



Excerpts from Joint Transcribed Interviews

Lisa D. Kenna
State Department Executive Secretary
Conducted Friday, August 7, 2020

Toni Porter
Adviser to the Secretary of State
Conducted Tuesday, August 18, 2020

House Committee on Foreign Affairs
House Committee on Oversight and Reform

**INTERVIEW OF MS. LISA KENNA, DEPARTMENT OF STATE EXECUTIVE
SECRETARY**

Ms. Lisa Kenna, the State Department Executive Secretary, stated that she received document requests from the State Department Office of Inspector General (OIG) in March 2020 dealing with the probe into misuse of resources. Though the OIG official making the request “did not specify” the topic of the probe, the request was for “documents related to family travel.” Prior to IG Linick’s firing in May, Ms. Kenna sent out requests to gather those documents, but the documents weren’t turned over to the OIG until “after May 15th,” the date of Mr. Linick’s firing.

Pages 27-29:

- Q. Okay. Now, when Mr. Linick testified in June before the committees, he stated to us that OIG staff had reached out to you about document requests in the investigation into allegations of misuse of Department resources by the Secretary and Mrs. Pompeo. Do you recall communications with OIG staff about that?
- A. Not on that particular topic. An inspector reached out to me to request documents. He did not specify that it was with respect to a particular investigation and at no point did he say he was looking into the misuse of government resources.
- Q. And when did that discussion occur?
- A. If I recall, he requested the documents in I believe it was March.
- Q. Of this year?
- A. Yes, March of this year.
- Q. And what was the substance of the document request you received?
- A. That he requested documents related to family travel.
- Q. Can you elaborate on what documents were requested?
- A. Those were the documents that he requested, documents related to family travel. So I authorized the search to be done. And then the investigator provided—asked also for travel schedules and invitations that had been extended to Mrs. Pompeo to travel and we provided those. This was after—we provided those documents after the inspector general was fired.
- Q. Okay. So to confirm the timeline, you were approached, you believe, in March, and then you authorized a search, correct?
- A. That's correct.
- Q. And then the search was completed and the documents were provided to OIG at some point after Inspector General Linick was fired, correct?
- A. To the—I mean, to the best of my knowledge, there would have been documents provided through the search that proceeds independently from me. And then, in addition, they the inspector requested particular travel schedules and invitations, which I provided. This was, you know, later in May at some—so, yes.
- Q. And "later in May" you believe being after May 15th?
- A. It was 100 percent after May 15th, yes.

After receiving OIG's request for documents, Ms. Kenna also discussed the matter with Under Secretary of State for Management Brian Bulatao and State Department Counselor Ulrich Brechbuhl, Mr. Pompeo's former business partners and longtime friends. These contacts occurred in the "April, May timeframe."

As noted below, Ms. Toni Porter separately testified that she discussed the IG inquiry into the Pompeos with both Mr. Bulatao and Mr. Brechbuhl in "early to mid-June," after Linick had been fired. Both men told her not to rush to comply with OIG's request to interview Ms. Porter. Counselor Brechbuhl, in particular, expressed the opinion that "it was possible the investigation would resolve itself without [her] input." See Porter at 36-39.

Pages 29-31:

- Q. And besides the OIG inspector, did you discuss these requests with others in Department leadership?
- A. Yes. Whenever there's a request for documents for, you know, the inspector general, for Members of Congress, for FOIA, you know, we generally let Department leadership know of the request. So I informed my office, I informed the Under Secretary for Management, the deputy, the counselor. I did not inform the Secretary.
- Q. Okay. So to take those, just to confirm each one, you said you informed folks in your office. Who was that?
- A. I—
- Q. Who would that have been?
- A. Well, as part of the memo authorizing the search, that memo goes to, I presume, a relatively broad group of people so that everyone knows that this document request is underway. Again, this is a standard process that applies to all sorts of document requests.
- Q. And then you also informed or discussed this with Under Secretary Bulatao, correct?
- A. Correct.
- Q. And with Deputy Secretary Biegun, correct?
- A. Correct.
- Q. And the counselor—that's Ulrich Brechbuhl—correct?
- A. That's correct.
- Q. Did you discuss the request with anyone in L?
- A. I believe I did, yes. I believe I—I probably let the legal adviser know. I'm not—I can't recall precisely, but I would normally advise the legal adviser as well.
- Q. And do you recall around when you would have informed these different folks about the document request?
- A. It would have been at some point during, you know, the April, May timeframe. I don't recall precisely.
- ...
- Q. When you say you informed the legal adviser, you mean you informed Acting Legal Adviser Marik String?
- A. Yes.

Ms. Kenna testified that Secretary Pompeo “personally requested” the memorandum “laying out the argument in support” of using the emergency declaration to push through more than \$8 billion in arms sales to Gulf counties.

Note: The [unredacted Inspector General’s Report](#) shows that the use of the “emergency” authority was first proposed on April 3, 2019, months before the “emergency” was notified to Congress on May 24. Secretary Pompeo, however, made no mention of such an “emergency” when he personally briefed all members of Congress on May 20 and 21.

Kenna, Pages 98-107:

- Q. So that emergency declaration related to some precision guided missiles, among other things, the sale of which Congress had been blocking for more than a year before the May emergency declaration. Are you familiar with the fact that Congress had a hold on those weapon sales?
- A. Yes, I am.
- Q. And why did Congress have a hold on those weapon sales?
- A. I don't know why.
- Q. You have no knowledge of why Congress held \$8 billion in weapon sales for more than a year? Is that your testimony?
- A. I'm sorry, I just—I'm not involved in any of those discussions, so—and I, you know, it's not my area of expertise.
- Q. Let me refresh your recollection. These would have been the same weapons whose sale was blocked at the end of the Obama administration after Saudi Arabia bombed a funeral hall in October of 2016.
- A. Understood.
- Q. Does that refresh your recollection?
- A. Yes. So the concern would have been civilian casualties.
- Q. That's correct. And we can stipulate for the record, particularly since the hold at issue was put on by Senator Menendez, that civilian casualties were again of paramount concern in why Congress was blocking the sale of this \$8 billion worth of arms during the Trump administration.
- Charles Faulkner, a former principal deputy assistant secretary in the Bureau of Legislative Affairs, testified that the Trump administration revived the push to sell these weapons, the same weapons that were blocked for humanitarian reasons under the Obama administration, right around the time that President Trump and Crown Prince Mohammed bin Salman met in the Oval Office in March of 2018 and held up a big poster board touting U.S. arms sales to Saudi Arabia.
- When was the first time that you became aware that the Trump administration was going to try to get this particular set of arms sales approved by the Congress?
- A. I—again, I can't recall with any specificity. But I do remember a memo going to the Secretary with the proposal for how to handle the arms sales.
- Q. And when do you recall that happening?
- A. It would have been, you know, it's over a year ago certainly.

Q. And so just to be clear, the arms sales were first notified in April of 2018.

A. Okay.

Q. The emergency declaration was issued more than a year later in May of 2019.

A. Okay.

Q. So within that timeline, can you situate for us the memo that you're describing?

A. It would have been closer to the May of 2019 when I would have focused on this. When the memo was moving to the Secretary of State, that's when I would have been focused on it.

...

Q. ...What do you recall about that memo that you said you started to focus on around the time of the emergency declaration?

A. What I recall was that it was regarding the use of the emergency certification. And the memo was whether that was laying out the argument in support of that. That's what I recall.

Q. Okay. Now, Mr. Faulkner testified that he was directly involved in the formulation of that and that his first exposure to that concept came in April of 2019. Does that refresh your recollection as to when you might have seen that memo?

A. You know, I would—I'd just be guessing wildly on the month. I'm sorry, I simply can't—I can't pin it down by month.

Q. But you have no basis for contradicting his testimony that it was in April of 2019?

A. No. Certainly not, no.

...

Q. Ms. Kenna, you have no basis for saying that the emergency declaration was not first raised within the State Department in April of 2019. Is that correct?

A. I have no knowledge of precisely when the issue came up. My apologies. I simply can't recall the date.

Q. Okay. Were you ever involved in any meetings that involved Under Secretary David Hale regarding the arms sales issue to the Gulf?

A. I can't recall. I'm sorry. I can't recall.

Q. Were you ever involved in any meetings that involved then PM Acting Assistant Secretary Marik String regarding the arms sales issue?

A. I can't recall particular meetings. I recall—I can't recall. I'm sorry. I don't recall. I recall the drafting of the memo and, you know, the—and reviewing the memo before it went in to the Secretary and—yes.

Q. And so you read that memo—substantively, you read it before it went to the Secretary?

A. I mean, I didn't pore through the memo. I remember the memo going to the Secretary. I didn't provide any comment on it. I wasn't involved in the drafting. But I was aware that it was going to the Secretary.

...

