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RECORDED INTERVIEW BETWEEN

FBI SPECIAL AGENT (b) (6), (b) (7)(C)

FBI SPECIAL AGENT (b) (6), (b) (7)(C)

ASSISTANT SPECIAL COUNSEL (b) (6), (b) (7)(C)

ASSISTANT SPECIAL COUNSEL (b) (6), (b) (7)(C)

ASSISTANT SPECIAL COUNSEL (b) (6), (b) (7)(C)

COUNSEL LOUIS FREEMEN, COUNSEL LEE GINSBERG

PARALEGAL SPECIALIST (b) (6), (b) (7)(C)

and MARK ZWONITZER

File: 240104\_1313 and 240104\_1447

Date: January 4, 2024

R E C O R D I N G

(Begin Track 240104\_1313)

SA (b) (6), (b) (7)(C) It is January 4, 2024. The time is approximately 2:03 p.m. And this is the second interview of Mark Zwonitzer.

MR. (b) (6), (b) (7)(C) Good afternoon, Mr. Zwonitzer. Thanks for being with us again.

MR. ZWONITZER: Sure. Glad to be here.

MR. (b) (6), (b) (7)(C) Again, my name is (b) (6), (b) (7)(C) with the Special Counsel's Office. And this is our second time interviewing you as part of our investigation into potential mishandling of documents related to former Vice President Biden's Administration -- the Obama-Biden Administration.

Before we get started, we're going to record this, so we'll go around the room and all introduce ourselves so we can put names to voices, okay? So, again, I'm (b) (6), (b) (7)(C) from the Special Counsel's Office.

MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), Special Counsel's Office.

MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) from the Special Counsel's Office.

MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), Paralegal with the Special Counsel's Office.

SA (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) with the FBI.

SA (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) with --

1 (00:01:06)

2 SA (b) (6), (b) (7)(C) -- the FBI. Nice to meet you,  
3 Mr. Zwonitzer.

4 MR. GINSBERG: And on our side, we have Lou  
5 Freeman representing Mr. Zwonitzer; Mr. Zwonitzer; and  
6 Mr. Lee Ginsberg of Freeman, Nooter, and Ginsberg, also  
7 representing Mr. Zwonitzer.

8 MR. (b) (6), (b) (7)(C) Great. Thanks. Well,  
9 Mr. Zwonitzer, thanks again for being with us. (b) (5), (b) (6), (b) (7)(C)

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MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

13

MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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1 (00:02:23)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3

4 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

5

6 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

7

8 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

9 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

10 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C).

11 MR. (b) (6), (b) (7)(C) And last time, we showed you a  
12 couple emails that you had sent in September and October of  
13 2016, where you reached out to (b) (5), (b) (6), (b) (7)(C)

14 MR. ZWONITZER: Okay.

15 MR. (b) (6), (b) (7)(C) -- Vice President Biden's Chief of  
16 Staff, in advance to book -- set up interviews with Vice  
17 President Biden as part of the book, but also to get some  
18 help in pulling certain documents - schedules, diaries,  
19 notes - that might be related to your conversations to help  
20 aide in your conversations. Do you remember that?

21 MR. ZWONITZER: I mean, I don't remember it in  
22 particular, but that sounds accurate.

23 MR. (b) (6), (b) (7)(C) Okay. (b) (5), (b) (6), (b) (7)(C)

24

25



1 (00:03:18)

2 MR. (b) (6), (b) (7)(C) -- President Biden? The process of  
3 obtaining documents that you could have used to help guide  
4 those interviews as you talked through the time period that  
5 was covered in the book or going to be covered in the book?

6 MR. ZWONITZER: Well, I just -- all I got were --  
7 from his office, I believe, were schedules.

8 MR. (b) (6), (b) (7)(C) Okay.

9 MR. ZWONITZER: That was the main thing I was  
10 getting so I could -- it was -- in the beginning, it was  
11 just, like, figuring out the chronology.

12 MR. (b) (6), (b) (7)(C) Gotcha.

13 MR. ZWONITZER: They may have, in particular  
14 instances, sent me, you know, notes or something else, but I  
15 -- the schedules are what I generally, generally remember.

16 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

17 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

18 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

19 [REDACTED]

20 [REDACTED]

21 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

22 [REDACTED]

23 [REDACTED]

24 MR. (b) (6), (b) (7)(C) Okay. When you ended up sitting  
25 down with Biden, he had certain notebooks you've talked --

1 (00:04:25)

2 MR. (b) (6), (b) (7)(C) -- about; that he went through;  
3 journals, diaries that he used as part of those interviews.  
4 When did you learn that he had those?

5 MR. ZWONITZER: I don't remember. Probably one of  
6 the earliest times we sat down. So it was, you know,  
7 sometime in fairly -- fairly early in 2016.

8 MR. (b) (6), (b) (7)(C) Okay. And did it become clear  
9 relatively quickly that those were going to be a key source  
10 of information for the book?

11 MR. ZWONITZER: Yes. I mean, I think as I  
12 explained, it sort of helped. The personal interest kind of  
13 helped explain the emotional arc and narrative of the story  
14 of losing Beau.

15 MR. (b) (6), (b) (7)(C) Okay. And you talked a little bit  
16 about those -- Vice President Biden kept those -- he held  
17 those very close. He wouldn't let you look at them or share  
18 them with other people; is that right?

19 MR. ZWONITZER: Yeah. I mean, I asked -- because  
20 we were working so fast, I had asked, hey, maybe it would be  
21 easier if you gave me the notebooks. I could make some  
22 copies, and we -- and that was something he would not -- he  
23 wouldn't let those out of his hands.

24 MR. (b) (6), (b) (7)(C) Okay. And do you know why that  
25 was?

1 (00:05:35)

2 MR. ZWONITZER: I don't. But I -- my assumption  
3 at the time was a lot of the material in there was very,  
4 very personal, about Beau in particular. So that was my  
5 understanding at the time.

6 MR. (b) (6), (b) (7)(C) Okay. But because it was personal  
7 things, not -- was there concern or did you get a sense that  
8 some of it might have been classified or sensitive from a  
9 government perspective?

10 MR. ZWONITZER: I did not.

11 MR. (b) (6), (b) (7)(C) Okay. Okay. I want -- we shared  
12 with you a bunch of clips, and I -- so we'll just dive into  
13 them, and there's no real great way to do this.

14 MR. ZWONITZER: Okay.

15 MR. (b) (6), (b) (7)(C) But the first one that I'd like to  
16 play is -- it's a clip numbered 246.

17 Carved 246, (b) (6), (b) (7)(C), for your records.

18 And I'll -- if I can do it here, I'll share my  
19 screen and put it up. Can you see that?

20 MR. ZWONITZER: I can't see anything.

21 MR. (b) (6), (b) (7)(C) Hold on. Let me see if I can do  
22 this here. Can you see it now?

23 MR. ZWONITZER: I cannot. Oh, yes, I can.

24 MR. (b) (6), (b) (7)(C) Okay. Great. Sorry, just took a  
25 second there. All right. I'll play this clip for you.



1 (00:06:58)

2 MR. (b) (6), (b) (7)(C) We have a transcript. I'll try to  
3 scroll along with it as I play it, okay?

4 MR. GINSBERG: Okay. One second. We want to get  
5 into the right --

6 MR. (b) (6), (b) (7)(C) Oh, yeah. Sure for -- yep.

7 MR. FREEMEN: I don't think I have that. Oh, yes,  
8 I do. I'm sorry. I found that.

9 MR. (b) (6), (b) (7)(C) Okay. You have it. Great.  
10 Wonderful.

11 MR. FREEMEN: Yes, I found it.

12 MR. (b) (6), (b) (7)(C) Okay. Are you guys ready then?  
13 I'll play it.

14 MR. GINSBERG: Ready.

15 (Recording played.)

16 MR. GINSBERG: Can you hear us? We're not hearing  
17 anything.

18 MR. (b) (6), (b) (7)(C) You guys can't hear it?

19 MR. GINSBERG: No.

20 MR. FREEMEN: Correct.

21 MR. GINSBERG: We don't hear that.

22 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), do you know how to share video  
23 or audio clips over -- I'm surprised you guys can't hear  
24 that. Or (b) (6), (b) (7)(C)?

25 MR. (b) (6), (b) (7)(C) Yeah. I wonder if I can play it --



1 (00:08:11)

2 MR. (b) (6), (b) (7)(C) -- just from my laptop, which is  
3 right next to the speaker here. I just got to get into the  
4 right folder.

5 MR. (b) (6), (b) (7)(C) That'd be great.

6 MR. (b) (6), (b) (7)(C) So this --

7 MR. GINSBERG: That's why you need a 30-year-old  
8 associate with you.

9 MR. (b) (6), (b) (7)(C) (Laughs) This is what, this is what  
10 happens when you don't practice beforehand.

11 MR. GINSBERG: Yeah.

12 MR. (b) (6), (b) (7)(C) Here, let me give it a shot here and  
13 see if it works.

14 MR. (b) (6), (b) (7)(C) Told you --

15 MR. (b) (6), (b) (7)(C) I --

16 MR. (b) (6), (b) (7)(C) Told you we should have gone to New  
17 York.

18 MR. (b) (6), (b) (7)(C) Here, Mark, if you -- or anyone, just  
19 give a thumbs up if you can hear this once it starts  
20 playing.

21 MR. FREEMEN: Okay. Will do.

22 MR. (b) (6), (b) (7)(C) It's not even playing for me. All  
23 right. Well, that didn't work. That's weird.

24 MR. (b) (6), (b) (7)(C) Valiant effort.

25 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) can you try and play --

1 (00:09:16)

2 MR. (b) (6), (b) (7)(C) -- through JEFS?

3 MR. (b) (6), (b) (7)(C) Yeah. No, I was trying to play it  
4 from, from SharePoint.

5 MR. (b) (6), (b) (7)(C) Okay.

6 MR. (b) (6), (b) (7)(C) I wonder, I wonder if I just paste  
7 this into my desktop or something, I don't know if it would  
8 go better.

