

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**DONALD J. TRUMP,**

**Defendant.**

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**CRIMINAL NO. 23-cr-257 (TSC)**

**GOVERNMENT APPENDIX VOL. IV**

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January 6 scenario

7 states have transmitted dual slates of electors to the President of the Senate.

The 12<sup>th</sup> Amendment merely provides that “the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted.”

The Electoral Count Act, which is likely unconstitutional, provides:

If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted.

This is the piece that we believe is unconstitutional. It allows the two houses, “acting separately,” to decide the question when the 12<sup>th</sup> Amendment provides only for a joint session. And if there is disagreement, then the slate certified by the “executive” of the state is to be counted, and in the case when the other slate has been certified by the legislature, that violates Article II.

So here’s the scenario we propose:

1. VP Pence, presiding over the joint session (or Senate Pro Tem Grassley, if Pence recuses himself), begins to open and count the ballots, starting with Alabama (without conceding that procedure, specified by the Electoral Count Act, is required).
2. When he gets to Arizona, he announces that he has multiple slates of electors, and so is going to defer decision on that until finishing the other states.
3. At the end, he announces that because of the disputes in the 7 states, there are no electors that can be deemed validly appointed in those states. That means the total number of

“electors appointed” – the language of the 12<sup>th</sup> Amendment, is 454. This reading of the 12<sup>th</sup> Amendment has also been advanced by Harvard Law Professor Lawrence Tribe. A “majority of the electors appointed” would therefore be 228. There are at this point 232 votes for Trump, 222 votes for Biden. Pence then gavel President Trump as re-elected.

4. Howls, of course, from the Democrats, who now claim, contrary to Tribe’s prior position, that 270 is required. So Pence says, fine. Pursuant to the 12<sup>th</sup> Amendment, no candidate has achieved the necessary majority. That sends the matter to the House, where the “the votes shall be taken by states, the representation from each state having one vote.” Republicans currently control 26 of the state delegations, the bare majority needed to win that vote. President Trump is re-elected there as well.
5. One last piece. Assuming the Electoral Count Act process is followed and, upon getting the objections to the Arizona slates, the two houses break into their separate chambers, we should not allow the Electoral Count Act constraint on debate to control. That would mean that a prior legislature was determining the rules of the present one—a constitutional no-no. So someone – Ted Cruz, Rand Paul, etc. – should demand normal rules (which includes the filibuster). That creates a stalemate that would give the state legislatures more time to weigh in to formally support the alternate slate of electors, if they had not already done so.
6. The main thing here is that Pence should do this without asking for permission – either from a vote of the joint session or from the Court. Let the other side challenge his actions in court, where again, Tribe (and others) claims that these are non-justiciable political questions should be raised to get those actions dismissed. The fact is that the Constitution assigns this power to the Vice President as the ultimate arbiter. We should take all of our actions with that in mind.

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**PRIVILEGED AND CONFIDENTIAL**

January 6 scenario

Article II, § 1, cl. 2 of the U.S. Constitution assigns to the *legislatures* of the states the plenary power to determine the manner for choosing presidential electors. Modernly, that is done via statutes that establish the procedures pursuant to which an election must be conducted.

**I. Illegal conduct by election officials.**

Quite apart from outright fraud (both traditional ballot stuffing, and electronic manipulation of voting tabulation machines), important state election laws were altered or dispensed with altogether in key swing states and/or cities and counties. When the laws at issue were specifically designed to reduce the risk of fraud in absentee voting, those violations are particularly troubling. A sampling of the more significant violations is as follows:

- a. **Georgia** (as alleged in *Trump v. Kemp et al.* (N.D. Ga., filed Dec. 31)
  - i. SOS altered signature verification requirements via an unauthorized settlement agreement.
  - ii. Portable “polling places” targeted to heavily democrat ares
  - iii. Refusal by the state judiciary to even assign a judge to hear the statutorily-authorized election challenge brought by the Trump campaign on Dec. 4.
  
- b. **Pennsylvania** (as noted in *Trump v. Boockvar et al.* (S.Ct., filed Dec. 21)
  - i. Following a collusive suit brought by the League of Women Voters against the Democrat Secretary of the Commonwealth seeking to require that absentee ballots not passing the signature verification process be given notice and an opportunity to cure, the Secretary unilaterally abolished the signature verification process altogether, issuing a directive that not only was it not required, it was not even permitted. She then filed an emergency writ action with the partisan-elected Supreme Court to ratify her elimination of that statutory requirement
  - ii. The PA Supreme Court agreed with the Secretary, but went further, also eliminating the statutory right of candidates to challenge illegal ballots during the absentee ballot canvassing.
  - iii. The PA Supreme Court next eviscerated the statutory requirement that candidates be allowed to have election observers, holding that 1 individual “in the room”—even if at the entrance of the football field-sized Philadelphia Convention Center—was sufficient.
  - iv. The PA Supreme Court then eviscerated the remaining validation requirements in state law, holding that the statutory requirement that a voter “fill in, sign, and date” the absentee ballot certificate was

unenforceable because “fill in” was ambiguous, and because the date requirement served no purpose, in its view.