Q. So, Ms. Kenna, can you tell us in your own words what you mean when you said you read this memo?

A. I, you know, I can't recall. It has been, you know, a really long time ago. And I, you know, I recall the memo. I recall it was—the purpose of the memo was, to the best of my recollection, was to lay out the basis for the emergency

certification. I don't recall if I went through it line by line. I just I just don't that wouldn't be, you know, that wouldn't be something that I would always do. And I just can't recall. I'm sorry. I don't know what else to say.

Q. Is it your understanding that the need for the emergency declaration, the proposal that was being made in this memo, was related to the fact that otherwise there was a congressional hold on these sales and there was an attempt to find a way to nonetheless get the sales through?

A. No, I didn't discuss with the Secretary, you know, the reason why he requested that particular memo. I can't remember, you know, if that request came through me or if it went directly to somebody else.

Q. But you did just testify that it was a memo that the Secretary personally requested?

A. Yes, uh huh.

Q. Okay. And when was that request made?

A. I don't recall.

Q. Okay. Do you recall who else was involved in the preparation of that memo?

A. I recall the offices. The offices would have been, you know, the Legislative Affairs Bureau, and the Legal Adviser's Office probably, and the Political Military. I'm not entirely certain. I would have reviewed the memo if I had known

Q. And would you have reviewed the clearance page just to make sure that all the appropriate offices had seen and cleared it before it went to the Secretary?

A. That wouldn't necessarily be my job, and I don't remember reviewing the clearance page on this particular one.

So somebody, usually the staff in the Executive Secretariat, will review clearance pages normally. And then somebody either you know, in my office will review, you know, normally. I just I can't recall with respect to this particular memo how it was reviewed or by whom.

Q. And do you recall who the sender was?

A. The sender?

Q. Yes, ma'am.

A. I mean, for something like this, I don't recall. I'm guessing it was the Pol-Mil Bureau, but I'm not certain. I don't recall.

Q. And would Pol-Mil also have been the primary drafter if they were the sender?

A. Memos like this end up getting input from lots of offices. So –

Q. But there is always a line that says who drafted it.

A. Yes. I don't know who the drafter was on this particular memo.

Q. Okay. Do you recall if Mr. String was involved in drafting the memo?

A. I don't know if he was the drafter, but I recall him being involved in this issue.

Q. Okay. What do you recall about his involvement?

A. I just recall him, you know, being involved in some way. I don't—I don't recall, you know, any particular meetings, but, I mean, he was in the Pol-Mil Bureau at that time.

Ms. Kenna testified that Mrs. Pompeo doesn't have an "official role" at the State Department, and that resources in the Office of the Secretary and the Executive Secretariat are used to support Mrs. Pompeo when she's "invited to attend events."

Kenna, Pages 118-119:

- Q. Okay. What is Mrs. Pompeo's role at the State Department?
- A. She's not an employee.
- Q. Okay. Has she ever been an employee at the State Department?
- A. No.
- Q. So does she have an active role at the State Department?
- A. In an official role, no, not to my knowledge.
- Q. I didn't say an official role. I said an active role.
- A. What do you—I mean, she attends events when she's invited. I mean, she meets with family members. She does play a role, yes.
- Q. Okay. Has S/ES staff or other resources been used in the past to support Mrs. Pompeo's activities.
- A. When Mrs. Pompeo is invited to attend events, you know, then we will ensure that she receives the invitation if it comes through us, our office. When she's invited on foreign travel and it's agreed that she will go, then we will support that, yes.
- Q. And would that be the only time that staff in the Office of the Secretary or the Executive Secretariat would be used to support Mrs. Pompeo?
- A. For instance, if she's meeting, you know, with family members at an embassy abroad, you know, we would be involved in coordinating for those meetings. So I can't, you know, speak for the full extent of what others are doing, but I can talk to my particular office. That's how we interact.

Ms. Kenna was asked to discuss [a January 7, 2019 State Department memorandum coauthored by Ms. Kenna and previously published in a media report](#) that lays out the requirements for State Department expenditures in support of family travel and recommending such expenditures for Mrs. Pompeo's participation in official travel beginning the same day (during the 2018-2019 government shutdown). Ms. Kenna stated that she recalled that memo as the OIG provided it to her as part of the request for records related to family travel, but in terms of similar records, Ms. Kenna testified, "I don't recall particular memos."

Kenna, Pages 120-133:

- Q. Okay. I'd like to turn your attention briefly to a memorandum that's dated January 7th, 2019, which was provided to your counsel last evening.
- State Dept. Counsel. [redacted], this is [redacted] again. Just a couple of preliminary remarks for the record.

I have also now been provided this, and I want to note that it was not produced from the Department's records under both Federal and departmental regulations on the alienation of records, including to Congress.

I would also note that there is no evidence that it is a final record of the State Department, if there's redactions that no one I have spoken to yet knows where they came from, that were not conducted by the State Department.

I would also note that it is a prospective. While it deals with a particular matter, it is a predecisional deliberative document, which by its markings under our rules and regulations, particularly the Foreign Affairs Manual, is prohibited from being outside the Department without the Department's permission, and in particular it's prohibited from being public, and also deals with references and advice as to future potential application of its legal advice.

So with that on the record, I am happy to have Ms. Kenna, who is anxious to cooperate, answer certain very narrow questions about her knowledge of the existence of it, but I am going to be quite sensitive to questions that relate to ongoing or future deliberations that this document could be involved in. And none of my comments and nothing she says either act as a confirmation that this is in fact a Department record or is accurate.

Q. Thank you, [redacted]. And for the record, this document is one that was published by a news outlet about a week and a half ago, and that's where we got it, and that's why we would like to ask you about it.

So with all that said, ma'am, if you could turn briefly to the second page, the first whole paragraph, you will see a sentence about halfway down that says: For every representational activity there must be a finding by an appropriate official that the expense enables the Department to provide for the proper representation of the United States and its interests.

First of all, ma'am, this memo does indicate that you were one of the senders on January 7th, 2019. Is that correct?

A. Yes.

Q. Okay. And it deals broadly with authorization to spend money to support travel by Mrs. Pompeo under certain circumstances. Is that correct?

A. Yes.

Q. Okay. And the sentence that I just read, where it says for every representational activity there must be a finding by an appropriate official that the expense enables the Department to provide the proper representation, did I read that correctly?

A. That's in the document, yes.

Q. Okay. And this particular memo was related to a trip to the Middle East that, as we understand it, began the same day, January 7th, 2019. Is that your recollection?

A. That's my general recollection.

...

Q. Did the Inspector General's Office ever ask you for this memo?

A. The Inspector General's Office provided me with this memo when they requested documents related to family travel.

Q. Do you recall why the IG provided this document?

A. I don't know, they didn't say. I mean, the first time I talked about it with the IG I asked him is there an investigation, and at that point he said no. I don't know why he asked for it.

Q. Was he asking for similar memos for other trips?

- A. He asked for all documents related to family travel.
- Q. Okay. And this is a document that relates to family travel. Is that right?
- A. Yes, it is.
- Q. Okay. And it says that for every representational activity there has to be an appropriate finding.
- Do you recall if there were memos similar to this one that were prepared for any of Mrs. Pompeo's other travel?
- State Dept. Counsel. I'm sorry, any memos prepared in connection with that travel, by definition, as you can see from this memo, would be predecisional and deliberative, and I believe they're covered by executive branch confidentiality interests. And I am—I will take the liberty of directing her not to answer that.
- Q. Okay. So I'm not asking about the content. I'm asking, do you recall documents of this sort being prepared for any other travel other than trips to the Middle East that's identified in this January document?
- State Dept. Counsel. And I appreciate that, but you're also asking about the elements of a predeliberative—or a deliberative predecisional process, which I believe also are potentially covered by the same confidentiality interests.
- Q. And as you're aware –
- State Dept. Counsel. If you have a question about this specific trip which occurred, I'm not—I think there's things that can be asked about that.
- Q. Ms. Kenna, you've heard from the agency's counsel, who has been very clear he doesn't represent you in your personal capacity. We're not asking you about the content of any particular document.
- Are you refusing to answer the question of whether or not you recall documents of this nature being prepared for any other travel involving Mrs. Pompeo?
- A. I mean, I don't recall, you know, particular memos. I recall—you know, I don't recall particular memos.
- Q. So you're not refusing the question?
- A. I just answered to the best of my ability.
- Q. Okay.
- So Mrs. Pompeo accompanied the Secretary on a trip to Brazil and to Colombia, which began around December 31st of 2018. Did the IG ask you to provide documentation related to that trip?
- A. They asked for the travel schedule, yes.
- Q. Okay. Do you recall that December 31st trip to Brazil and Colombia being among the things that were on that schedule?
- A. Yes, I recall that. Yes.
- Q. Okay. And do you recall whether or not there was a memo, similar to the one we've been discussing here, that you located and produced related to that trip?
- A. Well, you know, when the Secretary travels, I mean, there—maybe I'm not being clear—there are memos where, you know, we provide manifests for the travel to the Legal Adviser's Office, and then they go to the White House
- Q. But, to be clear, this is a memo specifically justifying why it's appropriate to spend government resources to support Mrs. Pompeo's travel. Do you recall such

a document having been produced to the IG related to this December trip to Brazil and Colombia?

