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

INTERVIEW OF: MADISON FOX PORTER

Thursday, May 5, 2022

Washington, D.C.

The interview in the above matter was held via Webex, commencing at 2:00 p.m.

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Appearances:

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

[redacted] PROFESSIONAL STAFF MEMBER
[redacted], CHIEF CLERK
[redacted] INVESTIGATIVE COUNSEL
[redacted] SENIOR INVESTIGATIVE COUNSEL

For MADISON PORTER:

STEFAN PASSANTINO

[redacted] We can go on the record. It's right at 2 o'clock. Good afternoon. This is a transcribed interview conducted by the Select Committee to Investigate the January 6th Attack on the United States Capitol pursuant to House Resolution 503.

Ms. Porter, could you please state your full name and spell it for the record.

Ms. Porter. Sure. It's Madison Fox Porter, and that's M-a-d-i-s-o-n, middle name F-o-x, last name P-o-r-t-e-r.

[redacted] Thank you. This will be a staff-led interview. Members of the select committee may join if they so choose and ask questions, but in the main, it will be me asking questions and my colleague who's with me in the room, [redacted]. I myself am [redacted]. I'm a senior investigative counsel, and [redacted] is an investigative counsel.

I know that you have your attorney with you today, so I would ask him to please introduce himself and spell his last name for the record.

Mr. Passantino. Yes. Stefan Passantino, P-a-s-s-a-n-t-i-n-o.

[redacted] Thank you, Mr. Passantino.

So before we begin, Ms. Porter, what I'll do is just go over a few ground rules, standard for anybody who meets with us. The first is to note, as you see on the Webex platform, that we have official reporters with us who are transcribing what you're saying today. So if you could, for the record, if you could please wait to answer our question until we're done asking it, and we'll wait to ask you the next question until you're done answering, okay?

Ms. Porter. Understood.

[redacted] The official reporters can only record verbal answers, so if you shake or nod your head, excuse us in advance, we'll have to ask you to say yes or no. And if

you spell something that we don't know the spelling of, we'll just ask you to please spell that so everyone knows for the record what it is you're referring to.

Ms. Porter. Okay.

[redacted] We ask that you provide complete answers, based on the best of your recollection. If you don't remember something or you're not clear on it, just say so. And if a question we ask is not clear, just let us know, and we'll do our best to rephrase it so you understand it.

Ms. Porter. Okay.

[redacted] If you need any break at any point, whether for comfort or just to talk to Mr. Passantino, we're happy to accommodate that. Just say so.

I've told Mr. Passantino before today that I expect us to be efficient with your time. I know you're busy and have a family to get to and we appreciate you being with us, so I don't expect it to go more than, say, 2 hours at the most.

Ms. Porter. Okay.

[redacted] But, again, if you need a break at any time, just let us know and we'll do that.

Ms. Porter. Will do.

[redacted] Now, throughout the interview, as we talked about before we went on the record, we referred to the fact that we'll be showing you exhibits. What we'll do is we'll flash those up on the screen so that you can see them.

We provided them in advance yesterday so that you and Mr. Passantino could see them and review them, but you take as much time as you need today if you need it to refamiliarize yourself with the documents before you answer questions, okay?

Ms. Porter. Okay.

[redacted] And if you need us to zoom in, please let us know and we'll do that.

We'll navigate the best we can in this format.

I'll say up front, there's one exhibit we didn't send yesterday. They're just more of President Trump's tweets and specifically from January 6th. There's just a handful of them. I'll show them to you at some point during the interview toward the end, but if you need time to look at them with your attorney or think about them, it was just something I forgot to send yesterday, so you do what you need when we get to that point.

Ms. Porter. Okay.

[redacted] But otherwise, just want to remind you, as we do all witnesses before we get started, that it's unlawful to deliberately provide false information to Congress and that to do so could result in criminal penalties. Do you understand?

Ms. Porter. Yes, I do.

BY [redacted]

Q So, with that, I just want to note for the record that you're appearing today voluntarily for this interview. Is that right?

A That is correct.

Q So I reached out to you by text, and then you arranged to get counsel, Mr. Passantino, and so there was no need for us to have to subpoena you. Is that right?

A That is correct.

Q Now, I did send to Mr. Passantino a set of document requests to see if you had anything that was responsive, and if we show that now, it's exhibit 1.

And let us know if you can see the exhibit on your screen. Is it showing for you?

A Yes, I can see it.

Q Okay, great. So this is the email I sent with the document requests on April 19th of this year. Please understand we don't want to hear anything about discussions

between you and Mr. Passantino. That's between the two of you.

But I'll just ask, did you look to see within the documents you have in your possession whether you had anything responsive to the requests we had?

A I did look.

Q And did you have anything that was responsive?

A I did not.

Q As we understand it through your counsel, that's because anything responsive you would have had would have been communicated over your White House devices at the time, and you no longer have access to those. Is that right?

A That is correct.

Q So moving beyond that then, we can take down that exhibit.

Could you just give us some background, Ms. Porter, on your highest level of education and your career path leading up to your working at the White House?

A Yes. I graduated from Texas A&M University with a bachelor's degree, and worked on the Hill for 4 years on the House side, and then moved to the White House in 2017 of March.

Q When you joined the White House, in what role did you join at that time?

A At that time, I joined as senior writer in the Office of Presidential Correspondence.

