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

INTERVIEW OF: IAN SAMS

Thursday, August 21, 2025

Washington, D.C.

The interview in the above matter was held in room 2335, Rayburn House Office Building,
commencing at 9:07 a.m.

Present: Representative Comer.

1 Appearances:

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5 For the COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM:

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1 Mr. Benzine. On the record.

2 This is a transcribed interview of Ian Sams conducted by the House Committee on Oversight
3 and Government Reform under the authority granted to it pursuant to House Rule X.

4 Accordingly, House Rule X grants the Committee broad jurisdiction to conduct investigations
5 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. Sams. Ian Sams. Last name is S-a-m-s.

11 Mr. Benzine. Thank you.

12 Mr. Sams. Uh-huh.

13 Mr. Benzine. On behalf of the Committee, I want to thank Mr. Sams for appearing here
14 today.

15 The Committee appreciates your appearance for this interview voluntarily.

16 My name is Mitch Benzine, and I am the general counsel for Chairman Comer.

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

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

20 Mr. Sams. I do.

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

22 Mr. O'Neil. David O'Neil.

23 Ms. O'Brien. Alicia O'Brien.

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

1 Mr. Spectre. Peter Spectre, professional staff member with the majority.

2 Ms. Harker. Margaret Harker, senior advisor with the majority.

3 Ms. Collins. Jessica Collins with the majority.

4 Mr. Rust. James Rust, deputy staff director with the majority.

5 Mr. Harnice. Will Harnice, staff assistant for the majority.

6 Ms. Tolan. Ellison Tolan, counsel for the majority.

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

8 Ms. [REDACTED], intern with the minority.

9 Ms. [REDACTED], senior counsel with the minority.

10 Ms. [REDACTED], counsel with the minority.

11 Ms. McNelis. I'm Katelyn McNelis, helping to represent Ian Sams.

12 Mr. [REDACTED], staff director, minority.

13 Mr. [REDACTED], senior counsel, minority.

14 Mr. Benzine. Thank you.

15 Mr. Chairman?

16 Chairman Comer. James Comer, Chairman, House Oversight Committee.

17 Mr. Benzine. Mr. Sams, before we begin, I would like to go over the ground rules for this
18 interview.

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

21 To the extent Members have questions for the witness, they will be propounded during their
22 side's respective rounds.

23 The clock will stop if the witness needs to confer with counsel, when counsel for the witness
24 is speaking, and when Members are speaking during the opposing side's round of questions. We
25 will alternate back and forth until there are no more questions.

1 Do you understand?

2 Mr. Sams. I do.

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

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

8 To ensure the court reporter can properly record this interview, please speak clearly,
9 concisely, and slowly.

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

12 Do you understand?

13 Mr. Sams. I do.

14 Mr. Benzine. Exhibits may be entered into the record. Majority exhibits will be identified
15 numerically. Minority exhibits will be identified alphabetically.

16 Do you understand?

17 Mr. Sams. I do.

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

21 If we ask about specific conversations or events in the past that you are unable to recall the
22 exact words or details, you should testify to the substance of those conversations or events to the
23 best of your recollection.

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

1 Do you understand?

2 Mr. Sams. I do.

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

5 Do you understand?

6 Mr. Sams. Yes.

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

9 Do you understand?

10 Mr. Sams. Yes.

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

13 Do you understand?

14 Mr. Sams. Yes.

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

18 Do you understand?

19 Mr. Sams. I do.

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

22 Mr. Sams. No.

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

25 Pursuant to that, Committee rule 16(c)(1) states: "For the Chair to consider assertions of

1 privilege over testimony or statements, witnesses or entities must clearly state the specific privilege
2 being asserted and the reason for the assertion on or before the scheduled date of testimony or
3 appearance."

4 Do you understand?

5 Mr. Sams. Yes.

6 [Sams Majority Exhibit No. 1

7 was marked for identification.]

8 Mr. Benzine. I would like to enter as Exhibit 1 a letter transmitted this morning to your
9 counsel dated August 21st, 2025, from Mr. Gary Lawkowski, deputy counsel to the President.

10 This letter informs you that President Trump has determined not to assert executive privilege
11 over your assessment of former President Biden's fitness for Office of the President and your
12 knowledge of who exercised executive powers during his administration.

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

15 Ordinarily, we take a 5-minute break at the end of each hour of questioning, but if you need a
16 longer break or a break before that, please let us know and we will be happy to accommodate.

17 However, to the extent that there is a pending question, we would ask that you finish
18 answering the question before we take the break.

19 Do you understand?

20 Mr. Sams. Yes.

21 Mr. Benzine. Do you have any further questions before we begin?

22 Mr. Sams. I don't.

23 Mr. Benzine. My clock says 9:13, and we will begin our hour.

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EXAMINATION

BY MR. BENZINE:

Q Thank you again for being here voluntarily. I certainly appreciate it.

I want to start very, very briefly with your education and your career.

Where did you attend undergrad and when did you graduate?

A I went to the University of Alabama, and I graduated in 2011.

Q And with what degree?

A Bachelor of arts degree.

Q Any specific --

A Political science and communications, double major.

Q Thank you.

And then, very briefly, can you go just through your positions and offices prior to joining the Biden administration in 2021?

A Sure.

At first, worked on Capitol Hill, actually, worked in the United States Senate for Senator Tom Carper of Delaware. I worked in the Democratic National Committee after that.

After that, I worked for Secretary Hillary Clinton's Presidential campaign through the 2016 general election.

Following that, I worked for former Congressman Tom Perriello in Virginia, his primary campaign for Governor in 2017; and then, after that, Senator Tim Kaine of Virginia's reelection campaign in 2018.

And then, following that, in 2019 I was the press secretary for then-Senator Kamala Harris' primary campaign for President.

1 Following that, I was a consultant during 2020.

2 And then, after President Biden won in 2020, I worked at the Department of Health and
3 Human Services during 2021 and into the beginning of 2022 on the COVID response team before
4 coming over to the White House, where I worked in the White House Counsel's Office as a
5 spokesman.

6 Q And that was May 2022 through August 2024?

7 A That's correct.

8 Q And after August 2024, you left to go back to the newfound Kamala Harris for President
9 campaign?

10 A Yes. I was a senior spokesperson on Vice President Harris' Presidential campaign.

11 Q And then what is your current role?

12 A I'm an independent consultant.

13 Q Thank you.

14 A Thank you.

15 Q We'll get into kind of why we're here today.

16 During your time at the White House, so 2022 to 2024, did anyone ever direct you to lie on
17 behalf of President Biden?

18 A No, not that I'm aware of.

19 Q Did you ever lie on behalf of President Biden?

20 A No, not that I know of or that I can recall.

21 Q When was the first time you met President Biden?

22 A The first time I met President Biden personally was in a meeting maybe in early 2024. I
23 think it was early 2024.

24 Q About 18 months into your stint in the Counsel's Office? Is that --

25 A I think that that's right, to the best of my knowledge. I know I only interacted with him

1 on limited occasions, and I believe the first meeting that I was in with him was -- would be early 2024.

2 Q And then how often would you say that you interacted with the President in person?

3 A I interacted with him pretty infrequently.

4 I think, just to take a step back, if I can describe the role that I had.

5 Q Yes.

6 A I was a spokesman for the White House. Generally speaking, that meant dealing with
7 reporters, handling media inquiries, communication strategy on issues that were in my portfolio.

8 The way that that would work is oftentimes I had an external-facing role. And so, you know,
9 it was not unusual that I would have, you know, fairly infrequent interactions with the President
10 himself.

11 Q So weekly? Monthly? What are we talking about?

12 A Very infrequent. I think I met with the President a handful of times during my tenure
13 in the White House.

14 Q And have you ever traveled on Marine One with the President?

15 A No.

16 Q What about Air Force One with the President?

17 A No.

18 Q Have you ever traveled with the President?

19 A No.

20 Q Been to the President's Wilmington house?

21 A No.

22 Q Been to the President's Rehobeth house?

23 A No.

24 Q And there was a daily 8 a.m. staff meeting in the White House. Did you attend that
25 meeting?

1 A I don't think so. I'd be curious for more information on which meeting that was. I
2 was in a number of meetings, but I don't --

3 Q It's been described as the very, very senior staff meeting.

4 A No, I would not have been in that.

5 Q And then there was a larger senior staff meeting after that one concluded around 8:40.
6 Would you go to that one?

7 A I don't think so, no.

8 Q Okay.

9 I want to introduce Exhibit 2.

10 [Sams Majority Exhibit No. 2
11 was marked for identification.]

12 BY MR. BENZINE:

13 Q As it's being passed around, it's a tweet from Alex Thompson at Axios summarizing -- he
14 pulled a couple quotes of an interview you did on MSNBC. And one of the quotes says, "When I
15 deal with him, he is sharp," -- "him" being President Biden -- and, "He is asking tough questions."

16 Do you recall this interview specifically?

17 A I do.

18 Q I mean, you said that you met him personally maybe a handful of times. Are those the
19 interactions that you were discussing when you say "I deal with him"?

20 A Yes.

21 Q So this statement, the basis for this statement was your interactions somewhere
22 between one and five times?

23 A Yes.

24 Q Okay. Do you think that's a bit misleading?

25 A I think it was pretty direct and honest and said that when I do deal with him he's, you

1 know, sharp and he was asking incisive questions during my meetings with him.

2 Q But you dealt with him five times in 24 months. That's not exactly a large scope of
3 knowledge on how he interacts with staff.

4 A Yeah. I mean, I can only speak from my experience. I'm happy to share about my
5 experience in the White House and my role and my job and participate in this interview about that.
6 I, you know, can speak to my own experience with him, and that reflects my experience with him.

7 Q You don't think it's missing some context?

8 A I don't.

9 Q Do you think that statement suggests that you deal with him more than you did?

10 A I don't think so. I mean, I spoke about my own interactions with him.

11 Q Do you believe President Biden was in mental or cognitive decline while acting as
12 President of the United States?

13 A No, not that I am aware of.

14 Q Did you notice signs of President Biden aging while he was in the White House?

15 A Well, he's certainly an older man. And, yes, you know, you -- time does not stop.
16 And so definitely noticed some aging, like most Presidents have before him.

17 Q What did you notice?

18 A Just that he was getting older, I mean.

19 Q Stiffer gait? Did you notice a stiffer gait?

20 A I didn't associate, you know, that with a specific causation. Obviously, like I know
21 there was media coverage around that as an issue. You know, he was getting older. He was an
22 older person anyway. And so, you know, I'm not a medical professional to assess sort of how those
23 things may interact with aging.

24 Q Did you notice him misremembering words more often?

25 A I didn't. I mean, my own personal experience with him, like I mentioned, in the

1 meetings that I had with him, you know, he seemed very well-prepared on the issues that we were
2 discussing. He asked tough questions of us, thoughtful questions of the circumstances.

3 I had no reason to think that he was anything other than capable of being the President and
4 executing his duties.

5 Q What were the interactions that you had with him? You said there were a couple
6 meetings. What were the topics of those meetings, if you can remember?

7 A Sure.

8 I had a meeting with him with some other colleagues about a congressional interview with his
9 son, Hunter Biden. I had a meeting with him about the public testimony before this Committee. I
10 believe it was with Special Counsel Robert Hur.

11 Q Judiciary?

12 A Judiciary Committee, sorry. About Special Counsel Robert Hur and his public
13 testimony.

14 I had a meeting with him about -- which I believe is around the time of this exhibit that you
15 put in front of me -- about the Supreme Court's immunity decision that came down and his speech
16 about that to the Nation.

17 Generally speaking, those are the issues that I recall meeting with him about.

18 Q Okay. I'm going to work backwards/forwards from those meetings.

19 A Sure.

20 Q In addition, like understanding that the general topic of the meeting -- the Supreme
21 Court's immunity decision was the topic of that meeting -- did anything else come up?

22 A The meeting, as I recall, it was about the Supreme Court immunity decision that had just
23 come down and his desire to come back to Washington to give a speech about it, and kind of
24 the -- how that was going to go and when he was going to speak and where and those sorts of things.

25 Q And then the meeting regarding Special Counsel Hur you said was regarding his

1 testimony before Congress, which I believe is the Judiciary Committee, but, hopefully, I'm not wrong.

2 And was it -- did you meet with him about the Hur report at all or was it specific to the special
3 counsel's testimony?

4 A The meeting that I recall was about the testimony when he was publicly testifying
5 before Congress about his report and his investigation.

6 Q Do you recall the contents of that discussion that you had?

7 A Yeah. My role in that meeting was to sort of, how is the press coverage? You know,
8 what's -- you know, who's covering it? You know, what are people focusing on from what he said?
9 Which Members, you know, are asking questions or involved? Those were the kinds of things that
10 we talked about. It was a pretty brief meeting.

11 Q Do you recall who else was in that meeting?

12 A I'll do my best to try to remember exactly.

13 I know the White House chief of staff, Jeff Zients, was in that meeting. The White House
14 Counsel, Ed Siskel, was in that meeting.

15 Q Was Richard Sauber?

16 A I don't believe Mr. Sauber was in that meeting.

17 Q Was Bob Bauer?

18 A I don't believe Bob Bauer you was in that meeting. To the best of my recollection, he
19 was not in that meeting.

20 Q And then you said that you called another meeting about Hunter Biden, his deposition
21 or transcribed interview before this Committee.

22 A That's correct.

23 Q Do you recall the contents of that conversation?

24 A Yeah. It was similar. It was sort of, what's the press coverage around the interview?
25 What are people saying, you know, whether that's, you know, Members who had gone out and spoke

1 to the cameras from both sides, whether that's the Chairman, Ranking Member, whoever was there.
2 I don't remember which Members were present. Sort of how it's playing in the press, that kind of
3 thing.