- c. **Wisconsin** (as noted in two cert petitions, *Trump v. Biden*, filed on Dec. 29, and *Trump v. Wisc. Elections Comm’n*, filed on Dec. 30)
  - i. The use of unmanned drop boxes, not authorized in Wisconsin law
  - ii. The use of so-called “human drop boxes”, also not authorized in Wisconsin law, and utilized in “Democracy in the Park” efforts coordinated by Dane County (Madison) election officials and the Biden campaign.
  - iii. Allowed election officials to add missing information to absentee voter or witness declarations, contrary to law, which says such ballots must not be counted.
  - iv. Dane and Milwaukee County clerks recommended that voters fraudulently claim to be “indefinitely confined” in order to avoid voter id requirements.
- d. **Michigan**
  - i. Mailed out absentee ballots to every registered voter, contrary to statutory requirement that voter apply for absentee ballots
  - ii. Established remote drop boxes only in heavily Democrat precincts, without the statutorily mandated video surveillance.
  - iii. Absentee ballots delivered at 3 am were counted without affording candidates the opportunity to observe, contrary to state law
- e. **Arizona**
  - i. Federal court reduced Arizona’s 29-day-before-election registration requirement
- f. **Nevada**
  - i. Machine inspection of signatures, rather than the human inspection of signatures mandated by state law, was allowed.

Because of these illegal actions by state and local election officials (and, in some cases, judicial officials, the Trump electors in the above 6 states (plus in New Mexico) met on December 14, cast their electoral votes, and transmitted those votes to the President of the Senate (Vice President Pence). There are thus dual slates of electors from 7 states.

## **II. The Constitutional and Statutory Process for Opening and Counting of Electoral Votes.**

- a. **The 12th Amendment** provides that “the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted.”

- i. There is very solid legal authority, and historical precedent, for the view that the President of the Senate does the counting, including the resolution of disputed electoral votes (as Adams and Jefferson did while Vice President, regarding their own election as President), and all the Members of Congress can do is watch.

- b. The Electoral Count Act of 1887, which is likely unconstitutional, provides:

If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title [the so-called "safe harbor" provision] to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted.

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**III. War Gaming the Alternatives.**

- a. VP Pence opens the ballots, counts those certified by the State executive, and does not receive any objections meeting the requirements of the Electoral Count Act. **BIDEN WINS 306-232.**
- b. VP Pence opens the ballots, receives objections to the 7 states with multiple ballots. The two bodies adjourn to their separate chambers and decide which slate of electors to count.
  - i. House votes to count the Biden slate; Senate votes to count the Biden slate as well (depending on Georgia election, only 1-3 Republicans voting with the Democrats would yield this result. **BIDEN WINS 306-232.**
  - ii. House votes to count the Biden slate; Senate votes to count the Trump slate. Under the Electoral Count Act, because the two houses do not agree, the slate certified by the “executive” prevails. **BIDEN WINS 306-232.**
  - iii. House votes to count the Biden slate; there is a filibuster in the Senate (contrary to the time limits of the Electoral Count Act). Stand-off until the filibuster ended by a cloture vote, which would only take 10-12 Republican Senators to accomplish. After the cloture vote, either i or ii above. **BIDEN WINS 306-232.**
- c. VP Pence opens the ballots, determines on his own which is valid, asserting that the authority to make that determination under the 12<sup>th</sup> Amendment, and the Adams and Jefferson precedents, is his alone (anything in the Electoral Count Act to the contrary is therefore unconstitutional).
  - i. If State Legislatures have certified the Trump electors, he counts those, as required by Article II (the provision of the Electoral Count Act giving the default victory to the “executive”-certified slate therefore being unconstitutional). Any combination of states totaling 38 elector votes, and **TRUMP WINS.**
  - ii. If State Legislatures have not certified their own slates of electors, VP Pence determines, based on all the evidence and the letters from state legislators calling into question the executive certifications, decides to count neither slate of electors. (Note: this could be done with he gets to Arizona in the alphabetical roster, or he could defer Arizona and the other multi-slate states until the end, and then make the determination). At the end of the count, the tally would therefore be 232 for Trump, 222 for Biden. Because the 12<sup>th</sup> Amendment says



