

Court Report

JW Uncovers New Benghazi Documents Confirming Clinton Email Cover-Up

Judicial Watch released new Clinton emails on the Benghazi controversy that had been covered up for years and would have exposed Hillary Clinton's email account if they had been released when the State Department first uncovered them in 2014. The long-withheld email, clearly responsive to Judicial Watch's lawsuit seeking records concerning "talking points or updates on the Benghazi attack," contains Clinton's private email address and a conversation about the YouTube video that sparked the Benghazi talking points scandal (*Judicial Watch v. U.S. Department of State* (No. 1:14-cv-01242)). This Judicial Watch FOIA

lawsuit led directly to the disclosure of the Clinton email system in 2015.

The Clinton email cover-up led to court-ordered discovery by Judicial Watch into three specific areas: whether Secretary Clinton's use of a private email server was intended to stymie FOIA; whether the State Department's intent to settle this lawsuit in late 2014 and early 2015 amounted to bad faith; and whether the State Department has adequately searched for records responsive to Judicial Watch's request. The court also authorized discovery into whether the Benghazi controversy motivated the cover-up of Clinton's email. (The court ruled that the

Clinton email system was "one of the gravest modern offenses to government transparency.")

The September 2012 email chain begins with an email to Clinton at her private email address, "hdr22@clintonemail.com," from Jacob Sullivan, Clinton's then-senior adviser and deputy chief of staff. The email was copied to Cheryl Mills, Clinton's then-chief of staff, and then was forwarded to then-Deputy Assistant Secretary of State for Strategic Communications and Clinton adviser Phillippe Reines:

From: Sullivan, Jacob J
 Sent: Saturday, September 29, 2012 11:09 AM
 To: 'hdr22@clintonemail.com' <hdr22@clintonemail.com>
 Cc: Mills, Cheryl D
 Subject: Key points

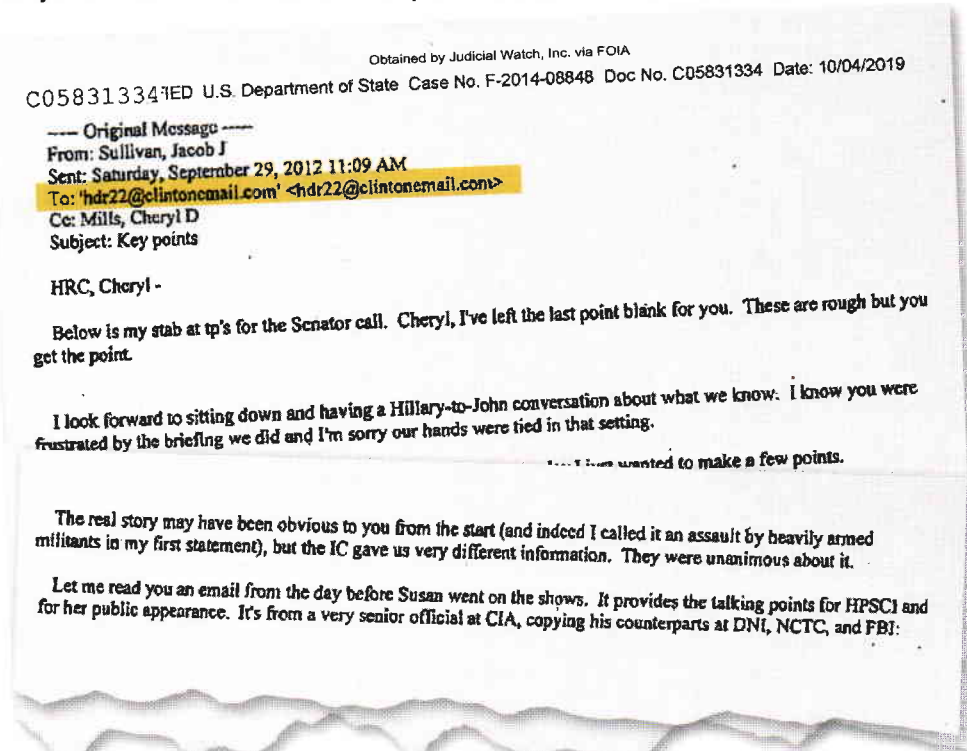
HRC, Cheryl —

Below is my stab at tp's for the Senator call. Cheryl, I've left the last point blank for you. These are rough but you get the point.

I look forward to sitting down and having a Hillary-to-John conversation about what we know. I know you were frustrated by the briefing we did and I'm sorry our hands were tied in that setting.

It's important we see each other in person, but over the phone today I just wanted to make a few points.

One of Hillary Clinton's emails, which would have exposed her private email account and server if they had been released when the State Department first uncovered them in 2014.



Benghazi

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First, we have been taking this deadly seriously, as we should. I set up the ARB in record time, with serious people on it. I will get to the bottom of all the security questions. We are also in overdrive working to track down the killers, and not just through the FBI. We will get this right.

Second, the White House and Susan were not making things up. They were going with what they were told by the IC [Intelligence Community].

The real story may have been obvious to you from the start (and indeed I called it an assault by heavily armed militants in my first statement), but the IC gave us very different information. They were unanimous about it.

Let me read you an email from the day before Susan went on the shows. It provides the talking points for HPSCI [House Permanent Select Committee on Intelligence] and for her public appearance. It's from a very senior official at CIA, copying his counterparts at DNI [Director of National Intelligence], NCTC [National Counterterrorism Center], and FBI:

Here are the talking points ...

- ▶ The currently available information suggests that the demonstrations in Benghazi were spontaneously inspired by the protests at the US Embassy in Cairo and evolved into a direct assault against the US Consulate and subsequently its annex. There are indications that extremists participated in the violent demonstrations.
- ▶ This assessment may change as additional information is

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collected and analyzed and as currently available information continues to be evaluated.