4 Q And do you recall who was in that meeting, I guess other than you and the President?

5 A Yeah. I'll do my best to recall.

6 I believe the White House chief of staff, Jeff Zients, was in that meeting. I believe Steve
7 Ricchetti was in that meeting. And I believe Ben LaBolt, who was the communications director, was
8 in that meeting.

9 Q Was Hunter Biden in that meeting?

10 A No. He was here.

11 Q It was while he was testifying?

12 A It was the day of his interview with you all.

13 Q Was Hunter Biden in the meeting regarding Special Counsel Hur's testimony?

14 A No.

15 Q Was he in the meeting regarding the immunity decision?

16 A He was -- my understanding was the President was at Camp David with his family, and I
17 believe Hunter was there with him at Camp David.

18 Q What did the President say regarding his son's testimony before this Committee?

19 A I don't recall him saying much during that meeting. I think -- I remember him asking
20 me which Members were speaking publicly about it. But that's all I can recall him asking or saying.

21 Q Did he express frustration regarding the testimony?

22 A No.

23 Q Were you a part of any conversations about whether or not Mr. Biden would testify
24 before this Committee?

25 A Hunter Biden?

1 Q Uh-huh.

2 A No.

3 Q And then I believe the immunity conversation was virtual. As you said, the President
4 was in Camp David.

5 Were the other two in person?

6 A Yes.

7 Q Shifting back a little bit.

8 During your time in the White House, did you ever receive any outreach, phone calls, anything
9 from people outside the White House concerned about President Biden's health?

10 A No, not that I can recall.

11 Q What about concerns from any other White House staff?

12 A No.

13 Q Were you -- did you ever shift to the political side for President Biden's reelection
14 campaign?

15 A I did not.

16 Q Did you pay attention to the polling at all in that campaign?

17 A Only what was publicly reported. I didn't have access to any polling, proprietary
18 polling, from the campaign or anything.

19 Q Do you recall any discussions during the campaign about voters' perspective on the
20 President's age and ability to be President?

21 A Certainly, I know that was a, you know, issue, public issue in the campaign, yes.

22 Q Were you a part of any of the conversations on combating that perception?

23 A No. Again, I think it's just important, I was in the White House in the Counsel's Office,
24 and I think being in the Counsel's Office, you know, keenly aware of the lines.

25 So I was not involved in the President's campaign decision-making dealing with these issues as

1 part of the campaign context.

2 Q Thank you.

3 I'm going to shift forward a little bit.

4 There's been a number of books written about the last year of the Biden administration.

5 Jake Tapper and Alex Thompson wrote one. Chris Whipple wrote one. Josh Dawsey, Tyler Pager,
6 and Isaac Arnsdorf wrote one.

7 Were you interviewed by either Mr. Tapper or Mr. Thompson for their book?

8 A No, I was not.

9 Q Do you know anyone who was?

10 A I'm sure I do. I don't know of anybody specifically that I can recall having --

11 Q No one came to you and said, "I just had drinks with Jake Tapper"?

12 A I had one friend who said that he had talked to them for their book.

13 Q Who was that?

14 A That was Rob Flaherty, who had been the digital director in the White House and on the
15 campaign.

16 Q And then went to the Harris campaign?

17 A He was on the Biden campaign.

18 Q Okay.

19 A And then when the candidate switch happened, he was on the Harris campaign.

20 Q Were there any discussions that you were part of within the White House regarding the
21 upcoming books prior to President Biden leaving office?

22 A Can you repeat that one more time?

23 Q Any discussions that you were part of within the White House about the books?

24 A No.

25 Q Did you ever hear anyone say, "Jake Tapper's writing a book"?

1 A Not that I recall from during my time in office. I'm not even sure when that book was
2 announced.

3 Q I think that they began doing interviews while the President was still in office, and I think
4 some staff interviewed with Mr. Tapper or Mr. Thompson while in office. So I was just wondering if
5 you were part of any of those.

6 A No.

7 Q What about Mr. Whipple? Were you interviewed for his book?

8 A No.

9 Q Do you know anyone that was?

10 A I'm sure I do, but I don't recall. I don't know. I don't have knowledge of individuals
11 who sat and talked with him.

12 Q What about Mr. Dawsey, Mr. Pager, or Mr. Arnsdorf, did any of them interview you for
13 their book?

14 A Yes.

15 Q Which one?

16 A Pager.

17 Q Do you recall what you told Mr. Pager -- or, first, when the discussion took place?

18 A I don't recall when the first kind of conversation took place.

19 Generally speaking, they fact-checked their book, for example. And, you know, if someone
20 was mentioned, my understanding was, at least what they said to me, was that they contacted
21 everyone who had been mentioned in their book, basically, to tell them what was going to be in the
22 book.

23 So we had conversations like that. I don't remember, you know, much of what we talked
24 about. It's been a long time ago.

25 Q Was it mostly them telling you what your mentions were and then you corroborating or

1 disputing that?

2 A There was definitely that. I recall clearly having a conversation with Tyler about that.

3 Q Did they get anything wrong?

4 A Not that I know of. I actually haven't read the book, but I don't -- what he told me in
5 the conversation was accurately reflected.

6 Q And then have you spoken to Karine Jean-Pierre about her book?

7 A No.

8 Q Have you spoken to anyone else about her book, in the White House realm?

9 A What do you mean?

10 Q Like, have you called up Ben LaBolt to say, "Why is Karine writing a book?"

11 A No.

12 Q Going back a little deeper into your experience within the administration.

13 So you said that you started in February 2021 at HHS, correct?

14 A Correct.

15 Q And you were one of the Deputy Assistant Secretaries for Public Affairs?

16 A Yes.

17 Q Primary portfolio was the COVID response?

18 A Yes.

19 Q Who hired you for this role?

20 A Hmm, that's a good question. It was during the transition. I had done interviews
21 with the transition team. I actually don't even recall exactly the individuals.

22 But my understanding of how the transition sort of worked was, you know, they had a team
23 of people who were vetting candidates, interviewing candidates, to hire them and place them within
24 agencies.

25 I had done work in 2020, during kind of the main part of the pandemic, on polling and

1 messaging around COVID. And that's kind of how I got, you know, familiar with the issue and I think
2 how I was identified as someone who might want to work on the COVID response.

3 Q But the hiring took place during the transition, not after inauguration? Like the hiring
4 process. Obviously, you --

5 A Correct.

6 Q -- joined after the inauguration.

7 A Correct.

8 Q Was your office in the Humphrey Building?

9 A It was. We were largely remote most of the time that I worked there. And so I -- but
10 I did have an office in the Humphrey Building, yes.

11 Q It's a blessing in the Humphrey Building, isn't it?

12 A That is correct.

13 Q It is renowned for being --

14 A It is in need of some upgrades, I would say. Hopefully, Secretary Kennedy can do that.

15 Q What were your kind of primary duties in that role?

16 A It was a very challenging job, obviously, in the middle of the pandemic.

17 My primary responsibilities in that role were to work on public messaging around the
18 administration's COVID response efforts, vaccination, testing, you know, CDC decision-making, FDA
19 decision-making, help handle both press/media inquiries and stories about our response to the
20 pandemic and the administration's work, or advising, working with officials within the Department,
21 you know, about how to communicate, doing interviews, you know, public messaging, rollouts of
22 various actions that the administration was taking, working on the public communications around
23 those.

24 Q What was your level of access to, say, the Secretary and Deputy Secretary in that role?

25 A Very frequent and common.

1 Q What about the Assistant Secretary for Public Affairs? I guess that would be your
2 direct report, kind of?

3 A Yes. Daily interaction.

4 Q What about the COVID response team, so Mr. Zients and others?

5 A Yeah. Frequent interaction with them.

6 Q If your counsels will allow me to ask this question, it's just a personal inquiry.
7 Did COVID come from a lab?

8 A Excuse me?

9 Q Did COVID come from a lab?

10 A Oh, man. I have no idea. That's entirely possible, but, you know, I think it's -- we may
11 never know.

12 Q That's fair.

13 And then you discussed shifting into the White House Counsel's Office around May of 2022.

14 Who approached you for that role?

15 A That would have been the then-White House Counsel, Dana Remus.

16 Q Do you know why they approached you for that role?

17 A My understanding was that, you know, they were looking to add support and capacity
18 to the existent White House Counsel's Office oversight team, and as part of that they were looking
19 for a communications press person and reached out to me.

20 Q It was May 2022, so not real close to the shifting of the Congress, but was that part of it
21 too, the potential Republican majority in 2023?

22 A Yeah. There was a sense that, you know, if historical trends continued, that the House,
23 at least, if not the House and Senate, would be controlled by Republicans and there would be an
24 uptick in oversight activity.

25 Q And a feeling to be more public-facing in combating that activity, is that --

1 A And responding to sort of the various investigations and actions, sure.

2 Q You went through your duties a little bit in that.

3 Did you report directly to the White House Counsel?

4 A Yes.

5 Q Did your reporting structure ever change when Mr. Siskel came in? Did you still report
6 directly to the White House Counsel?

7 A Yes.

8 Q And if you don't know these, just say you don't know.

9 What was your understanding of getting approval from President Biden on any decisions on
10 the process?

11 A Sure. It might be best to just give an example.

12 On a statement about something, whether that would be, let's say, the special counsel
13 investigation, a draft would be done among the legal comms team. And once it's kind of at the staff
14 level, you would agree on sort of this is like what we want to do.

15 It was in the President's name. It would typically -- my understanding is it would go to the
16 President for him to review, have an opportunity to make edits, suggestions, "I don't want to say
17 that, I want to say this," I'm sure similar to the way staff would do with the Chairman, and change
18 things or edit things, based on his review, or he would give -- sign off that he was good with doing it.

19 Q Did you ever write a memo that went into the decision book?

20 A I don't recall ever writing a decision memo.

21 Q Did you ever kind of observe the President reviewing the decision book?

22 A No.

23 Q What about -- I think our understanding is there's kind of decision memos and decision
24 cards. Did you ever see him review a decision card?

25 A No.

1 Q Did you ever hand a memo or the book to the President, a decision memo or the
2 decision book to the President directly?

3 A No.

4 Q Did you ever witness President Biden orally authorizing any executive decisions, approve
5 statements, anything like that, verbally?

6 A I actually think, looking -- thinking back about this, during one of those aforementioned
7 meetings with the President where we talked about Hur or Hunter, I can't remember which of those,
8 I stayed there.

9 And there was a second part of the meeting where he reviewed, I want to say it was like a
10 nominations list. And he said, "Yes, yes," you know, to the folks that were sitting there.

11 But I wasn't a part of whatever that was, that decision that was being made. I just
12 remember sitting there seeing him review a nominations list or something and approving nominees.

13 Q In that case, the decisions weren't related to the meeting that -- the first meeting that
14 you were a part of, Hur or --

15 A Correct. It was like a -- you know, if you have an agenda for a meeting, one part of
16 the -- one thing on the agenda was, say, Robert Hur's testimony; and then maybe the next part of the
17 agenda was, you know, nominations, approvals, or something where they would, you know, combine
18 topics into one group meeting with the President.

19 Q Were you part of any conversations regarding pardons or clemency decisions?

20 A No.

21 Q Do you recall what the pardon process was while you were there?

22 A With specificity, no. I was not involved in the pardon decision-making process.

23 Generally, I believe that there was a process where, you know, either the Justice Department
24 or the White House Counsel's Office or some combination of them working together would come up
25 with, you know, recommendations that would then go to the President. But I wasn't involved in the

1 pardon process.

2 Q If the pardon was going to be newsworthy, would they loop you in at the back end to
3 provide a statement or anything like that?

4 A During my time in the White House, I don't recall being involved in any pardon
5 communications. Just maybe this actually might be helpful.

6 You know, the White House Press Office is its own entity within the White House. I was part
7 of the White House Counsel's Office. A lot of times, even if it was an issue or topic or portfolio,
8 something that someone in the Counsel's Office, depending on what it was, it might actually be
9 handled by someone comms press-wise from the Press Office as opposed to me.

10 So I don't -- like, for example, I know that during my tenure I think there was a large pardon
11 package around -- or a commutation or clemency package around nonviolent marijuana, you know,
12 convicts, people who had been convicted of nonviolent marijuana offenses. That happened. I was
13 not a part of that communications process at all.

14 So, generally speaking, I was not a part of the pardon process.

15 Q What were -- what was your level of interaction with the kind of formal Press Office in
16 the White House?

17 A Very regular. I'd say daily interaction of some kind with them.

18 Q With who? Who would be your primary point of contact?

19 A Karine. Others. It depends. You know, maybe deputy press secretaries to say, "Oh,
20 so-and-so reached out about such-and-such a story they're working on. I'm dealing with them, you
21 know. I'm working with, you know, this person on this thing." That kind of thing.

22 Or with Karine it would be, you know, if some of the issues in my portfolio could come up in
23 her daily press briefing, talking to her about those.

24 Q Did your interaction with the Press Office become more frequent at any point around
25 Special Counsel Hur's report, for instance?

1 A Yeah. It was circumstantial like that, where if there was a major news development
2 within my portfolio, I may talk to them or be, you know, meeting with them or talking to them about
3 what's happening more often.

4 Q You had left the White House by this time, but did you have any conversations with
5 anyone still there regarding the President's pardon of his son, Hunter?

6 A No, I was not part of the discussion there.

7 Q And then did you have any role in getting authorization or approval for the use of
8 autopen on any decisions?

9 A No.

10 Q Do you know what the process was?

11 A On the auto -- how the autopen was used?

12 Q Uh-huh.

13 A I have no knowledge of the autopen and how that was used.

14 Can I actually correct one thing, I think, as to your question?

15 I was not involved in the decision to pardon Hunter Biden. I did not know about it. I
16 wasn't working at the White House, as mentioned.

17 During my time there, it was my understanding that the President had decided -- and he had
18 spoken publicly in interviews about this -- not to pardon him.

19 So I was part of conversations to say, you know, he's not -- he said he's not going to pardon
20 him, that kind of thing. I just want to make sure I was clear about that.