Q What was the last title you held before the end of President Trump's administration in January of 2021?

A The last title that I held was Associate Staff Secretary and Special Assistant to the President.

Q How long had you held that title and role for before you left at the end there?

A That specific title, I'm not sure.

Q How about I ask this: How long had you been in the Staff Secretary's Office?

A About 2 years.

Q As we understand it, a gentleman by the name of Derek Lyons was serving as the staff secretary for a period of time overlapping with your tenure in the office. Is that right?

A That is correct.

Q And that he left the office on December 19th of 2020. Does that sound about right to you?

A Yes, it does.

Q So at the time he left, did that cause any change in your title or role and responsibility?

A I know my title changed. It may have been around the same time. I just don't recall.

Q Maybe a simpler way to ask it, was there someone who, in effect, stood in -- took Mr. Lyons place at least officially when he left and, if so, was it you or someone else?

A No, there was no one who officially took his position.

Q So just maintain the status quo through the end of the administration about a month later?

A Yes.

Q Could you give us just an overview of what your responsibility was in that role within the Staff Secretary's Office? And if it's different in the time period we're interested in, November of 2020 to January of 2021, let us know, but otherwise, you can

just describe during your 2 years what that role required of you?

A Sure. So in the Office of the Staff Secretary, I would explain it as sort of like a circuit board. We were in charge of facilitating documents. We would make sure that those documents were in good shape, documents including executive orders, speeches, things of that nature. And then, we would deliver a final product. We were not in charge of creating content, just more so the facilitating of these documents.

Q When it comes to speeches in particular, could you just give us a sense of what the role was of the Staff Secretary's Office, speeches that the President would deliver?

A Sure. We would receive a draft from the speech writing team. We would route it out to the appropriate principals. And then, we would take all of the edits, compile that, send that back to the speechwriters. And that process would continue until the speechwriters felt it was in a good position to be delivered to the President.

Q Just so we put some names and faces with the roles and the time we're interested in, again, we're going to focus on November of 2020 to January of 2021, and if you're ever -- if I'm ever not clear about that, just let me know, but that's what we're talking about.

We understand that Vince Haley and Ross Worthington were basically the heads of the speechwriting team during that time. Is that right?

A That's correct.

Q And they reported up to Stephen Miller, who ultimately was responsible for the speech draft. Is that right?

A Correct. Yes.

Q And so, as in the standard process for getting a speech to the President, did you know or did you have visibility into the back-and-forth between Ross and Vince on

the one hand, and Stephen Miller before it would come to you for the Staff Secretary process? In other words, would they hash out and get the draft in shape before --

[redacted] We lost her.

[redacted] So just for the record, it's 2:10 and Ms. Porter dropped off. There she is.

Ms. Porter. I'm not sure what happened.

[redacted] No, it's okay. You know what, I was running on, so this makes it easier.

BY [redacted]

Q I'm just going to go back to understand the process, and maybe the easiest way is for you to tell me if it's right or wrong.

We understand that Mr. Worthington and Mr. Haley would do a first draft, get it to Mr. Miller, and they would hash out the first draft together before it would then go to you and the Staff Secretary's Office to go out to the different components of the White House for another look before it went to the President.

Does that sound right to you?

A Yes, that is correct.

Q And while I understand that every speech is unique, the process once you got involved with the Staff Secretary's Office, was that iterative, or it was just a one-time you send it out, people give their responses, the speechwriting team incorporate it and then it goes to the President, or were there multiple levels of review?

A There were multiple levels of review.

Q Now, as a general matter, would you and the Staff Secretary's Office have any visibility into the assignment of speeches on the front end before you would receive that draft? Would you know what was being asked of the team and when they were

required to deliver it?

A I'm not sure I understand what you mean by that question.

Q So just take as just a -- let's just take a hypothetical speech. Say the President has an event coming up in 2 weeks, and Mr. Worthington and Mr. Haley need to draft this speech.

Would you know in advance that they were working on it and that you needed to get it by a certain time for it to be reviewed and finalized to go to the President, or you would just receive it when you received it and take it from there?

A Usually would receive it when we received it and take it from there. I mean, yeah, that was about it.

Q And in the typical process, would the President provide any input?

[redacted] I think for the record, it looks like Ms. Porter's connection froze up again.

[Discussion off the record.]

[redacted] We'll go back on the record at 2:14. We've sorted out the technical issues, we hope.

BY [redacted]

Q But, Ms. Porter, the question I was asking before we had that interruption was just in the typical course, would President Trump provide input on a speech prior to receiving the draft after the Staff Secretary review?

A Is your question who he would be providing that information to or --

Q Just to the best of your knowledge, did you understand the President, would he provide input on a speech as a general matter before he received the draft after the Staff Secretary review?

A I don't know.

Q All right. When he would provide input after receiving the draft that came out of the Staff Secretary review process, would you see that? Would it be -- you know, in other words, would it come to your office to deliver to the speechwriters, or would it go straight to them?

A Sometimes.

Q And when it did come to you the sometimes, would it be in hardcopy format? Would it be in a redline, in an electronic document? In what shape would that be?

A Sometimes it would be a redline copy document. Other times, it would be word of mouth.

Q And to that point, where was your office located, at least in the 3 months we're looking at, within the West Wing? Where were you?

