah, go ahead.

5 Mr. Ricchetti. Let me be precise about this.

6 I think the President always believed questions about his age and his health were perfectly
7 appropriate questions through all of the time he was in office and certainly fair game in the public for
8 people to think about how he was performing in office and whether there was any age-related issue
9 to what he was doing in his performance in office.

10 I think the anecdotes or the examples that seem to be supporting this thesis -- as I will answer
11 your questions when you get to them -- I think are really not examples and not good evidence to
12 whether or not the President, as I have said a hundred times, and I will, unfortunately, prefer you,
13 from your point of view, say a hundred times -- the President believed every day he was in office he
14 was capable of performing all of the functions, all of the duties, all of his responsibilities in the
15 Presidency. I also believe that, every single day, every hour.

16 Did he make a mistake on occasion? Does he mix up a name on occasion? Did he forget
17 something we would have liked him to remember?

18 Everything that every human being does in the Presidency, over the period of time that I
19 knew the President and when he was Vice President, all of those things existed, just like they exist for
20 me in the same way. And I can mix up my kids' birthday.

21 So all of those things I do not believe is evidence of or an example of cognitive decline in the
22 way that it is being implied. He could do the job every day.

23 I was around him as much as anybody. He was -- and from our point of view, understanding
24 this is not your point of view, but from the things that he was doing, from his priorities, from what
25 we were trying to do in the Presidency, I think it is inarguable by historical standards that he was

1 succeeding in presidential leadership.

2 And when you give me the opportunity, I think when you look at what he was doing around
3 these incidents that people are extrapolating into the President was in cognitive decline and he like
4 mixes up a name in February 2024 and like you consider that in the same context of like delivering a
5 State of the Union address in front of 50 million people for an hour, and then -- by the way, 8 o'clock
6 or 9 o'clock at night or whatever the hell it was -- and then support these accusations that somehow
7 he was confined to work from 10 to 4, or he couldn't get names straight or something like that, to
8 look at that in comparison to what he was doing every day in the job, I just don't think was fair.

9 Mr. Sauber. Okay. That's --

10 Mr. Greenberg. There was a script for the State of the Union.

11 Mr. [REDACTED] I'm sorry, counsel, you're over time.

12 Mr. Greenberg. I will always give you 2 minutes. I will give you the time.

13 But just to be clear--

14 Mr. [REDACTED] So we're changing the rules of the --

15 Mr. Greenberg. Excuse me, sir, this is my hour. I will give you the time.

16 Mr. [REDACTED] No. You're actually over your time.

17 Mr. Benzine. Hold on. Hold on. Hold on. Let's go off the record.

18 Mr. Greenberg. Just to be --

19 Mr. Benzine. Hold on. Let's go off the record one second.

20 [Discussion off the record.]

21 Ms. [REDACTED] We can go on the record.

22 Mr. Ricchetti, good morning.

23 Mr. Ricchetti. Good morning.

24 Ms. [REDACTED] Do you have a statement that you would like to read for the record?

25 Mr. Ricchetti. I would, if it's all right.

1 Ms. [REDACTED] Okay.

2 Mr. Ricchetti. Obviously, Chairman Comer is not here, but Chairman Comer, and to Ranking
3 Member Garcia and members of the Committee on Oversight and Accountability and Committee
4 staff, I am appearing here voluntarily today in response to the request made by Chairman Comer to
5 testify in a transcribed interview before the Committee. I'm prepared to answer questions about
6 my service in the Biden administration.

7 I have served in the White House for 14 years during three presidential administrations,
8 starting in 1993 in the Clinton administration. I served with President Biden for 9 years in the
9 government, starting in 2013 as his counselor, and later as his chief of staff while he was Vice
10 President, and then as counselor when he was President.

11 During all my years in the White House I worked closely with Members of Congress from both
12 parties, including on major pieces of legislation, such as the 2023 debt limit bill and the 2021
13 Bipartisan Infrastructure Law. I believe that I have earned the trust of numerous Republican
14 leaders, including the current Speaker, Mike Johnson, as a straight shooter and an honest broker.

15 When Joe Biden became President in 2021, he was one of the most experienced individuals to
16 hold the office in American history, having previously served for 8 years as Vice President and for
17 36 years as United States Senator, including as chairman of both the Senate Judiciary Committee and
18 the Senate Foreign Relations Committee.

19 As a Senator, he was well known for working across the aisle to achieve consensus on major
20 pieces of legislation.

21 As President, Joe Biden improved the lives of millions of Americans -- importantly, including in
22 red States -- strengthened the American economy by fostering growth and lowering inflation, made
23 COVID vaccines universally available, and invested in our country's future through the Bipartisan
24 Infrastructure bill, the CHIPS Act, the veterans health bills, and many more. And he restored the
25 country's standing as a leader on the international stage.

1 The Trump administration's efforts to taint President Biden's legacy with baseless assertions
2 about President Biden's mental health are an obvious attempt to deflect from the chaos of this
3 administration's first 6 months.

4 The Committee's investigation is part of a concerted effort by the administration and its
5 congressional allies to diminish the record of the former President by advancing the false narrative
6 that President Biden was mentally unable to perform his constitutional duties and that members of
7 his staff usurped the President's Article II powers.

8 Indeed, on the same day the Committee requested my appearance, President Trump issued
9 an executive order instructing the counsel to the President, in consultation with the Attorney
10 General, to investigate whether certain individuals conspired to deceive the public about Biden's
11 mental state and unconstitutionally exercise the authorities and responsibilities of the President.

12 Despite this unprecedented effort to leverage unfairly the legislative and executive branches
13 together to intimidate officials who served in the previous administration, I am still willing to appear
14 voluntarily today because I believe it is important to forcefully rebut this false narrative about the
15 Biden Presidency and our role in it.

16 Let me be clear: At all times during his Presidency, I believed that President Biden was fully
17 capable of exercising his presidential duties and responsibilities, and that he did so. Neither I, nor
18 anyone else, usurped President Biden's constitutional duties, which he faithfully and fully carried out
19 each and every day.

20 President Biden was a deeply experienced domestic and international government leader,
21 and he used that experience to exercise strong leadership as President.

22 There was no nefarious conspiracy of any kind among the President's senior staff, and there
23 was certainly no conspiracy to hide the President's mental condition from the American people.

24 I am not aware of any effort by any member of the White House staff to usurp the President's
25 authority to make decisions or to sign important documents without his knowledge.

1 I am not aware of any effort to use the autopen on important documents without the
2 President's knowledge and consent.

3 I am not aware of any effort to keep important information from the President. Senior
4 White House staff kept the President fully informed so that he could provide direction and make all
5 important decisions.

6 I firmly believe at all times during my 4 years in the White House President Biden was fulfilling
7 his constitutional duties.

8 Did he stumble? Occasionally, yes. Make mistakes? Get up on the wrong side of the
9 bed? He did. Every one of us did who worked for him.

10 But I always believed every day that he had the capacity, capability, character, and most
11 importantly, the judgment to be President of the United States.

12 Thank you for giving me the opportunity to read it. Thank you.

13 Ms. [REDACTED] I have just a few quick questions.

14 This morning, we've had a detailed discussion of the 2020 campaign and many of the
15 considerations that went into that campaign.

16 Just to be clear, at no point during the 2020 campaign were you concerned with Joe Biden's
17 ability to execute the duties of the Presidency?

18 Mr. Ricchetti. No.

19 Ms. [REDACTED] And during the course of the 2020 campaign, you never had a conversation with
20 anyone about Joe Biden being unable to execute the duties of the Presidency?

21 Mr. Ricchetti. Obviously not. We were campaigning every day and hoping to convince the
22 American people that his vision for the country and the promises he was making to the country were
23 the direction that the country needed to be led.

24 Mr. [REDACTED] Just a couple questions.

25 During the last hour, I believe the majority counsel may have said that they thought that

1 they -- that you had refused to answer the question.

2 Do you think you had refused to answer any questions?

3 Mr. Ricchetti. No. I'm not -- I'm trying not to. I'm trying -- I honestly am trying to do as
4 much as I can to cooperate, I think. That's why I'm here voluntarily.

5 As I said formerly, and I hope you know, I certainly believe that the premise and the
6 orientation of this investigation is very unfortunate.

7 I actually think it's dangerous. I think that this is a mistake. Because, as I have experienced
8 over 30 years of this, it's almost certain that -- certainly one could argue, from our perspective, that
9 the sitting President has cognitive issues, that he couldn't remember that he had appointed the
10 Chairman of the Fed to the Fed, that he makes mistakes every day in how he speaks or confuses
11 Nancy Pelosi with Nikki Haley or a hundred other examples of things that, from our point of view,
12 one would argue that the current President certainly is experiencing cognitive issues, to say nothing
13 of the character of some of the things that he's said and their truth or honesty.

14 Mr. Sauber. Okay.

15 Mr. Ricchetti. So to be able to call us and then call all the people who -- again, and I would
16 say this to my Republican colleagues in every way, because the same thing applies to you.

17 To go through the experience of kind of reading out here's what we're advising a President to
18 do or here's what we're advising the Chairman to do, and to have this being read out all the time, I
19 just think is a dangerous precedent, and I think you will regret having done it. And I'm surprised
20 that people in the White House aren't concerned about it as well, from their perspective.

21 Mr. Sauber. Okay.

22 Mr. Ricchetti. I'm saying that respectfully. But I just think, again, having experienced the
23 legislative process and prided myself in participating in the most responsible and respectful way on
24 both sides, I think this ground that we're plowing is a big mistake for everyone involved on both sides
25 of the aisle.

1 Mr. [REDACTED] So as someone who values, who has been in both branches and someone
2 who values the prerogatives and privileges of the executive branch, you're saying that this
3 investigation could, from that perspective, be a dangerous precedent going forward?

4 Mr. Ricchetti. Yeah. I think, again -- am I --

5 Mr. Sauber. Yes.

6 Mr. Ricchetti. Am I okay to talk about this?

7 Look, from my personal perspective, a President is entitled to confidential advice and be
8 entitled to privacy and confidentiality in much of the space that he operates in the White House,
9 particularly with his most senior staff.

10 And, again, in the way that things work and cascade in Congress and in politics, I'm worried
11 there certainly is, from our point of view, plenty of evidence to support concerns about what's going
12 on in the -- with the current occupant of the White House.

13 And I suspect if we had a chance to drive a hearing based on the precedent that this is setting
14 about this kind of proctology with every member of the President's staff, that the current President's
15 staff should expect reciprocal treatment and that there would be cause to do it.

16 And I think that that is a dangerous precedent for the Presidency. I think it could be applied
17 to Members of Congress and their staffs and how they provide advice, and I'd counsel to them about
18 any matter.

19 And so I'm saying this in the most sincere way. I think this is a mistake for the Committee.
20 There are all kinds of really, really serious issues that could be investigated, from healthcare costs
21 and what we're doing on a variety of things that this Committee has had jurisdiction over historically
22 and could be spending its time on.

23 And as you can imagine, I strongly feel that President Biden, every day on the job, was fully
24 capable and had the judgment to exercise all of his presidential responsibilities, and he did with
25 distinction.

1 Mr. Sauber. Okay.

2 Mr. Ricchetti. And I'm sorry for the long-winded version of this.

3 Mr. Sauber. That's all right.

4 Mr. Ricchetti. And I mean it, I truly -- I'm saying this respectfully for all of us.

5 Mr. Sauber. Okay.

6 Mr. [REDACTED] Thank you.

7 Well, the time is 11:35.

8 Mr. Ricchetti. Okay.

9 Mr. [REDACTED] The minority doesn't have anymore questions. We will turn it over to the
10 majority and go off the record.

11 [Pause.]

12 Mr. Benzine. We can go on the record.

13 BY MR. BENZINE:

14 Q We left off the last hour with -- we had one or two yes/no questions. I'm just going to
15 ask one of them.

16 Just yes or no, does President Biden believe the American people's questions regarding his
17 mental acuity as President are legitimate?

18 A I think any question that the American people ask or raise about the health of a
19 President is a legitimate question.

20 Q I didn't ask you your opinion.

21 A I can't speak for the President on this. I don't --

22 Q Did he express an opinion regarding the investigation into his mental acuity to you?

23 Mr. Sauber. That's a different question. What he -- excuse me, one second.

24 You've asked him what does President Biden think. He said: I can't speak for President
25 Biden.

1 Mr. Benzine. Yes.

2 Mr. Sauber. Now you're asking him, even though he can't speak for President Biden, has
3 President Biden said anything to him that would give him --

4 Mr. Benzine. No, no, no. No, that's not what I'm asking. Let me ask the question.

5 Mr. Sauber. Yeah.

6 Mr. Benzine. Has President Biden expressed to you the President's opinion on questions
7 about his mental acuity?

8 Mr. Sauber. What do you mean his -- this is the problem -- his opinion on? Do you mean,
9 does he think it's illegitimate?

10 Mr. Benzine. No.

11 Mr. Sauber. Is that your question?

12 Mr. Benzine. What has President Biden told you about this and whether or not it's
13 legitimate or not?

14 Mr. Sauber. This gets, again, directly into conversations which -- between him and the
15 former President. Is there some way to rephrase this to get at the issue?

16 Mr. Benzine. No.

17 Has the President expressed to you his opinion on questions about his mental acuity?

18 Mr. Sauber. The legitimacy of it?

19 Mr. Benzine. Yeah.

20 Mr. Sauber. Is that --

21 Mr. Ricchetti. No, I don't think he has.

22 Mr. Sauber. Okay. That's good.

23 Mr. Benzine. Does he think this investigation is legitimate?

24 Mr. Sauber. He just answered that.

25 Mr. Benzine. No, he didn't.

1 Mr. Sauber. Yeah, he did. I mean, that is the point of this investigation, and he said, no, he
2 hasn't --

3 Mr. Benzine. I said does President Biden think questions about his mental acuity are
4 legitimate, and he said he hasn't really expressed an opinion.

5 Mr. Sauber. Right.

6 Mr. Benzine. Is that fair?

7 Mr. Sauber. But that is what this investigation is about.

8 Mr. Benzine. All right. Hold on. Hold on. I asked him if that was fair.

9 Is that fair?

10 Mr. Sauber. No. He's not going to answer until we figure this out exactly. You just asked
11 him has he expressed an opinion about whether these questions are legitimate. That's the purpose
12 of this investigation. He said he hasn't done it. So is there some other aspect of --

13 Mr. Benzine. There is a difference --

14 Mr. Sauber. -- this investigation --

15 Mr. Benzine. There is a difference between an opinion on whether or not questions about
16 his mental acuity are legitimate and whether or not an investigation done by Congress is legitimate.
17 That is a different question.

18 Mr. Sauber. Okay. So you're asking him whether or not an investigation of his mental
19 acuity by Congress is legitimate.

20 Mr. Benzine. Whether or not the President has expressed an opinion on that question.

21 Mr. Ricchetti. I think the President believed every day he was both capable and --

22 Mr. Benzine. That's -- again, that's not the question I asked.

23 Mr. Sauber. It doesn't matter. Let him answer.

24 Mr. Ricchetti. I'll answer that way. The President believed every day that he was capable
25 in fulfilling all of his responsibilities as President of the United States. He never expressed to me a

1 doubt about his capacity to do the job, his willingness to do the job, his desire to do the job.

2 Mr. Benzine. Okay. That's not what I asked. But has the President expressed to you his
3 opinion on whether or not this investigation is legitimate?

4 Mr. Ricchetti. I don't remember precisely whether he did. He always believed, as I have
5 said to you, that he was fully capable and competent in performing the job every single day.

6 Mr. Sauber. Okay. All right.

7 Mr. Ricchetti. So questions that challenge that are questions that he would certainly
8 dispute.

9 Mr. Benzine. Okay. So you've had conversations with the President about EP, you've had
10 questions with the President about whether or not you're going to show up voluntarily, you've had
11 questions with the President about the investigation as a whole, you've had questions with the
12 President about whether or not mental acuity are valid questions, but you don't remember -- and
13 you remember the answer to all of those, but you don't remember the answer to whether or not he
14 expressed an opinion on this Committee's investigation?

15 Mr. Sauber. No, that's not what he said. What he said was, sitting here today, he does not
16 remember the President making -- expressing the opinion that you asked him about. So why don't
17 we move on?

18 Mr. Benzine. Can you read back the long-winded question I just asked, please.

19 [The reporter read back the record as requested.]

20 Mr. Benzine. And can you scroll back to Mr. Ricchetti's answer immediately preceding that
21 answer -- that question?

22 [The reporter read back the record as requested.]

23 Mr. Sauber. Okay. Asked and answered, so let's move on.

24 Mr. Benzine. So my question stands.

25 Mr. Sauber. Okay, fine.

1 Mr. Benzine. We asked about a -- hold on. We asked about a number of different types of
2 conversations you had with the President, regarding whether or not he told you to invoke EP, which
3 you remembered he didn't tell you to do that; whether or not you discussed with him showing up
4 voluntarily, which you remembered; whether or not overall questions about his health or mental
5 acuity are legitimate, you remembered.

6 But you don't remember whether or not he has an opinion on this investigation. That's
7 correct?

8 Mr. Sauber. Asked and answered. That's what he said.

9 Mr. Ricchetti. Yeah.

10 Mr. Benzine. Okay.

11 Mr. Sauber. Okay?

12 Mr. Benzine. Fair enough. Just checking the witness' memory.

13 BY MR. BENZINE:

14 Q You were asked a number of questions in the last hour, and I just want to get some
15 clarity on it.

16 Earlier in the first hour, you said the President mixing up names and proper nouns and certain
17 dates were honest mistakes.

18 A Yes.

19 Q To the minority, you said that President Trump making similar statements was a sign of
20 cognitive decline. Why the difference?

21 A No, I didn't say that. I said from another perspective, if this standard is the standard to
22 which you apply the suggestion someone's in cognitive decline, then it's going to apply to a hell of a
23 lot -- in fact, yours and mine, right? Let's be serious.

24 Q All right. I just --

25 A We mix -- I'm just saying, I think it is enormously important to make this point. These

1 things, which are cited as evidence of the President's -- drumroll, drama attached -- cognitive decline,
2 are things that people do and experience every single day. You and I do. I mix up names. I
3 forget dates. I do.

4 It has made melodrama over things that everyone experiences every day that I don't think
5 represent cognitive decline.

6 And mixing up a name or forgetting who you appointed to the Fed or things of that nature do
7 not represent, in my opinion, cognitive decline. They represent mistakes that human beings make
8 every day in the course of their lives.

9 And so because of that, I think if we're going to set the standard now so that these things
10 represent something about which a congressional investigation should occur, and the President's
11 staff should be summoned to talk about everything they witnessed in the White House about what
12 the President did or didn't do and how he behaved, in the same way that I would say the same thing
13 about the Chairman or any Member of Congress or anyone serving in public life, I think this is a
14 mistake. It's wrong.

15 That Presidents and Members have -- need to have the capacity to exist in their lives as
16 normal human beings with all of the occasional mistakes and stumbles that occur in life without
17 fearing an investigation over their cognitive abilities because of that.

18 And in everything that has been alleged about the President in the anecdotes that support
19 these books and in the questioning that has arisen as a part of it, including the fact that we're doing
20 this over these matters, I think is grossly unfair.

21 And I think if you look at the President's record, at his schedule, at the work that he did
22 contemporaneous with these mistakes or missteps or stumbles, that if you considered that in
23 context, those to one another, there just would be no question about the President's competence
24 and his ability to do the job, which from, again, from our perspective, he was doing in service of the
25 things that we believe in. That's our view.

1 BY MR. GREENBERG:

2 Q Can I just ask --

3 A That's my view, and I'm applying this in both directions, believe me.

4 Q Can I just ask, I think, in a nutshell, what you're saying is that President Biden made
5 mistakes, he made stumbles, got up on the wrong side of the bed, like all of us. Is that fair?

6 A Yeah. I said it.

7 Q Then why do you think so many people have questions about President Biden
8 specifically in his mental acuity?

9 A I think age was an issue before these specific incidences were cited. I think a lot of
10 people, as they dive into this and say, "Oh, he mixed up Steve Ricchetti and Jake Sullivan's name on
11 the way into a meeting," that that's not an evidence of cognitive decline.

12 It was described in a book as evidence of cognitive decline, and it is not. And the things
13 that -- the allegations or the assertions that these were, in my opinion, are not.

14 And, in fact, living next to the President every day, or most days, traveling with him,
15 experiencing the burden and the challenge of working 12 hours and 14 hours a day and the challenge
16 of the Presidency, as I've witnessed it with three consecutive Presidents, there are days when a
17 President is tired, when he's got a cold, he has laryngitis, he's talked for 12 hours and has trouble
18 talking the next day because his voice is hoarse, there is a hundred things that go into how anyone,
19 any particular day or in any given hour, performs.

20 And no President that I have witnessed is at a hundred percent a hundred percent of the
21 time, a hundred percent every day. And certainly, that applied to President Biden as well.

22 I worked for President Clinton when he was 45 years old. The same thing applied. You get
23 jet lag on a trip. President Bush face planted into the dinner at a state dinner, because he had
24 traveled overseas and he wasn't feeling well.

25 This happens to Presidents. President Reagan stumbled through a debate where his

1 cognition was called into question.

2 I'm just saying, these things, in my opinion, are unfair. It's an unfair way to judge or to
3 gauge the performance of our President -- or a Member of Congress, for that matter, because the
4 same thing applies to them. And, presumably, if this standard exists, it should exist for everybody
5 involved.

6 Q But so you brought up how similar questions were brought up with President Bush and
7 President Clinton, but none of -- neither of those Presidents had to face the kind of questions about
8 their cognitive ability as Joe Biden. So why is Joe Biden --

9 A That is just not accurate.

10 Mr. Sauber. No, hold on. Let him finish.

11 Mr. Ricchetti. I'll let you finish.

12 Mr. Sauber. Yeah.

13 Mr. Ricchetti. I'm sorry. And I apologize for interrupting. Go ahead.

14 Mr. Greenberg. You're pointing to a book that was written. I actually think that questions
15 about President Biden's mental acuity long precede the publication of that book. Don't you agree
16 with me?

17 Mr. Ricchetti. No.

18 Mr. Sauber. Are you asking him does he know the polling data? Does he know how many
19 people in the public think that President Trump is showing decline? What exactly are you asking
20 him?

21 Mr. Greenberg. I think I'm asking pretty standard, easy -- like, these aren't trick questions.
22 These are --

23 Mr. Ricchetti. Yeah.

24 Mr. Sauber. You mean why does he think that the American -- that 8 percent, 10 percent,
25 30 percent of the American people think that there's a mental decline issue here?

1 Mr. Greenberg. Your client just gave -- the minority gave him time to deliver an opening
2 statement.

3 Mr. Ricchetti. Yeah.

4 Mr. Greenberg. And he talked about these exact issues. So I'm just following up on --

5 Mr. Ricchetti. Okay.

6 Mr. Greenberg. -- what your client --

7 Mr. Ricchetti. Go ahead.

8 Mr. Greenberg. -- has already talked about.

9 Mr. Ricchetti. Yeah, believe me, I'll --

10 Mr. Sauber. I find this to be totally irrelevant, whether he understands why other people
11 think a certain way.

12 Mr. Ricchetti. But can I say this, just, again, 30 years of participation, both politically in the
13 executive branch, around Presidents, observing them on both sides of the aisle.

14 After Ronald Reagan's debate in 1984, as I think you know -- maybe you're too young to -- I
15 don't -- I'm saying this politely, but you may be too young to even remember, but the same kind of
16 things were raised about his performance. He wandered off. He had a very difficult time
17 remembering things.

18 You pay a price for that politically, whether you do or not. Sometimes you can overcome it;
19 sometimes you can't. He remained in the Presidency, won reelection overwhelmingly, was in the
20 Presidency for the next 5 years.

21 It is underscoring my point. His performance in the job, the other things that he would do,
22 and what President Biden believed every day. He was doing the job every day. We believed, on
23 the basis of the things that we were trying to accomplish, that we were succeeding.

24 Sometimes we might not have communicated everything as effectively as we wanted to so
25 that people understood what a good job we were doing. That was a challenge writ large. It is for

1 every President.

2 As you know today, the same thing could be said of President Trump in reverse, and the same
3 thing could be said about his polling numbers or how he's performing right now and how the public
4 feels about it. But that doesn't indicate that he is not competent to do the job.

5 BY MR. GREENBERG:

6 Q So simple question, and then I'll get off this point.

7 A Yeah. Sure.

8 Q So is it your testimony today that President Clinton and President Bush received the
9 same level of scrutiny about their mental acuity as President Biden did?

10 A No. I think that is -- let me be precise about that.

11 Q Then why?

12 A Because the President was 80 years old. And so the question chronologically is
13 unavoidable. We knew the challenge of the President's age was a challenge that was specific to
14 him.

15 Q Sure.

16 A Let me finish this part.

17 I mean, he was 78, 79, 80 years old when he was in the Presidency. By any -- certainly, in
18 the public perception of it, that is an age in which thinking about whether someone is still capable of
19 doing the job or whether any health issues might interfere with his capacity to do it, that's going to
20 be on the public's mind.

21 I think President Biden always felt fairly, right, that is a legitimate question to ask: Is the
22 President at 80 years old healthy enough to do the job, physically, mentally?

23 He believed, we believed, those of us who worked for him were convinced that every single
24 day he was capable of doing the job and was doing it, and that that was certainly observable, right,
25 that we were -- we traveled, we faced every kind of public engagement. We looked for every kind

1 of public engagement.

2 In fact, again, I would say, part of -- it just -- this entire argument that we were -- somehow
3 we were trying to hide him or conceal him, we were doing the opposite.

4 We were running for reelection. We were trying to think of effective ways to communicate
5 about the success he had had in the Presidency and his job and ability.

6 And when he was working rope lines at 10 o'clock at night and shaking hands and intervening
7 personally and doing all of the things that Joe Biden just did because of who the hell he was, I wanted
8 people to see that so that they could see what I was seeing, that this is a good and decent and
9 high-character person occupying the Presidency -- by the way, representing everybody, all 50 States.

10 You can ask any Republican governor where a disaster happened, where something occurred,
11 a natural disaster or something, he talked to the governors of that State. He provided any
12 assistance he could. He didn't judge the country by blue or red. He just tried to do the job of the
13 Presidency in all 50 States.

14 As you know, a bunch of the things that we did even disproportionately benefited red States
15 in terms of investment in economic activity and recovery.

16 That's what he did. That's what he believed. We did it every day. And, honestly, none of
17 us ever thought, well, he's not doing the job every day.

18 I'm sorry for the long-winded answer, but --

19 Q So just so I understand your testimony today, the questions that arose because
20 of -- excuse me -- the questions that arose surrounding President Biden's mental acuity were only
21 because the President was 80 or approaching 80 and not because of what the American people saw
22 with their own eyes?

23 Mr. Sauber. Look, honestly, he answered the question for like 15 minutes.

24 Mr. Greenberg. Well, I understand --

25 Mr. Sauber. No, let me finish. He answered the question for 15 minutes.

1 Your characterization of what his answer was might be interesting, but there's no reason to
2 go through it. The record is complete as to how he answered your question. It's been asked and
3 answered. Let's move on.

4 Mr. Greenberg. Okay.

5 Mr. Sauber. There's no reason for you to have to summarize and put in your own words
6 what his answer was.

7 Mr. Greenberg. Well, I do have to summarize --

8 Mr. Sauber. Let's just move on.

9 Mr. Greenberg. Excuse me, sir. I do have to summarize when your client answers in
10 long-winded answers, and I do have a follow-up question.

11 BY MR. GREENBERG:

12 Q And my follow-up question is, I think, fair game, because I am trying to understand the
13 point that you are making about the rise of this question about President Biden's mental acuity.

14 And I just want to make sure I understand that it is your -- is it your testimony today that
15 questions about the President's mental acuity are because he was approaching 80 and not because
16 of what people saw either at the debate or listening to the -- his response to the Hur report or
17 anything like that?

18 A I can't speak for everybody in America on how they reached that judgment about issues
19 of mental acuity. I can't speak to everyone.

20 Some people would -- when a person is approaching that age, specific items or things,
21 because this issue is out there in the environment or in the ether, because chronologically you are
22 what you are, we certainly politically thought about that all the time, and any mistake or any stumble
23 that in a 40-year-old someone might ignore or think about in a different way, some people it would
24 cause them to think differently about it or to extrapolate from some incident that was a common
25 aspect of aging or something else that something else was going on.

1 So to answer the question, I can't answer for everyone, but I'm certain that in some people's
2 minds he's 80 years old, he forgot so-and-so's names, what the hell is going on?

3 Q So the level of --

4 A And --

5 Q Sorry. The level of -- having worked for President Clinton, you would consider --

6 A Yeah. No, that's okay. No, no. No, I did. Go ahead.

7 Q Having worked for President Clinton, do you consider Joe Biden's ability to answer
8 questions the same as President Clinton's ability to answer questions?

9 Mr. Sauber. Go ahead. What were you going to say?

10 Mr. Ricchetti. Really, I can't answer that. I worked for both. I had enormous respect for
11 both. I thought they were both fully capable in every way of doing the job, and they did it, including
12 President Biden at whatever age he was the year you're asking the question. I believe he's capable
13 of being President today.

14 Mr. Benzine. How old was President Reagan in '84?

15 Mr. Ricchetti. I can't remember. Is he 72? 74?

16 Mr. Benzine. And --

17 Mr. Sauber. I don't know.

18 BY MR. BENZINE:

19 Q And he had a bad debate?

20 A Yeah.

21 Q Like, questions --

22 A By almost any -- every --

23 Q Questions about his mental acuity after that debate?

24 A Yeah.

25 Q How many States did he win?

- 1 A Forty-nine, I think, yeah.
- 2 Q How many did Joe Biden win?
- 3 A Well, we didn't run in the reelection.
- 4 Q So zero?
- 5 A Yeah, but what's the point of that?
- 6 Mr. Sauber. What's the point of that?

1 BY MR. BENZINE:

2 Q Well, you said that you can overcome the stumbles based off --

3 A That is a historical fact.

4 Q Yes.

5 A You can.

6 Q You can overcome the stumbles.

7 A Yeah.

8 Q How can you overcome the stumbles? Based off your record of success?

9 A No, your performance in office, which, again, one of the things that we -- or you adjust.
10 Reagan certainly adjusted and came up with a clever line in the second debate and it helped to
11 restore confidence in his capability, as you know -- I think you know. You might be old enough to
12 remember.

13 Mr. Benzine. No, I'm not.

14 Mr. Sauber. No, he's not.

15 Mr. Ricchetti. He's not?

16 Mr. Benzine. No.

17 Mr. Ricchetti. Nancy Reagan --

18 Mr. Sauber. Do you know who Reagan was, by the way?

19 Mr. Ricchetti. Nancy Reagan intervened, and they nearly fired campaign staff, and there was
20 a whole episode around that.

21 BY MR. BENZINE:

22 Q So Reagan was a little bit younger than President Biden?

23 A Yeah.

24 Q Had a --

25 A I think he had even been 8 years younger. I think he was 72.

1 Q Had a bad debate?

2 A Yeah.

3 Q There were questions about his mental ability to be President. He ended up winning
4 49 States because the voters deemed him successful in office?

5 A Yeah. Yep.

6 Q So why did President Biden drop out?

7 A Well, as he has said publicly, because at the time of the decision-making, in those
8 3 weeks, support for him, in particular among Democratic leadership and donors, had eroded
9 because of his performance in the debate.

10 And so he decided, I think in an extremely magnanimous and an extremely high-character call
11 for a person who was in the Presidency and had already basically won enough delegates to have
12 secured the nomination, he decided to step aside to unify the party and to give it a better chance.

13 Q But --

14 A And by the way, again, we're here. I'm doing this voluntarily. I'm trying to be helpful.

15 But, honestly, an investigation committee going through the kind of -- the campaign
16 decision-making or even in support of the point that you just made about how he overcame, is that
17 really what we're doing here? Do we want to talk about campaign strategy?

18 Q I'm trying to --

19 A How Reagan won the election in '84 is an important point to make?

20 Q No, no, no. I'm trying to --

21 A The public does get to vote. There are a lot of people who thought Joe Biden in 2019
22 was too old to serve as President and could not overcome a debate performance in June.

23 And so in response to your question about what Ronald Reagan did, Joe Biden in 2019, when
24 the same kinds of questions were asked, frankly, by the same kind of people who -- the punditry who
25 look at this or the editorial board at The New York Times -- thought that he was done and cooked and

1 over.

2 And when people got to vote they picked him to be the nominee of the party, and then they
3 picked him to be President of the United States, in spite of what President Trump will say about it.
4 He got the most votes in the history of the United States in 2020, while issues of this kind were
5 outstanding.

6 Mr. Sauber. You guys will now remember that.

7 Mr. Benzine. Yeah.

8 Mr. Ricchetti. I'm just saying --

9 Mr. Benzine. No, no. I'll --

10 Mr. Ricchetti. -- if you want to do politics, I mean, this part I am good at.

11 Mr. Benzine. I'll move on.

12 Mr. Sauber. Yes.

13 Mr. Benzine. I'll move on.

14 In the last hour, you said that investigations like this are dangerous? I'm --

15 Mr. Ricchetti. Yeah.

16 Mr. Benzine. That's about right?

17 Mr. Ricchetti. I'm trying to --

18 Mr. Sauber. What's -- I'm sorry, what's the question? Yes, he did.

19 Mr. Ricchetti. I'm sorry.

20 BY MR. BENZINE:

21 Q Does that apply to future investigations as well?

22 A Meaning of --

23 Q Of President Trump?

24 A Of the mental acuity, I think that this Committee's orientation of this investigation is a
25 dangerous precedent for the Presidency and for Congress, because we are examining issues in the

1 performance.

2 And even the orientation of these questions about what was going on in the White House is
3 going to make it very difficult for future White Houses and future staffs for Presidents to be able to
4 have confidence in their ability to have private and confidential conversations with the people who
5 work for them.

6 Q No, I just want to --

7 A And I think that's why --

8 Q I just want to give you --

9 A That's why I'm raising -- look, do you really want to know the answer, or are you going
10 somewhere else?

11 Q Well --

12 A I think this is for you, for all of us, this is a very, very complicated matter. And going
13 down this road for every Presidency that now follows -- by the way, we are in the post-Presidency, so
14 now we are going to talk about, when Donald Trump leaves the Presidency, let's say, that a
15 Democratic Congress -- because these issues exist today, and you know they do, with respect to at
16 least some people on our side's point of view about how the Trump Presidency is going.