21 Q Yeah. Is that the extent of those conversations? Were you involved at all in kind of
22 the back-and-forth on whether or not to --

23 A No.

24 Q -- prior to him making that public statement?

25 A No. My involvement was that -- my understanding was the President had made a

1 decision not -- that he was not going to do so.

2 And I would handle press inquiries, you know, because we would receive press inquiries.

3 Will the President pardon him, will he commute the sentence, things like that. And it was my
4 understanding the President had said, "No, I won't." And I reflected those publicly. So I just want
5 to be clear about that.

6 Q And after he eventually did, you didn't pick up the phone and call down to the White
7 House and say, "What's going on?"

8 A No.

9 Q Did you have any frequent or standing meetings with the First Lady?

10 A No.

11 Q Did you have any meetings with the First Lady?

12 A No. I only ever saw her socially around the White House.

13 Q What about with anyone on her staff, specifically Anthony Bernal?

14 A Yes. I interacted with him from time to time, not regularly.

15 Q What were -- do you recall any specific meetings with him on specific topics?

16 A Meetings, no.

17 Q Phone calls?

18 A Just a general -- like, he may be one of the staff who would -- I would update if there
19 was press coverage around, say, for example, Hunter Biden's testimony on the Hill.

20 Q Was Mr. Bernal in that meeting about his testimony?

21 A No.

22 Q Do you recall anything Mr. Bernal said about Mr. Hunter Biden's testimony on the Hill?

23 A No.

24 Q In a couple of the books, they used various kind of colloquial terms for senior White
25 House staff, like "Politburo" or "poobahs."

1 Did you ever hear any of those terms while at the White House?

2 A I did not.

3 Q Any other shorthand terms to describe the kind of inner circle of advisers?

4 A No, not that I have any knowledge of.

5 Q Did you have -- it's our understanding that the White House badges, in addition to
6 having color codes, could have residence access on them.

7 Did you have one of those badges?

8 A I do not think so.

9 Q Did you ever go to a meeting in the residence?

10 A No.

11 Q I'm going to shift back a little bit and ask some broad questions just to kind of like lay the
12 scope going forward so I don't ask dumb questions later.

13 As a baseline question, did you discuss this interview today with anyone besides your counsel
14 or family?

15 A No. Maybe I had friends who saw that it was happening and said, you know, "Good
16 luck" or "How do you feel?"

17 Q You didn't discuss it with any former White House staff?

18 A I have not discussed the substance of this interview with any, you know, anyone besides
19 these two.

20 Q It's a broad question, but yes or no for now and we can -- or the best of your
21 recollection for now and we can dive into details, but we'll do from 2022 to 2024, when you were in
22 the Counsel's Office.

23 Any discussions regarding the President's health, age, or ability to be President? I'm going
24 to list off some people.

25 A Okay.

1 Q Just yes or no and we can dive in.

2 Hunter Biden?

3 A No.

4 Q Ashley Biden?

5 A No.

6 Q Naomi Biden?

7 A No.

8 Q Valerie Biden Owens?

9 A No.

10 Q For this one, I want to expand it to up until the election.

11 Vice President Harris?

12 A No.

13 Q Second Gentleman Emhoff?

14 A No.

15 Q Annie Tomasini?

16 A No.

17 Q Jeff Zients?

18 A I don't recall having conversations with Jeff about the President's fitness or capacities.

19 Q Jake Sullivan?

20 A No.

21 Q Anita Dunn?

22 A Similarly, I don't recall having any sort of explicit conversations about the age question.

23 It's possible that, you know, we could have, you know, talked about his age, you know, people really

24 are focused on his age or there's all this press coverage of his age, things like that, but nothing -- I

25 didn't have any substantive conversations about his health or fitness or anything like that with her.

- 1 Q Going back to Zients for just a minute just so I can -- I'll be extra specific.
2 Any conversations with Mr. Zients regarding the memory lines in the special counsel report?
- 3 A It's possible during group meetings, you know, about the special counsel report that
4 that issue was discussed. I mean, it's possible.
- 5 Q And then the same for Ms. Dunn, any --
- 6 A Yes.
- 7 Q Same answer?
- 8 A Yeah, I would say the same thing.
- 9 Q Any conversations with Mr. Donilon?
- 10 A Limited. Sorry. This is the original question?
- 11 Q The original question.
- 12 A I never talked with Mike about the President's fitness or capacities.
- 13 Q What about the special counsel's report?
- 14 A A similar answer to Jeff and Anita. He may have been in a meeting or conversation
15 about generally responding to the Hur report.
- 16 Q For -- I'll split up what I need to split up, but the primary -- the first question, health,
17 ability to be President.
- 18 Mr. Sauber?
- 19 A No.
- 20 Q For him, any conversations regarding the special counsel's report?
- 21 A Yes.
- 22 Q Mr. Siskel?
- 23 A Yes, similarly, the same answer to Sauber.
- 24 Q No on overarching but yes on special counsel?
- 25 A Correct.

1 Q Bruce Reed?

2 A No.

3 Q Steve Ricchetti?

4 A No, I don't think so.

5 Q Anything regarding the special counsel?

6 A Again, it's possible that he might have been in some conversation that I was also a part
7 of about the special counsel report. I don't recall any specific conversations with him about that,
8 though.

9 Q Ms. O'Malley Dillon?

10 A No.

11 Q Ms. Ashley Williams?

12 A No.

13 Q Mr. Bernal?

14 A No.

15 Q Ms. Tanden?

16 A No.

17 Q Dr. O'Connor?

18 A No.

19 Q Did you have any conversations with Dr. O'Connor regarding the President's physical,
20 annual physical?

21 A It's possible that I would have been, you know, on email traffic or something about like
22 here's the press release or here's the, you know, letter that's going to go out or something like that.
23 But I was never -- I never talked with him about the substance, for example, of the physical or, you
24 know, his reports or whatever.

25 Q Were you involved at all in editing or drafting his letter that was released?

1 A No.

2 Q Any conversations with Dr. O'Connor regarding a cognitive exam?

3 A No.

4 Q Any conversations with anyone regarding a cognitive exam?

5 A No, certainly not that I can recall.

6 Q Ms. Jean-Pierre, any conversations regarding the President's health or ability to be
7 President?

8 A No.

9 Q Just for clarity, outside of potentially being on the email that Dr. O'Connor would send
10 around with his letter. Is that fair, that she would probably be on that email too?

11 A Yeah. I mean, I think, again, just to kind of generally as part of -- as one of the top
12 spokespeople, you know, comms people, if there were email chains about an inquiry or about, you
13 know, a rollout or like when the Press Office would be putting out the physical or something like that,
14 it's of course possible that I'm on like traffic like that. But in terms of having a substantive
15 conversation, you know, about that and -- that issue -- that was not in my portfolio.

16 Q Any conversations with her -- "her" -- regarding Special Counsel Hur, meaning
17 Ms. Jean-Pierre?

18 A Oh, yeah, I mean conversations with her about the report for sure.

19 Q And then in your role, did you ever have direct conversations with any sitting Senator or
20 Member of the House?

21 A During my time in the office, I certainly interacted with Members of Congress, yes.

22 Q Do you recall who?

23 A Primarily Democratic Members, but, you know, Members of the House, you know, being
24 part of, you know, group conversations or things like that, yes.

25 I mean, Congressman Raskin or Congressman Nadler, other Members of relevant Committees

1 for my, you know, portfolio.

2 Q I'm going to shift back again to Hunter Biden just a little bit.

3 Did you ever have any discussions with Abbe Lowell or any of other Hunter Biden's lawyers?

4 A Yeah. I did -- I did meet -- I have met with and talked to Abbe Lowell, yes.

5 Q Do you recall the contents of those conversations?

6 A It was only a couple of times. Not frequent.

7 Generally speaking, Hunter had his own personal counsel, as you know. And, you know,
8 something that I would -- probably my most frequent interaction would be to tell White House
9 reporters, "That has nothing to do with the President, that's a Hunter Biden question, go talk to
10 Hunter Biden's representatives," or to refer, you know, press inquiries to Hunter Biden's lawyer.
11 So that would be my most frequent interaction with him.

12 Q Were you a part of any conversations regarding Mr. Biden, Hunter Biden's legal
13 strategy?

14 A Maybe one or two, just to hear sort of what they were doing. I was not a part of, you
15 know, his legal decision-making at all.

16 Q This Committee had a hearing that he just kind of showed up to. Were you a part of
17 any conversations regarding that?

18 A No. I did not know about that until he showed up.

19 Q Did you -- were you involved in any discussions surrounding his criminal investigation,
20 such as whether or not the President should go to his trial?

21 A I wasn't a part of any substantive decision-making about whether the President should
22 go to his trial.

23 Q You would be more informed of what was happening so that you could inform the
24 press. Is that fair?

25 A I certainly was like monitoring the press coverage around it and, you know, being aware

1 of what was happening and certainly had, you know, discussions with colleagues, you know, at the
2 staff level about what the press coverage was, which reporters were there, and things like that.

3 Q But not necessarily part of any of the substantive kind of decision-making
4 conversations?

5 A No, I was not part of those.

6 Q What about involvement in any discussions regarding this Committee's investigation of
7 Hunter outside of him testifying?

8 So I'll be specific.

9 A Please. Thank you.

10 Q The Committee subpoenaed the Department of Justice for the Special Counsel Hur
11 audiotape.

12 Do you recall that subpoena?

13 A Yes.

14 Q Were there conversations within the White House regarding that subpoena?

15 A Yes.

16 Q DOJ refused to produce it. Did the White House instruct them not to produce it?

17 A To my knowledge, no.

18 Q Were you aware that they were going to refuse that subpoena?

19 A I was -- I don't remember exactly whether I was aware in advance or whether it was,
20 you know, the DOJ, Merrick Garland made a decision not to and like that was when I found out about
21 it. I can't recall exactly when, but certainly was aware of that.

22 Q But you don't recall a specific instruction from the White House Counsel's Office to not
23 comply?

24 A No.

25 Q Similarly, the Committee subpoenaed Ms. Tomasini.

1 Do you recall that subpoena?

2 A For this?

3 Q No, no, no. Subpoenaed her for a deposition I believe in -- I thought --

4 A During my time in the White House?

5 Q Yes.

6 A I think I recalled -- I would have recalled or would have known that that had happened
7 at the time. I don't recall that happening now, but --

8 Q What about Ms. Williams or Mr. Bernal? I believe this Committee subpoenaed both of
9 them as well.

10 A I would have been aware of that at the time.

11 Q I don't recall them testifying. Were you aware of any conversations about not
12 complying with those subpoenas?

13 A Yeah. My understanding was legal determinations had been made that it was
14 inappropriate for them to do so before other steps of the accommodations process with Congress
15 had transpired.

16 And so, you know, when those decisions would be made, you know, by the lawyers, I certainly
17 was aware of them and knew of them and, you know, handled media around those or press
18 responses around those or public communications around those.

19 Q But not involved with the substantive discussion of whether or not to comply?

20 A I mean, I think that I certainly would have been in conversations around how to respond
21 to a letter or a subpoena like that.

22 I certainly am not a legal expert on the legal decision-making around that, but I certainly know
23 of, you know, the arguments that there was, you know, an insufficient level of, you know,
24 accommodations or whatever in that process to have happened before they do that.

25 Q Did you give any advice on whether or not to comply with those subpoenas?

1 A Certainly not legal advice that I am aware of that I've made recommendations around
2 that.

3 Mr. Benzine. We're short of an hour, but that's a good stopping point. So we'll go off the
4 record and take a break. Thank you.

5 [Recess.]

6 Ms. [REDACTED] We can go on the record. The time is 10:09, and we'll start our questioning.
7 Good morning, Mr. Sams.

8 Do you have a statement that you'd like to make for the record?

9 Mr. Sams. Yeah, I actually do if that's okay.

10 I served in the White House as a spokesman for the White House Counsel's Office from spring
11 2022 through August 2024. In this role, I worked on communications and media strategy,
12 responded to reporter inquiries, managed press stories, and advised on messaging related to my
13 portfolio. My job was to publicly express the views and positions of the President and the White
14 House.

15 I'm appearing today voluntarily for a transcribed interview in response to a June 27th letter
16 from Chairman Comer focused on President Biden's health and abilities during his time in office.
17 I'm here to answer your questions regarding my time in the White House.

18 While President Biden was obviously an older man who aged during his time in office, nothing
19 in my experience at the White House or in my interactions with the President indicated he was
20 anything other than able to execute the duties of his office, and I was proud to work for a President
21 who accomplished a great deal for the American people.

22 Ms. [REDACTED] Thank you.

23 EXAMINATION

24 BY MS. [REDACTED]

25 Q In the previous round, my majority colleagues asked you, I think, about the interactions

1 that you had with President Biden, and you described a few times that you were in meetings with the
2 President about some topics, including congressional testimony and the Supreme Court decision
3 around immunity, which are pretty complex and nuanced topics.

4 Is that fair to say?

5 A Yeah.

6 Q And are those the types of topics, in your opinion, that you would discuss with someone
7 who was cognitively impaired?

8 A I don't think so.

9 Q Did you get the impression in those meetings that anyone else in the meeting was
10 interacting with the President as if they believed that he was cognitively impaired?

11 A No.

12 Q I also understand from your testimony in the last hour that you did not operate the
13 autopen, so I ask for your indulgence as I walk through a few questions about the autopen.

14 To your knowledge, are you aware of any instance where an executive order was issued
15 during Mr. Biden's Presidency that was signed by an autopen without his knowledge or
16 authorization?

17 A I am not aware of that.

18 Q Are you aware of any instance in which the autopen was used to sign a Presidential
19 memorandum without President Biden's knowledge or authorization?

20 A No.

21 Q Are you aware of any instance in which the autopen was used to sign a pardon without
22 President Biden's knowledge or authorization?

