SELECT COMMITTEE TO INVESTIGATE THE
JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: AMY SWONGER

Friday, October 28, 2022

Washington, D.C.

The interview in the above matter was held via Zoom, commencing at 10:00 a.m.

Present: Representative Lofgren.

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INFORMATION
GPO

Appearances:

For the SELECT COMMITTEE TO INVESTIGATE
THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

[redacted] SENIOR ADMINISTRATIVE ASSISTANT
[redacted], SENIOR INVESTIGATIVE COUNSEL
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For THE WITNESS:

ZACH TERWILLIGER
ALEX RANT
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[redacted] Good morning. This is the transcribed interview of Amy Swonger, conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol pursuant to House Resolution 503.

At the time, I'd like to welcome the witness and ask her to please state her full name and spell her last name for the record.

Ms. Swonger. Amy Swonger, S-W-O-N-G-E-R.

[redacted] Okay. And, Counsel, good morning.

Could you also state your name and any colleagues who are joining you for the record?

Mr. Terwilliger. Sure. Zach Terwilliger, Vinson & Elkins, on behalf of Ms. Amy Swonger.

And joining me is my colleague at Vinson & Elkins, Alex Rant.

[redacted] Great. Thank you.

And as I introduce myself before we went on the record, I'm [redacted]. I'm an investigative counsel with the select committee. I'm joined by several of my colleagues on staff today that are going to be participating virtually in the interview.

First is [redacted], our chief investigative counsel, who already introduced himself --

[redacted] Thanks, [redacted] before we went on the record.

I'm also now joined by [redacted], senior investigative counsel for the select committee.

And as I mentioned, [redacted] professional staff member for the staff -- for -- on staff with the select committee is also us today.

This will be a staff-led interview. Members may, of course, join. And if they do, they will also have an opportunity to ask questions. I know --

[redacted] [redacted] I think Ms. Lofgren is on as well.

[redacted] Great. Thank you. Yes.

Good morning, Ms. Lofgren.

We're joined by Ms. Lofgren now. And you can see on the participant panel, if you're able to show that on the zoom, you know, box there, members, when they join. We'll do our best to announce their presence when they first join on the record, but you should also be able to keep track of it there.

So just a few ground rules before we get going, Ms. Swonger.

There are official reporters on the -- on the video conference with us today. They're going to be transcribing the record of the interview.

As we discuss now, you heard before we got going, this is also being video recorded. But the official reporters' transcript is the official record of the interview today.

So that we can have as clean a record as possible, I will please ask that you wait until each question is completed before beginning your answer. And I and my colleagues will also try to stop to make sure that your answers are complete before we pose our next question to you.

We'll also ask you to avoid doing nonverbal responses, like shaking or nodding your head just because it's difficult for the stenographers to capture in the record.

And we ask that you provide complete answers based on your best recollection today. If the questions are not clear, please don't hesitate to ask us to repeat a question or to clarify. We would be happy to do so.

And, of course, if you don't know the answer to a question, please just state that.

I also want to remind you, as we remind all of our witnesses, that it is unlawful to deliberately provide false information to Congress.

Do you understand that and all the ground rules we've just gone over?

Mr. Swonger. I do.

[redacted] Okay. Anything else -- well, just logistically, as we covered before, but just to get it on the record, please don't hesitate to let me know if you'd like to take a break. I think we should plan on taking a couple of breaks, but we're not going to be here all day. So happy to go at your pace.

If at any time you also, you know, at any time you want to confer with your attorney, please just let us know. We can -- you can go on mute and turn off your videos so you can have privacy to have those conferences, and we're happy to accommodate anytime you need.

Any questions or anything else about the logistics or anything else we should talk about before we get going?

Mr. Terwilliger. I've got a small opening statement to make regarding what materials we do and don't have, but happy to wait until after you swear the witness or whichever time makes the most sense.

[redacted] No. Since we're doing a transcribed interview today, Ms. Swonger, we appreciate you, you know, coming at our invitation. We won't be swearing you in. So, you know, this isn't going to be under oath. So, as I mentioned before, you do still have the obligation to tell the truth and give us the best complete recollection that you have today.

So now's a great time to do that, Zach, if you'd like.

Mr. Swonger. Sure. Just as we've done with other witnesses, as you know, Ms. Swonger was not given access to her official records or emails, calendars, et cetera,

that are with the Archives. I know you all were able to give us a few documents ahead of time but just, obviously, she's doing this based on her best recollection. And if you have any documents that would help refresh her memory or you have reason to believe through your other interviews that, you know, there may be something that's being misremembered, we would just ask that you obviously, you know, make that aware to her, because this happened a while ago and she doesn't have the benefit of her record.

So she's obviously going to be answering to the best of her recollection and truthfully and honestly. But if there is something where you want to probe or we need to have an aside, please let us know because it's our hope today to provide as best and accurate information as possible.

But without those records, obviously it's hard to remember what happened, you know, hour by hour during a, you know, lengthy period of public service.

[redacted] Understood. Okay. Thank you for that.

Yes, and Ms. Swonger, we did provide to your counsel, to Mr. Terwilliger a selection of documents that we received from the Archives and other sources. We'll be talking about some of them today, but not all, and we appreciate the documents that you did provide to us from your records as well.

So and we're going to show those virtually. We'll show them onto the screen. So if you have any, you know, questions, if you want us to slow down on scrolling so that you can review them sufficiently before giving your answers, that's totally fine, too. Okay.

EXAMINATION

[redacted]

Q So, Ms. Swonger, let's start off. We're going to go through pretty much chronologically today. We're -- it's not surprising to you, I'm sure, our focus is on the

time period from the November 3rd, 2020 presidential election through January 6th, 2021, and possibly a little bit after.

We're going to walk through some of the events that took place during that time period and ask you for your best recollection about, you know, conversations and interactions that you may have had in your capacity as a White House staffer at that time, as well as potential interactions that you had with folks on the Hill.

But before we do that, let's talk a bit about your professional background. Can you tell us where are you employed now?

A I am at Invariant Government Relations.

Q Okay. And what is your job title and just a general sense of your responsibilities?

A Sure. I'm a principal. It is a bipartisan, multi-client lobbying and PR firm. We represent hundreds of clients before Congress and the administration.

Q Okay. Thank you.

[redacted] I just want to check with our official reporters. Are you able to hear Ms. Swonger clearly?

[Discussion off the record.]

[redacted] There we go. I see the mic has been moved.

BY [redacted]

Q So let me ask you my next question, Ms. Swonger, and let me see if that helps a little bit on the feedback.

Can you walk us through your professional background beginning with your first job after graduating from college?

A Sure. So I graduated from college in 1996 and moved up to D.C. immediately. Had served as an intern for Congressman Walter Jones of North Carolina

the summer before my senior year.

Came up, worked for Congressman Jones for about 4 years as staff assistant, legislative correspondent, legislative assistant.

Briefly went to a private sector job, lobbying, called The Mercury Group.

About 2 years later, went back on the Senate side, worked for Majority Leader Trent Lott for a few years.

After that, I worked for Leader Mitch McConnell of Kentucky, who was currently the Republican whip at that time.

Following that, I worked in the first Cheney administration for 3 years as a -- in the Government Affairs shop of Vice President Cheney.

After that, I went back to the Hill. Worked for Senator Trent Lott for another year when he was the Republican whip.

After that, spent about 10 years in the private sector, lobbying for a firm called Washington Council Ernst & Young, as well.

Worked for my current firm. At the time, it was called Heather Podesta & Partners.

Then went into the Trump administration for almost all 4 years.

And now I am back with what is now called Invariant Government Relations.

Q Okay, great. Thank you.

So let's focus on your time in the Trump administration. Did you -- what was your job title when you first joined the administration?

A I was head of Senate legislative Affairs. I was deputy assistant to the President.

Q And who did you report to at that time?

A I reported to Marc Short who was assistant to the President and head of

legislative affairs.

Q Okay. And approximately when did you -- what was the time period that you filled that role in the legislative affairs department?

A March of 2017 to June of 2020.

Q And what role did you take in approximately June 2020?

A Head of legislative affairs and at the time, acting assistant to the President.

Q Okay. And who was your predecessor as legislative affairs? Was there someone in that role in between Marc Short and yourself?

A Yes. After Marc Short, it was Shahira Knight. And after Shahira Knight, it was Eric Ueland, followed by myself.

Q Okay. And how long did you remain as Director of legislative affairs in the White House?

A Until January of 2021.

Q Okay. Did you stay through the inauguration of now-President Biden?

A My last day was the 18th of January.

Q Okay. So during your time period, your role in the Trump administration and legislative affairs, can you describe to us generally how the -- how the office was organized, how, you know, how it -- how it functioned?

A Yes. So we had a head of legislative affairs that oversaw both the House and Senate teams. I headed up the Senate team. And we had five -- about seven people actually who were reporting to me, special assistants and other assistants in the legislative affairs office.

And it was my role to manage the Senate team, and we were the chief liaisons to Capitol Hill and advocating the President's policy agenda to Capitol Hill and communicating back Members of Congress' wishes on legislation and other matters.

Mr. Terwilliger. Hey, [redacted], can we just pause for one sec.

Our IT specialist is here and I think we're going to switch from the mic off of the TV to the poly which is going to increase sound. So just give us one second.

[redacted] Sure, let's just go off the record for a couple of minutes while you address that.

[Discussion off the record.]

BY M[redacted]

Q Okay. Thanks. Thanks, Ms. Swonger. So just before we addressed that technical issue, you were describing to us the general organization of the legislative affairs team under the head of legislative affairs for the Senate and a House team.

I understand you were saying that you were in charge of the Senate team during the beginning part of your service in the Trump administration.

Anything further you wanted to add on that?

A No. I think I said everything I needed to.

Q Okay. That's great. In legislative affairs, so let's focus on the time now when you were over both sides of legislative affairs as the director. Can you describe to us who -- I know you said you had Assistant to the President title, I believe.

Did you also report to the Chief of Staff?

A Yes. I reported to Mark Meadows, Chief of Staff.

Q Okay. Was Mark Meadows the Chief of Staff for the entirety of your duration as director of legislative affairs?

A Yes.

Q Okay. And just generally, what can you share with us about -- well, I know you've described to us a lengthy experience on the Hill. So I'm sure you have a deep connections both on the Senate side and the House side. So just generally, can you give

us a flavor of how in your role as Director of legislative affairs, you interacted, the frequency and the types of interactions that you had with Members of Congress and staff on the Hill?

A Yeah. During my time as director, I worked mainly with Members of Congress and Senators, a lot with Chiefs of Staff and senior staff.

And the two deputies, the House and Senate deputies, and their teams, worked -- we divided up the Senators and Members of Congress and each team member took multiple senators and representatives and they were the liaison for those offices. And so, I worked a lot with the leadership offices primarily.

Q Okay. And during your time as director, who were the individuals who filled those roles as the House and Senate deputies?

A They didn't the titles, but Adam Telle and I think him name -- I can't -- Tommy -- Tommy Andrews. Sorry.

Q And which was which, House and Senate?

A Adam was Senate, and Tommy was House.

Q Okay. Great.

And is it -- in your role -- I know that Mark Meadows, having also come from the Hill himself, likely had his own relationship and connections there. So how did you work with the Chief of Staff's office when it came to relating to folks on the Hill? Was it such that everything went through your office or everything went through his, or was it a combination of the two?

A It was a combination of the two. You know, when we first started working together, we worked a little more closely. Over time, Chief of Staff Meadows sort of began to do a lot of his own outreach and almost sort of run a parallel Government Affairs operation out of his office. So sometimes, the Office of legislative affairs was

working with him, but a lot of the time we were not working super closely with him.

Q Okay. Did he have his own legislative affairs staff in the Chief of Staff's office?

A I think he had -- I forget her title, but he had a staffer who I think he -- who helped him do a lot of the outreach that he was doing to Capitol Hill.

Mr. Terwilliger. Ms. Swonger, just so it's clear for the record -- sorry, [redacted]. So -- so I perceive that question to be did he create his own staff for the purpose of legislative affairs.

And it sounds like you're answering that he had a staffer who would help him with that but he didn't create his own, like, full team and apparatus.

Ms. Swonger. No, not a full team. He had one person. And that person had, I think, had the term legislative affairs in her title. And we worked with her to some degree. But as time went on, we did not work as closely with the two of them.

BY [redacted]:

Q Okay. And who's the individual that you're speaking of that worked for Chief of Staff Meadows?

A Cassidy Hutchinson.

Q Okay. And you just mentioned that over, you know, some time, it became that you didn't work so closely together, I think was the words that you used. I don't want to put words in your mouth.

But when did that occur?

A Pretty early on. As we started getting in -- with the pandemic going, as we started getting into the CARES Act negotiations and PTP, he -- Mark Meadows became very involved with those negotiations and having conversations with Senators and Representatives and senior staff. And legislative affairs was -- would sometimes be

involved but not always.

Q Okay. So fair to say by the time that the presidential election came to -- came about in November 2020, it was well into this time period that you're describing where Chief of Staff Meadows had sort of his own interactions outside of your department?

A That is correct.

Q Okay. What about the legislative affairs function for the Vice President's office? I know that there was an individual with those job title, legislative affairs in OVP, maybe a few individuals actually working in that area. How did you work together with the OVP legislative affairs staff?

A We had a very good working relationship. And, you know, whenever it was necessary, we collaborated. We spoke multiple times a week. We attended meetings together on the Hill and at the White House, tried to, you know, collaborate and keep each other in the loop as much as possible.