17 So do you think it will be appropriate for the Democratic Chairman of the Committee to call
18 up 20 members or 10 members of the White House staff and to probe everything that is going on in
19 the White House today while you are in these jobs, investigating the White House or the
20 performance of a President, and you think it's okay?

21 Q I don't need to answer, but I will.

22 I will say, the House rules have been consistent and the Chairman of this Committee can
23 investigate any matter he wants?

24 A Anything he wants. I read that. So --

25 Q I was asking your perspective on that potential future investigation, whether --

1 A Well, that's what I --

2 The Reporter. I just need one person to talk at a time.

3 Mr. Ricchetti. I'm sorry.

4 Mr. Benzine. I was asking your perspective on that --

5 Mr. Ricchetti. Yes.

6 Mr. Benzine. -- potential future investigation, whether or not it would also be dangerous,
7 and if your perspective is consistent amongst parties.

8 Mr. Sauber. He --

9 Mr. Ricchetti. Let -- let me --

10 Mr. Sauber. He's answered this question like five times.

11 Mr. Ricchetti. I will say, I think it is important that Presidents -- Joe Biden, Democratic
12 Presidents, Republican Presidents -- have the capacity to have a dialogue with their staff that is
13 considered confidential and private --

14 Mr. Benzine. Okay. Did President Biden --

15 Mr. Ricchetti. -- about every matter.

16 BY MR. BENZINE:

17 Q Did President Biden ever waive EP in a congressional investigation?

18 A Say that?

19 Q Did President Biden ever waive executive privilege in a congressional investigation?

20 A I don't know the answer to that. Did he ever waive it?

21 Q Yeah.

22 A Oh, you mean waive in a -- yes. In January 6th, right?

23 Q Yeah. So this waiver isn't unique?

24 Mr. Sauber. This waiver what?

25 Mr. Benzine. Isn't unique. President Biden waived EP in a congressional investigation, too.

1 Mr. Ricchetti. Honestly, do we want to go here about --

2 Mr. Benzine. I was just making sure that we were consistent in that Presidents can waive EP
3 and that President Biden has waived EP prior.

4 Mr. Ricchetti. Yes. Although, I --

5 Mr. Benzine. Okay. Thank you.

6 Mr. Ricchetti. Well, let me --

7 Mr. Sauber. Let him answer.

8 Mr. Ricchetti. I will just say, if you want -- if you -- again, I guess, it underscores the point.

9 What occurred on January 6th and the nature of that activity and the questions that were
10 raised around what went on with January 6th by a -- I don't know what exponential number I can use
11 to say the gravity of that compared to the gravity of what we are probing here with respect to the
12 President, in my view, are just two entirely different things. And I'm saying that respectfully.

13 I just think that what occurred in the Capitol that day, the threat that it was to Republicans
14 and to Democrats, and what that represented, and how that investigation and the matters that
15 followed that investigation on what occurred on that day compared to what we're -- the foundation
16 upon which you are exploring or probing this with respect to President Biden, I think those things are
17 extremely, entirely, totally different.

18 And I think, again, based on this factual basis, the anecdotes that we're about to probe and
19 the reasons that I think inspired this, I really think if those are the kinds of things which inspire work
20 of an oversight investigation committee to determine whether a President is competent or not, I
21 think we are in a very dangerous place for every President.

22 Mr. Sauber. Yeah.

23 Mr. Ricchetti. Okay. I'm sorry.

24 BY MR. BENZINE:

25 Q I just wanted to make the record clear that President Biden had waived EP before.

1 A Yeah. Fair enough.

2 Q Since we got a little off track.

3 A That's okay.

4 Q Have you spoken to Hunter Biden about this investigation?

5 A I don't think so, no.

6 Q What about Ron Klan?

7 A No.

8 Q Jeff Zients?

9 A Yes.

10 Q Anita --

11 A I mean, and, again, just the -- if you're going to go through the whole series again, I
12 think --

13 Q Not the whole series.

14 A Okay. But just the mechanical, are we going -- we have tried, although, as you know,
15 we are close friends and we talk to each other frequently, but I think we have tried not to talk about
16 the subject matter.

17 Our lawyers have had conversations with us to try to make sure that we just confine our
18 conversations with each other. But we do know -- I know Mike's testifying, or giving an interview
19 tomorrow, so I think I'm following the schedule.

20 I will say, even, by the way, like just posting on the board here, "Hey, by the way, you guys are
21 going to be called," I mean, I never got a letter. I never got anything. I mean, we've tracked this
22 down through letters that went weeks after this was all public that we were being asked to testify
23 and things like that. I just --

24 Q I mean, we can find where we sent the letter to. I mean, obviously --

25 A I never got a letter. I never received a letter.

1 Q Okay.

2 A Just -- I'm just saying, in terms of -- like we're here voluntarily. I think this is things that
3 people feel on our side very strongly about in terms of the President's performance and what we did.

4 Q No --

5 A So the questions in that vein, I think you're going to -- people are going to come in and
6 comfortably --

7 Q No, I --

8 A Understanding there are different opinions about everything, and some people view
9 things differently.

10 Q I understand.

11 A I get that.

12 Q So it was a yes to Mr. Zients.

13 Ms. Dunn?

14 A No.

15 Q Mr. Donilon?

16 A Yes.

17 Q Mr. Reed?

18 A Yes.

19 Q Mr. Bernal?

20 A Yes.

21 Q Ms. Tomasini?

22 A Yes.

23 Q Ms. Williams?

24 A No.

25 Q What did you talk with --

1 A Am I answering the question? The question is --

2 Q If you talked about this investigation.

3 A Only in the -- I want to answer this in a way that I'm being --

4 Q Well, here, I'll just ask --

5 A Yeah. Ask me another way.

6 Q What was your discussion with Mr. Zients?

7 A Just that we were going to do this, how we were going to approach doing this, whether
8 or not decisions were made with respect to privilege, because that was an outstanding issue that
9 each of us contemplated -- I think each of us contemplated with respect to what President
10 Biden -- President Biden's view would be with respect to privilege and how we would be able to
11 participate voluntarily or not or navigating through that if he had a different point of view about our
12 participation in that way.

1 [12:09 p.m.]

2 BY MR. BENZINE:

3 Q You said how to approach. Did you talk about your testimony at all with Mr. Zients?

4 A No.

5 Can I say something about that? Just only in that --

6 Mr. Richetti. And you stop me.

7 Mr. Sauber. I can't.

8 Mr. Richetti. I will just say these books came up before any of this. So we all talked about
9 the books. There has been four of them, I guess, you know, or five of them.

10 BY MR. BENZINE:

11 Q They are all in there.

12 A That is clever.

13 But we talked about the books and what we thought was offensive and unfair about those
14 books in the period of time when those books were being published. In fact, in the time preceding
15 it because they were, the books, were leaking before they came out, because they tried to sell more.

16 So the answer is, amongst that group of people, we definitely talked about what the hell is
17 going on here and why are they taking this --

18 Q I want to --

19 A But I want you to understand.

20 So I am not answering these questions -- there is not a period of time attached when I just
21 told you. We have tried to confine ourselves from talking about the investigation or what we are
22 going to do or how we are going to answer questions from each other in this period of time since this
23 has occurred.

24 But preceding this, we did talk about some of the aspects that are in the book.

25 Q What does how to approach the interview mean? You said you talked to Mr. Zients

1 about your approach to the interview. What does that mean.

2 A Only in that I was going to participate voluntarily.

3 Q Okay.

4 What about conversations with Mr. Donilon? Is it similar to Mr. Zients?

5 A Yes, although, I don't think I have talked to Mike in a couple of weeks.

6 Q Same with Mr. Reed? Similar to Mr. Zients?

7 A Yes.

8 Q What about Mr. Bernal?

9 A I mean, I didn't talk to them about that. In fact, I don't think I have talked to any of
10 them about whether it is going or anything in the last 2 or 3 weeks, except we are aware of the dates
11 that we were going.

12 Q What about Mr. Bernal? What did you talk with him about?

13 A Same thing, just the mechanical part of what went on, and I sent him something
14 supportive, knowing that he was going up, because for every one of us, this is, you know, something
15 that -- I don't know if the right word is stressful, but it is not something we want to be doing in the
16 middle of the summer. So we are here.

17 Q Were you aware that Mr. Bernal was going to plead the fifth prior to him doing so?

18 A No.

19 Q What about the conversation with Ms. Tomasini? Similar?

20 A Uh-huh.

21 Q Not aware of her pleading the fifth?

22 A No.

23 Q And I think that was it.

24 You mentioned the books an awful lot. There have been a number --

25 A You really haven't yet, so I apologize.

1 Q No.

2 Did you speak with Jake Tapper or Alex Thompson for their book?

3 A Yes, with Jake Tapper, not with Alex Thompson.

4 Q And how did that come to be?

5 A Our communications staff said he was writing a book about the last year of the Biden
6 Presidency and thought it would be a good idea that I talk to him because I had more knowledge
7 about --

8 Q You spoke to him while you were still in the White House?

9 A Yes. I did an interview probably an hour, hour and 15 minutes, and he never
10 mentioned all of these -- you know, these allegations or this thesis. It never came up.

11 Q What about Chris Whipple for "Uncharted"?

12 A I don't remember whether I talked to him or not. I am forgetting which book. Maybe
13 you know this or maybe you don't. I didn't do a lot of press. It was unusual for me to have this
14 role as intermediary between Congress and the President, the White House.

15 I did, you know, substantially less press communications work than other people in the White
16 House just because -- getting back to this point I was making earlier, I don't think if I was talking to
17 the press every day about what the hell was going on, I couldn't keep the confidences of what
18 Members were saying.

19 And I had many confidences and many conversations with the Speaker, with the Republican
20 leadership, with all kinds of people, and I thought they were entitled to have protected, confidential
21 communications that they could count on.

22 And my reputation in this for 30 years has been based on that, and I didn't think I could be
23 doing or, you know, leaking to the press about what people were saying and survive in the way with
24 the integrity I needed to apply to my work in this role.

25 So the answer is it is and was unusual for me to be in this communications realm.

1 I didn't know Jake Tapper very well, but I did talk to him, like I said, for an hour. I was
2 surprised to the point of shock when the orientation of this book was revealed in February or March,
3 given the nature of his interview with me and what we talked about. I thought it was
4 journalistically grossly unfair.

5 Q Do you know anyone else from the White House that spoke with Mr. Tapper?

6 A I think most of us did. Jeff Zients did, Mike Donilon did. A number of the senior staff
7 for the same reason, we all came out of it -- I think this was December. I can't remember exactly,
8 but we had this conversation and had an interview, and we talked about the work we did and
9 decision-making.

10 Obviously, by then we had made the decision to step aside. It was for the reasons that I
11 gave to you, and there was a lot of debate about whether we should or shouldn't in the 3-week
12 interval of time from the debate until the day that he stepped aside, passed the baton.

13 Q Jake Tapper in that book, there are four unnamed cabinet secretaries. Do you know
14 who they are?

15 A No, I don't.

16 Q Did you speak with Josh Dawsey, Tyler Pager, or Isaac Arnsdorf for their book?

17 A Tyler Pager, not the other two.

18 Q Did you read the book?

19 A I haven't.

20 Q Do you have similar views on "2024" as you did "Original Sin"?

21 Mr. Sauber. He hasn't read it.

22 Mr. Richetti. Original Sin, I read.

23 Mr. Sauber. He hasn't read "2024."

24 Mr. Benzine. "2024"? Okay.

25 Mr. Richetti. Yes, I haven't read "2024." Now, I didn't even realize that was the title. So

1 that is the other book that is in there.

2 BY MR. BENZINE:

3 Q This is just out of curiosity. You were interviewed for a book that you then didn't read?

4 A Yes.

5 Q Okay.

6 A That is not unusual in the White House. I hope you understand. I mean, there were
7 books written about us every year. I was asked to help supply, you know, both information and
8 dialogue, certainly, about our legislative accomplishments. There are a couple of books written
9 every year about the Presidency.

10 Q For these ones, for Tyler Pager and Jake Tapper, were you on the record or was it on
11 background?

12 A It was on background. Off the record, actually, I think rather than on background with
13 Tapper and Pager, which was my -- you know, I almost -- 90 percent of the time I was off the record
14 with my press engagements for the purpose of just trying to say here is what happened, here is what
15 we were thinking, here is why we did what we did. Report this. Check it out with other people.

16 But my role was not to -- I just wasn't our communications leader, and I truly believed that
17 the only way to be who I was, was to do less of that.

18 Q And then you said that you spoke to a number of people about these books after their
19 publication?

20 A Yes.

21 Q Did they all -- I don't want to testify too much, but you said it was like -- you didn't say
22 journalistic malpractice, but you got awfully close.

23 A I said journalistically grossly unfair I think is what I said is what I believed.

24 Q Is that a common theme amongst the people that you spoke to about the books?

25 A Well, I don't think any of us were given the chance to either respond to or refute

1 the -- basically the thesis of the book. So we talked about our last year. It was in a much more
2 congenial and even friendly dialogue and then post facto both the title of the book and the headline,
3 which we couldn't disagree with more vehemently, became clear.

4 And as they were getting ready, again, they even said that it couldn't be actually how they are
5 describing it.

6 Again, from a journalistic perspective, this was extraordinarily problematic in my opinion.

7 Q Shifting to your overarching relationship with the former President, did you have a
8 personal relationship with the former President as well outside of staff work? Did you play golf with
9 him?

10 A Yes. Oh, yeah. I --

11 Mr. Richetti. Again, stop me.

12 I think I was as close to him --

13 Mr. Sauber. I can't stop you.

14 Mr. Richetti. I mean, I think I was as close to him as anyone in the 13 years I was working for
15 him. I am not saying that -- I was not family. You know, family is family, and it is, you know, a
16 different layer of relationships, but I had a personal friendship with him that exists -- and with his
17 family, that existed beyond my working relationship with him.

18 I certainly cared about him personally, and I think he cared about me and my family on a
19 personal level in a way that was not unusual with him and the people who worked for him.

20 He developed close friendships and some of the reasons why people who worked -- again, I
21 worked for the Clintons and had other political relationships for many years, and I came to President
22 Biden when I was in my 50s. So I wasn't like an intern in his office and, you know, grew in that.

23 But there are a lot of people who did, Mike, Ron, others who had worked for him when they
24 were 30 years old in the Senate office and had known him longer than I. But I think from the time
25 that I went to work for him, which was in 2012, I became very close to him. And then through what

1 I think was just, you know, unimaginable personal experience, I got closer to him during that period
2 of time and then I kept working.

3 I have got four kids. I was thinking I was coming back to work for a year or two and it turned
4 into 13. Every year, every 2 years, there was another reason to stay another year, and I am proud
5 that I did and have enormous respect and friendship for him.

6 BY MR. BENZINE:

7 Q Do you have a personal relationship with other members of the family?

8 A Yes.

9 Q Hunter Biden?

10 A Yes.

11 Q The First Lady?

12 A Yes. I would say friendship with -- again, more casually with the grandchildren just
13 because I knew them, love them, great kids, but I knew them in the way a great uncle knows or grand
14 uncle knows kids and family members, but I know them all.

15 And, again, I think you all know this. Friendships, you know, when you are working for
16 someone, your friendship and your professional relationship oftentimes when you are with someone
17 for a long period of time, that friendship -- I mean, that professional relationship migrates into
18 something that you can actually call friendship.

19 Q It is good to hear that there were friends in the White House because some other
20 witnesses have described it not so friendly.

21 A Well, I don't know. I, again, maybe by nature, and the President by nature certainly
22 consider -- I think we consider him, his whole family I consider important friendships in our lives, and
23 I care about them personally as well as professionally.

24 And by the way, I cared about other people who worked in the White House the same way.
25 I was just saying on the way in --

1 Mr. Sauber. Yeah, me.

2 Mr. Richetti. Well, that, and there are folks who I worked with for 30 years. We knew each
3 other. We all worked in the '90s together and we stayed in democratic public service for a decent
4 chunk of our careers.

5 BY MR. BENZINE:

6 Q Shifting just very briefly to the Penn Biden Center. You were the first managing
7 director and helped set it up. Did you have a role in moving materials from the office of the Vice
8 President to the Penn Biden Center?

9 A No. No. And by the way, I wasn't the only -- Tony Blinken and I, you know, we were
10 both managing directors and we had a half a dozen other folks who worked at the Penn Biden
11 Center.

12 Q When did you first hear about the possibility of classified documents in the Penn Biden
13 Center?

14 A So help me with dates. I mean, I can't remember. I truly -- I can't remember what
15 the date was, but whatever -- it was the day that the counsel's office was informed that I learned at
16 the same time.

17 Mr. Greenberg. That would be November of 2022. Does that sound right to you.

18 Mr. Richetti. Yes, in that vicinity. I think I learned maybe the day after or 2 days after.
19 Whatever day the counsel's office was informed, I think I learned at the same time that that was an
20 issue or something. Certainly within days.

21 BY MR. BENZINE:

22 Q In moving the boxes and setting up the office, you didn't see anything marked
23 "classified"?

24 A No.

25 Q Okay.

1 You kind of just said it, that you were probably one of the closest people to President Biden in
2 the White House. Who else would you put in that group?

3 A I certainly think Mike Donilon and Bruce Reed, Ron, Jeff, Annie Tomasini, Anthony
4 Bernal, Jen O'Malley Dillon for a lot of the period -- for the period of time that it was our time in the
5 Presidency. You know, senior staff Jake Sullivan. He is close to -- I mean, again, I am trespassing
6 on that, you know, division between professional work relationships and friendships.

7 I think what President Biden -- most people who work for him I think would say that they are
8 also his friend as well as they are staff and employees that we developed over this time together
9 personal relationships that extended beyond.

10 And he, President Biden, was extremely generous with respect to family and birthdays. Jake
11 got engaged, and he held a party for -- you know, he just by nature, by character, was a person who
12 paid attention to personal relationships, and he always made the extra effort to make sure you knew
13 that he cared about you personally as well as professional.

14 Q While you were at the White House, did you ever hear the term politburo?

15 A No, I never did.

16 Q Did you hear about it in the book?

17 A Yes.

18 Q All right.

19 A That was the first time -- in fact -- I guess this is a digression -- I never heard of it. I
20 don't think it ever occurred. I mean, sometimes we were called like pooh-bahs, and, you know,
21 they were like -- you know, we knew we were certainly senior in the staff both chronologically and by
22 whatever it is called, rank.

23 But I always thought it was affectionate until it was worded in that way where I don't think it
24 was.

25 Q That was going to be my next question, if you ever heard the term pooh-bahs.

1 A Oh, you have that?

2 Q Yes.

3 A Yeah, that we did. I mean, I thought -- you know, again, I may be wrong about this, but
4 I think I had dozens, if not hundreds of close personal relationships with people we work with. I
5 hired a bunch of folks when I was chief of staff to the Vice President. I hired a bunch of people who
6 worked for the campaign. I have extremely high regard and respect for them.

7 And friendships which extended -- I think this exists on the Hill, too. Again, I haven't worked
8 on the Hill in that way, but I think it is the same thing. You just end up working at that level of
9 intensity, that level of hours, that much commitment. Your family considerations and everything
10 you go through intersect.

11 BY MR. GREENBERG:

12 Q Just a clarifying question. I believe you gave a cutoff answer to when Mr. Benzine
13 asked you about the term "politburo." I believe you were saying, correct me if I am wrong, you
14 don't think the term was ever used?

15 A I don't know. The first time I had ever heard us described using that term -- and, again,
16 it shows you how convoluted the whole thing is -- that Bruce, Mike, and I were the politburo is
17 ridiculous. The White House didn't operate that way.

18 The chief of staff, the communications -- you know, we had senior staff. We met every
19 morning. Everything we shared with everybody. Some of us were closer historically to the
20 President, but we weren't treated any differently.

21 And I will say this just with respect, both Ron and Jeff had the responsibilities of the chief of
22 staff. They were more extensive with respect to a number of things than anything we had
23 responsibility for, including kind of the administration of how things worked in the White House.

24 So there were three people who had superior whatever. We had, because of the nature of
25 our relationships and even our personalities, some of us might have been closer to the President

1 than others, but we didn't have any kind of authority or, you know, kind of special veto power over
2 anything.

3 And the President got advice from a wide range of people on the senior staff on all kinds of
4 matters, the counsel's office on matters that were appropriate to it.

5 And anyhow, I might be overdoing this, although, you can tell nothing annoyed me more than
6 that kind of bullshit description.

7 Q You don't think Mr. Tapper or Mr. Thompson just made up that term, do you?

8 A No. It might have been said by someone. I had never heard it, and, like I said, we
9 were affectionately or sometimes maybe sarcastically called many things, but I never heard that one.

10 Q And you said you read Mr. Tapper and Mr. Thompson's book. Do you think they made
11 anything up in the entirety of that book?

12 A Boy, that is a harder question to answer. I think some of the -- some of what they
13 implied -- for instance, the case itself. On page 4 or 5 of the book, they basically write out, well, we
14 are not really saying that the President didn't do the job of the Presidency every day and that he
15 performed these functions, whatever the hell the two sentences were.

16 It is like, initial disclaimer, he was doing the job every day. We are not saying that, but -- and
17 then they go through this entire exercise where that has presumably inspired this investigation,
18 about things that I don't think were issues of cognitive decline or, in particular and importantly, or
19 conspiracy. That was preposterous.

20 So the idea that this was a conspiracy among the White House staff to conceal him, that
21 is -- you know that those words are loaded words and grossly mischaracterize the work of a White
22 House staff or a congressional staff for that matter in preparing or trying to help a boss do its work.

23 And I take particular offense at that. I think that was an intentional desire of theirs to amp
24 this up and maybe sell books around what I believe is a defamatory premise. It just didn't occur.

25 BY MR. BENZINE:

1 Q Who in the First Lady's --

2 A So you see what I mean about made it up? I mean, whatever these --

3 Mr. Sauber. You explained it.

4 Mr. Greenberg. Well, just one follow-up. So none of the things in the book with quotes
5 around them that are cited as quotes from various people, you don't think any of those were made
6 up.

7 Mr. Richetti. I don't know. I do think, knowing something about communications, you can
8 put quotes around things, and you can grossly distort what either the person intended or that that
9 observation represents something that wasn't true.

10 BY MR. BENZINE:

11 Q Who in the First Lady's office was most involved in the west wing?

12 A Anthony Bernal.

13 Q What was his role?

14 A He was her deputy chief of staff for I think the first 2 years, first 2-and-a-half years, and
15 chief of staff the last year. I think that is right.

16 Q What was he involved in, in the west wing?

17 A He did all of, you know, Jill's staff management.

18 Mr. Sauber. Sorry. When you say the west wing, do you mean other than the First
19 Lady's office.

20 Mr. Benzine. Yeah.

21 Mr. Sauber. Like the business side of the White House.

22 BY MR. BENZINE:

23 Q Was Anthony Bernal making policy recommendations? Was Anthony Bernal changing
24 motorcade routes? Was Anthony Bernal picking hotels? Was he picking trips? What was his
25 level of involvement in the presidential acumen?

1 A I mean, he was a former advance guy, so he certainly gave advice about, you know,
2 things that were related to, you know, the advance side of the operation, although, again, we had
3 people who worked in the west wing. The First Lady's office was in the east wing.

4 And he had responsibility for, you know, driving her staff work, which was substantial. The
5 social office reported to them. But, you know, a whole variety of other features of the White
6 House, the historical association. Others kind of report -- not report but are more connected to the
7 First Lady's office than they are to the President's staff.

8 But Anthony was also, he was an assistant to the President as well by title and participated in
9 senior staff meetings and had ideas or counsel or recommendations about things that we were doing
10 from that perch as well.

11 Q Did you interpret things that Mr. Bernal said as speaking for the First Lady?

12 A It depended on the issue. I mean, sometimes he was speaking for the First Lady.
13 Sometimes he was speaking for himself. He tried to make that clear most of the time when he was
14 speaking for himself or offering an opinion or advice that was his own advice versus something that
15 the First Lady would have felt emphatically about that he would express on her behalf.

16 Q Did you ever hear anyone say in the White House that it wasn't worth fighting or
17 second-guessing Mr. Bernal?

18 A No, or not that I can recollect. I mean, I think -- well, I will just leave it at that. I don't
19 remember that, but I think all of us probably on some days somebody thought we did a good job or
20 didn't do a good job or -- you know, in close quarters, we all have opinions about each other. I
21 think in general, we work pretty congenially in friendship, but there were days when we got tired of
22 each other.

23 Q What was Mr. Bernal's reputation in the west wing?

24 Mr. Sauber. For what? I mean, he was honest? He wasn't honest?

25 Mr. Benzine. Did he have a harsh reputation? Did you ever hear him yell? Did you ever

1 get in disagreements with him.

2 Mr. Sauber. I am sorry. That is not a reputation issue. Did Mr. Ricchetti get into
3 arguments with Anthony Bernal.

4 Mr. Benzine. Well, I will start with --

5 Mr. Richetti. Sometimes we agreed about many things, disagreed about some. He was a
6 friend, a close friend of ours, I think. I would call all of the folks in the senior staff today I would call
7 close friends of mine, and he was a close friend as well.

8 And, again, from day one and including in the campaign, we had disagreements, sometimes
9 strong disagreements with each other about strategy and advice and what we were going to do.
10 And everybody could express it and their different points of view and still be friends the next hour
11 and friends the next day.

12 BY MR. BENZINE:

13 Q Did you ever give --

14 A Is that okay? I mean, I am a little awkward in talking about our relationships with each
15 other, as you can imagine. I just have no idea what this has to do with --

16 Q Did you ever hear Mr. Klain say you don't fight city hall when referencing Mr. Bernal?

17 A I don't recall.

18 Q Did you ever hear Mr. Bernal ask other aides if they were a Biden person?

19 A Yes.

20 Q In what context?

21 A Just in terms of people who had -- sometimes, as we were considering people for jobs,
22 people who either worked for him when he was in the Senate or whether they were with us from a
23 campaign perspective or had some relationship with President Biden that was deeper or longer or
24 more extended than -- as you know, sometimes somebody is recommended from somebody on the
25 Hill or somebody is recommended from some other connection.

1 So it wasn't unusual to think about people, and many people percolated to us who might have
2 worked for him 20 years earlier in the Senate office. And if you had only been working for him for
3 the last 5 years, you didn't know that the person worked for him 20 years in the Senate office. That
4 kind of thing.

5 So that connection was are we missing something here? Does this person, did they
6 volunteer or do something for us in the campaign? Were they involved in any way on a more
7 personal level than we might realize?

8 Q Did you ever hear anyone refer to Mr. Bernal as the royalty police?

9 Mr. Sauber. Excuse me. We are at 12:35.

10 Mr. Greenberg. We have about 5 more minutes.

11 Mr. Benzine. We have 5 more minutes.

12 Mr. Sauber. Five more minutes. I am sorry. I don't understand what that means.

13 Mr. Benzine. In this hour.

14 Mr. Sauber. I though you said 12:35.

15 MR. BENZINE: No, you did. I said we have an hour, which we have 5 minutes left in it.

16 Mr. Richetti. Okay. Please, let's do the 5 more minutes.

17 Mr. Sauber. Fine.

18 BY MR. BENZINE:

19 Q Did you ever hear anyone refer to Mr. Bernal as the loyalty police?

20 A No.

21 Q Did anyone ever report Mr. Bernal to you for harassment or misconduct?

22 A No.

23 Loyalty police? I don't think so. I don't remember that, but, you know, people say things I
24 can't remember precisely.

25 Q It is pretty well known at this point that the former President had a bit of a temper. Is

1 that fair?

2 A Really? I mean, sometimes he did; sometimes he didn't.

3 Q Okay.

4 A You know what I mean? I think it is unfair to characterize him and have that be a
5 dominant feature of who he was.

6 Q I am not doing that.

7 A Okay.

8 Q I am using it to inform the next question.

9 Were there any fears of bringing President Biden bad news?

10 A No.

11 Q Bad polling? No fears?

12 A No.

13 Q Did advisors ever spin news to be more positive than it was?

14 A To be fair, the answer to that is probably. Like, sometimes in a relationship in some
15 way did we ever look more heavily at the things that were affirmative or positive than things that you
16 might read as negative, the answer is yes.

17 I existed on the glass three-quarter full side of the equation, so I am probably -- in fact, maybe
18 someone has testified that I usually am more optimistic or more affirmative or more positive about
19 things.

20 There are other people who work for him who are dispositionally, I would say, glass less than
21 half full, whose, you know, perception of reality and life is more pessimistic.

22 Q In consideration to the off-the-record conversation that we had in between rounds, I
23 have five more questions and 3 more minutes. Depending on how long the answers are, depends
24 on how long we go.

25 Mr. Richetti. I will make them quick. He is asking for five more questions.

1 Mr. Sauber. They have to be yes or no questions, and I am going to tell him to answer only
2 yes or no so we can get out of here.

3 Mr. Richetti. I will try to answer more quickly.

4 BY MR. BENZINE:

5 Q Did you ever hear complaints from staff regarding access to the President?

6 A I will say "yes."

7 Q What were the complaints?

8 A That more people wanted access to the President. It wasn't unusual.

9 Q Not unusual complaints?

10 A No, no. But everybody desired access to the President.

11 Q Did you ever hear any complaints from Members of Congress regarding access to the
12 President?

13 A Sure.

14 Q Did you ever tell a Member of Congress they could not meet with or speak to the
15 President?

16 A Any particular request, I am sure the answer is yes.

17 Q Why?

18 A Because either schedule or how we were arranging consult to the President about
19 anything. In the Presidency, you know, organizing how the President receives information or
20 through whom and when you get to talk to the President or how the President organizes his
21 conversations with Members of Congress or anyone else, you just have to structure that because it is
22 a scheduling consideration.

23 And how most effectively to do it. Again, this was part of my job. Sometimes we did
24 meetings in caucuses, and we would have 20 people in a room, and sometimes we would have one
25 person or two people in the room, and we thought about how to do it and what was the most

1 effective way to communicate with the President.

2 Q Were those the -- only is a strong word, but were those the only considerations, or did
3 you get questions from Members of Congress on certain topics that you would just not bring to the
4 President?

5 A Sometimes I tried to keep faith with and if someone asked me to communicate
6 something to the President, I communicated it to the President. If someone said, I am telling you
7 this because you need to know this, oftentimes I would ask you, do you want me to say this to the
8 President? And as you know, in the way Members of Congress speak, sometimes they want you to
9 know something, but they don't want you to share every piece of advice they are giving with the
10 principals themselves.

11 So, again, in this space, between Congress and the Presidency, I think I was as involved as
12 anyone could be, and I tried to be respectful of whatever the instruction was from the person that
13 was delivering the message to try to treat it, if they desired it to be confidential, confidentially. If
14 they desired it to be expressed to the President directly, to say it to the President directly.

15 And I tried to make the fairest judgments I could that the President understand how people
16 felt, what they were trying to express in the most effective way to do it.

17 Q In the interest of time, is it fair to extrapolate those answers to Members of the Senate
18 as well?

19 A Yes.

20 Q What about Members of the Cabinet? Is that a fair extrapolation?

21 A Yes. I think the expectation on that is a little different. I did not have -- I mean, I had
22 great relationships with the Cabinet, but I didn't have the responsibility for -- you know, the chief of
23 staff's role is to kind of organize the communications with the Cabinet and to structure those
24 dialogues more.

25 Q And then -- I am 23 seconds over. I will try to wrap up in a minute or a minute and a

1 half over.

2 Did you ever travel with the President to Camp David?

3 A Yes. Many times.

4 Q Did you ever travel without the President to Camp David? I don't know the -- that is an
5 actual question I don't know.

6 A Yeah, I don't know. I mean, was I ever there for hours before he arrived? Yes,
7 because sometimes I would drive to Camp David. But I was there many times with him.

8 Q My understanding of the process is that you need to be invited by the President or the
9 chief of staff. Is that correct?

10 Mr. Sauber. To do what.

11 BY MR. BENZINE:

12 Q To go to Camp David?

13 A I don't know. I don't know the answer to that. I think you have to be invited by the
14 President to go but you could -- or the First Lady, you know, through the President that they invited
15 people.

16 But there were a number of occasions where people went to Camp David without the
17 President, and we conducted staff -- I didn't but other departments in the White House conducted
18 staff retreats, things like that.

19 Again, I think all of that -- I think the way it works with the military with Camp David is the
20 President has to basically either make the request or the instruction. I don't even know whether it
21 is --

22 Q And then my last question: To your recollection, did Vice President Harris ever go to
23 Camp David?

24 A I don't know the answer to that.

25 Q All right. Thank you.

1 MR. BENZINE: We can go off the record.

2 [Recess.]

1 [1:19 p.m.]

2 BY MS. [REDACTED]

3 Q On the record.

4 You have worked in multiple Presidentially administrations, as you testified today. In your
5 experience, was it ever common practice for a Member of Congress to be granted immediate access
6 to the President whenever they want?

7 A No. It was not.

8 Q Was it ever common practice for cabinet officials to be granted immediate access to the
9 President whenever they want?

10 A No.

11 Q And in Congress, is it your understanding that any constituent can see any Member of
12 Congress at any time on any topic?

13 A No, obviously not.

14 Q Is it your understanding in Congress that, perhaps, even a Member of Congress may not
15 be able to see a committee chair at any time on any topic?

16 A Yes.

17 Q And am I correct that you never prevented anyone from seeing President Biden because
18 you were concerned about the President's mental acuity?

19 A No.

20 Q And that includes Senators?

21 A Yes.

22 Q Members of the House of Representatives?

23 A Nobody.

24 Q And the Cabinet as well?

25 A No.

1 Mr. Sauber. Let's just clear up, because the yes, noes, got mixed up.

2 Mr. Richetti. Did I mix up a yes or no.

3 BY MS. [REDACTED]

4 Q I will ask the full question.

5 Am I correct that you never prevented any Senators from seeing President Biden because you
6 were concerned about the President's mental acuity?

7 A Yes.

8 Q You never --

9 A I never prevented anyone.

10 Q And am I correct that you never prevented any House Members from seeing President
11 Biden because you were concerned about the President's mental acuity?

12 A No.

13 Q And am I correct --

14 A Or should I say yes?

15 Mr. Sauber. Did you ever.

16 BY MS. [REDACTED]

17 Q Did you ever prevent anyone from seeing the President because you were concerned
18 about his mental acuity?

19 A No, I never prevented anyone.

20 Q You also mentioned in our previous round that you would sometimes put a positive spin
21 on the news that you had to provide to the President because that is part of your nature. Am I
22 correct that you -- was that -- excuse me.