A Sure. So when you walk into the West Wing and you see the reception desk where the Secret Service agent sits, you make a left. You go all the way down the hallway. It's the last left on your left across from the restroom, and then I -- yeah, I sat in there.

Q So on the same floor as the Oval Office?

A No, on the ground floor.

Q Ground floor?

A Yeah.

Q So you'd have to walk up or down to get to the Oval?

A You --

[redacted] Okay. Just for the record, it's 2:16 and Ms. Porter's system froze again.

[Discussion off the record.]

[redacted] Let me go back on the record at 2:35. We have resolved, it appears, the technical issues and we'll get back to the interview.

BY [redacted]

Q Ms. Porter, when we stopped talking before the technical issues came up, we were just going over the standard process for speechwriting, and thank you for giving us a sense of generally how it worked.

And I just want to turn to the particular now. And I'm going to show you three exhibits just for context. The issue, however, now is that we're going to go off the record because we need -- at 2:36 because we need to get the ability to share.

[Discussion held off the record.]

[redacted] We are back on the record. It is 2:36 p.m.

BY [redacted]

Q Ms. Porter, what I'm showing you is exhibit 2, which is a photograph taken by the White House photographer the evening of January 5th of 2021 in the Oval Office.

A Yes.

Q Do you see the photograph on the screen?

A I do.

Q And just to orient for the record, on the right of the picture, the furthest to the right is President Trump. And we understand that you are the person in the picture standing next to him, what would be on his right. Is that correct?

A That's correct.

Q And next to you to your right in the photograph would be Doug Sellers?

A That is correct.

Q Mr. Sellers, was he --

A He goes by Douglas.

Q Douglas. Does Mr. Sellers -- was he also in the Office of Staff Secretary at the time?

A Yes.

Q And, again, I'll show you just a few more before we get to the particulars, but if we look at exhibit 3, these are tweets that President Trump issued from his Twitter account on the evening of January 5th, three in particular that we've highlighted: The first at 5:05 p.m., the next at 5:12 p.m., and then the last at 5:25 p.m.

So I won't read them, but do you see those highlighted there? Are you able to see the text?

A Yes, I do.

Q And then we'll look at exhibit 4, which is an email chain within the White House email system from January 5th of 2021. What I want to do is direct your attention to the first two emails in the chain, which are going to be on page 2 of exhibit 4.

A Okay.

Q What starts the chain is an email from Austin Ferrer at 5:11 p.m. on January 5th, so in between the two tweets that the President issued.

A Uh-huh.

Q And it's to Vince Haley and Ross Worthington, the speechwriters we discussed earlier, copying Molly Michael and the Staff Secretary email address. Do you see that?

A I do, yes.

Q And the subject line is the 11 a.m. speech?

A Yes.

Q Now, the Staff Secretary email address doesn't name a particular person, but was that a distribution list to your office?

A That is correct.

Q So you would have received this email then?

A Yes.

Q And to that point, if we go up to the next email in the chain, we need go to the bottom of page 1 to show you the date and time, but on January 5th at 5:28 p.m., it lists you as having replied to the chain.

And if you go down to the body of it, it says: "Ross and Vince -- we got some feedback from POTUS re: the remarks. Will give you a call." All right. So that's this.

Are you the Madison Porter who sent that email?

A Yes.

Q And the timing, as you see, 5:28 p.m. is approximately 3 minutes after President Trump sent the last of the three tweets that I showed you in exhibit 3, okay? This is just for context.

A Okay.

Q All right. And then to continue on, just so you can see, the response and then continuing on in this chain is that Mr. Haley, Vince Haley, if we go down, at 6:02 p.m. explains to Austin: "We are finalizing the draft. We anticipate delivery by 8 p.m. at the latest."

You're on that chain, so you received it. Is that right?

A That's correct.

Q If we go up then to the next email in the chain, you know, Mr. Ferrer responds "thank you" at 6:32 p.m.

And then next up, Mr. Ferrer checks in again at 7:40 p.m., literally saying: "Checking in. Any chance we can get it before 8?"

And then if you continue up, I just need to explain to you a timing convention.

You'll see that Ross Worthington responds. It's listed here as January 6th at 12:46 a.m., but the way the White House system, when it -- when this email is produced to us, that's in UTC, or Greenwich Mean Time, which means it was 5 hours in advance of Eastern Time.

So if you subtract 5 hours, what that means is it was sent at 7:46 p.m. on January 5th, in other words, a few minutes after Mr. Ferrer checked in to see if he could get it before 8 p.m. Does that make sense?

A Yes.

Q Okay. And, again, if you see there, the Staff Secretary is on the email distribution list, and so you would have received this as well, right?

A Yes.

Q Okay. We've included the actual attachment that Mr. Worthington sent, the speech that he sends at that time. It's still on this exhibit, starting at page 3. And we'll go down just so you can see the start.

A Uh-huh.

Q Okay. And again, just setting the stage, but if we go to exhibit 5, I'm going to show you an email that you were not on, but that Mr. Worthington sent earlier on January 5th at 3:30 p.m. to Stephen Miller and Vince Haley, with an earlier draft of the speech. Can you see that exhibit?

A Yes, I can.

Q And if you continue on to page 2, you'll see that the body of the speech is there, okay?