23 A No.

24 Q And are you aware of any instance in which the autopen was used to sign an order
25 granting clemency without President Biden's knowledge or authorization?

1 A No.

2 BY MS. [REDACTED]

3 Q Thanks.

4 And just I want to build on what my colleague Anya said.

5 In the interest of making sure we have a clear record, Mr. Sams, you have no knowledge that
6 Joe Biden was at any point in time mentally unable to execute the duties of his Office of President,
7 correct?

8 A That is correct.

9 Q And are you aware of anyone in the White House at any point during Joe Biden's
10 Presidency ever making decisions to issue any form of clemency, pardons, or otherwise in Joe Biden's
11 name without his knowledge or authorization?

12 A No.

13 Q Did you ever make decisions to issue any form of clemency, pardons, or otherwise in Joe
14 Biden's name without his knowledge or authorization?

15 A No.

16 Q And, again, at any point during the Biden Presidency were you aware of anyone in the
17 White House ever issuing any type of executive order without Joe Biden's knowledge or authorization
18 at any point during the Presidency?

19 A No.

20 Q So, to your knowledge, all decisions to issue executive orders or any pardons during the
21 Biden administration were made by Joe Biden alone?

22 A Yes.

23 Q And apart from any instances in which President Biden delegated authority to Vice
24 President Harris while he was undergoing a medical procedure, were you aware of anyone ever
25 stepping in to carry out the duties of the Presidency in Joe Biden's place because he was unable to do

1 so?

2 A No.

3 Q Thank you.

4 Ms. [REDACTED] I think we can go off the record.

5 [Pause.]

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

7 BY MR. BENZINE:

8 Q I want to ask you a couple follow-up questions.

9 You were just asked a number of questions of whether or not you were aware that President
10 Biden made any executive decisions without approval -- or staff made any executive decisions
11 without the President's authorization or approval.

12 Do you recall those questions being asked?

13 A Yes.

14 Q And you said that you were not aware of any. Is that correct?

15 A Correct.

16 Q That's kind of literally not aware of any, right, because you wouldn't have been in the
17 room?

18 A I'm not aware of any decisions that were made in the President's name that were not
19 made by the President.

20 Q But you wouldn't actually have direct knowledge of that. You weren't --

21 A Well, you referenced it in our questions last hour. My understanding is that there was
22 a process by which he would make decisions through decision memos, things like that. I mentioned
23 in one meeting that I can recall watching him go through and make decisions about, I believe they
24 were nominees.

25 And so my understanding was there was a process that was in place that would, you know,

1 allow the President to make expedient decisions about things before his desk, and that was just my
2 understanding of how it worked.

3 Q Did you ever receive any decision memos back with his initials or signature on them?

4 A No.

5 Q And you never presented -- personally presented -- any decision memos to the
6 President?

7 A No.

8 Q So it's actually that you were just not aware of any decisions, it's not that no
9 unauthorized decisions took place?

10 A I wasn't aware of any, and that was not my understanding of the process.

11 Q I want to go back. I think it was Exhibit 2? Yes.

12 What was the process for approval for tweets that came from your official handle?

13 A Generally speaking, I was empowered to make tweets as a spokesperson as part of my
14 duties without having some sort of bureaucratic approval process.

15 Depending on the topic, you know, there may be -- I may have run it -- run something by
16 someone or had a conversation: "I think I'm going to say this." But there was -- there was not a
17 set approval process for my tweets.

18 Q The White House Counsel wouldn't put eyes on your tweets?

19 A If there was a topic that was super sensitive that needed, you know, review, he may
20 look at something. But, generally speaking, there was not a process.

21 Q What about would they go through the official Press Office?

22 A No.

23 Q What about official statements from you, the same kind of thing, you could put out a
24 statement on your own?

25 A Official statements were a little bit different. Those were typically -- I would draft a

1 statement or a response to a reporter inquiry or something on the record. And I would typically
2 email those around to folks, including the White House Counsel, for their review before I would put
3 those out.

4 Q And that would have a more formal approval process that --

5 A Generally speaking, yes.

6 Q Were there any statements that you could put out without going through that approval
7 process?

8 A Yes, in that, as a public spokesman for the President, if I was doing an interview or if I
9 was gagging or briefing reporters in person, obviously, I'm speaking and I wouldn't, you know, run
10 my words before someone before I would say them.

11 So I think, generally speaking, when you are hired at the White House at a senior level as a
12 spokesperson, you are given a certain amount of autonomy to speak on behalf of the President.

13 Obviously, you would make sure that what you were saying was in alignment with the
14 President's views, decisions, policies, et cetera. But just as a matter of course, typically, senior
15 spokespeople don't always have to run everything they say by some formal approval process.

16 Q How would you prepare for on-camera interviews or like embargoed press calls, any
17 kind of off-the-cuff speaking engagements?

18 A It depends. Sometimes I didn't really do formal preparation. I would just go talk and
19 respond to people's questions.

20 Sometimes, if it was a more complex issue or something very, you know, visible, I might, you
21 know, ensure that the White House Counsel or other advisers to the President like, you know, knew
22 what I was going to do or saw sort of draft talking point, Q&A-type material that I would use as sort
23 of a baseline for what I would do.

1 [10:19 a.m.]

2 BY MR. BENZINE:

3 Q Are there topics in particular that you would want that extra layer of visibility on?

4 A Yeah. Well, something we discussed in the interview is the Special Counsel Robert
5 Hur's report, for example. That would be something where I would have ensured that everything I
6 was saying was in alignment with, you know, the President's views, the legal back-and-forth and
7 assessments of that case, and would involve, you know, discussions among a larger group of people.

8 Q And then you said that it was your job to make sure your statements were consistent
9 with the President's position and policies. How did you know the President's position and policies?

10 A I mean, I think when you work there you sort of know. And, like, whether the
11 President's making decisions that he's communicating to his aides, senior aides, you know, policy
12 decisions that have been made, announcements that have been made, or that were going to be
13 made, you know, typically there's a process there, and you would ensure that, as a spokesperson,
14 you aligned with the decisions of the President, the positions of the President.

15 Q So before you went on TV, you would have an idea of what they were going to ask you
16 just based off of the news of the day or what was going on and you would do a little research and
17 figure out to make sure that you were speaking on behalf of the President?

18 A Maybe. It depends on the issue.

19 Q And then for the ones that you wanted the extra layer of visibility on, either through the
20 White House Counsel's Office or the Press Office, did they confirm that you were speaking on behalf
21 of the President?

22 A Say that again.

23 Q So when you -- on the Hur report, and you said you would go up and say these are my
24 talking points that I'm going to go on MSNBC and say, and the White House, what would the White
25 House Counsel say in response?

1 A Typically that's not how that would work. Typically, I would just do an interview and I
2 would not have talking points or something, like, formal like that that I would want people to review
3 before going. And this could also help maybe just generally understanding it. You know, Karine,
4 or any White House Press Secretary -- I think Karoline Leavitt does this as well -- they have like a
5 book, like a big book of talking points, you know, materials, because, I mean, they're having to
6 answer questions about, God knows, any issue under the sun in a daily press briefing, and people
7 would submit points. You know, NSC may submit, you know, their latest guidance on China, you
8 know, and that would go into their book, and they would have, you know, a large suite of talking
9 points on any number of issues.

10 I had a much more, I would say, limited portfolio of issues, so -- and I was involved in, you
11 know, conversations about those issues on a daily basis. And I would be fairly infrequently out
12 publicly, you know, speaking in a high-profile manner on TV or whatever than like the White House
13 press secretary would. So that process was just different, and I didn't really utilize, you know, a
14 talking points development process on a day-to-day sort of level in the same way that like the White
15 House Press Office would.

16 Q So let's take the Hur report as an example. I'll get into more detail on the Hur report,
17 but specifically on when you go out and speak about the Hur report. Did you talk to the President
18 about his view on the Hur report prior to speaking publicly?

19 A I did not.

20 Q Who did you speak to prior to speaking publicly about it?

21 A I had meetings with the President's attorneys, senior advisors, people who had directly
22 spoken to the President, you know, about this throughout the process, especially his attorneys.

23 Q And they would tell you what the President's position is so that you could go and discuss
24 the President's position publicly?

25 A Generally speaking, yeah. I think, again, I think maybe to help explain on Robert Hur as

1 an example. You know, that investigation had lasted more than a year before the report came out.
2 And, you know, during that process over the course of the year, the President's legal team and the
3 special counsel's office, they're often going back and forth on issues that are being explored,
4 developed, whatever, and they're having a back-and-forth about conversations, and I might keep up
5 with that conversation as part of my duties and role there.

6 So by the time the report came out, you know, I kind of had a, you know, general
7 understanding of exactly how that entire investigation had played out, which -- you know, just like
8 you guys, if you're working on a piece of legislation on the House side for a year in a committee, you
9 know, by the time the final product drops, you guys have knowledge of things within that piece of
10 legislation.

11 And so for me, it was, at the end of that process, the report coming out, there was a lot of
12 stuff that had been covered over the course of the previous year in the investigation back and forth
13 where the President's lawyers and the President had made decisions, you know, that the lawyers had
14 presented to special counsel that I was familiar with.

15 So I think -- I just want to be clear that it wasn't like the report fell out of the sky and I had no
16 idea about any of it. It was that, over the course of that year, I was following the investigation, you
17 know, as part of my duties.

18 Q No. And I totally understand. I'm just trying to get a better grasp on understanding if
19 you're speaking for the President but don't actually know what the President's position is, how can
20 you speak for the President? Like, you're going out and giving interviews saying you're speaking on
21 behalf of the President but you haven't spoken to the President about that issue, sometimes you
22 haven't even spoken to senior staff about that issue, how do you have a grasp of what the President's
23 position is?

24 A It was pretty infrequent that I would go out publicly to speak on behalf of the President
25 without having at least some discussion with senior staff about the topics that may come up.

1 And with regard to the President's decision-making, like, I didn't find that unusual at all. I
2 would assume that, for example, you know, if President Trump has a view or a decision about
3 something and Susie Wiles conveys that to, you know, members of his press or communications
4 team, you know, I don't think they have any reason to question that that's the President's view as
5 well. The same way that if Chairman Comer made a decision and his chief of staff communicated
6 that downward to his press people, I think that's a pretty normal course of business when working
7 for a principal or a public official.

8 Q So who would communicate the President's position to you?

9 A It depends. I mean, to continue the example we're talking about with Special Counsel
10 Hur, obviously the President's White House Counsel or personal attorney would have conversations
11 and meetings with the President about legal developments in that case and the decisions that the
12 President made, and so, you know, maybe -- an example.

13 When the Justice Department searched the President's home for classified documents, you
14 know, obviously that was a decision that the President's personal attorney and counsel relayed to me
15 that the President had made based on a conversation that they had had with the President to allow
16 access to his home for Federal agents. So that's the kind of like real-world example of how that
17 would work.

18 Q And I think on that example, you said that the Hur report made inappropriate criticisms
19 of the President's memory that were inaccurate, gratuitous, and wrong.

20 Was that the President's position as well?

21 A Yes.

22 Q Who communicated that position to you?

23 A I mean, his attorneys who had reviewed the report with the President.

24 Q And the President had said this is gratuitous and wrong?

25 A I'm not sure if he used those exact words.

1 Q But his attorneys told you to say gratuitous and wrong?

2 A I'm not sure that they even told me words to use. I think that the President's general
3 view was that the way that the special counsel had characterized these things in his report was
4 inaccurate and did not comport with his experience.

5 And I think that the legal team -- you know, by the time I had made public statements about
6 that, the President's legal team had already written, and these letters are public, to the special
7 counsel objecting to the inclusion of characterizations like that, and I was reflecting, you know, the
8 position of the President's lawyers, and my understanding was the President himself, about our view
9 of that issue.

10 Q Do you know if the President approved those letters?

11 A I don't have knowledge of that.

12 Q So when you went out to characterize the Hur report as inaccurate, gratuitous, and
13 wrong, you were trusting Mr. Bauer, Mr. Sauber, and Mr. Siskel to properly relay the President's
14 position to you?

15 A It was my understanding that that was the President's position and that, yes, that they
16 had relayed that to me. I would assume that the President's lawyers weren't making
17 representations to the Justice Department that were out of line with the President's views on things.

18 Q But did they ever represent to you that that was the President's position or did you just
19 read the letters and then go make the statements?

20 A It was generally well known that that was the President's view.

21 Q Did one of those three people tell you that, I spoke to the President and he believes the
22 report is gratuitous and wrong?

23 A To the best of my recollection, you know, the President's attorneys did reflect to me
24 that the President thought this was super inappropriate and out of line, so -- but it wasn't like -- I
25 think just because your question is did someone explicitly tell you to go out and say that, that's not

1 really how it worked. I'm just trying to explain that.

2 Q No, no. And I understand. I'm just trying to understand the sequence of events, that
3 these three people, in addition to others, were the most likely to then meet with the President
4 regarding the Hur report, and then they would come back and tell you the President said X, is that
5 what would happen, or would they just come back and say the report is -- the report is gratuitous
6 and inaccurate, would they convey that it came from the President?

7 A I don't recall in that specific instance, you know, the President said X. I don't recall that
8 being the way that worked.

9 Q Did they ever recount the President's position to you that explicitly?

10 A They may have at times.

11 Q You don't recall an instance where they said this is the President's position?

12 A Yeah, I do.

13 Q Which one?

14 A I remember one of the President's attorneys, I think either the White House Counsel or
15 his personal attorney, saying that, you know, the President thought that the special counsel was
16 being a bulldog, or something along those lines. That kind of thing.

17 Q Okay. Were you interviewed by Special Counsel Hur?

18 A No.

19 Q Were you kept apprised of who was being interviewed by the special counsel's office?

20 A No. Not really. I generally knew of a couple people, but I was not aware of every
21 witness or person that the special counsel interviewed as part of their investigation.