23 Was that positive spin part of a conspiracy to try to assume the powers of the Presidency?

24 A Never.

25 Q And did you ever assume the powers of the Presidency or act in Joe Biden's stead?

1 A No. Thank you for asking but no.

2 BY MR. [REDACTED]

3 Q You and the majority counsel during the last hour engaged in a fairly extended back and
4 forth about the distinction between this matter, broadly construed, and January 6th and the 2020
5 election. So I think I just want to get some things on the record there so it is clear.

6 Who won the 2020 election?

7 A Joe Biden.

8 Q Do you remember just about how many votes he got?

9 A Eighty-one-plus million.

10 Q Has anyone ever gotten anymore votes than that?

11 A No.

12 Q All right.

13 And then what happened on January 6th?

14 A Well, there was an attack on the Capitol by a number of people who were
15 demonstrating, and many, many other manifestations of that attack that were disturbing, to say the
16 least, and dangerous and undemocratic and without editorializing too much but --

17 Q Did you know that, and according to, say, an NPR article, which I would be happy to
18 share just to reflect what was widely reported, that many of those attackers on January 6th had prior
19 convictions or pending charges for crimes including, quote, rape, sexual abuse of a minor, domestic
20 violence, manslaughter, production of child sexual abuse material, and drug trafficking?

21 A Only aware through, you know, the press reports that I read about everything that
22 occurred on January 6th and in much of what followed certainly in the near term thereafter.

23 Q And I don't know if you can remember January 6th or the time right around then, but
24 would it be fair to say that in the days and weeks following January 6th, there was bipartisan concern
25 about what happened that day?

1 A I think in the days that followed, in particular, there was intense bipartisan concern.
2 And as you can imagine, and as it was experienced by Vice President Pence and Senator Romney,
3 there certainly was not a partisan response to what people saw on January 6th and all of the
4 concerns that it raised.

5 Q Were you engaging at that time and talking with members from both parties on the Hill
6 about their concerns?

7 A Well, there was many concerns. We were in the transition at that period of time, and
8 so we were just getting prepared to move in. And, again, extremely, you know, busy and full days in
9 preparation for going into the White House, and, you know, as you know, we were all just then
10 getting vaccines so that we could begin to do work in the White House.

11 But I do know that on both sides of the aisle, there was extreme concern about what had
12 happened and what it meant to the democracy, what it meant to the country.

13 Q You and the majority counsel also talked a bit about the White House counsel's decision
14 not to assert executive privilege during the January 6th investigation by a committee of this House, of
15 Congress. And also, you mentioned briefly the letter that I think is before your counsel from the
16 White House, this White House counsel, notifying you that they were not asserting executive
17 privilege over this investigation.

18 I have a copy of one of the letters from the then White House counsel, Dana Remus in the
19 January 6th investigation. I won't enter it into the record. I am happy to share it, but I should let
20 you know that the letters are in many cases substantially identical.

21 You had mentioned something about a precedent. If you had the White House counsel of
22 two successive Presidents asserting or deciding not to assert executive privilege in almost identical
23 terms for two totally different matters, does that speak to some of your concerns about a precedent
24 going forward?

25 A Well, it does. And the way you described it, again, I just think the magnitude, the

1 severity, the danger, the threat to the democracy that January 6th represented in all of the violence
2 and turmoil and fright that was attached to that, just to even be in the same conversation, in the
3 same universe of considerations to examining mixing up names and what number of stairs we took to
4 get up to Air Force One, as if those are -- it is just not in the vicinity of each other in terms of
5 concerns or considerations in any way.

6 And I think, again, I said that over the course of my career, this kind of moral relativity with
7 respect to things that are truly, vitally, substantially important things in our democracy and to things
8 that are trivial and unimportant, that to try to equate the two I think is also part of the contextual
9 problem with how some of our politics gets described.

10 Q It would be fair to say that Joe Biden has never lost an election to Donald Trump. Is
11 that right?

12 A Yes.

13 Q Would you be surprised if I told you that Donald Trump has made more than 4,500
14 social media posts about the 2020 election since the 2020 election?

15 A It would not surprise me.

16 Q And you had mentioned sort of how unconnected these two matters are. I should let
17 you know that in some of President Trump's more recent social media posts about this matter,
18 broadly construed or described as the autopen scandal, Donald Trump's social media posts connect
19 that directly to the 2020 election as if the two are somehow connected.

20 I am not going to ask you how those two are connected, but I think you should know that,
21 that in the mind of at least one person in Washington, D.C., the two matters are somehow directly
22 connected.

23 Mr. [REDACTED] I think we will go off the record.

24 Mr. Richetti. Thank you. Thank you very much.

25 [Recess.]

1 BY MR. BENZINE:

2 Q We can go back on the record.

3 You mentioned it earlier that there was a senior staff meeting every morning in the White
4 House. Our understanding is that there was a very senior staff meeting around 8 a.m. and a less
5 senior staff meeting whenever that one wrapped up. Is that fair?

6 A Yes.

7 Q Who would be in the very senior staff meeting?

8 A I will try to remember everyone, but Jeff -- obviously, there were different times in the
9 Presidency, but in 2024, Jeff Zients, Mike Donilon, myself, Jen O'Malley Dillon, Anita Dunn, Annie
10 Tomasini -- and Ed Siskel was in the broader meeting not in the senior staff meeting. I might be
11 forgetting somebody. I don't think so.

12 But communications, Ben LaBolt, Karine Jean-Pierre, Tom Perez, Steve Benjamin.

13 Q That works.

14 Where did that meeting take place?

15 A I might have forgotten somebody.

16 In Jeff Zients' office.

17 Q His office was big enough for all of those people?

18 A Yes.

19 Q Did you -- I am getting my White House logistics confused maybe.

20 Did you have the office closest to the oval, or did you share the outer office with the chief of
21 staff?

22 A Yeah, my office was on the left. Chief of staff is on the right. There is an office closer.
23 That was Mike's office when Mike was there. And then Bruce Reed moved into that office. I had
24 that office in the Clinton administration.

25 Q What was usually discussed at the very senior staff meeting?

1 A What we were going to do for the day, kind of what the plan was for, you know,
2 assignments. Here is what the President is doing. Who is got what. Who is traveling. You
3 know, who is doing what. Like, kind of organizationally for the day, thing for the day, what we were
4 communicating.

5 Everything about what we were to encounter in the day, and oftentimes we would -- you
6 know, that was how we conducted strategy sessions for what we were doing in the Presidency.

7 Q Did the like daily decisions that President Biden had to make come up in those
8 meetings?

9 A Yes. Yeah, and how to percolate them to the President. So how to prepare decision
10 memos, you know, how to give him -- you know, we did decision memos, option memos, kind
11 of -- that resembled all of the other, you know, in my experience, President Obama, President
12 Clinton.

13 But just oftentimes material was presented or memos were presented and discussed so that
14 he could make a decision with some optionality, choices.

15 Q Did the President ever show up to the very senior staff meetings?

16 A Very rarely, very rarely. Maybe sometimes to say happy birthday or sometimes -- the
17 very senior staff -- I can't even remember -- we were 10 or 12 or 12 or 14, but something like that.
18 And then we had another layer of staff that were still a number of assistants to the President in a
19 larger group. I would say a number of probably 30, something like that, 30 or 35.

20 Q That was the one that occurred after 8 o'clock?

21 A Yes, usually kind of 8 o'clock and the 8:20. Very similar to what President Obama did.

22 Q What was discussed in the latter meeting?

23 A Usually a more efficient description of what we were doing for the day, and it was also
24 the opportunity for the other departments to report in to both the senior staff and to the chief of
25 staff about what was going on in theirs.

1 But the smaller meeting also had a kind of communications orientation to it just because, you
2 know, how is the President going to project for the day? The larger meeting included like our inner
3 governmental affairs office, our public affairs office, just a broader group of people in the White
4 House. Our leg affairs person was in this broader group.

5 So it was just a way to manage, have everyone heard without kind of overwhelming every
6 meeting with 30 people.

7 Q Did the President show up to that one?

8 A Again, only on occasions.

9 Q When would the President usually get to the oval in the morning?

10 Mr. Sauber. If you know.

11 Mr. Richetti. I don't know. I don't know precisely. Some mornings it would be depending
12 on what was going on in the world. 8 o'clock in the morning, sometimes 9 o'clock in the morning,
13 sometimes 10 o'clock in the morning.

14 BY MR. BENZINE:

15 Q Did you have oval office walk-in privileges?

16 A I don't know if I would call them walk-in privileges. You know, again, there is a set of
17 people outside, but I certainly could -- I had as much access to the President as anyone in our White
18 House did, but we certainly maintained some courtesies, respectful courtesies with respect to the
19 President so you just didn't barge in the door and say, hey, what's up.

20 Q But you didn't have to make an appointment every time you needed to see him?

21 A No.

22 Q Who else had that kind of access?

23 A Most of the senior staff. I would say all of the senior staff. Maybe -- well, I don't
24 know. Some people felt more comfortable. And, again, it wasn't an elaborate procedure. You
25 say, hey, I have got something I need to raise with the President, and there were three people who

1 worked just outside where the oval office is. There is like a very small office and a reception area,
2 and so you would just go into that, and those people would usually knock on the door for you and
3 say, so and so here would like to visit with you for 5 minutes. And that was the way you could get
4 in the door.

5 I will say, you know, you do try to get, Jeff and Ron both, you know, did try to kind of manage
6 the flow just so that it wasn't like everybody in the west wing could just walk in and say, hey,
7 Mr. President, here is what I have got today.

8 Q You just said most senior staff had similar. Do you mean the very senior staff
9 delineation or like the 40 other?

10 A Yes. I think the very senior staff felt probably that they had the same privileges and
11 access.

12 Q Did you have residence privileges?

13 A No.

14 BY MR. GREENBERG:

15 Q Can I ask a follow-up?

16 When you said that Mr. Klain and Mr. Zients tried to manage the flow of people going into the
17 oval office, did they ever have a conversation with you about your level of going into the office?

18 A No.

19 Q Okay. Thank you.

20 A At least not that I remember. You mean was I overdoing it at some point? Is that --

21 Q Yes.

22 A I don't think they ever suggested that.

23 BY MR. BENZINE:

24 Q Do you know if any -- delineating between White House staff and the kind of normal
25 resident staff, do you know any White House staff that had residence privileges?

1 A I don't know what the word -- I mean, we all -- we went up into the residence many
2 times. He had his private office up there, and we had meetings on a relatively regular basis in that,
3 you know, there is an office on the third floor where we did many meetings and walked up the stairs.

4 So I guess in that terminology, we had residence privileges in that we went up for those
5 meetings, but I don't think anybody just walked upstairs that I am aware of without some
6 understanding.

7 Maybe Jacob -- you know, the President had a -- I guess it is an unfortunate term, but like a
8 body guy, a person who helped him administratively every day.

9 And I don't know whether Annie or Anthony had -- whatever that term again that you were
10 using -- residential privileges, but the two of them were closest to them and kind of managing their
11 day-to-day, and so they -- again, I don't know whether that was called -- I don't think we called it
12 anything. It just --

13 Q I think it was reported that Ms. Tomasini and Mr. Bernal had RES stamped on their
14 White House badge to delineate residence.

15 A I don't know that.

16 Q Did you have RES stamped on your badge?

17 A I don't know. I don't remember. There was some color coding to the badges about,
18 you know, what you did and how you got in, and to be honest with you, I never really knew what it
19 meant or not.

20 Q Would you -- I just want to make sure that we get this right. Would you describe
21 Ms. Tomasini and Mr. Bernal as like the most involved day-to-day with the President?

22 A I would say the most involved in terms of -- yeah, their kind of day-to-day intimate
23 schedules, what they are doing, that were public and their private scheduling, you know, those kinds
24 of things, yeah.

25 The two of them probably had more to do with -- because there are things that -- the

1 President worked out in the morning. There were a number of things that were private activities of
2 the President that were not, you know, part of a public schedule or something that we didn't discuss
3 with the rest of the White House.

4 But if he was working out, they had a slot in the schedule that said -- I can't remember if it
5 said private time or whatever the hell it said, but we certainly had blocks of time that were
6 considered private.

7 And Annie and Anthony for both of the principals were most involved in helping to, you know,
8 construct that or manage that.

9 Q What about most involved in travel? Would you describe Ms. Tomasini and Mr. Bernal
10 as the ones that traveled the most with the President?

11 A No. I would say Bruce Reed of the senior staff. Bruce did a lot of the Presidential
12 trips. We called it like a chief of staff on the road that performed that function. So Bruce went on
13 80 percent of the trips. You know, sometimes I went. Sometimes Ron went. Bruce went, by far,
14 more often than any of us.

15 Annie, depending on her role, because for the first 2 years, she was, you know, an assistant
16 but ran what they call oval operations, stuff right outside of his office.

17 Then Annie became deputy chief of staff when Jen O'Malley Dillon left, and she absorbed all
18 of the roles, which was I think was called the deputy chief of staff for operations. I think that was
19 the specific title that was -- that became her role.

20 BY MS. HARKER:

21 Q Did Bruce Reed do only domestic travel with the President or international as well?

22 A No, he did both.

23 Q Thank you.

24 A Although, sometimes I went on international trips. Mike often, depending on the
25 nature of the speech, if it was speech driven, often Mike would go. He was the speech writer.

1 We just had a set of people who would perform those functions, but because Bruce did it
2 more regularly than anybody, I would say he was the -- you know, on the plane, he had like a
3 traveling chief of staff.

4 And I think, as you guys know, there are a variety of responsibilities. And, again, if Bruce
5 wasn't there, most often I was. That was continuity of government responsibilities. You had a
6 chief of staff on the road role, and you rode in a controlled car with all of the continuity of
7 government, with the Service, right behind the President.

8 It was separate from -- it was separate from how the rest of the White House staff even
9 traveled in the motorcade just because of the continuity of government responsibilities. So there
10 was a national security person and a, you know, road chief of staff that were in the car, either one or
11 two behind the President, and had the functions and the responsibilities to worry about if something
12 bad happened, you know, where you're supposed to go and work with the Service on that.

13 And if 10 other White House staff were traveling with the President, they were usually in a
14 staff vehicle that was behind that.

1 [1:44 p.m.]

2 BY MR. BENZINE:

3 Q You said -- you keep saying Mr. Reed traveled the most amongst us. Who is the us?

4 A Jeff, me, Mike, Jen, Annie, you know, the senior staff.

5 Q You worked in three White Houses. Was it common for the First Lady's chief of staff
6 and the director of oval operations to be the two that are most intimately involved with the
7 President?

8 A Yeah, usually -- most intimately involved on their kind of day-to-day activities, especially
9 when Annie was head of the oval office operations, that was -- in each of the White Houses that I
10 operated in, the three people who were just outside the oval had responsibilities that were, you
11 know, very much minute-by-minute, you know, here is what the President is doing at 7:30, if
12 they're -- you know, again, this feature was something, but if he was working out in the morning,
13 making sure, you know, what time did he want to have dinner, working with the resident staff, you
14 know, those -- all of the things about his day that were more personal were orchestrated and run and
15 managed really out of that office that's just outside.

16 And that would -- that was the way both President Obama and President Clinton, I don't know
17 about President Bush, but that's similar to the way they did it.

18 Q We're going to go into the process a little bit more later, but did you have a formal role
19 in either creating the briefing or the decision book?

20 A No, not a formal role, although, you know, many of us we contribute a memo and, you
21 know, you know, participate in what became parts of the memo, but I didn't have any -- no formal
22 role. In fact, I don't even know how exactly it was done. We were still a little somewhat old
23 school in that, like you guys, the President still did paper notebooks and memos rather than an iPad,
24 which has become -- even with respect to the security briefing, the PBS, as I'm sure you know, you
25 could get it one way or the other, you could get a hard copy or you could get it just on an iPad.

1 Q In the -- we'll start with the briefing book. No formal role, so not -- you know, like the
2 process kind of as we understand it is whoever is in charge of the underlying meeting that the
3 briefing is going to be about drafts a memo, it goes to the staff secretary's office, goes to the chief of
4 staff's office, goes to the President, and then flows backwards?

5 A Exactly.

6 Q Okay. Similar for the decision book, whatever department in the White House is in
7 charge of whatever decision is --

8 A Yeah. And those things are kind of merged. I mean, I think something -- there wasn't
9 like a separate, that I was aware of, a separate, you know, here is a decision book today, here is your
10 briefing book. A lot of times decision memos -- although both Ron and Jeff as chief of staffs, and a
11 number of times I participated, but would go in separately for presidential decisionmaking and meet
12 with him kind of before larger meetings with staff and they would have, you know, here is six memos,
13 can you sign off on this, this, this, and this, and they would just go in and discuss it with him privately.

14 Q Well, the informal role, would you see it -- would you see decision memos prior to their
15 presentation to the President?

16 A Yeah. Usually -- I would say most of the time if something was being presented to the
17 President for a decision on things that I kind of had jurisdiction over, either responsibilities or
18 something kind of connected to them, but not for everything.

19 There were certain things that the chiefs of staff, both of them handled from a -- some, you
20 know, percolated through the counsel's office. And many more administrative matters where it is
21 possible somebody tried, you know, to show me everything, you know what I mean, it's possible, but
22 I was not the type of person who had responsibility for reading and approving and authorizing every
23 memo to him. But I think as a courtesy I was almost always cc'd on something or -- you know, for
24 the President's attention.

25 Q Did you ever edit any of the memos?

1 A Did I ever edit them?

2 Q Yeah.

3 A Yes, certainly the things that had to do with congressional relations, legislative affairs,
4 you know, the vicinity of things I -- I think is probably true, maybe you guys already know, but I don't
5 think I authored many -- I am one of the, you know, older school, as you could probably tell from the
6 elongated answers I'm giving to everything you ask, I'm just -- you know, I didn't do a lot of briefing
7 memos and presentations. I'm sure I did maybe a dozen or more, but I didn't communicate by
8 emails that frequently. I had a poor reputation, I think, for being -- for email responsiveness.

9 Q Our understanding of the decision memos is that they would have kind of, like you said,
10 optionality on them of like approve, disapprove, need more research, and then there is a possibility
11 of like tweak by 100 million, that kind of optionality.

12 A Yeah.

13 Q Is that fair?

14 A I think that's fair. I don't know what, precisely what that last part meant, but I think
15 the decision memos were presented to the President with an accept, reject, or he could write in the
16 margins and say, or let's come back to this, let's think about this, and that process was driven by the
17 staff secretary. And often to drive things to a conclusion the chief of staff would meet to make sure
18 the President signed off.

19 Again, this is just a -- I apologize, again, for prolonging this, but the President was hyper, you
20 know, he wanted to make, you know, he made all the decisions. I mean, he wanted to see stuff, he
21 wanted to make sure that he was, you know, authorizing things that went on in the White House, or
22 making the decisions.

23 And so sometimes decision memos of a President are about like what we're going to say
24 publicly about some policy. They're, you know, they're policy recommendations and how you
25 articulate them. So they're not like I'm going to do something formally within the prerogative of

1 the President, but I'm going to make a decision about what we're going to say about some policy.

2 And so those things go to the President without any kind of, you know, need a signature thing
3 to know, but it was the mechanism by which the President could give direction through written
4 communications, which, again, was very similar to what President Obama and President Clinton did.
5 And one of the things about the presidency, I mean, they would almost always, and this President
6 obviously included, you know, take up a notebook at night for review, you know, over night and
7 come back so that you could try to dispense with some of these items.

8 Q And just distinguishing between decisions on communication strategy or policy strategy,
9 he would sign off on the actual policy?

10 A Yeah.

11 Q And that would be --

12 A Yeah, directionally, and then the communications staff or others would drive and
13 execute off of that direction on how we made decisions about policy. So a little more complicated
14 in the national security realm, as I'm sure you guys know, just in terms of the nature and classification
15 and how things get treated. There was some more formality on that. But this was a pretty, you
16 know, kind of rigorous process to percolate information to the President.

17 Q I just -- I'm sure I'm going to hear asked and answered when I ask this again, but I just
18 want to be -- you keep saying sign off on the direction.

19 A Yeah.

20 Q Not sign off on the decision.

21 A Well --

22 Mr. Sauber. Asked and answered.

23 Mr. Ricchetti. Yeah, I don't know what to say. Both, I guess, is the answer.

24 BY MR. BENZINE:

25 Q That's what I'm trying to get at. I'm not trying to -- it's not a trick question.

1 A Yes.

2 Q There's a difference if --

3 A Some memos ask for direction, and some memos would ask for a decision.

4 Q That's all I was trying to get at was there's a difference between how do you want to
5 message this and do you -- are you going to sign this bill. Those are different buckets.

6 A And in both instances the President would sign off and there was this process.

7 Q And he would -- there would be a decision memo for whether or not to sign the bill, or
8 offer the executive action?

9 A Yes.

10 Q Or take a part in --

11 A Yeah. And usually some explanation, here is what you're going to sign today, you
12 know, in this thing, some written description. I mean, again, I don't know, I was not in this, you
13 know, this was -- how this was mechanically done I can't actually say because the staff secretary, that
14 was their role and responsibility is kind of to handle the paperwork presentation to the President, the
15 chief of staff.

16 If anything was lingering, or there was something, the chief of staff would bring it to his
17 attention. If it had a time dimension to it, it needed to be signed off by a certain date, all of those
18 mechanical things, either the chief of staff or the staff secretary was responsible for getting that
19 done.

20 I think on occasions, rare occasions people would break the rules and shove a piece of paper
21 that they thought, oh, we've to get this done by the morning, or you need to make a decision, I'm
22 going to a press conference, you know, at the Department of Education, we need direction, we need
23 advice, you know, how the hell should we present.

24 So sometimes I think people would try to kind of get around the system a little bit, to the staff
25 secretary's dismay, but, you know, the process, and both of the chiefs of staff stuck to this pretty

1 rigorously, was to make sure that it went, decisionmaking went through the staff secretary's office
2 and then -- including, you know, paperwork, drafts for speeches, you know, I mean, as you're saying
3 this, in the President's notebook there's not just -- it's event memos, here is who you're going to see
4 tomorrow, here is who's going to be in the photo line, here is, you know, all of the mechanical things
5 that I know work the same on the Senate and the House side for Members, although this -- at this
6 presidential level is a much more kind of daily administratively-type process.

7 Q Outside of the decision books that the President would take with him at night, I'm
8 assuming, you weren't there to brief him then, would you be in the room briefing on we need to
9 make a decision on X or on Y?

10 A On occasion. I don't even know how to say on occasion precisely. The chief of staff,
11 Ron and/or Jeff, would oftentimes meet with the President alone to kind of drive, we need a decision
12 with respect to the memos and get signed off on things.

13 Particularly in the last two years with Jeff, more often than not he might go in for 5 minutes,
14 but I was -- Jeff and I would often go in with the President alone and kind of get the day started with
15 the two of us together.

16 When we started, Ron did some of that by himself, and then they would call and say, Steve,
17 why don't you come down. And so I didn't do the train is running on time part of the job. That
18 was the chief of staff's role and the more administrative functions.

19 Both the staff secretary and the counsel's office sometimes, just how things were handled
20 mechanically by the counsel's office, was important to make sure that something was done in
21 conformance with whatever the requirements of the law were.

22 Q For the decisions within your purview, would you witness the authorization?

23 Mr. Sauber. Excuse me. The authorization, what exactly --

24 BY MR. BENZINE:

25 Q President Biden signing the decision memo.

1 A No, I certainly wasn't present many times he did, and many times he did it up -- you
2 know, would do decision memos over night and review material over night. And I would say, you
3 know, less often was I present where he said, okay, sign off, I'm doing it.

4 Although I was some, you know, I would say some of the time, but I can't say that I was there
5 the majority of the time. The chief of staff usually was in that role, or the staff secretary would
6 come up and run through, here are the things we've got to get signed off on today.

7 Q Were, to the best of your awareness, were there any decisions made without a decision
8 memo?

9 A I don't think so. Instruction, direction by conversation, you know, that went on, you
10 know, every day. That was part of the job. So we had a dialogue about advice and counsel. And
11 he would say, I think this is what we ought to do sometimes, and people would go to work based on
12 both his oral instruction and/or written sign off. And not everything, again, as I said, there's
13 this -- there's things in the presidency that require presidential sign off to become law, he's got to
14 sign the bills, you know, the direction with respect to things that he has a particular presidential
15 authority that required his signature.

16 And then there's a whole another basket of things that are directional, here is what I think
17 we -- you know, here is what we're going to articulate as our policy. This is -- you know, even our
18 communication strategy he would sign off on, you know, here is talking points we're using, things like
19 that. Sometimes, and sometimes those would be done with him in written communications, and
20 sometimes orally.

21 Q I want to separate the kind of like direction of how I want to talk about this --

22 A Sure.

23 Q With the actual decisionmaking.

24 A Yep.

25 Q Were there ever instances where President Biden said, I'm going to sign that bill orally

1 versus signing a decision memo?

2 A I don't think so, but I don't know. I don't know the answer. I'm not appreciating the
3 distinction. He -- I guess you're asking, could he say I'm going to sign that bill orally and then sign
4 that bill orally, yes. He couldn't say I've signed that bill orally, therefore, it's done, if that's what you
5 mean.

6 Q No. No. No. I'm trying to understand if there's a record paper of --

7 A I don't know the answer to that. I'm sure the staff, you know, I'm sure both either
8 through the chief of staff or the staff secretary that that -- the paper trail behind all of this I'm sure
9 exists. At least I'm saying I'm sure. I don't know for sure because it was not my lane.

10 Q Your role as counselor, you primarily served, you know, legislative affairs capacity; is
11 that correct?

12 A Yeah. And external affairs of all kinds. I did a lot of the liaison with the public.
13 Some percentage of my time doing, you know, what I guess are called political assignments in and
14 out of the White House, but with constituencies of every variety.

15 Q Did you oversee OLA?

16 A Yeah, I would -- again --

17 Mr. Sauber. I'm sorry.

18 Mr. Ricchetti. He said oversee OLA.

19 Mr. Sauber. OLA meaning what?

20 Mr. Benzine. The Office of Legislative Affairs.

21 Mr. Ricchetti. Yeah. Yeah. I oversaw it, although they always tried to make sure that my
22 role as counselor and I had, you know, that basket of responsibilities was primarily mine. But we
23 had an assistant to the President who ran that office and I didn't like go to the daily legislature staff
24 meetings or anything like that.

25 Q What's the difference between that office and your role? What would be an issue that

1 you would take up versus the legislative affairs?

2 A I think I ended up being, and I'm not saying this to subtract from anything else because
3 we did this all in partnership, but I think I was a lead negotiator on most of the big, not all of the big,
4 congressional negotiations we had, things that we did legislatively. And I did that in partnership
5 with both of the people who were the assistant to the President, they managed their staffs, the daily
6 relationships with Congress.

7 As you know, eight or ten special assistants to the President who handled that kind of liaison
8 roles for the White House, but -- and so many many things that existed in the legislative affairs
9 portfolio that either Shuwanza or Louisa directed every day and managed.

10 But in terms of the overall strategic approach to legislating, relationships with Congress, more
11 formal talks, particularly with leadership, I would probably -- and with respect to the chief of staff, I
12 was -- that part of the White House operation was principally my responsibility.

13 Q Would you speak to members or Hill staff daily?

14 A Yeah.

15 Q Would you go to the Hill once a week, that kind of --

16 A Yeah.

17 BY MR. GREENBERG:

18 Q Did your responsibilities include investigations conducted by Congress of White House
19 deputies?

20 A No. It was more in terms of, you know, direct responsibility run out of the counsel's
21 office, and out of the chief of staff through the counsel's office for that kind of thing. But anything
22 that involved the Congress I certainly was aware of.

23 With respect to a couple of the investigations, I didn't participate in the kind of daily or even
24 weekly meetings with respect to those investigations because they -- certain matters, you know,
25 would just get cornered off in the White House driven by the counsel's office.

1 Q Did you have access to -- you touched on it a little bit, but did you have access to
2 President Biden's schedule, both public and nonpublic?

3 A Yes.

4 Q Did you ever edit the schedule or make suggestions?

5 A Yes. We had a weekly scheduling meeting with the senior staff and everybody got
6 to -- you know, everybody of that senior staff could offer suggestions, react to it, you know, or react
7 to what was proposed.

8 Q Was it ever changed based off that meeting?

9 A Yeah.

10 Q Did you have any involvement --

11 A I hope.

12 Q Did you have any involvement in the production of official White House transcripts?

13 A No. I don't think so, although it is -- again, I probably -- I might have been asked to like
14 review transcripts, you know, for a final editing, that kind of thing, although I didn't -- you know,
15 again, that was primarily other people's jurisdiction.

16 The way the White House worked, and this was not unusual, there was kind of a group of
17 senior staff people that would be cc'd on almost everything for awareness purposes, and some things
18 that were immediately in your jurisdiction you paid very very close attention to. Other things, it
19 was more for your information type things.

20 Q Were you involved at all in cabinet meetings?

21 A Yes. I mean, I attended them.

22 Q Was your involvement more than attendance?

23 A I would say not dramatically. I mean, we have a cabinet secretary person who
24 constructed the agenda for the meetings. Oftentimes here is what was going to go, the meeting
25 schedule would be shared at the senior staff meeting, does anybody have any other

1 recommendations we should, you know, anything else that we should put into the structure of the
2 cabinet meeting, how they should be conducted, that kind of thing.

3 So we were generally invited to, you know, participate in thinking through a cabinet meeting,
4 but they were really driven by the person was the cabinet secretary and the White House and the
5 chief of staff.

6 Q Did you have any involvement in setting up the Q and A between the President and the
7 cabinet secretaries?

8 A No, I didn't mean did I -- you know, I didn't supply, you know, that kind of -- the scripting
9 part that you're describing, I think, or getting at, no. I'm sure I might have been asked if I had an
10 idea or something he should do, but I --

11 Q Can you just very briefly describe the President's --

12 A I'm trying.

13 Q Describe the President's decisionmaking process.

14 Mr. Sauber. Can we strike that very briefly from the record?

15 Mr. Ricchetti. It's not my thing.

16 Mr. Sauber. What is the question again? I'm sorry.

17 Mr. Ricchetti. I'm sorry.

18 BY MR. BENZINE:

19 Q Describe the President's decisionmaking process.

20 A In -- with respect to -- I mean, we had -- we scheduled cabinet meetings, they were
21 probably --

22 Q No. No. No. Not in a cabinet meeting. Just in general. If, you know, House and
23 Senate past a bill, it's going to the President's desk, what is the White House's decisionmaking
24 process on whether or not to sign?

25 A Typically we had already talked about it many many times.

1 Q Yeah.

2 A And it was a foregone conclusion that we were going to sign it, so the mechanical
3 process of signing something took place with everyone's understanding that we intended to sign.

4 I think it would vary -- as you know, there's many many things, pieces of legislation that get
5 passed and gets sent to the President's desk for signature that are more either routine or less kind of
6 significant, or even the deep awareness of our negotiation in that process with many things, they get
7 percolated to the President and there would be a memo, you know, you know, postal service,
8 whatever required presidential signatures, they would have a memo describing here is what's in this
9 thing.

10 He would ask questions about what it was, if he had them, if it was kind of clear or routine. I
11 think, Dick, you might know, or remember better than I, but I think they came with, you know, we
12 recommend you sign, you know, with staff recommendation attached to it, but I'm not --

13 Mr. Sauber. Let me just clarify one thing. You mentioned the mechanical process, I just
14 want you to explain what you meant by that. Did you actually mean a machine?

15 Mr. Ricchetti. Oh, no. No. What I mean is the process by which this occurs.
16 Administratively, is that a better word? Administratively. I didn't -- I don't know how or what
17 decisions were made about using the autopen, if that's what you're getting at. That was --

18 BY MR. BENZINE:

19 Q Not yet, but --

20 A Okay. But there was an administrative process that was, again, very similar to what
21 went on in previous presidencies.

22 Q Let's take, understanding there are a lot of discussions prior to the House and Senate
23 passing a bill, so let's take like -- I don't remember what the first reconciliation bill was called.

24 A Rescue Plan.

25 Q Rescue Plan. How involved was -- like when would you bring a decision point to the

1 President versus what was a staff decision point?

2 A He was very involved, and, again, my role, very involved in how it was being developed,
3 how it was being structured, what the kind of puts and takes are. The President in legislative
4 decisionmaking, this is where he had superpower, and so I discussed where we were legislatively and
5 our bigger priority things with him on a nearly daily basis. So he was very involved in both the
6 strategy, the status, you know, he -- I think it's widely known, he was extremely respectful of the
7 Congress and held --

8 It was very important to his core of who he was and how he -- his role in the presidency of his
9 respect for the Senate and the House and just what service in the Congress meant.

10 And he also had -- he had strong opinions about, you know, strategies that made sense, and
11 strong opinions about strategies that didn't, and we executed on the basis of his direction on all
12 those for our role in it.

13 And a lot of times I -- just because, like some people follow sports, you know, the
14 congressional decisionmaking process to the President was always of interest, and who was saying or
15 thinking or what they were feeling, and I tried to share as much as I could about what was going on
16 with the President about just how things were developing and the ongoing strategic considerations
17 for what we might do to get something past.

18 Q And our understanding is that he wet signed every piece of legislation. Is that your
19 understanding as well?

20 A I don't know what that word --

21 Q He personally signed it.

22 A Yeah, I don't know the answer to that.

23 Q Were you involved at all in the production of executive orders?

24 A No. And, again, I'm saying no more emphatically than I probably should in that I think I
25 probably -- again, they might have -- I might have been cc'd on them, but it certainly was not my --

1 Q But you weren't necessarily involved in briefing the President on issuing this executive
2 order, that executive order?

3 A No.

4 Q Did you ever have to wake up the President?

5 Mr. Sauber. During -- just clarify, you mean during his presidency in the middle of the night,
6 that sort of thing?

7 BY MR. BENZINE:

8 Q Yeah.

9 A Yeah. No, I don't think I was the one. Either the chief of staff -- I can't remember
10 that I ever called him in the middle of the night, although I was with him at Camp David in this kind of
11 chief of staff role. And particularly during COVID, in the first year one of us traveled with him even
12 if he went to Wilmington, you know, again, for continuity, government reasons, so I can't remember
13 whether I would have woken him up for -- it would have to be, you know, something that was
14 important or something internationally that either I could have gotten to him faster than a national
15 security advisor. But I can't remember whether I ever did or not.