A. No.

Q. Okay.

How about a trip that she took to the Middle East starting on March 19th of 2019? Do you recall that trip being on the list of those that you were asked to provide documents for?

A. I don't recall anyone writing a memo on that trip.

...

Q. Do you recall anyone ever raising concerns to you about staffing Mrs. Pompeo for what amounted to tourism?

A. I recall people requesting guidance on the appropriate scope of the staffing. We sought guidance, and then we comply with it.

...

Q. You said you sought guidance on issues related to this. From whom did you seek that guidance?

A. I seek guidance from—we seek guidance from the Legal Adviser's Office.

Q. And can you give us examples of issues that arose where you felt that you needed to seek guidance?

A. Yes. I mean, it's literally my job to seek guidance. I, you know –

Q. Regarding Mrs. Pompeo's travel, to be clear.

A. Oh. The guidance we seek is concerning what events are appropriate to provide staff support for and which we should not.

Q. Do you recall ever seeking such guidance other than in the preparation of this memo that you sent in January of 2019 regarding Mrs. Pompeo's travel? Do you recall seeking guidance for any other travel which involved that?

A. We seek general guidance, and we have general guidance. And then when we have individual questions, we raise those

Q. And did –

A. – or we encourage people to raise those.

Q. And did you ever have individual questions regarding Mrs. Pompeo's travel that you sought guidance on?

A. Yes. And we –

Q. And when was that?

A. – sought guidance.

Q. When was that?

A. I can't recall exactly, but we have—we've received guidance now.

Q. Okay. And when did you receive that guidance?

A. I can't recall exactly when I received it, but we received general guidance, we went back and asked more specific questions, got further clarity. It's a –

Q. Was that in 2019 or 2020?

A. Probably both.

Q. So your testimony is that you sought guidance regarding Mrs. Pompeo's travel issues in both 2019 and 2020?

- A. I'm not certain. Again, I mean, I—yes, I'm not certain. I can—but I sought guidance. You know, we had to—you know, sought clarity, and we followed the guidance.
- Q. And did anyone on your staff ever come to you or any of your deputies saying, I'm concerned about the fact that I am being asked to staff what amounts to tourism for Mrs. Pompeo?
- Counsel. [Redacted], again, I think this is a topic we've talked about. You're asking a bunch of questions about the substance of this, but could you tie back to how this relates to the inspector general's firing?
- Q. Yeah. One of the things that I believe that Ms. Kenna testified to is that she had been asked by the IG to provide documents related to that travel, that she doesn't have a specific recollection of particular documents, but that one of the things that would necessarily be captured by a request for documents related to the travel would be whether or not anyone ever raised concerns with you regarding her travel, which, to the extent you can answer the first question, I'd like to know whether it's documented and whether or not those were provided to the IG.
- So did anybody ever raise concerns with you that the work that staff in SES or the Office of the Secretary were being asked to do on behalf of Mrs. Pompeo either did not relate to official Department business or amounted to tourism?
- Counsel. And, again, I think you were just saying you were going to relate that to the records request. So would it be whether she provided records on that? Or how does that relate to the records request?
- Q. I'd like her to answer the first question to establish whether or not there is a reason to believe that such records exist, and then happy to close out with that.
- A. So staff requested guidance on how to appropriately staff Mrs. Pompeo on her travel. So I'm not exactly sure what records were provided to the inspector general in conjunction with his request. I know that I authorized a broad search, and I know that I also responded directly to the specific request for documents that he made to me.
- Q. And so you don't know whether or not any of the requests that—your staff came to you and they asked for guidance. You don't know whether that guidance was ever memorialized or whether that request was ever memorialized in a document. Is that right?
- A. I do know that I have now broad guidance regarding how to handle, you know, this set of issues, I mean, on family travel. It is –
- Q. And happy to get to that in just a second, but just to close this out: So I believe you testified that you had received requests from your staff about how to staff Mrs. Pompeo. Do you know whether those requests for guidance about how to staff Mrs. Pompeo were ever reduced to writing and that there would be documentation?
- A. I remember, yes, there being, you know, specific questions on how to staff Mrs. Pompeo. Yes.
- Q. Okay.
- A. I don't—yeah.
- Q. And so that those questions, just to be super clear, would've come in writing?

- A. Not –
- Q. Would've been reduced to writing?
- A. – necessarily. I don't recall. I mean
- Q. Okay. So do you recall them –
- A. I just remember getting requests for guidance.
- Q. And when do you recall getting those requests for guidance?
- A. I don't recall exactly.
- Q. You recall –
- A. I mean, I get requests for guidance, though, all the time on, you know, how to staff, you know, particular trips, whether it's for –
- Q. But just on how to staff Mrs. Pompeo, can you give me a ballpark of how many times you've been asked for guidance on that?
- A. Oh, I can't speculate on that. I just know I was asked for guidance, so, you know, we turned to the Legal Adviser's Office to provide guidance.
- Q. And was there any change in the guidance that you received after about March of 2020 when it was indicated that the inspector general was looking for records on this topic? Final question.
- A. A change in guidance?
- Q. Did you receive updated guidance of any sort after March of 2020 regarding how to staff Mrs. Pompeo?
- A. Oh. I've received guidance after March of 2020. I mean, again, the requests for guidance is—it's an ongoing one. When I have specific questions on specific trips, I request guidance.
Does that help?
- Q. So there was updated guidance on how to staff Mrs. Pompeo that was provided to you after March of 2020? I just want to make sure we're clear on that.
- A. I've tried to answer the question. When I get questions on how to staff Mrs. Pompeo, I seek guidance. As I need clarification, I go back to the Legal Adviser's Office and ask for clarification.
It's an ongoing process. I feel like we have a very open channel of communication. I mean, I'm certainly not trying to ask anybody to do anything inappropriate, and I am trying to comply with the guidance that I've been given. And when I have questions, I ask for clarifications.

Ms. Kenna also stated, however, that “every time there is an invitation to [Mrs. Pompeo] that involves travel,” she seeks approval from Under Secretary Bulatao.

Kenna, Page 138-139:

- Q. Is it unusual for you to seek guidance about travel by family members or whether they can attend an event or speak to family members or outside groups?
- A. Well, with respect to family members speaking to, you know, other employees or family members or outside groups, that wouldn't come through me.
But certainly the issue of family member travel is something that I refer to the Under Secretary for Management to make a decision. So, every time there is

an invitation to her that involves travel, I get it to the Under Secretary for Management, and he makes the determination.

Ms. Kenna testified that the packet of documents Rudy Giuliani sent to Secretary Pompeo as part of the smear campaign against former ambassador to Ukraine Marie Yovanovitch came across her desk but that she wasn't aware of the contents, nor of the dates or content of phone calls between Pompeo and Giuliani. Ms. Kenna stated that "the situation that Ambassador Yovanovitch was in was incredibly difficult and very painful."

Kenna, Pages 167-175:

- Q. Okay. About a year later, in the spring of 2019, there was an envelope that arrived on the seventh floor of the State Department. It was addressed to Secretary Pompeo, and beneath his name was written, ATTN, for attention, Ruth. And the return address of that envelope was reported to have been from the White House.
- Do you recall seeing that envelope at some point?
- A. I recall that we were asked to get the envelope and that it came and it went into the Secretary's office without any one of us opening it. That's what I recall.
- Q. You were asked by whom to get the envelope, ma'am?
- A. If I recall, the Secretary had spoken to Mr. Giuliani. And I'm not exactly clear, but somebody from Mr. Giuliani's office, you know, advised us that he had an envelope that needed to reach the Secretary. So we took care of it. This happens a lot. Other offices advise us they have material that we need to get to the Secretary and it comes.
- Q. And so—and we can forego the need, I think, to look at a couple of those other documents, if I understand your testimony correctly, but it sounds like what you're saying is that there was—that you played a facilitating role in getting these documents from Mr. Giuliani to Secretary Pompeo, correct?
- A. That's correct.
- Q. Okay. Who gave them to you?
- A. Who delivered the package?
- Q. Yes.
- A. I don't have any idea, actually, how the package got into the Secretary's office. We have, you know, couriers. There's staff. I don't know.
- Q. According to documents that have been publicly released in FOIA, and they're among those that were provided earlier, it looks like, on March 28th, Mr. Giuliani also asked to speak with the Secretary.
- Do you recall that?
- A. I can't recall the particular dates of his phone call requests. But, you know—you know, I'm aware that there were phone calls, yes. I just don't recall the specifics regarding dates.
- Q. Okay. Did you ever have any conversations with Secretary Pompeo or anyone else regarding what he discussed with Mr. Giuliani?
- A. No.
- Q. Did you ever ask him?