22 Q Who were you aware of that they were interviewing?

23 A If there were White House officials, for example, that had been -- that had been
24 interviewed, I may be made aware of that in case it was a media inquiry, or it leaked that they were
25 being interviewed, then how to handle that representing, you know, a White House staffer or

1 something.

2 Q Were you involved in the President's interview with the special counsel?

3 A I was not involved in preparing him for that interview at all.

4 Q You knew it was going to happen, though?

5 A I did have awareness and knowledge that the interview was occurring.

6 Q Were you a part of any discussions regarding the scope or logistics of that interview?

7 A No, I don't think so. I don't recall being part of any of that.

8 Q Did you attend the interview with the President?

9 A I did not.

10 Q Were you involved -- you said you weren't involved in the preparation. Were you
11 involved in any conversations regarding the substance of that interview prior to the interview taking
12 place?

13 A Not that I recall, no. To the best of my knowledge, I didn't really discuss the substance
14 of the interview prior to the interview occurring.

15 Q What about after? When was the first discussion after?

16 A Yes. I recall after the interview, you know, some of my legal colleagues saying that
17 they thought it went fine. Went well.

18 Q Were there any kind of formal meetings regarding the interview?

19 A That I was a part of, not that I can recall.

20 Q When -- to your knowledge, when did the White House Counsel get access to the
21 transcript?

22 A I don't recall when they would have formally received a transcript or had a transcript
23 available to them. I did review the transcript after the interview happened.

24 Q Did you have any concerns about the transcript?

25 A No, not really. I thought that it reflected sort of what I had been told, that it went fine.

1 Q Can you expound a little bit on "it went fine," who told you that?

2 A The White House Counsel I remember conveying that it went fine.

3 Q At that point, did they express any concerns about his memory?

4 A No, not that I can recall.

5 Q Were you able to review the audio in addition to the transcript?

6 A I did not listen to the totality of the interview. I had heard certain sections of the
7 audio.

8 Q Which sections?

9 A I remember listening to the audio of the portion of the interview in which Beau's death
10 came up.

11 Q Who brought up Beau's death?

12 A The President was talking about that period of his life in response to a question about
13 that period of his life from the special counsel and brought up Beau.

14 Q The special counsel didn't bring up Beau's death on his own?

15 A I don't think so, but I don't recall specifically from that. I don't think so, though.

16 Q The President said the special counsel brought up Beau's death. Was he lying?

17 A I don't have any reason to think he was lying about it.

18 Q Did he misremember who brought up Beau's death?

19 A I can't speak to sort of why the President in a press conference answered a question or
20 said something the way he said it.

21 Q Were you involved in preparing him for that press conference?

22 A I did not meet with him or was not a part of his formal prep meeting for that press
23 conference. It's possible I may have drafted some talk -- you know, recommended talking point,
24 kind of Q&A material for it.

25 Q In any of the material you reviewed for that press conference, was Beau Biden in it?

1 A To the best of my knowledge, no.

2 Q So the President brought up his son on his own at the press conference as well?

3 A It's possible. Yeah. Again, I wasn't a part of the meeting with him immediately
4 before he went out to answer questions and speak, so I'm not entirely sure kind of what the contours
5 of those conversations with his other aides were.

6 Q Did you read the transcript portion regarding his son as well, in addition to listening to
7 audio?

8 A I did.

9 Q I'm going to read you what the President said at that press conference. He said -- I'm
10 quoting -- How in the hell dare he raise that. Frankly, when I was asked the question, I thought to
11 myself it wasn't any of their damn business.

12 Did the special counsel ask him about Beau Biden's death?

13 A Not that I recall, no.

14 Q Okay. So that statement is not true?

15 A Which -- can you repeat which statement?

16 Q "How in the hell dare he raise that. Frankly, when I was asked the question, I thought
17 to myself it wasn't any of their damn business."

18 Ms. O'Brien. Mitch, do you have a copy of the transcript? Maybe that will help a little bit.

19 Mr. Benzine. We can get one. We can go off the record and get one.

20 [Discussion off the record.]

21 Mr. Benzine. We can go back on the record.

22 Asking more generally about this. I asked it I think first, but at the press conference after the
23 Hur report was released, the President said something along the lines of why did the special counsel
24 ask about Beau. And you said that you had reviewed both the transcript and the audio of the
25 special counsel's report, and the special counsel did not ask about Beau. Is that accurate?

1 Mr. Sams. It is my recollection that the special counsel did not ask President Biden, you
2 know, when did your son die. I think to respond to the general line, like, you know, when the
3 President said how in the hell dare he raise that, and then he said, when I was asked -- you know.

4 My understanding was that the President was upset that the special counsel's report invoked
5 Beau and Beau's death in any way, shape, or form. I think he was hurt by that and angry about it,
6 but -- and so in the first part where he says how the hell did he raise that, or whatever the language
7 was, you know, my understanding is he was channeling sort of a frustration that he had about the
8 report. But I don't recall the special counsel asking him a specific question about Beau's death.

9 Ms. Harker. What was your understanding based on?

10 Mr. Sams. What do you mean? Sorry.

11 Ms. Harker. You just described your understanding of Joe Biden's intention. What was
12 your understanding based on?

13 Mr. Sams. Sure. Again, when the President's lawyers had -- my understanding of this,
14 when the President lawyers -- because I was not first-hand, I just want to be clear.

15 When the President's lawyers had met with the President about the report, my understanding
16 from them was that his reaction to hearing that that was in there was that he was upset.

17 BY MR. BENZINE:

18 Q Do you recall any conversations, prior to the issuance of the report while the office was
19 reviewing it, about the discussion of Beau Biden?

20 A Can you repeat that? Sorry.

21 Q The White House Counsel's Office got an opportunity to review the report prior to
22 publication. Were there discussions amongst the staff regarding the mention of Beau Biden?

23 A I think so. Again, it's been a while. I think that in the couple days leading up to the
24 report coming out, I think that there was some discussion that they can't believe -- you know, can't
25 believe that he would mention Beau, or something like that.

1 Q Do you recall why the special counsel mentioned that particular Q&A?

2 A I don't recall specifically what the special counsel report said about it.

3 Q Was it that the President forgot when his son died?

4 A It may have been. Again, I don't -- I don't have the language of the report in front of
5 me. But to the best of my recollection, he was using that as some sort of proof point about the, you
6 know, characterizations he made about the President's memory overall.

7 When I -- you know, I think subsequently when the transcript was released, you know, the
8 President says explicitly the day that Beau Biden died, and I believe there was some crosstalk about
9 what year it was. And so I think that there was, my understanding from the President and then
10 certainly among aides, that there was a sense that that was very inappropriate to sort of make a
11 sweeping characterization based on that when, in fact, the President had said the exact date of
12 Beau's death, which sort of contradicts that he has some sort of terrible memory and couldn't
13 remember when his son died.

14 Q Your understanding from the President, the President told you that he was upset about
15 this?

16 A Again, I did not talk directly with the President before the special counsel report came
17 out, but that was my understanding from his lawyers who had met with him.

18 Q So the staff relayed the President's position?

19 A Well, again, I didn't think it was unusual because, again, it's like -- this is an individual
20 who was the subject of a special counsel investigation, he would be meeting with his lawyers, a lot of
21 times those are privileged conversations between a lawyer and a client. It's not unusual that I
22 wouldn't have been a part of those conversations in the middle of a legal investigation.

23 Q Were there other instances in the Hur report where the President forgot dates or times?

24 A I'm sure there were. If I recall correctly, even at the beginning of the interview, I think
25 the special counsel says something along the lines to the President of, you know, please do your best

1 to remember things. I know when asking you about things that happened a really long time ago,
2 there seemed to be an understanding. And I think that's generally true. I think, you know, you
3 said at the beginning of this interview to me of trying to do my best to remember stuff when you're
4 doing a, you know, an interview.

5 And so, you know, I'm sure there were things that he couldn't remember or didn't remember
6 in the same way that I'm sure there are things I don't remember.

7 Q Some of them were pretty big dates, like the date President Trump got elected, he said
8 it was November of 2017. Do you recall seeing that?

9 A I'm sure I did at the time.

10 Q Another one was, he said, in 2019, am I still Vice President? I mean, do you recall
11 seeing that at the time?

12 A I'm sure I had seen that at the time.

13 Q Did these kinds of lapses surprise you?

14 A No.

15 Q Why not?

16 A I didn't think it was unusual that when you're having a conversation with someone
17 about stuff that happened, you know, a decade ago, essentially, when asking about documents that
18 have been taken, that you might mix up dates, times, years.

19 Q The interview was in 2023, and he mixed up the second Presidential election before
20 that, that's 5 years. Was that common? Did the President commonly mess up dates?

21 A In my experience and from my interactions with him, I didn't see that very often. I
22 mean, I'm aware, obviously, of media reports of him, you know, mixing something up at a press
23 conference or something like that.

24 Mr. Spectre. You said you didn't see it very often. Did you see it sometimes?

25 Mr. Sams. In my own interaction with him, no, I never saw that.

1 BY MR. BENZINE:

2 Q President Biden also says in the transcript, Well, if it was 2013, when did I stop being
3 Vice President?

4 When did President Biden stop being Vice President?

5 A I believe it was January 2017.

6 Q So you remember that, but he couldn't remember when he was no longer living at the
7 Vice President's residence.

8 A Is there a question there?

9 Q Does that surprise you?

10 A No. I mean, I think I was pretty clear about the contours of the interview and, you
11 know, talking about issues over the course of years and trying to get bearings within the confines of
12 an interview, are we talking about this time or that time. And, you know, of course, he misspoke or
13 misremembered certain things through the course of that interview.

14 Q And then in the special counsel's report, you touched on it, but there's a number of
15 instances where he discusses the President's memory in conjunction with the classified document
16 investigation. You're aware of that?

17 A Yes.

18 Q And this was one of the primary concerns that both you and the White House Counsel
19 and the President's personal attorney had with that report. Is that fair?

20 A Yes. I think it's fair to say that the characterizations about his memory were something
21 that we found inappropriate in the report.

22 Q And there was a series of letters back and forth between the White House and the
23 Department of Justice. You mentioned that, so you're aware of those letters?

24 A Yes.

25 Q Were you involved in the drafting of any of those letters?

1 A No.

2 Q Did you see any of those letters prior to them being issued?

3 A Not that I recall, no.

4 Q Did you review the Hur report prior to it being issued?

5 A No, I did not.

6 Q We talked about it a little bit, but you insinuate, so I'll ask directly. The White House
7 Counsel's Office got a copy of the interview transcript prior to the report?

8 A Yes, we had access to a transcript of the interview prior to the report.

9 Q Do you recall any conversations regarding the President's memory after reviewing that
10 transcript?

11 A No, I don't. I don't recall having any conversations after reading the transcript about
12 his memory.

13 Q Do you have any other -- what were the conversations regarding reading the transcript?

14 A Maybe it's helpful to kind of talk about my access to that and what my role in the whole
15 process was. So when I was reading the transcript, I think one of the things that I was doing was
16 preparing for, in the eventuality that this transcript was public, what kind of media questions are we
17 going to get, and what are the issues that we think people are going to focus on, you know, what are
18 things that we're going to have to, you know, figure out how to answer in the same way that I think
19 communications aides would work on any number of issues.

20 And so in that process, like, you know, there may have been some, you know, different things
21 in that interview that I would jot down as something that we might, you know, get asked about and
22 take it as my homework to figure out with the lawyers, or whatever, what the right way to answer,
23 you know, questions would be.

24 Q What did you -- what struck you as something to jot down?

25 A That's a good question. You know, there was -- obviously the primary focus of the

1 investigation was how classified documents ended up at his house and at his personal office after his
2 time as Vice President. And, you know, there were portions of the interview where, you know, he
3 was trying to describe how the process of moving boxes, or unpacking and packing his offices, or
4 things like that happened, and I knew we were going to have to answer questions about that because
5 that was the underlying subject of the interview. So like that comes to mind as something I
6 definitely, you know, flagged and wanted to prepare for.

7 Q Did you flag any of the memory lapses as something the press might ask questions
8 about?

9 A By the time I had reviewed it, you know, I was aware that, you know, some of the date
10 stuff had gotten a little bit jumbled, so I may have flagged that as something to be ready for.

11 Q You said that by the time you reviewed it you were already aware that the dates got
12 jumbled. Who told you?

13 A Because there was -- I should also kind of explain. To the best of my recollection, there
14 was a -- it wasn't like right after the interview that I read the transcript. There had been a little
15 while that went by. I don't recall exactly when I read the transcript. But during the course of that
16 period, you know, I think the lawyers had already been going back and forth, you know, with the
17 special counsel. It may have been mentioned to me by some legal colleagues that like, you
18 know -- you know, he may have messed up a year on something. I can't recall exactly the contours
19 of that.

20 Q Had they -- were they basing those comments to you based off already reading the
21 transcript, to the best of your knowledge? Like, were you late in the game in reading the
22 transcript? Had others already read it?

23 A Certainly many of -- not many, because there's not that many people, but a number of
24 my White House Counsel legal colleagues, the lawyers who are working on this matter had read it, or
25 on a couple of other occasions, been in the room for the interview well before I had read the

1 transcript.

2 Q Do you recall any conversations about the date mixups prior to anyone receiving the
3 transcript?

4 A Not that I can recall.

5 Q And do you recall who brought to you the date mixups?

6 A I don't recall who exactly.

7 Q Did they express any concerns about it?

8 A I think in the process of like preparing for the eventuality of this being public, you know,
9 it was mentioned that, you know, if he got this year wrong or something, that could be something
10 that people focus on. But it never really became a major focal point until it was in the -- you know,
11 my legal colleagues had reviewed the report and knew that this was a major criticism of the special
12 counsel. So it wasn't until that point that I really, you know, felt like that was even going to, so to
13 speak, be a thing.