9 MR. (b) (6), (b) (7)(C) Yeah. If you open it in a browser,  
10 it worked well for me yesterday.

11 MR. (b) (6), (b) (7)(C) Oh, in the Team's browser?

12 MR. (b) (6), (b) (7)(C) Yeah. If you open up from  
13 SharePoint into a browser, it worked well for me.

14 MR. (b) (6), (b) (7)(C) Okay.

15 MR. (b) (6), (b) (7)(C) I'm going to try to connect on mine  
16 as well.

17 MR. (b) (6), (b) (7)(C) While we wait for this, Mark, I'll  
18 just sort of set the scene for this. This clip we're going  
19 to play is from one of the interviews you did with Vice  
20 President Biden in around October 2016.

21 MR. ZWONITZER: Okay.

22 MR. (b) (6), (b) (7)(C) And I believe it was at the Naval  
23 Observatory while he was still Vice President.

24 MR. ZWONITZER: Okay.

25 (Audio played 00:10:59 to 00:11:01.)

1 (00:11:01)

2 MR. (b) (6), (b) (7)(C) Is that -- let me pause it.

3 MR. (b) (6), (b) (7)(C) Yeah.

4 MR. (b) (6), (b) (7)(C) Is that through -- okay, okay. I'm  
5 going to start back at the beginning then. Sorry.

6 MR. (b) (6), (b) (7)(C) Great. Thanks, (b) (6), (b) (7)(C).

7 MR. (b) (6), (b) (7)(C) It's not as loud as I would like, but  
8 it is what it is.

9 MR. FREEMEN: We can hear it fine.

10 MR. (b) (6), (b) (7)(C) Okay, good.

11 (Audio played 00:11:17 to 00:14:11.)

12 MR. (b) (6), (b) (7)(C) All right. Mark, could you hear  
13 that?

14 MR. ZWONITZER: Yes.

15 MR. (b) (6), (b) (7)(C) Okay. Great. So the first thing I  
16 want to ask you about on this recording from the fall of  
17 2016 is, at the beginning, where I'm showing on the screen  
18 here, Vice President Biden says, I have extensive notes over  
19 this period of time. And you say, oh, you actually have  
20 those here, and he says, yeah. Now, there's a lot of other  
21 notes, too. This is my -- they didn't even know I have  
22 this, but I have all this other stuff too.

23 We'd like to ask you a little bit about what he's  
24 talking about there, what you understood him to mean during  
25 this portion, this discussion.



1 (00:14:58)

2 MR. ZWONITZER: So I think that, I think that he's  
3 referring to -- because he says 5/19 and 6/16, probably the  
4 diary. But he -- when he says, I have a lot of other notes  
5 too, he's got a number of different diaries, I believe.

6 MR. (b) (6), (b) (7)(C) Okay.

7 MR. ZWONITZER: And I think that when he says,  
8 they don't even know I have this, it's probably his staff.  
9 I mean, these are all personal, private diaries.

10 MR. (b) (6), (b) (7)(C) You understood him to mean that his  
11 staff didn't know he had these --

12 MR. ZWONITZER: Yeah.

13 MR. (b) (6), (b) (7)(C) -- these personal diaries.

14 MR. ZWONITZER: Yeah. I don't think anybody knew  
15 he had those.

16 MR. (b) (6), (b) (7)(C) Okay. And why do you say that?

17 MR. ZWONITZER: Well, because he always was very  
18 careful to keep them in his possession.

19 MR. (b) (6), (b) (7)(C) Okay. And I know he had a lot of  
20 them, and we talked last time about how, at one point, there  
21 was an email where you suggested you'd collect them all and  
22 put them in order and have them, sort of, in an organized  
23 fashion.

24 MR. ZWONITZER: Yeah.

25 MR. (b) (6), (b) (7)(C) But that never happened.



1 (00:16:12)

2 MR. ZWONITZER: Right.

3 MR. (b) (6), (b) (7)(C) And I believe you told us that he  
4 would usually bring one or maybe two of the notebooks with  
5 him to every interview you had, no more than that.

6 MR. ZWONITZER: Yeah. I think that's accurate. I  
7 think that -- because we were -- for each interview, we were  
8 covering a specific moment in time.

9 MR. (b) (6), (b) (7)(C) Okay. Okay. Did you -- you said  
10 he kept them all with him. Do you know where -- the ones  
11 that he didn't bring with him to cover with you during an  
12 interview, do you know where those were?

13 MR. ZWONITZER: I have no idea. But in -- I don't  
14 know. My surmise is that they were always, you know, sort  
15 of locked down at the Naval Academy -- at the Naval  
16 Observatory, which is where we were. I don't think they  
17 were traveling around.

18 MR. (b) (6), (b) (7)(C) Okay. And why, why do you say  
19 that, or what gives you that impression?

20 MR. ZWONITZER: Because in this time period, I  
21 don't remember ever meeting with him -- well, I guess we met  
22 in Wilmington, but I just remember seeing the diaries in  
23 this time period while he's Vice President at the  
24 Observatory.

25 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

1 (00:17:28)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

8 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

9 [REDACTED]

10 [REDACTED]

11 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

12 [REDACTED]

13 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

14 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

20 [REDACTED]

21 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 (00:18:59)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

9 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

10 [REDACTED]

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

12 [REDACTED]

13 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

14 [REDACTED]

15 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

25 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

1 (00:19:55)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

10 [REDACTED]

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)



1 (00:21:15)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

4 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

5 SA (b) (6), (b) (7)(C) Yeah. Just for the part where he  
6 says, they don't even know I have these, and your assumption  
7 was the staff; was that relevant to you in terms of  
8 collecting material? Like, I'm trying to figure out why he  
9 would make that kind of comment. And maybe it's something  
10 like you had asked the staff to collect a bunch of notes or  
11 items that would help inform the book and he's telling you,  
12 yeah, they don't even know I have these. Like, how -- I'm  
13 trying to figure out how that might've been relevant to your  
14 conversation.

15 MR. ZWONITZER: I actually don't -- I mean, six  
16 years ago, looking and listening, I just, I don't, I don't  
17 know.

18 SA (b) (6), (b) (7)(C) Okay.

19 MR. ZWONITZER: But I mean, there was certainly  
20 staff people helping to gather information. So that's my  
21 assumption, that the staff didn't know yet.

22 SA (b) (6), (b) (7)(C) Okay.

23 MR. ZWONITZER: These were personal and private  
24 diaries.

25 MR. (b) (6), (b) (7)(C) Right. (b) (5), (b) (6), (b) (7)(C)

1 (00:22:35)

2 MR. (b) (6), (b) (7)(C) -- talked last time a little bit  
3 about the Presidential Records Act, and you've alluded to it  
4 here a little bit. Was the sense you got that these weren't  
5 presidential records because they were diaries or personal  
6 in nature?

7 MR. ZWONITZER: Yeah. I mean, I'm no expert on  
8 the presidential records, but my understanding is that  
9 anything that touches on personal and political notes from  
10 the President and Vice President is not, you know, a part of  
11 those records. But that is a layman's understanding and I  
12 really, you know -- as the President would say, above my  
13 paygrade.

14 MR. (b) (6), (b) (7)(C) Understood. Not legal advice. Did  
15 you and Mr. Biden ever talk about, about the Presidential  
16 Records Act, or how that worked, or whether some or all of  
17 his stuff was covered or not?

18 MR. ZWONITZER: I don't think we ever spoke  
19 directly about that. I can't remember talking about that.

20 MR. (b) (6), (b) (7)(C) Okay. Unless someone has  
21 additional questions about that one, (b) (6), (b) (7)(C) maybe we can queue  
22 up clip 599.

23 MR. (b) (6), (b) (7)(C) One second.

24 MR. (b) (6), (b) (7)(C) All right. Thank you.

25 (Audio played 00:23:59 to 00:25:23.)

1 (00:25:24)

2 MR. (b) (6), (b) (7)(C) Okay. So we want to ask you a few  
3 about these. Mark, are these the notes -- these are the  
4 notes on his lunch meetings with President Obama; is that  
5 right?

6 MR. ZWONITZER: Correct.

7 MR. (b) (6), (b) (7)(C) That he's discussing here.

8 MR. ZWONITZER: Yeah.

9 MR. (b) (6), (b) (7)(C) Okay. And he said -- first off, he  
10 said, I'm told by (b) (5), (b) (6), (b) (7)(C) Is that (b) (5), (b) (6), (b) (7)(C)?

11 MR. ZWONITZER: No, (b) (5), (b) (6), (b) (7)(C)

12 MR. (b) (6), (b) (7)(C) Is that --

13 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C).

14 MR. (b) (6), (b) (7)(C) Oh, (b) (5), (b) (6), (b) (7)(C), sorry. His,  
15 his body man?

16 MR. ZWONITZER: Yeah, I think that's who that was.

17 MR. (b) (6), (b) (7)(C) Okay. How about McGrail? Do you  
18 know who McGrail is?

19 MR. ZWONITZER: I don't, I don't know --

20 MR. (b) (6), (b) (7)(C) Okay.

21 MR. ZWONITZER: -- who McGrail is. I'm assuming  
22 he was -- you know, I don't know.

23 MR. (b) (6), (b) (7)(C) Okay. And then, as you heard, he's  
24 talking to (b) (5), (b) (6), (b) (7)(C) on this, his assistant.

25 MR. ZWONITZER: Yep.



1 (00:26:11)

2 MR. (b) (6), (b) (7)(C) And it says you were supposed to  
3 turn -- or she tells him that we were supposed to turn these  
4 notes in and that McGrail was the last person who had them.

