

RPTS BLAZEJEWSKI

DCMN HOFSTAD

BUSINESS MEETING

Thursday, March 6, 2014

U.S. House of Representatives,
Permanent Select Committee on Intelligence,
Washington, D.C.

The committee met, pursuant to call, at 9:19 a.m., in Room HVC-304, the Capitol, the Honorable Mike Rogers [chairman of the committee] presiding.

Present: Representatives Rogers, Miller, Conaway, King, Nunes, Westmoreland, Bachmann, Rooney, Heck, Pompeo, Calvert, Frelinghuysen, Ruppertsberger, Thompson, Schakowsky, and Schiff.

Staff Present: Darren Dick, Deputy Staff Director; Katie Wheelbarger, Deputy Staff Director; Michael Ellis, Senior Counsel; Andy Keiser, Senior Policy Advisor; Ashley Lowry, Chief Clerk; Bryan Smith, Budget Director; Nathan Hauser, Professional Staff Member; Sarah Geffroy, Chief Counsel; Chelsey Campbell, Professional Staff Member; Geof Kahn, Professional Staff Member; Shannon Stuart, Professional Staff Member; Jim Hildebrand, Professional Staff Member; Susan Phalen, Communications Director; Kristin Jepson, Director of Security; Randy Smith, Congressional Fellow; Michael Bahar, Minority General Counsel; Janet Fisher, Minority Counsel; Carly Scott, Minority Professional Staff Member; Linda Cohen, Minority Professional Staff Member; and Amanda Rogers-Thorpe,

UNCLASSIFIED

Minority Professional Staff Member.

UNCLASSIFIED

THE CHAIRMAN: The committee will come to order.

Today we will consider granting the Intelligence Community access to two transcripts for a classification review. We will then consider five requests from Members for access to the Defense Department's damage assessment, which we will consider and vote en bloc. Finally, we will consider two requests for access to the Congressional Joint Inquiry into the 9/11 attacks.

I want to remind Members that we are currently in open session. It is my intent to remain in open session during consideration of these requests. The open portion of the transcript will be posted on the committee's Web site.

The committee will now consider permitting access to the Intelligence Community -- let me try that again -- will now consider permitting access to the Intelligence Community for the two committee transcripts concerning the attacks on U.S. interests in Benghazi in 2012. Because these are committee documents that contain evidence or testimony taken in executive session as well as classified information, releasing or expanding access to them beyond the very limited circumstances requires a vote under committee rules.

As Members recall, we recently voted to permit the Intelligence Community access to six other Benghazi investigation transcripts for the same purposes. That review is still under way.

Recently, I spoke to the former Deputy Director of the CIA, Michael Morrell, about recent public accusations about his veracity in previous testimony to Congress concerning Benghazi. The public discussion about Mr. Morrell's testimony has primarily focused on the executive branch drafting of talking points that Susan Rice used on her appearance on the Sunday talk shows after the

attacks.

Mr. Morrell indicated to me his willingness to testify before the committee in open session to clarify some of these issues. In furtherance of his upcoming appearance, the two transcripts we will vote on today contain Mr. Morrell's testimony on Benghazi events before this committee in the past.

Though we are only taking the first step of requesting a classification review today, Mr. Morrell indicated to me that the transcripts should be made public. The committee will have to consider further access to the transcripts once the classification review has been completed.

I will now yield to the ranking member for any comments he may wish to make on the request.

MR. RUPPERSBERGER: Yes, thank you, Mr. Chairman.

The access requests today involve issues that impact America's national security. Each of these issues involves our military stationed abroad and our citizens at home. We must act according to our committee rules to ensure classified national information remains protected. It is under these considerations that we will evaluate each Member's request today.

Earlier this year, on February the 6th, the committee voted to send certain transcripts related to the September 2012 attacks on Benghazi to the Intelligence Community for declassification review. We now want to add to this declassification review a May 22nd, 2013, transcript of Mr. Morrell's testimony before the committee.

I do not object to adding this transcript to the others being reviewed by the Intelligence Community. However, I want to reiterate the concerns that many of the Members had at our earlier meeting: namely, we know that there will have to

be redactions to protect sources, methods, and lives. Those blacked-out sections will undoubtedly lead to more conspiracy theories and misinformation. It is a good philosophy to share when we can, but I worry that pages with entire sections redacted will do more harm than good.

Thank you.

THE CHAIRMAN: Any other Members wish to be heard?

Seeing none, the chair moves that the committee grant the Intelligence Community access to Benghazi investigation transcripts from the committee events with Mr. Morrell on November 15th, 2012, and May 22nd, 2013, for the purposes of performing a classification review and redacting the transcripts to an unclassified form.

Without objection, the previous question is ordered, and the clerk will take the roll.

THE CLERK: Chairman Rogers?

THE CHAIRMAN: Aye.

THE CLERK: Mr. Conaway?

MR. CONAWAY: Aye.

THE CLERK: Mr. King?

MR. KING: Aye.

THE CLERK: Mr. Nunes?

MR. NUNES: Aye.

THE CLERK: Mr. Westmoreland?

MR. WESTMORELAND: Aye.

THE CLERK: Mr. Rooney?

MR. ROONEY: Aye.

THE CLERK: Mr. Heck?

DR. HECK: Aye.

THE CLERK: Mr. Pompeo?

MR. POMPEO: Aye.

THE CLERK: Mr. Ruppersberger?

MR. RUPPERSBERGER: Aye.

THE CLERK: Mr. Thompson?

MR. THOMPSON: Aye.

THE CLERK: Ms. Schakowsky?

MS. SCHAKOWSKY: Aye.

THE CLERK: Mr. Schiff?

MR. SCHIFF: Aye.