- A. No.
- Q. When did you come to learn what the contents of that envelope were?
- A. Oh, probably during the—I'm not exactly clear on the timing, but it was probably during the impeachment hearings.
- Q. Okay. Were you aware of the fact that these documents were ultimately provided during the impeachment proceedings to the Hill by Inspector General Linick?
- A. I heard about that after the fact, yes.
- Q. Who did you hear about it from?
- A. I can't remember. I'm sorry.
- Q. Do you believe that you heard about it from media reports or other people at the State Department?
- A. I honestly can't remember. It doesn't make any sense for me to just guess.
- Q. Do you recall anyone ever making reference to the fact that the inspector general had provided these documents to Congress?
- A. Not to me, no. I don't recall any comments like that.
- Q. Not just to you, but in your presence, did you ever become aware of the fact that there were discussions about the fact that the IG had provided these documents to Congress?
- A. No, I'm not—I don't recall any, you know, discussions about that.
- Q. Okay. Do you have any knowledge of what happened with these documents inside the State Department after they were provided to Secretary Pompeo?
- A. I don't know, you know, exactly what the Secretary did with them. You know, I know that I did not open this package.
- Q. So when the inspector general brought these materials to Congress, he said that at some point prior to his providing them to Congress that they had also been provided to Counselor Brechbuhl. Does that refresh your recollection in any way?
- A. I did not provide this package to Counselor Brechbuhl. I have no recollection of that, yeah.
- Q. And just to be clear, my question isn't whether you provided them, but did you ever become aware that anyone provided them to Counselor Brechbuhl?
- A. I don't recall that. I don't—I honestly just don't recall, you know, what happened to the package. I know, you know, it arrived in the Secretary's office and he got it.
- Q. You testified also in your Senate testimony that you are aware of, quote, “the vast majority of Secretary Pompeo's calls in your role as executive secretary.”
Is that right?
- A. That's right.
- Q. Okay. In addition to the calls with Rudy Giuliani, which I believe you said you don't have knowledge of, John Bolton
- A. Pardon. I don't—I didn't say I didn't have knowledge of Mr. Giuliani's phone calls. I said I couldn't remember the dates.
- Q. I apologize. I believe your testimony was that you didn't have knowledge of the contents of those calls. Is that correct?
- A. Yes. Or the dates, yes.

Q. So moving to a separate call. In his recently published book, former National Security Advisor John Bolton wrote that on April 23rd, 2019, he spoke by phone with Secretary Pompeo about Ambassador Yovanovitch and that Secretary Pompeo told Ambassador Bolton, and I'm quoting from Mr. Bolton's book, quote: "The State Department now had a pile of materials they were sending over to Justice that implicated Yovanovitch and her predecessor in some unnamed and undescribed activity that might well be criminal."

Were you aware that Secretary Pompeo spoke to Mr. Bolton in late April regarding Ambassador Yovanovitch?

A. No. I don't have any recollection of the Secretary ever telling me that he was speaking to Ambassador Bolton –

Q. Did you ever –

A. – about Ambassador Yovanovitch.

Q. I beg your pardon.

Did you ever have a conversation with the Secretary or anyone else about materials regarding Ambassador Yovanovitch that they would be sending to the Justice Department?

A. No. No one ever discussed that. I never heard any discussion of materials about Ambassador Yovanovitch going anywhere.

Q. Okay. So the day after Secretary Pompeo, at least according to Ambassador Bolton, spoke to Ambassador Bolton about Yovanovitch, Carol Perez, the director general of the Foreign Service, called Ambassador Yovanovitch to warn her that and this is from Ambassador Yovanovitch's deposition—quote: "There was a lot of nervousness in the seventh floor and up the street."

So were you aware in the late April timeframe that there was going to be outreach to Ambassador Yovanovitch by DG Perez?

A. I was not aware. I'm now aware because of the, you know, impeachment hearings. But at that time I wasn't involved in those issues.

Q. Were there conversations that you ever became aware of on the seventh floor about Ambassador Yovanovitch in late April of 2019?

A. So as I tried to make clear, I was not, you know, aware of or part of any discussions about Ambassador Yovanovitch.

Q. But there's never anything that you heard, whether or not you took part in them or people were asking for your input on how to handle the situation? Did you ever become aware of discussions about that?

A. No, not at that time. I mean, again, now I'm aware.

Q. Ambassador Yovanovitch also testified in her deposition that she got a second call from Carol Perez on the night of April 24th and was told that she needed to be on the next plane back to D.C. and was told, quote: "This is about your security."

Do you have any—were there any concerns that you were aware of regarding Ambassador Yovanovitch's security?

A. No. I was not—I don't recall ever being briefed on security issues where it concerned Ambassador Yovanovitch.

Q. So ultimately, obviously, Ambassador Yovanovitch's career was significantly derailed as a result of these attacks both by Mr. Giuliani and his associates, including some in the media.

Ambassador McKinley testified that at some point he had approached Secretary Pompeo about issuing a public statement defending Ambassador Yovanovitch against these attacks and he said that you were in favor of issuing such a statement.

Do you recall that conversation about potentially issuing a statement of support?

A. I recall a discussion about how best to support Ambassador Yovanovitch.

Q. What do you recall about that conversation?

A. I recall there were, you know, there was lots of discussion about, you know, how best to support her in what was a very, very difficult time for her, obviously.

Q. Did you support the idea of the Department putting out a statement in her defense?

A. My role was not to advise the Secretary on, you know, on whether or not to put out a statement. My role was to, you know, ensure that others, you know, gave their input to the Secretary of State, and I'm not comfortable talking about the Secretary's, you know, private discussions with other people.

Q. Ambassador McKinley indicated that you were in favor of issuing a statement. Did you ever indicate to him that you thought that a statement in support of Ambassador Yovanovitch was a good idea?

A. I'm not comfortable talking about my private conversations with colleagues or, you know, about recommendations that were going to the Secretary.

I think I've said previously that I thought the situation that Ambassador Yovanovitch was in was incredibly difficult and very painful. And, you know, if you're asking for my personal opinion about, you know, I, you know, would want to support her, but I'm not going to talk about internal conversations with the Secretary.

Q. But ultimately the decision was made that there would be no public statement on that. Is that correct?

A. That's correct.

INTERVIEW OF MS. TONI PORTER, ADVISER TO THE SECRETARY OF STATE

The Office of Inspector General (OIG) asked to interview Ms. Toni Porter, an adviser to Secretary Pompeo, in connection to the OIG's probe into allegations of misuse of official resources by Secretary Pompeo and his wife, Susan. Two of the three people Ms. Porter spoke to about the IG investigation were Secretary Pompeo's former classmates and business partners, Under Secretary for Management Brian Bulatao and Counselor Ulrich Brechbuhl.

After Mr. Linick's firing, and after a direct subordinate of Under Secretary Bulatao had been installed as acting Inspector General, both men expressed confidence that the IG probe regarding the Pompeos could be slow-rolled. Mr. Bulatao told Ms. Porter that there was "no reason to hurry and get it on the calendar," while Counselor Brechbuhl told her that "it was possible the investigation would resolve itself without [her] input," and "there wasn't any specific timeline in which [Ms. Porter] would need to give the interview."

Porter, Pages 36-39:

- Q. ...You had mentioned that you had a conversation with Under Secretary Bulatao about the IG's investigation into allegations of misuse of resources. Who else did you talk to about that investigation, whether—excluding conversations that you had with counsel, with your personal counsel?
- A. I had a brief conversation with Counselor Brechbuhl.
- Q. And can you describe that conversation for us, please?
- A. I had never received any note from an inspector general before, and so I saw him in the hallway and just mentioned to him that I had received a request for an interview from the inspector general, and I just wanted to tell him about it.
- Q. And what did he say when you told him that?
- A. He said he—I think he appreciated me telling him, and he said that it would probably be unpleasant, but that I would need to do it because it's required, but that there was—there wasn't any specific timeline in which I would need to give the interview.
- Q. Okay. With respect to there not being a specific timeline, just so I have it, is that something he told you or something that you told him?
- A. It's something he suggested during our brief conversation.
- Q. Okay. And do you have a sense of why he would have known about what the timeline was for you speaking to the inspector general?
- A. I don't. I think that for him, he—as I stated just a minute ago—that he knew it would be unpleasant, and he—I believe he thought that it was possible the investigation would resolve itself without my input.
- Q. Okay. And, roughly, when was that conversation with Counselor Brechbuhl?
- A. Roughly, it would have been—let me think about that for just a moment. I believe it would have been early to mid-June.
- Q. Early to mid-June of 2020?
- A. That's correct.
- ...

- Q. ...And just going back for a second to the conversation that you had with Under Secretary Bulatao, just so we have that one as well, can you please just describe for us in a little more detail what that conversation was like?
- A. Of course. It was very similar to the conversation I had with the counselor. I, as a trusted colleague, I saw him and wanted him to be aware that I had received that. And he said very similarly that—something to the effect that, yeah, that's you've never—you've never done—met with the IG before, it's probably going to be unpleasant, and there's no reason to hurry and get it on the calendar.