5 MR. ZWONITZER: Mm-hmm.

6 MR. (b) (6), (b) (7)(C) And you said they were probably  
7 something that goes to the presidential papers.

8 MR. ZWONITZER: Mm-hmm.

9 MR. (b) (6), (b) (7)(C) And Vice President Biden said, I  
10 don't think so. It was in between -- I didn't want to turn  
11 them in. And then you added that it's in the gray area.

12 Could you kind of discuss that exchange about  
13 whether or not these notes on his lunches with Obama were  
14 considered presidential records or, or not?

15 MR. ZWONITZER: Well, the, the whole discussion  
16 there was trying to figure out where those notes physically  
17 are because, yes, he had notes from his diary, but he was  
18 unsure about the dates, right? You want to be accurate  
19 about the dates, and you want to be accurate about the  
20 substance as well. So he wanted to get ahold of those  
21 official -- what I would call more official notes for those  
22 lunches. And he was trying to figure out where they ended  
23 up.

24 MR. (b) (6), (b) (7)(C) Okay.

25 MR. ZWONITZER: And apparently -- and so that's --



1 (00:27:25)

2 MR. ZWONITZER: -- basically it.

3 MR. (b) (6), (b) (7)(C) He said I -- when you said they're  
4 probably in your presidential records, he said, I don't  
5 think so. It was in between -- I didn't want to turn them  
6 in.

7 MR. ZWONITZER: Mm-hmm.

8 MR. (b) (6), (b) (7)(C) Why didn't he want to turn them in?

9 MR. ZWONITZER: Oh, I have no idea. But -- I just  
10 don't know.

11 MR. (b) (6), (b) (7)(C) Okay.

12 MR. ZWONITZER: But I know they ended up at the  
13 Archives, because that's where he accessed them.

14 MR. (b) (6), (b) (7)(C) And that was those trips to the  
15 National Archives in the spring and summer of 2017?

16 MR. ZWONITZER: Yeah. It was more like -- yeah,  
17 that's rights.

18 MR. (b) (6), (b) (7)(C) Okay. Okay. Did you get the --

19 MR. ZWONITZER: Did you --

20 MR. (b) (6), (b) (7)(C) -- sense he was --

21 MR. ZWONITZER: I'm sorry. Did you say this was  
22 January of (indiscernible 00:28:07) --

23 MR. (b) (6), (b) (7)(C) I, I didn't say when it was. It's  
24 after he left office. I, I --

25 MR. ZWONITZER: Yeah.

1 (00:28:15)

2 MR. (b) (6), (b) (7)(C) I believe it's in the spring or  
3 early 2017 sometime.

4 MR. ZWONITZER: Yeah. Yeah. I mean, I think  
5 there was a lot of paper flying around and they were trying  
6 to figure out where, where this landed.

7 MR. (b) (6), (b) (7)(C) Did the Vice President, did he seem  
8 annoyed or irritated that some of those records had to be --  
9 he had to go to National Archives to look at them,  
10 especially things like his one-on-one lunches -- notes on  
11 his one-on-one lunches with President Obama.

12 MR. ZWONITZER: I mean, he didn't seem annoyed.  
13 He's, like, a pretty game guy. He's going to go do what he  
14 has to do. I can't -- I've seen him annoyed about things,  
15 but that was not one of them.

16 MR. (b) (6), (b) (7)(C) Okay.

17 MR. ZWONITZER: It was a pretty simple trip for  
18 him to make, I think.

19 MR. (b) (6), (b) (7)(C) Okay. And did you go with him to  
20 the National Archives?

21 MR. ZWONITZER: I did not.

22 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

23 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

24

25

1 (00:29:17)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

6 [REDACTED]

7 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

12 [REDACTED]

13 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

14 [REDACTED]

15 [REDACTED]

16 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

17 [REDACTED]

18 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

19 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

22 [REDACTED]

23 [REDACTED]

24 MR. (b) (6), (b) (7)(C) Okay. And then when you used the  
25 term "gray area" in that discussion, do you, like, know --



1 (00:30:30)

2 MR. (b) (6), (b) (7)(C) -- what that meant? Like, what that  
3 meant to you?

4 MR. ZWONITZER: Well, I was the one who used the  
5 term "gray area," right?

6 MR. (b) (6), (b) (7)(C) Yep.

7 MR. ZWONITZER: Yeah. Well, that meant to me,  
8 like, are these personal political, or are they, you know,  
9 presidential papers.

10 MR. (b) (6), (b) (7)(C) Okay.

11 MR. ZWONITZER: That's the gray area, like, where  
12 does this fall? It sounds like they ended up pushing them  
13 into the papers in the Archives.

14 MR. (b) (6), (b) (7)(C) Yeah. And how -- what led you to  
15 kind of understand that to be a -- because I think you're  
16 probably right. I mean, I'm not an expert in the PRA, but  
17 what, what led you to understand that, like, personal  
18 records versus, you know, personal and political versus  
19 other records (indiscernible 00:31:19) be a gray area?

20 MR. ZWONITZER: Oh, reading that -- well, I mean,  
21 I don't think I was referring to -- I don't think I had any  
22 particular understanding that -- of that at the time. I'm  
23 reacting to what he said. It was in between, so it's a gray  
24 area.

25 MR. (b) (6), (b) (7)(C) Okay.



1 (00:31:34)

2 MR. ZWONITZER: I mean, I don't think I brought  
3 any particular understanding to that.

4 MR. (b) (6), (b) (7)(C) Okay. The way -- it sounded like --  
5 you know, when we listen to it, it sounded like you said the  
6 gray area, which sort of led us to wonder if he had spoken to  
7 you about a gray area that he had been sort of advised about  
8 or had some knowledge of being not so clear in, in how records  
9 were handled. Does that -- do you remember any discussions  
10 with him about, about what he thought was a gray area?

11 MR. ZWONITZER: I don't. No.

12 MR. (b) (6), (b) (7)(C) Okay.

13 MR. ZWONITZER: I don't remember anything about  
14 that.

15 MR. (b) (6), (b) (7)(C) Okay.

16 MR. (b) (6), (b) (7)(C) All right. Does anyone have any  
17 more follow-up on that? If not, we'll move on.

18 (b) (6), (b) (7)(C) I think the next one that makes sense to play  
19 is the one from April 24th of 2017.

20 MR. (b) (6), (b) (7)(C) And (b) (6), (b) (7)(C) I actually had a question.  
21 It sort of relates to the last topic about --

22 MR. (b) (6), (b) (7)(C) Yeah.

23 MR. (b) (6), (b) (7)(C) -- photocopying. But I -- hey, Mark,  
24 I thought it might be easier just to play this segment.  
25 It's just from your last interview real quick, and it --

1 (00:32:54)

2 MR. (b) (6), (b) (7)(C) -- might help just to hear as opposed  
3 to pulling up the transcript itself. I think --

4 MR. ZWONITZER: Okay.

5 MR. (b) (6), (b) (7)(C) I think I have it pulled up, but I  
6 might have -- just give me one second to get to it. Hold  
7 on. Do not copy it over. Sorry for the pause. When I  
8 pulled up the other recording, it got me off of -- okay.  
9 Here we go. All right. I'm going to play this.

10 Mark, this was just a discussion last time. You  
11 were saying the same thing that you were saying before about  
12 he kind of held the journals, his notebooks closed-hold, and  
13 you know, wasn't something he let other staff really, you  
14 know, handle or you handle. But let me just play this for  
15 you real quick.

16 (Audio played 00:35:08 to 00:35:39.)

17 MR. (b) (6), (b) (7)(C) So, Mark, my question was, that last  
18 part, it sounded like you were about to say something about,  
19 you know, maybe not that he ever let you -- let anyone  
20 photocopy them or handle them, but you were saying, at one  
21 point, and you kind of cut yourself off. Do you remember  
22 what you were thinking at that point when, when you were  
23 answering that question about -- what was in your head at  
24 that moment?

25 MR. ZWONITZER: A question of photocopying the --

1 (00:36:12)

2 MR. ZWONITZER: -- diaries?

3 MR. (b) (6), (b) (7)(C) Yeah. So (b) (6), (b) (7)(C) had said, you can't  
4 photocopy them. You said, no, no, he did at one point,  
5 like, I know there were, and then, no. And I was wondering,  
6 you know, even if he did not photocopy them, were you  
7 recalling, like, were there discussions about creating  
8 photocopies that you heard about that his staff were having,  
9 or anything like that?

10 MR. ZWONITZER: No. I -- again, I don't think the  
11 staff really knew about it, except maybe -- I may have said  
12 to (b) (5), (b) (6), (b) (7)(C) something about photocopying -- possibly  
13 photocopying that stuff. But, again, I mean, it was kind of  
14 a -- it was a hard no from Biden on that. I mean, because I  
15 think I mentioned this, and I think I pushed a couple of  
16 times just because of the timeframe we were in, and he  
17 really was -- he was, you know, courteous about it, but he  
18 was, he was pretty adamant.

19 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

20

21

22 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

23 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

24

25



1 (00:37:34)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3  
4 MR. ZWONITZER: (b) (5), (b) (6)

5 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

6 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

7 MR. (b) (6), (b) (7)(C) Okay. (b) (6), (b) (7)(C) so it was April --

8 MR. (b) (6), (b) (7)(C) Yeah. It's --

9 MR. (b) (6), (b) (7)(C) -- 24 --

10 MR. (b) (6), (b) (7)(C) I think it's listed -- it's April  
11 24th of 2017. It's labeled 170424, I believe, in the  
12 folder. It's -- that's the next clip.

13 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) got it here.

14 MR. (b) (6), (b) (7)(C) And I'll bring up the transcript  
15 for all of us to look at.

16 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) spent some time on that.