And so, consistent with what you described earlier about what your role in the review process would be in the Staff Secretary Office, what you see here is Ross and Vince and Stephen discussing the first draft before it then comes to your office and others, with the second draft at roughly 7:46 p.m. the night of January 5th. Okay?

A Okay.

Q All right. And then last, just for context again, we ran a redline in exhibit 6 between the first draft that you weren't copied on and the second draft that you were that Mr. Worthington sent.

And the reason for that is because we'll direct your attention to certain language and see if it's relevant to what we'll ask you about when you --

A For clarification purposes, this is your redline?

Q Yes, correct.

A Not the Staff Sec redline?

Q No, it is not. We understand there were certainly those that would be passed around, but we took these and compared the two versions that we had, the first and the second, and made a redline.

A Understood.

Q So, with all of that context now that you've seen it, what I'll do is go back to exhibit 2, the photo in the Oval Office, and ask do you recall being at that, what I'll call a gathering in the Oval Office the night of January 5th with the President?

A I do.

Q And how did you come to be there for that gathering? Who asked you to come in and why were you there?

A I was there -- Douglas and I were both there to get, I want to say it was about 30-something bills signed.

Q As you look at the photo, can you actually see on the Resolute Desk any of the bills?

A Yes.

Q And how would we know that's what we're looking at in the photo?

A We -- they typically came to us in these hard blue folder-type things. So his right, closest to me you see the stack.

Q That makes sense. Thank you for that.

When you came in to have the President sign those bills, who else, if anyone, was in the Oval Office with him at that time, do you remember?

A I don't recall.

Q As we look at this photo at this time, what we see, as we understand it, is Kayleigh McEnany and many of the people on her team in the Communications Office. Does that look right to you?

A Yes, it does.

Q And then sitting on the couch -- and you can't see his face, his back is to the camera -- is Dan Scavino. Is that right?

A Yes.

Q Were all of these people, to your knowledge, in there when you first came in with Mr. Sellers to have the bills signed, or did they come in after?

A I -- I don't remember.

Q If you look at the middle of the picture, you can see what we understand to be an open door in the Oval Office leading out to, I think the walkway towards the residence. Is that right?

A Yes.

Q When you came into the Oval Office that night with Mr. Sellers, was that door already open, or was it opened while you were in there?

A I don't recall.

Q Do you remember it being -- what the temperature was like that night? Was it cold or hot?

A I don't recall.

Q It was early January, and reporting and also accounts by other people in the room with you said that it was quite cold and that people commented on being -- for instance, some people were in short sleeves. Do you remember that at all?

A No.

Q And at least yourself, you're standing a little ways away from the door in long sleeves, right?

A Yes.

Q I showed you in exhibit 3 tweets that went out from the President's Twitter account between 5:05 p.m. and 5:25 p.m., three of them.

Do you recall tweets being discussed, or draft tweets being discussed while you were in the Oval Office at that time?

A Vaguely.

Q You do, okay. So why -- understanding that then, what -- as best you can remember, what was discussed, what was the nature of your conversation in the Oval Office while you were there that night?

A That I don't particularly remember. Like I said, I know we were there to get the bills signed. That vividly sticks out in my mind, because there were 30-something and carrying those up the stairs, I vividly remember that.

I remember vaguely discussions about tweets, or tweets being sent out. I don't remember what the content of those tweets were.

Q I showed them to you, though, and if you look -- we'll go back to exhibit 3 and maybe this will help.

A Sure.

Q And we'll start with the first one at 5:05 p.m., and I'll read it: "Washington

is being inundated with people who don't want to see an election victory stolen by emboldened radical left Democrats. Our country has had enough. They won't take it anymore. We hear you and love you from the Oval Office. Make America Great Again!"

Do you see that?

A Oh, yes. It's the third one highlighted.

Q Correct.

A Okay, yeah.

Q But that's referring to hearing someone from the Oval Office and that Washington is inundated with people who don't want to see the election victory stolen.

Do you recall any discussion of crowd noise and music while you were in the Oval Office that night?

A Vaguely, yeah.

Q So what do you remember hearing outside and what do you remember being discussed in the room?

A I remember the -- being able to hear music.

Q From where, generally?

A Outside.

Q All right. And I'm not trying to be vague. I mean, right outside the door of the Oval Office or it's coming from somewhere in the vicinity in the city downtown? What do you mean, you heard music?

A Yeah. I would say the latter is correct. I don't know where it was specifically coming from, but you could hear people celebrating and you could hear music.

Q So not on the White House grounds, but somewhere close enough you could

hear it?

A No, not on the White House grounds.

Q Do you know -- does that refresh your recollection about why the door was open that night? Did the President refer to the fact that he was listening to the people and the music?

A I think. I mean, what the tweet -- that's what was implied by the tweet.

Mr. Passantino. [Inaudible.]

[redacted]. [redacted] I'll just say, if you're on mute, that there was kind of a series of echoes that made it almost inaudible. I don't mean to get in between you and your client, but I don't know if there's another way to communicate. If you need to communicate with her, it might be easier to take a break, but up to you.

Mr. Passantino. It was only about rephrasing the question.

[redacted] Okay. All right. Well, you let me know if you need to continue, but it sounds like, Ms. Porter, if you're comfortable continuing.

Ms. Porter. Sure.

BY [redacted]

Q Again, just asking -- I want to ask this: Was it typical with -- if there was -- in early January for the President to keep the door open to the outside in the Oval Office like that?