These conversations took place shortly after Secretary Pompeo had recommended Mr. Linick's firing.

Porter, Pages 37-38

- Q. Okay. And, roughly, when was that conversation with Counselor Brechbuhl?
- A. Roughly, it would have been—let me think about that for just a moment. I believe it would have been early to mid-June.
- Q. Early to mid-June of 2020?
- A. That's correct.
- Q. Okay. And how about your conversation with Under Secretary Bulatao? Do you recall roughly when that took place?
- A. Approximately the same timeframe.

The Pompeos began hosting gatherings known as “Madison Dinners” to “expand the understanding of State Department work.” However, no State Department foreign policy experts “other than the Secretary” attended these dinners.

Porter, Page 97:

- Q. ...Remind me, if you would, where the concept of hosting these Madison Dinners initially came from.
- A. It came from the Secretary in perhaps his conversation with Mrs. Pompeo. That's as much as I know.
- Q. And do you recall how it was relayed to you? Did the Secretary tell you this is something we want to do, or did it come through Mrs. Pompeo?
- A. I spoke with both of them about it. I don't recall who I spoke with first.

Porter, Page 73:

- Q. ...Media reports have stated and I believe that you mentioned in your testimony in the prior hour that you have been involved in planning the Madison Dinners at the State Department. Can you talk to us, please, about what those are and what your involvement in the planning was?
- A. Yes, I'd be happy to.

The Madison Dinner Series is a series of what one might consider roundtable dinners hosted by the Secretary for guests and then the guests' guests,

so maybe a spouse or a guest. And the purpose of them is to promote the State Department both I'm sorry, I'm trying to think of what my word is here to expand the understanding of State Department work.

Porter, Page 78-79:

Q. ...What is the process within the State Department, once a foreign interlocutor is identified as someone who will be a guest at one of these Madison Dinners, for making sure that Department experts and those with equities in a particular country are aware that that person would be coming to a dinner with the Secretary?

A. I don't know.

Q. You don't know exactly how the process works or you don't know if there's a process, just to make sure I have your testimony correct?

A. I don't know if there is a process, and if there is, I'm not involved in the process.

Q. Okay. So you've never been involved in, say, you've got a dinner planned at which, say, the U.K. Ambassador to the United States is going to be there, you would not typically be involved in reaching out to the U.K. desk, making sure that they're aware that the Ambassador would meet with the Secretary at this dinner, right?

A. That's correct.

Q. Okay. And do you know whether or not such a process takes place for the Madison Dinners even if you're not involved in it?

A. I'm not aware.

Q. Okay.

And are you aware of whether or not there are any memos or papers that are typically provided by State Department officials to the Secretary in advance of these Madison Dinners?

A. I'm aware that the bios of each of the attendees is provided to the Secretary, in addition to face books with name pronunciations if there are tricky names on them, and then also the order of events for the evening and a seating chart.

Porter, Pages 99-101:

Q. Ms. Porter, if you could, as your counsel has suggested, just sort of walk through for us the structure of these events, what the different parts of the event are, and who you typically have observed in each of those pieces of an event.

A. Once guests arrive and they have—I've greeted them for the cocktail portion of the hour—or the cocktail hour of the event—the other personnel who are—I wouldn't call them Department officials, but the other personnel who are there, there's often a musician of some sort, there are the people who are serving the appetizers, and then there's also someone who is offering beverages.

Then, after the cocktail part, then they are led into the dinner part, where only the guests and Secretary and Mrs. Pompeo are there with the exception that there are servers who, of course, would serve the dinner and the beverages.

Q. Thank you.

- A. Oh, sometimes, one of the—if I could clarify. From time to time there is a protocol officer who is walking through the cocktail part to ensure that the dinner is all set up and ready to go.
- Q. And have you ever observed any substantive State Department policy experts at this event, at any of these events, at any portion of the evening, such as a desk officer or an Assistant Secretary with responsibility over a particular country who might have sent someone to the dinner?
- A. The Secretary of State attends each dinner.
- Q. I understand that, ma'am, but just to make sure we have a clean record on that, is the answer to my question no? Other than the Secretary, you've not otherwise observed other State Department functional or regional experts at these dinners?
- A. There have—other than the Secretary of State there have not been any other State Department personnel outside of myself and the Office of the Chief of Protocol who help with the set up. But in terms of dinner, the Secretary is, from my recollection, the only State Department official who has taken part in the dinner itself.
- Q. Okay. And does that also apply to the portion prior to the dinner itself, just because I know you make a distinction between the cocktail hour, the greeting of the guests? Is that also just the Secretary?
- A. Outside of what I've said earlier, that myself, that I'm there, and there are potentially people from the Office of the Chief of Protocol.
- Q. Okay.

Madison Dinners would be planned after “[Secretary] and Mrs. Pompeo look at both of their calendars to ensure that they're both available,” not based on the availability of any particular foreign dignitary.

Porter, Pages 73-75:

- Q. And so how does the idea for a particular Madison Dinner, when to host it, who to invite, how does that process usually work, if it's possible to characterize as a general matter how you normally go about planning these events, where the idea comes from and then what happens afterwards?
- ...
- A. How it comes about is that they're identified—a particular date is identified on the Secretary's calendar. That date is then shared with the Office of the Chief of Protocol to ensure that there are no conflicts within the Department.
And then, from that—once the date is determined, depending on how far in advance that date is set, then the Chief of Protocol begins issuing invitations based on a potential guest list provided by the Secretary.
- Q. Okay.
So when you say that a date is identified on the calendar, you start with, essentially, when is the Secretary available? Do I have that right?
- A. Correct.
- Q. Okay. And who typically identifies the date on the calendar that it would be good to have a Madison Dinner?

- A. Typically, that—he would see his schedule, and, typically, I believe that he and Mrs. Pompeo look at both of their calendars to ensure that they're both available. And then that's when that date or dates are sent forth to deconflict within the building, if there is a reason to do so.
- Q. Okay. And so, at that point, am I correct that there's not usually a—it doesn't start from, here's who we'd like to have for dinner, let's see when they're around? It starts from, here's when the Secretary's around, let's see how we can plan a dinner around that?
- A. Yes. That's my understanding.
- Q. Okay.

The Pompeos developed the guest lists for the dinners, but the Office of the Chief of Protocol would sometimes “make suggestions” about inviting a different foreign dignitary. If guests other than the foreign dignitaries were unavailable, “the Pompeos would then supply additional names.”

Porter, Pages 75-78:

- Q. ...Once a date is identified, what is the process for determining who should be invited to one of these dinners?
- A. A potential guest list has been developed. And then that list is shared with the Office of the Chief of Protocol, who begins issuing invitations.
- Q. And when you say it's shared with the Chief of Protocol, shared by whom?
- A. The Office of the Chief of Protocol. It can either be shared through myself. It might be shared through the Secretary to the Chief of Protocol. It might be shared from Mrs. Pompeo.
- Q. Okay.
- And so when those guest lists—when a date's identified and then a guest list is suggested by the Pompeos, is it usually built around, here's a particular foreign dignitary that we'd like to have a reception for? Or how do those guest lists usually look once there's a date identified?
- A. The guest lists are comprised of a number of thought/opinion leaders from different groups. There's, of course, always a foreign dignitary or ambassador from another country in attendance. But, beyond that, the guest lists are built around—there might be members of the executive branch, Members of the Congress. Often, there's someone from the media, someone from the private sector. Generally, it's a guest list that is broad in those categories.
- Q. Is there always a foreign dignitary or a foreign interlocutor on the initial guest list that is invited by the Pompeos?
- A. Yes, although the—often the Office of the Chief of Protocol determines, or makes suggestions, I should say, on who the foreign interlocutor or foreign leader is. Sometimes it might be because someone—a foreign leader is in town for another event, and they would know about that because of their work with the White House.

Q. Okay. And so is it, then—if I understand it, there's usually one, maybe two foreign dignitaries or interlocutors at each of these dinners, is our understanding from media reports. Is that correct?

A. Yes, that's my recollection.

Q. Okay.

And so when the Pompeos provide this guest list, is the bulk of the list comprised of the, sort of, U.S. domestic thought leaders that you had described?

A. Outside of the foreign interlocutors we've just talked about, yes.

Q. Right. And I think you mentioned that sometimes when that initial list goes to the Office of Protocol, the Office of Protocol may actually tweak who the foreign interlocutor may be, just based on their unique knowledge of a scheduling and other foreign policy considerations. Is that right?

A. I don't know.

Q. Okay.

Has there ever been a time where you recall that a guest list was proposed and the foreign counterpart changed but that the U.S. domestic counterparts remained the same, that they just sort of swapped out, oh, this particular dignitary is not in town, let's do the dinner anyway with these people but a different foreign interlocutor? Has that ever happened?