17 (Audio played 00:38:16 to 00:38:16.)

18 MR. (b) (6), (b) (7)(C) Just tell me when to go ahead, (b) (6), (b) (7)(C)

19 MR. (b) (6), (b) (7)(C) Go ahead. Thanks.

20 (Audio played 00:38:32 to 00:40:44.)

21 MR. (b) (6), (b) (7)(C) All right. Thanks, Mark (verbatim).  
22 So, again, I think this is what you were referring to earlier.

23 MR. ZWONITZER: Yeah.

24 MR. (b) (6), (b) (7)(C) Where Biden explained to you his  
25 process for taking notes on his lunches with President --

1 (00:40:57)

2 MR. (b) (6), (b) (7)(C) -- Obama; is that right?

3 MR. ZWONITZER: Yeah, that's right.

4 MR. (b) (6), (b) (7)(C) Okay.

5 MR. ZWONITZER: And that -- now I know what you're  
6 talking about with the card. So he had made notes in  
7 steep --

8 MR. (b) (6), (b) (7)(C) Now --

9 MR. ZWONITZER: -- with President Obama.

10 MR. (b) (6), (b) (7)(C) Yeah. At one point during this,  
11 he's telling you, I had those presidential notes, and you  
12 said, you know, I know you gave me this much, and you have  
13 some papers from the dairy separate from the presidential  
14 notes. What was it that he had given you? Did he give you  
15 some portion of his notes?

16 MR. ZWONITZER: So this is -- he would -- I think  
17 I explained to you, he would read me parts of the diary. So  
18 he would read me, like, notes from the presidential lunches.  
19 I would take notes of those. In this case, about four days  
20 before the 24th, I sent my notes and some schedules to him  
21 through (b) (6), (b) (7)(C) so that he would have those so that we could  
22 -- you know, he would know what I wanted to talk about and  
23 cover. And so the -- he gave me, orally, notes from that  
24 diary. I had taken notes, transcribed that stuff. This is  
25 -- I then sent it back to him so that he could prep for --

1 (00:42:20)

2 MR. ZWONITZER: -- this meeting, talking about the  
3 January 5th lunch. So those are the papers that he's --  
4 those are the -- the rustling papers are the papers that I  
5 had prepared and given to him.

6 MR. (b) (6), (b) (7)(C) Okay, I understand. He goes on to  
7 confirm that he has separate, separate notes on these  
8 lunches, as we discussed earlier.

9 MR. ZWONITZER: Mm-hmm.

10 MR. (b) (6), (b) (7)(C) And he said, I'm trying to recall  
11 where -- you know, what happened to them, essentially. And  
12 I had all of those at the house in a safe. I don't know  
13 what they made me do with them.

14 Could you tell us about that portion of the  
15 transcript?

16 MR. ZWONITZER: I actually -- I'm assuming --  
17 well, I don't know. I don't know what that means. I mean,  
18 I guess those were the diaries that were in the safe at the  
19 Observatory.

20 MR. (b) (6), (b) (7)(C) Okay. And he had a safe at the  
21 Naval Observatory?

22 MR. ZWONITZER: I don't know. I mean, I never saw  
23 it. I don't know that. But I assume at the house in a safe  
24 is what he's referring to the Observatory.

25 MR. (b) (6), (b) (7)(C) Okay. You never saw him go into --



1 (00:43:35)

2 MR. (b) (6), (b) (7)(C) -- a safe at the Naval Observatory?

3 MR. ZWONITZER: I did not.

4 MR. (b) (6), (b) (7)(C) Okay. Or anywhere else?

5 MR. ZWONITZER: I don't know that I've ever in my  
6 life seen anybody go into a safe except for in a movie.

7 MR. (b) (6), (b) (7)(C) (Laughs.) Okay. All right. Does  
8 anyone have any follow-up on this one? Nope?

9 (Phone ringing.)

10 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) I noticed two of the new ones  
11 are 590. Do you want to cover those ones now?

12 MR. (b) (6), (b) (7)(C) Yeah. We might (indiscernible  
13 00:44:14) but, Mark, maybe I can just describe -- there's a  
14 couple instances, again, where it sounds like -- I just  
15 wanted to make sure. I think you just confirmed it, but I  
16 -- just to be sure. In April of 2017, where it sounds like  
17 you're kind of directing him to pages of things. Is that  
18 just -- and referring to it as his diary. Would you refer  
19 to, like, your transcriptions of his verbally reciting to  
20 you his diary as his diary when you would speak to him?

21 MR. ZWONITZER: I think I would say it was -- this  
22 is from the diary maybe. I don't remember.

23 MR. (b) (6), (b) (7)(C) That makes sense. I just wanted to  
24 make sure. So you might say, like, this is from your diary,  
25 but you're really -- in saying that -- like, it sounds --

1 (00:45:17)

2 MR. (b) (6), (b) (7)(C) -- like you're looking at something  
3 when you're doing that, it sounds like what you were looking  
4 at was just your transcription of his diary as he had  
5 orally, kind of, recited it to you; is that --

6 MR. ZWONITZER: That's right. (b) (5), (b) (6), (b) (7)(C)

7 [REDACTED]

8 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)

9 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

10 [REDACTED]

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)

12 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

13 [REDACTED]

14 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)

15 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

16 [REDACTED]

17 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

18 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

19 [REDACTED]

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C).

22 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)

23 MR. (b) (6), (b) (7)(C) Then I think we'll go to clip 556.

24 There's actually two clips. And, Mark, 556 are from  
25 February 16th of 2017. And I know we covered this --

1 (00:46:14)

2 MR. (b) (6), (b) (7)(C) -- interview, this conversation  
3 last time we met.

4 MR. ZWONITZER: Okay.

5 MR. (b) (6), (b) (7)(C) And this is, again, February 16th  
6 of 2017, at his rental property, the house on Chain Bridge  
7 Road --

8 MR. ZWONITZER: Okay.

9 MR. (b) (6), (b) (7)(C) -- in McLean, Virginia. And this  
10 is the clip. You'll recall we talked about where he, he  
11 says he just found all the classified downstairs.

12 MR. ZWONITZER: Okay.

13 MR. (b) (6), (b) (7)(C) There's a couple clips from that.  
14 They're a little lengthier and not all squarely relevant,  
15 but I want to play them for you just to see -- just so we  
16 can talk a little bit about this and see if it jogs any  
17 memories.

18 MR. ZWONITZER: Okay.

19 MR. (b) (6), (b) (7)(C) Okay?

20 MR. ZWONITZER: Yes.

21 MR. (b) (6), (b) (7)(C) All right, excellent. And then  
22 I'll bring up the transcript again like last time.

23 MR. ZWONITZER: Okay.

24 MR. (b) (6), (b) (7)(C) And you can go ahead, (b) (6), (b) (7)(C),  
25 whenever you have it up.



1 (00:46:59)

2 MR. (b) (6), (b) (7)(C) Thanks.

3 MR. (b) (6), (b) (7)(C) Let me -- here, mine seems to play a  
4 little louder. Let me restart it.

5 MR. (b) (6), (b) (7)(C) Great.

6 (Audio played 00:47:48 to 00:54:21.)

7 MR. (b) (6), (b) (7)(C) All right. That ends that first  
8 clip. And we cut out a little bit, but to summarize, Mark,  
9 it seems he's telling you an anecdote about a debate with  
10 Edward Teller of --

11 MR. ZWONITZER: Yeah.

12 MR. (b) (6), (b) (7)(C) -- hydrogen bomb fame. Do you  
13 recall that incident or that anecdote?

14 MR. ZWONITZER: It's hard to forget debating  
15 Edward Teller, right? I'm assuming -- I would assume this  
16 is -- I mean, I think this is probably in the '70s or  
17 something.

18 MR. (b) (6), (b) (7)(C) Yeah. I was actually trying to  
19 find it on YouTube. I would like to see those debates.

20 MR. GINSBERG: Were they really 100 feet apart?

21 MR. (b) (6), (b) (7)(C) I don't know. Interesting. And  
22 then he transitions back to his -- it looks like that one,  
23 he's just telling the story from memory.

24 MR. ZWONITZER: Yeah.

25 MR. (b) (6), (b) (7)(C) And then he turns back to one of --

1 (00:55:10)

2 MR. (b) (6), (b) (7)(C) -- his diaries or one of his  
3 notebooks and starts talking about a meeting on the debate  
4 in Afghanistan and Iraq and other issues; is that right?

5 MR. ZWONITZER: Yeah. That's what it looks like.

6 MR. (b) (6), (b) (7)(C) Okay. And he's about to talk -- to  
7 go into several points someone made or he had made during  
8 debates on the Afghanistan war back in the day.

9 Can we queue up the second clip from this, then?  
10 We cut out a little bit about those four points, and then we  
11 have another clip here that we'll play.

12 MR. (b) (6), (b) (7)(C) All right. I think I got it, got it  
13 ready, (b) (6), (b) (7)(C) so whenever you're ready.

14 MR. (b) (6), (b) (7)(C) Excellent. Yeah. All right. Go,  
15 go ahead. This one's much shorter, Mark.

16 (Audio played 00:55:55 to 00:56:51.)

17 MR. (b) (6), (b) (7)(C) All right. Mark, I want to ask you  
18 now, he's -- as he talks about the points he made about the  
19 troop surge, or the debate over the troop surge in  
20 Afghanistan, he says, I just found all the classified stuff  
21 downstairs. And I know we talked about this last time we  
22 met, but I want to ask you again just to, just to do it.