Q Okay. And during this time period we're most focused on, after the November 2020 election, the person who was the head of legislative affairs for the Vice President was Chris Hodgson. Is that correct?

A Correct.

Q Okay. What about the President's own interactions directly with Senators, Members of Congress? Would you, as a matter of course, have been included in those types of communications?

Mr. Terwilliger. Hey, [redacted]. My apologies.

I just want to make sure so the record's clear. When you're asking all the questions going forward, should we assume that you're just asking like this type of question from post-election up to January 20th? Or would you like the witness to

answer for her entire experience there?

[redacted] Since we're doing the background here, I'll clarify that, Zach. I think it would be helpful to hear whether that, you know, changed over a time period. But as we move into the substantive questioning, we're going to be focused exclusively on, you know, November 2020 and forward.

Mr. Terwilliger. Great. I'll try not to interrupt, too, but Amy --

[redacted] No, no.

Mr. Terwilliger. -- I think to the extent when you're able, when you're responding, so it's clear for the record, if you can. If it's not clear, just clarify the time period you're talking about.

Ms. Swonger. Okay.

Mr. Terwilliger. -- in case it changed.

Ms. Swonger. Will do.

Mr. Terwilliger. Sorry. I think the question was: What about the President's direct outreach to Members?

Ms. Swonger. The President, from the very first days I was with the White House, was very engaged personally with Capitol Hill, Senators, Representatives. It was, you know, not uncommon for him to pick up the phone and call them.

And we would typically, if we weren't there with him, we would typically get a readout. And oftentimes, when we were briefing the President, you know, sort of a legislative affairs weekly briefing, he would pick up the phone and call Members of Congress. So he was always very hands on and accessible.

And -- but over time, I think once Mark Meadows became Chief of Staff, legislative affairs was not involved. If the President was making phone calls to Capitol Hill, we weren't always kept in the loop, didn't always know it was happening. Sometimes we

would, sometimes we wouldn't.

BY [redacted]

Q Okay. Thank you.

And how would you characterize your level of involvement in the President's, you know, communications or interactions with members or staff on the Hill in the time period after the November '20 presidential election?

A Very little to none.

Q Okay.

A I mean, if it was non, you know, if it was just regular legislative type stuff, then, you know, we tried to be as involved as possible. But in terms of all the election stuff, we were not involved as all.

Q Okay. And throughout your time period in the legislative affairs function at the White House, did you or your staff have any involvement or interaction with State-level government officials?

A I did not, and not to my knowledge did any of my staff.

Q Okay. Is there another function in the White House that would traditionally have, you know, interacted with Governors or legislative officials in the State?

A Yeah, the Office of Intergovernmental Affairs. That was their responsibility and role.

Q Okay. Thank you.

And what, if any, role or involvement did have you in the reelection campaign?

A None on the political side. We, you know, if the President was traveling for political reasons and giving a speech and it mentioned a Member of Congress, or mentioned a piece of legislation, then OLA would typically review a speech, but only if it had sort of relevance to legislative affairs-type work.

Q Okay. And how would you be notified or provided with the speeches to review to the extent that there were, you know, legislative affairs matters to be reviewed in the speech?

A There was the staff secretary process. And they would send -- I think, sometimes they would send around hard copies. Most of the time they would email documents for review with the time to get back to them by.

Q Okay. Thank you. So fair to say that you wouldn't receive such pieces directly from the campaign but rather they would come to you from the staff secretary in the White House?

A Yes. We did not interact directly with the campaign.

Q Okay. And what about Members of Congress who may have traveled with the President to, you know, campaign events either, you know, before or during the reelection campaign? Did the Office of legislative affairs have a role in coordinating those trips?

A No. That was not a legislative affairs role. We would be made aware that a Member of Congress was going to be joining at a campaign event, but that was not part of our role.

Q Okay. Thank you.

I'm going to dive in now to the chronology starting with the election and talking about some of the big events. But before we leave the background, is there anything about your, you know, overall experience in the Office of legislative affairs, the way that the office functioned, or the way that it may have evolved over time, particularly focused on this period after the election, that we haven't covered that you'd like to add?

A I do not think so.

Q Okay. All right. Great.

Well, let's talk about November 2020, or actually just before it. My first question is: Did you ever hear from folks you may have known on the campaign or other White House staff about any discussions of the President declaring victory before Election Day?

A No, not to my recollection.

Q Okay. What about on November 3rd, 2020? Were you at the White House that day?

A I presume so.

Mr. Terwilliger. Casey, that was the day after the election?

[redacted] November 3rd was Election Day.

Mr. Terwilliger. Okay. I'm sorry Election Day.

Ms. Swonger. To the best of my knowledge, I was at the White House that day.

BY [redacted]:

Q Okay. What do you remember about how Election Day proceeded in the White House?

A I don't recollect much, other than it was a normal day for legislative affairs, nothing out of the ordinary for us.

Q Okay. Did you stay for the kind of late into the evening, watching the returns come in, and see the President speak that evening?

A There was a gathering at the White House for senior staff, sort of an election night gathering. I did attend that for a while but left before -- before the returns -- before we sort of knew what direction the election was going in and before the President spoke.

Q Okay. And what can you generally remember about the tone or the, you know, sort of feeling at that gathering on election night?

A During the time I was there, it was -- it seemed normal. You know, we

didn't know the outcome yet. So I think it was just typical excitement and anticipation.

Mr. Terwilliger. Amy, it's my understanding -- or, Ms. Swonger, it's my understanding there were multiple gatherings that night. Which one were you part of? Where were you?

Ms. Swonger. There was one on -- in the East Room. I think it's the State -- the second floor of the residence, not the residence, but sort of the State Dining Room, the East Room, the Blue Room, the main foyer. That was sort of the general reception.

BY [redacted]

Q Okay. And did you interact with any of the senior campaign staff that evening like Bill Stepien, Justin Clark, Jason Miller, any of those folks?

A No. No, I did not. I did not see them that evening. I was at the reception where I was, it was -- it was White House staffers, nonpolitical -- well, political appointees but non-campaign staffers.

Q Right. Understood. Okay.

What about Rudy Giuliani or any of the other lawyers who came to work for the President in the postelection time period? Did you interact with them of them on election night?

A I did not.

Q Okay. So what do you remember about the days after election night, so sort of as the returns continued to be counted and election results reported and certified by the State, throughout that week after the election? What do you remember about your experience at the White House?

A For me personally, you know, there was -- we were holding out, you know, some hope that maybe something might change. But as the week wore on, it looked less and less like that would be the case to me personally. But we were going into, you

know, the White House every day and doing our job which -- which didn't relate to the campaign.

So, you know, those were just sort of my personal feelings, you know, of hope, anticipation, and then realizing that, you know, it was unlikely to change.

Q Okay. When did you come to have that realization that you're talking about, sort of your own conclusion about the outcome of the election?

A The best of my recollection, you know, sometime the week after the election. And then, you know, as time went on, that became more and more obvious.

Q Okay. Did you have any conversations with anyone in the White House or potentially campaign staff about whether or not President Trump would concede?

A I do not recall, no.

Q Okay. And what about your communications with Members on the Hill or staff on the Hill during this time period? Were -- did have you conversations about the outcome of the election then?

A Not to my recollection, no.

Q Okay. I want to show you our first exhibit, and this will also be a good test to make sure you can see everything clearly.

I'd like to show you exhibit 1, please.

Can you see that document, Ms. Swonger?

A Yes, I can.

Q Okay. Good. This is one of the documents that we provided to your attorneys ahead of time. It's a document that we received in the production from the National Archives. And it looks like Johnny McEntee's emailing you at your official email address, asking for your personal cell phone number on November 6, 2020.

First of all, can you tell us who is Johnny McEntee?

A He was a staffer for the President. He headed up the personnel office.

Q And what was your interaction, your level of interaction and sort of the substance of it with Mr. McEntee in his role as head of PPO?

A So, legislative affairs was tasked with confirming the President's nomination. So we would work with the Office of Personnel in an official capacity on nominations and making sure they made it through the confirmation process.

Q Okay. Do you remember why Mr. McEntee was asking for your personal cell phone number on November 6th?

A I do not.

Q Okay. Do you remember any conversations with Mr. McEntee during the time period around the election about the outcome of the election?

A I do not. You know, we may have just expressed, you know, disappointment with the outcome, but other than that, no.

Q Okay. Do you remember Mr. McEntee expressing disappointment with the outcome?

A To the best of my knowledge, yes, but it would have just sort of been in passing.

Q Okay. Understood.

And what can you say generally about your interactions with other White House staff during this time period and early November? You know, after you came to the conclusion yourself that -- again, I don't want to put words in your mouth but it sounded like what you were saying is that you came to the conclusion that President Trump had lost the election, disappointing as that may have been. Did you get the sense that White House staff shared that conclusion?

A Yes. Broadly speaking, I think folks, you know, had a similar realization and

shared similar disappointment, you know, as we were, you know, sort of carrying out, you know, the remainder of our term and duties.

Mr. Terwilliger. [redacted] can we just break for one second, just 10 seconds?

[redacted] Sure. Absolutely.

[Discussion off the record.]

Mr. Terwilliger. Thanks, Casey.

[redacted]Sure you ready to proceed?

Mr. Terwilliger. Yes.

[redacted] Okay. Great.

BY M[redacted]

Q Ms. Swonger, in November 2020, after the election result was determined, did you come be aware of certain theories of election fraud that were being raised on -- by the President and on the President's behalf?

A Not directly but just through, you know, word-of-mouth conversations, press reports, you know, television reports, so in an indirect way.

Q Okay. And did you have any role or were you ever asked to investigate or look into any of those allegations?

A No, I was not.

Q Okay. I'm going to show you a few more documents that we provided to your counsel ahead of time that relate to communications that the President on -- through his executive assistant, asked you to distribute related to election fraud.

But before we go through each of those documents, I just want to ask you if you remember being asked generally to circulate documents related to allegations of about the election on Capitol Hill.

A Not with regard to election fraud. I was asked to circulate a political

document about, like, a particular -- the outcome of a particular race but not -- not having to do with the President's election or any election fraud or anything of that nature.

Q Okay.

A My recollection.

Q Okay. And did you have conversations with anyone on the Hill about allegations of fraud related to the election?

A I did not.

Q Okay. So other than the, you know, public sources, like, seeing tweets or hearing about these allegations on the news, did you have any communications with folks in the White House, including Mr. Meadows, but any other White House staff about allegations regarding fraud that may have affected the outcome of the election?

A To the best of my recollection, no.

Q Okay. Okay. So let's look at exhibit 2, please.

So, Ms. Swonger, this looks like an email from Molly Michael to yourself at your official White House email address dated November 13th, 2020. I understand that Molly Michael was President Trump's executive assistant. Is that right?

A Correct.

Q Okay. And so, could you just give us a bit of background during your time in the White House? When you interacted with Ms. Michael, did you understand her to be speaking on behalf of the President? Or when you received an email from her, would you have considered it to be on behalf of the President?

A Typically speaking, yes.

Q Okay. Do you remember this email with the subject line from POTUS, asking you to please send the attached letter to all the GOP Congressmen and Senators?

A Vaguely. I can't remember what the contents of the letter are.

Q Okay. It lists on here an attachment that we don't have, unfortunately. But the attachment's title is Lana Theis, T-h-e-i-s. Does that ring a bell?

A It does not.

Q Okay. Do you have any reason to believe this might have been related to the outcome of the election?

A I honestly do not know.

Q Okay. Let's look at exhibit 3, please.

This is another email. If we could scroll down a little bit, the first email in the chain is from Molly Michael to you again. This one's dated November 17th.

And in the email, she asks: "Could you please send this to all our in the Senator and Congress."

Do you remember this email?

A I vaguely remember it.

Q Okay. There's two attachments that are listed here. The first one is titled, "Dominion Voting Systems" and the second, "20 Reasons the 2020 Election Was Corrupt."

Do you remember those documents being attached to this email?

A Vaguely.

Q Okay. Tell us what you remember about them.

A I believe, because this was sent to me and it was political in nature, that I would have checked with counsel's office to see, you know, how this should be properly disseminated. And it's my recollection that I did not disseminate this. I believe it would have been considered a Hatch Act violation. And to the best of my knowledge, I consulted with counsel's office who advised to not send it.

Q Okay. Was this first time that you had been asked to send something that you think doing so might have constituted a Hatch Act violation?

A I don't recall timing exactly. But on a few occasions, because we were legislative affairs and we had contacts with the Hill, I think, generally speaking, the President, you know, thought of legislative affairs when he wanted to get information to the Hill. And so he just naturally thought, okay, legislative affairs can get this to the Hill. They have everyone's contact information.

Q Okay. Thank you. So do you remember approximately how many times before this email on November 17th, 2020, you had been asked to send something of a political nature to the Hill?

A Maybe two or three times. I don't truly remember.

Q Okay. And on those other occasions, did you handle it as you described with this one by contacting the White House Counsel's Office about what you thought was, you know, potentially an improper political act as a White House staffer?

A To the best of my knowledge, whenever something political in nature was asked, we consulted with counsel's office.

Q Okay. And did you ever give that feedback, or share with either the President directly or with Ms. Michael that you didn't feel it was appropriate, or potentially might constitute a Hatch Act violation to distribute such material?

A Yes. I believe I communicated on at least one, maybe a couple -- on each of these occasions that counsel was advising that legislative affairs not send this information to Capitol Hill.