- ▶ The investigation is on-going, and the US Government is working with Libyan authorities to bring to justice those responsible for the deaths US citizens.

That is exactly what Susan said, following the guidance from the IC. She obviously got bad advice. But she was not shading the truth.

Third, you have to remember that the video WAS important. We had four embassies breached because of protests inspired by it. Cairo, Tunis, Khartoum, and Sanaa. We had serious security challenges in Pakistan and Chennai and some other places. All this was happening at the same time. So many of the contemporaneous comments about the video weren't referring in any way to Benghazi. Now of course even in those countries it was about much much more than the video, but the video was certainly a piece of it one we felt we had to speak to so that our allies in those countries would back us up.

(In fact, as Judicial Watch famously uncovered in 2014, the "talking points" that provided the basis for Susan Rice's false statements were created by the Obama White House.)

Judicial Watch requested records related to the Benghazi talking points in May 2014. In July 2014, it filed suit. The Clinton email finally released in October 2019 was first identified by the State Department in September 2014 but was withheld from Judicial Watch despite its specifically referencing talking points. After it was specifically described in an Office of the Inspector General report, the court ordered its production. It was only after Judicial Watch informed the State Department it was prepared to file a motion with the court to compel production of the records that the Department relented and produced the 2012 email in question.

(In an August 22, 2019 hearing, U.S. District Judge Royce C. Lamberth ordered production of the record in granting Judicial Watch significant new discovery in the case. Judge Lamberth said, "There is no FOIA exemption for political expedience, nor is there one for bureaucratic incompetence." The judge also stated that the government has mishandled this case and the discovery of information including former Secretary Clinton's emails so poorly that Judicial Watch may have the ability to prove they acted in "bad faith.")

"This email is a twofer — it shows Hillary Clinton misled the U.S. Senate on Benghazi and that the State Department wanted to hide the Benghazi connection to the Clinton email scheme," said Judicial Watch President Tom Fitton. "Rather than defending her email misconduct, the Justice Department has more than enough evidence to reopen its investigations into Hillary Clinton."

The court is considering whether to allow Judicial Watch to question Hillary Clinton and her top aide in person and under oath about the email and Benghazi controversies.

Last month, the State Depart-

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Benghazi

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ment, under court order, finally provided Judicial Watch a previously hidden email, which shows top State Department officials used and were aware of Hillary Clinton's email account.

Judicial Watch's discovery over the last several months found many more details about the scope of the Clinton email scandal and cover-up:

- John Hackett, former Director of Information Programs and Services (IPS) testified under oath that he had raised concerns that former Secretary of State Hillary Clinton's staff may have "culled out 30,000" of the secretary's "personal" emails without following strict National Archives standards. He also revealed that he believed there was interference with the formal FOIA review process related to the classification of

Clinton's Benghazi-related emails.

- Heather Samuelson, Clinton's White House liaison at the State Department, and later Clinton's personal lawyer, admitted under oath that she was granted immunity by the Department of Justice in June 2016.
- Justin Cooper, former aide to President Bill Clinton and Clinton Foundation employee who registered the domain name of the unsecure clintonemail.com server that Clinton used while serving as Secretary of State, testified he worked with Huma Abedin, Clinton's deputy chief of staff, to create the nongovernment email system.
- In the interrogatory responses of E.W. (Bill) Priestap, assistant

director of the FBI Counterintelligence Division, he stated that the agency found Clinton email records in the Obama White House, specifically, the executive office of the president.

- Jacob "Jake" Sullivan, Clinton's senior adviser and deputy chief of staff when she was secretary of state, testified that both he and Clinton used her unsecure nongovernment email system to conduct official State Department business.
- Eric Boswell, former assistant secretary of state for diplomatic security during Clinton's tenure as secretary of state, testified that Clinton was warned twice against using unsecure BlackBerrys and personal emails to transmit classified material. **JW**

Embassy

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Steele's conduit to U.S. diplomats."

"The Kerry State Department and Jonathan Winer worked hand-in-glove with the Clinton Fusion GPS spy Christopher Steele," said Judicial Watch President Tom Fitton. "It is suspicious, to say the least, that Winer was in contact with a senior Russian government official as the Kerry State Department was simultaneously pushing the Russia smear against then-President-elect Trump."

Judicial Watch uncovered State Department documents showing that Winer played a key role in facilitating Steele's access to other top government officials and prominent international business executives. Winer was even approached by a movie producer about making a movie about the Russia-gate targeting of President Trump. In September 2019, Judicial Watch released State Department documents revealing that former British spy and



Russian Embassy, Washington, D.C.

dossier author Christopher Steele had an extensive and close working relationship with Winer and Nuland dating back to May of 2014.

In July 2019, Judicial Watch uncovered a series of documents from the State Department that include a September 2016 email exchange between Nuland and Winer, discussing a "face-to-face" meeting on a "Russian

matter."

In December 2018, Judicial Watch released documents revealing that Nuland was involved in the Obama State Department's urgent gathering of classified Russia-investigation information and disseminating it to members of Congress within hours of Trump's taking office.

In May 2019, Judicial Watch's released documents showing a conversation between Kavalec and Bruce Ohr, discussing the targeting of Donald Trump with Steele dossier material. In discussing a meeting with the potential source for a *Mother Jones* article accusing the Trump campaign of taking money from a Russian-American oil magnate, as well as Christopher Steele's connection to that source, Kavalec emails Ohr citing the accusatory *Mother Jones* article. Ohr says, "I really hope we can get something going here." **JW**