23 MR. ZWONITZER: Okay.

24 MR. (b) (6), (b) (7)(C) I mean, having gone through that,  
25 can you tell us what you recall about this and what he --

1 (00:57:20)

2 MR. (b) (6), (b) (7)(C) -- was talking about during this  
3 clip?

4 MR. ZWONITZER: So is that all, is that all one --  
5 from one session?

6 MR. (b) (6), (b) (7)(C) It --

7 MR. ZWONITZER: And was it --

8 MR. (b) (6), (b) (7)(C) It is.

9 MR. ZWONITZER: -- like, off the back? That's all  
10 the --

11 MR. (b) (6), (b) (7)(C) It is. We clipped off, like, 20  
12 seconds just because of the sensitive nature of the four  
13 points that he made. So this is all one -- it could have  
14 been one document.

15 MR. ZWONITZER: Okay.

16 MR. (b) (6), (b) (7)(C) We just skipped a little clip and  
17 then we cut off --

18 MR. ZWONITZER: All right.

19 MR. (b) (6), (b) (7)(C) We didn't want to play the whole  
20 thing.

21 MR. ZWONITZER: Got it. Understood.

22 MR. (b) (6), (b) (7)(C) But it's all one big, it's all one  
23 big thought.

24 MR. ZWONITZER: Okay. So yeah. It's hard to  
25 tell. I think it's, it's -- this is a time when he was --



1 (00:58:11)

2 MR. ZWONITZER: -- talking about coming back to  
3 work in the White House after Beau's death. This is sort of  
4 his first getting back to the White House. That's what I  
5 remember about that date, July 7th.

6 MR. (b) (6), (b) (7)(C) Okay. Well, when he's talking  
7 about in early '09, writing this hand-page (sic) -- 40-page  
8 memo arguing against deploying additional troops to  
9 Afghanistan --

10 MR. ZWONITZER: Yeah.

11 MR. (b) (6), (b) (7)(C) -- do you recall him talking about  
12 that debate and his role in it?

13 MR. ZWONITZER: Not for this book and not in the  
14 -- I don't remember ever really talking about that with him  
15 particularly. I know that -- I mean, I know that this  
16 debate was -- has been much, much written about, you know?  
17 Everybody, you know, from Obama down.

18 MR. (b) (6), (b) (7)(C) Yeah. Many, many books on it and  
19 articles, coverage. And Biden's role on that debate has  
20 been written about and remarked upon.

21 MR. ZWONITZER: Yeah. I mean, he was the -- I  
22 think he was the one guy flagging, and it became fairly  
23 famous because of the, you know -- I knew about the time  
24 just because I knew -- remembered the McChrystal event.

25 MR. (b) (6), (b) (7)(C) What do you mean the McChrystal --

1 (00:59:35)

2 MR. (b) (6), (b) (7)(C) -- event?

3 MR. ZWONITZER: Well, you know, McChrystal was the  
4 general, I believe, who was fired for some pretty nasty  
5 remarks about Biden, if I remember right.

6 MR. (b) (6), (b) (7)(C) Mm-hmm. And so he's saying he just  
7 found the classified stuff downstairs, and then he -- it  
8 sounds like he's describing what he found downstairs or the  
9 nature of the stuff he found, and this handwritten 40-page  
10 memorandum.

11 MR. ZWONITZER: Mm-hmm.

12 MR. (b) (6), (b) (7)(C) Is that -- was that your take when  
13 you listened to this or heard it?

14 MR. ZWONITZER: I just -- I don't know if he was  
15 referring to the, the stuff downstairs or if he was  
16 referring to the argument I was making about Iraq at the  
17 time.

18 MR. (b) (6), (b) (7)(C) Okay. Okay. But it seems -- and I  
19 know, Mark, we talked about this. You didn't -- you don't  
20 -- you didn't have any independent recollection of this.  
21 You were just putting yourself back in your shoes; is that  
22 right?

23 MR. ZWONITZER: Yes.

24 MR. (b) (6), (b) (7)(C) When you listen to this. It sounds  
25 like whatever classified stuff he found downstairs was --

1 (01:00:49)

2 MR. (b) (6), (b) (7)(C) -- on this topic; is that right?  
3 In early '09? Documents related to that timeframe, that  
4 debate.

5 MR. ZWONITZER: It sounds like. But, again, I  
6 have no memory and no -- I never saw -- you know, I never  
7 saw any of these things. He never said, oh, let me show you  
8 this. You know, I just saw -- I don't know what was the  
9 nature of that material.

10 MR. (b) (6), (b) (7)(C) That hand-page -- that handwritten  
11 40-page memo, you've -- have you heard, read about this  
12 and --

13 MR. ZWONITZER: Yeah.

14 MR. (b) (6), (b) (7)(C) It's sort of a historical event  
15 that happened.

16 MR. ZWONITZER: I think that's been in the -- in  
17 many books and a lot of press and newspaper coverage.

18 MR. (b) (6), (b) (7)(C) And do you know whether Biden kept  
19 it or has it as a historical artifact or in his own  
20 archives?

21 MR. ZWONITZER: I have no idea if he kept it. I  
22 don't know.

23 MR. (b) (6), (b) (7)(C) He's never shown it to you, I take  
24 it.

25 MR. ZWONITZER: I've never seen it.



1 (01:01:43)

2 MR. (b) (6), (b) (7)(C) Okay.

3 Does anyone have any follow-up on this one?

4 MR. (b) (6), (b) (7)(C) Not from me, (b) (6), (b) (7)(C)

5 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)? (b) (6), (b) (7)(C)?

6 MR. (b) (6), (b) (7)(C) Just maybe a quick point of  
7 clarification. Mark, it sounded like you said that you  
8 hadn't talked about -- with Biden about Afghanistan with  
9 regard to this book. But with regard to other books, have  
10 you spoken to him about Afghanistan at all or any other  
11 discussions about his role in that debate?

12 MR. ZWONITZER: Well, we talked a lot about  
13 Afghanistan in his -- in the first book that we did. But,  
14 but that predated '09. But, I mean, he was very -- like, he  
15 was the first person into Afghanistan after the war. So,  
16 yes, we had discussions about Afghanistan, but it was before  
17 this time period.

18 MR. (b) (6), (b) (7)(C) Okay.

19 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C) [REDACTED]

25 [REDACTED]

1 (01:03:18)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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4 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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7 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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10 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

11

12 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

13

14

15 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

16 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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18 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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23 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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1 (01:04:34)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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6 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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11 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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20 MR. (b) (6), (b) (7)(C) Did he ever -- so if you think  
21 about Afghanistan, he was -- very famously stood up to the  
22 military in terms of arguing against sending additional  
23 troops to Afghanistan. He took, as you know -- alluded to  
24 pretty significant criticism from the military for his  
25 position on that. And, arguably, he was proven right. I --



1 (01:06:19)

2 MR. (b) (6), (b) (7)(C) -- suspect he would say he was  
3 proven right. Did he -- with respect to that issue, would  
4 he talk about that and, and wanted to make sure history  
5 recorded that he was on the right side of this issue, this  
6 very important issue?

7 MR. ZWONITZER: In terms of Afghanistan?

8 MR. (b) (6), (b) (7)(C) Yeah. Or similar issues.

9 MR. ZWONITZER: I don't remember him speaking  
10 about Afghanistan in this episode in particular in terms of  
11 how he would be judged. I mean, I -- this is supposition,  
12 but I think that he's, in terms of the surge, he's, he's  
13 pleased with the way he'll be seen, but that's my guesswork.

14 MR. (b) (6), (b) (7)(C) Gotcha. You mentioned the first  
15 book, which is a good, a good transition for us, because the  
16 first time, we talked a little bit, or at some length, about  
17 your work on Mr. Biden's first memoir, *Promises to Keep*,  
18 back in 2006, 2007 timeframe --

19 MR. ZWONITZER: Yeah.

20 MR. (b) (6), (b) (7)(C) -- I think. And how you followed a  
21 similar process in terms of oral interviews that you would  
22 transcribe and, sort of, shape the book.

23 MR. ZWONITZER: Mm-hmm.

24 MR. (b) (6), (b) (7)(C) And we talked about -- in  
25 particular, there were several trips that he took in the --

1 (01:07:46)

2 MR. (b) (6), (b) (7)(C) -- late '70s while he was a young  
3 senator. And he describes in the book, or through you,  
4 describes in the book his formative experiences that really  
5 taught him how to handle foreign policy and gave him the  
6 gravitas and experience necessary, despite his youth, to  
7 move up being a senator, a young senator, to being  
8 ultimately a President -- the President of the United  
9 States, although that took several decades longer than he  
10 had hoped, perhaps, or had expected. During that, you said  
11 that his staff put together some sort of binders or  
12 scrapbook type material that you could look at that  
13 documented some of those trips; is that right?

14 MR. ZWONITZER: Yeah.

15 MR. (b) (6), (b) (7)(C) I'm going to show you some photos  
16 and ask you whether these might be the scrapbooks, okay? I  
17 don't know, you know, whether or not they are.

18 MR. ZWONITZER: Okay.

19 MR. (b) (6), (b) (7)(C) Or whether or not you'll know, but  
20 I want to show you. Here. Okay. All right. So I'm  
21 showing you now up on the screen a Redweld that's marked --  
22 it's a photo of a Redweld marked -- labeled Travel  
23 Itinerary.

24 MR. ZWONITZER: Yep.

25 MR. (b) (6), (b) (7)(C) And the Bates, for the record --

1 (01:09:16)

2 MR. (b) (6), (b) (7)(C) -- is 1B18 CODEL Biden Travel  
3 Itinerary, starting at Bates 1. I'm just going to flip  
4 through this --

5 MR. ZWONITZER: Okay.

6 MR. (b) (6), (b) (7)(C) -- a little bit. And this contains  
7 materials related to a trip that then Senator Biden took to  
8 the Soviet Union.