Mr. Terwilliger. Would you communicate that to the President directory or to Ms. Michael?

Ms. Swonger. To Ms. Michael.

BY [redacted]

Q Okay. And what was her response?

A Okay. Message received.

Q Okay. Did you ever have a conversation directly with President Trump about that?

A Not to my knowledge.

Q Okay. And the -- on the occasions that you're recalling where you, you know, gave that response to Ms. Michael that counsel's office advised you not to send it to the Hill, did that occur before the November 2020 election or only after?

A I believe before and after on a few occasions.

Q Okay. So let's bring up exhibit 4, which I believe is probably close in time probably related to that email we just looked at.

Yeah, if we could just scroll down to confirm.

So this is same email that originated with Molly Michael that we looked at a moment ago, November 17th. Looks like that you then forward it to that group of people listed at the top of this email on the same day, November 17th.

Could you describe for us who each of these individuals are by their role in the White House or political operations?

A Brian Jack was the head of political affairs, Adam Telle, head of Senate legislative affairs. Alex Latcham, I believe, was political affairs, Tom Andrews was legislative affairs, the head of House legislative affairs. I believe Alex Willette was political affairs as well.

Q Okay. And it looks like you're essentially asking for a contact for at the campaign or the RNC to distribute this information. Would it have been your practice to go through the political affairs department other -- rather than contacting the campaign or the RNC directly?

A Correct.

Q Okay. And do you know what ended up happening with the distribution of these materials, the "Dominion Voting Systems" and "20 Reasons the 2020 Election Was Corrupt" documents?

A I do not know what happened to them. I imagine -- it seems like maybe they didn't get sent ultimately. There didn't seem to be a way to -- a system in place to get them out. So I think they ultimately didn't get sent, but I don't know that for certain.

Q Okay. Did you ever hear from anyone on the Hill about receiving documents like this regarding the outcome of the election?

A Not the presidential election, no.

Q Okay.

A Not to the best of my recollection, no.

Q Any other elections?

A There is -- I think you guys have another email exchange where the President asks us to send an election -- a political election document relating to a Kentucky -- the Kentucky Senate race.

Q Yes.

A And, yes, I think we did -- that one did get sent out by Molly, I believe. And legislative affairs did receive some responses from the Hill with regard to that one.

Q Okay. Perfect. Yeah, let's put a pin in that. I think we'll come back to talk about that in the timeline, if that's okay.

There's one other email from Molly Michael that I wanted to show you now.

It's exhibit 5, please.

While this one's coming up, it's dated November 19th, 2020, Ms. Swonger. And if we scroll down, it look like in the original email that Ms. Michael sent to you, there was a link to a YouTube video.

There we go.

Do you remember receiving this email, and did you watch the video at this link?

A I vaguely remember receiving the email. I do not remember what the YouTube video was.

Q I think it was a video of Mayor Giuliani's press conference on the same day, or right around this time period, November 18th or 19th, regarding the allegations of election fraud in the 2020 election.

Does that refresh your recollection at all?

A Vaguely. I honestly don't really remember that.

Q Okay. And so, it looks like this is the third of these type of emails that we've seen during this time period in mid-November where essentially Ms. Michael is asking on behalf of the President for you to distribute political materials to Republicans on the Hill, on the House and Senate side. Is that fair?

A I believe so.

Q Okay. And I think we can scroll up a little bit. Looks like you handled it in a similar fashion to other documents that we've looked at, sending it to the group of political affairs staffers that you identified for us a few minutes ago.

There may be just a couple of other names on this list that weren't on the first one. One is Nathaniel Parker. Could you identify his role for us?

A Nate Parker was one of my assistants in legislative affairs.

Q Okay. And as you wrote here under:

"Hope you're well. POTUS continues to request that political material be sent to the Hill."

What do you remember about writing this? You know, I think you're clearly saying continues to request. Did you feel at the time that it was a continual request that

you were receiving?

A I think I had received maybe two or three and -- via Molly Michael. And, you know, I wasn't legally allowed to disseminate them from legislative affairs. And on the email there's Scott Gast and David Jones, who were part of White House Counsel's Office.

And so was seeking advice on what we should do with this request, previous requests and any requests that might come in the future, on how to properly handle them.

Q Okay. And do you recall -- we're going to talk a little bit later about that December distribution of the information about the Kentucky race that you raised.

Do you recall any others in this November time period that you received, requests to distribute political material?

A I do not.

Q Okay.

Mr. Terwilliger. Ms. Swonger, [redacted] asked you earlier if you were asked to send election-related material to the Hill.

And I believe, as the record may reflect, you answered: No, I don't believe so.

Does seeing these emails that she showed you refresh your recollection that you were, in fact, asked to send some of these documents?

Ms. Swonger. Yes.

[redacted] Okay. Thanks for that clarification.

So in the timeline, let's move forward a little bit here.

But before I do so, let me pause to see if any of my colleagues on the line have any follow-up questions about this line.

[redacted] No, thank you. [redacted] I mean, excuse me, [redacted] No thanks.

[redacted] Very happy to be confused with my colleague, [redacted]

BY [redacted]

Q Okay. Well, let's move on with the timeline into December, Ms. Swonger. Do you remember the meeting of the electoral college on December 14th, 2020?

A I'm sorry. Which meeting was this?

Q The electoral college met to vote following the presidential election on December 14th, 2020.

Do you remember that?

A Vaguely.

Q Was that a significant event in your mind in the, you know, presidential election?

A No, not -- the certification was sort of the big one in my mind.

Q Okay. Tell me a little bit more about that. Why was that significance to you?

A You know, that was the role that constitutionally Congress would play and that the Vice President's office would have a role in. And there just -- there seemed to be a lot of discussion and focus in the media and otherwise on the certifications.

Q So you're referring to the certification on January 6th in the joint session of Congress. Is that right?

A Yes.

Q I'm sorry. I couldn't hear you.

Mr. Terwilliger. Ms. Swonger, was that a big deal to you because it had such significance, or a big deal because that actually bore a line with your responsibilities as director of legislative affairs versus the electoral college?

A Correct. The latter.

BY [redacted]

Q Okay. Thanks for that clarification.

So do you remember any discussions in the White House or among any other Trump administration officials around the voting of the electoral college in mid-December?

A I really do not.

Q Okay. Any discussions about whether or not President Trump would or should concede after the electoral college had met and voted?

A Not with the White House folks. Just what I think was maybe reading or hearing in the media.

Q Okay. And any other conversations outside of White House folks, people on the Hill or other, you know, political contacts of yours about whether the President should or would concede?

A To the best of my knowledge, no, that -- I do not remember that being a big focal point.

Q Okay. I'm going show you exhibit 6 now, please.

There we go. Great. Thank you.

Ms. Swonger, exhibit 6 is an email it looks like you sent to yourself, from Amy Swonger, to Amy Swonger. It's dated December 15th, 2020, with the subject line "Policy Lunch."

To me, this looks like perhaps notes that you were taking during a meeting or a phone call. Is that a fair assessment?

A A meeting, correct.

Q Meeting. Okay.

Do you remember the policy lunch that took place on December 15th?

A A little bit, yes.

Q Okay. Tell us what you do remember about it.

A Honestly, the only thing I remember are these notes. They refreshed my memory that -- that the discussion about the January 6th certification.

And per my notes, Leader McConnell was expressing, you know, the sentiment that it should obviously go forward, and that it should be perfunctory, that it was just, you know, a matter of normal protocol.

Q Okay. And were these policy lunches a matter that -- of, you know, happened with regularity?

A Every week. Every week.

Q Okay. And who would attend these lunches?

A All Republican Senators and then a handful of senior staff for those Senators, as well as myself and then Chris Fox with the Vice President's office.

Q Okay. So there's a part that's redacted at the beginning and then several more sections that are redacted after, which I presume meant that they were, you know, related to other topics within your, you know, ambit in legislative affairs, or potentially on the Hill.

But the first word that is not redacted is "McConnell." Is it fair or correct to assume that all of the rest of the content after the redactions are statements that Mr. -- that Leader McConnell was making?

A That is fair.

Q Okay. So it says "January 6th electoral college vote" in the first line of the text that we can read here.

Was that the first time you recall discussing January 6th with folks on the Hill?

A Well, I was not discussing it. Leader McConnell Connell was discussing it

with his conference and I was taking notes.

Q Understood.

Had those -- the topic of January 6th, the certification of the presidential election, been a matter of discussion for you either at the White House or on the Hill before this policy lunch with Leader McConnell?

A Not to my recollection, no.

Q Okay. And going into it, if you can kind of put your brain back, you know, mind back into December 2020, based on your previous experience in another administration, as well as your extensive Hill experience, you know, just generally, what did you understand about the January 6th process, the certification that would occur?

A That it was, you know, part of the normal protocol of electing and transitioning to a new President, that it would happen and it would be completed and that it was, you know, in some ways, largely ceremonial. But, you know, had started to hear rumblings of, you know, as has happened in the past, certain Senators and Members of Congress who wanted to object but at the most, that might slow down the certification, but certainly not prevent it from happening.

Q Okay. Thank you.

And had you participated in one of these, you know, joint sessions of Congress before, either in your time in another administration or on the Hill?

A I believe when I worked for Vice President Cheney, he had been President -- present -- excuse me -- in the Capitol for one of the certifications. And, you know, the Vice President actually has a constitutional role. And so we had been -- the legislative affairs Office had been present.

But I don't recall a lot about. I just remember being presents in the Capitol for that.

Q Okay. Thank you. And you just said that you had started -- in 2020, you had started to hear rumblings regarding objections potentially being raised at the certification? What do you remember about how you first heard those rumblings?

A I think mostly media reports. And, you know, just conversations -- just conversations in passing, maybe with some members of my staff were sharing with me what they were hearing. You know, other people were sharing with me what they were hearing about that.

[11:05 a.m.]

BY [redacted]

Q Okay. When, if at all, did it turn from just hearing rumblings in the press or around town to actual conversations or understanding that there were Members of Congress who had planned to object?

A To the best of my recollection, late December the press reports started to pick up and was -- and, you know, Senators and Representatives themselves were in the media talking about their plans to do this.

Q Okay. Sorry, Grant. Could you bring exhibit 6 back up? I just wanted to ask a couple more questions about this.

Thank you.

Okay. Ms. Swonger, so this is the section in the middle of the page where you are taking notes, I believe, about Leader McConnell's statements. And I am interested in particular in asking you about your memory about what you wrote here: "Hoping there are no R senators that insist on this vote," and "Really bad vote for us to take?"

What do you remember about what Leader McConnell said on these points?

A I think Leader McConnell was making the point that he hopes the certification would go as smoothly and quickly as possible and really didn't see the point in objecting and encouraged Republican Senators not to object, but, obviously, that is their decision and their right. But I think he would have preferred that no Republicans object.

Q Okay. And then there are two other lines here that I wanted to ask you about immediately following that.

One reads: "Don't want to be perceived as hostile to Trump and electoral college

has spoken."

What do you remember about Leader McConnell's statements on that point?

A I think he thought what the electoral college had decided should stand. And I am not entirely sure the "perceived as hostile to Trump," but I think, you know, he tried to work, you know, as amicably as possible, he, himself, and the Republican Conference with the President.

Q And how does that play into the -- what was your sense when he made those statements on December 15th about how that played into the decision about whether or not to object?

A Could you be more specific? Sorry.

Q Sure. Yeah, I just wanted to understand a little bit better what the meaning was of saying, you know, "Don't want to be perceived as hostile to Trump," or, in your words, I believe you just said you were wanting to continue to work as amicably as possible with President Trump.

How does that factor into the argument that he seems to be making here that the senators should not object on January 6th?

Mr. Terwilliger. [redacted], just give us one second.

[redacted] Sure.

[Discussion off the record.]

Mr. Terwilliger. Thanks, [redacted]

BY [redacted]

Q Okay. Are you ready to proceed?

A I think -- I mean, I honestly don't recall. You know, I was taking notes quickly, but I think what McConnell was likely getting at was that -- it would put the Senators, the Republican Senators, who weren't objecting, you know, in a light that would

be perceived by Trump as potentially hostile. I think that is what he was probably getting at. But, honestly, it was a long time ago, and I don't really remember.

Q Understood. That is helpful.

And that leads into the next line that I wanted to ask you about, which is: "Not a good idea especially for class of '22 to appear to be voting against Trump."

What do you recall about what Leader McConnell was trying to communicate, you know, with those types of remarks?

A Just didn't want to create any animosity between any Republican Senators and a Republican President. It is just unnecessary.

Q And to the point that you just made, that if other Senators were to object, then the remaining Senators that were not objecting could be perceived as voting against Trump. Is that fair?

A That is fair.

Q Okay. And then, again, there is a section that is redacted, and below it it says: "Election over and now time to focus on Georgia races. Historically a formality. Let's keep it that way."

So other statements out there consistent with what I believe you have been telling us that during this policy lunch Leader McConnell was expressing his hope that the election would be -- the certification of the election would be merely a formality?

A That is correct.

Q Okay. Anything else about this policy lunch related -- that you recall that was related to January 6th?

A To the best of my recollection, no.

Q Did any other participants, including, you know, other Republican Senators who were present, respond to Leader McConnell's points that he made about

January 6th?

A I do not recall. If they did, I likely would have taken notes on it.

Q Okay. And so --

Mr. Terwilliger. [redacted]ust so you know, we don't have a copy of that document. And so I know Ms. Swonger originally created it, but we don't have a copy of it. So to the extent, Amy, your questions touched on the redactions, I am not sure if those are redactions from the Archives or yours. But we are not able to see behind the redactions either.