“majority of electors *appointed*,” having determined that no electors from the 7 states were appointed (a position in accord with that taken by Harvard Law Professor Laurence Tribe ([here](#))), **TRUMP WINS.**

iii. Alternatively, VP Pence determines that because multiple electors were appointed from the 7 states but not counted because of ongoing election disputes, neither candidate has the necessary 270 elector votes, throwing the election to the House. *IF the Republicans in the State Delegations stand firm*, the vote there is 26 states for Trump, 23 for Biden, and 1 split vote. **TRUMP WINS.**

d. VP Pence determines that the ongoing election challenges must conclude before ballots can be counted, and adjourns the joint session of Congress, determining that the time restrictions in the Electoral County Act are contrary to his authority under the 12<sup>th</sup> Amendment and therefore void. Taking the cue, state legislatures convene, order a comprehensive audit/investigation of the election returns in their states, and then determine whether the slate of electors initially certified is valid, or whether the alternative slate of electors should be certified by the legislature, exercise authority it has directly from Article II and also from 3 U.S.C. § 2, which provides:

“Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct.”

- i. If, after investigation, proven fraud and illegality is insufficient to alter the results of the election, the original slate of electors would remain valid. **BIDEN WINS.**
- ii. If, on the other hand, the investigation proves to the satisfaction of the legislature that there was sufficient fraud and illegality to affect the results of the election, the Legislature certifies the Trump electors. Upon reconvening the Joint Session of Congress, those votes are counted and **TRUMP WINS.**

**IV. BOLD, Certainly. But this Election was Stolen by a strategic Democrat plan to systematically flout existing election laws for partisan advantage; we’re no longer playing by Queensbury Rules, therefore.**

The main thing here is that VP Pence should exercise his 12<sup>th</sup> Amendment authority without asking for permission – either from a vote of the joint session or from the Court. Let the other side challenge his actions in court, where [REDACTED] (who in 2001

conceded the President of the Senate might be in charge of counting the votes) and others who would press a lawsuit would have their past position -- that these are non-justiciable political questions -- thrown back at them, to get the lawsuit dismissed. The fact is that the Constitution assigns this power to the Vice President as the ultimate arbiter. We should take all of our actions with that in mind.

I have outlined the likely results of each of the above scenarios, but I should also point out that we are facing a constitutional crisis much bigger than the winner of this particular election. If the illegality and fraud that demonstrably occurred here is allowed to stand—and the Supreme Court has signaled unmistakably that it will not do anything about it—then the sovereign people no longer control the direction of their government, and we will have ceased to be a self-governing people. The stakes could not be higher.

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[REDACTED] [REDACTED] meeting 1/5/21

- Requesting VP reject
  - Were the procedures followed that led to the certification?
  -
  
- what is the purpose of the process?

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**From:** "Donald J. Trump for President, Inc." <pressoffice@donaldtrump.com>  
**To:** "[REDACTED]@donaldtrump.com">  
**Subject:** Statement from President Donald J. Trump  
**Date:** Wed, 06 Jan 2021 13:56:07 +1100

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- JANUARY 5, 2020 -

## Statement from President Donald J. Trump

"The New York Times report regarding comments Vice President Pence supposedly made to me today is fake news. He never said that. The Vice President and I are in total agreement that the Vice President has the power to act.

"The November 3rd election was corrupt in contested states, and in particular it was not in accordance with the Constitution in that they made large scale changes to election rules and regulations as dictated by local judges and politicians, not by state legislators. This means that it was illegal.

"Our Vice President has several options under the U.S. Constitution. He can decertify the results or send them back to the states for change and certification. He can also decertify the illegal and corrupt results and send them to the House of Representatives for the one vote for one state tabulation."



Paid for by Donald J. Trump for President, Inc.  
725 5th Avenue · New York, NY · 10022  
[info@donaldtrump.com](mailto:info@donaldtrump.com)

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[REDACTED] [REDACTED])

[REDACTED]

Wednesday, Jan 06, 2021 10:36

We need to get a document on the Wisconsin electors to you for the VP immediately. Is there a staff person I can talk to immediately. Thanks [REDACTED]

[REDACTED]

**SEALED**

**SEALED**

[REDACTED] [REDACTED] [REDACTED]

Wednesday, Jan 06, 2021 10:42

[REDACTED] [REDACTED]

[REDACTED] meet [REDACTED], my new COS

Wednesday, Jan 06, 2021 10:51

Thank you. [REDACTED]

Wednesday, Jan 06, 2021 11:46

[REDACTED] [REDACTED]

We have been informed the VP cannot accept any unsealed mail and I cannot hand it to him.

Wednesday, Jan 06, 2021 12:01

At a minimum you could read it into record. I am told he should have a sealed copy as well, but folks could not confirm it.

**SEALED**

**SEALED**



**SEALED**

**SEALED**

**SEALED**

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**SEALED**

**SEALED**

**SEALED**

**SEALED**

076P-R000007557\_0001

POTUS

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.