16 Q I'm going to ask you to stick with me while I read a rather long paragraph.

17 A That's okay.

18 Q Surrounding the withdrawal from Afghanistan, the Wall Street Journal reported that
19 Congressman Adam Smith, who I believe was chairman of Armed Services at the time?

20 A Uh-huh.

21 Q Found President Biden unusually hard to reach when he wanted to share his concerns
22 with the President ahead of the withdrawal, that Mr. Smith sought to talk to Biden directly to share
23 his insights about the region, but couldn't get on the phone. And then Mr. Smith said that the
24 administration lacked, quote, a clear-eyed view of the US-backed government's durability.

25 He then got a phone call from the Secretary of State Mr. Blinken, which Mr. Smith took, and

1 then got an apologetic call from Biden.

2 Did Chairman Smith ever reach out to you regarding communications about the withdrawal of
3 Afghanistan?

4 Mr. Sauber. Can you tell us what the quote is that you just read, where is it from?

5 Mr. Benzine. I believe it's from Original Sin -- or it's the Wall Street Journal. Excuse me.

6 Mr. Sauber. Yeah. Okay. A Wall Street Journal article.

7 Mr. Ricchetti. Okay. I don't remember the precise incident or episode or event where he
8 was trying to do that, and that might have -- you know, it could have percolated either through
9 Louisa, or back then it would have been Louisa, I think, or the request could have come to -- as you
10 know, sometimes a memo will call multiple White House staff people to say I'm trying to reach -- you
11 know, I need to reach the President, if the President can't reach him the --

12 Again, from a timing perspective, or sometimes just in terms of being most responsive we
13 would either call a secretary and ask the security advisor, somebody to communicate directly on
14 behalf of the President as fast as we can just so that the phone call got made.

15 And then if we felt like we didn't get something done in an appropriate time frame, you know,
16 the President called, he would call and say I'm so sorry, my idiot staff didn't put this to me fast
17 enough.

18 And, of course -- you know what I mean. He was, again, hyper-respectful of both the
19 opinions and the advice and counsel of members of Congress who he respected just because of the
20 nature of their service?

21 But I will say, one of the challenges -- you just -- one of the challenges for chief of staff, in
22 particular, and, you know, as a person who was in this intermediary liaison function was, you know,
23 when you should make -- you know, everybody would like to talk to the President all the time.

24 You would have to organize it and structure it in a way that is efficient and fair and doesn't
25 create collateral problems because one person got to talk to him three times and, as you know,

1 members go back and say I just got off the phone with the President, and then 20 other members
2 say, son of a bitch, why didn't I get to talk to the President today because -- so you do have to
3 organize and structure it with respect to congressional relations?

4 Mr. Sauber. I think the answer was, no, he does not recall.

5 Mr. Benzine. Well, I want him to actually say that, so I'm going to ask it again.

6 BY MR. BENZINE:

7 Q Did Chairman Smith call you to try to get in touch --

8 A I can't remember if he called me or he called Louisa or he called someone -- I suspect
9 the episode occurred, but I can't remember who he called.

10 Q Okay. It was reported that it was the only phone call that the President ever made to
11 Chairman Smith in the 4 years in office. Do you know anything?

12 A I don't know that. I talked to Chairman Smith regularly.

13 Q Were you involved at all in the FISA reauthorization efforts?

14 A The answer is, yes, but really more tangentially rather than, you know, with personal
15 responsibility. Louisa worked on that quite a bit.

16 Mr. Sauber. And just to -- when he's saying Louisa, you mean Louisa Terrell.

17 Mr. Ricchetti. Yes.

18 Mr. Benzine. Yes.

19 Mr. Sauber. Okay.

20 BY MR. BENZINE:

21 Q Did Congressman Himes ever reach out to you regarding FISA reauthorization?

22 A Not that I remember.

23 Q The Former Senator Manchin was involved in an awful lot of negotiations with the
24 President?

25 A Yes, he was.

1 Q He was often, I guess, the 49th vote, or 50th vote, or whichever?

2 A Yep.

3 Q Did you attend those negotiations --

4 A Yes.

5 Q Between the Senator and President Biden?

6 A Yes.

7 Q Who else would attend those meetings?

8 A No one.

9 Q Who led the meetings, you or President Biden?

10 A The President.

11 Q Senator Manchin had said at some point that staff seemed like eager beavers in those
12 meetings. Do you disagree with his --

13 Mr. Sauber. Just give us the reference to what you're -- where is that from?

14 BY MR. BENZINE:

15 Q I mean, did you ever hear Senator Manchin refer to Biden's staff as eager beavers?

16 A No. And that would have been at a larger meeting, not when we did private meetings
17 with Manchin. Sometimes Manchin brought a staff person with him. So when I said just us in the
18 White House, it was just typically the President, but we had different structures to different meetings
19 for different purposes.

20 Sometimes we had a larger group present in a discussion with Senator Manchin. I thought
21 you were getting at kind of the, the meetings that were on the Rescue Plan and the Inflation
22 Reduction Act and others, you know, in the end. A number of meetings with Manchin we had
23 individually. And without revising and saying it too long, you know, part of the problem, again, in
24 these meetings is you do a meeting, and then everybody else wants a meeting, too, and --

25 Q Was President Biden effective in those meetings?

1 A Yeah. Enormously effective.

2 Q Senator Manchin said a similar thing, and I'll just ask you if you ever heard it, Senator
3 Manchin said that he thought President Biden lacked stamina in those meetings. Did you ever --

4 A No.

5 Mr. Sauber. I'm sorry. Did you ever what? Let's --

6 Mr. Benzine. In Mr. Ricchetti's opinion, did the President lack stamina in those meetings.

7 Mr. Ricchetti. No.

8 Mr. Greenberg. Why do you think Senator Manchin said that then?

9 Mr. Sauber. First of all, I don't know where you're reading from. He doesn't give us a cite,
10 you know, that would be great, but to throw these things out just doesn't really hold us over.

11 Mr. Greenberg. Do you disbelieve that Senator Manchin said that?

12 Mr. Sauber. It's -- come on. If you have a quote from Senator Manchin, tell us.

13 Mr. Greenberg. We can go off the record and I can print this document, and I'm happy to do
14 that. I'm just asking you, do you -- does Senator Manchin, in your experience --

15 Mr. Ricchetti. As I said before, and I apologize for interrupting, I try not to read out what
16 occurred in a meeting between the Senator and the President like universally in all cases all the time.
17 So what Senator would have said about that meeting with the President is his business and you'll
18 have to ask him.

19 My view of the President, and this is universally in these meetings, he was very effective, he
20 was persuasive. I don't know about which issue you're talking, but President -- Manchin voted for
21 the Rescue Plan, he was the 50th vote, and he voted for the Inflation Reduction Act after everybody
22 told us it was dead and gone for a month and a half, including reported on the front page of the New
23 York Times.

24 So in whatever ways the President could be effective in persuading Senator Manchin to get
25 across the finish line in those two instances, he did.

1 And he also voted for Ketanji Brown Jackson, and a number of other what were at the time,
2 you know, 50th vote propositions where Manchin needed to vote with us.

3 I worked with him all the time, I spoke to him all the time, and when the President met with
4 him on the times it was -- they were decisive meetings for very important legislative objectives.

5 Mr. Greenberg. And did Senator Manchin ever bring up that the President lacked stamina in
6 the meetings to you?

7 Mr. Ricchetti. No. Not that, again, I can't say -- I don't want to say something on behalf of
8 somebody --

9 Mr. Sauber. Do you recall, do you recall him ever saying it?

10 Mr. Ricchetti. I don't recall.

11 BY MR. BENZINE:

12 Q Shifting a little bit, and I think based off of some of your previous testimony we'll know
13 the answer to this and we can move through it quickly. Were you involved at all in the process of
14 authorizing or using the autopen in the White House?

15 A No.

16 Q Do you know the process of authorizing or using the autopen in the White House?

17 A I don't know how he made those decisions. It is possible, again, that I was cc'd on
18 something, or that it was raised in a staff meeting, we're going to have this signed by the autopen
19 because he's overseas or whatever, but, again, my -- I just never spent any time thinking about this in
20 any connection in the way that unfortunately you guys are bringing this to our attention.

21 Q Did you ever direct the staff secretary to use the autopen?

22 A No.

23 Q Do you know where the autopen is located?

24 A Nope.

25 Q Similar to one of Jake's questions earlier about your involvement as legislative affairs

1 and congressional investigations, were you involved at all in the investigations into Hunter Biden?

2 A No.

3 Mr. Sauber. What does involved at all mean?

4 BY MR. BENZINE:

5 Q Were you in any conversations regarding the congressional investigation into Hunter
6 Biden?

7 A If they were -- if it was raised in a senior staff meeting, I was present in the senior staff
8 meeting, but I don't -- I think, again, I think this was handled by the counsel's office.

9 Q You weren't aware of any conversations where the White House's position was to not
10 cooperate with Congress?

11 A No. I mean, again --

12 Mr. Sauber. No.

13 Mr. Ricchetti. I don't --

14 Mr. Sauber. He answered.

15 Mr. Benzine. I know. Respectfully, but you said no, and I understand he said no, but you're
16 not testifying today.

17 Mr. Sauber. I know I'm not, but he said no, and I want you guys and the record to realize
18 that he said no because I thought it was under his breath and it wasn't heard.

19 Mr. Benzine. Okay.

20 Mr. Sauber. Okay.

21 BY MR. BENZINE:

22 Q Hunter went on criminal trial, I don't remember, November 23-ish?

23 Mr. Greenberg. Yeah.

24 Mr. Benzine. Did President Biden want to testify at that trial?

25 Mr. Sauber. Let's be clear, the trial in Delaware or about the gun license, is that --

1 Mr. Benzine. In Delaware.

2 Mr. Sauber. In Delaware. Okay.

3 Mr. Ricchetti. I don't know.

4 BY MR. BENZINE:

5 Q Did the first Lady want to testify at that trial?

6 A I don't know.

7 Q Were you involved at all in the scheduling of the First Lady flying back and forth all over
8 the place in order to be in Delaware for that trial?

9 A No, I wasn't.

10 Q Did you have any discussions with the President regarding his pardon of his son Hunter?

11 A Yes.

12 Q What were those?

13 A I was able to provide counsel to him with respect to what the political implications of
14 what that pardon might be, and I offered him my advice.

15 Q What was your advice?

16 Mr. Sauber. Is this really relevant to what his advice was to any issue that you're
17 investigating?

18 Mr. Benzine. Yeah.

19 Mr. Sauber. I don't see how.

20 Mr. Benzine. What was your advice?

21 Mr. Sauber. No. Honestly, I don't -- this seems to be so far off the track. And as you
22 know, it goes right to the heart of executive privileges. I just don't understand the purpose of it.

23 Mr. Ricchetti. And I --

24 Mr. Sauber. Hold on.

25 Mr. Benzine. Mr. Biden, Hunter Biden's pardon was the only one that the President

1 physically signed. The President's mental state surrounding that pardon is at the heart of this
2 investigation, so I'm asking what your advice was regarding that pardon.

3 Mr. Sauber. Why don't you ask him what his impression of the President's mental state was
4 instead of what his advice was because the advice is off the point, and it goes right to the issue that
5 we've discussed.

6 Mr. Benzine. I really don't think it's off the point.

7 BY MR. BENZINE:

8 Q Whether or not the President was in the head space to accept or deny your advice is
9 imperative to this decision. What was --

10 A It was the President's decision, and I -- and I believed that the President should make
11 the decision, and he did.

12 Q What was your advice regarding the pardon?

13 A I told you, I gave advice about the implications of the timing of the pardon, not about
14 the pardon itself, which was the President's decision to make and --

15 Q Did you advise the President against pardoning his son?

16 A I don't know how else to answer the question. I asked -- or advised the President
17 about the implications of the decision to do it with respect to timing, with respect to the implications,
18 the political implications of that decision.

19 Q When was the first time the President mentioned he was planning on pardoning his
20 son?

21 A I don't remember precisely, but it was -- it might have been in July or August after we
22 had -- after we made the decision to get out of the race, but I'm not -- again, just like you're
23 struggling with November 23, I can't remember precisely the first time we had the discussion.

24 Q Do you recall the President saying publicly he was not going to pardon his son?

25 A Well, yeah. The public statement that he said, yeah.

1 Q Did the President ever communicate to you why he changed his mind?

2 A I think the answer to that is I think he communicated that to us as a senior staff on
3 different points, his reasoning for why he was going to do it, but I can't, again, remember precisely,
4 or how. It wasn't to me privately. It was to two or three of us in his -- you know, emphatically
5 saying why he intended to do it.

6 Q Who were the other two or --

7 A The counsel's -- the counsel and Jeff Zients. I can't remember whether anyone else
8 was present. But we certainly understood what he intended to do. And as we did it, as a White
9 House staff, and, again, I'm trying to answer this precisely, there was obviously a communications
10 aspect to this, when he was going to do it.

11 We had a discussion about how this would be publicly announced and how it would be
12 communicated and what the implications of that might be with respect to, you know, when he was in
13 front of the press, or when he was walking out to a helicopter and how to answer questions about it.
14 So after he made the decision to pardon Hunter there was, you know, there certainly was a staff
15 discussion about how to handle that pardon decision.

16 Q Was it, to the best of your recollection, were there any advisors advising against the
17 pardoning of his son?

18 A Again, I -- not -- to the best of my recollections, the answer is no. I guess I should just
19 leave it at that. I don't know the answer. And, again, the counsel's office handled this more
20 directly than did the people with the President, just the pardons were handled --

21 Mr. Greenberg. You said the nature of your advice was about the timing of the pardon.
22 What does that mean?

23 Mr. Ricchetti. Well, in July and August after we decided to -- and, again, not knowing all of
24 the idiosyncrasies about the trial schedule because there was a Delaware case, and then there was a
25 California case, and so some of this intersected with, you know, his decision intersected with the

1 timing of that, and his other responsibilities.

2 And so what we were going to do and -- or whether he was going to do it was his decision,
3 and what he was going to do in terms of what week, what month, the timing of that would be -- that
4 was something that had political implications at any time, and so --

5 Mr. Greenberg. Did you advise the President to wait until after the election to pardon his
6 son?

7 Mr. Ricchetti. I certainly pointed out that there, you know, there might be political
8 implications to doing it before the election and after the election.

9 Ms. Harker. Did you donate to Hunter's defense fund?

10 Mr. Ricchetti. No.

11 Mr. Sauber. Why in the world is that relevant to this inquiry? Can somebody explain that?

12 Mr. Benzine. Other witnesses answered it.

13 Mr. Sauber. That's sort of what we call nonresponsive in the law. What possible relevance
14 could his constitutional right to donate to campaigns have to do with the President's mental acuity?

15 Mr. Greenberg. I think it goes to the advice that he's giving the President.

16 Mr. Sauber. So it goes to his advice that he's giving the President, which is --

17 Mr. Ricchetti. Is somebody questioning my cognitive ability now?

18 Mr. Sauber. No. No. Which is relevant to your inquiry here? Never mind. I want to
19 go on the record to say I find that question offensive, and it's totally irrelevant.

20 BY MR. BENZINE:

21 Q Did you discuss the pardon with Hunter?

22 A Yes.

23 Q What were those discussions?

24 A The question was, again, the political implications of the pardon, he certainly had
25 antenna for that and I think appreciated that that might have consequences.

1 And, again, I did this -- whenever this was raised I called the counsel's office and made sure
2 that I was speaking to Hunter in an appropriate way, and I called Ed Siskel, who was counsel at the
3 time who was handling this for the President to make sure that I wasn't crossing any lines with
4 respect to whatever conversation I had with Hunter about it itself.

5 Q Did Hunter request the pardon?

6 A I don't know the answer to that.

7 Q Was Hunter in any of the meetings with the President about the pardon?

8 A I don't know.

9 Q Did you have any discussions with Abbe Lowell regarding the pardon?

10 A Yes.

11 Q What were those?

12 A The same construct of what I just described, you know, the political implications. And I
13 called Ed Siskel literally immediately just to make sure that what I was doing was appropriate.

14 Mr. Greenberg. Did Hunter Biden have thoughts on the timing of the pardon?

15 Mr. Sauber. You should ask Hunter Biden his thoughts. Why are you --

16 Mr. Greenberg. I'm asking your client.

17 Mr. Sauber. No. You can't ask him about Hunter Biden's thoughts.

18 Mr. Greenberg. Did Hunter Biden communicate any thoughts to you about when the timing
19 of the pardon should be?

20 Mr. Ricchetti. No.

21 BY MR. BENZINE:

22 Q Did you have any discussions regarding the pardon with Bob Bauer?

23 A You know, I don't remember specifically with Bob, although, again, a discussion of in
24 terms of through the counsel's office might have occurred long, you know, long before --

25 Q I don't think he was in the counsel's office at this time.

1 A No. But Bob Bauer was an attorney for the President, so I'm --

2 Q His personal attorney.

3 A Yeah, his personal attorney.

4 Q Not the attorney for the President.

5 A I know that.

6 Q Okay. It was reported that Bob Bauer and the President had a falling out over this
7 pardon. Are you aware of that?

8 A No.

9 Mr. Benzine. We can go off the record.

10 [Recess.]

11 BY MR. [REDACTED]

12 Q We're back on the record. Just, once again, I want to thank you for coming here and
13 appearing voluntarily. We know this is a voluntary interview. It's been a long day, and the day is
14 not done yet.

15 I also recognize that you have been fielding a wide range of questions, some which may not
16 be easily located in the majority letter to you about this investigation and their interest in talking to
17 you. So just noting that, once again, for the record.

18 A Thank you very much.

19 BY MS. [REDACTED]

20 Q YOU spoke last hour about the decision book that the President had with decision
21 memos. Do you have any reason to believe anyone other than Joe Biden signed a decision memo in
22 the President's place?

23 A No.

24 Q Did anyone, to your knowledge, ever step into carry out the duties of the presidency in
25 Joe Biden's place because he was unable to do so?

1 A No.

2 Q To your knowledge, did anyone in the White House at any point during Joe Biden's
3 presidency ever make decisions issuing a form of clemency, pardons or otherwise in Joe Biden's
4 name without his knowledge or authorization?

5 A No.

6 Q And to your knowledge, the pardon for Hunter Biden was also not made without
7 knowledge or authorization?

8 A Right.

9 Q And, again, at any point during the Biden presidency, did anyone in the White House
10 issue any other type of executive order without Joe Biden's authorization or knowledge?

11 A Not that I'm aware.

12 Q So to your knowledge, all decisions --

13 A Yeah. The only thing -- the one -- I can't remember whether when you do the physical,
14 whether the Vice-President for any hour of the 4 years was -- you know what I mean.

15 Mr. Sauber. Yeah.

16 Mr. Ricchetti. I don't remember whether the President over the 4 years ever had anesthesia
17 for any procedure, and so I don't -- that answer, just to make sure that we're precise, I don't know,
18 but there may have been hours of the presidency where the Vice-President was --

19 BY MS. [REDACTED]

20 Q I believe there was a period of time when the President underwent anesthesia.

21 A Yeah. It might have been for --

22 Q But to my knowledge, there were no pardons or executive orders issued during that
23 time.

24 A I don't remember, but I just say that with the caveat that it's possible that there were
25 hours.

1 BY MR. [REDACTED]

2 Q We are not aware of any pardons or executive orders?

3 A Oh, no. No. No.

4 Q Issued during this period that President Biden was under anesthesia for a colonoscopy.
5 And you're right, there's a record of Presidents going fairly far back passing responsibility over to the
6 Vice-President for brief periods because of colonoscopies?

7 A Yeah.

8 Q Incidentally, did you know that there was one recent President for which there was no
9 record of them passing authority to the Vice-President for a colonoscopy, or whether a colonoscopy
10 occurred during the 4 years of that President's term. You don't have to answer. I think you can
11 guess?

12 BY MS. [REDACTED]

13 Q I understand you did not authorize -- you did not operate the autopen, nor did you
14 oversee the autopen process, but just quickly a few questions similar to the ones I just asked about
15 the autopen. Are you aware of any instance where an executive order was signed by an autopen
16 without President Biden's knowledge or authorization?

17 A No.

18 Q Are you aware of the autopen ever being used to sign a presidential memorandum
19 without President Biden's knowledge or authorization?

20 A No.

21 Q Are you aware of the autopen ever being used to sign an executive order without
22 President Biden's knowledge or authorization?

23 A No.

24 Q Are you aware of the autopen ever being used to sign an order granting clemency
25 without President Biden's knowledge or authorization?

1 A No.

2 BY MR. [REDACTED]

3 Q Just a few questions, one about your exchange with the majority about Hunter Biden's
4 pardon, which my colleague did touch on a little bit. I just want to make sure the record is clear,
5 you gave President Biden some advice about potential decision on whether to pardon Hunter Biden,
6 correct?

7 A Correct.

8 Q President Biden made a decision?

9 A Yes.

10 Q Correct?

11 A Correct.

12 Q You have no doubt that the decision was President Biden's?

13 A Zero doubt.

14 Q Is that correct?

15 A Correct.

16 Q There is nothing else about any kind of advice that you gave, you know about, that
17 would change that view, that the President may have solicited or received unsolicited advice about
18 the decision to pardon Hunter Biden, but the decision to pardon Hunter Biden was his, his alone, and
19 you have no doubt about that?

20 A Yes.

21 Q Okay. Thank you. There was also a bit of exchange about, I think it was Senator
22 Manchin, the anecdote, it was a little hard to follow, but any of the conversations that, you know,
23 that you were privy to, or perhaps that were raised by the majority from members of Congress, did
24 any of those conversations, or any of the anecdotes you may have heard change your opinion about
25 whether President Biden was in command during those full 4 years as President?

1 A No.

2 Q Okay.

3 A Emphatically no.

4 Q All right. Also, there was that exchange about, I think it was Congressman Smith,
5 about Afghanistan. I will read to you an NPR interview done with Congressman Smith at the end of
6 last year.

7 The question was -- or the answer was, I was not worried at all about the President's ability to
8 do the job. I was not worried that he had any sort of mental problem, or that he was not physically
9 healthy enough to do the job. Anything surprising to you that Adam Smith would have that
10 opinion?

11 A No, because I think that was the opinion of everyone who was working with and around
12 the President.

13 Q Right. It sounded like he was somehow frustrated that he didn't have as much access
14 to the President about an important issue during the first part of the Biden administration when you
15 read this and think about --

16 A Again, it's why this line of questioning is so, from my point of view, kind of problematic.
17 It is not unusual for members of Congress to request and ask for access to the President, and that
18 there would be some frustration with the level of either access or responsiveness. That was my
19 experience with all three Presidents that I worked for, and that was not unusual.

20 And, frankly, you know, part, you know, maybe staff was to blame about the strategy for
21 doing that, but it was never done on the basis of whether the President could handle the phone call,
22 or whether he was capable of engaging in the dialogue. It was a matter of just the scheduling and
23 effectiveness for our congressional relations. We tried to do the best we could.

24 Q There was also a brief exchange about cabinet meetings. I believe the majority used
25 the term of scripted questions, or something like that. Does that ring a bell? Not quoting them

1 directly.

2 A Yeah.

3 Q Is there anything about any of these cabinet meetings that you saw that in any way
4 evidenced a diminished mental capacity of the President?

5 A No.

6 Q What about conspiracy to usurp the powers of the presidency by White House aides?

7 A That's insane.

8 Q How about a conspiracy to coverup the President's mental and physical state?

9 A It did not happen.

10 Q So to planning of a cabinet meeting, not evidence of any of those nefarious --

11 A No. No.

12 Q You do have experience in other administrations, too?

13 A Yeah.

14 Q Was there anything about cabinet meetings during the last administrations that was
15 strikingly worryingly different than, you know, the other administrations you have experience with?

16 A The answer is no. Strikingly. I mean, there are differences between presidential
17 styles and hugs and, you know, the way a President conducts, and the way they're structured in some
18 modest degree of difference. But nothing strikingly certainly.

19 Ms. [REDACTED] Is it unusual, or would it be unusual in your experience across a wide variety of
20 meetings, including high-level meetings, for there to be some sort of agenda to a meeting?

21 Mr. Ricchetti. No. That was routine.

22 BY MR. [REDACTED]

23 Q What about the fact that President Biden generally didn't attend some of the senior
24 staff meetings you discussed, it wasn't an event with a cabal of senior staffers that decided to make
25 decisions in the President's absence?

1 A No. In fact, the opposite. We met with the President every day as well. The point
2 of the meeting was to structure how our time with the President would be conducted most
3 efficiently, and the chief of staff and I met with him nearly every day to discuss, here is what we're
4 doing today, here is the --

5 To receive feedback over night, and to have a dialogue. And we often finished late in the
6 evening with a conversation with him as well, so, you know, all of those cases, you know, the answer
7 is no.

8 Q Throughout the day you had some discussion about some of these four or five recent
9 books that the majority has asked you about.

10 A Yep.

11 Q One of those books was called -- is a book called Uncharted by Chris Whipple?

12 A Uh-huh.

13 Q I think you said you didn't talk to Mr. Whipple.

14 A I don't think I did. I don't remember.

15 Q A few days ago Mr. Whipple gave a Fox News interview where he said, there's no
16 evidence that Biden was unable to fulfill the duties of Commander in Chief. Anything surprising
17 about that?

18 A Nope.

19 Q The notion that there was somehow, you know, Biden's last year was Weekend at
20 Bernie's and there was a cabal running the country with an autopen is just silly.

21 A Right. Absurd.

22 Q Nothing surprising about that?

23 A No.

24 Q The notion that they're going to be able to prove that there was this gastrically coverup
25 on the part of Biden's inner circle is just crazy to me. I think the answer to that is that this thing

1 goes nowhere. Nothing surprising to you about that?

2 A No. In fact, all of that that he just commented on is true. I think if any day we were
3 guilty of anything, we worked together, as a congressional staff does in support of a member, and
4 certainly at some level I'd argue, you know, maybe more intensively at the presidential level and with
5 more people, but every day you are trying to construct a strategy to govern the country effectively,
6 and to communicate effectively about what we were doing.

7 And that's why, you know, in these questions sometimes, and, again, in the precision that
8 you're asking for, saying did we ever try to make the President look good as he was going out for a
9 press conference, or choose the color tie that we thought would look best on TV, yeah, there were
10 people who were in charge of that and did all of the things that you would consider, I guess,
11 choreography to try to, you know, to do our best to present as effectively as we possibly could.

12 We did that with respect to literally everything he did publicly, so it just -- that is the -- the
13 disturbing insinuation of this is that somehow it is in any way different from what goes on here every
14 day in support of members and what is required to help support a President.

15 Ms. [REDACTED] And I assume in your experience that was common across administrations?

16 Mr. Ricchetti. Yes.

17 BY MR. [REDACTED]

18 Q There was in some of the letters to other witnesses, the majority's letters would
19 reference a late cabinet meeting late in the presidency where First Lady Jill Biden spoke for about
20 4 minutes in the beginning. Were you at that cabinet meeting.

21 A Yes.

22 Q Was that evidence that Jill Biden was actually in control of the presidency?

23 A No. No. And, again, she was -- I can't remember the issue, but it was a specific issue
24 that she wanted reported. She had spent a lot of time in collaboration with cabinet members
25 working on, so she was reported.

1 And one of the things of the structures of the cabinet meeting that had more formality is,
2 again, there was an agenda, and it was how a cabinet member who was working on a specific set of
3 issues could report to the rest of the cabinet, as well as to the President, about the work that they
4 were doing. And so they're having talking points for the -- you know, to the President, and the
5 President having talking points about doing was not unusual.

6 It was just a way to help to stimulate and organize a discussion. And so it wasn't unusual in
7 the 4 years. They were structured similarly from the day we started. And, again, they were not
8 stream of consciousness, you know, let's just get together and shoot the shit.

9 Q Did you ever see anything that made you think that Hunter Biden was somehow
10 usurping the powers or authority of the President?

11 A No.

12 Q Anybody else?

13 A No.

14 Q All right. I think it's worth just -- I'm going to go through them and paraphrase portions
15 of Article 2 of the Constitution for you, and I'm going to talk about what the President's powers are,
16 and you'll just have to bear with me while I ask.

17 A Absolutely.

18 Q If you would like to read along, I can give it to you.

19 A No. I'll listen carefully.

20 Q If either counsel decides that I'm paraphrasing too much, please let me know. In your
21 view, did President Biden faithfully execute the Office of President of the United States?

22 A Yes.

1 [2:54 p.m.]

2 BY MR. [REDACTED]

3 Q In your view, did he, to the best of his ability, preserve, protect, and defend the
4 Constitution of the United States?

5 A Yes.

6 Q Did you personally act as Commander in Chief?

7 A No, I did not.

8 Q Did you know anybody else except for the President of the United States acting as
9 Commander in Chief?

10 A No, I did not.

11 Q Did you personally grant reprieves and pardons?

12 A No, I did not.

13 Q Did you know of anybody else besides the President of the United States personally
14 granting reprieves and pardons?

15 A No, I did not.

16 Q Did you personally nominate and appoint any ambassadors, cabinet secretaries, judges,
17 or other Senate-confirmed officials?

18 A No.

19 Q Did you know of anybody else besides the President who nominated and appointed any
20 ambassadors, cabinet secretaries, judges, and other Senate-confirmed officials?

21 A No.

22 Q Did you disguise yourself as President Biden and deliver a few State of the Union
23 addresses?

24 A No.

25 Q You don't know if anybody else dressed up as President Biden and gave a State of the

1 Union address?

2 A No. He was not a robot. He was there. We were not governing while he was
3 actually dead and robotic.

4 Q Did you ever have any doubt about President Biden's ability to respond to a crisis?

5 A No.

6 Q Did you have any doubt that he would be able to respond to the crisis -- a crisis that
7 might arise overnight?

8 A No. In fact, he did many times.

9 Q Did you ever hear about any episode where President Biden slept through a crisis?

10 A No.

11 Q Or couldn't be roused to respond to a crisis?

12 A No. In fact, he was woken in the middle of the night on a number of occasions,
13 typically by his National Security Advisor, because there were national security considerations.

14 Q Did you know that President Trump is the oldest President at his inauguration in the
15 history of the United States?

16 A I am aware of that.

17 Q You and the majority talked about the optical risks of a President or a presidential
18 candidate who was, I think, you or majority counsel talked about pushing seven -- pushing 80. Is
19 that right?

20 A Yeah.

21 Q So, and you said you were aware of polling that the public had concerns about both Joe
22 Biden, but also Donald Trump's ability or fitness to be President or whether they didn't want
23 someone who was that old to be their President. Is that right?

24 A That's right.

25 Q You've also observed some of what you viewed as, I think, the risks of diagnosing

1 someone based on public opinion and perception of age. Is that right?

2 A Yes.

3 Q And you've talked with the majority a bit and I think with us about the -- some of what
4 you saw as criticisms of President Biden also being potential criticisms of President Trump?

5 A Yeah.

6 Q Is that right?

7 A Yes.

8 Q There is certainly many, many episodes that have been pointed to over the years
9 regarding President Trump. You identified, for example, the fact that President Trump wondered
10 who appointed the Federal Reserve Chair, Jay Powell, even though it was President Trump who
11 appointed the Federal Reserve Chair Jay Powell. Is that --

12 A Correct.

13 Q That's right?

14 A That's correct.

15 Q And then there are also gaffes and confusions. Sometimes you describe those things
16 as mistakes anyone could make.

17 A Yes.

18 Q Is that right?

19 A Yep.

20 Q Did you know that there was a deposition where Donald Trump confused a woman
21 named E. Jean Carroll with his ex-wife Marla Maples on the record?

22 A I don't remember that, but --

23 Q It did happen.

24 A I suspect, yeah.

25 Q Yeah.

1 Mr. [REDACTED] I think we'll go off the record for now.

2 [Discussion off the record.]

3 Mr. Benzine. We can go back on the record.

4 BY MR. BENZINE:

5 Q I just want to ask just a couple questions. You were asked about the President's age a
6 little bit in the last hour. Who won the 2024 election?

7 A Donald Trump.

8 Q All right. And is -- was Vice President Harris younger than President Trump?

9 A Yes.

10 Q So was age that big of an issue?

11 A It's such an interesting question.

12 Mr. Sauber. Are you saying to him polling? To him personally? What are you asking
13 him?

14 Mr. Benzine. I mean, he's saying the voters had issues with President Biden and President
15 Trump's age.

16 Mr. Sauber. Yes.

17 Mr. Benzine. President Biden ended up withdrawing because of those concerns, and he lost
18 support. I mean, that's pretty much what he said.

19 Mr. Sauber. Yeah. We dispute your recollection about -- but what's the question, though?

20 Mr. Benzine. I just -- the age must not have been that big of an issue if he was the older
21 candidate and won.

22 Mr. Sauber. That's your conclusion. That's not a question. Does the polling data show
23 what you want him to say? I just don't understand.

24 Mr. Benzine. All right. He was asked who won the 2020 election. He was asked about
25 Trump's age a whole bunch. He answered all those questions. When I ask about it, it's apparently

1 out of scope, so like --

2 Mr. Sauber. No.

3 Mr. Benzine. It's cool. I'll move on. Don't worry about it.

4 Mr. Sauber. Good. That would be helpful.

5 BY MR. BENZINE:

6 Q Were you interviewed by Special Counsel Hur?

7 A Yes.

8 Q Did you end up reading the final report from Special Counsel Hur?

9 A No, not the complete report.

10 Q Did you see -- did you read the conclusion that, first, that he wasn't going to recommend
11 charges but that President Biden was, and I'm quoting from the special counsel report, was an elderly
12 man with a poor memory?

13 A I certainly remember that quote.

14 Q Were there any discussions within the White House regarding that conclusion?

15 A Yes.

16 Q What were those?

17 A Well, just that it, again, amongst ourselves, I think that we thought it was an unfair and
18 inappropriate at some level characterization of how the President had performed in that, again, one
19 of the things that was kind of left out of that context of that was what had occurred on October 7th
20 in Israel, and that he was testifying for 8 hours, and that this was a snippet of 8 hours of an interview,
21 and that it, in some ways, especially in using that quote, that it was unfair to characterize his
22 testimony in that way.

23 BY MR. GREENBERG:

24 Q I'm sorry. You said there was a snippet of the interview. What was the snippet of the
25 interview?

1 A That's those two sentences.

2 Mr. Sauber. Snippet of the report.

3 Mr. Ricchetti. Yes, of the report. I'm sorry. That's what I meant.

4 Mr. Greenberg. Thank you.

5 BY MR. BENZINE:

6 Q Did -- were you with President Biden when he was interviewed?

7 A No.

8 Q Did you see the transcript after he was interviewed?

9 A No.

10 Q Did you see the video after he was interviewed?

11 A No. Although, I think it was -- the report was released, I can't remember when, but
12 months later, and I certainly saw pieces and looked at pieces of the report from then.