[redacted] We are all in the same place here. Those actually were redactions applied before the document was produced to us by the National Archives. So I don't see what is underneath them either, and I wasn't asking for you to tell us either.

BY [redacted]

Q Okay. So before we leave this time period, I just wanted to ask you, after that policy lunch, when was the next time that you had occasion to think about or talk about the possibility of there being objections raised at the joint session on January 6th?

A I honestly do not recall specifically. I'm sure I -- you know, I'm sure I had conversations about it with my staff. And I'm sure, you know, folks were, you know, bringing it to our attention, but I honestly do not remember.

Q Okay. Did you have the sense of whether Leader McConnell was successful in convincing his colleagues at that time not to object?

A It didn't seem so as Senators were, you know, coming out publicly and saying they were planning to object.

Q Okay. I believe that Leader McConnell, in addition to the remarks that, you know, you recorded in your notes from that policy lunch, also went to the Senate floor on that day and referred to the election having been over and referred to now President

Biden as President-elect Biden.

Do you remember that happening?

A Vaguely.

Q Did you have any conversations in the White House with other Trump administration officials or with President Trump himself about Leader McConnell's statements that day?

A There's a meeting on December 2lst that I think we'll probably get to in a little bit where that did come up.

Q Okay. Thank you.

Anything before that?

A Not to my recollection, no.

[redacted] Okay. Before we move on, I'll just pause here to see if Ms. Lofgren or any of my colleagues have questions on this topic.

Ms. Lofgren. Not at the moment.

Thank you.

[redacted] Okay. Thank you.

[redacted]

Q Okay. Ms. Swonger, before we talk about December 2lst, I wanted to just ask you about a couple of other occurrences during the middle of December.

On the date that the actual electoral college met on December 14th, there were also groups of Trump electors that met in several States. They purported to cast their own electoral votes and ultimately submitted them to the executive and legislative branches.

Do you remember that happening?

A Vaguely.

Q Okay. How did you learn of it?

A I think probably through press reports that had occurred.

Q Okay. And what did you -- what, if anything, do you remember thinking about it when you learned about it?

A That that was completely normal, you know, that it was the normal transition of power occurring. I don't remember thinking a lot about it other than, you know, that that was going to happen and everyone was expecting it to happen, at least I was.

Mr. Terwilliger. Did any of your official duties in the Office of Legislative affairs touch on those meetings that Ms. Lucier was just asking you about?

Ms. Swonger. No. That was not our role as legislative affairs to be involved with that, so we would just be tracking it, you know, as a matter of course.

[redacted]

Q Okay. Understood.

And when you referred to the kind of completely normal part of finalizing the election results, were you referring to the meeting of the electoral college, you know, nationwide in all the States, or were you specifically thinking of the States in which Trump electors met even though the State had, you know, been certified -- the election had been certified for Biden?

A Honestly, I don't recall. I think just the general electoral college process, you know. I was just following from afar, not following that closely.

Q Understood. Okay.

Did you have any communications with White House officials or other Trump administration officials about the meeting of the purported alternate electors, the ones -- the Trump electors that met in States that Biden had won?

A No, I did not.

Q Okay.

Okay. So let's look briefly at -- or actually never mind. I'll just ask you a couple of questions about this. And I can bring the document up if you need it to refresh your recollection.

But there were several meetings that were held in the White House between President Trump and State legislative officials, particularly in the month of December 2020.

Do you recall being aware of any of those meetings at the time?

A I do not.

Q Okay. We have a couple of documents that reflect meetings with Wisconsin legislators, Pennsylvania legislators, and Michigan. Did you ever come to learn about those meetings that President Trump had either before or after the fact?

A It's possible. If they were on the President's schedule, I likely would have seen them. If they weren't on his schedule, I probably just would have heard of them, you know, as they were reported on in the news.

Q Okay. Do you recall having conversations with any of your White House or any other Trump administrative officials, your colleagues about why the President would have been meeting with State legislative officials at the time?

A Not to my recollection, no. I mean, I think we knew that the President was concerned with the outcome of the election, but my team and I had no involvement in any of that. So we were just sort of following it from afar.

Q Okay.

Okay. Well, let's talk about -- go back to the Federal side as opposed to State, back to the topic of objections that would be raised to the outcome of the election on

January 6th.

We talked a little bit about it in the context of the policy lunch with the Senators. Did you have any interaction with Members of the House about the possibility of raising elections during this time period -- raising objections? Forgive me.

A The objections, no -- I mean, it probably came up in that meeting on the 2lst where Members of Congress were at the White House.

Q Okay. Let's talk about that meeting. So it took place, you know, roughly a week, 6 days after that policy lunch that we just discussed in which Leader McConnell was encouraging his Republican Senate colleagues not to object. And in that week that followed, do you remember whether the circumstances changed? Or what was your sense, before the meeting on December 2lst, about the likelihood of objections being raised?

A Just that the Senators and Representatives that were planning to object, you know, were being vocal about it. And, you know, I don't remember having, you know, any specific conversations; just more about the fact that that was going to occur and that, you know, it may slow down the process of the certification, but that, you know, that was their right to do that. That's really it; just that they were planning to object.

Q Okay. Thank you.

So why don't you tell us generally what you remember about this meeting that occurred on December 2lst, how it came to be, and what your role was.

A So I really didn't have an official role. I was listed as the project officer because it involved Members of Congress, but I did not know that this meeting was being planned and was not involved in the planning or preparation of any documents for this meeting.

I believe I learned of the meeting on the 2lst. One of my team members flagged

it for me and, you know, asked if I knew what it was about. I did not at the time know what it was about. And so I -- at the time of the meeting, I remember thinking, well, you know, typically legislative affairs would be involved in any meeting that involved Members of Congress or Senators being at the White House, and we would typically greet them and escort them and stay with them at all times.

So I didn't know what the meeting was about. You know, it was conservative House Republicans. You know, I could tell that from the attendee list, but I did -- so I walked down to the Oval Office, the Outer Oval office where these Members were gathering and was just, you know, generally greeting them and staying with them.

They then went into the Oval Office for their meeting with the President, and I started to get the sense that the meeting was going to be about the election and the outcome. And so -- but I had not been listed as a participant, which I thought was odd given that I was the project officer.

But we went into the Oval Office to have the meeting. It was the President and the Members of Congress that are listed. Mark Meadows was there. He -- it became clear to me that he had pulled together the meeting and had planned it, and this was -- that he was -- I guess he was really the project officer, but I was listed on the schedule.

And so I was -- the meeting lasted about an hour, and the President and the Members of Congress were just discussing their concerns and dismay with the election outcome and, you know, possible irregularities. And, yes, it was a very sort of wide-ranging, free-wheeling discussion, just sort of like-minded members with the President about the election outcome.

Q Okay. Great. Thank you for that overview.

I would like to go back and ask you a couple of questions about some of the -- to

sort of drill down a little bit more specifics.

So you said that you learned of it the same day. Do you remember about how much advance knowledge you had before the meeting took place?

A Um, I don't. I don't recall. I just remember someone on my team flagging it for me and telling me, You should probably go down there or someone from leg affairs should probably go down there. And so I did.

Mr. Terwilliger. So you don't remember -- Ms. Swonger, you don't remember how much advance notice you got, but you remember it was the same day?

Ms. Swonger. To the best of my recollection, I learned about it that day.

BY [redacted]

Q Got it. Thank you.

And I know you mentioned that you recall it was a group of conservative House Republicans.

Let's bring up exhibit 11, please. And this may help to clarify the participants.

Okay. Great. Thank you.

So, Ms. Swonger, this document, exhibit 11, looks like a communication with the scheduling office and then members of the Secret Service about the logistics for setting up this meeting.

As you recalled, you're listed as the project officer here.

And if we could scroll down just a little bit so we could see the full attendee list.

Great. Thank you.

There are several Members of Congress listed as external participants, Representatives Babin, Biggs, Gaetz, Gohmert, Gosar, Harris, Hice, Jordan, Perry and Representative-elect Greene.

Do you recall whether all of those Members attended the meeting?

A Not specifically, but that looks to be an accurate list of who was there that day.

Q Okay. Are there any others in addition to the Members that are listed here who you recall being present in the Oval Office?

A Not to my knowledge, no.

Q Okay. Do you remember Representative Lesko attending?

A I do not.

Q Okay. And on the internal side, on the White House side, we have listed Mark Meadows. And I believe you just told us you recalled him being present.

Were there any other members of White House staff present?

A There were not.

Q Okay. Any other participants outside of the President himself, these Members, yourself, and Mark Meadows?

A Not to my recollection, no.

Q Okay. Do you remember the Vice President being in the White House this day?

A I do not recall.

Q Okay. What about any other campaign officials? Do you remember anyone associated with the campaign who attended this meeting?

A No. No one from the campaign attended this meeting.

Q Okay. What about Mayor Giuliani? Was it possible that Mayor Giuliani participated either in person or on the phone?

A I do not recall, not in this meeting. I guess it's possible the President may have called him on the phone. I don't recall.

Q Okay. Thank you.

Okay. We can take the document down, please.

Mr. Terwilliger. Hey, [redacted].

[redacted] Yeah.

Mr. Terwilliger. We've got some more of an update on that.

Ms. Swonger. So Rudy Giuliani did not participate in that meeting, but he did participate in a meeting after the Oval Office meeting.

BY [redacted]

Q Okay.

A The --

Q No. Please go ahead. I didn't mean to cut you off.

A So he -- following the meeting, the Members of Congress who were in the Oval Office meeting went to the Cabinet Room, and Rudy Giuliani and I believe a couple of members of his team met with some of the Representatives that had been in the Oval meeting.

Q Okay. Thank you. That's very helpful.

Did you participate in the portion of the meeting that kind of recessed into the Cabinet Room?

A I did not. I escorted the Members of Congress in there, and then I left after that.

Q Okay. Do you recall anyone else, other than Rudy Giuliani, joining for that, in the second part of the meeting?

A I remember a couple of folks from his legal team, but I don't remember who they were.

Q Okay. Do you remember if they were men or women?

A I believe it was two women.

Q Okay. Do you know -- would you recognize Sidney Powell?

A Yes. It was not Sidney Powell.

Q Okay. What about Jenna Ellis, would you recognize her?

A It may have been Jenna Ellis, but I'm not 100 percent sure.

Q Okay. Thank you.

And for the second phase of the meeting in the Cabinet Room, do you know whether the Vice President attended?

A I did not see him while I was there. I do not know.

Q Okay. Did you ever talk with either, you know, Marc Short, your former colleague, or Chris Hodgson, then his head of legislative affairs, about whether the Vice President participated in a meeting with members of the House Freedom Caucus in the White House?

A I did not, not to my recollection.

Q Okay. Great. Thank you.

Okay. So let's go back to the Oval Office portion of the meeting. I just have a few other follow-up questions from what you have already told us.

So when you learned of the meeting, either, you know, with your staff or, as you said, you gathered, you know, in the Outer Oval with the House Members, how did you get the sense of what the purpose of the meeting would be?

A Well, I think just based on the makeup of the group, you know, they were of like mind with the President with regard to the election outcome. I don't recall this, but they may have been, you know, chatting about it, and was just starting to put two and two together that, you know, it was a very closed meeting. Only Mark Meadows was scheduled to be in it. I started to get the sense that maybe it was about the election.

Q Okay. And just so that we're perfectly clear on the record here, when you

say that these members were of like mind with the President regarding the election outcome, what do you mean by that?

A Concerned with the outcome and concerned that there may have been irregularities.

Q Okay. At this time were you aware of the phraseology being used at the time potentially by members of this meeting as well as the President, "Stop the Steal," or referring to the election as having been stolen?

A I do not recall Stop the Steal. If the President had been tweeting about it, you know, in the media, I would have known about it. Otherwise, I wouldn't -- I don't recall.

Q Okay. But just generally recalling the -- what you remembered as the sort of like-minded belief among this group about the election, is it consistent with allegations that the election was, you know, tainted by fraud or had been stolen?

A I think that was fair.

Q Okay. So tell us a little bit more detail about what you remember once you actually entered the Oval Office and the meeting had begun. Who did most of the talking?

A I think it really -- to the best of my knowledge, everyone talked. You know, the President talked. Each of the members talked. It was typical for the President to want to hear from, you know, everyone in the meeting, so I believe everyone probably talked.

Q Okay. Any voices that were, you know, more memorable or outspoken during the meeting?

A For some reason, I remember Representative Taylor Greene, I think, because she was, you know, brand new, and I had never met her before. But I do remember her.

When I think back on that meeting, I remember her being there and I remember Gohmert being there. But I -- and I know that those two spoke, but I don't remember what exactly they said. And I really think that everyone ended up speaking during the course of the meeting.

Q Okay. Focusing specifically on President Trump, what do you remember him saying during this meeting?

A Um, you know, I remember he was, you know, concerned about the outcome of the election, concerned with irregularities. I don't remember specifics except for they did at some point talk about the Dominion voting machines and concerns with, you know, what went on with those. But I think they -- if there was a concern about the election, I think it's safe to say that it was brought up during that meeting and discussed.

Q Got it.

So, to your recollection, all -- you know, all, or most of the topics that were being discussed in the news or in other arenas regarding election fraud allegations, is it fair that you're recalling that all or most of those came up during this conversation?

A I don't recall specifically, but that -- it was a lot of different topics I remember.