A I don't know.

Q In your experience, was it --

A In my experience, no, but I also wasn't in there all the time, so I don't -- I don't know what his preferences were with regard to the door.

Q But, in terms of your experience when you were in there, it was not typical for him to have the door open in the winter like that?

A Correct.

Q What did the President say about the people who were there if he -- did he comment on who they were and his views on the music? I mean, what was he saying about it all?

A I mean, I -- I don't recall his specific conversation. I can infer from the tweet, but I don't remember what he spoke about.

Q Was he discussing it with people in the room, with you all, commenting to you all, at least do you remember that?

A I think so.

Q It's been reported by witnesses that we've talked with who were in the room with you, but then also in the book, Peril, by Bob Woodward and Robert Acosta that the President during the meeting with you all said something to the effect of isn't that great about the crowd and the music, tomorrow is going to be a big day, and Judd Deere responding something to the effect of, you know, they are excited to hear from you, Mr. President.

Is that consistent, at least generally, with the tenor of the conversation?

A It may have been.

Q It's also been reported in Peril that another staffer in the room said something to the effect of that they hoped Wednesday, that is, January 6th, would be peaceful, and other people said that they agreed, and that the President responded, Yes, but there's a lot of anger out there right now.

Do you recall anything to that effect?

A I don't.

Q What, if anything else, do you remember, as best you can, the President saying during that meeting?

A I mean, this has been over a year ago. I don't -- I don't remember specifics. Again, I can infer from the tweets. I don't recall him saying anything about the bills we were getting signed. I just -- I was up there to get those signed. So that was my main priority.

Q I understand that's your priority. Do you recall him saying anything to the effect -- the President, that is -- of how we, and referring to the people in the room, can get Republicans, and even RINOs, in his term, to do the right thing on January 6th? Do you remember that being a topic of conversation?

A No.

Q No, it wasn't, or you don't remember if it was?

A No, I don't remember.

Q And do you recall the President saying that the Republicans in Congress and the RINOs, that is, Republican in name only, in particular, needed to have courage, as did the Vice President, for what they were about to do on January 6th?

A I don't remember the specific conversation.

Q Well, if we look at the second tweet in exhibit 3, do you see 5:12 p.m. on January 5th, it says: "I hope the Democrats and, even more importantly, the weak and ineffective RINO section of the Republican Party are looking at the thousands of people pouring into D.C. They won't stand for a landslide election victory to be stolen."

And then he tweets that to Senate Majority Leader Mitch McConnell, Senator John Cornyn and Senator John Thune. Do you see that?

A I do, yes.

Q Does that refresh your recollection about whether the President was talking about RINOs?

A I mean, again, I can infer from the tweet he must have been, but I don't -- I

don't recall the specifics. I cannot recall the specifics of his conversation.

Q Do you recall the President speaking towards Dan Scavino, again, while all of you were there, and talking about what to draft and to send out these tweets about what he was hearing from the people outside?

A I mean, again, there's the photo that shows Dan on his phone. So perhaps, but I specifically cannot recall.

Q But you said earlier you did at least recall that there was some discussion of tweets while you were in the room?

A Yes. I don't remember the specifics of the tweet, but yes.

Q And to the question I asked earlier about whether the President referred to a lot of anger being out there in the crowd, and people saying they hoped it would be peaceful on Wednesday the 6th, you see the last tweet at 5:25 p.m. from the President is: "Antifa is a terrorist organization. Stay out of Washington. Law enforcement is watching you very closely." And then he tweets out various law enforcement-related agencies.

A Yes.

Q Okay. Again, does that refresh your recollection about whether there was any discussion while you were there about whether it would be peaceful or not on January 6th?

A It does not refresh my memory.

Q Did you have -- were you aware that the President, at that time, that he would be speaking the next day at the rally on the Ellipse?

A I assume so. I'd have to look at the timestamps of when I received the draft of the speech, but --

Q Again, and I referred to earlier about how Judd Deere is reported to have

said that the people were excited to hear the President speak the next day.

So you don't recall that being discussed, the fact that the President would be speaking?

A Again, specifics, I don't remember specifics from the conversation. No, I don't.

Q But then certainly, it would probably help to look at exhibit 4, which we showed you earlier, the email chain about the draft speech for the next day.

A Sure.

Q If we bring you to page 2, as I showed you, Austin Ferrer reached out to the speechwriters, Vince and Ross, at 5:11 p.m. --

A Sure.

Q -- asking for the speech tomorrow a.m., which you were on.

A Yes.

Q Was Mr. Ferrer in that meeting in the Oval Office, that you recall?

A I don't recall.

Q Did Nick --

A Sorry, excuse me. What did you say?

Q I didn't know you were still going. Go ahead, about Mr. Ferrer?

A Sorry. I'm done.

Q Okay. How about Nick Luna, do you remember him coming into the Oval Office while you were there?

A I don't recall.

Q At 5:28 p.m. then, when you respond back, Ross and Vince, we got some feedback from POTUS regarding the remarks, Will give you a call, please, what prompted that email and how did you get that feedback from the President?

A Sure. Well, I assume that is what he -- he spoke about it in that -- in that picture.

Q Again, I'm not asking you to assume. You wrote the email. So what do you recall about why you reached out to Ross and Vince to tell them you had feedback?