13 Q In the transcript.

14 Mr. Sauber. Transcript.

15 Mr. Ricchetti. Transcript, I mean. That's when it --

16 BY MR. BENZINE:

17 Q The transcript has since been released and as has --

18 A Yeah.

19 Q -- the video?

20 A Yeah.

21 Q How could you disagree with the conclusion if you didn't witness President Biden's
22 performance that day?

23 A Well, the -- you mean, I didn't witness it that day. I guess, you were asking
24 about -- and maybe I just misstated the sequence of time when that dialogue occurred. It was
25 when the report was released. I wasn't a part of the White House staff that was working on that or

1 the President's lawyers who were working on that. But as you know, I was testifying myself,
2 so -- so -- so I did not participate in that, and wasn't aware of what was being said in the report until
3 the report came out. So I'm talking about the period after the -- am I using the language right?
4 The transcript of the report and the report itself came out months --

5 Q But I don't think the transcript came out with the report.

6 Mr. Greenberg. Correct.

7 BY MR. BENZINE:

8 Q It was eventually subpoenaed.

9 A Just to sequence the time correctly, when the transcript came out or the report was
10 released was when that, here's why I'm doing what I'm doing came out. And so my perception of
11 that was after the report came out, not in the period of time from when he testified to --

12 Q No. I'm saying you disagree with Special Counsel Hur's conclusion that President Biden
13 was an elderly man with a poor memory?

14 A Yes, I definitely disagree with that.

15 Q But you weren't --

16 A Because I worked with him every day, more than Mr. Hur does.

17 Q His conclusion is based off his --

18 A No, I worked with the President every day, and I've said this 100 times. And so to just
19 keep injecting this into the conversation -- I'm trying to be cooperative here. I believed, and I know
20 you have heard 15 different ways I can say it, I believe the President was capable, responsible, was
21 governing the country effectively every single day. And you can ask the question 100 other ways
22 that you want to ask it, but you're just doing it to try to provoke something from us different than
23 what I've said to you 100 times.

24 I can't say it any other way. And, by the way, I think I know better than Hur does, I know
25 better than you do what the President did and how he performed every day. I was living next to

1 him for most of this time as close as anyone. And I've already said, the President made human
2 mistakes. I've already said that there were, you know, incidents where the President mixed up a
3 topic or forgot someone's name or did something, all of the things that I observed --

4 But I have said repeatedly, over and over again, that I believed every single day that the
5 President was capable and effective in performing the duties of the presidency.

6 BY MR. GREENBERG:

7 Q Did you --

8 A I don't know what purpose asking me this 100 different ways serves in any way at what
9 you're -- even from your point of view, at what you're doing, why you would ask me this this many
10 different ways aside from, I don't know, some political value that you think is getting out of some
11 sentence, again, in 5 hours of interview that you want to pluck out of this, because I said something
12 awkward.

13 Q You said that you worked closer to President Biden than Special Counsel Hur. You just
14 said that, correct?

15 A Yeah.

16 Q Did you work closer to President Biden than Ron Klain?

17 A I would say equally close to him.

18 Q Okay. Well, Ron Klain told this Committee that the President's memory diminished
19 over time. Is that your -- do you agree with that?

20 A I don't agree with it in general. Ron's relationship with the President predates mine by
21 20 years, or at least his close relationship with the President, so that's Ron's point of view. It was
22 not mine.

23 BY MR. BENZINE:

24 Q Were you involved in the speech the President gave after the special counsel report
25 came out?

1 A Say again?

2 Q Or press conference. The President rebuked the special counsel report publicly.

3 A Yeah, I was not involved at that -- you know, at that level of communications. And I
4 think, again, the counsel's office and the communications people who were working on that issue, we
5 were kind of, I don't know what the right word -- segregated. I mean, they worked on it in
6 particular.

7 Q All right. Were there any discussions about firing Attorney General Garland after the
8 Hur report?

9 A Not that I participated in.

10 Q Okay.

11 BY MR. GREENBERG:

12 Q Are you aware of any discussions that were had?

13 A I don't know whether it came up in any other connection with anybody else to the
14 President or otherwise, but I didn't discuss it with him.

15 BY MR. BENZINE:

16 Q Shifting into the 2024 election a little bit more, did you work on the campaign as a
17 volunteer or otherwise?

18 A In which?

19 Q The 2024 campaign.

20 A I was working in the White House the whole period of time and handled some set of his
21 political-oriented meetings or his public, you know, his -- what are they called -- public liaison
22 meetings. I certainly was present for all of those, but I wasn't on the campaign and didn't do
23 campaign work. In fact, I was, you know -- I think as you know, I was, during this period of time,
24 negotiating on behalf of the President with respect to -- in May of 2023 on the debt limit deal. We
25 did four rounds on keeping the government open. We did a round on Ukraine supplemental, all in

1 the first quarter of 2024. So my principal responsibilities were still on the official side of his work,
2 but I did participate in -- as I'm sure you know, we did a weekly political meeting, and I certainly
3 offered advice about his political strategy.

4 Q Mike -- when did Mr. Donilon leave to go to the campaign full time?

5 A I can't remember.

6 Do you remember?

7 Mr. Sauber. [Nonverbal response.]

8 Mr. Ricchetti. I can't remember exactly the month, but it was -- I think it was into 2024,
9 maybe after the State of the Union in 2024. I -- but I don't remember precisely when he left. I
10 think Jen O'Malley Dillon left a couple months, maybe 3 months earlier than Mike left, and Jen went
11 to the campaign. But again, I can't remember -- you guys might know. If you do, just say it, and
12 you can refresh my recollection.

13 BY MR. BENZINE:

14 Q I don't know the exact date.

15 A I can't remember.

16 Q Did you ever have any conversations with Mr. Donilon regarding his compensation on
17 the campaign?

18 A No.

19 Q Okay. Understanding what you said earlier, that there isn't kind of like a finite date
20 when, you know, I'm running for reelection --

21 A Yeah.

22 Q -- on this date --

23 A Yeah.

24 Q -- right?

25 A Yeah.

1 Q When did conversations regarding reelection begin in earnest?

2 A I think beginning -- after the midterms in 2023. Although again, I think -- I can't say
3 that we didn't contemplate it before then. I think we -- we were operating on the assumption that
4 the President was going to run for reelection prior to the midterm elections. I think the midterm
5 election results kind of affirmed in our mind that, you know, the country was perceiving the
6 presidency in a positive way in spite of some of the other data points that people have said you could
7 interpret as negative.

8 It's again, what I just said, it's some -- the thing I always looked at was how are we doing
9 against another human being, not how we were doing against some, you know, some aspirational
10 version of the presidency. We were almost certainly, even in '22, looked like we might be running
11 against Donald Trump, and that he would be the likely nominee on the other side. And so, we
12 certainly thought about our prospects with respect to what it would mean if we were running against
13 Trump.

14 We did better in 2022. And if you just give me this 1 minute, and I'm -- I will go slow. In
15 2023, I think as you know, we gave a State of the Union address. The President traveled on multiple
16 occasions during the year. We were engaged in a negotiation over the debt limit deal that had
17 massive international economic consequences. We negotiated with Speaker McCarthy. We got
18 through that. And, you know, it passed with large bipartisan vote, and we avoided what could've
19 been an economic -- an international economic catastrophe.

20 The President, as I had mentioned, had traveled in February to Ukraine on a trip that
21 everybody had, you know, at the time, certainly acknowledged with one of the most dangerous and
22 courageous trips a President had been on, and he had done international travel to Japan, to India.
23 We had run international meetings all through the months of February, March, April, into this period
24 of time.

25 And then just so you know, and I think it's important, again, for context, you know, 2 months

1 later, you know, we have a negotiation to keep the government open with Speaker McCarthy, and
2 then on, you know, on your side, you know, he gets taken out. And so October is like -- of 2023, we
3 don't have a Speaker. We -- part of the reason he's in the condition he's in is because some
4 Members of the Republican caucus thought, you know, that the President did too well in the
5 negotiations over those things or that the Republican priorities weren't reflected.

6 That's how we enter October of 2023 into this period of time when we're running for
7 reelection. It's more, I have to say, and I'm saying this respectfully, but the turbulence and the
8 political -- the political awkwardnesses and the challenges and, frankly, even some chaos -- I don't
9 think it's unfair to say that was a tumultuous period of time on your side -- that was all going on on
10 the Republican side, and we were governing through the year.

11 We had at least succeeded in getting through rounds of negotiation to keep the government
12 open, to secure a debt limit deal, and to move into 2024 in a condition where I think the Biden
13 presidency was considered to be an effective one. In fact, we used Marjorie Taylor Greene's floor
14 statement, you know, decrying the fact that Biden was the most successful President since LBJ in
15 achieving progressive goals as an ad in our campaign. So it wasn't like just to take our word for it.
16 But that's how we went through the decision-making about running for reelection and all of the
17 political surround sound that 2023 was.

18 So we go into the year 2024, I think in, you know, a reasonably strong position. He has
19 made the decision to run for reelection earlier in the year, but we're approaching 2024, you know,
20 again, not overconfident, not, you know, you know, thinking, well, this is going to be -- you know, you
21 know -- this will be easy, but that this was -- you know, that we certainly had as good a chance as not
22 of succeeding and winning our reelection. And that was our mindset going in.

23 And there wasn't any other conspiracy or otherwise in the White House about what we were
24 doing. We thought we were doing a good job. He had led, you know, four major international
25 travel. He'd been to Ireland. He'd been to Japan. We were negotiating with the Chinese. He

1 had a meeting with Xi, I think, in the month of October in 2023. And so, we conclude the year that
2 way. And I just think any reasonable person looking back on that year would acknowledge, you
3 know, from your standpoint or from our standpoint, that at least, you know, he had finished the year
4 reasonably strong, and that's how we went into 2024 thinking about his reelection.

5 And I'm sorry for the extended version of that, but I think it's important, again, what seems to
6 be getting lost is the context of why we were doing what we were doing in real time, including in our
7 negotiations with House Republicans. I don't think we were negotiating from a position of
8 weakness. I think we got pretty fair deals in those negotiations, both with Speaker McCarthy and
9 with Speaker Johnson under the circumstances.

10 The President's skill and sagacity in helping directing and navigating that in a way that
11 prevented the government from shutting down and the international economy and the bond market
12 from cratering, that took a lot of skill. And that's how we got through the year 2023 into 2024.
13 And I think, to be fair, you have to say, it was a little more tumultuous on your side, not only with
14 respect to the nomination of President Trump, but also with respect to governing.

15 Mr. Sauber. Okay.

16 Mr. Ricchetti. Okay. I apologize to everyone here, and I know you want to go home, but I
17 just -- I feel like that's important for the context of our decision-making. And you keep probing it,
18 so I want to give it to you.

19 BY MR. BENZINE:

20 Q Thank you. I appreciate it.

21 Were there ever any discussions about him not running for reelection or --

22 A Yes.

23 Q What were those discussions?

24 A I did discuss with him that he had had a successful presidency, and that the prospect of
25 a reelection campaign against President Trump, former President Trump at that time, was likely to

1 potentially be a vicious and hard campaign with respect to what he would have to go through and his
2 family would have to go through. And I said to him on multiple occasions that you certainly both
3 have earned the right and will be judged to have had a successful presidency if you decide not to run.

4 My advice to him was to run. And I thought, again, the foundation of our strategy for his
5 reelection was from our point of view that we had made progress as a country, we had overcome the
6 worst parts of the public health crisis in COVID, and the economy was healing and recovering. And
7 that was going to be the foundation of a reelection campaign. And that we thought in front of us
8 the ability to kind of more effectively communicate, because to be honest, we -- we didn't always do
9 the best job of kind of communicating, but that when we could advertise and extend the reach of
10 that that we could win reelection.

11 So I believed in it. So I don't want to answer the question in a way that is mis-describing
12 what my advice to him was. But I did say, this could be vicious, and it's -- a campaign directed in
13 that way by President Trump could be directed at your family, and it's a big decision to decide to run
14 for reelection because of what they're going to have to all go through and what you'll have to go
15 through. And, yeah.

16 Q Do you recall about when that conversation occurred?

17 A Early in 2023, I would say.

18 BY MR. GREENBERG:

19 Q You said that we, at times, had problems communicating --

20 A Yeah.

21 Q -- the accomplishments.

22 A Yeah.

23 Q Who is "we" there?

24 A Our entire staff, President, all of us. We -- we -- and, again, this might feel a little
25 bit -- maybe it's -- it certainly is a challenge for every President, but to just -- you feel both proud of

1 and believe if you're making progress that you hope that the country will feel it and see it the way
2 you see it. And so, communicating that so that people would acknowledge these, what I considered
3 significant, historically significant legislative accomplishments in the first 2 years, that the impact of
4 those accomplishments would be felt by people, that they would see that, you know, in their own
5 lives materially that things were getting better, that there were more secure, and that that was the
6 strongest foundation for a reelection campaign in particular was the perception of that.

7 And, you know, how to communicate effectively, to do it, you know, in whatever way we did
8 it with respect to the media, on advertising, the different platforms, social media platforms, all of
9 those things. You know, in introspection, I thought if we could just do a better job of
10 communicating, more people sensed and felt the progress we were making as a country, that he had
11 a good chance of winning reelection.

12 Q Do you think the President's ability to communicate himself was an issue?

13 A No. I think it was all of our responsibilities. The President said this, you know,
14 effectively for himself on many occasions, that -- you know, the job is to communicate effectively. I
15 thought when we had opportunities, State of the Union address, a lot of, I think, very highly regarded
16 speeches and performances of the President along that time, and he said over and over again, watch
17 what I'm doing and see my performance in the presidency.

18 But -- I will say, just these political considerations are -- you know, the one thing I'm
19 uncomfortable -- I mean, I'm happy to talk about this for a book someday or anything else, but
20 it's -- again, as I've said, we believed the President could win reelection. There was every reason in
21 the world to think that we could by our standards. So, certainly, from our point of view, we were
22 making progress as a country. We got through a midterm election historically well, and that's how
23 we thought about the time going into and through 2024.

24 BY MR. BENZINE:

25 Q Who on the campaign was in charge of polling?

1 A Mike -- oh, on the campaign there were a handful of pollsters. Geoff Garin was one.
2 Molly, you know -- I'm drawing a blank. Anyhow, we had four or five pollsters who were doing
3 work either for the DNC or for the campaign. But Mike Donilon was in charge of, you know,
4 coordinating and presenting polling information to the President, and we used not only the polling
5 information that was available to present to the President that existed inside the campaign, but there
6 were a lot of outside and independent. And, frankly, as the presidential race developed, as I'm sure
7 you guys know, there's, you know, 20 public polls every month, and so we tracked all of that very
8 closely.

9 Q What did the internal polls say at the beginning of 2024? Was President Biden leading
10 President Trump?

11 A He was behind by a couple of points. Again, it depended on, you know, the -- as you
12 know, these things moved every -- I can't remember whether we polled every week or every couple
13 of weeks. But we had information. It was pretty static. Again, we looked at a variety of different
14 things in the polling, you know, where people -- you know, what their -- what they perceived were
15 the most important issues, you know, that were facing the country, whether we were succeeding or
16 not with respect to, you know, how they felt about the economy, you know, just the temperature
17 range things.

18 And then, oftentimes, not always, but we would do head-to-head. And, again, we would
19 look at internal polling, but as often as not, there was more frequent public polling available to us to
20 track the race in those months.

21 Q Was the fact that the President was trailing President Trump communicated to him?

22 A Yes.

23 Q Would the underlying poll itself be communicated to the President or Mr. Donilon
24 summarized the results?

25 A Yeah, Mr. Donilon would typically summarize the results. Although, again, as you're

1 describing, it wasn't like we ran some hybrid polls, you know. CBS would have a poll; we were up
2 two points. Marist would have a poll; we were down two points. For most of the 6 months of
3 2024, the available public polling information had us, you know, either slightly ahead or slightly
4 behind through all of those races. And, you know, I think you know the terminology about being in
5 the margin of error.

6 Q Uh-huh.

7 A They -- certainly, the race was in the margin of error for all of that time. We also
8 looked at how we were doing in these targeted States where the election was likely to be won. And
9 in some of those States during different periods of time we were ahead, and sometimes we were a
10 little behind, but it was always -- and we always imagined that it was going to be a very close race.

11 Q You said that the public polling had you within the margin of error.

12 A Uh-huh.

13 Q What did the internals have you?

14 A We were behind two or three, certainly in the margin of error during this period of time.
15 We did polling after the debate. And, you know, our numbers -- we lost a point or two, depending
16 on the State, in our polling after the debate. But it was still very competitive from my point of view.
17 And, again, I had run a Senate campaign committee, so I certainly had some experience with both the
18 accuracy of polling and sometimes how you could be, as you guys know, I'm sure, misdirected by
19 some sense of any moment in time, especially in a campaign.

20 And certainly the reliability or the projectability of a poll that was coming out in February,
21 March, or April of 2024 wasn't, in my opinion, really worth very much, because it wasn't -- you know,
22 an entire campaign was -- and events themselves were more likely to affect a result than how you
23 felt about where the race was in February and March of an election year.

24 Q Shifting to the debate. Prior to the debate, were you involved in the decision to agree
25 to a debate with President Trump?

1 A Bless you.

2 Mr. Sauber. Excuse me.

3 Mr. Ricchetti. Bless you.

4 Mr. Sauber. Thank you.

5 Mr. Ricchetti. I'm sorry. Say that again?

6 BY MR. BENZINE:

7 Q Were you involved in the decision to agree to a debate?

8 A Yes.

9 Q Who else was involved in that?

10 A Ron, Mike, Anita, Bruce, Jeff, kind of the senior staff. Certainly, the senior staff was
11 involved in the kind of advice giving.

12 Q And you --

13 A And the campaign staff, too. Obviously, at that point, we're at the debate. Some
14 campaign staff, depending on a meeting. I mean, we did kind of regular campaign meetings, but
15 they were more of the once every 2 weeks, once every 4 weeks variety. Earlier, probably once
16 every 4 weeks and once every 2 as we went into the spring and summer. And the time preceding
17 that less -- obviously, less frequently.

18 Q Were you --

19 A But I -- I was in the, you know, advice-giving decision-making about the debate.

20 Q Were you in favor of the debate?

21 A No.

22 Q Why not?

23 A Really for the same reason that I had articulated about the campaign and running for
24 reelection, at least as a consideration, even though I thought he should run and believed he could
25 win. I just thought that what he would have to go through in a debate and what he -- what was

1 gotten out of the debate in 2020 that I just thought it had the potential to be, you know, vicious and
2 personal and not too edifying for anyone in the country.

3 And I really didn't think my -- again, as you know, some of this I'm saying from my
4 perspective.

5 Q Uh-huh.

6 A So I'm trying to say it as respectfully as I can. I thought he had beaten President Trump
7 in both of the debates in 2020 pretty handily, and we didn't get that much marginal benefit out of
8 winning the debate. And so I thought if we were -- you know, it was not -- it was not necessarily
9 worth engaging in a debate of that kind with Donald Trump.

10 Mr. Greenberg. So just to clarify, I think what Mr. Benzine was referencing was the decision
11 to have the debate early.

12 Mr. Benzine. I was referencing having a debate at all.

13 Mr. Greenberg. Okay.

14 BY MR. BENZINE:

15 Q So you were against having a debate at all?

16 A Okay. I thought I heard you correctly. I was against doing the debate at all for the
17 better part of 9 months or a year as we were contemplating doing this, whatever this was -- that
18 timeframe when we started to talk about the debates.

19 To be precise in the answer, then when we decided to do the debate earlier rather than later,
20 we were certainly imagining -- and I think in the end agreed -- to two debates. And so one of them
21 earlier and one of them later in the cycle I thought was something that was as advisable as waiting.
22 I didn't have a stronger view. I held the view that we should not -- that I -- my advice was that we
23 not debate at all until pretty late in the process.

24 And I will say, just so that you understand, as we presented the President, as we get
25 closer -- although I had to express that point of view to him earlier -- the consensus was amongst our

1 advisers that we should debate, and after, you know, some numerous debates about debating made
2 the decision to recommend that he needed to do that. And at that point, you know, as a decision is
3 being made, you try to support the decision.

4 Even -- this is -- again, I know you guys live this so you know what I'm talking about, but it's
5 important for the record for this to be said. There's sometimes when you give a President advice
6 and then he makes a call or you also -- eight people think, hey, we've got to do this, and you're like,
7 okay, I've given my advice, I've said my piece, but he's made the other decision. Then you do
8 everything you can in support of the decision he made, even when you disagree with it.

9 And about this, I certainly, when he made the decision, the recommendation from the folks
10 who were more involved -- I'm sure you got this from Ron, because Ron, you know, helped to lead
11 debate prep. But once the decision was made to go forward and to debate, this notion of going
12 earlier was put on the table and folks thought that might be a good idea.

13 BY MR. BENZINE:

14 Q Was --

15 A And it's counter to the narrative that we were hiding the President all this time, but --

16 Q Was anyone else against a debate?

17 A I don't think so, certainly not, as you can tell, as repeatedly as -- or as persistently as I
18 was. I do think, you know, it occurred to folks that the value of the debate was worth considering
19 just because of the pain he was going to have to go through to do it against President Trump. And
20 I'm saying that -- I think you know what I mean. I'm -- you know.

21 Q And you brought up the timing of the debate. So once the decision was made that you
22 were going forward with the debate, it was, I believe, the earliest debate in the cycle?

23 A Yes.

24 Q Ever?

25 A Yeah.

1 Q Why was the debate held so early?

2 A I think the idea was do a debate in the summer. We believed that we would do well in
3 the debate. That would help to consolidate, you know, views about our presidency in the same way
4 that -- given the State of the Union and, you know, the kind of more public things that we were
5 doing. We felt like we were doing a good job. The public was perceiving it. It was helping us.
6 So do a debate early, that the President would likely do well in the debate. And even though the
7 marginal utility might be small, it would still be worth doing. So once he did it, we decided to move
8 it up.

9 I will say -- again, 1-minute or 2-minute editorial comment here on top of what I'm doing, but
10 as you know, President Trump didn't debate against his Republican opponents the entire primary
11 campaign. He had a healthy primary against him. He mixed up Nancy Pelosi and Nikki Haley's
12 name. He didn't debate them for all the time. And there was no investigation, there was no
13 hearing about his cognitive ability, and nobody convened or called all of the people on his campaign
14 staff to determine whether or not he was being hidden from public view or being prevented from
15 speaking to the public.

16 I always wondered, you know, as we're engaged in this, while we're being -- while you're
17 pursuing this, I think, in support of some point about our abilities or not, you know, you must
18 appreciate the irony of the fact that you're asking this about President Biden, and you never raised it
19 with respect to President Trump and why he never conducted a debate on the Republican side.

20 Q Was a rationale for the early debate to attempt to dispel voter's concerns regarding
21 President Biden's age?

22 A It was -- the consideration of the challenges around his age were -- existed throughout
23 the period of time when we were looking at the race. It was one of the, you know, biggest
24 considerations. I think that and the perception of the economy and making progress on inflation
25 were the two biggest issues. Inflation and the President's age were the two biggest concerns as we

1 approached the race.

2 So the answer with respect to age was -- and one of the arguments for doing it was that
3 this -- you know, the President doing a -- an effective job in the debate would help, you know, set
4 aside or to help people see that age wasn't a consideration with respect to the President and be to
5 his benefit. Just like doing well at this age, you know the commentary in the post State of the Union
6 and for his speech at D-Day and a variety of things that he did along the way, his, you know, kind of
7 the bigger, more public-facing things, the media filter, you know, oftentimes was quite positive about
8 the President and with respect to dispelling concerns about age. And so some of the commentary,
9 understanding where some of the data was on this, his successfully doing those things or his
10 effectively doing them was a way to counter that narrative.

11 Q How --

12 A And so doing the job -- as a last thing, 20 seconds. The President believed doing the
13 job every day -- he said this out loud publicly -- you know, "Watch me, I can demonstrate, you know,
14 and just, Watch how I'm doing this job, and make a judgment about whether or not my age is an
15 issue and with respect to how I was doing the job." And that's what he felt, and that's what we
16 tried to execute on all the time. And we knew when he was running against Donald Trump that in
17 the public's mind he was in a very competitive race.

18 Q How does doing a debate earlier dispel concerns about the President's age?

19 A It's just -- it was a -- it's a public event like the State of the Union that a lot of people, a
20 lot of eyeballs would be on and people would pay attention to it. And if he performed in the way
21 we expected that he would, that it would be a positive rather than a negative.

22 Q But doing it 3 months later would -- his age wouldn't be much different.

23 A We were going to do it again in 3 months. It's -- again as, you know, some years they
24 did three debates. Some years we did two debates. Some primaries we did no debates. That
25 was a little unusual this time. But we certainly debated doing it earlier. As I said, some features of

1 every campaign are slightly different.

2 The dialogue and the negotiation around the debate in 2020 was quite contentious, as you
3 may or may not know. And so the entire approach to the debate itself and how President Trump
4 would conform to the rules and the negotiation and what was being put on the table would, you
5 know -- there was real debate about -- internally about whether or not or what could occur when we
6 were doing the debate with him.

7 He certainly -- he, President Trump -- stretched the norms of what was considered acceptable
8 debate behavior in his debates, both against Hillary Clinton, against his Republican primary
9 challengers. He called half of them every name in the book. So whether or not there was value in
10 debating President Trump, even if you were winning a debate, what you would get out of that was
11 certainly something, again, from our point of view, that was something to be considered.

12 Q You said one of the goals was performing well could ease voters' concerns about his age.

13 A Uh-huh.

14 Q How does performing well change President Biden's age?

15 A It doesn't. It's just the perception of his age and whether people felt like he
16 was -- whether age was interfering with his ability to do the job or in winning a debate, because it
17 was a head-to-head competition. He was running against Donald Trump, who there were also
18 concerns about his age, and so, there was the potential that in winning a debate, it would -- he might
19 get some marginal benefit from doing that.

20 Q So is age more of a euphemism for fitness for office in this case?

21 A I don't think so. Age was the consideration. That was what the --

22 Q But the age doesn't change with the debate. Whether or not the voters believe he's fit
23 changes with the debate.

24 Mr. Sauber. But that's not what he said --

25 Mr. Ricchetti. That's not what I said.

1 Mr. Sauber. -- about 800 times today. What he said was that age was a political issue, and
2 they were trying to address it.

3 Mr. Benzine. And then he just said that performing well at the debate could quell voters'
4 concerns about his age, but performing well at the debate doesn't change his age.

5 Mr. Ricchetti. No.

6 BY MR. BENZINE:

7 Q It changes the voters' perception of his ability to be President.

8 A No. He was being President. Fifty percent of the voters at the time we went into
9 this -- by the way, 48 percent at the time we did this, when he was running against Donald Trump,
10 which is what you do, still thought they were going to vote for him. That's what the data -- that's
11 what the polling said. So you're not running against some aspirational President, nor is
12 President Trump or where his job approval rating is today, which is at 40 percent. You run against
13 another human being.

14 And you -- the only question that ends up mattering is whether you're ahead and you got
15 more votes and you won more electoral votes. And all these other things about presidential
16 performance, or whether that -- you know, where anyone is in a race at any point in time in a
17 campaign, this was in June, right. I mean, we had 4 months of a campaign in front of us. We had
18 \$1 billion to spend, to advertise, to shape public opinion. We had another debate. We
19 had -- there were all kinds of things that could change the trajectory of a race back and forth. It was
20 definitely -- when we went into the debate and 3 weeks later, it was still a very close race. That's
21 just a fact.

22 Q No. And I understand all that.

23 A Okay. But --

24 Q But having an earlier debate does not quell issues about President Biden's age. His age
25 wouldn't change.

1 A No. It would change the competitive nature of the race one direction or another
2 marginally. I actually thought it might -- my point of view was it might not be worth it, but we -- he
3 made the decision to go forward with the debate, and it had the potential to have a marginal benefit
4 in winning a debate.

5 Q I'm just -- I'm still confused how performing well at the debate quells voters' concerns
6 about the President's age.

7 Mr. Sauber. Okay. We've -- you've explored this.

8 Mr. Ricchetti. I don't know what else to say.

9 Mr. Sauber. And he just talked about this for 45 minutes. The record will be what it is.

10 Mr. Benzine. Forty-five minutes?

11 Mr. Sauber. Okay, an hour.

12 Mr. Benzine. Well, we've been talking about this for 5 minutes, maybe.

13 Okay. That's fine. You think age is not -- does not correspond with fitness in office in this
14 situation, that having a debate 3 months earlier would change --

15 Mr. Ricchetti. I think --

16 Mr. Benzine. Hold on.

17 Mr. Sauber. Hold on. Don't -- don't respond. Let him ask his question.

18 BY MR. BENZINE:

19 Q Having a debate 3 months earlier in an attempt to -- part of the attempt was to quell
20 concerns about the President's age. Him performing well would change voters' perception on his
21 age.

22 A No, it wasn't done for that reason.

23 Q You said it was done for that and the economic concerns.

24 A No, those were the two central issues. That wasn't the reason to debate earlier. And
25 you do -- again, I'm either not explaining this correctly or certainly not succinctly enough. But the

1 question was whether to debate or not. When we made a decision to debate, when to debate.
2 The consideration of doing it in the end of June and September or September and October was just a
3 matter of a campaign strategy for the President joining the issue with President Trump, who had just
4 spent 6 months avoiding a debate with all of his Republican contenders, and joining the issues with
5 him we thought could be to our advantage.

6 All of this time, as I've said to you, again, 20 times, we were aware as a political matter that
7 the President's age was a factor in how people were perceiving his candidacy. At the same time, it
8 was also a factor in how they were perceiving Donald Trump's candidacy.

9 Q Okay. That's fair.

10 A Okay.

11 Q I just don't know how doing well in a debate changes the number on your birth
12 certificate.

13 Mr. Sauber. You've said that 18 times.

14 Mr. Benzine. But were you involved in --

15 Mr. Sauber. You could be the witness.

16 Mr. Benzine. Were you involved in --

17 Mr. Sauber. What's the point of that?

18 BY MR. BENZINE:

19 Q Were you involved in debate prep?

20 A Yes.

21 Q Who else was?

22 A Ron Klain, Bruce Reed, Mike Donilon, Jeffrey Katzenberg, Jeff Zients at the end.

23 Q Steven Spielberg?

24 A Bob Bauer; the campaign staff, Jen O'Malley Dillon.

25 Mr. Sauber. I'm sorry, who did you ask?

1 BY MR. BENZINE:

2 Q Steven Spielberg.

3 A Yeah. He -- meaning, again, not in the prep, but he did a couple of hour sessions with
4 him where he talked about --

5 Q Like controlling the facial expressions and that kind of thing?

6 A Yeah, well, presentation stuff. I mean, you know, he's a, as you know, world-class
7 director.

8 Q And debate prep, the final stretch of debate prep took place at Camp David. Is that
9 correct?

10 A Yes.

11 Q Was President Biden engaged in prep?

12 A Yes.

13 Q Do you feel like he was prepared for the debate?

14 A Yes. I think he -- he had prep, as has been widely reported. And again, I don't know
15 why this is relevant. The President certainly was under the weather that week. We had, I think, as
16 you know, and as has been said 100 times, the President traveled for 2 weeks back and forth to
17 Europe from June 5th, I think, to the 15th. He certainly was under the weather with what we -- and
18 I didn't know, but he clearly had a scratchy throat, was taking cough drops, and I think had either a
19 cold or congestion, but something where we knew he was under the weather. You could just tell.
20 It was -- you know, it was physically clear that he was under the weather, you know how someone
21 looks when they have a cold.

22 So that existed, but we, you know, we believed that through the week that the President's
23 health would improve. And we didn't know when, but we knew he'd -- you know, he'd -- again, he
24 had all these medical issues. He had a doctor with him every day, and people were doing their best
25 to try to help him get healthy as quickly as they could.

1 I do think jet lag was also around. I certainly was feeling it myself. I was on the trip to
2 Italy, and by time we came back, flew from Italy to L.A., and then back home. Everybody was
3 certainly feeling the effects of that much international travel, so --

4 Q Were there ever conversations about postponing the debate because of the President's
5 illness?

6 A Not that I had. You know, it's been asked or reported. I didn't have any, and I don't
7 think that anybody -- I mean, again, had his health spiraled into something much more severe, he got
8 a COVID diagnosis -- which, again, you know, the symptoms were in the vicinity of certainly
9 something where I think he was tested for COVID. Although again, I don't -- the doctors handled all
10 of his medical stuff, and obviously we didn't or certainly weren't in a position to make judgments
11 about it.

12 Q Mr. Klain said that he felt like when he got to Camp David that the President was not
13 prepared, that the normal kind of notes the --

14 A Yeah, that's right.

15 Q -- President would make on note cards were not there --

16 A Yeah.

17 Q -- that he was not prepared and was not ready to debate.

18 A Yeah. I think he was prepared, meaning he was ready for debate prep, but whether he
19 had studied his brief and done it, there wasn't much opportunity to do that in the preceding 2-1/2
20 weeks. And so, you know, again, we in retrospect, I think we've all thought through whether it was a
21 good idea to fly back and forth to Europe twice in that period of time, and the consequence of that
22 we will have to live with. That was probably a mistake on all our parts in terms of, you know,
23 scheduling and with respect to his illness, you know, just bad luck in terms of how he was doing.

24 So I think Ron's perception of it, you know, whether he had been buried in the briefing books
25 and stuff like that, he probably didn't have time to do that.

1 BY MS. HARKER:

2 Q Do you know if President Biden was taking Ambien at the time?

3 A No, I didn't.

4 Mr. Sauber. Do you have -- just so we're clear, do you know of any -- are you aware of any
5 medicine that the President was taking at the time?

6 Mr. Ricchetti. No. No. All of that --

7 Mr. Sauber. No. No.

8 Mr. Ricchetti. The answer is no. But let me just say, the doctors looked after the
9 President's medical condition. That was not our job. He had a doctor every day.

10 BY MR. BENZINE:

11 Q Mr. Klain said that he advocated for the President to talk more about the future, what a
12 second term would look like, and the President wanted to talk about roads and bridges, I think is
13 almost an exact quote from Mr. Klain.