Q Okay. Got it.

Do you remember specifically what was said about Dominion voting machines?

A There was just concerns that the machines hadn't functioned properly. I remember -- I wasn't following that issue closely. I just, you know, knew the term "Dominion voting machines" and had heard it in the press, and I knew they were concerned with it. And I think there was discussion about, you know, maybe wanting to figure out a way to assess the machines, you know, look at the machines, figure out if

anything had gone wrong with the machines.

Q Okay. Do you remember what was proposed or what was discussed as a mechanism or means to assess or look at the machines?

A Honestly, I do not recall specifically. Just wanting to, like, have someone take a look at these machines and be able to fully investigate them.

Q Okay. Is it fair that you're kind of remembering a discussion about physically looking at the machines as opposed to, you know, doing research or outside or something like that?

A I think they wanted someone to be able to, you know, look at these machines in person.

Q Okay. Do you remember who first suggested that?

A I do not.

Q Do you remember what, if anything, the President said about Dominion voting machines and the possibility of physically examining them?

A Just that I think that he thought that that was necessary.

Q Okay. Any other allegations about election fraud or, you know, irregularities related to the election that stick out in your memory as having been discussed in this meeting?

A No. The machines was -- that was the big one.

Q Okay. If you can, you know, recall -- you said the meeting lasted more than an hour. Is that right?

A I think it lasted an hour.

Q An hour; okay.

What portion of the discussion was dedicated to this discussion about Dominion voting machines?

A I remember it occurring towards the end of the meeting, maybe like the last 10 or 15 minutes.

Q Okay. Were any contrary voices heard in the meeting potentially, you know, raising other questions about these concerns stating that allegations that were being discussed were not true?

A Not to my recollection.

Q Okay. Did January 6th come up during this meeting?

A It did not.

Q Did not; okay.

So at that time in the Oval Office with the members of the House Freedom Caucus there was no discussion about the potential for objections on January 6th?

A Um, I do not recall. It's possible that the objections may have come up.

Q Okay. And do you remember generally what the tone was of the discussion about objections? In particular, was the President encouraging of that?

A Um, I think -- I think everyone in that room was supportive of objections being raised. Um, I -- I'm having a hard time remembering; but I think everyone agreed that, you know, objections should be raised.

Q Okay. Was there any discussion about recruiting a Senate -- a Senator to co-sponsor the objection or recruiting other Members of the House to raise objections?

A It's possible, but I do not recall. I don't know if someone -- if they already had a Senate -- a Senator by that point had been identified. I don't recall.

Mr. Terwilliger. Ms. Swonger, despite being on the schedule, was there a reason you didn't have a more active role or -- you know, why was it that you didn't necessarily know what the talking points were going to be?

Ms. Swonger. I really had no involvement at all at any point in these election

discussions, the legal aspect, you know, January 6th. It just -- White House Leg Affairs was not playing a role, was not involved.

Mr. Terwilliger. And how long did this meeting in particular -- who, to your knowledge, organized the meeting if it wasn't you?

Ms. Swonger. I believe it was the chief of staff. The chief of staff's office, again, had no involvement in the planning of this meeting, had very little heads-up, you know, didn't know exactly what it was going to be about until I showed up at the meeting. So, you know --

Mr. Terwilliger. Okay.

[redacted] Thank you.

BY [redacted]

Q Did you have -- you know, either during the meeting or after, did you have any concerns about what you had heard after the meeting?

A Um, I believe so, yes. You know, I -- one, it didn't -- I didn't feel like I should have been in that meeting. You know, it just -- it didn't relate to my -- you know, to my job as head of leg affairs. And, you know, at that point I personally had expected the outcome of the election. And, you know, just -- it was hard to gauge, you know, if there was any, you know, authenticity to these concerns and claims.

Most people that I knew and trusted and respected had accepted, you know, the outcome of the election. And so, you know, just not having involvement in it and not working on this particular aspect and not, you know, having access to a lot of information and details, you know, it just seemed -- you know, it didn't seem like it was going to, you know, bear any fruit.

And so, yes, you know, I had concerns from those two standpoints.

Q Okay. Thank you.

And what about Mark Meadows? I know you've told us that he was the one who organized this meeting. What role did he take in the discussion in the Oval Office?

A Um, he was -- he attended the meeting during the beginning. Then he left for a period, then came back. I think he may have left a couple of times. But, like me, he was just, you know, sort of at the back of the room just sort of observing.

Q Okay. Did the President ever ask you or Mr. Meadows to comment or weigh in on the topic of discussion?

A No. Towards the end of the conversation, there was a discussion about Leader McConnell and his position with regard to, you know, not wanting objectors at the certification and advising his members, you know, not to object, and there was frustration raised about the leader's position.

And that's when the Kentucky political document -- I guess the President had seen this document. It showed that he had helped Leader McConnell get across the finish line in his reelection in Kentucky, and the President, you know, wanted to remind Leader McConnell that his election bid was successful because of the President's participation in the race. And that's when he -- at the very end of the meeting, he asked me if leg affairs could disseminate that document.

Q Okay. So just to follow up a little bit on what you just said, frustrations that were raised about Leader McConnell and his approach to January 6th specifically discouraging people from objecting to the certification, did President Trump raise or, you know, sort of vocalize those frustrations?

A I recall in some way, yes. I remember him -- I remember -- I don't remember what he said, but I remember him being frustrated that, you know, other -- that Leader McConnell and others were not interested in having objections.

Q Okay. So is it fair to assume from what you said, you know, both that the

President knew that Leader McConnell was discouraging objections and that President Trump wanted there to be objections on January 6th? Is that fair?

A That seems fair.

Q Okay. And the political document that you referred to related to the Kentucky -- Leader McConnell's Kentucky reelection, how did you respond when President Trump asked you to distribute it?

A Um, I told him I would -- you know, I think I just said okay. And then I think I took a physical copy of it back to my office and -- well, maybe Molly Michael emailed it to me. I think she may have emailed it to me. And then I called counsel's office just to, you know, check in and say, "Hey, you know, the President would like this document to be disseminated. It's political in nature. You know, what is your advice?" And counsel's office advised that leg affairs office not send it out due to the Hatch Act -- potential Hatch Act violation.

And I think I remember them saying that -- and I'm fuzzy on this. But I feel like they may have said that Molly Michael should send it out, but I could be wrong about that, and it could just be that the Molly and the President decided that she would send it out instead. I don't remember exactly how that -- but it was decided that leg affairs should not send that information out.

Q Okay. Thank you.

And is it fair, for similar reasons as you described to us earlier in other instances where the President asked you to distribute political material, that after the President asked you this in the Oval Office on December 2lst that you reached out to White House counsel's office because you were concerned that following through on what you had been asked could constitute a Hatch Act violation?

A That's correct.

Q Okay. Thank you.

So I think we can follow up on the, you know, text messages that you produced that I think relate to this topic in a couple of minutes; but I just want to go back to the Oval Office meeting to make sure we've tied off all of the follow-ups there.

You referenced -- when I asked you about, you know, whether you had concerns about the discussion, one of the reasons that you gave for why you -- it sounds like you did have some concerns with because you personally had accepted the outcome of the election, specifically that President Trump was not going to have a second term, that President Biden had won the election.

I wonder what you can say about -- or what you understood at the time Mark Meadows' understanding of the outcome of the election was.

A You know, I honestly don't know. I didn't talk with Mark Meadows a lot. I don't know exactly what he was thinking. I do know that, you know, he organized that meeting, and he didn't -- I don't recall him speaking up in that meeting, but -- so it would just be me guessing, you know. I just assumed that he shared the same mindset as the President, but I don't recall him expressing that to me ever or hearing -- I wasn't around him very much, if at all, and wasn't having any conversations with him about it.

Q Okay. That was going to be my next question.

Did you talk to Mr. Meadows about this meeting after it took place?

A I did not.

Q Okay. Did you raise your concerns about the meeting to any of your other colleagues or other Trump administration officials or staff?

A Um, I do not believe so.

[redacted] Okay. Let me pause here to see if Ms. Lofgren or any of my colleagues have any questions about this meeting on December 2lst that we've been

discussing?

Ms. Lofgren. I'm good.

[redacted] No thanks, [redacted].

[redacted] Okay. Great.

BY [redacted]

Q One further question I had for you, Ms. Swonger -- and then perhaps this may be a good time to take a break. We can talk about that off the record in a minute -- did the role of the Vice President on January 6th come up in this meeting?

A Not to my recollection.

Q Okay. And what about the possibility of there being a rally or a march on January 6th? Did that come up in this discussion?

A That did not. I do not remember that.

[redacted] Okay. Great. Let's go off the record now.

[Recess.]

[redacted] All right. Let's go back on the record.

It's about 5 minutes past 12:00 on the East Coast for the transcribed interview of Amy Swonger.

BY [redacted]

Q So, Ms. Swonger, just a couple of follow-up questions on what we've been talking about in this December 2lst time period and specifically the meeting that you participated in in the Oval Office.

Did the topic of alternate slates of electors as I described to you a little bit earlier, the groups of Trump electors that met and purported to cast votes in States that Trump had lost, did that topic come up in the December 2lst meeting in the Oval Office?

A Not that I recall.

Q Okay. Was there any discussion about the possibility of there being dual slates of electors on January 6th?

A Not that I recall.

Q Okay. And we talked a little bit just before the break about your impressions of Mark Meadows and whether he, like you, had come to the conclusion that President Trump had lost the election. And I wanted to bring to your attention a specific piece of information that the select committee has learned, that it's been reported that Mark Meadows had a conversation with Leader McConnell, possibly around the time period that we were talking about earlier where Leader McConnell was making his own statements confirming the outcome of the election and, you know, referring to President Biden as President-elect Biden, where Mark Meadows gave Leader McConnell the impression that he was going to get President Trump there; essentially, that he felt that President Trump would eventually concede or acknowledge the outcome of the election.

Did you have any similar conversations with Mr. Meadows about this?

A I did not.

Q What about other senior staff or other members of the White House staff during this time period? Any conversations with that sort of similar topic?

A Not that I recall, no.

Q Okay. Did you find it unusual that the President had not conceded the election by the time that you were having this meeting on December 2lst?

A Um, in a sense, yes. I wondered if maybe he and his legal team knew something, you know, that I didn't know or maybe others didn't know. But, I mean, unless he truly -- you know, if he truly believed it and had reason to believe it, which I didn't know for sure, but if he -- you know, if he didn't have reason to believe it, then that would be odd. But I just -- I didn't have access to, you know, his thoughts on that or

have conversations with him about it.

Q Okay. Thank you.

And as of this time period in late December, did you expect that the President would acknowledge the eminent transition, the end of the administration?

A I wasn't certain, but, you know, I thought -- you know, I thought that he would, but I didn't know for certain because I wasn't -- you know, I wasn't privy to those discussions.

Q Okay. Understood.

And I know you mentioned with respect to this meeting that you understood that it was organized by Mark Meadows, that it was somewhat close hold -- not the words from your mouth, but there were no other White House staff involved or invited to participate in the meeting.

You also mentioned that Mayor Giuliani and a couple of his other colleagues or associates attended the meeting that followed with the House Freedom Caucus in the Cabinet Room. What was your understanding of Mr. Meadows's relationship with or interactions with Mayor Giuliani and his team that were working on -- for the President in this period?

A I didn't really have a sense of, you know, what that relationship was or how closely they were working together. I just didn't have visibility into that.

Q Okay. Did you have any other interactions in the White House with Mayor Giuliani or other associates, colleagues of his?

A No, I did not.

Q Okay. Okay.

Let's look at one other document right now. It's exhibit 9.

Mr. Terwilliger. Just before we get to document 9, you know, I think you

characterized this meeting as close hold, and I understood that to mean because the only staffer there was Ms. Swonger and Chief of Staff Meadows.

But this meeting did appear on his schedule, so it wasn't as though the meeting was kept a secret. You just weren't given any advance notice but looking on the schedule?

Ms. Swonger. That's correct.

Mr. Terwilliger. I just wanted to be clear about what we're saying.

[redacted] Yes. Thank you.

BY [redacted]

Q So while the document is coming up, Ms. Swonger, so this is a -- well, it looks like a compilation of documents, the hard copy document that we received from the archives. And as we received it, we have reason to believe that it was in your files at some point.

So I just want to ask you if you remember this document, if you've had a chance to review it before we sat down today.

A I did look over it yesterday evening, but I do not recall this document or where it came from.

Q Do you remember anything similar being distributed or discussed in the meeting on December 2lst?

A I do not. To my recollection, I do not remember any documents being handed out, and I don't know when or how I was handed this document.

Q Okay. And I know you told us earlier that you kind of escorted the Members of Congress to the meeting that occurred subsequently in the Cabinet Room. Did you stay long enough to observe whether there were any documents that were distributed in that meeting?

A No, not to my recollection.

Q Okay. And do you recall whether anyone later provided you with copies of documents that were distributed in that meeting?

A I do not remember.

Q Okay. If we could just scroll through quickly this document. I've seen it in other formats as separate documents, which is what leads me to the conclusion that it was probably, you know, scanned, several hard copies that were scanned together.

There's a document towards the end of this packet that is known as the Navarro report.

Sorry, [redacted] I don't have the page, but if you could just click through.

Ms. Swonger. Could we take a quick break? I have something in my eye. Sorry.

[redacted] Oh, sure. Please go ahead.

Ms. Swonger. It's bugging me.

Mr. Terwilliger. Thanks, [redacted].

We'll be right back on.