A I don't recall. I -- I mean, I've got the email. I don't -- I don't remember what he said in the meeting, but there would obviously be a reason as to why I sent the email.

Q And as you see from the chain here, the President had not yet received the draft of the speech, right?

A Not from us, I guess.

Q And you certainly hadn't received the draft yet, that was the whole point of this chain, right?

A Right.

Q And certainly, given your role, the President would know that you would be in touch with the speechwriters about getting a draft in shape, right?

A Yes.

Q And so, you're saying you don't remember what he told you, but you know enough, looking at this, that you received directly from the President whatever it is his remarks were that he -- the feedback he wanted you to give to the speechwriters?

A Correct.

Q All right. And you said "we" got some feedback, that is, in the collective, not just you. When you said "we," who were you referring to?

A I don't know. I mean, I think I used "we" a lot in place of Staff Sec, so I'm not sure.

Q Do you recall who between the two of Ross and Vince, or maybe it was both,

that you spoke to?

A I don't remember.

Q So if you look at exhibit 6, the redline that we created between the first draft and the second draft of this speech, and you see that what's stricken out in red is what's taken out from the first draft.

A Sure.

Q And what's in blue underlined and not stricken through is words that are added in the second draft, okay?

A Okay.

Q And we're looking at the first page, and you see that the introduction to the first draft is stricken out and a new paragraph is added in. Do you see that?

A I do, yes.

Q I'm going to read that first paragraph, and then we'll talk about it. The new paragraph in the second draft says: "I am honored to stand before tens of thousands of devoted American patriots who are committed to the honesty of our elections and the integrity of our glorious republic. All of us here today do not want to see our election victory stolen by emboldened radical left Democrats. Our country has had enough, we will not take it anymore. Together, we will Stop the Steal."

Many of those words and certainly the tenor mirror what was in the President's tweets that were sent a few minutes before you reached out. Do you agree with that?

A Yes.

Q Do you recall then, now having heard that and seen that, that the feedback the President gave you had to do with the tweets he was sending out about the crowd?

A I can't recall.

Q Do you recall having to take notes, Ms. Porter, about the President's

feedback, or was it enough that you could just -- that you had it in your mind and conveyed it in the call?

A No, I think if I would have taken notes I probably would have put it in an email.

Q And so, to that point, if you see further in the draft where you see changes, for instance, go to page 3 --

A Do you mind, can I grab my glasses really quickly?

Q Absolutely. Let us know when you're ready.

A Thank you.

[Discussion off the record.]

BY [redacted]:

Q Ms. Porter, we see you're back. You have your glasses on.

A Yes.

Q And we'll zoom out a bit so that you can see. And we're still on exhibit 6, page 3.

A Okay.

Q No, I'm sorry, zoom out so it's less big.

If we go down a bit -- and I'm just showing you that the types of changes -- again, you had this yesterday, but I just want to show and continue on.

There's a portion of the speech, as you see, that has to do with purported facts about the votes in the various States and numbers of ballots and those sorts of things. Are you seeing that on page 3?

A Yes, I am.

Q I'm just going to ask a simple point, that if there were changes with numbers and about the various different States, I imagine that would have been the thing you

would have needed to take notes on to give detailed feedback like that, right?

A That is correct.

Q Okay. And so, once Mr. Worthington sent the draft to you and others at 7:46 p.m., as we saw in the email chain, do you recall that this speech went through the, what I'll call the standard Staff Secretary review process?

A Vaguely. I believe so.

Q Is there anything about what happened with the speech at that point that stands out in your mind as out of the ordinary?

A No.

Q The nature of the speech was at the -- you know, was at the Ellipse the next day. And we've heard from other people involved in the speechwriting process that you can basically break a speech down. It's either an official speech or a political speech. Do those categorizations seem -- make sense to you?

A Yes.

Q And so on the one hand, with an official speech, the entire speechwriting process could be handled on White House computers and equipment; but if it was political, you'd have to be mindful of the Hatch Act, at least to some extent, and potentially use your personal account, is that right, for drafting?

A That's right.

Q But when it came into the Staff Secretary review process, whether official or political, it would all be in the White House system, because that was the requirement to then have it go to the components to review. Does that sound right?

A It does.

Q In other words, from your perspective in your office, it didn't matter whether it was an official or a political speech, your review process was the same?

A Yes.

Q We understand that there might have been feedback from Eric Herschmann -- do you know who Mr. Herschmann is?

A Yes.

Q -- regarding the purported facts about the ballots in the various States and raising the issue whether people had fact-checked everything in there and checked the sources.

Do you recall that sort of discussion about this speech in particular?

A Vaguely.

Q And what vaguely do you remember about that?

A So -- and I believe -- I'm sure you have the emails. I don't -- I don't believe that I routed this speech, sent it through the Staff Sec process. I believe I was just on these emails at the beginning. So I have some recollection of individuals, you know, making comments, but I don't -- I don't believe that I am the one who sent this out, so it's harder for me to recall specifically.

Q But in particular, when it comes to Mr. Herschmann and commenting about making sure that all the facts in this speech were correct and properly sourced, do you remember that specifically in the context of this speech?

A It sounds familiar, but, again, specifically, I don't know.

Q Was the Staff Secretary's Office involved in fact-checking this speech --

A No.

Q -- or any speech generally?

A No.