9 MR. ZWONITZER: Mm-hmm.

10 MR. (b) (6), (b) (7)(C) There's all sorts of stuff:  
11 briefing memos, train tickets, plane tickets, schedules,  
12 itineraries. Kind of interesting, actually.

13 MR. ZWONITZER: Yeah, no. This is nothing I've  
14 ever seen.

15 MR. (b) (6), (b) (7)(C) Okay.

16 MR. ZWONITZER: I wish I had.

17 MR. (b) (6), (b) (7)(C) And --

18 MR. ZWONITZER: I wish I had --

19 MR. (b) (6), (b) (7)(C) Yeah.

20 MR. ZWONITZER: -- at the time. But, no.

21 MR. (b) (6), (b) (7)(C) Here's another one. It's another  
22 Redweld. This is 1B18 CODEL Biden Info on Soviet Officials,  
23 and it's a Redweld labeled, Information on Soviet Officials.  
24 It has kind of interesting material on the people, the  
25 leaders and other individuals he'd be meeting with --



1 (01:10:31)

2 MR. (b) (6), (b) (7)(C) -- during his trip to the Soviet  
3 Union.

4 MR. ZWONITZER: Yep. Nope. Never saw any of  
5 this.

6 MR. (b) (6), (b) (7)(C) Okay.

7 MR. ZWONITZER: This is not the type of things you  
8 saw when you were writing *Promises to Keep*?

9 MR. ZWONITZER: No. It was literally, like, you  
10 know, press releases, speeches. The -- any trip information  
11 would be his official reports, you know, that went to the  
12 Senate at large, I think, or generally, you know, went to  
13 the public.

14 MR. (b) (6), (b) (7)(C) Okay. Here's another one. This is  
15 1B18 Itinerary Germany Redweld. It's a Redweld containing  
16 information on a trip he took to Germany in 1979. Anything  
17 like this?

18 MR. ZWONITZER: I never saw this, no.

19 MR. (b) (6), (b) (7)(C) Okay.

20 MR. ZWONITZER: I know we talked about that trip,  
21 but he didn't -- that's not something I got.

22 MR. (b) (6), (b) (7)(C) Okay. You said you wished you  
23 would have been able to see that stuff. Why is that?

24 MR. ZWONITZER: I mean, it makes it much more  
25 interesting to write it, you know?

1 (01:11:35)

2 MR. (b) (6), (b) (7)(C) Yeah.

3 MR. ZWONITZER: If you can write about those --  
4 you know, if you can wrote about those Soviet generals, you  
5 know, that's interesting, but I never got to see that.

6 MR. (b) (6), (b) (7)(C) Okay. All right. That's not the  
7 type of stuff you saw.

8 (b) (5), (b) (6), (b) (7)(C)

9

10

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

12 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

13 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

14 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

15 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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19 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

22

23

24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

25 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

1 (01:12:43)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

7 [REDACTED]

8 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

9 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C) .

10 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

11 [REDACTED]

12 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

13 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

14 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

15 [REDACTED]

16 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) .

17 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]



1 (01:13:45)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

8 [REDACTED]

9 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

17 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

18 [REDACTED]

19 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

24 [REDACTED]

25 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

1 (01:14:54)

2 MR. (b) (6), (b) (7)(C) -- checking with somebody? Or some  
3 -- like, he was just doing his own research, or he was  
4 asking someone else to help with that?

5 MR. ZWONITZER: I just don't -- I don't remember.  
6 Well, I mean, if he went back and, you know, had someone on  
7 the staff see, you know, what was unclassified and what was  
8 not. I do know I also went and separately did, you know,  
9 the research to figure out, like, what, what this was about,  
10 and it was already in the papers and much reported. And it  
11 was actually also -- it was, like, almost 25 years after the  
12 fact.

13 MR. (b) (6), (b) (7)(C) Okay, thank you.

14 MR. ZWONITZER: He was -- I mean, even 25 years  
15 after the fact, he was still being careful about what he  
16 could tell me.

17 MR. (b) (6), (b) (7)(C) Thanks, (b) (6), (b) (7)(C)

18 SA (b) (6), (b) (7)(C) When you say this William  
19 Casey-Goldwater story, he wanted to check to make sure that  
20 it was unclassified, am I thinking of it the same way -- I  
21 just want to make sure I understand what you mean by it was  
22 unclassified. Was there something --

23 MR. ZWONITZER: That was my language, not his.  
24 I'm sorry. I was reading into, like, you know, what he had  
25 to be careful about and what he had to check before he --

1 (01:16:11)

2 MR. ZWONITZER: -- told me anything.

3 SA (b) (6), (b) (7)(C) Was it, like, from Senate  
4 Intelligence hearing, or was it because there was internal  
5 -- you know, an argument in the Senate, and he wanted to  
6 make sure that this wouldn't impact someone's reputation.  
7 Do you know what I mean? Is it about National Security, or  
8 is it about someone's reputation?

9 MR. ZWONITZER: I actually don't -- I don't  
10 remember. But that story, the Goldwater-Casey-Biden story  
11 is easy to look up. It's probably from the early '80s.

12 SA (b) (6), (b) (7)(C) Okay. So but sitting here today,  
13 is it your understanding that this might have been National  
14 Security classified and Biden went back to make sure that it  
15 wasn't currently classified?

16 MR. ZWONITZER: I don't think -- I don't -- I just  
17 don't know.

18 SA (b) (6), (b) (7)(C) Okay.

19 MR. ZWONITZER: I mean, again, it's 20 years ago  
20 and I --

21 SA (b) (6), (b) (7)(C) So I guess that brings me to --  
22 there were a couple mentions in the transcripts where Biden  
23 mentions this might be classified, or this is classified,  
24 and he skips over parts of it; did you, did you have any  
25 understanding with Biden about what kind of things he --



1 (01:17:38)

2 SA (b) (6), (b) (7)(C) -- could discuss with you and what  
3 kind of things he couldn't? And to the similar question of  
4 when he says classified, is that -- is it your understanding  
5 that that's National Security classified, or does that mean,  
6 you know, I just want this off the record?

7 MR. ZWONITZER: I don't -- I mean, I don't know.  
8 I don't think I can answer that question from thinking about  
9 what was happening six years ago. I just don't have any  
10 strong memory of that.

11 SA (b) (6), (b) (7)(C) So you guys didn't have any  
12 discussions about what the term classified meant, or if you  
13 could be writing about it or recording it?

14 MR. ZWONITZER: No, we didn't have any specific  
15 discussions about that.

16 SA (b) (6), (b) (7)(C) Do you have any general memories  
17 about discussing that topic?

18 MR. ZWONITZER: I mean, it seems like I was aware  
19 that the then Vice President and the staff were having  
20 discussions about that topic but, you know, I was not privy  
21 to those and not part of those.

22 SA (b) (6), (b) (7)(C) Talk about that a little more.  
23 What do you mean by that, that the Vice President and his  
24 staff were having discussions about it?

25 MR. ZWONITZER: I mean, I just -- I don't know --

1 (01:19:14)

2 MR. ZWONITZER: -- except that they were just  
3 being careful.

4 SA (b) (6), (b) (7)(C) So but they were being careful  
5 about what?

6 MR. ZWONITZER: I mean, I guess they were being  
7 careful about what they could tell the world at large in  
8 this book.

9 SA (b) (6), (b) (7)(C) And who on the staff was being  
10 careful with him about it?

11 MR. ZWONITZER: I don't know. I -- if I -- it  
12 would be guesswork to say.

13 SA (b) (6), (b) (7)(C) Maybe if you could describe more  
14 why you were -- what makes you aware that they were  
15 concerned about that? Or any kind of additional information  
16 that let you know that they were considering it.

17 MR. ZWONITZER: I just -- I don't -- I can't --  
18 six years later, I wouldn't be able to give an accurate  
19 memory of what was happening, but wouldn't you take it as a  
20 matter of for granted and a matter of course that he's going  
21 to be careful about this material, what he can say.

22 SA (b) (6), (b) (7)(C) So I'm just trying to clarify  
23 because you said you were aware the Vice President and his  
24 staff were having discussions about it, and so I'm just  
25 trying to get more -- what made you aware of that?

1 (01:20:52)

2 MR. ZWONITZER: I'm trying to think of a specific  
3 event or something and I just -- I can't. What makes me  
4 aware of it is that, also, he would be careful as we spoke  
5 about what he could -- you know, what he had to jump over,  
6 what he could say and what he could not.

7 SA (b) (6), (b) (7)(C) Okay. But any more about, kind  
8 of, the staff involvement?

9 MR. ZWONITZER: I don't know anything about the  
10 staff involvement of that, of the -- I don't know anything  
11 about their internal discussions.

12 SA (b) (6), (b) (7)(C) Were you, kind of, generally aware  
13 that they were having discussions?

14 MR. GINSBERG: You know, I think we ought to take  
15 a short break. If you're -- (b) (6), (b) (7)(C), if you need to ask more  
16 questions about this, maybe there's a way we can resolve it.

17 SA (b) (6), (b) (7)(C) Sure.

18 MR. GINSBERG: I think it -- we've been going for  
19 almost an hour-and-a-half. We can take a five-minute break,  
20 and then we can go forward and it might be smoother or not.  
21 Okay?

22 MR. (b) (6), (b) (7)(C) Sounds great.

23 SA (b) (6), (b) (7)(C) Yep.

24 MR. GINSBERG: Good.

25 SA (b) (6), (b) (7)(C) It is 3:25. We're going on break.



1 (End Track 240104\_1313.)

2 (Begin Track 240104\_1447.)

3 SA (b) (6), (b) (7)(C) Okay. It is 3:37. We're back  
4 from break.

5 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) you're muted.