[Recess.]

Mr. Terwilliger. Hey, [redacted] Can you hear me? We'll be right back. We just have to flush out her eye. It's not going to be a big deal.

[redacted] Okay. Let's go off the record.

[Recess.]

[12:16 p.m.]

BY [redacted]

Q Ms. Swonger, we don't have to look at the document again, but I think you said that you had a chance to look at them before our interview today.

Were you familiar with any of those election fraud- related materials that were in that kind of hard-copy compilation?

A Not really. Just based on news reporting. I had -- was familiar with it through what was reported in the press.

Q Okay. There is a document there at the end that -- I think its formal title is "The Immaculate Deception," sort of commonly referred to and subtitled The Navarro Report. It's a document related to election fraud allegations that was prepared by Peter Navarro.

Did you have any interactions with Peter Navarro during this post-election time period?

A I did not.

Q Okay. Any reason to have an assessment of the materials that he prepared on election fraud allegations?

A I think I barely looked at those -- that document whenever, because I barely remember it. I might have just glanced at it.

Q Okay. Let's look now at exhibit 8, please.

These are some text messages that I believe you referred to earlier related to the distribution of a document related to the Kentucky election, and these are text messages that you provided to us, and we appreciate that.

Okay. Great. So really quickly, Ms. Swonger, I just wanted to -- on the first

page here, we can see that there is a text message that begins in the middle of the first page, December 21st, 5:41 p.m. The text message immediately above that, does that relate to any of the topics that we've been discussing today?

A It does not.

Q Okay. Just wanted to confirm that.

Then the message that it looks like you sent on December 21st -- first of all, the other participant in this text message exchange is listed here as A.J. Sugarman. Is that correct?

A That's correct.

Q And is that a person who you worked with in legislative affairs?

A Yes. He was a member of the House legislative affairs team.

Q Okay. Great.

We didn't look at it before, but there is a document on the President's schedule that indicates that the meeting with the House Freedom Caucus members took place at about 2 o'clock in the afternoon.

Is that consistent with your recollection?

A It is.

Q Okay. And then, this text message you're sending at 5:41 p.m. the same day, "Please send out the document Molly sent to us," do you recall whether this text message related to the circumstance you were describing to us about this Kentucky document?

A It did. At first -- yes. It's referring to the Kentucky political document. And I think, at first, I was thinking, Okay, we've got to get this out. The President asked us to get it out. And then I thought better of it given that it was political in nature, and that's when I believe I told them to hold and let me call counsel's office and double-check.

Q Okay. That's really helpful.

So this -- these text messages, you know, coming somewhat quick in time, but first, Please send it out, and then, Please hold, that reflects the circumstances you described to us about your desire to call counsel's office and discuss with them the potential Hatch Act implications. Is that fair?

A That's fair.

Q Okay. Great.

Let's look at exhibit 12, please.

This is another one of the text messages that you produced to us. [redacted] It's Bates No. 4 in your production, Zach, if that's easier for you to locate it.

Mr. Terwilliger. Thanks.

BY [redacted]

Q So, Ms. Swonger, while we're pulling the document up, do you recall who the other participants in this text chain were?

A So TA is Tommy Andrews. Adam Telle, Nate Parker, and those two bubbles are really small.

Voice. Rachel and Jamie.

Ms. Swonger. Oh, Rachel -- Rachel Leong and Jamie Gillespie.

BY [redacted]

Q Are those all members of your staff in legislative affairs?

A They are.

Q Okay. So what do you recall as -- this is a chain that begins just after the one that we looked at earlier, the December 21, 2020, starting at 6:07 p.m. Why don't you just tell us about what you recall about the circumstances of these text messages that

you exchanged with your staff.

A So we had initially were preparing to send it out, and then decided that we shouldn't send it out. Rachel was an assistant, as well as Jamie, who would have actually hit the send button. So I'm telling them to not do it, that Molly is going to do it, but that Molly needs email addresses for all the Senators and -- Republican Senators and Representatives.

Q Okay.

A But then, later in the text, it sounds like -- which I would have thought Molly already had all of that information. I believe we had shared it with her previously. So it looks like she went ahead and sent it out, and then members of my team were getting inquiries from offices, you know, wondering why that was sent out.

Q Okay. Thank you.

What can you tell us about those -- the inquiries from Members' offices? What do you remember their concerns being?

A I didn't receive any of the inquiries directly. Members of my team did. But just wondering, you know, why did he send that out, and what does it mean?

Q And what was your understanding of why and what it meant?

A Well, the President, I think, was sending it out as a reminder to Leader McConnell that he had helped him win his election.

Q And this was also in the context, as we discussed a few minutes ago, of the President expressing frustration regarding Leader McConnell encouraging people not to object to the certification of the election on January 6, right?

A Correct.

Q Sorry. I just couldn't hear your answer.

A Oh, sorry. That's correct. Apologize.

Q Okay. All right. Thank you.

So do you think that other Members who received this perceived it as the President -- well, first of all, was he -- was it -- do you think it was perceived as him encouraging people to object, notwithstanding Leader McConnell's encouragement in the opposite direction?

A They may have interpreted it that way, and maybe that's why they were worried. You know, no one wanted to, you know, be seen as, you know, being hostile to the President. So I would assume that that's what they were concerned about, although I -- I don't know for certain. We never -- you know, everything moved so quickly, we never really sat down and parsed it out, and I didn't have any direct discussions with those -- those offices.

Q What about, based on your interactions with the President in the Oval Office on December 21st when he asked you to send this out? Do you -- did you understand, from the context and the manner that he directed you to do so, that it was intended to communicate that message?

[Witness conferred with counsel.]

Ms. Swonger. I mean, I think the best way to say it is, you know, he was frustrated with Leader McConnell, that the leader was encouraging Members not to object, and I think this was his way of signaling his frustration with the leader.

BY [redacted]

Q Okay. But you didn't get -- did you get any sense from the way that, you know, you -- that this came up in the discussion on December 21st and the reason why President Trump asked you to distribute it to Republican Members, what the message was that he was communicating about whether they should or should not object on January 6th?

A He never communicated that directly. It was more about his frustration with Leader McConnell.

Q Okay. I guess I'm just asking, in your mind, while you're in the meeting and immediately after, did you connect the dots between those two things?

They don't seem terribly far apart. That's why I'm asking again.

Mr. Terwilliger. Yeah. Casey, I guess on this one, I -- you know, I know we're not in a formal courtroom, but I'd say asked and answered. I think she's given you her best recollection of what happened. I mean, obviously feel free to answer the question, but --

Ms. Swonger. Yeah. I think -- I think I was more concerned about carrying -- you know, trying to carry out his wishes and making sure that we didn't, you know, break any laws. And so, yeah, I -- I don't know exactly -- exactly what he was thinking. So that's -- that's all I recollect.

Mr. Terwilliger. I mean --

[redacted] Okay.

Mr. Terwilliger. -- Ms. Swonger, is it fair to say that the President was frustrated with Leader McConnell for whatever reason, and he asked you to send this as a sign of his frustration, but you're not clear on precisely the reason, whether it related to objections or just general frustration with him?

Ms. Swonger. That's correct. It very well may have been that, but -- as you were saying, [redacted] but I -- he didn't articulate that to me or anyone else in that room, to my knowledge.

BY [redacted]

Q Okay. Understood.

Did you give your staff any guidance about how they should respond to the

concerns that were being raised? I think this text message exchange recalled -- you know, describes them as freaked-out calls from Members, and particularly new Members.

Did you give them any guidance about how to respond?

A No. I mean, we -- you know, whenever -- it's our job to -- it was our job to, you know, field concerns or freaked-out calls and just try to -- I didn't give them any guidance because I honestly didn't have any, but just to, you know, absorb their concerns and just, you know, be as responsive as they could.

Q Okay. I wanted to ask you about one particular text message on page 2 of this document, so it would have been Bates No. 5 from your production. It's a text message towards the bottom of the page where Nate Parker writes, You think it's bad now; just wait until the second term.

What do you understand him to mean in that text message?

A I honestly don't -- oh, okay.

Q I'm sorry. I wasn't sure if you could find it. If you're looking for it, it's on the screen now.

A Thank you. I don't know. Maybe he was referring to the relationship between Leader McConnell and the President and, you know, maybe if the President won reelection that -- you know, that the relationship would be worse. I'm not really sure. I don't know, to be honest.

Q Okay. And then --

A I think that probably --

Q Okay. Sorry. I didn't mean to cut you off.

You respond here, I gave MM a heads-up. Does that refer to Mark Meadows?

The Reporter. I'm sorry. I lost that last response. This is the reporter.

Mr. Terwilliger. I don't think there was one yet.

[redacted] Yeah. I think we talked over each other for a moment, but I believe Ms. Swonger was communicating that it's possible that what she had suggested earlier was what -- what Mr. Parker meant in that text message. We will try not to talk over each other again, especially with our video delay.

Mr. Terwilliger. Amy, just so it's clear for the court reporter, I think [redacted] asked you: What did Mr. Parker mean by you think it's bad now, wait until a second term.

What was your answer to that question?

Ms. Swonger. I believe Nate was referring to, if the President had a second term, that maybe the relationship between the President and Leader McConnell would be worse, or maybe the congressional responses would be worse. I'm not -- I'm not entirely sure.

BY [redacted]

Q Okay. Thank you.

And I just wanted to ask you about your text message there, I gave MM a heads-up.

Does that refer to Mark Meadows?

A No. That is Leader McConnell. Mitch McConnell.

Q Oh, I see. Okay. Thank you.

Tell me about your conversation with Leader McConnell on December 21st.

A It was actually with his chief of staff. I called to give his chief of staff a heads-up that this document was going to get sent out likely in some form or fashion.

Q And what was the response?

A You know, they're obviously not pleased, but they appreciated the heads-up.

Q Okay. Let's look briefly at exhibit 13, please.

And, Ms. Swonger, this is one other document that you produced to us. Your Bates number was Bates No. 3, and it looks like another group thread with some of the same individuals you've identified for us the following day, December 22nd, at 10:45 p.m.

I'm curious about your text message in the middle of the page where you write, So Meadows and POTUS didn't clue in My Kevin.

Who is the Kevin that you're referring to there?

A Kevin McCarthy.

Q Okay. And does this relate to any of the topics that we've been discussing today?

A I honestly don't -- possibly. Wait. I can -- I mean, I -- yeah. Please -- please ask it again. Sorry.

Q Yeah. Let me just ask you: Do you remember having any -- you know, there being a reaction or having conversations about reaction from Leader McCarthy to the text -- the email that we've been discussing now that prompted these calls from Members and Members-elect?

A No. I guess Tommy on my team was just commenting that it sounds like Mark Meadows and the President hadn't given Kevin McCarthy a heads-up. About what, I'm not entirely sure --

Q Okay.

A -- because I don't know if that blue bubble ahead -- maybe it was in reference to that -- to the A.J. Sugarman text. Yeah. It sounds like that Meadows wasn't given a heads-up.

Yeah. Because Tommy -- it sounds like McCarthy's office reached out to Tommy and said that they had no knowledge or -- and were not given any heads up about this UC motion.

Q Okay.

A The joint UC motion that was received.

Q Okay. Thank you. We can take the document down.

So I just wanted to ask you at this point whether you had an understanding, as you did on the Senate side, with whether Leader McCarthy was encouraging or discouraging the objections to be raised on January 6th?

A That, I don't know. I do not recall.

Q Okay.

A I do not have any firsthand knowledge of, you know, how -- what McCarthy was thinking about in terms of -- of the objections. I just -- I don't know. I don't remember.

Q Okay. And earlier, really at the beginning of our conversation today, you described your traditional role in legislative affairs dealing with the Hill. You also shared with us how involved Mark Meadows became in relation between the White House and the Hill during his time as chief of staff, and particularly during this time period that we're focused on today.

I wanted to ask you if you were aware also of another kind of lane of communications directly with the Hill between Mayor Giuliani and the legal effort on behalf of the President after the election interacting directly with Members of Congress.

Were you aware of Mayor Giuliani's efforts there?

A You know, not to my recollection. I mean, someone may have told me that Giuliani was interacting with folks on the Hill, but I did not have any specific knowledge of specific conversations or information being shared.

Q Okay. And did you have a sense of whether that was kind of an extension of Mark Meadows' efforts on the Hill, if they were coordinated or -- or done in

conjunction with Mayor Giuliani?

A I did not.

Q Okay. So there is a -- I can pull up the document if it is helpful. We provided it to your counsel ahead of time. There is a document we received from the Archives that reflect a phone call that Vice President Pence placed for you on December 23rd.

Do you remember that?

A Vaguely. When you sent the document -- I had completely forgotten about it, but when you sent the document, it was -- it's -- and it's still vaguely familiar.

Mr. Terwilliger. [redacted] would you mind if you pull it up?

[redacted] Sure. Yeah, happy to. It's exhibit 14, please. So I think it's on page 2. There we go.

BY [redacted]

Q So it reflects a phone call from the Vice President to the switchboard at 2:38 p.m. asking them to call back with you on the line, Ms. Swonger, and then your return call through the switchboard, you know, about an hour later.

A I -- I only vaguely remember this. I'm -- I would have to assume that I tried to call the President back. And, when I didn't get him, I then probably connected with his staff.

Mr. Terwilliger. Vice President.

Ms. Swonger. What did I say?

Mr. Terwilliger. President.

Ms. Swonger. President. Sorry. Vice President.