14 A Uh-huh.

15 Q Did you advocate for more future vision or the roads and bridges vision?

16 A I just think, again, you're talking -- we are in a discussion now literally about our political
17 strategy and what we thought was most effective for the President to talk about. I certainly had the
18 point of view that we had considerable accomplishments on the ledger and that it was important
19 that the President make the connection on the set of things that we had accomplished, and that was
20 Ron's cute little shorthand about talking about the infrastructure bill.

21 I think the five major pieces of legislation the President accomplished in 2 years was
22 historically important, lived up to the commitments that he made when he was running for
23 President. And it was clear in the data that the public hadn't completely understood or felt the
24 impact of those. And because that money spent out over time, one of the challenges of our
25 campaign was to help people see and understand the benefit of the things that we had done and

1 what it meant in their lives.

2 And there was a variety of strategic decisions about that as it -- what it represented about the
3 future that we had about what he should emphasize, both in the debate and in the campaign.

4 Q When you left Camp David, was the President ready for the debate?

5 A I think he was. And I'm sure you got this from Ron, sometimes the way it was, and
6 then the same thing applied to a speech or a public performance of any kind. Sometimes prep was
7 great. Sometimes prep was okay, you know. Sometimes with okay prep, and you're like, Oh, I
8 wonder how he's going to do, He'd do great, knock it out of the park. Sometimes you thought, Oh,
9 prep was great and, you know, maybe he didn't do as well we thought he was going to.

10 And I have to say from the President's perspective, you know, all of us sitting around, you
11 know, grading him every day, you know, you know, at some level is -- I'm sure was -- is annoying.
12 And, you know, I think -- I think we believed the President could and would still do well in the debate,
13 as I'm sure Ron said, you know, when they left to Atlanta. I think people were hopeful that we
14 would -- we and he would do well in the debate.

15 Q You mentioned grading. Have you ever heard anyone say they need to grade
16 President Biden on a curve?

17 A No.

18 Q Okay. It was reported that the President arrived awfully late at the debate location.
19 Do you recall why?

20 A I wasn't there. I was -- I did this at home. This is one of the many inaccuracies in the
21 book. But I wasn't -- I didn't fly to Atlanta with the President.

22 Q So that was going to be my next question. You weren't --

23 A No.

24 Q You were not at the debate?

25 A No.

1 Q Did you watch the debate?

2 A Yep.

3 Q Did you think President Biden had a good debate?

4 A No. I thought he -- he, certainly -- that -- no. He certainly didn't perform as well as
5 he and we were hoping.

6 Q He made a couple of -- I'll characterize them how you did -- mistakes. At one point
7 said, "We finally beat Medicare."

8 A Uh-huh.

9 Q What -- what did that mean?

10 A I don't have an interpretation. It was a mistake on his part, just like the dozens of
11 mistakes that Donald Trump made in the same debate. Certainly, the perception of how President
12 Biden was doing was what it was and that he had a rough night. But I'll also say, there was many,
13 many things in that debate that Donald Trump reinforced the public perception of himself in a
14 negative way. That certainly was what our information, our focus groups and data revealed.

15 And so, the marginal advantage to him of that debate was really quite small rather than as
16 large as the chattering class that hyperventilated about it. But it did have an effect, and it had
17 effects certainly on how our party perceived the President's chances, and that had an effect on our
18 decision-making in the next 3 weeks.

19 But, again, it's just -- I think it's a cheap shot to like point out two things the President did
20 wrong. I could -- as you know, I could spend an hour here of the time that you're being polite about
21 letting me revise and extend my own things to tear apart everything that Donald Trump has done. I
22 mean, he's made many errors. He's misstated many things, and he's said things that are completely
23 untrue over and over and over again, and I am choosing not to do that to avoid annoying you.

24 And I would respectfully ask -- you can imagine, you know, I certainly know that that wasn't
25 our best debate performance. But to ask me to explain why some specific piece would be my

1 asking you whether you could explain why the hell Donald Trump did whatever the hell crazy thing
2 he did in the last 2 weeks. It's just not -- you know.

3 Q After the debate --

4 A I'm sorry, but --

5 Mr. Sauber. No.

6 Mr. Benzine. -- did you talk to Mr. Klain about the debate?

7 Mr. Sauber. What time?

8 Mr. Benzine. After it.

9 Mr. Sauber. Any time after or --

10 BY MR. BENZINE:

11 Q Immediately after.

12 A I don't think I did. I don't remember that I did. I might have. We certainly -- or he
13 might have been in a call with the group of us. But again, the President stayed on the road. After
14 the debate he went -- even that night, he did an event in Atlanta; went to North Carolina; went to
15 New York to do an event, a stonewall event with the community; and did a fundraiser in New Jersey.
16 So I didn't see the President until, whatever, 2 or 3 days later.

17 I can't remember whether Ron -- I don't think I spoke to Ron alone in the post-facto.
18 Sometimes, you know, when we were in the primaries Ron and I would be sitting next to each other
19 and talking. But I don't remember talking to him either then, but we might have been on a -- you
20 know what I mean, Jeff might've convened a group call that we had. I don't remember.

21 Q What was the general feeling of the President's performance at the debate?

22 A We knew that it certainly was not a strong performance, and we knew that we were
23 going to have to, you know, spend some time working on a political strategy and to survey and see
24 how the public was perceiving it. I mean, I think -- again, it looks like you've read the book so you
25 know. But my point of view was that sometimes what the punditry or the chattering class would

1 perceive in an event, the country and the public just didn't see it the same way or they didn't react to
2 it as -- you know, as extravagantly.

3 And so, something -- and, by the way, we experienced this in 2019 in, you know, people
4 basically thought he was dead. We had certain commentators who said, you know, Biden is done,
5 it's over. And this was in July, and, obviously, we came back and won a race. So my point of view
6 certainly was in this period of time, everybody just -- we should take a breath, see how the public
7 perceived what just happened, see how that -- what the reaction to it would be, keep doing our job,
8 keep working, and see how this feels, you know, a week or 10 days from now, and then we can make
9 the judgments about what we should do. And during that period of time, we had a lot of incoming.
10 We took a lot of advice, listened to a lot of advice, and made decisions about what he was going to
11 do in the future.

1 [3:54 p.m.]

2 BY MR. BENZINE:

3 Q Immediately after the debate, were there any conversations amongst the White House
4 about no longer running for reelection?

5 A Certainly the thought of that had occurred to us in the days. I can't remember
6 whether it was 12 hours or 24 hours or 48 hours, but we, obviously, knew that the effect of the
7 debate might have precipitated that on the part of some people.

8 Q Did you have any conversations directly with the President regarding the debate?

9 Mr. Sauber. In what time frame.

10 Mr. Benzine. After he got back from Raleigh or wherever the next stop was.

11 Mr. Ricchetti. Yes, by that Sunday or Monday when he got back. He was pretty booked,
12 you know, through the next couple of 3 days. I think Mike and Bruce, you know, the handful of
13 people who were traveling with him, was discussing with him directly the impact of this, as he was,
14 you know, also -- I don't know if you remember this, but he went to North Carolina and had a very
15 enthusiastic, positive crowd in response to him.

16 And, you know -- so, again, part of this is, as you know, part of politics, and that was how this
17 was playing out.

18 Mr. Sauber. Did you have any --

19 Mr. Ricchetti. I didn't talk to him -- I think maybe by phone, but I don't remember that, until
20 that Sunday or Monday when I went to Camp David.

21 BY MR. BENZINE:

22 Q What was your conversation with the President regarding the debate?

23 A He knew. I don't know that I said, Hey, boss, that was a bad -- you know, what I mean?
24 I don't think I said that.

25 But he certainly knew that we had work to do to interrupt the negative political coverage that

1 was certainly from the punditry that was occurring during that period of time.

2 And we also had to take a sense of where the caucus was, what was the reaction to it from
3 the folks who were our allies and folks who had supported him. And so we went about the business
4 of that week or 10 days of kind of both reaching out to and taking the incoming from folks
5 throughout the country.

6 And the campaign was doing -- and, again, I don't want to centralize all of this. It was
7 also -- you know, data points were coming in through the campaign. We were looking at public
8 polling, private polling, you know, all of the information and just doing all the things I think
9 responsibly to consider this.

10 Q Did you advocate for the President to be more public-facing after the debate?

11 A Yes.

12 Q It was regarding -- Mr. Klain testified to this -- that he called Mr. Zients and was
13 like -- asked what the President was doing that weekend, and the President was going to Camp David
14 for a photo shoot. Is that why you were at Camp David?

15 A No. I don't think you mean it in that way.

16 Q No, no, no. Not a photo shoot with you.

17 A No. He was asked. I was going to go do the chief of staff role at Camp David. So
18 when he got there, I went there, and then had dialogue with him about what had happened. I
19 hadn't seen him in those 2 or 3 days, so I spent time helping him think through what had just
20 occurred and what we were up against, and what we would have to do to fight through it.

21 Q Did that photo shoot occur?

22 A I don't know. I think it did. Do you guys know? I can't remember whether it
23 occurred or not.

24 Q I don't think the photos were ever released if it did occur.

25 A Yeah, I don't know.

1 Mr. Benzine. That's a good place to stop.

2 BY MR. GREENBERG:

3 Q I just want to ask. So if I understand you correctly, after the debate, you didn't think
4 that Joe Biden should drop out of the race?

5 A Like in the 24 hours or something like that?

6 Q Correct.

7 A No, I didn't.

8 Q And I understand that campaigns are campaign season, and it's been over a year now.
9 I'm just wondering has your analysis changed since then?

10 A No.

11 Q Okay.

12 A Let me answer that a little more fully because it's the only thing. What I thought the
13 best thing for us to do in that period of time was to, again, take a breath and see and learn what the
14 reaction to what had just occurred would be.

15 And I knew that we also had to be public-facing ourselves, meaning the President needed to
16 be public-facing just to kind of answer the mail about how he was doing physically and just, you
17 know, perform -- you know, kind of if you have a rough night and -- Joe Biden said this himself a
18 hundred times -- you have to dust off and get back up and go to work.

19 And so that was what, you know, our whole temperature range and everything was, get back
20 to work. Let's see what we can do to, you know, help to change or ameliorate the perspectives, and
21 wait and see how the public is reacting to what just happened.

22 And about that, there has just been this wild distortion about what actually occurred and the
23 reality of the data that existed around the President about whether he should continue going, and
24 how close the race still was. And there were a dozen polls during that period of time.

25 People, to this day, don't believe it, but a high school research assistant could provide this to

1 you, a dozen public polls. On the average of the dozen public polls, the RCP average and 538
2 average, it was minus two the day he withdrew from the race, minus two. And that's a fact.

3 And people write these books and say, Well, there was no data that existed. It's false. It's
4 a lie. There was internal data, and we were doing a little -- we were not doing as well in our own
5 internal polling, but I ran a campaign committee. I never worked with a candidate who ever
6 stepped away from a race in June, in June, who is down three or four points in a race and didn't think
7 they could win.

8 That's what we were dealing with.

9 Mr. Greenberg. Thank you, sir. We'll go off the record.

10 [Discussion off the record.]

11 Ms. [REDACTED] We can go on the record.

12 BY MS. [REDACTED]

13 Q During the last hour of questioning, you were asked some questions regarding
14 statements purportedly made by Mr. Klain during his transcribed interview, and I just want to point
15 out that the majority did not quote from Mr. Klain's -- the transcript of Mr. Klain's transcribed
16 interview, and so you are relying on their representation of what he said in that interview. Is that
17 correct?

18 A Yes, to the best of my knowledge.

19 Q One of the things that the majority represented Mr. Klain said in his transcribed
20 interview was that President Biden's memory diminished over time. That is not what Mr. Klain said.

21 As the transcript will reveal when it is made public, Mr. Klain said that although President
22 Biden had aged and was a bit slower than when he was younger, his memory remained more than
23 adequate to serve as President. Does that match your --

24 A That's what I feel.

25 Mr. Sauber. Say it on the record.

1 Mr. Ricchetti. Yes, that's what I feel.

2 BY MS. [REDACTED]

3 Q So you would agree that his memory was more than adequate to be President?

4 A More than adequate.

5 Q You have also been presented with a number of quotes in various publications. For
6 example, these various books that we have been discussing at points.

7 A Yes. I probably even introduced them as well. I may have.

8 Q You noted in the last round of questioning that these books had some inaccuracies,
9 including saying that you were at the debate when you were not actually there. Is that correct?

10 A Yes, amongst many others.

11 Q So is it fair to say that in your opinion, these books should not be relied on as a
12 documentary account of President Biden's term in office?

13 A Yes, I think so. There were many firsthand sources who I think will be happy to
14 document the success of the Biden presidency and the work that he did and his ability, capability,
15 vision, and character and judgment all along the way, which again, I just want to reemphasize. I
16 can't say this strongly enough. You're I think about to find that everybody who worked with him
17 felt the same way, and I think you'll be able to transcribe plenty of material on that front, and it will
18 be my point of view for the rest of my life.

19 Q And a very similar question, but is it fair to say that in your opinion, just because
20 something is in one of these books does not necessarily make it true?

21 A Yes. Thank you for saying that, yes.

22 BY MR. [REDACTED]

23 Q So was the decision to have Joe Biden publicly debate Donald Trump three times,
24 including one time earlier than normal, was that part of a conspiracy to hide Joe Biden?

25 A I see what you're getting at, and the answer is no. In fact, again, I've said numerous

1 times, the entire part of our both White House strategy and campaign strategy was to present Joe
2 Biden in as many forums as possible, in as many ways as possible, to communicate both what we
3 were doing, what we had accomplished, and what his vision for you the future was, which was, again,
4 part of, you know, campaign strategy that, you know, we tried to execute on and part of the strategy
5 of the Presidency to say here's what -- you know, we were very proud of our accomplishments, very
6 proud of the work that had been done.

7 The investment side of these legislative successes were being felt in communities all over the
8 country, and his vision for the future, the things that we still hadn't done, work on home healthcare,
9 work on childcare, work on what we could do with respect to the cost of housing and even with
10 respect to the prices of groceries.

11 We knew that there was work that was left to be done, but I think it is inarguable, objectively,
12 that we had made enormous progress certainly in the 3 years that had preceded it, and it was
13 something to be proud of and something that I will forever be proud of.

14 Q So the decision or a debate about when to debate Donald Trump, whether to debate
15 Donald Trump, those are matters of campaign strategy. That's political calculus, right?

16 A Yes.

17 Q And whether debating at one point in time or not debating, or debating multiple times
18 might affect voter's perception of the electability or the approval of a given candidate, Joe Biden,
19 right?

20 A Yep.

21 Q Or might dispel preexisting concerns about the age of both candidates. Those are still
22 political decisions, right?

23 A Yes.

24 Q They have nothing to do with whether Joe Biden was anything but what you said, fit to
25 be President?

1 A Yeah. No, again, I'm saying this respectfully, but this entire dialogue about our political
2 strategy and campaign strategy was a political discussion, dialogue that was going on in the White
3 House. We were running for reelection. It had nothing to do, zero to do with the President's
4 ability to do the job that he was doing every day of the Presidency leading up to that point in time
5 and after until the day we left.

6 Q Does the quality of his debate prep at Camp David change your testimony at all?

7 A No. And, again, as I said, with respect to preparation in general and even with respect
8 to what you were pointing -- recall or memory, sometimes the President didn't think we were giving
9 him good advice. Sometimes he disagreed with the recommendations. Sometimes he chose to
10 say something differently because he thought it would be more effective than what we
11 recommended to him.

12 He was making these decisions himself. He had agency in every aspect of his Presidency.
13 He insisted upon it. He gave the direction. He made the decisions. He led us all wide open with
14 respect to the advice that we gave him, with respect to counsel. He encouraged differences of
15 opinion and then he made the calls.

16 And by the way, those of us who worked for him, when he made the calls, it was our job to try
17 to fulfill the priorities that he had articulated and get the job done, and that's what we worked on
18 after that.

19 And this idea that somehow -- number one, the insanity of the idea that somehow we were
20 doing it in his stead, anybody who worked for Joe Biden will tell you that's just crazy. He was, if
21 anything, more of the micromanager in terms of decision-making, that he wanted both to be
22 informed, and it was never unclear to anyone in the White House who was President. He was
23 President every single day.

24 So I don't know how to say that anymore emphatically. And we did our best to follow up
25 and to fulfill his direction, and he gave us latitude. And frankly, out of mutual respect, for instance,

1 with my work on the Hill, people knew I -- I wasn't freelancing. They weren't negotiating for
2 me -- to be with Steve Ricchetti. They were doing it because I was doing it on behalf of the
3 President.

4 And by the way -- and this includes the Republican leadership that I worked with on
5 numerous things. They knew that I would speak to the President, and the President would direct
6 what I was going to do.

7 And that's why I think we were and I was effective, because they knew that this was with the
8 President's authority and direction that we were doing what we were doing. And I think
9 people -- honestly, I think people knew that across the board, which is why, again, this entire
10 storyline I think was erected, frankly, for political reasons more than anything.

11 Q Just to be clear, I mean, whether Joe Biden, President Biden relaxed by the pool,
12 whether he fell asleep, how long he fell asleep, none of that changes what you just said, right?

13 A Right.

14 Q What about whether or not he had a rough night at a debate? Did that change any of
15 that?

16 A No. And, again, the point about, you know, sleep, one of the jobs of a Presidential
17 staff and one of the things that maybe we failed at more often was doing things more efficiently or
18 reducing the burden of time and schedule on the President himself.

19 He went long, late. He certainly revised and extended when he campaigned, and he shook
20 every hand, and he did it until 10 o'clock at night, and everybody knows it. The press corps was
21 waiting for us to get off the helicopter. We weren't like, you know -- we were working. We were
22 campaigning. We did the job of the Presidency, often 12 or 14 hours a day.

23 And by the way, even when you went to bed, you know, you still knew that if something
24 delicate or dangerous or important was happening overnight, that you were going to have to deal
25 with it. And he did that every day of his time in the Vice Presidency and the Presidency, and he did

1 it diligently.

2 Again, whatever you think or agree or disagree with about Joe Biden and his point of view on
3 an issue, you know, he was off and believed everybody should do this. But he did this job with
4 character and integrity, and he worked hard for everyone, and it didn't matter their politics. He did
5 it for every State in the country, and he did it for every person in the country.

6 And he really didn't care whether it was Democrat or Republican. People needed help and
7 he wanted to be there to provide it.

8 Q If you truly --

9 A And I think a lot of Republican governors certainly who were in distress and needed help
10 would say that.

11 Q Which governors come to mind?

12 A Look, even DeSantis, even Abbott, people we had, obviously differences with, when
13 there was -- particularly with respect to natural disasters or things that were affecting people in the
14 States. Everything that we could do to provide assistance, any way that he could firsthand be
15 responsive to the governor of Oklahoma -- I mean, when I think of all of the different places where he
16 just literally was like pick up the phone, see what we can do. Make sure people we know -- whether
17 it's 10 percent to West Virginia to Massachusetts, you know, it just didn't matter.

18 Q He talked with and met with Republican politicians throughout his Presidency. Is that
19 right?

20 A Throughout his Presidency and particularly if someone was in distress, someone was
21 hurting. He had a number of very good relationships, cordial relationships, respectful relationships.

22 Again, part of what gets lost in all of this is in the competition, the political competition and
23 this strained relationship with the parties, President Biden was happy to take a picture or hug
24 everybody at a Christmas party. He was very respectful to people on both sides of the aisle. He
25 went out of his way to make people, either political party, feel welcome inside the White House and

1 around it, and he was extremely -- I would say extremely -- deferential and welcoming advice no
2 matter what corner it came from.

3 Q So there was no strategy to hide Joe Biden's sort of deficiency from the world by having
4 him repeatedly meet with Republican officials for 4 years?

5 A No. I mean, we weren't -- we certainly weren't hiding him. Again, I think both the
6 record and the reality was we worked hard to try to publicly present and extend a reach of what Joe
7 Biden was doing. And I always said -- and I feel this and I hope you have a sense of this -- I always
8 felt like if the rest of the country could see the Joe Biden I was working with, that this would be a
9 landslide, that he would win going away because he's a decent person. He was trying to do the
10 right thing by everyone. He had respect for the institutions of government and Congress and of the
11 courts.

12 And again, agree or disagree with him on any particular issue substantively of what we should
13 be doing and the direction of the country. He was a good person of high character to the country.

14 Q Polls don't diagnose someone, do they?

15 A No.

16 Q All right.

17 A And again, I've been criticized for saying this, but I knew a lot about polls, and saw a lot
18 of polls. And, again, my nature -- I've said this. I confess this because maybe it's a negative, but I
19 was a personality type in my advice giving who didn't give up when things looked more challenging,
20 or even dire, when people gave us a prognosis that we were going to fail at something.

21 My job was to keep working to try to get things done legislatively, substantively, and we did
22 and overcame a lot of folks who pronounced things dead and gone.

23 And the same thing applies to politics. Sometimes you get behind. Sometimes you face
24 challenges, and even when you're down five points, you can get up and dust off and devise a strategy
25 so you can still succeed.

1 And certainly in President Biden's case, with all of the available evidence, we thought we had
2 a very good chance -- certainly a competitive chance of winning. And the reason we wanted to win
3 was we wanted to extend the reach of the things that we had already done because we thought we
4 made progress.

5 Q You've described sort of the team around President Biden, both on the campaign side
6 and then governing. That team may have changed at different points in time. I don't want to
7 generalize too much. But if that team thought for some reason President Biden was not up to be
8 President for another 4 years, are you confident that someone would have said something?

9 A Yes. I'm confident they would have said something. I think people believed he could
10 be President for 4 years and was a successful President.

11 As I said, the thing you couldn't warrant -- and the President was certainly more acutely
12 aware of this than anyone -- was how fate intervenes in your life so that you could never -- it was this
13 whole question: Can you say -- no. You couldn't say what 4 years down the road was going to
14 look like or whether some health incident -- I mean, this was a President who when he was in his 40s
15 had a brain aneurysm and was counted out for dead.

16 And the things that he experienced and seen in his life tragically, you know, I think certainly
17 provided, at his core, a belief in getting up and overcoming obstacles and fighting through them.

18 And over and over and over again, just, again, for you all's consideration, you know, he didn't
19 feel -- he said many times he didn't feel his age. He felt like he was doing a good job. He worked
20 out. He outworked many of us many nights. He worked a rope line longer when folks who were
21 staffing him were gasping for air and ready for bread -- ready for bed and --

22 Mr. Sauber. That's a mistake.

23 Mr. Ricchetti. I mean, he always worked harder.

24 It was fair to say, did we try to sometimes structure his schedule to be more efficient? Yes,
25 we did, but it was just against his instinct to keep going and going and going.

1 And in the Presidency, in every President I worked for, and I believe this is consistent
2 throughout Democratic and Republican Presidents, you know, managing your time and your schedule
3 and keeping control of the competing demands so that you can do the things that are required in the
4 Presidency, you know, getting a good night sleep, that's a good idea. And, you know, finding a way
5 to eat well or work out and do those kinds of things, those are important to the job and the demands
6 of the job, particularly when you're running for reelection so you not only have, you know, all of the
7 demands of the job itself but then a national campaign on top of it.

8 You know, that puts stress on the system.

9 BY MR. [REDACTED]

10 Q Some of the books, which, again, my colleagues noted -- we're not debating whether
11 they are completely accurate. We don't have them here where we can show them to you. I don't
12 think the majority has shown you either --

13 A I'm a little more jumpy about it than --

14 Q So this is not an interview about going line by line through any of the books.

15 A Thank you.

16 Q But generally, some of the books have suggested or alluded, innuendo, depending on
17 which book, I suppose, that the people around Joe Biden, around the former President were loyal to
18 him, but not to, say, country, their personal loyalty crowded their judgment or something potentially
19 more nefarious. Any response to that?

20 A Yes. That is completely false. That narrative is false. It is grossly unfair to the
21 people who did it.

22 By the way, many of the people who I think by the insinuation that was being applied to, this
23 was the third President that they had worked for. We all were very proud of our work for each of
24 the Presidents that we worked for, and certainly I was very proud of the work I was doing with
25 President Biden.

1 And we thought, more importantly, the foundation of what we were doing to run for
2 reelection, my belief was our performance in the Presidency itself and what he had accomplished,
3 what he had achieved, and I thought that was in the interest of the country. I do to this day.

4 The progress we made we will feel the benefit from many of the things we did for years to
5 come. I think we left the country in an improved position from the country that we inherited, and I
6 think that was plenty of progress to build on, and we were looking for the opportunity, not out of
7 self-interest, but for the opportunity to finish the work that we had started.

8 So again, as you can imagine, we take this kind of -- we take this quite personally, folks who
9 do this. Not to say that we didn't want to. I wanted to do public service. I'm very proud to do it,
10 but it was at some sacrifice, and real hours. The toll that it takes on you personally, and the things
11 that you miss or have to live through while you're doing it, those are all real.

12 And one of the things, again, and I'll say this to Republicans and Democrats, it doesn't matter,
13 but every one of us that's doing this is sacrificing something, time, attention, financially, or
14 something. And I just think this kind of perception of what we're doing or how we're doing it is
15 really, really -- number one, it's wrong. It's objectively, factually wrong. And it's also a real
16 disservice because it clouds people's perception of what public service is all about.

17 So, sorry.

18 Mr. [REDACTED] Can we go off the record.

19 [Break.]

20 Mr. Greenberg. We'll go on.

21 BY MR. GREENBERG:

22 Q Just real quickly, the minority brought up the books, so I want to return to the books.
23 You testified earlier that you've read "Original Sin," right?

24 A Yes.

25 Q You disagree with the characterization of how the White House was running based on

1 that book, correct?

2 A Correct.

3 Q You disagree with Original Sin's characterization of President Biden's mental acuity,
4 correct?

5 A Yes.

6 Q If that account were true, do you think that would be a problem?

7 A I don't think that -- again, I think you're mixing up the anecdote with the conclusion.
8 What I have argued with intensely is the conclusion, that the things that is cited as evidence of his
9 cognitive decline were evidence of his cognitive decline, and I can go through those one at a time.
10 I did not believe -- some of the things that they said happened I did not see or perceive in the
11 way that they saw them. But what was worse was that they added those things up and said and,
12 therefore, this was evidence of his cognitive decline.

13 I think it is so grossly unfair to suggest that confusing a name or changing -- or even to think
14 that it didn't happen, like somehow Joe Biden was working from 10 to 4, which was provably
15 false -- I've got, you know, calendars of schedules in which you know that that is not true. Those
16 things, to suggest, therefore, he is in cognitive decline, and worse, to suggest that somehow like your
17 communications director for the chairman is guilty of conspiring to conceal whatever, or Donald
18 Trump's makeup artist is, you know, concealing his age because they put, you know, goo on his face,
19 that's just wrong. That is grossly unfair.

20 And that's what I think.

21 Q I just want to be clear. You don't take issue with any of the vignettes or the specific
22 episodes?

23 A I do.

24 Q I think one of them --

25 A As I think you said.

1 Q One of those being where you were on debate night, for instance?

2 A Yeah, that was wrong. And there are a number of things that I believe were either
3 mischaracterized or recorded in a way that I don't think is accurate, but most offensive from my point
4 of view is that then those things, even if you stipulated that they were true, didn't add up to and,
5 therefore, someone was in cognitive decline or couldn't do the job. That's just not true.

6 In fact, they even say in the first six pages of the book themselves, you know, this isn't to say
7 that Joe Biden wasn't doing the job of the Presidency every day or capable of Presidential
8 decision-making, which is, again -- I'm just going to say this politely, respectfully, which is why I just
9 don't think we should be here and why we should be doing this.

10 From my point of view, even the authors of the book were saying he made Presidential
11 decisions every day. He did the job of the Presidency every day. He was capable of doing it and
12 he did it. If that is the case, then I really don't -- I don't think we should be here discussing, you
13 know, whether these anecdotes added up to anything.

14 Q So the biggest problem with the book is the ultimate conclusion of the book. Is that
15 fair?

16 A Yes. Absolutely.

17 Q But if that were true --

18 Mr. Sauber. If what were true.

19 BY MR. GREENBERG:

20 Q If the ultimate conclusion of the book, i.e., that Joe Biden actually was incapable of
21 running the country, would that be a problem?

22 A Of course.

23 Mr. Greenberg. Okay. Thank you.

24 BY MR. BENZINE:

25 Q I'm going to attempt to go through post debate in chronological order, but I think a lot

1 happened?

2 A Do we really need to do this? I'm saying politely.

3 Q On or around July 4th, did Secretary Blinken call you and Mr. Donilon?

4 A Yes.

5 Q And the way it was reported, so I don't get a complaint, it's from "Original Sin" on page
6 236.

7 A Yep.

8 Q Quote, that Secretary Blinken told you guys, quote, "you guys know the data much
9 better than he, did but there are other analyses out there, and we need to make sure the President is
10 getting the complete picture."

11 Is that fair?

12 A Yes.

13 Mr. Sauber. I'm sorry. When you say that's fair, is that quote accurate --

14 BY MR. BENZINE:

15 Q Is that what Anthony Blinken said to you?

16 A Yes.

17 Q Okay.

18 Did you talk about anything else?

19 A Just our perception of where things were, and I told him what we were doing, that we
20 were receiving phone calls. I was communicating them with the President.

21 Let me clear up something, which may be where you're leading before you even get there.

22 The President knew about this data. We reported it to the President. We reported what

23 Members were saying to the President. Any insinuations that we didn't is just factually false.

24 Those are wrong.

25 The President knew what the data was. We told him what our campaign's polling was. It

1 was vetted through Mike, who had been doing it for him for 30 years, exactly the way we had always
2 done it and the way we did it with this.

3 We presented the good news. We presented the bad news. We presented points of view
4 from people who said time to hang up the cleats and get out of the game and folks who were
5 encouraging him to stay in the game.

6 I received many of those calls in the initial phase of this. Many people said, "Look, this is the
7 President's decision. That was a pretty choppy debate performance. You know, he certainly has
8 got to think about the impact or the implications of it, but if the -- it's the President's call, and if he
9 makes the decision to press forward, I've got his back, and we'll be with him 100 percent."

10 That was the overwhelming sense of the phone calls I got, certainly in this first week or 10
11 days. During that period of time, that shifted somewhat away from us. We reported that to the
12 President.

13 Most importantly -- the thing they keep using -- is if this cabal of other people were making
14 the decision -- the President was making these decisions every day, just like the President made the
15 decision to run in the first place. They were the President's calls. They weren't my calls. They
16 weren't Mike's calls.

17 We weren't puppeteers. We weren't, you know, sitting in for a robotic president. All of
18 these things are false. I don't know how else to say it. And, you know, there is nuance in
19 everything in politics, right, in political decision-making, whether we were right or wrong about what
20 we should do or how it was being perceived. But there is a factual objective reality to things.

21 When I say there were 12 polls, I'm not making that up. They weren't ours. Those were 12
22 public polls. Every network sponsored one. That's their composite results of those polls. That's
23 a fact. You can look it up. I mean, they are what they are, whether they were good polls, bad
24 polls, indifferent, but that's what existed during this period of time.

25 And so, we had to evaluate that, present that to the President, which predominantly Mike did

1 in the polling side of this equation, and assess where people were in our party, where donors were,
2 where other people in the country were who had influence, and try to provide that information to
3 the President so he can make a decision, and that's what we did across the board.

4 And nobody hid anything. Nobody hid the ball. There was good news in this and bad news
5 in this.

6 Q I appreciate --

7 A Okay.

8 Q -- the answer. I'm going to still ask --

9 A Ask all the questions.

10 Q I'm going to still ask about --

11 A I'll go through it one at a time.

12 Q I'm going to still ask about a specific one.

13 A Go ahead.

14 Q Did Secretary Blinken express concern about the President's reelection chances on
15 July 4th?

16 A No. The question, you know, that was in Tony's mind was is he seeing everything, to
17 make sure because there was certainly some concern about that, and that's what the nature of this
18 was. And we told him there was also this other data. We said what was true, that we were
19 showing him.

20 And I'm using the word "we." Actually, you know, when we did polling, we said, Mike,
21 where are we? And Mike presented both the internal polling dynamic and data and
22 recommendations, you know, what two of the pollsters were recommending to the President.

23 And we also presented and showed him the public polling and some of the other data that
24 was a little -- seemed a little more on the optimistic side of the game.

25 Q Did Secretary Blinken express to you why he had the concern that all the data wasn't

1 getting to the President?

2 A No. It's just there was this kind of conjecture that maybe, you know, as the vibration
3 was occurring about whether to run or not, whether he was getting all the information because there
4 was some information that was negative.

5 Q Did you discuss this phone call with President Biden?

6 A No. What I suggested to Tony was that Tony talk to the President directly. They
7 were very close.

8 Q Do you know if --

9 A And I think they did.

10 Q Okay.

11 But you didn't bring Secretary Blinken's concerns to the President?

12 A I don't know -- I can't remember whether I talked to him or not. I said to Tony, "You
13 should talk to the President directly," and I think he did. I'm almost certain he did.

14 Q After the debate -- and you kind of just said this, so it can be much shorter than what
15 you just said.

16 A I'll try.

17 Q Members of the House and Senate started calling you with concerns after the debate?

18 A Yes.

19 Q And then, you were speaking with them about both their concerns regarding the debate
20 but also not yet abandoning the President. Is that fair?

21 A Yes. I think I would say certainly in the first 10 days or 2 weeks, the majority of calls I
22 got said, "You know, this is going to be a tough couple of weeks. We'll see how this plays out. But
23 it's the President's decision. If he makes the decision to press ahead, we've got his back, and we'll
24 be behind him."

25 That was the overwhelming number of calls I got during that period of time. It shifted some

1 in that last 7 days or 8 days. As you know, some of the things that occurred in that period of time
2 were as tumultuous and significant as can be, including President Trump -- the assassination attempt
3 on President Trump.

4 Q Was the primary concern being the debate, or did they have any other concerns, the
5 Members that were calling you in the 7 to 10-day mark?

6 A Well, the debate itself, which again, people were just trying to perceive what the public
7 reaction to it was, but it certainly, from a strategic standpoint, confirmed concerns about age that we
8 certainly knew were something that we were having to deal with, you know, for months as one of
9 the kind of predominant things to think about.

10 So his debate performance, you know, underscored our vulnerabilities and the difficulty on
11 those challenges. So in that connection.

12 Q And then were there -- did you hear from any White House staff regarding concerns that
13 the President was getting the full picture?