6 SA (b) (6), (b) (7)(C) It is 3:37, and we're back from  
7 break.

8 So before we went on the break, we were talking  
9 about discussions that you might have had with former Vice  
10 President Biden about material that you should or shouldn't  
11 include in your, in your work. And because that they were  
12 -- it was government information or it was, you know,  
13 sensitive or classified information. And I just wanted to  
14 reset --

15 MR. GINSBERG: I don't mean to interrupt you, but  
16 that's not what -- where we were. And I don't think that  
17 question was asked. You certainly could ask it, but it's  
18 not where with were before the break.

19 SA (b) (6), (b) (7)(C) So maybe this is the confusion,  
20 because that's the question that I was trying to ask. And  
21 then your response to it was that you and the Vice President  
22 didn't have specific discussions regarding the use of  
23 classified; is that correct?

24 MR. ZWONITZER: I don't remember any specific  
25 discussions we had. I don't remember that.

1 (00:01:21)

2 SA (b) (6), (b) (7)(C) Okay. And then my understanding  
3 is that you then said you were aware the Vice President and  
4 his staff were having discussions about it and that they  
5 were being careful about the information that was being  
6 relayed to you; is that accurate?

7 MR. ZWONITZER: Well, I think I was aware that  
8 there was -- I had a general sense that they were being  
9 careful.

10 MR. GINSBERG: Now, when you say they, you mean  
11 the staff. You don't mean Biden.

12 MR. ZWONITZER: I mean the staff, I mean. But I  
13 didn't ever have any -- because they were also providing me  
14 with materials. But I don't remember any specific  
15 discussions I had about that with staff people.

16 SA (b) (6), (b) (7)(C) Okay.

17 MR. ZWONITZER: It was, it was -- I think it was  
18 incumbent upon them, but I don't think I had -- I don't  
19 remember specific discussions about that.

20 SA (b) (6), (b) (7)(C) Okay. And this general sense that  
21 they were being careful, was that because they were limiting  
22 things that they were providing to you, or that they were --  
23 what do you mean by that, that they were being careful?

24 MR. ZWONITZER: I just mean my general sense is  
25 that they were careful about the material they could --

1 (00:02:47)

2 MR. ZWONITZER: -- provide me.

3 SA (b) (6), (b) (7)(C) Okay.

4 MR. (b) (6), (b) (7)(C) Do you say that -- Mark, there's a  
5 fairly limited amount of material that you were actually  
6 provided outside of the oral interviews that -- things that  
7 Vice President Biden said to you or read to you; is that  
8 right?

9 MR. ZWONITZER: Yeah.

10 MR. (b) (6), (b) (7)(C) Is that what you mean, that they --  
11 it was very limited in the world of stuff that they actually  
12 gave you?

13 MR. ZWONITZER: Yes. I mean, you know, like, the  
14 schedules or whatever. But, yes, everything's -- I mean,  
15 yes, it was limited.

16 SA (b) (6), (b) (7)(C) Okay.

17 MR. (b) (6), (b) (7)(C) And when you said -- when you say  
18 they're being careful, it was because they didn't give you  
19 very much. Not because they were, like, close to -- or was  
20 it because they were close to a line and there were things  
21 that were sensitive and they were debating whether or not  
22 they could give it to you?

23 MR. ZWONITZER: I just didn't get much material.

24 MR. (b) (6), (b) (7)(C) Okay.

25 SA (b) (6), (b) (7)(C) Okay. That's helpful because --



1 (00:03:43)

2 SA (b) (6), (b) (7)(C) -- I think I was just on a  
3 different page.

4 And then you also said that the Vice President  
5 would be careful what he would speak to you about, and he  
6 would skip over sections if he thought that it might be  
7 classified or sensitive; is that accurate?

8 MR. ZWONITZER: That was my -- I mean, that's my  
9 memory of what was happening at the time.

10 SA (b) (6), (b) (7)(C) Okay.

11 MR. ZWONITZER: I mean, you could hear long pauses  
12 in the discussions.

13 SA (b) (6), (b) (7)(C) Okay. And he would also sometimes  
14 say, this part's classified, and then it would seem like he  
15 would skip over sessions -- or sections of his journal.

16 MR. ZWONITZER: I mean, I don't -- again, I don't  
17 remember that much.

18 SA (b) (6), (b) (7)(C) Okay.

19 MR. (b) (6), (b) (7)(C) And, Mark, just going back, that  
20 general sense of being careful kind of relates to what I was  
21 asking about earlier. Do you remember any instances of, you  
22 know, you expected to get material and they, like, told you  
23 no. Or you asked for material and the staff told you no as  
24 opposed to Biden himself?

25 MR. ZWONITZER: You know, I don't remember that --

1 (00:05:02)

2 MR. ZWONITZER: -- I asked for a lot. So I don't  
3 think that they -- I don't remember specific instances where  
4 they said, no, you can't have this, you know? But if I  
5 would say, you know, I need the schedules from X, Y, and Z  
6 from specific dates, I would get those. You know, what they  
7 could give to me. But I always got a sense that there were  
8 things that they, you know, could not and would not.

9 MR. (b) (6), (b) (7)(C) Were there ever any efforts that you,  
10 like, were told about to photocopy material for you but then  
11 the photocopies were held back?

12 MR. ZWONITZER: No. Don't remember nothing like  
13 that.

14 MR. (b) (6), (b) (7)(C) Okay. And there's a couple  
15 instances, and, you know, we don't have the audio recording  
16 because they might contain sensitive material, but -- and I  
17 think you mentioned this in the first interview as, like,  
18 you know, some of the instances where he might kind of show  
19 you more a notebook. There's one recording, for example,  
20 where he's, like, trying to read his own handwriting and  
21 you're sort of helping him. Does that sound -- like, does  
22 that scenario sort of sound familiar?

23 MR. ZWONITZER: I think there was, like, an  
24 instance or two where he would be holding the notebook and  
25 say, oh, my God, what's this word, you know. I can't --

1 (00:06:25)

2 MR. ZWONITZER: -- believe I can't read my own  
3 handwriting. You know, that might have happened a time -- I  
4 think that happened a time or two.

5 MR. (b) (6), (b) (7)(C) Yeah.

6 MR. ZWONITZER: I'm sure it did.

7 MR. (b) (6), (b) (7)(C) And we, let me tell you, can  
8 sympathize with trying to read the President's handwriting.  
9 It's not always easy.

10 MR. ZWONITZER: Well, it's pretty darn good as  
11 compared to mine.

12 MR. (b) (6), (b) (7)(C) There's one recording where he says  
13 to you that -- he -- it -- you kind of -- he's showing you  
14 something, and then he says that some of this may be  
15 classified, so be careful. Do you remember that instance?

16 MR. ZWONITZER: I don't. I don't remember that  
17 instance or reading it in the -- I just -- I don't remember  
18 that.

19 MR. (b) (6), (b) (7)(C) Okay. It just -- putting yourself  
20 back to what -- you know, I understand you don't have a  
21 clearance and haven't had a clearance before, but do you  
22 know what -- like, what you would have done with that  
23 information, or what expectation he would have been  
24 conveying to you as someone who's not cleared? Like, what,  
25 what were you supposed -- like, telling you to be careful --



1 (00:07:38)

2 MR. (b) (6), (b) (7)(C) -- what would that even mean to you  
3 in that instance?

4 MR. ZWONITZER: I don't remember him telling me to  
5 be careful. Did he tell me to be careful?

6 MR. (b) (6), (b) (7)(C) That's what it sounded like on the  
7 recording.

8 MR. ZWONITZER: I just -- I don't know --

9 MR. (b) (6), (b) (7)(C) Okay.

10 MR. ZWONITZER: -- what was in his head.

11 MR. (b) (6), (b) (7)(C) If that were to happen today, for  
12 example, and -- let's, let's just say someone showed you a  
13 piece of classified information on a notebook and said, be  
14 careful, like, do you know what you would take that to mean,  
15 the be careful to mean, like, what you were supposed to be  
16 careful doing?

17 MR. GINSBERG: You know, I know we're not in  
18 court, but that's just an impossible question to ask how he  
19 would do it now.

20 MR. (b) (6), (b) (7)(C) Yeah. So maybe a different way is  
21 just I -- does that have any meaning to you? How would you  
22 have implemented be careful, if at all?

23 MR. ZWONITZER: Well, I didn't have to implement  
24 be careful, because they were vetting -- you know, vetting  
25 this manuscript. I wasn't the last word on any of this.

1 (00:09:04)

2 MR. (b) (6), (b) (7)(C) Okay. And what do you mean by that,  
3 they were vetting the manuscript?

4 MR. ZWONITZER: People were -- and you have -- you  
5 know, you have the instances where I'd send the manuscript  
6 to people on staff and they would look through it and make  
7 corrections and give me notes. I don't think any of that  
8 pertained to something that was sensitive or classified, but  
9 just accuracy more than anything.

10 MR. (b) (6), (b) (7)(C) Okay. So you're not saying there  
11 was, like, a classification review being conducted by his  
12 staff to make sure that there was not classified information  
13 in the manuscripts. You're saying that's not your  
14 understanding. Your understanding is they were correcting  
15 -- or looking, sorry, for personal -- like, personal  
16 information or things that were otherwise too sensitive.

17 MR. ZWONITZER: Looking for accuracy and, yeah,  
18 sensitivity. Yeah.

19 MR. (b) (6), (b) (7)(C) Okay.

20 MR. (b) (6), (b) (7)(C) Anything else?

21 MR. (b) (6), (b) (7)(C) No.

22 MR. (b) (6), (b) (7)(C) All right.

23 MR. (b) (6), (b) (7)(C) Well --

24 MR. (b) (6), (b) (7)(C) Go ahead.

25 MR. (b) (6), (b) (7)(C) -- maybe one thing, Mark, in case --

1 (00:10:20)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C) [REDACTED]

7 MR. (b) (6), (b) (7)(C) Okay. There's a line -- in case it  
8 jogs your memory, there's a line where Biden says, don't  
9 write this down. I think I've got to clear it. Does that  
10 sound familiar? Do you remember him saying that to you  
11 ever, or something like that?