THE CLERK: Mr. Chairman, there are 12 ayes and zero noes.

THE CHAIRMAN: The ayes have it, and the motion is carried.

The committee will now consider, pursuant to Committee Rule 14, whether to grant requests from five Members to access the Department of Defense's Information Review Task Force 2, or IRTF-2, initial assessment of the impact to the Department of Defense of the compromise of classified files by a former NSA contractor.

The Members seeking access today are Representative DeSantis, Representative Foster, Representative David Price, Representative Phil Roe, and Representative Todd Young.

As Members recall, we have voted to permit access to this report for more than 100 Members in recent months. Taking into account the same considerations we did then and considering the same factors required by the

Committee Rule 14(f), I continue to believe that it is important for Members to read the assessment, which concerns one of the greatest compromises of secrets in our country's history.

I will now yield to the ranking member for any comments he may wish to make.

MR. RUPPERSBERGER: Thank you, Mr. Chairman.

Representatives Bill Foster, David Price, Phil Roe, Todd Young, and Ron DeSantis have requested permission to review the Department of Defense Information Review Task Force 2's classified report.

The committee has granted the request for over 100 Members to review the DOD's IRTF-2 classified report, which compiles the Defense Intelligence Agency's initial assessment of the potential impact Mr. Snowden's compromises of classified files may have on the Department of Defense.

I agree Members have an interest in knowing about the impact these disclosures have had and may have on Department of Defense as well as critical intelligence programs. In this case, I believe we can grant the request without compromising sources and methods.

I yield back.

THE CHAIRMAN: Any other Members wish to be heard on the request?

Seeing none, the chair moves that under Rule 14 the committee approve the five pending access requests to the IRTF-2 damage assessment.

Without objection, the previous question is ordered. The clerk will take the roll.

THE CLERK: Chairman Rogers?

THE CHAIRMAN: Aye.

THE CLERK: Mr. Conaway?

MR. CONAWAY: Aye.

THE CLERK: Mr. King?

MR. KING: Aye.

THE CLERK: Mr. Nunes?

MR. NUNES: Aye.

THE CLERK: Mr. Westmoreland?

MR. WESTMORELAND: Aye.

THE CLERK: Mrs. Bachmann?

MRS. BACHMANN: Aye.

THE CLERK: Mr. Rooney?

MR. ROONEY: Aye.

THE CLERK: Mr. Heck?

DR. HECK: Aye.

THE CLERK: Mr. Pompeo?

MR. POMPEO: Aye.

THE CLERK: Mr. Ruppersberger?

MR. RUPPERSBERGER: Aye.

THE CLERK: Mr. Thompson?

MR. THOMPSON: Aye.

THE CLERK: Ms. Schakowsky?

MS. SCHAKOWSKY: Aye.

THE CLERK: Mr. Schiff?

MR. SCHIFF: Aye.

THE CLERK: Mr. Chairman, there are 13 ayes and zero noes.

THE CHAIRMAN: The ayes have it, and the motion is carried.

The committee will now consider, pursuant to Committee Rule 14, whether to grant a request from Representatives DeSantis and Yoho to access 28 classified pages of the Joint Inquiry into Intelligence Activities Before and After the Terrorist Attacks of September 2001.

As Members will recall, the committee has voted several times in the past to grant access to other Members to the, quote, "28 pages," as we have come to refer to them in an unclassified setting, of the Joint Inquiry. As such, and taking into account the same considerations under committee rules, I intend to vote in favor of granting access to the 28 pages consistent with committee rules.

I now yield to the ranking member for any comments he may wish to make.

MR. RUPPERSBERGER: Thank you, Mr. Chairman.

Representatives Ted Yoho and Ron DeSantis have requested the classified 28 pages of the Joint Inquiry into Intelligence Activities Before and After the Terrorist Attacks of September 2001, which is part of the 9/11 Commission report.

Given the committee has granted this request for other Members multiple times in the past year, I recommend that Mr. Yoho's and Mr. DeSantis' requests be granted.

Yield back.

THE CHAIRMAN: Any Members wish to be heard on the request?

Seeing none, the chair moves that the committee grant access consistent with the rules of this committee for Representatives Yoho and DeSantis to the 28 pages of the Joint Inquiry into Intelligence Activities Before and After the Terrorist Attacks of September 2001.

Without objection, the previous question is ordered. Clerk will take the roll.

THE CLERK: Chairman Rogers?

THE CHAIRMAN: Aye.

THE CLERK: Mr. Conaway?

MR. CONAWAY: Aye.

THE CLERK: Mr. King?

MR. KING: Aye.

THE CLERK: Mr. Nunes?

MR. NUNES: Aye.

THE CLERK: Mr. Westmoreland?

MR. WESTMORELAND: Aye.

THE CLERK: Mrs. Bachmann?

MRS. BACHMANN: Aye.

THE CLERK: Mr. Rooney?

MR. ROONEY: Aye.

THE CLERK: Mr. Heck?

DR. HECK: Aye.

THE CLERK: Mr. Pompeo?

MR. POMPEO: Aye.

THE CLERK: Mr. Ruppertsberger?

MR. RUPPERSBERGER: Aye.

THE CLERK: Mr. Thompson?

MR. THOMPSON: Aye.

THE CLERK: Ms. Schakowsky?

MS. SCHAKOWSKY: Aye.

THE CLERK: Mr. Schiff?

MR. SCHIFF: Aye.

THE CLERK: Mr. Chairman, there are 13 ayes and zero noes.

THE CHAIRMAN: The ayes have it. The motion is carried.

Before we move into classified setting for our first panel, is there any further discussion in open setting on any business matter?

Seeing none, the meeting is adjourned.

[Whereupon, at 9:27 a.m., the committee proceeded in closed session.]