And so -- and I -- I'm -- I don't know where I was in between. I may have had my phone checked in to one of the secure boxes. I may have been in a SCIF, and then when

I came out, I then tried to reach the Vice President.

Obviously I didn't get a hold of him, and so I'm -- I would think that I would have then reached out to his staff and tried to connect with them to see what it was about. But it looks like the -- you know, the Vice President had resolved whatever he needed or whatever question he had in the interim.

BY [redacted]

Q Okay. We can take the document down. Thank you.

So, Ms. Swonger, how frequently were you in touch with Vice President Pence during your tenure as director of legislative affairs?

A He often attended the weekly policy lunches and would interact with him sometimes before or after those lunches. He attended our often-weekly legislative meetings with the President in the Oval Office.

Marc Short was my first sort of direct report in the legislative affairs Office, and he is very close with the President. So -- with the Vice President. And the Vice President was fairly engaged in various legislative negotiations.

So, you know, I can recall, when we were negotiating the tax cut bill, the Vice President was very involved and on the Hill and in a lot of the meetings that we were in. So I knew him, you know, fairly well and interacted with him quite a bit during the 4 years.

Q Okay. Either at this occurrence on December 23rd or anything else around there, did you ever interact directly with the Vice President regarding the joint session of Congress on January 6th?

A No. Not to my knowledge.

Q Okay. What about Marc Short or other members of his staff? Did you have any discussions or meetings with them about the joint session?

A Chris Hodgson, his director of legislative affairs, I think -- and I think you guys have a document on this. Late December, they were, I think, starting to organize and, you know, prepare the Vice President's role in the certification, and I think I was invited to participate in one discussion with Chris and the Vice President's counsel. But I believe that was the -- the only -- and I was just sort of listening in on the phone. But, after that, I -- they -- I'm not sure. They must have been dealing with someone else in the White House, but not the Office of legislative affairs.

Q Okay. Understood.

Just so we're clear before we leave the topic, do you have any recollection of whether the Vice President reached out to you after the meeting on December 21st regarding objections or allegations of election fraud, anything like that?

A No. Not to my recollection.

Q Okay. Great.

Let's just bring up exhibit 15, please, which I think is the meeting that you're recalling being invited to with the Vice President's staff. This is a calendar invite. There is also a text message that I believe you or that we had from another source that reflects your participation by phone in this meeting. It looks like it took place on December 30th, and there were several participants from the Hill, members of staff on the House side.

Is this all consistent with your recollection of that meeting?

A I believe we're talking about two different meetings.

Q Oh, okay.

A I could be wrong. I, to my knowledge, did not participate in this meeting. I believe I participated in a -- in just a phone call with Chris and Greg Jacob prior to this meeting. But I could have my timeline wrong.

Q Got it. Okay. Do you remember your conversation with Chris Hodgson and Greg Jacob as connected to this meeting that they were having with Hill staff?

A Yeah. I think it was a precursor --

Q Okay.

A -- kind of like a preparatory meeting in advance of this meeting.

Q Got it.

Mr. Terwilliger. [redacted] since we couldn't print out the copy, as you know, you know, we're only able to look at them on the screen, I -- so I don't have it in front of me. If possible, could we look at that text message that talks about pulling Ms. Swonger off the slopes? I just -- so we can see the time and date stamp.

[redacted]. Sure. Yeah. It's exhibit 16. And I apologize. It's kind of a bad scan copy here.

But, yeah, this one would have been about 2:15 in the afternoon East Coast. I don't know which -- which time zone the slopes might have been in, but a little bit in advance of the 3:00 p.m. meeting. And the time stamp on the meeting invite is crazy. I think it did happen in the afternoon, not at 8:00 p.m.

Mr. Terwilliger. Oh, okay.

Ms. Swonger. Oh, interesting. Okay.

[redacted] Yeah.

Ms. Swonger. I remember participating in the phone call, but I do not recall participating in the other one with Hill staff.

[redacted] Okay.

Ms. Swonger. I don't think I was able to, because I was traveling with my family.

[redacted] Got it. Thank you.

BY [redacted]:

Q Well, what do you remember discussing with Mr. Hodgson and Mr. Jacob on the phone that day?

A Just the Vice President's constitutional role, you know, what -- what needed to happen that day, you know, what needed to take place, just sort of the -- you know, just the constitutionally laid out sequence of events.

Q And who did most of the talking on that call when it comes to the constitutional role? Were they asking you for guidance, or were they providing you with --

A No.

Q -- their understanding?

A I think they were just -- I think they were just trying to keep me in the loop and, you know, if I had anything to add or any concerns or questions. But I think they were just going through, you know, what would be the normal course of events and role for the Vice President during the certification.

Q And did you have any questions or concerns?

A Not that I can recall. Again, I was traveling with my family, so I was a little bit distracted and not -- not super engaged on this issue.

Q Understood.

Did you have a sense at the time with December 30th whether Mr. Jacob or Mr. Hodgson had any question about what the role of the Vice President would be on January 6th?

A No. They seemed pretty clear that it was his role to certify.

Q Understood. And there has been a lot of discussion about this since then, but at the time, were you aware of efforts to convince the Vice President that he had a more active role to play?

A I think I was, but just by virtue of, you know, what I read in the media and the press and anything that the President and others might be saying publicly.

Q Okay. Did you have any nonpublic conversation either with the President, any of his -- your colleagues in the White House, other campaign officials, or anything about this question of the Vice President having some, you know, active role to play in determining the outcome on January 6th?

A I did not.

Q Okay. In the meeting that followed your conversation with Greg Jacob and Chris Hodgson, there were several staff members who worked, at the time at least, for Representative Mo Brooks, as well as one member of staff from House Judiciary. I wondered if you had any -- well, my question is, just do you have any understanding at the time of what Representative Brooks' role may have been in the preparation for January 6th?

A I'm trying to remember. I do not recall what -- sort of what -- which side of the issue he fell on. I don't know if the Vice President's office was trying to convince him that, you know, the Vice President had any role other than just certifying, you know, or if it -- if it was the opposite of that. I'm just -- I can't remember. I can't remember where -- what Mo Brooks' thoughts were on -- on the certification.

Q Okay. And, just based on your experience as director of legislative affairs and your other, you know, experience on Capitol Hill, do you have any, you know, insight as to why the Vice President's staff would be meeting with Representative Brooks as opposed to any other Member on the House side?

A Maybe Brooks was, you know, of a similar mindset and was trying to be helpful to the Vice President and his staff. I just can't remember where he fell, you know, on the spectrum of, you know, how January 6 should go down, or maybe if the Vice

President's office was trying to convince him to convince others that, you know, the Vice President had one constitutional role and just -- I'm not sure.

Q Okay. That's helpful.

Also, on December 30th, Senator Hawley announced -- he was the first Senator to announce that he would kind of cosponsor -- you know, that he would join the objection on January 6th. Do you remember having any conversations either with -- in this one with the Vice President's staff or other members of your White House colleagues about that announcement?

A I do not recall any conversations about that.

Q Okay. And did you have any communications with Senator Hawley or his staff about his objections?

A No. I do not -- I do not recall having any communications.

Q Okay. A couple of days later -- I can find it for you, but a couple of days later, there was a subsequent announcement, kind of led by Senator Cruz with several other -- I think 10 other Senators who joined Senator Cruz in saying that they would also object on January 6th, calling for a -- an investigation to be conducted into the outcome of the election.

Do you remember being aware of that when it became public?

A I remember vaguely hearing about it through public means.

Q Okay. Any communications with, you know, Members or staff on the Hill about those announcements?

A No. Not to my recollection.

Q Okay. There is a text message on -- let's look at tab 18 quickly. This is from January 1, 2021, another one of the texts that you provided to us, Ms. Swonger. This is Bates No. 1 from your production.

And this looks like a text message from somebody who is identifying himself to you -- wasn't in your contacts, it didn't look like -- as Andrew Kloster, who says that he got your contact information from John McEntee, and that he provided you some information about a lawyer at Department of Justice named John Lott.

Do you remember this exchange?

A Vaguely. I didn't until you shared this document, or until I pulled it up. Yep.

Q Do you remember why Mr. Kloster would have been providing you with information about Mr. Lott?

A I do not.

Q Okay. You asked -- it looks like the text message came in, you know, early in the day on January 1st, and then much later in the evening, you asked whether he had spoken with Mo Brooks' staff.

And my question is just why did you think that he would have been connected with Representative Brooks or his staff?

A I think I knew that Mo Brooks was, I guess at that time, interested in -- in all of the certification process, and so, I think that's why I said, you know, maybe talk to Mo Brooks' staff.

Q Okay. Did you have any other engagement with this Mr. Kloster or Mr. Lott?

A Not to my recollection, no.

Q Okay. I believe Mr. Lott spoke on a conference call that was convened shortly after this text message -- I think it occurred on January 2nd -- where a large number, like hundreds of State legislators were invited to hear information about election fraud, and President Trump actually spoke on the conference call.

Do you have any information or were you aware of that occurring at the time?

A I was not aware of that. I did not have any information about it.

Q Okay. What about on January 2nd, so one more day forward in our timeline? Are you aware of a conference call that was convened between members of the House Freedom Caucus and President Trump?

A Not to my knowledge, no.

Q Okay. Were you involved either in organizing or, as with the previous example you described to us, just finding out that something was happening between President Trump and, you know, Members of Congress during the week before January 6th?

A Could you phrase that more specifically? Sorry.

Q Yeah. No. It was a long one.

My question is just focused on the time period kind of where we're talking about now looking forward to January 6th, so like that first week of January.

Did you organize any meetings between President Trump and Members of Congress, or did you find out about them kind of like the December 21st example that you gave us?

A I did not organize any meetings, I did not participate in any meetings, and I'm not aware of any meetings that took place.

Q Okay. Do you remember being asked to distribute any other materials related to the election during that time period leading up to January 6th?

A Not to my recollection, no.

Q Okay. There were several briefings that took place on the Hill or with Members of Congress in the last couple of days before January 6th. There is an individual named Phil Waldron, who is reported to have briefed several Members in a

congressional office on January 5th.

Are you aware of that?

A I am not.

Q Okay. There was also a briefing with Members of Congress that took place at the Trump Hotel right around that time period, also around January 5th. At this meeting, at least one Senator, Senator Ron Johnson, is reported to have participated, and presentations were made by individuals connected to the -- President Trump's efforts, including Sidney Powell.

Were you aware of that?

A I was not.

Q Okay. There was also a --

Mr. Terwilliger. [redacted] sorry. Just one quick question. So just so I'm tracking, the Phil Waldron was not a government employee or anyone who worked with Ms. Swonger, right?

[redacted] He was not. Yeah, all of these briefings that I just asked you about, my understanding is that they were undertaken by outside individuals who were working in some way with the President's campaign.

Mr. Terwilliger. Thank you.

[redacted] Sure.

BY [redacted]

Q The last one I wanted to ask you about is a lawyer who represented the President in this time period named Cleta Mitchell, who convenes a conference call briefing with several Senators or their staff on January 5th.

Were you aware of that?

A I was not.

Q Okay. I also wanted to ask you, just in general, whether you were involved at all -- after the discussion that we already discussed regarding your call with Greg Jacob and Chris Hodgson, were you involved at all in the Office of the Vice President's preparation leading up in the days before January 6th?

A I was not. I -- they were, you know, working on it, preparing the Vice President. I -- they had it covered. They would, you know, let me know if they're -- if they needed to let me know of anything important. But no. And I don't know if they were interacting with another component in the White House, but no. They were -- they were largely handling it not working with White House leg affairs.

Q Okay. And the OVP also met with and interacted during this time period with the Senate Parliamentarian's Office regarding January 6th. Were you or your colleagues in White House legislative affairs involved in any of those communications?

A We were not. We were letting the Vice President's office take the lead on that.

Q Okay. What about the -- the efforts on behalf of -- on the part of both the Senate Parliamentarian and OVP to track the receipt of electoral college votes? Did you have any role in that?

A I did not.

Q Okay. Let's see here.

During this time period, President Trump received and then distributed to Members of Congress letters from State legislators.

Did you have any involvement or awareness of this at the time?

A I did not have any involvement with that. You know, I may have read something in the press about it, but no, I was not involved.

Q Okay. So, just generally, with all of this activity going on on behalf of the

President by -- some of it directly, you know, by him, sort of distributing these letters from State legislators, appearing on conference calls, and then the other briefings that were being conducted by individuals involved in his effort to, you know, change the outcome of the election, I know that you -- you've now told us, you know, that you didn't have any involvement in it on your -- in your role as director of legislative affairs. But I wonder whether you were getting blowback or any sort of response from Members or Senators on the Hill when they -- they were either receiving or, you know, coming to learn about some of these activities?

A We were not -- and I have to presume that they were registering those concerns with the Chief of Staff. He -- you know, I -- they were not reaching out to me and, to my knowledge, to members of my team. I think they realized that those concerns needed to be registered with the Chief of Staff.

Q Okay.

[redacted] Let's go off the record for a moment here real quick.

[Recess.]

[redacted]

Q So most of my -- the remainder of my questions for you, Ms. Swonger, relate to the day of January 6th. So before I move into that, let me pause and see if any of my colleagues have anything they'd like to ask about the other topics we discussed.

[redacted] I don't, [redacted]hank you.

[redacted] Okay. Hearing none, we will push forward.

Mr. Terwilliger. [redacted]

[redacted]. Yes?

Mr. Terwilliger. Just before we leave that, I know you had provided us a document reflecting a potential meeting on January 5th where Ms. Swonger was listed.