14 Q You said that you didn't have a role in drafting the letters back and forth between --

15 A No.

16 Q After the White House and your personal lawyers were able to review the report, do you
17 recall conversations about the special counsel's characterization of the President's memory?

18 A Yes.

19 Q What were those?

20 A I think I mentioned this just a minute ago in our conversation. The general view was
21 that it was inappropriate that those would be included in a report that the special counsel knew was
22 going to be made public.

23 And I think there was, you know, maybe belief that that was done intentionally since the
24 special counsel had made a decision that this was not a case that in any way was worth prosecuting
25 or that they could bring, that -- to so call -- you know, to, so to speak, to throw a bone to people who

1 are going to be upset about that decision, especially in, you know, comparison to the decisions that
2 have been made about then former President Trump, that maybe some of these characterizations
3 had been made as a sort of, you know, dog whistle, meat throwing exercise to appease critics, and so
4 we certainly had conversations about that.

5 Q That -- and correct me if I'm wrong -- the perception was that Special Counsel Hur was
6 playing politics with the report a little bit?

7 A You know, I didn't want to -- I'll speak to my views. My view is I couldn't state that
8 with certainty. It seemed like certainly a possibility that this was sort of a way to put something in
9 there that could, you know, give critics a little bit of fodder.

10 Q Did anyone state that with certainty, that they believed the special counsel's playing
11 politics?

12 A I think that some -- after the report came out, I believe that that -- a lot of people
13 publicly had stated that, whether -- I don't recall people in specific who had said that, but I know that
14 that had been a criticism.

15 Q What about prior to publication, in these meetings, did Mr. Sauber or Mr. Bauer or Mr.
16 Siskel ever say this is politically motivated?

17 A I don't know if that is the exact phrase or description that was used. I think, you know,
18 the conversation -- I had mentioned this just a second ago -- was that there was a view that this was
19 sort of done to throw a bone to people who were going to be critical that he was not going to bring
20 charges. So you can interpret that as being a political bone, you can interpret that as being like just
21 getting some people off his case, you know, I don't know. But whether someone used the term
22 "politically motivated" in our previous conversations, I don't recall whether they did. It's possible.

23 Q The special counsel report found that President Biden willfully retained and
24 disseminated classified information but declined to prosecute him for a number of reasons. Do you
25 agree with my summary?

1 A I don't.

2 Q Why not?

3 A I think that was a -- I remember talking a lot about this when I was briefing reporters
4 about that. It was a common misconception about the report that he had determined that the
5 President had willfully maintained classified documents.

6 I believe, if I recall correctly -- and I'm happy to look at a transcript or whatever of the
7 report -- I believe what he said is there is evidence of that, and then later in the report said the
8 evidence was not conclusive, or something along those lines. And I think that the phraseology just
9 got sort of glommed upon and misinterpreted. When the overall underlying charge that could be
10 brought was the willful retention of classified documents, and then he did not bring charges of that,
11 and in the report explained why and why the evidence did not support bringing those charges.

12 Q What was one of the --

13 A If that helps explain.

14 Q What were some of the reasons to not bring the charges, to the best of your
15 recollection?

16 A I mean, my takeaway from the report at the time when I was there was that, you know,
17 they'd spent a year investigating every possible avenue of finding evidence of him willfully retaining
18 classified documents and they couldn't find any, or if they found nuggets they couldn't corroborate
19 them, and so then they made the decision not to charge him.

20 And I think that ultimately that was the decision because the decision is, you know, is he
21 violating a, you know, criminal statute of willful retention of classified documents, and by not
22 bringing the charge, you're kind of saying, you know, this case is flimsy, we're not going to -- you
23 know, it's not going to work.

24 And then in specifics in the report, later in the report he talks about they found the evidence
25 lacking, or some phrase like that I think was in there in some place. And I mention this in my

1 brief -- in my press briefing about this.

2 Q You spent a lot of time around lawyers, so I assume by osmosis learned some things. Is
3 it possible to find someone committed a crime and still decline to prosecute?

4 A I don't know.

5 Q You'd have to convict them in front of a jury. I believe the special counsel said that he
6 would struggle to convict President Biden. Is that fair?

7 A Say that again.

8 Q Eventually if he brings charges, he would have to convict him in front of a jury. The
9 special counsel said that it would be difficult to convict President Biden. Is that --

10 A That's my recollection of what the report said, yeah.

11 Q Do you recall why it would be difficult to convict him?

12 A Well, I think there was a whole report that outlined all the different things they
13 explored, and it outlined a number of reasons. I know -- I assume you're going to -- you know,
14 you're asking about some of the characterizations that we've talked about at length, and I think that
15 was one of a number of things throughout the report that he mentions as informing his decision.

16 Ms. O'Brien. And if you want to point to specific parts, I don't know if you have the report in
17 front of you. I feel like this is becoming a memory test for Mr. Sams of a report.

18 Mr. Sams. It would be helpful if you're asking about specific things.

19 Mr. Benzine. We can go off the record.

20 [Discussion off the record.]

21 Mr. Benzine. I think we are at Exhibit 3. I'm going to introduce as exhibit 3 the report
22 produced by Special Counsel Robert Hur entitled Report of the Special Counsel on the Investigation
23 Into Unauthorized Removal, Retention, and Disclosure of Classified Documents Discovered at
24 Locations Including the Penn Biden Center and the Delaware Private Residence of President Joseph R.
25 Biden, Jr.

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

3 BY MR. BENZINE:

4 Q So kind of like blanket beginning question. I don't know if, again, in the osmosis of
5 working in the White House Counsel's Office you read the underlying statute that has -- it has a
6 knowingly requirement, that you have to knowingly and willfully possess or disseminate classified
7 information. But are we operating on the same sheet of music on that?

8 A That is my understanding. Again, I'm not a lawyer.

9 Q Not a lawyer. Totally understand.
10 So I want to go to page 6 on the report -- the report itself, not the special counsel's cover
11 letter. And it's the second full paragraph. It starts, "We have also considered that." Do you see
12 that?

13 A Page 6?

14 Q Yes.

15 A Yep.

16 Q So I'll read it. "We have also considered that, at trial, Mr. Biden would likely present
17 himself to a jury, as he did during our interview of him, as a sympathetic, well-meaning, elderly man
18 with a poor memory."

19 That's obviously one of the lines that got a lot of press coverage after the report was released.
20 Do you recall that coverage?

21 A Yes, I do. And I think to the point that I was trying to make -- and this is very, very
22 helpful to have this in front of me, so I really do appreciate that -- is the immediate prior paragraph
23 says, "In addition to this shortage of evidence, there are other innocent explanations for the
24 documents that we cannot refute." And goes into that and spends a few pages before talking about
25 it and spends hundreds of pages later talking about that, which gets into that it wasn't just that. It

1 was that there was a shortage of evidence and other potential innocent explanations for how this
2 happened, in addition to the sort of personal comments that we talked about.

3 Q And did the White House Counsel try to get Special Counsel Hur to remove or otherwise
4 reword this sentence?

5 A Which sentence? I'm sorry.

6 Q The one describing Mr. Biden as a sympathetic, well-meaning, elderly man with a poor
7 memory.

8 A Based on my recollection, I think that was the subject of one of the letters that they sent
9 to the special counsel.

10 Q Do you recall the justification for removing that sentence?

11 A I don't recall specifically. I'm happy to look at -- if you have the letter that they sent, I'll
12 look at it and make a more informed response.

13 Q Do you recall the conversations surrounding that sentence? There was -- I mean,
14 obviously they sent a letter about it, but do you recall any internal conversations regarding it?

15 A Yes.

16 Q First, with who?

17 A It was shortly -- it was right before the -- I mean, in the days before the report came
18 out -- because maybe that would actually help, just if I may. I did not have -- I was not someone
19 who had early access to the report, so I didn't know what was going to be in the report. I only
20 became familiar with what may be in the report within a couple of days before the report came out.
21 And so I think that's important.

22 And I remember in that period of time of just the last couple days before the report came out
23 where I was brought in to start some of the communications and press planning for what specifically
24 we would get asked by reporters or have to deal with in the press and -- sorry, got distracted there.

25 In that period of time, that sentence was something that we knew would be, you know,

1 politically explosive, something that was in here that was going to get a ton of press attention, that
2 was going to become a political football, that kind of stuff.

3 Q Do you recall the -- I already asked that. You mentioned that it would become kind of
4 like a political football. Was that part of the justification to try to get that sentence removed?

5 A Again, I don't recall the exact justification at the time from when the lawyers wrote to
6 Special Counsel Hur objecting to that.

7 After the report came out, you know, a number, I mean, it may be 10, may be a dozen, I don't
8 know exactly, a number of former senior Justice Department officials talked about how that kind of a
9 characterization, or something like that, was inappropriate to be in a report like this. People who
10 have way more experience with stuff like this than I do had talked about how that was an
11 inappropriate thing to include, you know.

12 So it became sort of commonly known that that was something that was inappropriate to be
13 involved in a report like this.

14 Q One of those people being former U.S. Attorney Preet Bharara?

15 A That sounds familiar. I don't recall exactly what he said, but --

16 Q Did you have any conversations with him?

17 A No.

18 Q I'm going to ask about two more specific lines in the report, and then I know the
19 Chairman has some questions. Flipping to 207.

20 A Okay.

21 Q The very last paragraph, I'll read it into the record. "Mr. Biden's memory also
22 appeared to have significant limitations -- both at the time he spoke to Zwonitzer in 2017, as
23 evidenced by their recorded conversations, and today, as evidenced by his recorded interview with
24 our office. Mr. Biden's recorded conversations with Zwonitzer from 2017 are often painfully slow,
25 with Mr. Biden struggling to remember events and straining at times to read and relay his own

1 notebook entries."

2 Do you recall any specific conversations regarding this paragraph?

3 A Not that I can recall, no, of anything specific to that. It wouldn't surprise me if there
4 had been some, but I can't recall any.

5 Q But kind of in the same bucket as the first one, that the White House Counsel's Office
6 was objecting to the characterization of his memory as being important to the special counsel's
7 decision?

8 A Maybe, just rereading that paragraph, you know, it seems to be about -- I don't know is
9 the bottom line. I don't know if it was similar to that.

10 Q And then page 247.

11 A Yeah.

12 Q The very very bottom, there's a sentence, the last line starts, "For these jurors." Do
13 you see that?

14 A 247?

15 Q Yes. It's the very last line.

16 A Of -- oh, I see it. Sorry. Yes. Thank you.

17 Q So it goes onto 248, but I'll read it. "For these jurors, Mr. Biden's apparent lapses and
18 failures in February and April 2017 will likely appear consistent with the diminished faculties and
19 faulty memory he showed in Zwonitzer's interview recordings and in our interview of him.
20 Therefore, we conclude that the evidence does not establish that Mr. Biden willfully disclosed
21 national defense information to Zwonitzer.

22 I mean, in this paragraph, the special counsel directly links Mr. Biden's diminished faculties
23 and faulty memory with the decision to not prosecute him for willfully disclosing national defense
24 information. Would you agree?

25 A I'm not sure I would agree with that just because that's the full conclusion of this entire

1 section, and without reading all of it -- I mean, I can look even before, you know, there is also
2 evidence that Mr. Biden took some steps to avoid sharing classified information.

3 Like, I can't -- I'm not sure that that's exactly what that is intending to convey. I'm not the
4 special counsel. He would have to answer that. But it seems more like that is one of many things
5 that they considered as part of the decision.

6 Q Do you disagree with the special counsel's statement that it's consistent with the
7 diminished faculties and faulty memory he showed in Zwonitzer's interview recordings and in our
8 interview with him?

9 A I don't --

10 Mr. O'Neil. I don't think he has a basis to --

11 Mr. Sams. I mean, I --

12 Mr. Benzine. I mean, I know he doesn't have a basis. He met the President three times.

13 Mr. O'Neil. No. I'm saying he doesn't have a basis because he doesn't have -- you know,
14 he hasn't reviewed the evidence underlying --

15 Mr. Benzine. He reviewed the tape and the transcript.

16 Mr. Sams. I think that I can say that that was something that we objected to, the
17 characterization and the language that he used there. Especially as someone who had reviewed the
18 transcript, which obviously is public, was public, it didn't seem like that sort of pejorative kind of
19 description lined up with what had happened in the course of the interview, to make such a
20 sweeping sort of assessment.

21 I think that was the view that I was representing as the spokesperson, that was the view of
22 the President and his legal team as, you know, we talked about in the letters that they presented.

23 Mr. Benzine. Thank you.

24 Mr. Chairman.

25 Chairman Comer. Thank you.

1 Mr. Sams, there was speculation that you were hired specifically to combat and answer
2 questions -- or combat our investigation of the Biden influence peddling schemes, in other words, to
3 focus solely on the oversight aspect of the Biden investigation. Is that a fair statement?

4 Mr. Sams. I was brought in to respond to the investigations from a communications and
5 press perspective.

6 Chairman Comer. Is that the sole reason you were brought in, just to respond to the
7 investigation? Because isn't it unusual to have two press secretaries, Jean-Pierre as well as you?

8 Mr. Sams. It's not unusual that different press people or communications people would
9 have different portfolios. For example, the National Security Counsel has a spokesperson that is,
10 you know, the lead sort of spokesperson for their issues. I was brought in as the lead press and
11 communications person to handle oversight and investigations.

12 Chairman Comer. There was speculation that maybe Jean-Pierre wasn't firm enough or
13 whatever. Would that be a fair statement, so they brought you in to be a bulldog, so to speak?

14 Mr. Sams. I think I'm fairly nice. I don't think I'm a bulldog. But I understand what you're
15 asking.

16 Chairman Comer. Yeah.

17 Mr. Sams. I think my -- that is not my sense of why that happened. In fact, when I started
18 in the White House, Jen Psaki was still the White House press secretary, for example. So that wasn't
19 an issue at the time.