14 A We heard from everyone to make sure that the President was -- and we debated
15 amongst ourselves the best way to communicate to the President the information that we got. So
16 we met as a senior staff every day in the way we always did, and we tried to structure both reporting
17 of information to the President about where things were with respect to the data and the polling,
18 and what people were perceiving with respect to the donor community and kind of the political
19 infrastructure of a campaign, and also, what we were hearing from our allies, you know, Democrats
20 on the Hill.

21 Q On July --

22 A And that I was doing at an almost kind of daily basis. And importantly, which always
23 gets left out of it, the President himself was doing Zoom calls, had meetings with congressional
24 caucuses. As I think you know, we met individually with Speaker -- former Speaker Pelosi, with
25 Hakeem Jeffries, with Senator Schumer, and had numerous phone calls with Members individually,

1 too, where he got counseled about how to navigate this.

2 Q On July 8th, President Biden issued a letter saying that he was staying in the race.
3 Were you involved in the drafting of that letter?

4 A No. I was not involved in the drafting, but I certainly was aware of the effort to do it.
5 I was with him as he was making the decision about doing it. If I remember right, Mike drafted the
6 letter.

7 Q Mr. Donilon did?

8 Whose idea was it to send that letter?

9 A I think it was, you know, several of us recommending that the letter be sent affirming
10 this position of the President, that he intended to press forward and that he was going to run.

11 Q Who's included in "several of us"?

12 A The senior staff.

13 Q Would that include Mr. Bernal?

14 A I don't know whether he was in the room at that time. I'm not positive.

15 Q What about Ms. Tomasini?

16 A She was probably in the senior staff meeting where we discussed doing that. And,
17 again, I don't remember. Was that a Monday or Tuesday? I can't remember.

18 Q I don't know.

19 A I can't be precise because a lot -- you know, we discussed in that senior staff meeting,
20 you know, a strategy for responding to things. So everybody knew that we were doing it. You
21 know, like Mike didn't say let's send up a letter and do it on his own. He discussed it with me. He
22 discussed it with Jeff. He discussed it with Bruce and the senior staff.

23 BY MR. GREENBERG:

24 Q Was anybody at that point saying something along the lines of, Well, maybe we should
25 reconsider running in this race?

1 A Yes.

2 Q Who?

3 A Everybody had the conversation on both sides of that equation.

4 Q Was anyone --

5 A I mean, internally, people were saying that there are some people suggesting that you
6 step aside, and there were other people who were encouraging him to stay in the race, and we were
7 devising a strategy for how the President can make a decision based on that and receiving
8 information, right, data points that we were communicating to the President.

9 But we were also taking time. It's not the kind of decision after running in a primary,
10 winning a primary that you just decide, Okay, we had a rough night, we're getting out. And as I said,
11 again, it's extremely important I think to at least acknowledge or understand that's not the kind of
12 thing you survey in 48 hours and say, Oh, there is the conclusion in politics.

13 How political issues or challenges settle over time is a better way to kind of design a strategy
14 or think through a big decision in politics and that's what we did. And over time, the one thing that
15 I think has been inaccurately reported is if over the course of that 2 weeks, that somehow the
16 bottom fell out of the President's support in the country vis-à-vis his race against President Trump.

17 A lot of people thought or expected that that would happen, but it's not actually what
18 happened, and so that was a consideration for us, too.

19 Q Let me be more precise. At this time, was anybody in the senior staff saying maybe we
20 should drop out of this race?

21 A We were, amongst each other, saying maybe -- that was -- on the one hand, maybe we
22 should drop out, and on the other hand, maybe we should press forward. And the President was
23 still of the mind that we were going to press forward and do everything we can in support of pressing
24 forward.

25 We all were supporting that and trying to think through strategies that we could, you know,

1 present the President. Do interviews, do things that were responsive to the counsel that we were
2 getting about a way to muscle through this.

3 And so we acted on some of that advice. We certainly had a bunch of meetings with
4 colleagues on the Hill to make the case for his Presidency. We met with all the governors. You
5 know, we did a variety of things in service of continuing to move forward.

6 But again, we're talking about like a 3-week period of time, the responsibilities of the
7 Presidency existing alongside of this. So you're still doing your day job every day and trying to think
8 through ways of -- strategies, strategize ways to, you know, ameliorate the impact of what the
9 politics of the debate might have been.

10 Q Was anybody more adamant in those meetings?

11 Mr. Sauber. Let me just interrupt for one second. I'll let him answer.

12 This starts to feel like an investigation of political decisions in the west wing, as opposed to
13 what you said in your letter that you sent us signed by the autopen. So, you know, can we focus in
14 on what you said you were investigating, which was whether the President had the mental and
15 physical capability of performing the duties?

16 Because this asking of who said this and, you know, what was this person's view about what
17 the President should do is totally irrelevant to that question, and it just feels like, you know, an
18 investigation of the gossip of the west wing in the last 3 weeks before the President exited the race.

19 Mr. Greenberg. I disagree.

20 BY MR. GREENBERG:

21 Q Was anybody more adamant than others about the President being able to get out of
22 the race?

23 Mr. Sauber. Was he able to get out of the race? I don't understand that question.

24 Mr. Greenberg. That the President should get out of the race.

25 Mr. Ricchetti. Was anybody in an internal dialogue more adamant about it?

1 BY MR. GREENBERG:

2 Q Yes.

3 A Not that I remember.

4 Q Okay. Thank you.

5 Mr. Benzine. Just a little vignette, the contents of this interview are leaking. We didn't do
6 it, just so you know. Well, I didn't do it either. You know I was in Jake's bathroom.

7 Mr. Benzine. Well, there is only one other group in here.

8 Mr. Sauber. Listen, okay, I don't know to what you're referring. I don't know what steps
9 you have taken to make sure that every person on your side has not leaked anything. I can assure
10 you that nobody on our side is leaking anything.

11 Mr. Benzine. Okay. I'm just saying CNN has your opening statement, which is surprising to
12 me considering you gave it in here. I don't know. I don't know how they would get it.

13 BY MR. BENZINE:

14 Q Going back to the July 8th letter, you were still doing mostly leg affairs at this point.
15 Did you call anyone on the Hill to give them a heads-up about this letter?

16 A On the July 8th letter?

17 Q Yes.

18 A No, I don't think so.

19 Q And you said you were with the President?

20 A Again, I might have.

21 Q Just to the best of your recollection.

22 A My reflex would have been, you know, call Jeffries and Schumer, Jeff or I or, you know,
23 we would split up the assignment.

24 Q And you said you were with the President for review of this letter. Is that correct?

25 A Yeah, I think a number of us were before it went out. I can't remember whether we

1 were at Camp David or whether we had come back before the letter went out. Again, you would
2 know. I don't remember, unfortunately, even now, you know, every 6-hour increment of time. So
3 I'm trying to recollect this.

4 I think we were at Camp David when we first considered it. I think we decided to do it when
5 we got back to Washington, which was the following day. That might have been Sunday, Monday.
6 It might have been Monday, Tuesday. I don't remember precisely but --

7 Q What was the --

8 A -- I'm certain that it would have circulated with the senior staff, and probably with the
9 campaign staff because it was of that nature before it went out, but I'm not positive of that.

10 Q What was the President's reaction to the letter?

11 A Well, he supported the thrust of the letter because it was his.

12 Q Did anyone call you after the letter was sent?

13 A Yes. I mean, obviously, people called me but not apropos of the letter itself.

14 Q If Minority Leader Jeffries called you on July 8th, it wasn't about the letter?

15 A No -- well, I can't remember. It might have been about the letter and the President's
16 statement, I'm intending to go forward, but it was, I'm certain, about what else was going on in the
17 caucus -- I mean, you know what I'm saying?

18 The calls that I had with either Jeffries, which I had numerous calls and dialogue, weren't like,
19 for instance, oh, I'm calling about the letter. It would have been about what's going on in the
20 caucus. How were people reacting, what's he hearing, what does he need, what are we doing,
21 those kind of things.

22 We tried to coordinate with the leadership as much as we could about everything we did,
23 including our decision-making there.

24 Q On that call from Mr. Jeffries on July 8th --

25 A Was it to me or are you talking about --

1 Q To you.

2 A Okay.

3 Q Do you recall what it was about?

4 A No. I mean, I don't precisely, but I just said what I would have remembered --

5 Q Along those lines?

6 A -- what it would likely be about.

7 Q And then on July 9th, there was a House Democrat Caucus meeting where Mr. Jeffries
8 and Caucus Chair Aguilar took the temperature of the caucus regarding continued support. Were
9 you aware of that meeting?

10 A I wasn't aware of the meeting until after it occurred.

11 Q Did someone call you after the meeting?

12 A I talked to Pete Aguilar after the -- again, you're going to have to help me with precise
13 dates because I don't remember --

14 Q This was July 9th.

15 A -- the 10th or the after date. We got out I think on the 21st or something like that. I
16 can't remember whether it was this call or whether it was several days later that I had the call with
17 Pete Aguilar.

18 Q It was reported that Mr. Jeffries and Mr. Aguilar called you after this meeting to discuss
19 how the caucus was feeling?

20 A Yes.

21 Q Do you recall what they discussed with you?

22 A Yeah.

23 Q What?

24 A They discussed what they thought was the shifting sentiment inside the caucus, that
25 they thought that more people in the caucus would -- if they were being surveyed or polled, more

1 people in the caucus encouraged the President to get out.

2 Q Was the President under water with the caucus at that time?

3 A I don't know whether at that time he was or not. He certainly -- we had many lines
4 into data points and information for how people were reacting to where the President was at this
5 time.

6 The only reason I'm kind of hesitating is I think our conversation -- the meeting might have
7 occurred on the 9th. I don't think I talked to him until later in that week, and in fact, I think Leader
8 Jeffries had a -- again, widely reported -- meeting with the President himself to communicate what
9 was going on in the caucus. That occurred I think in that time window.

10 Q A couple days later.

11 A Okay.

12 Q I said I would try to go chronologically.

13 A Thank you.

14 Q Did you tell President Biden about this call from Mr. Jeffries and Mr. Aguilar?

15 A Yes.

16 Q What was his reaction?

17 A Well, he just -- you know, again, we were thinking through how we were absorbing the
18 information or the perception of where we were with respect to the caucus on kind of a daily basis.
19 And as I said, I think in that first week, you know, into the 9th or 10th, you know, we felt like the
20 recommendations of the President was of the kind that I described, and that shifted over the course
21 of the following week or 10 days.

22 Q On July 10th, Speaker Pelosi went on TV and said, and I'm quoting, It's up to the
23 President to decide if he is going to run. We are all encouraging him to make that decision because
24 time is running short.

25 Do you recall that?

1 A Yes.

2 Q What was your reaction to her statement?

3 A Well, in the way that it was described, I think I was a little frustrated only in that that
4 morning, I can't remember which one of the rags had reported that we had kind of turned the
5 corner, and the caucus was consolidating support behind the President. So it's why I'm not sure
6 you got -- you probably have the dates in the vicinity of being right, but the sequencing was a little off
7 in terms of when these meetings occurred, or when I had the conversation with Pete.

8 But because the Pelosi interview kind of interrupted what seemed like the momentum -- and,
9 again, the President did public events that weekend and had done all kinds of caucus meetings, had
10 support of the Congressional Black Caucus, Progressive Caucus, other places.

11 And so, I think it was Axios. I can't remember which one of the rags in the morning was
12 reporting that the President seemed to have kind of turned the corner in the caucus and support
13 behind him was consolidating, encouraging him to stay in the race.

14 And then I can't remember whether she was Monday or Tuesday, or whatever day she did
15 Morning Joe, but that kind of interrupted what seemed like the momentum where people were
16 consolidating only in that the President had said in the letter, you know, I thought this through. I've
17 heard from a lot of people over the course of the last 10 days, and I'm going to stay in the race, and
18 I'm going to continue ahead.

19 And then she was saying, Well, the President hadn't decided, which looked like it was at odds
20 with what the President had just said in the letter. And so that created, you know, enough stir in
21 the press that we had to deal with that over the next several days.

22 Q Did the Speaker's office give you a heads-up about this?

23 A Speaker Pelosi's office?

24 Q Yes.

25 A I don't think so. Certainly not the interview. You know, I was in communication with

1 her the preceding week.

2 Q Did you tell the President about the Speaker's comments?

3 A On the show?

4 Q Yes.

5 A Yes.

6 Q What was his reaction?

7 A Well, again, some level of frustration or disappointment I guess is the best word given
8 where we were and where we thought she was, because it was our perception that she had been
9 encouraging him to muscle through this and stay in the race, and then this seemed to be at odds with
10 where we thought she was.

11 Q And this is where the timeline could have confused you. That same day, Mr. Aguilar
12 called you again.

13 A Okay, so maybe it was the second call that was a little more testy than the first call.

14 Q Yes.

15 A I can't -- look, you must understand. During this period of time, I was getting multiple
16 calls from multiple Members every day, and I can't remember precisely who called me hour by hour.

17 Q We're here to help refresh your recollection.

18 A Well, and I'm doing my best. Part of the problem with this is it may be accurately
19 refreshing my recollection. It may not be. Because some of this has been reported, including
20 what people said, in ways that might ingratiate things that they said or advice they gave post facto,
21 and that wasn't what we were really hearing at the time.

22 Q So reportedly on this call, Mr. Aguilar talked to you and asked if anyone had gone to the
23 oval office and told the President we could lose everything --

24 A Yes.

25 Q -- and you reportedly said, we know people feel that way, and he reiterated his

1 question, and you reportedly said no?

2 A Exactly. That thing, we could lose everything, at the time, which was whatever this
3 was now, 10 or 12 days into this, no one had expressed in as dire terms as Aguilar was expressing to
4 us what the feeling of the caucus was, and that was not the perception that our legislative staff or I
5 felt, given the nature of the calls that we had received, or the calls that the President had
6 participated in himself by Zoom with the caucuses and with other Members.

7 Now, that wasn't extraordinary. As you can imagine, it's easier to make a call to the
8 President to say, you know, I've got your back and I'm with you 100 percent. So, you know, we
9 certainly factored that in.

10 But when he said that to me, as if that was somehow -- you know, everybody should have
11 known that, that just -- you know, I took that to the President and said, "Hey, look, you know,
12 Aguilar's responsibility is to have a sense of where the caucus is. It seems to have shifted, you
13 know, quite negative."

14 And that was news to us in that the advising counsel we had gotten up to that point did not
15 suggest something as problematic as that suggested.

16 Q So you did tell President Biden about this call?

17 A Yes. Yes.

18 Q What was his reaction?

19 A Well, he, again, was disappointed that it seemed like the trajectory of this was moving
20 away with the people we cared about.

1 [5:03 p.m.]

2 BY MR. BENZINE:

3 Q On July 11th, Senator Schumer reportedly called the White House to request a meeting
4 with you and Mr. Donilon and Ms. Dunn --

5 A He's doing the whole book. Did you do any research on your own or are you just
6 taking it straight from the book?

7 Q I don't have access to the White House call logs.

8 A No, I know, but, I mean, did -- just at least have asked someone else something about it.
9 You're just doing this right out of Original Sin. It's like, is that a document or --

10 Q All of these are conversations directly with you.

11 A No. No. No. I understand where --

12 Q Like I can't ask Mr. Klain about conversations Senator Schumer had with you.

13 A No. You're just doing it off -- lifted straight out of the book. It's just like --

14 Q Well, you said that --

15 A I'm going to answer all of these questions. In fact, one of the reasons I'm here
16 voluntarily, just, whether you like it or not I'm going to say this, I'm here voluntarily to clean this
17 record up. There's so much in this book that is mischaracterized, misleading and untruthful that
18 I -- it sounds awkward to say, but I'm glad I came here to be able to do this so I can say this on the
19 record because this is a bunch of crap.

20 Q That's totally fair and --

21 A I know. And so go ahead. Keep asking. Go ahead.

22 Q I haven't gotten the opportunity to interview you, so the quotes I need to ask.

23 A Keep going. Okay.

24 Mr. Sauber. Just to be clear for the record, when you're saying you purportedly heard this,
25 you purported said that, these are from the book that you're taking --

1 Mr. Benzine. Yeah, and then I'm asking if it's true and he's saying yes, so --

2 Mr. Sauber. I understand that. I just want to be clear that when you say purportedly,
3 reportedly you said this, or purportedly somebody else said this, you're taking these from the book.

4 Mr. Benzine. Or, I mean, Nancy Pelosi's was from Morning Joe's transcript.

5 Mr. Sauber. Okay.

6 Mr. Benzine. So some original research, to be fair.

7 BY MR. BENZINE:

8 Q And if they're not true, if the quotes are inaccurate, tell us.

9 A No. Again, what you're asking me about is the decisionmaking and about the
10 President to withdrawal from a campaign. Had nothing to do, zero to do with President's
11 decisionmaking, his ability to do the job as President every day. Anything that is relevant to, I think,
12 the premise of this investigation, that the President wasn't capable of doing the job, or we were
13 covering it up, has nothing to do with his decisionmaking. Zero to do with it.

14 We decided not to run, and I told you, we decided, he, the President decided not to run
15 because of the impact it was having on the Democratic party. And why the President decided not
16 to run for re-election has nothing to do with his performance in office, or what he had done and did
17 in his official capacity in the job. Zero. It's just about whether he could run or win for re-election,
18 which is, you know, again, will be the subject of 10 more books and for history, but is not a capacity
19 issue with respect to the President performing the job, including no one saying that who suggested
20 he get out of the race, who said, "Yeah, and I think you should resign the presidency because you're
21 not up to the job." No one said that. Including on your side, by the way, and I would have gotten
22 the phone calls if they did. Okay. So it didn't happen.

23 So the President was doing the job every day. He made a political decision to get out of the
24 race in service of unity in the Democratic party, and it had nothing to do with his ability to do the job.
25 He was doing the job every day. And nobody called, including you guys, they didn't say "Joe Biden

1 needs to step aside, he's incapable of doing the job." Nobody said that. They said he's doing the
2 job every day. They wrote it in -- quote the book. Go to page 4. You know, I'm sorry, but, you
3 know, the investigation is about that, right? Or allegedly about that.

4 I don't think you would be holding an oversight investigation about whether the President
5 should run for re-election or not, but that's what you're asking me all the questions about, whether
6 he should run for re-election or not. And that is, in my opinion, it's both a mistake, and it's going to
7 come back to bite you in the ass because this is a terrible precedent. But go ahead. I mean, again,
8 I'm happy to answer these questions, I just --

9 Q And I don't know what these people told you. I don't know if these people expressed
10 concerns regarding President Biden's mental acuity, so I'm just going to ask the questions. And if
11 they didn't do that, they didn't do that, like that's where it is.

12 On this call, again, July 11th, Senator Schumer, reportedly, Original Sin page 255 for the fact
13 checkers in the room, said you need to hear from them and answer their questions, and if you don't
14 do it, 10 Senators are going to send a letter to the President calling for him to drop out.

15 A Yeah. Say the front part of that one again.

16 Q You need to hear from them, meaning, the Senators.

17 A Yeah, he did.

18 Q And so he said something along those lines?

19 A He did, but the President had already heard -- we -- the three of us who did the
20 presentation to the caucus read out what everybody said to the President before Schumer got there.
21 So the President knew what the results of the meeting was. That was on Thursday at the policy
22 committee meeting. Mike Donilon, Jen O'Malley Dillon and I presented to the caucus, Jen took
23 notes about what everybody said and we read it out to the President that night before Schumer
24 came on Saturday. Schumer came on Saturday --

25 Q Different -- different -- hold on. Different Schumer phone calls. The July 11th

1 phone call from Mr. Schumer was setting up the that caucus meeting.

2 A That was the day -- yeah. And again, without arguing about what happened, we went
3 up to do that, he asked us to do it. There has been some, you know, in the way that the story has
4 been embellished, some parts of that, I think, are unfair. I mean, the one thing that is true is
5 whatever Senators were saying, whatever Members were saying we reported to the President every
6 day, good and bad. We said here is what we're hearing, here is what they've told us, and here is the
7 way we assess where things are in the caucuses. And we had multiple people who were receiving
8 calls and were communicating that, and the President knew day-by-day where things were.

9 Q So the July 11th meeting at the Democratic Senatorial Campaign Committee
10 headquarters was you, Mr. Donilon --

11 A Jen O'Malley Dillon.

12 Q Ms. Dunn and Ms. O'Malley Dillon? Not Ms. Dunn?

13 A No.

14 Q And at that meeting it was, I'm not going to go through all the quotes because it really
15 doesn't matter, but, in essence, Senators went round robin expressing whatever their concerns were,
16 is that a fair one-sentence summary?

17 A Yep. Yep.

18 Q I'm just going to run -- you can --

19 A Go ahead.

20 Q Concerns about debate performance, was that included?

21 A Yeah.

22 Q Concerns about his health, was that included?

23 A I don't remember anyone saying something about his health, but his debate
24 performance and how the public was perceiving his debate performance.

25 Q Concerns about his mental ability, did those come up?

1 A No. Although People were politely saying age, you know, you know, considerations
2 about how the public was perceiving age because of the debate performance. And some of the
3 Senators, you know, in their way of articulating this they were starting with, "We love the President,
4 He's had this massively successful presidency, for his legacy he should consider stepping aside
5 because we potentially will have a better chance with a candidate if you pass the torch and you've
6 got this great legacy and I would encourage you to do it."

7 Q One of the quotes I do want to discuss is from Senator Reed, Original Sin page 256, I'll
8 keep doing this, said, and I'm quoting, If the President wants to stay in the race after the debate
9 performance I would suggest he should submit to examination by two independent neurologists,
10 ones willing to report their findings at a news conference.

11 A Yeah.

12 Q Did that happen?

13 A No, not that I'm aware.

14 Q Senator Reed never said that in that meeting?

15 A Oh, I think he did say something at least in that vicinity. I can't -- I don't remember the
16 precise --

17 Mr. Sauber. What were you saying no to?

18 Mr. Ricchetti. To my knowledge, the neurological tests weren't conducted.

19 BY MR. BENZINE:

20 Q All right. I'm going to just back up just a little, just Senator Reed said something along
21 those lines?

22 A Yes. Yeah.

23 Q And then the neurological test that Senator Reed suggested were not conducted?

24 A Not to my knowledge.

25 Q Did you tell President Biden about Senator Reed's comments --

1 A We read out every -- every comment from every Senator was read out to the President
2 that night.

3 Q And then I'll skip over some other ones just so --

4 A It's okay. I get where you're going here, I think, but --

5 Q I don't want to bother anyone.

6 Mr. Sauber. Too late.

7 BY MR. BENZINE:

8 Q Allegedly at the close of the meeting --

9 A Yep.

10 Q -- Senator John Fetterman asked how many people in the room were with President
11 Biden, and out of 51, maybe five said yes.

12 A Yeah.

13 Q Is that fair?

14 Mr. Sauber. Is that accurate? Is that accurate?

15 Mr. Ricchetti. No. That Senator Fetterman said that, how many with the President?
16 Number one, 51 weren't there, you know, so there was a smaller number, but it might have been 40.
17 And by my count, I think there were probably nine or 10 who were still supportive of that, and five or
18 10 who were -- certainly didn't want to say that to the President, but I knew had reservations about
19 him doing it, but he authorized me to say to the President that that's what they thought, and another
20 25, or probably half of the caucus who was encouraging him to step aside.

21 BY MR. BENZINE:

22 Q What were your thoughts on that, I mean, that you were down to 10 percent of the
23 caucus?

24 A We knew by the 11th that there was a, you know, momentum of recommendations that
25 were going to the President from people he cared about and respected, and that that was a serious

1 issue and something that we really needed to consider. In fact, it was -- as I said to you, it was in
2 the end, I think, one of the big reasons he made the decision to step aside in spite of the fact that I
3 think we certainly had the delegates, could have marched him through the convention and, again, in
4 the counterfactual, he could have stayed in the race and gotten to the convention and had another
5 debate and done better and maybe the results would have been different. We don't get to do that
6 counterfactual.

7 I knew at that time, and we presented at that time where we thought -- and Mike was there
8 to present the data, and the reality of the data, in spite of, you know, people can hold their breath
9 until they turn purple and deny that this existed, and it's written in the book that there was no data
10 to support it, but they just held a lot of polling data to suggest that the race was still dead even.
11 That's just a fact. And, you know, we can keep ignoring it until we're blue in the face, but, you
12 know --

13 Mr. Greenberg. Did Senator Manchin say something along the lines during that meeting of,
14 there comes a time when you have to tell your dad it's time for me to take away the car keys?

15 Mr. Ricchetti. Yeah. Yep. I kind of remember -- you know, that was a, you know, a more
16 memorable way of saying it. Yep.

17 Mr. Greenberg. And that was reported to the President?

18 Mr. Ricchetti. Yes. Yeah. Some of these things were along the lines of, "I'm saying this
19 with regret, but the President is 80 years old, it's time for him to pass the torch," and that was
20 certainly the advice, which we shared with the President.

21 BY MR. BENZINE:

22 Q When I asked kind of the preliminary questions with this I asked if any of the senators
23 expressed concerns with President Biden's health. Is taking away the car keys not a concern with
24 the President's health?

25 A Well, in the way -- I thought you meant his physical health or something like that.

1 Q Right.

2 A But, I mean, this is about -- what they're implying, I thought, or the way we heard this
3 was they're implying, "Look, it's time, it's time for him to step aside."

4 Q You don't think the car keys statement was regarding mental acuity or anything?

5 A No. I don't think -- again, you can cherry-pick a sentence, but Manchin just
6 said -- Manchin said, in particular, I don't think he has the fire in his eye. I don't think he has the
7 energy, you know, which is different words than mental acuity, which I don't think he said. But
8 what he said was did he have the energy, or words to that effect. His emphasis was, just for
9 accuracy sake, his emphasis was, "Look, you know, to run again you just have to have the fire in the
10 belly so deeply burning that you're willing to put up with all the bullshit you're going to have to put
11 up with for the next 3 months," and Manchin's perception was that the President didn't have just the
12 same fire in the belly.

13 But, again, as you can imagine under circumstances like this, the awkward nature of saying
14 what people were saying was something we would, you know, we were reporting the way it was said,
15 but --

16 Mr. Sauber. Okay.

17 BY MR. BENZINE:

18 Q At the end of the meeting, and I think you said that you did report everything back to
19 President Biden, but I'm just going to ask the question, at the end of the -- Original Sin page 258 for
20 everybody, Senator Schumer instructed you and Mr. Donilon to tell the President in detail about this
21 meeting.

22 A Yeah.

23 Q And you did? You did?

24 A Yeah.

25 Q That was a yes?

1 A Yes. Yeah. Yep, we did. And, again, I don't remember whether it was me who
2 provided that account, or was Jen O'Malley Dillon who I think had taken more notes at that time, but
3 I think we got on with him that night and we certainly read out, here is where the caucus is. I don't
4 remember whether we read out every person, here is what so and so said, but we certainly informed
5 him that the, you know, the majority of the caucus had suggested that he step aside. And he knew
6 that that night. And I don't know whether we read out individual by individual that night, the next
7 day, or over the next 2 days.

8 I think, if I'm getting my dates right, on the -- I went to Wilmington, and I think this meeting
9 was on a Thursday, right, I think it was Thursday, because it's like the Thursday policy meeting, and I
10 went to Wilmington on Saturday, we had two more caucus calls scheduled on that Saturday,
11 Schumer was meeting with him at like 4:00, and I had also, you know, basically before Schumer got
12 there, read out the meeting itself to him, although he has his own version of, you know, the reality
13 was, not that this matters to anything, again, anything I think we should be investigating, but we
14 certainly had described to the President where things were in the caucus before Senator Schumer
15 got there.

16 Q And then I imagine it was on July 11th when Leader Jeffries met with President Biden at
17 the White House?

18 A Is that the date? Yeah. Okay.

19 Q And then it was --

20 A They had had conversations, as I'm sure you know, Schumer and Jeffries had a phone
21 conversation with him 4 or 5 days earlier. It's, again, the part of this is like we didn't know what
22 was going on. We had calls, we met with them, we did meet leadership meetings. Pelosi met, I
23 think, on the Tuesday with the President, or had dinner with the President. Jeffries came several
24 days later. Then Schumer came on Saturday. The Schumer meeting obviously was -- occurred on
25 that Saturday after he had had these two phone conversations with the caucuses, the Progressive

1 Caucus of the New Democrats, Trump was shot like an hour later when the President was at church,
2 we got the President back from church and spent the night dealing with that.

3 Q Again, allegedly, according to Original Sin, Mr. Jeffries told President Biden that the
4 consensus feel on the House side was that the President should withdraw?

5 A Yeah. I don't know that that occurred. I wasn't in that meeting, but --

6 Q But is that your understanding of what occurred?

7 A Yeah.

8 Q So at this point, we're sitting at July 11th, both the majority of the Senate and the
9 majority of the House thought President Biden should withdraw?

10 A Yeah, I think that that's safe to say by that time that something was what we were being
11 told.

12 Q And then Speaker Pelosi, reportedly, no one has -- I don't think anyone has seen the
13 letter publicly, about July 12th, wrote a letter to the President and called the NATO speech he just
14 gave a master class, the event in Detroit is positive, but ended the letter with that it's not a reason to
15 stay, but a way to go out on top?

16 A Yeah.

17 Q Did she send that letter to the President?

18 A I don't know the answer to that. I think she did, but I -- she did not do it through me,
19 which, again, partially was unusual during this period of time because I had, I think, the closest
20 relationship with her. But during this period of time where things -- where her advice was shifting, I
21 did not speak to her, and when she had talked to the President, she had called him directly. And I
22 think she sent this not through me, but -- I can't remember whether she sent it through Annie or
23 through our Legislative Affairs Office. I'm not sure.

24 But, again, it's interesting that you cite those two things, which were also true, and I forgot to
25 mention, but are in support of this thesis, you know. There is this thesis about what he was able to

1 do or not do, but I can't remember what day this was, the 9th or 10th, the President did an
2 hour-and-10-minute, or an hour NATO press conference, and there's nobody who could have
3 watched that and said, Oh, that's this guy -- it was a master class. He went around the world and he
4 covered every topic, the international press corps. He did mix up Putin's name, but it was an hour
5 long. To underscore the point I'm making about who gives a shit whether somebody, a President or
6 anyone mixes up a name on occasion versus the hour that he devoted to addressing the international
7 press corps, and covering any ground that anybody asked him for, and Pelosi had seen that, and the
8 night before the President got to Wilmington, he had this huge rally while -- you know, enthusiastic
9 support for him in Detroit the night before. So she must have sent that letter the next day, or the
10 day after.

11 And again, it could have been that was -- that remained her advice, it was my understanding
12 that was her advice, but, again, with respect to that advice and how the President was doing or
13 where he was perceived, it underscored the other point about certainly he was capable of doing the
14 job every day, he was doing the job every day, he answered the -- at the NATO summit, not just at
15 the press conference, but he conducted the meeting for 2 days. The United States had hosted it.
16 And again, to not weigh that when you're making these strong declarative statements about the
17 President's cognitive -- people who are in cognitive decline or have cognitive challenges can't do an
18 hour press conference in front of the international press corps. You just can't do that.

19 That is not like an on-again, Yo, I can turn that on for this hour, I can turn that off. That's just
20 bullshit.

21 BY MR. GREENBERG:

22 Q Can I ask --

23 A If that's an appropriate legal thing to say.

24 Q Responding off the last question regarding how this letter was -- got to President Biden.

25 A Okay. Yeah. I'm sorry.

1 Q I think you said that Annie may have transmitted it to --

2 A I don't know how it got to us precisely, or who received the letter because --

3 Q The full question.

4 A Yeah. No, I don't know the answer.

5 Q No. I just wanted to understand who you were referring to when you said Annie.

6 Are you talking about Annie Tomasini?

7 A Yeah.

8 Q And I'm just -- I'm trying to understand Ms. Tomasini's role.

9 A Yeah.

10 Q Would she often be --

11 A Sometimes when people are trying to reach the President, sometimes they would call
12 Annie directly because people knew that she was, you know, number one, with the President
13 oftentimes, you know, if he was on travel, or into the evening if he was doing something she could
14 get something to him quicker. So sometimes people would call Annie.

15 And Pelosi's chief of staff and scheduler, who we worked with, you know, on numerous
16 occasions, sometimes if she was trying to reach or send a message, either to the President or to us,
17 she would do it through either Annie Tomasini, or through the oval office operations office, which
18 was right outside of the President's desk, rather than through either Shuwanza or me, or sometimes
19 things were communicated through the legislative affairs.

20 BY MR. BENZINE:

21 Q Did you discuss this letter with the President?

22 A After he got it -- I don't remember whether I did or not, but certainly the import of what
23 she was saying, that was --

24 Q And then you mentioned it a little bit, and I can skip over the details, I just want to ask
25 one question, that weekend, July 13th, you and the President went to Delaware?

1 A The night Trump was shot?

2 Q I think it was that weekend, yeah.

3 A Yeah. I was there Saturday morning, got there, we did the two calls, the two caucus
4 calls, did the Schumer meeting. I think an hour later the shooting occurred. The President was at
5 church, we got him back home, we met for a couple of hours. I think we called Trump that night,
6 you know, I think we called trump at 8:00 or 9:00 at night and talked to him. Not we, meaning, the
7 President, but I was with the President. And then we made the decision because of the kind of the
8 moment, and, again, the investigation itself when something like this occurs, as you know, there's
9 just a whole series of things, you don't know whether this is a conspiracy against the United States,
10 or, you know, what the hell is going on.

11 So we made a decision I think at around, you know, midnight to take the helicopter back to
12 Washington and we went back that night. I'm almost positive I've got that --

13 Q So my understanding of that weekend is similar, there was a call with the Progressive
14 Caucus, a call with the New Democratic Caucus, and then just to cut out a lot of questions, was their
15 concerns similar to what you had heard, that it was a political viability problem, not an age or mental
16 acuity problem?

17 A Yeah, it was -- the advice to the President was to get out, and these were political
18 discussions.

19 Mr. Sauber. I'm sorry. Are you asking whether the congressional people expressed that it
20 was an electability problem?