A. I don't recall a time that that's happened, but it's possible.

Porter, Pages 80-81:

Q. Okay. So the guest list is proposed by the Pompeos; the Protocol Office reaches out and essentially takes the RSVPs, right?

A. Correct.

Q. So what happens next?

A. So, once the guest list is confirmed, then it is shared, and they start putting together the bios and the face book.

The only thing I would add to that is, if, for some reason maybe it's a time that the people who were on the guest list are not available -

Q. Uh-huh.

A. - the Pompeos would then supply additional names in order to ensure that the opinion leaders, that the categories are still met.

Q. Okay. And what are the categories? What type of, sort of, balance do you try to achieve with these dinners?

A. Yeah. I'm sorry, but we went over that. So it might be Members of Congress. It might be people from the executive branch, private sector, and, of course, always, someone—a foreign interlocutor.

Q. Okay. So, for example

A. I'm sorry, I need to add one more. Also, it could be members from the Supreme Court as well.

Ms. Porter wasn't aware whether the State Department Office of the Legal Adviser was consulted in planning the dinners, but she was aware that in order for the State Department to legally pay for the dinners, it was a requirement that there was "always a foreign dignitary who attends."

Note: [Reporting indicates](#) that "The dinners are paid for out of the State Department's Emergencies in the Diplomatic and Consular Service Appropriation, known as the "K Fund," which can be used for "confidential requirements in the conduct of foreign affairs as well as other authorized activities that further the realization of U.S. foreign policy objectives." The senior official with [ultimate authority](#) over expenditures from the K Fund is Secretary Pompeo's close friend and former business partner, Under Secretary Bulatao.

Porter, Pages 82-83:

- Q. ...Is there typically—I know we mentioned that there's, to your knowledge, not typically a process for coordinating with the regional bureaus in the planning of these. Is there typically a process for coordinating with the Legal Adviser's Office just to make sure they're aware of who may come to a particular dinner?
- A. I don't know.
- Q. Okay.
- And how are these dinners paid for, to your knowledge?
- A. To my knowledge, they're paid for—I mean, through the State Department. But I'm not involved in how they're paid for. I'm not sure specifically how that looks.
- Q. Okay.
- You've mentioned a couple of times that, you know, of course there's always a foreign dignitary who attends. Is it your understanding that that's a requirement in order to use Department funds to host these dinners? Or why is that important?
- A. That is my understanding, yes.
- Q. Okay. And who makes the determination for a particular dinner that that box has been checked and it's appropriate to spend government funds for, you know, this guest list for a Madison Dinner?
- A. I don't know.
- Q. Okay. Do you know if there is a process?
- A. I don't know.

Ms. Porter stated that the Office of the Chief of Protocol kept a growing "management tool" consisting of names and contact information for all the guests invited to all the Madison Dinners. Outside the Office of the Chief of Protocol, only Ms. Porter, Secretary Pompeo, and Mrs. Pompeo had access to this database.

Porter, Pages 84-92:

- Q. ...What sorts of information are typically collected on guests as part of the RSVP information?

- A. My understanding is the information in order to issue an invitation, so a mailing address, as well as an email address.
- Q. Okay. And is there a database that is then kept, where you've got a list of everybody who's either been invited or attended a dinner and their contact information?
- A. I'm aware that there's a management tool used to understand who has attended dinners and prospective guests that would include that information once it's gathered.
- Q. Okay. And is there other information, other than just contact information, that is put into that management tool?
- A. Just, you know, it would be last name, first name, guest's last name, first name, that sort of thing
- ...
- The management tool that we were speaking of, it would include the date that—if a particular guest has attended, the date that they attended and if they had attended. So is that—if that's helpful.
- Q. Yeah, because, obviously, sometimes you're going to invite folks and maybe they don't show up. Do you build the management tool list off the invite list and then have to clarify whether they ultimately attended?
- A. So the management tool isn't built by myself, but I have seen it. And what it includes is if perhaps they have been invited and they've had to decline for whatever reason but they may have expressed an interest in attending another time.
- Q. Okay. And who maintains that list? Who administers that management tool?
- A. My understanding is it's the Office of the Chief of Protocol.
- Q. Okay. And do you know who has access to that list?
- A. I don't know within the Office of the Chief of Protocol who has access to the list. I have seen the list, I have access to the list, and the Secretary and Mrs. Pompeo.
- Q. Are there any handling markings on that list that you recall seeing? Is it restricted in any way?
- A. I don't recall seeing that.
- Q. Okay. Is it marked as containing personal privacy information, to your recollection?
- A. I'm sorry, I don't recollect.
- Q. And just one more, just to be thorough. Is it marked in any way as sensitive but unclassified, or SBU?
- A. I just don't recall if it is marked.
- Q. Thank you.
- Have you ever seen that list emailed to Mrs. Pompeo's personal account?
- A. Yes.
- Q. Okay. And for what purpose?
- A. I don't know.
- Q. Who would typically send her the list?
- A. My recollection is that it would be the Office of the Chief of Protocol.
- Q. And specifically who within the office would usually have that? Who would typically be the one to send something to Mrs. Pompeo?

- A. For the Madison Dinner, it would typically be Mrs. Cathy Fenton.
- Q. Okay. And have you ever seen correspondence where Mrs. Pompeo has affirmatively asked for those lists?
- A. I don't recollect. It is possible. But, generally, I believe the Office of the Chief of Protocol sends them.
- Q. Okay.
- A. Yeah, as a management tool.
- Q. Right. And this is those lists that are not the lists that the Pompeos propose as potential guests. This is the comeback list of here's who either accepted or declined and attended. That's right?
- A. My understanding is that it's one list.
- Q. That is then updated as the process works its way through?
- A. Yes.
- Q. Okay. And then is the final list for a particular dinner then typically sent to Mrs. Pompeo?
- A. Yes. She would get the same information because she's attending the dinner, you know, a day or two before, so that she would have the bios, have the face book, and have the seating chart.
- Q. To your knowledge, what other State Department officials, other than the folks in the Protocol Office, Mrs. Pompeo, and Mr. Pompeo—I apologize, Mrs. Pompeo is not a Department official. But, in addition to Mrs. Pompeo, the Secretary, and the folks in the Protocol Office, are there other State Department officials who typically get a copy of that list at any point?
- ...
- Let me ask it in two phases, if I could.
- A. Of course.
- Q. As a general matter, are there Department officials, other than the Secretary and those in the Office of Protocol, who are typically sent this guest list information that comes out of this management tool at any point? Are there other Department officials who, as a matter of course, get access to that information?
- A. Again, I'm going to ask for some additional clarity.
- Q. Uh huh. Sure. You know, we've been talking as a general matter, saying, you know, the Pompeos provide a guest list. I believe my understanding is correct that it then goes into this management tool, and that's sort of a living document that's updated based on who accepts and who doesn't, and that some form of information I won't speculate as to what the document format is—then gets taken from that database and provided, I think you said, to Mrs. Pompeo.
- Did I get all of that correct, that final list of who came and who didn't and the contact info?
- ...
- A. Okay. So let me just start with the management tool I was speaking of. It is a spreadsheet. And that spreadsheet is what is—it's the larger information with people who have—are potential guests and who have already attended. That's the information. And that in terms of
- Q. May I just pause you there real quick?
- A. Of course.

- Q. And is that one spreadsheet for each dinner, or is there a master spreadsheet for the Madison?
- A. It's a master spreadsheet.
- Q. Thank you. Please continue.
- A. Of course. And so the people who have access to that master spreadsheet is the Office of the Chief of Protocol who maintains it. I have seen copies of it through an email. And the Secretary and Mrs. Pompeo have seen it. And to my knowledge, that's who has access to that management tool spreadsheet.
- If I could go to each individual dinner, that is –
- Q. Yes.
- A. Okay. That is, once the Office of the Chief of Protocol has a completed guest list, which is generally sometime within the week of the dinner, then that information, we know who is—who has accepted and can attend. And then the information that then gets passed to more personnel within the building is that guest list, because the Office of the Chief of Protocol would need to communicate that to security.
- We would—they would use it to make the seating chart. And then that information, the seating chart, as I previously testified, the seating chart, the bios, and the face book would then go through the Secretary's office and be put in his book for him to review.
- Q. Okay. And just to make sure that we've got it, so that list—and I think we've talked about this—but that wouldn't typically include the regional bureaus for a particular country or the functional bureaus for a particular issue, right? It's really just who has to make the wheels turn in order to get folks smoothly in and out of the building. Is that right?
- ... So would the list for—am I correct that the list for a particular dinner wouldn't normally then be shared with, say, the regional desk for the country who may be providing a guest for that dinner?
- A. I don't know. That would all be handled through the Office of the Chief of Protocol.

Ms. Porter said that before working for Secretary Pompeo in various official capacities, she worked for Mrs. Pompeo planning “[f]undraising events and other types of events” connected to Mike Pompeo’s political career.