Q How did the fact-checking process work for speeches, to the extent you know?

A Sure. Typically, we sent it to a fact-checking team.

Q And who was on that team?

A Goodness. It was a Department of Comm, of the Comms team. I'm trying to recall. At this time, I don't recall, but I know at one point, Adam Kennedy was in charge of the fact-checking department.

Q So when you say the communications team, that would be under Ms. McEnany at the time?

A Was she press secretary and comms director? I'm sorry, I --

Q I'll be honest. I'm not fully up to speed on the two offices, but --

A There was a lot of moving parts at the end. I believe they were separate. I believe the comms shop was a separate department from the press shop.

Q And understanding you don't recall specifically about Mr. Herschmann's comments, just vaguely that the issue of fact-checking the speech came up, do you remember any feedback from the fact-checking process as the speech went through finalization?

A Not with regard to this speech, no.

Q Now, at some point, the speech made its way to President Trump. Were you involved in any way in getting whatever feedback he had once the actual draft made it to him, that you can recall?

A I can't recall.

Q Were you at work on January 6th in the office?

A Yes.

Q Do you remember what time you got to the office, roughly?

A No.

Q Would it have been in the morning?

A That was, yeah, in the morning.

Q And was it before the President spoke at the Ellipse rally?

A Yes.

Q As best you can remember, we just want you to walk us through your day. So when you arrived to the White House complex, did you go straight within the West Wing to go to your office?

A Probably, yes. That was typically what I did.

Q So nothing about this day stands out, at least as the day got started, as being out of the ordinary?

A No.

Q And what do you recall doing that morning? And I'll use a bookend for this part of the conversation is when, you know, say the President begins speaking. Do you remember what you were doing up until that point?

A I don't.

Q Did you go to the Ellipse that day for the rally?

A I did not.

Q Why not?

A I had work to do. I wasn't -- I don't think that I -- like I said earlier, I don't believe I was the one who -- let me back it up really quickly.

We kind of rotated in the Staff Sec office with regard to the assignments coming in. So someone was on the speech when it came in or that day. I don't believe -- I don't believe it was me. So that's why I was not there, because I was not on the speech.

Q Do you -- had you heard of any discussion within the White House regarding a meeting Vice President Pence had with President Trump on January 5th, before you were in the Oval Office with the President for those bills? Had you heard anything

about that meeting?

A No.

Q Did you have any expectation or understanding about whether Vice President Pence was going to certify Joe Biden's victory on January 6th before the day of January 6th? Did you know one way or the other?

A No.

Q And on January 6th, before the President went to the Ellipse, whenever that was, but did you hear anything within the West Wing about whether the Vice President was going to certify the election for Joe Biden?

A No.

Q The President gave his speech. Were you watching on TV while it was going on? Did you have a TV in your office to see it?

A I did have a TV in my office. I believe I had it. I believe I had it turned on.

Q Do you remember actually listening to it as he was speaking, or paying attention, I should say?

A Not particularly, no.

Q At one point in the speech, or a few points in the speech, the President said that he was actually going to go to the Capitol with the people who were there listening to him talk. Do you recall at the time hearing that?

A No.

Q Had you heard any discussion prior to January 6th about the President potentially going to the Capitol that day after he spoke?

A No.

Q Had you heard any discussion within the White House prior to January 6th about whether the President would tell the people who came to the rally that after he

was done speaking to go to the Capitol and protest during the joint session of Congress?

A No.

Q Had you heard any discussion prior to January 6th about any security concerns, understanding you don't remember the discussion in the Oval Office, but does anything come to mind about whether there was discussion about security on January 6th prior to that day?

A No, nothing comes to mind.

Q When did you first become aware that there was violence at the Capitol, as best as you can remember? Maybe the better way is, how did you become aware?

A Sure. And this I have a stronger memory. I saw it on TV. And I know that is what I saw, because my husband worked in one of the House office buildings, and I called him to see if he was fine. So I remember that and I remember seeing it on TV, which prompted me to call.

Q And, you know, at the time do you remember whether it had progressed to the point at the Capitol that people were actually inside the building of the Capitol when you called, or was it before that when people were still outside of the building, do you remember?

A It's hard to -- it's hard to say. I -- it's hard to say. I don't know.

Q So presumably, your husband was okay?

A Yes, yes.

Q But from that point forward, were you involved -- were you aware of what President Trump was doing while the attack on the Capitol was going on?

A No.

Q Did you ever have occasion to go to the Oval Office while the attack was ongoing?

A Not that I can recall.

Q Did you talk to anybody who did go into the Oval Office while the attack was ongoing?

A Not that I can recall.

Q Did you hear that day where the President specifically was while the attack was ongoing and, to be more clear, whether he was in the dining room off the Oval Office?

A I -- I never -- I did not hear where he was.

Q Did you monitor the President's tweets during the day, see them on the news or otherwise on your phone, to see what he was saying?

A I mean, that day specifically, I'm not sure. You know, I think I regularly, you know, paid attention, but the specifics of that day don't stand out to me.

Q Which House office building was your husband in, do you remember?

A At the time, no, I don't. I'm sorry.

Q Was -- and I'm only asking for context. Was --

A Sure.

Q -- he locked down the whole time until the attack was over?

A I think so. He -- when I called him, he had no idea what was going on. I think he was busy doing something. So I want to say he was probably locked down, but I don't know for sure.