21 Mr. Benzine. Yeah. I'm trying to avoid asking questions about all of them.

22 Mr. Ricchetti. Appreciate it. These were the overwhelming -- in fact, I don't remember
23 anybody even using the word "mental acuity" or "acuity." I don't think that -- those words were
24 never expressed to me in that way. This was a political consideration, the debate performance in
25 the minds of, you know, many Democrats who were on the Hill underscored the concerns about the

1 President's age, and that's the language in which this was described.

2 Q Okay.

3 A Not -- I don't think the words mental acuity were used by anyone.

4 Q But the debate underscored the public's concerns about his age and electability from
5 that?

6 A Yeah, on that basis.

7 Q I'm going to ask about it, I can guess your reaction. Again, according to Original Sin, on
8 page 263, Senator Schumer said that -- Senator Schumer alleged, claimed that you and Mr. Donilon
9 did not tell the President what happened at the caucus meeting. I take it by your testimony today
10 that Mr. Schumer is wrong about that?

11 A Yeah, he is.

12 Q And that he called Mr. Zients and said "I want to see the President, if you don't put
13 something on the calendar, I'll make the request public."

14 A That was before.

15 Q Yes.

16 A You see what I mean, that was -- he had that conversation before, I even think before
17 the meeting because he was agitating for us to come to the meeting, we had to make a decision
18 about doing the meeting itself.

19 Q Yes.

20 A So I think that was maybe on Wednesday we agreed to do the meeting, the three of us
21 went up, we participated in the meeting and reported the meeting to the President. I can't
22 remember -- Mike traveled with him, I think, the next day, so I think Mike told him what the reaction
23 was in the caucus private, you know, alone as well because I think Mike was on the Michigan trip.
24 I'm not positive of that, but I think that's the case.

25 Q But the reaction of the caucus was communicated to the President?

1 A Yeah.

2 Q And then --

3 A He just didn't have that -- I mean, but it was also, you know, I have to say, it's similar to
4 repeat the conversation. We were telling the President what we were hearing every day.
5 Sometimes we were learning in real time that things were in a more difficult situation than had been
6 expressed to us then. And I can't say hour-by-hour, oh, shit, someone had called at 4:00, I reported
7 it to the President at 5:00. It didn't work like that. But we on a daily, or every-other-day basis was
8 reporting to the President, and the President was also receiving incoming himself and talking to many
9 other member.

10 What is not true, even -- you know, some of this, I think, was said in a way to make a point in
11 a more exaggerated way than it really existed. There were many members, Bernie Sanders, AOC, a
12 number of -- half the Progressive Caucus, and a decent chunk of the Congressional Black Caucus,
13 encouraged the President to stay in the race through the end. And there was, you know, eight or
14 10 Senators who didn't share the point of view, and another group of 10 of them who thought it was
15 a very close call.

16 So, you know, I think they were saying things in a more dramatic fashion sometimes to make
17 the point that things have really deteriorated in the caucus, but --

18 Q And then you --

19 A That was fair game.

20 Q Senator Schumer arrived, you escorted him to meet with the President Biden --

21 A I talked to him for 15 minutes before he went in, then he organized, I think, his notes
22 that he wanted to go over with the President, then he went upstairs to talk to the President alone. I
23 was not with them.

24 Q When you talked to Senator Schumer, did you correct him regarding your conversations
25 with the President?

1 A No. I had told him that we had told the President, and I can't, because I wasn't in the
2 room, I don't know what the President said. He's read out his account of it, so I don't, I don't want
3 to dispute it. But I think -- he's a Senator, he also knows, and certainly the President sometimes
4 would say, out of respect and politeness, where he's getting the information. That is, I think, a part
5 of the explanation for why he said things to Senator Schumer in Senator Schumer's version of this
6 that he said he did.

7 Q And then my last question, questions, for this hour, the DNC formed, like, a What If
8 Committee, allegedly?

9 A That I don't know.

10 Q And according to the book, again, they called, whoever was on that committee called
11 you and said that Biden can still win the convention, in essence, still has the delegates, but it's going
12 to be ugly and it'll be tight; is that true?

13 A Yep. I think that was Minyon Moore, if I remember, or maybe Donna Brazile, I can't
14 remember, but during that period of time, from the day of the assassination attempt until the
15 following weekend, we were still assessing whether or not he would stay in the race or not, and
16 whether the delegates would hold, whether we could still win the nomination. We were being
17 reassured that they would, so we would -- because those delegates were pledged to him, he had run
18 in the race and had won and they were pledged delegates to him. So we were reasonably certain
19 that if he wanted to be the nominee, that the path to the convention would be, you know, turbulent,
20 because of the encouragement for him to pass the torch, but that he could still be the nominee, and
21 there was still a strategy and \$1 billion or so of a campaign budget to spend to -- both to represent
22 the President at the convention, and to conduct a campaign with that might change the dynamic in
23 the race.

24 And that as soon as what we believed was possible was that the numbers could shift because
25 it was our perception that the bottom hadn't fallen out of the race, that you could construct your

1 strategy to stay in and to have a chance of winning.

2 Q Before we go off the record, it's been kind of like anonymously reported that
3 anonymous people near President Biden think that he got pushed out by the political elites. Do you
4 agree? Do you think this was a push-out by the political elites and President Biden could have
5 continued in the run and won?

6 A I don't know is the honest answer. I mean, what I do know is that what we did we
7 didn't win with. And so there's a couple of counterfactuals. One is he could have stayed in the
8 race, he could have gotten to the convention, spent \$1 billion and beaten Donald Trump in a debate
9 in September, and the entire dynamic of the race might have shifted. It's why with 3 months to go
10 in a campaign, hell of a lot of things could happen in a race to change the dynamic of the race and
11 you really -- 3 months out to say, Well, here is the way this is going to go in some gamut, it's
12 why -- that's why I find it especially offensive, the kind of mercenary pollster position of all of this
13 about what you can and can't do, because it's just not the way things work in politics, people come
14 back in races that they're behind and overcome obstacles and the dynamic can change and the
15 events can change, and so we couldn't -- we didn't do that counterfactual, and we couldn't do the
16 other one about the President deciding not to run in 2020, beginning of 2023. That's the other
17 counterfactual. Had we done that, what would have occurred, who would have been nominated
18 and how that would have worked out. Plenty of reasons, you know, one could argue, but those are
19 the two counterfactuals, and can't do them.

20 Q We can go off the record.

21 [Discussion off the record.]

22 BY MR. [REDACTED]

23 Q All right. We'll go back on the record. Just for the record, in the last hour, majority
24 counsel made some sort of comment on the record about a document that had been provided to the
25 media described, I guess, as Mr. Ricchetti's statement, or something like that. You know, I know lie

1 detector tests are kind of vogue these days. I understand. Our counsel has been communicating
2 offline, but whatever document that was was not provided by, you know, the majority to anybody.
3 I'll also note --

4 Ms. [REDACTED] By the minority.

5 Mr. [REDACTED] Sorry. By the minority to anybody. I can't speak for the majority.

6 The other thing I'll also note is that this is a statement, I don't know if the record reflects it,
7 but I don't believe there was a document accompanying the reading of the statement at all, so --

8 Mr. Benzine. He read off the document.

9 Mr. [REDACTED] Yeah. But was it provided.

10 Mr. Benzine. We didn't get it.

11 Mr. [REDACTED] Yeah, so -- anyways.

12 BY MR. [REDACTED]

13 Q Mr. Ricchetti, I think I'll be very brief with you here.

14 A Good.

15 Q It's near the end of the day.

16 A Yeah.

17 Q Or past the end of the day. But during the last hour you talked a little bit, very briefly,
18 about a conversation you had with Anthony Blinken. At the end of that conversation, or some part
19 of it, he expressed some concerns or contrary views or something like that, political dynamic, and
20 you said please give -- you know, feel free to give the President a call directly.

21 A Yeah.

22 Q So that was not you somehow being a gatekeeper and preventing negative or contrary
23 information from going to President Biden, was that?

24 A No, it wasn't.

25 Q And then I believe you also said things, you know, you were being asked about negative

1 information coming from Members of Congress, and you were asked if some of that bad news had
2 been provided to the President, and you said yes.

3 A Yes.

4 Q So that also wasn't you trying to protect or cocoon President Biden from bad news
5 during this period, right?

6 A Right. Exactly.

7 Q Okay. Again, I'm going to read a passage from yet another book, 2024, I'm not asking
8 anyone to comment on its veracity. I don't have a page cite, but it's near the end. It describes, I
9 think, at the end of President Biden's presidency, and beginning of President Trump's, where they
10 meet near the very end, and they have a meeting in the oval office and it says, Biden spoke softly, but
11 he showed no signs of confusion, and he went into detail on a variety of topics. He never needed
12 any assistance or intervention to stay on topic. At one point he stood for some pictures at counsel
13 table and his gait was labored, but mentally he seemed sharp and smart.

14 Trump left astonished remarking he didn't understand what had happened at the debate. It
15 didn't seem like the same guy.

16 Now, Donald Trump is not here, as far as we know. He's not yet been invited to be a witness
17 for this investigation. But, you know, I just wanted to read you that passage from yet another one
18 of these books, 2024.

19 A Yes.

20 Mr. [REDACTED] We'll go off the record.

21 Mr. Ricchetti. Thanks.

22 [Discussion off the record.]

23 BY MR. BENZINE:

24 Q We can go back on the record. I asked everybody this question, have you ever spoken
25 to George Clooney before?

1 A Yes.

2 Q When?

3 A I can't remember. Numerous times in the course of the 13 years I was with Biden.

4 Q Did you speak to him near the publication of Mr. Clooney's op-ed calling on President
5 Biden to withdraw?

6 A I can't remember if I spoke to him by the phone, but I certainly knew it was coming.
7 And I don't know whether -- I can't remember whether I talked to him or Katzenberg talked to him.
8 Katzenberg had talked to him directly.

9 Q But you knew the op-ed was coming?

10 A Yes.

11 Q A couple days in advance? A week in advance?

12 A As he was considering putting it in. And he had texted, you know, he had texted.

13 Q Did you tell the President that the op-ed was coming?

14 A I said it was -- I told him that he was contemplating it, and I can't remember whether I
15 told him or Katzenberg told him.

16 Q It's been pretty widely reported that most Biden aides think President Obama or Jon
17 Favreau or Jon Lovett were involved. Do you have any knowledge of that?

18 A None.

19 Q Were you at the fundraiser with Mr. Clooney and Ms. Julia Roberts, before I get in
20 trouble for that again?

21 A Yep. Yep. Yep.

22 Q In L.A.?

23 A Yes.

24 Q Were you near President Biden when George Clooney greeted him?

25 A I was near him, but I didn't see the, you know, the seconds of their seeing each other.

1 So I know the account, I also know that there are other people who were present who say it didn't
2 happen, but...

3 Q So you're aware of the account that it was alleged that President Biden did not
4 recognize Mr. Clooney?

5 A Right. And I also know that from a person who was standing next to the President
6 when this happened, that they said it didn't happen, so --

7 Q Is that Ms. Williams?

8 A No.

9 Q Okay. Who was that?

10 A It was Jeff Katzenberg.

11 Q Okay.

12 Mr. Ricchetti. Can I say that?

13 Mr. Sauber. That's fine.

14 BY MR. BENZINE:

15 Q Did you try to get Mr. Clooney to not publish his op-ed?

16 A I was hoping he wouldn't. I can't say that I did because I can't -- I honestly don't
17 remember whether I talked to him or texted with him saying, "You know, please hold off," because
18 that's what I certainly was hoping he would do.

19 Q See, we're going to be efficient. We're going to skip a little bit.

20 A Thank you.

21 Q I'm going to skip ahead to the July 20th, 21st weekend?

22 A Okay.

23 Q You can correct me, but he was -- you were not at the Rehoboth house initially. Did
24 you get called up, or were you there initially?

25 A No. I was there earlier than Mike was there. I came up, I think, Saturday morning. I

1 think he, the President got there Friday night, and I came there Saturday morning. I think that's
2 right.

3 Q And the President asked you to come up?

4 A Yes.

5 Q Did you have any idea what it was about at that time?

6 A No. We've been talking obviously during the week, so I, you know, I knew where the
7 President's state of mind was and the information he absorbed, but I can't remember what day -- the
8 President got COVID, and I can't remember what day it was.

9 Q It was on the 18th or 19th flying back?

10 A Yeah. So when he was diagnosed with COVID, I think he went straight to his house at
11 Rehoboth, and I came up, I think, the next day. But, you know, again, I can't do hour-by-hour, but
12 somebody actually knows this somewhere.

13 Q You said you knew kind of the President's mindset. In the preceding week, was he
14 leaning towards withdrawing at this point?

15 A I felt like he certainly was under more serious consideration during the week, and I think
16 that, you know, the combination of the impact of, you know, the assassination attempt at President
17 Trump, the information that we had reported about where the caucus was and what Senator
18 Schumer had conveyed, the two house calls, yeah, I just feel that I think he was leaning in that
19 direction as the week wore on.

20 I wasn't with him on the travel. And I know he got quite ill on that last trip. And when he
21 was coming down -- and it ended up being COVID, and he had a bad dose of it, so by the time we got
22 there, he had -- he might have had it for a day or two earlier, too. I don't remember whether he
23 was testing every day at that point.

24 Q And I'm just going to summarize what was reported what happened prior to dropping
25 out, and you can just agree or disagree, that Mr. Donilon, in particular, presented the polls, said that

1 they were eroding, but not necessarily catastrophic, that none of the outside pollsters of the
2 campaign at this point thought President Biden had a path to victory, that the Hill was struggling, that
3 you were hearing from donors and others, all of this was struggling?

4 A Yeah.

5 Q But that both you and Mr. Donilon thought the President should stay in the race. Is
6 that a fair summary at this point?

7 A No. No. No, that's not accurate. We both -- the President asked for our
8 recommendation, we said he should step aside.

9 Q On the day before, so July 20th?

10 A Yeah. That's the day he made the decision. He announced it the next day, but he
11 made the decision on the 20th. And it was just Mike and I, and I think it has been reported, Hunter
12 was on the phone.

13 Q What was Hunter Biden's perspective on --

14 A We did the -- Mike reported on the polling and where the campaign sense things were,
15 and I reported on what we were hearing from members and my perception where that was. And
16 he just listened, and then the both of us gave a recommendation. I can't remember whether
17 Hunter -- I think Hunter said, "I agree," but I can't -- I can't swear to that. I remember that Hunter
18 said, "I agree," but it was the same night.

19 Q And it was reported that Mr. Donilon, at least, suggested the President sleep on it, but
20 at this point had -- is that also -- considering that the reporting was that both of you thought he
21 should stay in the race, I'm assuming maybe Mr. Donilon said sleep on it?

22 A Yeah. No.

23 Q Did the President agree with you at this point?

24 A He had made the decision to step aside, and he sent us back to the hotel to work on
25 what would be a, you know, a stepping aside statement, which Mike and I did. This is, I guess,

1 probably close to 5:00 or 6:00, something like that. We went back to work on the statement, came
2 back around 8:00 at night. And we worked on and talked through the statement with him, and then
3 decided on the time sequence in which we were going to do it. Decided we'll do it the next
4 morning and --

5 Q At that point --

6 A It wasn't going to leak overnight, you know, because it was just us. And then, you
7 know, obviously to make some notification calls and --

8 Q Did the notification calls occur in the morning?

9 A Yes.

10 Q That's when Mr. Zients was informed?

11 A Yeah.

12 Q And the Vice President?

13 A Yep.

14 Q When was Ms. Jean-Pierre informed? Around the same time?

15 A I don't remember. I remember Annie and Anthony were there, so they knew that
16 that's where the President's decision was. They weren't in this meeting where we had this
17 discussion, but they came in and basically the President said I made a decision. And then we
18 worked together to think through how to, you know, again, how to organize the next 12 hours so
19 that they could accomplish that. And then we made calls the next morning. I think we called that
20 morning Jen O'Malley Dillon, who was the campaign manager, or campaign chairman, and called Jeff
21 Zients. I can't remember if we called anyone else at that point before we called the Vice President.

22 Q Were House and Senate leadership informed?

23 A Yes, but after we had talked to the Vice President.

24 Q And there was a probably credible worry about leaks at this point?

25 A Yeah. We were just trying to be able to manage what was going to be the hour of this

1 decisionmaking so that we could get a statement out, have it stand on its own, and then we had
2 discussed with the Vice President the sequencing so that we could endorse her.

3 Q And Ashley Williams testified that she learned of it via Twitter. Was that -- like, I mean,
4 was the reason that White House staff weren't told that you were worried about leaks?

5 A Yeah. We just didn't want it to leak before we were able to announce it ourselves.
6 And any wider distribution, then you just run the risk. That's how we held it overnight, you know, it
7 was just his family and Annie, Anthony, Mike and I that night.

8 Q There were just an awful lot of public statements saying the President was never
9 considering dropping out, the President also sent the letter. But it sounds like, you know, maybe
10 there was some point in time where a decision was made prior to the decision being made. From
11 the public perspective, it just looks like Ms. Jean-Pierre, Mr. Bates, all these people were going out
12 into the public and were ill-informed, that they just didn't know what was going on behind the
13 scenes. Is that just because of the leak concern, or is it --

14 A Yeah. It was a leak concern, and we -- the President hadn't made a decision, and
15 we -- we were -- with respect to a decision like this, this isn't something like you make a decision and
16 spend a week kind of negotiating how you're going to talk -- we knew he was still running until he
17 decided he wasn't running, and we were behaving and the campaign was behaving like he was
18 running until he made the decision that he wasn't running.

19 Q Going back to, it was like, you know, 7 hours ago, the discussion --

20 A Keep me inside of 8 just because I heard Neera did 8. Is that right?

21 Q No. It was less than that.

22 A Who did 8?

23 Mr. Greenberg. I think you're at the most right now.

24 BY MR. BENZINE:

25 Q Yeah. I had asked kind of like the very preliminary question about discussions, we

1 whittled it down to President Biden's age in conjunction with reelection, and you had said yes to Dr.
2 O'Connor, so I want to talk a little bit about that a little bit more and --

3 A Just tell me where we are.

4 Mr. Sauber. That's not my recollection: Why don't you -- I thought he said that there was
5 a discussion with Dr. O'Connor about medical issues, but not the political issues at all.

6 Mr. Ricchetti. Right. That is what I said.

7 BY MR. BENZINE:

8 Q Okay. Well, then, I'll stick to that. My apologies. Every other President did a
9 physical, Dr. O'Connor released a letter, what was the -- were you involved in the editing process of
10 that letter?

11 A No.

12 Q Were you involved at all in medical consultations or medical treatments performed by
13 Dr. O'Connor?

14 A No.

15 Q Did you ever discuss President Biden's treatment or health with Dr. O'Connor?

16 A His health, only in that to be informed if he was sick. Sick, if I was traveling with him or
17 something like that. But not in the way, I think, that you're intending to ask the question, I didn't
18 consult with anyone, any matters on health.

19 Q Did Dr. O'Connor ever express concerns to you about the President's health?

20 A No, except when he was actually sick.

21 Q But no concerns regarding --

22 A Capacity.

23 Q A cognitive test or capacity?

24 A Nope. Nope.

25 Q This was touched on a little bit, but I'm going to ask it a little bit broader. Hunter Biden

1 said that the President was on Adderall during the debate. Did you have any knowledge --

2 A You meant Ambien.

3 Q Ambien. Excuse me.

4 A No. The answer is no. I'll save you time.

5 Q No knowledge of Ambien use?

6 A Zero.

7 Q My assumption, so please correct me if I'm wrong, is that the press office was involved
8 in the presentation of the annual physical; is that fair?

9 A Yeah, the communications staff was -- certainly involved in how to transmit it. I can't
10 remember, did.

11 Dr. O'Connor -- did we do that like behind the lectern and the -- I think it was the annual
12 custom for the doc to go out behind the podium where the press briefing was and give his report and
13 then --

14 Q I don't remember O'Connor every -- I think it was just the press secretary?

15 A Yeah.

16 Q Neurologist Kevin Kennard visit the White House eight times in 8 months in 2023 and
17 2024. Were you aware of those visits?

18 A Nope.

19 Q Did you learn of them after the fact?

20 A No. In fact, this is the first time I heard that.

21 BY MR. GREENBERG:

22 Q Do you have any knowledge of President Biden's political advisors, yourself included,
23 weighing in on whether Dr. O'Connor should conduct a cognitive exam on President Biden?

24 A I told you, I think, you got at this before, I think in connection with the, you know, kind
25 of the political-aging questions that was, you know, amongst us all, we wondered whether there was

1 something we could do that we thought would be useful to kind of settle the question. And I think
2 it was determined, number one, medically, that those were Dr. O'Connor's calls.

3 And politically, that there wasn't anything we could do that would, you know, supply
4 something to the system, you know, that politically would satisfy those questions or those concerns.
5 And, you know, the kind of sarcastic answer to that was I can't remember what Trump went through
6 with the, you know, pointing out a donkey versus a camel, or whatever the hell they did, but it was
7 kind of viewed more sarcastically than it was realistically, that that would help us politically at all.

8 Q Ron Klain told us when we spoke with him that his perception of President Biden's
9 performance during the debate was uniquely bad. Do you agree with that?

10 A It was unusually -- yeah, underperforming for the President and Vice President. I think
11 he had done better in every other debate that I had -- that I had witnessed that he had performed in.

12 Q Had you seen him behave that way, though, previously?

13 A In what way is that? I mean, I think he had, you know, he had a bad night on the
14 debate stage. I've seen him make mistakes before. I thought that that was -- that was -- I hadn't
15 seen him do that poorly in a debate setting about anything, and I really hadn't seen anything of that
16 kind where -- he just -- for him from a performance standpoint, it just -- it just wasn't the President at
17 the top of his game.

18 Q I think some of the criticisms of President Biden's performance during that debate was
19 he was delivering meandering answers. I understand that politicians deliver meandering answers,
20 but did you notice during your time, your entire time working for President Biden, that he was
21 spending more time answering simple questions?

22 A No. And, again, I just would use this NATO press conference as a touch point to tell
23 you, I mean, my experience with President Biden was more like the NATO press conference was how
24 the President was every day, and this debate performance was an anomaly. And I just thought --

25 Mr. Sauber. You said this debate performance was --

1 Mr. Ricchetti. Was an anomaly. It was not something that I, you know, recognized of the
2 President and how he performed. And so, it seemed unusual at the time, even the moment I
3 thought, Oh, my God, he's really not -- you know, he must be really under the weather that things got
4 worse from when I had seen him, which was two days earlier to then, I thought maybe this cold and
5 cough and congestion had, you know, had gone downhill rather than uphill, that's -- that was what I
6 thought of in the moment.

7 Ms. Harker. To be fair, when lay people around the country watched the debate, I don't
8 think they were thinking President Biden has a bad cough. They were thinking he seems to be
9 cognitively struggling. You didn't see that?

10 Mr. Sauber. When you say lay people around the country, what in the world are you basing
11 that on? People you know? Is there polling? Tell us. I don't understand that question.

12 Mr. Ricchetti. It isn't how the country perceived it. That just isn't true.

13 Ms. Harker. Is that how you perceived it?

14 Mr. Ricchetti. No, I did not.

15 Ms. Harker. Thank you.

16 Mr. Ricchetti. There's plenty of data about how the debate was perceived. I just told you,
17 the country didn't perceive it. And if the country had suggested he was in cognitive decline, or
18 whatever word you were choosing there, it might have reacted differently. The reality of this was it
19 didn't have that kind of dramatic effect that you're suggesting.

20 BY MR. GREENBERG:

21 Q I do want to just clarify that for the record. You're saying that after the debate, the
22 country did not perceive President Biden in cognitive decline?

23 A I don't know how to say that precisely. The political impact of the debate, the focus
24 groups that followed the debate didn't track what the kind of chattering class said or expected was
25 going to happen out of the debate. The effect on the President's poll numbers in that period of

1 time were more limited than I think many expected with respect to him, and that President Trump
2 didn't receive a real advantage. In fact, it reinforced President Trump's negatives as well, and they
3 were substantial with the public.

4 And so in the same way, you know, again, that you see this, though, it reinforced the age
5 questions about the President, and it reinforced the credibility questions and some of the underlying
6 exposures that existed for President Trump as well, which is, I think, was the explanation why it
7 didn't move the polls as widely as people might have thought.

8 Q So in retrospect, when you look back over a year later, do you think the immediate
9 aftermath of the debate among the Democratic Caucus was just a huge overreaction?

10 A Well, I don't really know how to answer. You know, it's a speculative question that
11 you're asking me, and it's very hard to know. Again, I've been doing politics for 30 years, and it's
12 hard to do counterfactuals with any kind of reliability because you just can't prove anything else
13 you're going to say --

14 Q I'm asking your opinion, sir.

15 A I believe that President Biden the day after the debate, and the days after the debate,
16 was the President I knew before the debate and he was strong in performance, had done well in the
17 presidency, and was succeeding in the presidency. And so, I still believed certainly in the aftermath
18 of the debate that a political strategy could be constructed where he still had a chance to win. I
19 believe that.

20 Ms. Harker. USA Today on June 30th, 2024, has a headline that says, "More than 70 percent
21 of voters say Biden doesn't have mental cognitive health to serve, new poll says." What do you
22 make of that?

23 Mr. Ricchetti. I'm not going to do retrospectives on polling data. Do you want me to show
24 you -- maybe you should put in the record the 12 polls on the RCP average so you can see where the
25 race was, saw how the public really reacted to it. He was still running against Donald Trump. And

1 in spite of what you just said, he was in 12 national polls his average was minus two. It was June.
2 It was July.

3 So I know you're really good at this, but how you would have projected the race on that basis
4 based on where it was, you're entitled to your opinion about that, and I'm entitled to mine, but the
5 reality is the 12.

6 Do you want me to send them to you just so you have it so you can incorporate it into your
7 next line of questions for the people who are -- I promise you Mike will raise this with you. I mean,
8 that's just a fact. There are 12 national polls, every network broadcasted a poll in the 2 weeks
9 preceding Biden's withdrawal, that's where the race was. It's on websites. Like I said, high school
10 research assistants could provide this to you. So if you want to cherry-pick one to say -- I can do
11 that today about President Trump. I could have done that in the middle of the race.

12 Ms. Harker. Let's not talk about polls. You never saw any signs of Biden's cognitive
13 decline? That's what I'm interested in.

14 Mr. Ricchetti. What I saw, as I've told you repeatedly, is a President performing in the job at
15 a very high level with sagacity, with judgment, with purpose, with vision. That's what I saw. I have
16 been telling you that over and over and over again.

17 I also saw, as I said, him make mistakes throughout the 13 years that I worked with him. I
18 saw him forget things throughout the period of times that I worked with him as other people do.
19 And with respect to aging, it was undeniable, as we have said, that his gait looked different than it did
20 10 years earlier, and that those aspects of his age were certainly apparent. And I never would have
21 suggested otherwise. They exist with every human being. But at 79 or 80 years old, he was still
22 doing, in my opinion, and from our point of view, a very good job as President of the United States.

23 BY MR. BENZINE:

24 Q There was one other question I wanted to ask about from the beginning of this. I think
25 you said yes to Jake Sullivan?

1 A Yeah.

2 Q What was that conversation?

3 A Just this -- the questions, as we said, were about, you know, doing this for 4 years. In
4 any campaign, as a political matter, thinking through how we're doing, whether we're performing,
5 whatever judgment we made on a substantive issue, all of those things, although they were part of
6 our official duties, we also thought with respect to the political ramifications, and there you have it,
7 that applied, too. Our national -- even though our national security people tried to, you know,
8 define their work in ways outside of that, but it still -- there's a political impact to everything we did
9 in the White House, and on days when we were doing great, we wondered, you know, how we could
10 continue to do great again. And days when we didn't do so well, both with respect to him, and with
11 respect to our advice and performance with him, we tried to be self-critical and to improve.

12 Q I'm going to read just exactly from Mr. Klain's transcript, so I don't get hit for
13 paraphrasing. Mr. Klain said he, the he in this situation is Jake Sullivan, didn't think the President
14 had been as effective as he had been in the past and said, you know, it will be hard for him to win
15 re-election. This occurred after the debate in 2024.

16 A Yeah.

17 Q And we asked, because he was now less effective than he was in 2022, and Mr. Klain
18 said, Apparently yes. Did Jake Sullivan ever bring effectiveness concerns to you?

19 Mr. Sauber. Effect -- I'm sorry. Just effectiveness in national security, or as a candidate?

20 BY MR. BENZINE:

21 Q Effective as being the President. This was after the NATO meeting.

22 A I just don't -- I don't know what to say about that and what he said to Ron. I talk to
23 Jake frequently about everything, and as I said, we -- we certainly were aware and cognizant of the
24 President's age and what impact it might have on both his performance as President in the future,
25 and about his prospects in a campaign and doing the job. And by the way, the President was

1 mindful of it himself as he said repeatedly multiple times.

1 [6:11 p.m.]

2 BY MR. BENZINE:

3 Q Was President Biden less effective as President in 2024 as he was in 2022?

4 A I don't think so.

5 Q And one final question: We've talked about the books an awful lot, your perspective
6 on the books, everybody's perspective on the books. Did Mr. Tapper and Thompson lie?

7 Mr. Sauber. No, hold on. I mean, can we change that to does Steve think that some of the
8 things in the books are inaccurate? You know, lying is a mental state, and so, I don't think we're
9 going to --

10 Mr. Benzine. Lying is whether or not it's true or not.

11 Mr. Sauber. No.

12 Mr. Benzine. You said that President Trump lied in the debate, and I didn't ask you about his
13 mental state. Did -- in the book, is it your opinion that Mr. Tapper and Mr. Thompson lied?

14 Mr. Ricchetti. I don't want to use the word "lie." I think things were grossly exaggerated.
15 Conclusions were reached that weren't supported by evidence and were melodramatic and not
16 accurate description of what was going on in the White House. I think it is absolutely untrue that
17 there was conspiracy in the White House to conceal his cognitive decline. I don't believe that that is
18 true. That is not what I was a participant of.

19 The White House didn't operate in the way that he suggested it did. There wasn't a
20 politburo. There wasn't three people with superior responsibilities to the President. There just
21 were so many things about the book that are both inaccurate, in particular, the conclusion itself, that
22 that's the only way I can answer that question.

23 Mr. Benzine. Is "inaccurate" not another term for lying?

24 Mr. Sauber. We have a second false statement, because you did say a second ago that this
25 is the last question.

1 Mr. Benzine. Yeah, but I've got a little leeway.

2 Is inaccurate not the same as lying?

3 Mr. Ricchetti. I'm not going to distinguish between the word "lying" and "inaccurate." I
4 think, just let it go.

5 Mr. Benzine. But the book is inaccurate?

6 Mr. Ricchetti. Yes.

7 Mr. Benzine. Okay. Thank you. We can go off the record.

8 [Discussion off the record.]

9 Mr. [REDACTED] We're back on the record.

10 BY MR. [REDACTED]

11 Q Is inaccurate the same as lying to you?

12 A I think just accusing someone of lying is more severe, so I don't want to go that far.

13 Q You think there were --

14 A But I think there were many inaccuracies in the book and descriptions of the book which
15 were grossly unfair and untrue.

16 Q Okay.

17 A Including its conclusion.

18 Q So I think earlier today, maybe very earlier today, you had mentioned that the same day
19 you received the letter, or the letter that was published from Chairman Comer inviting you to this
20 transcribed interview, a presidential memorandum issued from the White House directing the
21 White House counsel, in collaboration with the attorney general and other agencies, to investigate
22 the matters that are also the topic of this investigation. Is that right?

23 A Yes.

24 [Ricchetti Minority Exhibit A
25 was marked for identification.]

1 BY MR. [REDACTED]

2 Q Let's enter into the record and mark as exhibit A a July 23, 2025, Punchbowl News
3 article, stating, quote, "The GOP-controlled House is an arm of the White House. We don't want to
4 harp on this for too long, because it's so evident if you're a Congress watcher."

5 Mr. Sauber. Thank you.

6 BY MR. [REDACTED]

7 Q "Under Johnson and Trump, the House simply isn't an independent branch of
8 government anymore. Whether it's on Russia sanctions, the Jeffrey Epstein files, or voting for a
9 \$5 trillion debt limit increase, House Republicans do whatever Trump tells them to do."

10 [Ricchetti Minority Exhibit B

11 was marked for identification.]

12 BY MR. [REDACTED]

13 Q Let's also enter as exhibit B a Truth Social post by President Trump dated May 20th, in
14 which President Trump describes the use of the autopen during the Biden administration as, quote,
15 "treason at the highest level," end quote, and writes that, quote, "something very severe should
16 happen to these treasonous thugs," end quote.

17 As I noted, that social media post is dated May 20th. A couple days later, Chairman Comer
18 sent his first round of letters requesting transcribed interviews in this matter.

19 [Ricchetti Minority Exhibit C

20 was marked for identification.]

21 BY MR. [REDACTED]

22 Q Let's also enter as exhibit C a May 27th Truth Social post from President Trump posted
23 just a few days after Chairman Comer sent out his first set of interview requests.

24 And just a few days before, you received your own letter from Chairman Comer. Can you
25 see, Mr. Ricchetti, where it says in that post, "Other than the rigged presidential election 2020, the

1 biggest scandal in American history is the autopen. Whoever used it was usurping the power of the
2 presidency." Does that phrase seem familiar to you --

3 A Yes.

4 Q -- from your own letter?

5 A Yep.

6 Q Let's also enter --

7 Mr. Sauber. Excuse me, I didn't understand that question. Does that seem --

8 Mr. [REDACTED] Does that phrase in that social media post, whoever used the autopen,
9 whoever used it was usurping the power of the presidency, I asked Mr. Ricchetti if usurping the
10 power of the presidency, that phrase in the Truth Social post, seemed similar to align in the letter you
11 received from Chairman Comer.

12 Mr. Ricchetti. It's similar to that.

13 Mr. Sauber. Oh, I thought you were referring to the fact that the letter we eventually
14 received was signed by an autopen, which I thought you had -- that's what you were referring to as
15 something similar to what President Trump said.

16 Mr. [REDACTED] It has been reported that the letter Mr. Ricchetti and others received was
17 signed with a digital signature.

18 Mr. Sauber. Yeah.

19 [Ricchetti Minority Exhibit D

20 was marked for identification.]

21 BY MR. [REDACTED]

22 Q Let's also enter as exhibit D a social media post shared by President Trump dated
23 May 31, 2025, again, very shortly before you received your own letter from Chairman Comer. This
24 one you may have heard about. It claims that President Biden was executed in 2020 and has been
25 replaced by, quote, "clones, doubles, and robotic-engineered, soulless, mindless entities."

1 So I don't want to deprive the majority of the opportunity to ask if you have a background in
2 genetics or robotics, so let's go off the record.

3 [Discussion off the record.]

4 [Whereupon, at 6:19 p.m., the interview was concluded.]

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.