If possible, I'd like the opportunity just to be asked about that so it's clear for the record.

[redacted] Sure.

Mr. Terwilliger. Would you mind?

[redacted] No. Absolutely. Let me pull it up real quick.

Mr. Terwilliger. And I can -- I can -- I mean, I don't want to -- just all I wanted to say is, Ms. Swonger, you were provided a document by the committee that was provided to me, and you saw it listed your name for a meeting on January 5th.

Do you recall whether you attended that meeting or not?

Ms. Swonger. I did not attend that meeting, and I do not know if that meeting actually took place. I had no involvement in pulling it together or its preparation.

Mr. Terwilliger. Okay. Thanks, [redacted]

[redacted] Okay. Great. Thank you.

Yeah. And, just for the record, we don't need to pull it up, but it was exhibit 23 in our binder. It lists -- it looks tentative even on the schedule. It's a planning schedule, and it says, you know, hold for meeting with Members of Congress.

And, Ms. Swonger, your counsel had given me an indication ahead of time that this meeting likely didn't occur, and that's consistent with my understanding from the investigation as well, so I think we're good on that.

Mr. Terwilliger. Thank you.

[redacted] Yeah, absolutely.

BY [redacted]

Q Anything else notable on, you know, January 5th? Like, I guess I'll just ask you: What was your expectation? You know, sitting here on January 5th, looking forward to the next day, the joint session of Congress, what did you expect to occur?

A I thought the certification would occur as planned. It appeared that there

were definitely going to be some objections, and that those objections may slow the process, but that the certification would move forward and, in all likelihood, be completed that day on the 6th.

Q Okay. Did you know anyone either in the White House or outside of it who had a different expectation for how January 6th would go?

A No. No. I did not.

Q Okay. So did you interact with anyone in the White House who expected the election of Joe Biden as President not to be certified on January 6th, just so that I'm clear?

A No. Not -- not to my knowledge, no.

Q Okay. Thank you.

What about the rally that was to be held on the Ellipse on the morning of January 6th? Did you have any expectation or understanding for what that would entail?

A I had no knowledge of logistics or planning or details of that. I just knew there was going to be a rally.

Q Okay. We can pull it up if it's helpful, but I think you may have been on a listserv of senior White House staff that received a draft of the President's remarks prepared for the -- that rally. You -- it likes like you received them along with the rest of the list the day before on January 5th.

Do you remember receiving that draft?

A Vaguely, yes.

Q Did you review the remarks? And, if so, did you have any concerns about them?

A I don't recall if I reviewed them. I presume that either I did, or a member of

my team did, and we did not have any edits.

Q Okay. Do you recall others in the White House expressing concerns about the rally, about President Trump's remarks that morning, anything like that?

A No. Just the document you provided showed that it's a couple of the President's counsel -- members of his counsel inside the White House just reflected wanting to make sure that everything was fact-checked and accurate.

Q Okay. No other -- other than those emails, no other, you know, interactions or communications about whether it was a good idea for the President to speak at this rally or anything like that?

A No. Not -- not that I recall.

Q Okay. What about your expectations about -- about the crowd, about the -- about potential protest activity? What did you know going into the 6th?

A I -- I did not know much. I just knew there was a barrier erected around the outside of the White House. There were at least two checkpoints to get even close to the perimeter of the White House. And I made a judgment call to work from home on January 6th because of the increased security and perimeters. And, you know, if there were going to be large crowds, it was going to be difficult to get into the White House, let alone, you know, go to Capitol Hill. So -- and I told members of my legislative affairs team that, if they wanted to work from home, that that was completely acceptable.

Q Okay. Had you planned -- separate from the understanding of security concerns or protest activity, had you planned on being on the Hill that day?

A I had no plans to be on the Hill.

Q Okay. So why don't you just tell us what you recall about January 6th, what your experience of that day was?

A So I was working from home and watching the Senate floor, and I remember

seeing a -- a Senate colleague that I knew run across the Senate floor, and I thought that was extremely odd. And then it looked like there was maybe a flurry of activity, and then I believe -- I think I recall the cameras being turned off -- the C-Span cameras.

And I just remember being very alarmed and concerned about what was going on. I changed the channel to one of the news stations and saw a chyron, I believe, saying that protesters had breached the Capitol. And I just remember feeling concerned and shocked primarily.

Q Understood.

Did you reach out to that colleague that you mentioned or anyone else on the Hill?

A I -- I remember reaching out to Chris Hodgson, who is, as we've stated, the Vice President -- head of the Vice President's legislative affairs team. I believe I reached out to -- to Marc Short just to -- to, you know, make sure that they were okay and safe.

I think I placed calls to other staffers, you know, checking to see, you know, what was going on, was everyone okay. I believe I, you know, checked in with my team, you know, just to make sure they were safe. It was mostly just -- I felt accountable for my team, so I -- I believe I reached out to members of my team to make sure everyone was safe, and reached out to friends and colleagues on the Hill by phone, I believe, to make sure that they were okay as well.

Q Okay. Were there any members of the White House legislative affairs staff actually present in the Capitol that day?

A There -- I believe there was one, Adam Telle, who was up there. He was in the process of transferring -- he was going to be working for Senator Hagerty, so I believe he was up there that day with Senator Hagerty. And I remember checking in on him to make sure he was okay.

Q Okay. And how did the Vice President's staff, Chris Hodgson and Marc Short, you mentioned. How did they respond? What information did they share with you about the Vice President's status?

A They shared that he was safe and fine and that they were safe as well.

Q Okay. Okay. So, on that day, you sort of described to us the beginning part, observing it happening. I know you mentioned your text message with Chris Hodgson, which I think are about 2:17, puts it right at the time, like you said, that the Capitol had been breached, proceedings had ceased on the Senate floor, and just before the Secret Service removed Vice President Pence to a secure location in the Capitol.

What else did you observe towards the end of the day, you know, the remainder of -- after checking in on everyone, the remainder of the time that the Capitol was under attack and the reconvening of the session? Anything -- did you continue to watch the news and stay in touch with people during that time period?

A I did. I continued to watch the news to see, you know, what was being reported. I believe I continued to check in with people all throughout the day, you know, was just saddened and concerned by what was going on. And I believe I checked in with Chris at one point to make sure that the certification would be proceeding that day.

Just trying to get a sense from, you know, anyone that I could, you know, what was happening. And, you know, I think I was, you know, concerned about, you know, would -- would the House and Senate reconvene and begin the certification process again? I was just trying to -- just trying to keep tabs on everything.

Q And why did you think that was important that the House and Senate reconvene?

A I -- I think they needed to -- to finish the certification and, you know, demonstrate that -- you know, that the protesters wouldn't -- wouldn't be successful in stopping the certification.

Q Did you discuss that with any of your colleagues in the White House that day?

A No.

Q I know you said you were working from home. Were you in touch with anyone who was in the West Wing on January 6th?

A Not to my recollection.

Q Either that day or at any later point, did you come to learn anything about the President's activities on January 6th?

A No. Just what -- what I was reading and hearing in the press.

Q Okay. Are you aware of any effort, whether you were involved in it at the time or not, of the President attempting to contact Vice President Pence during the time that he was -- was in this, you know, secure location in the Capitol?

A No. I had no direct knowledge of that, no.

Q Okay. What about the President's efforts to contact Senators in particular, encouraging them to continue in their objections during the day of January 6th? Did you have any involvement or later come to have any understanding about that?

A No involvement. I -- you know, I was hearing press reports that the President was trying to reach Senators while they were on the floor, I believe earlier in the day on January 6th. But I believe I heard that through press reports. Yeah, I don't believe I have any direct knowledge. I think maybe one of my staffers told me that they had heard, but they had probably -- maybe they had heard it from a Hill staffer or a media report, but mostly via public channels.

Q And, just so I'm clear in the record what your staffer told you that they had heard from one of those sources, was that about the President contacting Senators on January 6th?

A Correct.

Q Okay. And what did you understand the purpose of those contacts to be?

A You know, I don't really know because I don't have direct knowledge, but I believe maybe they were discussing objections -- objectors, you know, who was going to object, how many people were going to object, that kind of thing.

Q Okay.

A He liked to -- he liked to interact with Senators and Members of Congress directly, so that was not uncommon for him to do that.

Q Understood. Were you involved at all in -- well, let me rephrase.

There have been some -- there has been reporting about communications between Leader McCarthy and President Trump on January 6th. Were you involved or, at the time, did you have any awareness of those communications?

A I did not.

Q Okay. Did you later come to learn about what was said between President Trump and Leader McCarthy on January 6th?

A Yes, via press and public comments.

Q Okay. No other nonpublic sources, like Leader McCarthy himself or members of his staff, other Members of Congress?

A No. I mean, my staff may have reported picking something up from his staff, but I don't recall anything directly. It's possible we got some anecdotal discussions, you know, my staff, what they were picking up on the Hill, but that would be the extent of it.

[1:15 p.m.]

BY [redacted]

Q Okay. I have a couple of questions for you just about the remainder of your time in the White House after January 6th.

But before we leave the 6th itself, I just wanted to ask if there's anything else that you recall that's significant that you want to share about the events of January 6th?

Ms. Swonger. Anything?

No.

BY [redacted]

Q I'm sorry. I couldn't hear you.

A No.

Q Got it.

A No.

Q Did you speak directly with President Trump again after January 6th?

A On my last day in the White House on January 18th, I said goodbye to him. It's possible -- I recommend -- I recollect our team may have gone in for, you know, a last meeting with him, kind of a photograph, that kind of thing. But that's -- that would be the extent of it.

Q Okay. Did anything come up about the election or January 6th at that time?

A No. On my -- on my last day he mentioned -- we spoke a little bit and he mentioned that he was still frustrated with Leader McConnell, but that's about it.

Q Tell me a little bit more about that. This is the time when you went to say goodbye? Is that right?

A He just -- you know, we were saying our goodbyes. And he just -- he always, because I was head of the Senate team for so long, he associates me heavily with the Senate and Leader McConnell.

And just, you know, it was on his mind still. And he, you know, just something to the effect of, you know, he was still displeased with Leader McConnell and I guess his objections to there being objectors on January 6th and not -- not agreeing with him on election irregularity or election fraud or that kind of thing.

Q Okay. How did you respond?

A I just, you know, shook my head, listened to him, you know, just -- just listened to him.

Q Okay. But it was clear that the frustration that he was expressing was related to the outcome of the election on January 6th. Is that right?

A Yes.

Q Okay. And I think you said earlier your last day was January 18th? Is that right?

A That's correct.

Q Okay. Any other communications with President Trump about January 6th?

A No.

Q Okay. There were several high profile and some lesser high-profile resignations, members of the Cabinet as well as White House staff following January 6th. Did you consider resigning or did any of your staff?

A I don't know about my staff. I did not have any discussions with them about it. But, you know, the thought crossed my mind on January 6th, because it was such a upsetting day and, you know, just a lot of emotions. But I felt like I had a duty to

serve out the rest of my term and I had a team to manage and, you know, wanted to carry out my duties faithfully.

[redacted] Understood.

Let me pause here. I don't think Ms. Lofgren is online anymore.

But my colleagues, [redacted] do you have anything else you'd like to ask?

[redacted] No. It's very helpful.

Thanks, Ms. Swonger.

I don't have anything else, [redacted]

BY [redacted]

Q Okay. Ms. Swonger, just a couple of wrap-up questions and then we'll let you go. And I do want to express our appreciation for your time today. Thank you for coming to speak with us voluntarily. We do really appreciate it.

I just want to ask you. Since the time that the select committee has been conducting its investigation and certainly since we've reached out and expressed an interest in speaking to you, have you spoken with President Trump or any of his representatives?

A I have not.

Q Okay. Has anybody attempted to influence your decision to talk to us or the content of your interview today, anyone outside of your attorneys certainly or members of your family?

A No, not at all.

Q Okay. And is anyone other than yourself or members of your family paying for your legal fees in connection with your interactions with the select committee?

A No.

Q Okay. Your -- has anyone affiliated with President Trump or his entities

attempted or actually provided you with a source of legal representation for your interactions with the select committee?

A No.

[redacted] Okay. Thank you, again, for your time.

Is there anything else that I have missed that you think we should cover before we leave today?

Ms. Swonger. Not from my perspective, no.

Mr. Terwilliger. [redacted], just give us -- I don't think so, but just let me consult with Alex and make sure there's nothing we missed. Give us one second.

[redacted] Absolutely. Okay.

[Discussion off the record.]

[redacted] Zach, I don't think we can hear you.

Mr. Terwilliger. Oh, sorry. We have two mute buttons. Sorry. Yeah, sorry. Two mute buttons.

Ms. Swonger did have one more thing she wanted to add before we go.

Ms. Swonger. I just wanted to restate that everything I said today was the best of my recollection, that if you have any documents or any other information that you'd like to share to jog my memory. But to the best of my knowledge, I've answered everything accurately and to the best of my recollection.

[redacted] Understood.

And we, again, we appreciate your cooperation, your participation today.

Anything else, Zach?

Mr. Terwilliger. I don't know if you want to do it on the record or off the record. I'd just be curious, given the timing, transcript review, that sort of stuff. I don't know if we should talk those logistics on the record or off the record.

[redacted]Yeah, let's conclude the formal record at this time.

Thank you again, Ms. Swonger.

Ms. Swonger. Thank you.

[Whereupon, at 1:23 p.m., the interview was concluded.]

Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

_____

Witness Name

_____

Date