Q There was also reports that day, and it turned out to be true, that there were bombs placed at the DNC and the RNC and, in fact, I think the bomb placement might have been reported first.

Do you remember whether that was what prompted you to call your husband, or was it the protesters at the Capitol?

A It was the protesters at the Capitol.

Q And the President's tweets during this time got a lot of attention, if you remember, the things that he was saying. Does that ring a bell?

A I mean, no. I'm sure his tweets got a lot of attention, as they always did. I don't remember the tweets from January 6th.

Q Well, this day in particular, because, you know, if you're watching the news and your husband is up there, at some point, President-elect Biden even went on the air to say that President Trump needed to do more, to speak to the Nation to try to stop what was going on at the Capitol.

Do you remember that happening?

A No.

Q Was the TV on the entire time in your office while the attack was ongoing?

A It could have been. Like I said, I'm sure it was on, because it prompted me to call my husband, but I don't know when it would have been turned off, or if we would have muted it. I don't -- I don't remember.

Q So if we look at -- when I referenced earlier that we have an additional exhibit, I didn't provide it in advance, but it's just the President's tweets from January 6th. We'll show those. It's exhibit 11. And it's just one page, and we'll zoom out, at least, so you can see.

All right. And we'll go down to the bottom of the page so you can see the first one he sent after the attack started. Do you see January 6th at --

A Yes.

Q -- 2:24 p.m.?

A Yes. At 2:24?

Q Correct.

A Okay, okay.

Q This tweet in particular got a lot of attention at the time and certainly since, and I'll read it. It says: "Mike Pence didn't have the courage to do what should have been done to protect our country and our Constitution, giving States a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth!"

Do you remember seeing this at the time that the President put it out?

A No.

Q Did you know that the Vice President had been evacuated from the Senate at the time that the President sent this out?

A No.

Q What was the atmosphere like in the West Wing where you were during the attack? Was it just business as usual?

A I mean, I don't -- I can't speak for other people. I can speak for myself. I mean, to the extent that I was worried about my husband, I called him, made sure he was okay. But there's -- I -- I don't know what the atmosphere was out -- aside from myself.

Q The next one was at 2:38 p.m. The President said: "Please support our Capitol Police and law enforcement. They are truly on the side of our country. Stay peaceful!"

Do you remember seeing that tweet and the reaction internally in the White House to that?

A I -- no, I don't.

Q At 3:13 p.m., the President tweets: "I'm asking for everyone at the U.S. Capitol to remain peaceful. No violence. Remember, we are the party of law and order. Respect the law and our great men and women in blue. Thank you!"

Do you recall seeing that at the time?

A No.

Q Now, between the three tweets I've just read from that afternoon, none of them tell people at the Capitol to go home. Do you agree with that?

A Yes.

Q At 4:17 p.m., the President released a video on Twitter in which he did tell people to go home. Do you remember that video?

A Not specifically, no.

Q Are you familiar with it now, though, the fact that that video went out?

A Yes.

Q So do you recall any reaction within, again, where you were and the people you were surrounded by to the fact that the President released this video at 4:17 p.m.?

A I don't recall.

Q Since that day, January 6th, so after that day and until the time that you left the White House at the end of January, did you talk to anyone who was in the room with President Trump at any point while the attack on the Capitol was ongoing?

A I don't think so.

[redacted] [redacted] do you have any questions?

[redacted] I was going to go back to January 5th for a question.

[redacted] Sure.

BY [redacted]

Q So going back to January 5th, Ms. Porter, just to clarify for the record, did President Trump directly give you feedback to relay to Vince and Ross about the speech?

A When you say "directly," do you mean did he look at me and say, Madison, I want you to do this? Probably not. I think he -- it was something that was said out

loud, and I, you know, as we worked closely with the staff -- excuse me, with the speechwriters, probably thought, Okay, I'll go relay. But that's -- that's the best that I can kind of piece out together.

Q That's fine. When you say "say out loud," you're saying that to the people pictured in the room?

A Yeah. And, I mean, I don't know if at that time it was just me and Douglas, or if the other -- you know, if -- who all from I think it was the press team was in there. I don't know. But I'm assuming it was probably a general directive and not to me specifically.

Q Thank you. And what was the President's mood at that time?

A I don't remember. I don't remember specifically. I remember I was nervous because I had to make him sign 37 things, but I don't remember what his mood was.

[3:20 p.m.]

[redacted] Okay. That's all I got.

[redacted] If you just give us a moment, Ms. Porter, we'll just confer. But I think we're almost done. Okay?

Ms. Porter. Okay.

[redacted] We'll go on mute for a second and off the record at 3:18, but we'll be back in a minute.

[Recess.]

[redacted] I don't see anybody else who has joined us for the interview, Ms. Porter. And so we don't have anything further. So, unless there's anything further you'd like to add, or Mr. Passantino would like to say, we can end the interview.

Ms. Porter. Okay.

[redacted] All right.

Ms. Porter. Good on my end.

[redacted] Thank you very much for joining us. And if we need anything further, which I don't expect, but if we do, we will be in touch with Mr. Passantino.

But thank you again.

Ms. Porter. Thank you.

[redacted] Take care.

[redacted] Thank you.

Mr. Passantino. Thanks all. Appreciate it.

[Whereupon, at 3:21 p.m., the deposition 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