20 Chairman Comer. Was Jean-Pierre upset? There was, I think, some speculation that she
21 was upset when they brought you in and she would have to -- if they asked a question about the
22 investigation, she would have to step back and let you answer the question. Did you ever sense any
23 anger --

24 Mr. Sams. Absolutely not, not from my perspective with her. We were friendly and got
25 along well.

1 Chairman Comer. We have, I believe, Exhibit 3, or 4, is it, is a tweet, and it was something
2 you repeatedly said throughout your opportunity behind the White House podium, that we had no
3 evidence in the investigation.

4 Obviously, we were investigating money that the Biden family had taken in from foreign
5 sources, and in the tweet you specifically stated, and I quote, having repeatedly proven his lack of
6 credibility, don't fall for James Comer's stunts.

7 I'm wondering, what stunts were you referring to?

8 Mr. Sams. I'm trying to sort of recall what this was about, and it -- I mean, in the memo it's
9 possible that it goes through that. The screenshot there, it's a little fuzzy, so I can't --

10 Ms. O'Brien. Are you able to read the memo.

11 Mr. Sams. I can't see the memo itself. I can only really read the content of that tweet. I
12 can answer the question generally.

13 I think generally my -- what I was communicating there was that, throughout the course of
14 the investigation, there were times where maybe there were overstatements about documents or
15 witness testimony or things like that that didn't back up, you know, when the rubber met the road
16 what had been said.

17 Chairman Comer. Do you remember specifically an instance of that?

18 Mr. Sams. Well, you know, it says in the first sentence there, what I was referring to here
19 was the gentleman who I understand was subsequently indicted federally for lying about the Bidens
20 had -- if I recall correctly, had been the source of an interview with the FBI that was documented in a
21 form that the FBI uses, that I remember the Committee was asking for --

22 Chairman Comer. Are you sure he was -- he was indicted for lying about Joe Biden or --

23 Mr. Sams. That's my understanding.

24 Chairman Comer. I'm curious, did you ever look at the evidence that we accumulated, the
25 bank statements, the wire transfers, the emails between the bank examiners who, prior to filing the

1 suspicious activity report stated that, you know, this is an investment company with no investment
2 or, in other words, a shell company?

3 Did you ever look at those bank statements and wire transfers and read the final report from
4 the Biden influence peddling investigation?

5 Mr. Sams. I certainly did, yeah.

6 Chairman Comer. So do you still stand by the statement that there was no evidence that the
7 Biden family was influence peddling, that the Bidens -- that Hunter Biden took \$5 million from China,
8 even though Joe Biden said he didn't in the debate, that there was no money taken from China, that
9 there was -- and I'm not even talking about the energy company in Ukraine because that was the
10 most legitimate thing that Hunter Biden did. I'm talking about Burisma -- I'm not even talking about
11 Burisma. I'm talking about the wires that we identified from Romania, the wires from China, the
12 wires from Russia, the gifts from -- was it Kazakhstan?

13 Did you -- I mean, did you look at that? I mean, because that's pretty hard evidence that the
14 Bidens were, or at least the President's son, was involved in a pretty concerning influence peddling
15 scheme. And according to our whistleblowers, they never paid taxes on it, which would suggest
16 that they could owe at least \$10 million in taxes. So I just -- I'm just wondering -- I mean, you have a
17 checking account, correct?

18 Mr. Sams. I do.

19 Chairman Comer. And you look at your bank statement each month and you can
20 understand it. I just -- I'm curious, you stand by -- because there were a lot of -- you know, you did
21 a lot of interviews, and I did a lot of interviews, and I feel like we were, you know, saying totally
22 opposite things. And, you know, you look at how this all ended, were you surprised that Joe Biden
23 pardoned his son?

24 Mr. Sams. I was surprised because he had previously stated he was not going to.

25 Chairman Comer. Were you surprised that Joe Biden pardoned his entire family?

1 Mr. Sams. I was surprised by that.

2 Chairman Comer. Would you admit that that's an admission of guilt, that Joe Biden
3 pardoned his entire family? Because the only reason -- the only time the spouses were ever
4 mentioned in anything was in our investigation when we subpoenaed the bank records and we
5 traced the money laundering and it included, you know, the spouses were involved in some of the
6 passthroughs. I mean, that's a pretty amazing thing.

7 And Joe Biden, the last act as President, right before the transfer of the power, all our phones
8 start lighting up that he pardoned his entire family.

9 And I just wonder if, you know, at the end of this, the investigation's over, do you stand by the
10 countless statements that you made that said there was no evidence of wrongdoing by the Biden
11 family.

12 Mr. Sams. You know, respectfully, my job and role was to respond to the investigation,
13 which became an impeachment investigation of the President, as obviously you know.

14 Chairman Comer. It was an impeachment inquiry, but go ahead.

15 Mr. Sams. Sure. And my job was to respond to allegations that were made about the
16 President, whether he had, you know, been involved in something illegal, wrong, or whether he had
17 governing decisions that had been impacted by these sorts of things.

18 And of course, over the course of that entire investigation my view, the view of the President,
19 view of his team, my job as a spokesman to communicate it, was that none of this evidence
20 amounted to what I think the end goal of the investigation -- the official investigation was to serve.

21 I can't speak for Hunter Biden. I can't speak for the President's family members. I
22 would -- those were personal individuals who had their own representatives who we did refer
23 questions and stuff to.

24 And so, you know, their own personal dealings is not something that was part of like my job
25 as a spokesman at the White House.

1 Chairman Comer. Did President Biden assure you that he never committed a crime? Do
2 you recall ever having a conversation with President Biden where he assured you he never
3 committed a crime?

4 Mr. Sams. I did not have a meeting with President Biden where that was said and that was
5 discussed.

6 Chairman Comer. You mentioned that you spoke with Abbe Lowell. Do you recall how
7 many times you spoke with Abbe Lowell?

8 Mr. Sams. The best of my recollection, two, three, four times, maybe.

9 Chairman Comer. Was Abbe Lowell's law firm, were they sending you talking points as to
10 how to combat some of the things that we would release?

11 Mr. Sams. No.

12 Chairman Comer. Okay.

13 Mr. Sams. And when there were allegations -- I mentioned this earlier. When there were
14 allegations that were just about Hunter and Hunter's activities, you know, my job—I would refer
15 those to Hunter and his personal representatives—because, you know, my job was about the
16 President and his decisions and his -- him individually, not his family members.

17 BY MR. BENZINE:

18 Q One final question, and then we can go off the record. Do you recall any conversations
19 about Hunter being a legal liability to the President?

20 A I don't recall conversations about Hunter being a legal liability for the President.
21 Obviously, Hunter's legal issues, it was my understanding, weighed heavily on the President.

22 Q What about conversations about him being a political liability on the President?

23 A I certainly can generally recall that at times there were conversations that some of these
24 public visibility of Hunter, you know, could be, you know, not great for the President, something like
25 that.

1 Q Okay. Thank you. We can go off the record.

2 [Recess.]

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

4 I would like to start by introducing as Exhibit A an ABC News article titled, "FBI source charged
5 for allegedly providing false info on Bidens, which was cited by Republicans." This article is in
6 relation to Chairman Comer's impeachment inquiry into Hunter Biden.

7 [Sams Minority Exhibit A

8 was marked for identification.]

9 Ms. [REDACTED] I would also like to enter into the record as Exhibit B another article related to
10 the impeachment inquiry. This is an NBC article from July 12, 2023, titled, "GOP house, quote,
11 'informant' indicted on allegations he was an agent for China."

12 [Sams Minority Exhibit B

13 was marked for identification.]

14 Ms. [REDACTED] I would like to introduce as Exhibit C a Politico article from March 20, 2024,
15 titled, "House GOP's latest impeachment hearing devolves into bickering with Trump-aligned
16 witness." The subtitle on this article is, Tony Bobulinski repeatedly sparred with Democrats on the
17 Oversight Committee and called President Joe Biden a, quote, "serial liar".

18 [Sams Minority Exhibit C

19 was marked for identification.]

20 Ms. [REDACTED] And then I'm going to introduce as Exhibit D a screenshot of a tweet that I
21 believe came from you, Mr. Sams, that states, Reminder: Last week Republicans hyped Tony
22 Bobulinski as a, quote, "star witness" in their discredited impeachment.

23 Comer insists he is, quote, "credible".

24 But The Daily Beast exposed his deep ties to a Russian oligarch, quote, "who's been a close
25 ally of Putin for decades".

1 This is a retweet of an article in The Daily Beast, titled, "GOP's Star Witness in Hunter Biden
2 Probe Has Ties to Russian Oligarch".

3 [Sams Minority Exhibit D
4 was marked for identification.]

5 EXAMINATION

6 BY MS. [REDACTED]

7 Q Mr. Sams, I will represent to you that during their 15-month investigation into Hunter
8 Biden and into Joe Biden's involvement in any of Hunter Biden's business dealings -- or potential
9 involvement, I should say -- Oversight Committee Republicans heard more than 80 hours of
10 testimony from nearly 20 witnesses and reviewed more than 100,000 pages of documents.

11 Does that sound approximately correct to your recollection?

12 A That does.

1 [11:37 a.m.]

2 BY MS. [REDACTED]

3 Q I will also represent to you that last Congress Chairman Comer made sweeping claims
4 that Joe Biden had engaged in impeachable conduct while in office.

5 Does that also sound generally correct to your recollection?

6 A Yes.

7 Q Mr. Sams, did the House of Representatives vote to impeach President Joe Biden during
8 the 118th Congress?

9 A I don't believe so.

10 Q They did not. That's correct.

11 Would you consider Chairman Comer's impeachment investigation a success, personally?

12 A I think it's hard to characterize that that is -- that there was even an impeachment.

13 Q I will say that many Republicans categorized it as a failure.

14 [Sams Minority Exhibit E

15 was marked for identification.]

16 BY MS. [REDACTED]

17 Q I'm going to introduce as Exhibit E -- I believe we're on -- a Washington Examiner article
18 titled "Republicans Exhausted with Comer's 'complete failure' to deliver on promise to impeach
19 Biden: Report."

20 I was wondering if you would be willing to read for me the last paragraph on the first page of
21 this article, which continues briefly onto the second page.

22 A Is this "a source close" --

23 Q No. It should start with, "James Comer continues" --

24 A It says, quote, "'James Comer continues to embarrass himself and House Republicans,' a
25 source close to GOP leadership told the Messenger. 'He screws up over and over and over. I don't

1 know how Republicans actually impeach the President based on his clueless investigation and lack of
2 leadership," end quote.

3 Q Thank you very much, Mr. Sams.

4 BY MS. [REDACTED]

5 Q Thank you, Mr. Sams.

6 The majority in your questions earlier repeatedly cited President Biden's misremembering of
7 dates after a long interview and, like you said, like from the best of his recollection.

8 Do you know who appointed Jay Powell as Chair of the Federal Reserve?

9 A I believe it was President Trump.

10 Q Yes. And so President Trump also did not remember that he appointed Jay Powell.
11 He earlier this year said that he was surprised that Jay Powell had been appointed as Fed Chair.

12 Did you also know that President Trump once stated at a deposition that a woman named E.
13 Jean Carroll was his ex-wife, Marla Maples?

14 A I did not know that.

15 Q And in 2019, President Trump also had a special counsel investigation into
16 Russia -- Russia interference with the 2016 election -- and he said over 30 times that he did not
17 remember the questions [inaudible].

18 So it seems that you would say that President Trump also has inability to remember certain
19 things accurately?

20 A Yeah. My sense is that it's fairly common for people who are being interviewed, if they
21 can't remember something, to say they don't remember.

22 BY MR. [REDACTED]

23 Q Mr. Sams, just a few quick questions for you, following up on questions my majority
24 colleague asked you about the chain of communication that preceded your issuance of public
25 statements on behalf of President Biden.

1 As I understood your testimony, it's not unusual for White House communications staff to
2 issue public statements based on information provided by senior White House staff as opposed to a
3 President directly. Is that accurate?

4 A That's correct.

5 Q And as a practical matter, you wouldn't expect any President to directly communicate
6 messaging to their communications staff with respect to each and every communication that's issued
7 by the White House. Is that fair?

8 A I think that is fair, yes.

9 Q And to your understanding, does President Trump speak directly with his
10 communications staff with respect to each and every public statement that they make on his behalf?

11 A I don't have knowledge of how that operates, but that would be surprising.

12 Q Did you ever make a public statement on behalf of President Biden that you later
13 discovered to be inconsistent with President Biden's actual position?

14 A Not that I can recall, no.

15 Q Is that something that you were ever concerned about happening?

16 A No.

17 Q Did anyone in the White House ever ask you to articulate a position or make a public
18 statement that was inconsistent with President Biden's?

19 A Not that I'm aware of, no.

20 Q Did anyone in the White House ever tell you not to worry about what the President's
21 actual position was with respect to a given statement?

22 A No.

23 Q Did anyone in the White House ever suggest to you that President Biden was unable to
24 articulate a position with respect to a given statement?

25 A In my experience, no.

1 BY MR. [REDACTED]

2 Q Back to your earlier testimony.

3 Can you remind me again how many times you said you had interacted with the President?

4 A A handful of times. I think I met with him three or four times --

5 Q Got it.

6 A -- during my time.

7 Q So if Chairman Comer went out in the hall just now and said you testified you only met
8 him twice, would Chairman Comer be misremembering something that happened two hours ago?

9 A It is certainly true that I met with him more than twice.

10 Q Got it. Interesting.

11 I guess I'm wondering sort of why you're here. And some of the majority's questions talked
12 about, well, you weren't in the room, so how can you even know? So I guess I'm trying to
13 understand why they brought you here.

14 Do you think the reason that you were invited to testify is actually because you were so
15 effective at undermining their impeachment inquiry?

16 A I don't know. I'm happy to be here and explain my job and answer questions. I don't
17 know. I'm not going to ascribe motive.