12 MR. ZWONITZER: It sounds familiar.

13 MR. (b) (6), (b) (7)(C) Okay. And he -- do you remember  
14 having any reaction to that or an understanding of what he  
15 meant when he would say, I think I've got to clear it?

16 MR. ZWONITZER: No, I don't know what that -- I  
17 don't know, you know, what that means exactly.

18 MR. (b) (6), (b) (7)(C) Okay. I think that's it for me.

19 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), anything else? (b) (6), (b) (7)(C)?

20 (b) (6), (b) (7)(C)?

21 MR. (b) (6), (b) (7)(C) Nope.

22 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]



1 (00:11:53)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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8 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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10 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

11 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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19 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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23 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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1 (00:13:36)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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4 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

5 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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7 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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13 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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17 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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19 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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21 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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23 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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1 (00:15:04)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MR. (b) (6), (b) (7)(C) Okay. You said you were aware of  
8 our -- of the investigation, the Special Counsel  
9 investigation into President Biden. Did -- you said before  
10 you didn't want to put a percentage on how much of that  
11 played a role in your decision, but could you just -- did it  
12 give you pause? Like, there's a Special Counsel now, I  
13 should not do this.

14 MR. ZWONITZER: You know, to be honest, at the  
15 time, I didn't -- I just didn't think I had any material  
16 that had anything to do with handling -- you know,  
17 mishandling classified documents. It just -- I mean, I  
18 didn't go back and listen to that stuff. It was not in my  
19 mind. What was in my mind was the family stuff; the Beau  
20 stuff; the emotional stuff; the material; him talking about  
21 other figures. And that's where I had just come off the --  
22 you know, I had just finished the *Pegasus* book, so I finally  
23 had a window of time to sort my -- organize my archives and  
24 my papers and stuff.

25 MR. (b) (6), (b) (7)(C) Why didn't you delete the --



1 (00:16:45)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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4 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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10 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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14 MR. ZWONITZER: (b)(3), (b)(5), (b)(6), (b)(7)(C)

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16 That's  
my memory of that. I don't remember.

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MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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1 (00:18:09)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 MR. (b) (6), (b) (7)(C) I guess I'll just ask you. Were  
10 you trying to obstruct our investigation or prevent Special  
11 Counsel or Department of Justice investigators from getting  
12 ahold of them?

13 MR. ZWONITZER: No, I was not. And in fact, you  
14 know, when I got the subpoena and when I realized that I  
15 still had audio that I did not know I had on the laptop, I  
16 made sure to preserve that for this investigation.

17 MR. (b) (6), (b) (7)(C) Okay.

18 (b) (5), (b) (6), (b) (7)(C) [REDACTED]

19 [REDACTED]

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

25 [REDACTED]

1 (00:19:50)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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5 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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11 MR. ZWONITZER: (b)(3), (b)(5), (b)(6), (b)(7)(C)

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15 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

16 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

17 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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19 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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22 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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But when --



1 (00:21:03)

2 MR. (b) (6), (b) (7)(C) -- Biden went to the Archives and  
3 took notes, did you receive or get to look at the notes he  
4 took while he was there by any chance?

5 MR. ZWONITZER: Later. He read orally -- read  
6 them to me orally --

7 MR. (b) (6), (b) (7)(C) Okay.

8 MR. ZWONITZER: -- the notes he took from the  
9 Archives.

10 MR. (b) (6), (b) (7)(C) Do you know if that was recorded?

11 MR. ZWONITZER: I assume that it was. And I think  
12 it's on -- in the materials that you have, the transcripts  
13 and that sort of thing.

14 MR. (b) (6), (b) (7)(C) Okay.

15 MR. ZWONITZER: I can't remember. It would have  
16 been right after the -- you know, right after his trip to  
17 the Archives.

18 MR. (b) (6), (b) (7)(C) Okay.

19 MR. ZWONITZER: Whatever that date is.

20 MR. (b) (6), (b) (7)(C) Do you remember what physical medium  
21 he used to take those notes at the Archives, at least as he  
22 read them to you?

23 MR. ZWONITZER: I don't.

24 MR. (b) (6), (b) (7)(C) Okay.

25 MR. GINSBERG: Point of clarification: the --

1 (00:22:05)

2 MR. GINSBERG: -- notes might have been typed up  
3 by (b) (5), (b) (6), (b) (7) before you saw them. I don't --

4 MR. ZWONITZER: Yeah. I'm not sure. And I don't  
5 even know if he -- I mean, I can't even say for sure that he  
6 -- I think he did, was he actually too notes of the lunches.  
7 You know, of the non-classified parts of the lunches that he  
8 had. That's my memory of that.

9 MR. (b) (6), (b) (7)(C) Okay.

10 MR. ZWONITZER: But I don't even -- I'm assuming  
11 he took notes of that and that's what he read to me.

12 MR. (b) (6), (b) (7)(C) Mark, you just referred to the  
13 non-classified portions of the luncheons. What did you mean  
14 by that?

15 MR. ZWONITZER: Well, I think he said -- I think  
16 it's on the transcript somewhere that I read recently where  
17 he said, this is the non-classified portion of the  
18 luncheons. In other words, this is the notes I could take.

19 MR. (b) (6), (b) (7)(C) Oh. Is that why the notes had to  
20 be held at the National Archives, because some of them were  
21 classified?

22 MR. ZWONITZER: I don't know.

23 MR. (b) (6), (b) (7)(C) Okay.

24 MR. ZWONITZER: I thought they were just a matter  
25 of presidential, presidential records.

1 (00:23:15)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) [REDACTED]

3 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C) [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

10 [REDACTED]

11 [REDACTED]

12 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

13 [REDACTED]

14 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

19 [REDACTED]

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

22 [REDACTED]

23 [REDACTED]

24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

25 [REDACTED]



1 (00:24:48)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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5 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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7 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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9 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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13 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

14 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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16 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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22 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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1 (00:25:56)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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5 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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7 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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11 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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14 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

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18 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

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21 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C).

22

MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

23

24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

25

1 (00:27:19)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

4 [REDACTED]

5 [REDACTED]

6 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

7 [REDACTED]

8 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

9 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

10 [REDACTED]

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

12 [REDACTED]

13 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

14 [REDACTED]

15 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

16 [REDACTED]

17 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]



1 (00:28:53)

2 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

11 [REDACTED]

12 [REDACTED]

13 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

14 [REDACTED]

15 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

16 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

17 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

18 [REDACTED]

19 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

20 [REDACTED]

21 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

22 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 (00:30:04)

2 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

3 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

4

5

6 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

7 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

8 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

9

10 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

11 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

12 SA (b) (6), (b) (7)(C) I also had a question. So,

13 Mark, I wanted to ask you if during your work, was this  
14 instance the first time you felt your -- you or your work  
15 were at risk of being hacked or leaked?

16 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

17

18

19

20 But I was kind of hyperaware of that at the time because of  
21 the having just finished the *Pegasus* book, which is about  
22 the most, you know, frightful cybersurveillance tool, you  
23 know, on the market out there right now. So I had a  
24 heightened sense of awareness of what was happening and what  
25 could be done.

1 (00:31:35)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3

4 MR. (b) (6), (b) (7)(C) Yeah, sorry, Mark, this is more of a  
5 wrap-up question, but just to get your reaction to this. So  
6 we've learned now from some review of the vice-presidential  
7 notebooks that were read to you that -- from members of DOD  
8 and/or the intelligence community that those notebooks  
9 contained classified information. Does -- hearing that,  
10 does that surprise you or not that the Vice President had  
11 classified information in those notes that he was reading  
12 you?

13 MR. ZWONITZER: It does surprise me.

14 MR. (b) (6), (b) (7)(C) And how come?

15 MR. ZWONITZER: I mean, I just -- it just does.

16 MR. (b) (6), (b) (7)(C) Yeah. I take it by the fact that you  
17 say it surprises you that -- did he ever give you the  
18 impression that it was okay for him to have classified  
19 information in his notes, or that he thought it was okay?

20 MR. ZWONITZER: No. He never gave me that  
21 impression.

22 MR. (b) (6), (b) (7)(C) Okay. All right. Thanks. That's  
23 all from me.

24 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

25 (b) (5), (b) (6), (b) (7)(C)



1 (00:33:15)

2 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

3

4 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

5 MR. FREEMAN: (b) (5), (b) (6), (b) (7)(C)

6 MR. GINSBERG: (b) (5), (b) (6), (b) (7)(C)

7

8 MR. ZWONITZER: (b) (5), (b) (6), (b) (7)(C)

9

10 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

11

12

13 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

14 SA (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

15 MR. GINSBERG: (b) (5), (b) (6), (b) (7)(C)

16

17 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

18 MR. GINSBERG: (b) (5), (b) (6), (b) (7)(C)

19

20 MR. (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C)

21 MR. GINSBERG: (b) (5), (b) (6), (b) (7)(C)

22

23 SA (b) (6), (b) (7)(C) Okay. The time is 4:11. This  
24 concludes the interview.

25 (End Track 240104\_1447.)

## C E R T I F I C A T E

I, (b) (6), (b) (7)(C) certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages, of the RECORDED INTERVIEW provided to me by the Special Counsel's Office.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this recording was taken, and further that I am not financially nor otherwise interested in the outcome of the action.

January 13, 2024  
Date

(b) (6), (b) (7)(C)

Transcriber

January 17, 2024  
Date

(b) (6), (b) (7)(C)

Auditor

Within this transcript of proceedings, some of the names and/or technical terms are spelled phonetically, inasmuch as exhibits, files and supporting documentation were not made available to us for reference.