Porter, Pages 18-19:

- Q. ...Have you ever worked for Mrs. Pompeo before?
- A. I have not.
- Q. Have you ever had a job where she gave you directions even though you weren't formally working for her?
- A. No.
- Q. Has she ever tasked you in any job that you've had with performing certain tasks, even though she may not have the title of being your boss?
- A. As a volunteer on the campaign, she—I would have worked for both her and the Secretary—the now Secretary.

- Q. Okay. And so you worked for Mrs. Pompeo during Mr. Pompeo's congressional campaign. Is that right?
- A. I volunteered.
- Q. Sorry. Whether or not you were paid. If we could just sort of stipulate that "worked for" would cover both of those, if that's okay, just to avoid confusion.
- A. Yes.
- Q. When you were a volunteer on the campaign, what sorts of things would Mrs. Pompeo have asked you to do?
- A. I was asked to be the director of events, and I helped and organized, along with her, a number of different events, including fundraisers.
- Q. Okay. So you collaborated with her in organizing fundraising events?
- A. Fundraising events and other types of events that weren't fundraising, yes.
- Q. Okay. And was that typically a situation where you would come up with the ideas, and she would just sign off, or were you more executing ideas that she proposed?
- A. The latter.

Ms. Porter testified that she receives assignments exclusively from Secretary Pompeo—though stated that “there are times that Mrs. Pompeo relays that work to me”—on “projects of special interest to the Secretary,” but has never received a written performance evaluation. Part of her job is arranging logistics for individuals visiting the Secretary who are not foreign dignitaries. She stated that she has never disclosed her job responsibilities to ethics officials, but that she does “reach out to the ethics attorney and ask a question or ask for guidance.” However, in the two instances that work assignments made her “uncomfortable,” she did not reach out to ethics lawyers.

Porter, Pages 45-46:

- Q. What is your understanding of what your job description is? I won't ask you to, you know, speak to what may or may not be in the document, but just sitting here today, what is your understanding of your job description?
- A. My understanding of my job is that generally I take duties as assigned by the Secretary, and the duties revolve around managing projects of special interest to the Secretary. I also serve as a point of contact between the Secretary and other personnel within the Department and other duties as assigned.
- Q. I want to go carefully through that.
So to start with, I believe you said that you take assignment from the Secretary. Is that right?
- A. Yes.
- Q. Does anybody else assign you work beside Secretary Pompeo?
- A. The work that I get assigned is from the Secretary. There are times that Mrs. Pompeo relays that work to me.
- Q. And how does she do that?
- A. Often by email. Sometimes by phone, but often by email.
- Q. Okay. And does she have a state.gov email address, or how does she communicate with you?

- A. No, she does not.
- Q. So does she have a private email address? I wouldn't ask you what it is.
- A. Yes.
- Q. And is that what she uses to communicate to you what the Secretary would like you to do?
- A. Yes.
- Q. Okay. Does anybody besides Secretary Pompeo or Mrs. Pompeo assign you work?
- A. No, not to my recollection.

Porter, Pages 58-59:

- Q. ...Are you paid at all directly by either Secretary Pompeo or Mrs. Pompeo as distinct from paid by the U.S. Government?
- A. No.
- Q. Do you get written performance evaluations?
- A. I have not.
- Q. You've never gotten a written performance evaluation?
- A. I mean, ever? Or –
- Q. At the State Department. Sorry. At the State Department, have you ever received a written performance evaluation?
- A. I don't recall having received one.
- Q. Okay.
- When you came onboard at the State Department, did you get a briefing on the Federal Records Act?
- A. Yes, I did.
- Q. Did you meet with State Department ethics officials at the time that you came on at the State Department?
- A. I don't specifically recall, but I had many briefings at the beginning when I came on that—I may have had one and I just don't recall.
- Q. Okay.
- Do you ever recall providing to ethics officials some form of a description, whether it's documentary or verbal, as to what your job responsibilities were?
- A. No, I don't recall.
- Q. Has your position description ever been changed or updated?
- A. No, not to my knowledge.

Porter, Pages 50-58:

- Q. And at times when you don't have a date specific event that you are planning for the Secretary, how do you spend your workday?
- A. Oh, there's lots of different things that I do.
- One of the things is, when he has guests that come to the State Department that are for meetings and that sort of thing, and if they're not foreign counterparts, I might be involved in ensuring the guests know how to get to the State Department, get into State Department, go up to the Secretary's Office or

wherever he is meeting with them, and then reverse it until they are successfully outside of the State Department. There's a lot of planning that goes into that.

Q. And I just want to make sure I got your testimony on that. You said that you would sort of help do that logistical planning for individuals who were or were not foreign counterparts?

A. The foreign counterpart guests are handled by the Office of the Chief of Protocol. So they would be the non-foreign counterpart guests.

...

Q. ...You had said that you helped to arrange logistics for folks who were coming to meet with the Secretary, if I understood your testimony correctly, and you said that that is not something you do for foreign counterparts because that is handled by the Office of Protocol. So for what types of categories of people do you handle those logistics to help arrange meetings with the Secretary?

A. Some examples would be, when he is meeting with other members of the Cabinet, perhaps when he is meeting with Members of Congress, folks from the private sector. Those are some of the categories that come to mind.

Porter, Page 158:

A. I will say that, when I have questions, not specifically related to Mrs. Pompeo but questions in general, I will reach out to the ethics attorney and ask a question or ask for guidance, and he's very good about getting back to me.

Q. And have there ever been things that Mrs. Pompeo have asked you to do or assist with that the ethics attorney has said, you can't do that?

A. I don't recall such—I don't recall having such a conversation.

Q. Okay.

Porter, Pages 172-174:

Q. ...Have you ever been asked to do anything at the State Department that has made you uncomfortable, whether ethically or otherwise?

A. Yes.

Q. Can you tell me what that is?

A. On one occasion—I'm sorry, on two occasions I assisted with personal Christmas cards.

Q. For whom?

A. For the Pompeos.

Q. And why did that make you uncomfortable?

A. Because I was at the State Department.

...

Q. Did you indicate to anyone at the State Department that you had been asked to help with personal Christmas cards and that you were uncomfortable with it?

A. I did not.

Q. Okay. And then just a related question. Has anyone ever voiced to you that they felt that they were uncomfortable or that they felt there might be an ethical question around some of the things that you were doing at the State Department?

- A. I have no recollection of that, no.
- ...
- Q. On the question of Christmas cards, you had said previously that if you had concerns or questions about any type of ethical gray area that you would contact the ethics attorney. Is that correct?
- A. Yes, I did. That was my testimony.
- Q. And so when you felt uncomfortable about the Christmas cards, did you contact the ethics attorney in that instance?
- A. I didn't because it—it was a—no, I didn't.
- Q. Why did you not?
- A. It was a real-time sort of activity and there was not time to contact the ethics attorney.
- Q. Okay. Did you ever do so after the fact?
- A. Not to my recollection.

Ms. Porter stated that she serves as Mrs. Pompeo's "point of contact" at the Department.

Porter, Page 120-121:

- Q. ...Can you tell us, please, are there other sorts of activities that you do for Mrs. Pompeo, or where Mrs. Pompeo gives you direction from the Secretary but she's the one relaying it, that we haven't discussed today, other than these Madison Dinners and some of the special events we referred to at the beginning?
- A. The one thing that comes to mind is that she is invited from time to time to participate in a Department function on her own as opposed to accompanying the Secretary. And when that happens, the organization or the Department, I should say, within the Department, would reach out to me as a primary point, initial point of contact.
- Q. And so why do folks at the Department know you as the primary point of contact for when Mrs. Pompeo has been invited to participate in something?
- A. I believe it's my role of helping deconflict the calendars of the Secretary and Mrs. Pompeo. And they've just—I, early on, made a commitment to get to know the different people at the departments, and so they knew how to reach me.
- Q. So folks know that if they need to do something, need to schedule something regarding Mrs. Pompeo, they can't reach her directly, that, you know, as far as State Department employees that they can go to who might help them to coordinate Mrs. Pompeo's schedule, that that would be you. Is that right?
- A. I would be one of the people, yes.

Ms. Porter testified that while Mrs. Pompeo gives her “directions,” Ms. Porter doesn’t consider them to be “assignments.” However, Ms. Porter also testified that she regularly makes dinner reservations for Secretary and Mrs. Pompeo, initially stating that she only did so when it was “connected to the Secretary’s official business” or Mrs. Pompeo’s “role as the spouse of the Secretary,” but later explaining that she did so for personal dinners for the Pompeo family.