18 Q Got it.

19 Did you ever call Chairman Comer a clown?

20 A To my knowledge, no.

21 Q Do you remember Chairman Comer calling you a, quote, "clown"?

22 A I do.

23 Q Did you ever insult the appearance of Chairman Comer?

24 A I don't believe so, no.

25 Q Do you remember Chairman Comer saying, "He's not the most flattering person I've

1 ever seen," about you?

2 A That sounds about right. I don't recall specifically what the example was, but I do
3 know that he made some derogatory comments about me personally.

4 Q Personal derogatory comments?

5 A Yeah.

6 Q Not about your work, but about you as an individual and as a person?

7 A Correct.

8 Q Got it. Thank you.

9 Were you the White House Counsel?

10 A No. I worked for the White House Counsel.

11 Q Got it. Thank you.

12 Were you the President's personal lawyer?

13 A No, I was not.

14 Q So would you have been in those direct negotiations with Special Counsel Hur?

15 A No.

16 Q So would it make sense to ask you detailed legal questions about your interactions if you
17 weren't part of the legal team going back and forth with Special Counsel Hur?

18 A I'm happy to try to answer whatever questions I'm asked. You know, I don't -- I think I
19 said clearly I didn't have a legal role in the negotiations with the special counsel.

20 Q What was the final result of the impeachment inquiry?

21 A My recollection is it just sort of fizzled out. I don't really know what the procedure is
22 of whether they closed them or not. But I remember there being enough Republican opposition
23 that it wasn't going to happen.

24 Q Do you remember a CNN article saying that Comer was, quote, "ready to be 'done with'
25 the impeachment inquiry" and House Republicans being "increasingly frustrated as his investigation

1 appears to be at a dead end"?

2 A I generally recall that, yeah.

3 Q Got it.

4 Do you remember a GOP lawmaker telling CNN, quote, "Comer is hoping Jesus comes so he
5 can get out. He is fed up."?

6 A I don't recall that specific quote, but it would not surprise me if that was a quote.

7 Q Do you believe the questions that you've received today about the impeachment inquiry
8 have anything at all to do about the fitness of Joe Biden to be President of the United States?

9 A No. They certainly didn't seem to connect to that.

10 Q Got it.

11 So do you believe this is more of a fishing expedition for a failed impeachment inquiry?

12 A I don't -- I don't know.

13 Q Did the question you received about the origin of COVID have anything to do with the
14 health and fitness of President Biden?

15 A No.

16 Q Do you think that it's more likely a fishing inquiry for the Republicans' failed
17 investigation into COVID?

18 A I don't know.

19 Q Got it. All right. Thank you.

20 Mr. [REDACTED] We can go off the record.

21 [Pause.]

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

23 BY MR. BENZINE:

24 Q Mr. Sams, we've been here since about 9 a.m. It's 11:47 right now.

25 Did the Ranking Member ever show up today?

1 A I don't believe so.

2 Q All right. Thank you.

3 Going back to Hur just really quick.

4 Do you recall anyone in the White House contacting Attorney General Garland regarding the
5 special counsel report?

6 A I recall a letter that was sent to the Attorney General from, I believe, the White House
7 Counsel and the President's personal attorney --

8 Q Do you recall --

9 A -- after they had reviewed the report.

10 Q Do you recall any conversations beyond that, any direct conversations with the Attorney
11 General?

12 A No, I do not have any knowledge of that.

13 Q Were there any discussions regarding firing the Attorney General?

14 A Not that I'm aware of.

15 Q Okay. During a press briefing in March of '24, after the report came out -- I'll
16 paraphrase -- but you said, in essence, there's no reason that anyone would need to see the
17 audiotape.

18 Do you recall saying something like that?

19 A Is that in reference to the Hur interview?

20 Q Yes.

21 A I don't recall saying exactly that. It wouldn't surprise me given the position that the
22 transcript had been made public and the Attorney General's position on the audio release.

23 Q Do you recall any conversations in the White House regarding releasing the audio?

24 A Yes, generally.

25 Q What were -- generally, what were they?

1 A Like, I remember when both media organizations and Congress had sought out the
2 audio and just being a part of conversations about that happening.

3 I remember some conversations -- I don't remember exactly when or how -- but about how
4 the Attorney General had decided not to release it, and I knew that there was some sort of letter that
5 he was sending to Congress, stuff like that.

6 Q Do you recall if the White House was involved at all in the decision to not release the
7 audio?

8 A I don't know specifically the degree to which, for example, the White House Counsel
9 would be involved in that decision with the Attorney General. I just don't know.

10 Q All right. And then Ms. Dunn testified that one of the rationales for not having
11 President Biden do an interview before the 2024 Super Bowl was the possibility of the Hur report
12 coming up.

13 Were you a part of any of those conversations?

14 A I certainly was not part of the decision-making about whether the President should do a
15 Super Bowl interview.

16 Q Do you recall the concerns of the Hur report coming up in that interview?

17 A I have a vague recollection that it was mentioned that if the interview were to have
18 happened after the report comes out, he might have to answer questions about it. But that's
19 generally about all I remember from that.

20 Q All right. I have a few -- two or three more, and then Margaret has some questions.

21 You were just asked about, you know, you're not the White House Counsel, you're not all
22 these people. I think we understand that. I never said that you were the White House Counsel
23 today.

24 All of these topics today, would Mr. Siskel have direct knowledge of it?

25 Ms. O'Brien. Let me address one clarifying question.

1 All the topics?

2 BY MR. BENZINE:

3 Q Like the Hur report, President Biden's reaction to the Hur report, review of the Hur
4 report. Would Mr. Siskel have direct knowledge?

5 A Of those things, I assume generally, yeah.

6 Q What about Mr. Bauer?

7 A I would assume generally, yeah.

8 Q What about Mr. Sauber?

9 A I would assume generally as well, yes. They were the three primary lawyers who were
10 handling this with the special counsel and with the President.

11 Q So those would be good witnesses for us to talk to because they would have primary
12 knowledge?

13 A I don't know. I mean, whether that would be a good witness for you or not, I don't
14 know.

15 Q Do they have primary knowledge of these topics?

16 A I would imagine that those gentlemen would have information about the legal process
17 and decision-making.

18 Q Got it. And they signed the letters. I'm assuming they knew what they signed?

19 A I think that's a fair assumption.

20 Mr. Benzine. Margaret.

21 BY MS. HARKER:

22 Q You mentioned earlier that Ms. Jean-Pierre had a big book of talking points.

23 What is your understanding of the process by which talking points made it into that binder?

24 A Sure. I don't know exactly because I was not part of the Press Office team. Maybe it
25 would be helpful for me to explain like my involvement in that, and then I can -- and it might answer

1 the question.

2 So if there was a development in my portfolio happening that is in the news in that day, I
3 might write up a few recommended talking points on that issue, run it by the team that we've talked
4 about previously, you know, White House Counsel, Ms. Dunn, for example, for them to look at. And
5 then they would say, "This looks good," and it would go into Karine's binder as like some of my
6 portfolio recommended answers.

7 My understanding is that that's generally how it worked across departments, across
8 portfolios, NSC spokespeople that would handle China, Russia, domestic policy spokespeople who
9 handle climate or economy. You know, they may work with counterparts in other offices and
10 components around the White House to put together a set of recommended talking points and
11 messaging that, again, would, through their own processes, go to Karine for her binder.

12 Q And so the relevant leadership would approve what goes in and doesn't go in?

13 A I think, generally speaking, that's correct.

14 Q So for you, that was the White House Counsel, Ms. Dunn. Anyone else?

15 A Those would be the primary.

16 Q And are those the same people that would be on the emails you mentioned earlier
17 when you would send official statements to folks for approval before they went out?

18 A Generally speaking, that's right.

19 Q Okay.

20 Who else had the ability to put talking points into the binder?

21 A My understanding is generally like the spokespeople and communications people from
22 around the White House would develop those for their own portfolios for submission into her binder
23 for the press briefings.

24 Q Did you have a sense of how often Ms. Karine Jean-Pierre met with the President?

25 A I don't have exact numbers. I know she traveled, for example, very frequently with the

1 President.

2 Q What would your estimate be?

3 A I really don't know. I'm sorry.

4 Ms. Harker. Thank you.

5 BY MR. BENZINE:

6 Q I thought of a couple other thoughts.

7 You said that you met with the President a handful of times, five-ish. We discussed three.

8 Do you have specific recollection of the other two?

9 A I recall one other. He called me to follow up on that first -- the first instance I
10 mentioned to you, which was about Hunter's interview on the Hill, and him asking what the media
11 coverage was and what Members were saying publicly. You know, that meeting occurred earlier in
12 the day.

13 And then sometime in the evening, I received a phone call from the Oval, and it was him.
14 And he asked if there had been -- like how did the interview end. I remember him asking, "Are they
15 going to do a hearing?" I said I don't know and I didn't think that the committee had made that
16 decision yet or anything like that.

17 So I definitely recall that phone call that day. I can't recall -- there may have been another
18 meeting where I was asked to join for a briefing on what news coverage was on something.

19 Q But to the best of your recollection, four meetings, two were in person?

20 A Two that were -- the two that I described to you as at the very onset in the Oval, one
21 was a Zoom where he was at Camp David, and I was a participant in the meeting, the phone call.

22 I think there was another meeting, but I -- or another engagement -- but I can't remember off
23 the top of my head what it was. I'm sorry.

24 Q No, that's okay. I'm just trying to get an understanding.

25 So the immunity decision was virtual with him at Camp David. There was a phone call

1 regarding Hunter Biden's testimony --

2 A Yes.

3 Q -- an in-person meeting regarding Hunter Biden's testimony. And one other in-person
4 meeting?

5 A About Special Counsel Hur's testimony.

6 Q About the special counsel. So two in-person meetings?

7 A Sure. At least that, yes.

8 Q Okay. If you weren't involved, please just tell me, and I'll cross things off, and we can
9 move along.

10 Were you involved at all in the President's decision to run for reelection in 2024?

11 A No.

12 Q Were you a part of any conversations regarding the President's decision to run for
13 reelection in 2024?

14 A As part of my official duties, no. Obviously, once he had decided to run again, I had
15 talked about that with people personally.

16 Q Yes.

17 A But I was not part of any sort of official discussions of those things.

18 Q What about were you involved at all in preparing the President for the June 27th, 2024,
19 debate?

20 A No.

21 Q Were you involved in any discussions regarding making the debate the earliest in
22 Presidential history?

23 A I was not, no.

24 Q Were you at the debate site?

25 A I was not.

1 Q Did you watch the debate?

2 A I did.

3 Q The press reporting afterwards was that it was a bad debate. Do you agree?

4 A Apologies.

5 Yes, it was a bad debate.

6 Q And what made it a bad debate?

7 A I thought the President's performance was very poor.

8 Q Anything stand out in particular?

9 A I just think it was a bad debate. I mean, I thought he did poorly.

10 Q And in the two in-person meetings that you had had with the President prior to this, did
11 you ever see him behave like that?

12 A I did not. That's part of why I was so surprised and thought it was so poor, was
13 because it was not in alignment with my interactions that I had had with him.

14 Q And so just in your experience, the debate was kind of unique in that it was bad?

15 A It certainly seemed aberrant from my personal experience with the President.

16 Q Did you have any conversations regarding the debate with White House staff
17 afterwards?

18 A I don't recall any specific -- I'm sure I did. You know, I'm sure that there was chatter
19 about it being poor. But, you know, I don't -- specific conversations, I can't recall.

20 Q It was reported, and then Mr. Klain said that it might have been a different curse word,
21 but along the same lines that he said, "We're fucked," after -- in the green room during the debate.

22 Were there any sentiments like that expressed to you at the White House?

23 A Certainly not that sentiment. I think that the general view was that it had been a very
24 poor performance and my personal view was that it was then on the President to go and show that it
25 was aberrant from the norm.

1 Q Were you a part of any discussions about dropping out at that point?

2 A No.

3 Q Were you a part of any discussions about dropping out ever?

4 A No.

5 Q You said, in your personal view, it was your view that the President should go out and
6 show that that was a uniquely bad performance.

7 Did you express that to anyone?

8 A I can't recall like specific people who I expressed that to. I'm sure I at the time said
9 he's going to have to go out and show that he's -- you know, that that was unusual, that kind of a
10 thing.

11 Q Did you think the reaction to the debate was kind of overblown?

12 I mean, there was all these reports, all these Members of Congress like running around and
13 emergency Senate meetings and all that stuff. Did you think that that was overblown?

14 A No. I could certainly understand why people would react that way.

15 Q Did anyone express concerns about the President's ability to be President at that point
16 to you?

17 A No, not that I recall.

18 Mr. Spectre. Within the White House Counsel's Office, did the debate performance renew
19 concerns about the Hur report being a problem?

20 Mr. Sams. Not to my knowledge. I don't recall that being a topic of conversation or focus
21 right after the debate.

1 BY MR. BENZINE:

2 Q And then were you involved in any conversations regarding the President withdrawing
3 from the race?

4 A I was not part of the conversations about the President withdrawing, his decision about
5 withdrawing, any of that.

6 Q How did you learn that the President was going to withdraw?

7 A A tweet.

8 Q How did that make you feel?

9 A I understood it. I mean, I think a lot of people found out that way.

10 Q At that point did you agree with the decision?

11 A I mean, certainly it was the President's decision to make and I had no reason to
12 second-guess it.

13 Q Sitting here today, do you think President Biden could still be President?

14 A I have no reason to think he couldn't be. I haven't engaged with him, seen him since
15 leaving the White House. So, you know, I don't -- nobody can say for certain of anything. But like I
16 certainly have no reason to think he couldn't be.

17 Q After you joined Vice President Harris' campaign, did you have any conversations with
18 her regarding President Biden's fitness to be President?

19 A No.

20 Q Did you give her any advice on responding to questions regarding the President's age or
21 fitness to be President?

22 A No, I didn't.

23 Mr. Benzine. All right. We can go off the record.

24 [Whereupon, at 12:02 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