Porter, Pages 61-62:

- Q. ...And you said you had a second point of clarification?
- A. The second point of clarification, when you were restating, I believe, my testimony about Mrs. Pompeo, while I do consult with her and there are times that I take directions from her, I don't take assignments. That would have been a mischaracterization, I think.
- Q. Can you distinguish, then, if you say you take directions from her but not assignments, just in your own words?
- A. So I view that directions would be more a stylistic opportunity to make sure that whatever it is that I'm working on, that stylistically it's how the Secretary would like or has asked to have something done. And sometimes that information is provided by Mrs. Pompeo.
- Q. Okay. And I'm sorry, I just don't have the event planning expertise that you do. Can you help me just a little bit with what you mean by "stylistically"?
- A. Of course. It might be, if an invitation is being sent out, it might be, is the font readable? Sometimes you get these invitations and the font's not readable. That would be an example.
- The Secretary and Mrs. Pompeo might have an idea of, at, let's say, the Fourth of July event that is for the foreign diplomats, they might have an idea of, oh, let's play this game, this is something that—this is something that we have an interest in and maybe a history of.
- So those types of things.
- Q. And just to be clear, when you say "play this game," like, entertainment at the event?
- A. Yes. Yes.
- Q. Okay.
- A. Entertainment that everybody who's there has the option to do. So just part of the event activity.

Porter, Pages 122-130:

- Q. Okay. Has Mrs. Pompeo ever asked you to make dinner reservations for the family?
- A. I have made dinner reservations for—potentially for the family. I have made dinner reservations, yes.
- Q. So when you say "potentially," can you tell me why you said potentially?
- A. Well, I don't remember if it was specifically for the family or for for the Secretary, Mrs. Pompeo, and others.

...

Q. Have you ever made—have all of the reservations that you've made at Mrs. Pompeo's request been connected in some way to the Secretary's official business?

A. It is my understanding that in some way it was connected to the Secretary's official business.

Q. Okay. And what do you base that understanding on?

A. I base the understanding on that if the reservation is being made, often it includes the Secretary. And if not, it's a reservation being made that is for Mrs. Pompeo in her role as the spouse of the Secretary.

Q. So when you say "in her role as the spouse of the Secretary," what does that mean?

A. What I mean by that is that, would she be going to the lunch if she weren't the Secretary's spouse? And if not, then—that's how I determine if it's official or not.

Q. And what would be some criteria that you would look to, to answer that question?

A. Yeah, of course. One would be if she's having lunch with the spouse of an ambassador to the United States for a foreign country—from a foreign country. That would be an example of—that would be a lunch that she's having, not because she's Susan Pompeo, but because she's the spouse of the Secretary.

Q. And is that something that you typically check with people on or clarify, or do you sort of trust your discretion and say, well, based on what I know about this particular dinner, I think this is a reservation that has to do with your role as the Secretary's spouse as opposed to your personal role? Do you just sort of make that call?

A. I do use my discretion, yes.

Q. Okay. How often would you say you've made dinner reservations at the request of Mrs. Pompeo while you've been employed at the State Department?

A. Gosh, that's a hard—that's hard to nail down. Maybe—maybe once a month. Maybe—maybe sometimes twice a month.

Q. And were these reservations, to your knowledge, that were being where the dinner was being paid for with Department funds, or were they being paid for with the Pompeos' personal funds? Do you know?

A. My recollection, if it's an outside dinner, I wasn't there involved in the payment, but my recollection is that it would have been—I think it would have been personal, but I wasn't there. I don't know how it was paid for.

Q. Okay. Did you ever make dinner reservations for them where the only people who were attending were members of their family –

A. Yes.

Q. – as opposed to other guests?

A. Yes.

Q. I'm sorry, I spoke over you. You did.

Were those reservations that you made where it was just the Pompeo family related to her role as the spouse of the Secretary of State?

A. No. And when it was the family, to elaborate a little bit so that it makes a little more sense, as you might expect, when the Secretary of State goes to dinner in

public it's not as simple as going in and finding a table. There would just be no privacy.

And in addition to that, it's difficult. The restaurant would need to know that they would need space for a security detail and that sort of thing.

And so when I am involved in making those reservations, all of those factors come into play.

Q. And so if I understand you correctly, there's sort of two buckets of reservations, one you characterized as saying maybe a dinner with the spouse of an ambassador, which would be, you know, more plainly related to the spouse of the ambassador presumably wants to have a meal with you because you're the wife of the Secretary of State. That would be one category.

And then the other, as you've just testified, would be reservations that are really just handling logistics for the Pompeo family to go out to dinner. But as you said, the Pompeos going out to dinner, given that he's the Secretary of State, is more complicated than, say, you or I. Is that right?

A. Yes, that's correct.

Q. And how frequently would you say that you were tasked with making the arrangements or helping to facilitate things for the Pompeo family to go out to dinner and whatever that may entail, that second category?

A. When you say "Pompeo family," can you elaborate on that?

Q. Things where—and again, I'm trying to just distinguish between those that you said were more related to her role as the spouse of the Secretary, versus things that I would colloquially say are more personal, but that given that he's the Secretary, there are nonetheless logistical things that you help to help them work.

...So what I would like to—if I could again bifurcate, using Ms. Porter's example, you know, the wife of an ambassador, right, or a foreign counterpart and that counterpart's spouse attending, that's not the question. The question would be dinners that you've arranged that are for the Pompeos as a couple with their son or with their personal friends. If we could treat that as one category that is distinct from, you know, their dealings with foreign policy interlocutors, would that work?

A. Yes.

...

Q. So I'm going to refer to that as a personal dinner, to distinguish it, as you had said, from ones where there are foreign policy interlocutors, if that's okay with you, or if you have a better term, I'm happy to use that.

A. Yes, you can use personal dinner if you're talking about people who aren't foreign interlocutors, sure.

Q. Okay. So how often has Mrs. Pompeo asked you to make reservations for personal dinners, as we've just defined them?

A. Again, I would say once or twice a month.

Q. Okay. And for those personal dinners what does she ask you to do other than I don't know if you go to Open Table or just call a restaurant. Like, you've indicated that this is more complicated than it is for the average person. Can you just tell us, please, what's entailed in you making these reservations for personal dinners for the Pompeos?

A. Of course. I have developed points of contacts at a number of different restaurants here in the D.C. area. And because Open Table wouldn't allow me to distinguish the security detail and the type of room that would be best suited for the Secretary of State, I reach out to my points of contacts at the restaurants, explain what kind of environments that would be suitable, and if they could accommodate that.

Q. Okay. And you said that's about once or twice a month that you would make arrangements like that?

A. Roughly.

...

Q. Right. And understanding that the security detail, the Diplomatic Security folks, perform a crucial function and that, for someone at the level of Secretary of State, that that's around the clock.

Is there a reason, to your knowledge, that the outreach to the restaurants or the movies or whatever, given that a lot of it impacts the security detail, is there a reason that that goes through you and not through Diplomatic Security?

A. Diplomatic Security would—my understanding is that's just not a function they serve. They do—once a—my understanding of how it works is, once a location has been determined, then they go do advance work and ensure that everything is set up before he gets there. But in terms of making the original arrangements, that's, to my understanding, not what Diplomatic Security does.

Ms. Porter helped plan Mrs. Pompeo's travel with the Secretary to the Middle East during the 2018-2019 government shutdown. Ms. Porter "didn't recall any portion of her travel on that trip that would be purely personal" (however, [a recently reported State Department document](#) indicated that following representational events, Mrs. Pompeo "continue[d] her travel with the Secretary for the remainder of the itinerary after these representational events in a personal capacity").

Porter, Pages 155-157:

A. The second trip was—it was multiple countries in the Middle East.

Q. Uh-huh. And do you recall what countries any of them were? I think that will help us to—I think there were two trips to the Middle East. So do you recall which countries it was?

A. It would have been the one early in 2019. And, boy, let's see. Egypt. I believe we went to Amman, Jordan. I'm sorry. There were a number of other countries. It's been a couple of years—well, almost 2 years ago. I don't recall.

Q. Quite all right. But would it be right that this was probably in or around January of 2019 as well, close in time to the other one you just described?

A. Yes.

Q. Okay. And that trip took place, as I recall, during the government shutdown. Is that correct?

A. That's my recollection, yes.

Q. What was your involvement in that trip, please?

- A. Very similar to the involvement in the first in how I described the first trip. I worked with the trip coordinator and the Executive Secretariat to plan her trip, to ensure that her schedule—that activities that she was going to do with the Secretary were on the calendar and then planned her own activities that, again, revolved mostly around families and schools and that sort of thing during the time that the Secretary was at events or meetings that she was not at.
- Q. Okay. Was the fact that that trip took place during the government shutdown something that complicated the preparation in any way?
- A. Not from my standpoint.
- Q. Okay. And was there any portion of her travel on that trip that would be purely personal, not something that she was engaged in with the Secretary or related to embassy activities?
- A. Not to my recollection.
- Q. So you don't recall for either of these trips anything that the average person would characterize as tourism. Is that correct?
- A. Boy, the closest thing I would say would be tourism, but the Secretary was there too, we did go visit a new, very large Coptic cathedral and a mosque.

#