Today,  
I will lay out just  
some of the evidence  
proving that we won  
this election,  
and we won it  
by a landslide.

Almost  
75 million people  
voted for  
our campaign,  
the most of any  
incumbent president

076P-R000007557\_0012

\* If Georgia  
had merely rejected  
the same number  
of unlawful ballots  
as in other years,  
there  
should have been  
approximately  
45,000 ballots rejected  
-- far more than  
we needed to win.

\* There is only  
one reason  
that Democrats  
could possibly want  
to eliminate  
signature matching,  
oppose Voter ID,  
and stop citizenship  
confirmation:  
because they want to  
STEAL elections.

The Radical Left  
knows EXACTLY  
what they are doing --  
they are ruthless, and  
it's time somebody  
did something  
about it.

\* In Fulton County,  
Republican  
poll watchers were  
ejected from the room  
under the  
false pretense  
of a burst pipe --  
which we now know  
to be a total lie.

076P-R000005241\_0001



THE VICE PRESIDENT  
WASHINGTON

January 6, 2021

Dear Colleague:

Today, for the 59th time in our Nation's history, Congress will convene in Joint Session to count the electoral votes for President of the United States. Under our Constitution, it will be my duty as Vice President and as President of the Senate to serve as the presiding officer.

After an election with significant allegations of voting irregularities and numerous instances of officials setting aside state election law, I share the concerns of millions of Americans about the integrity of this election. The American people choose the American President, and have every right under the law to demand free and fair elections and a full investigation of electoral misconduct. As presiding officer, I will do my duty to ensure that these concerns receive a fair and open hearing in the Congress of the United States. Objections will be heard, evidence will be presented, and the elected representatives of the American people will make their decision.

Our Founders created the Electoral College in 1787, and it first convened in 1789. With the advent of political parties, the Electoral College was amended in 1804 to provide that Electors vote separately for President and Vice President. Following a contentious election in 1876, with widespread allegations of fraud and malfeasance, Congress spent a decade establishing rules and procedures to govern the counting of electoral votes and the resolution of any objections.

During the 130 years since the Electoral Count Act was passed, Congress has, without exception, used these formal procedures to count the electoral votes every four years.

Given the controversy surrounding this year's election, some approach this year's quadrennial tradition with great expectation, and others with dismissive disdain. Some believe that as Vice President, I should be able to accept or reject electoral votes unilaterally. Others believe that electoral votes should never be challenged in a Joint Session of Congress.

After a careful study of our Constitution, our laws, and our history, I believe neither view is correct.

The President is the chief executive officer of the Federal Government under our Constitution, possessing immense power to impact the lives of the American people. The Presidency belongs to the American people, and to them alone. When disputes concerning a presidential election arise, under Federal law, it is the people's representatives who review the evidence and resolve disputes through a democratic process.

Our Founders were deeply skeptical of concentrations of power and created a Republic based on separation of powers and checks and balances under the Constitution of the United States.

SUBJECT TO PROTECTIVE ORDER

SCO-02249142

GA 1684

076P-R000005241\_0002

Vesting the Vice President with unilateral authority to decide presidential contests would be entirely antithetical to that design. As a student of history who loves the Constitution and reveres its Framers, I do not believe that the Founders of our country intended to invest the Vice President with unilateral authority to decide which electoral votes should be counted during the Joint Session of Congress, and no Vice President in American history has ever asserted such authority. Instead, Vice Presidents presiding over Joint Sessions have uniformly followed the Electoral Count Act, conducting the proceedings in an orderly manner even where the count resulted in the defeat of their party or their own candidacy.

As Supreme Court Justice Joseph Bradley wrote following the contentious election of 1876, “the powers of the President of the Senate are merely ministerial... He is not invested with any authority for making any investigation outside of the Joint Meeting of the two Houses... [I]f any examination at all is to be gone into, or any judgment exercised in relation to the votes received, it must be performed and exercised by the two Houses.” More recently, as the former U.S. Court of Appeals Judge J. Michael Luttig observed, “[t]he only responsibility and power of the Vice President under the Constitution is to faithfully count the Electoral College votes as they have been cast,” adding “[t]he Constitution does not empower the Vice President to alter in any way the votes that have been cast, either by rejecting certain votes or otherwise.”

It is my considered judgment that my oath to support and defend the Constitution constrains me from claiming unilateral authority to determine which electoral votes should be counted and which should not.

While my role as presiding officer is largely ceremonial, the role of the Congress is much different, and the Electoral Count Act of 1887 establishes a clear procedure to address election controversies when they arise during the count of the vote of the Electoral College. Given the voting irregularities that took place in our November elections and the disregard of state election statutes by some officials, I welcome the efforts of Senate and House members who have stepped forward to use their authority under the law to raise objections and present evidence.

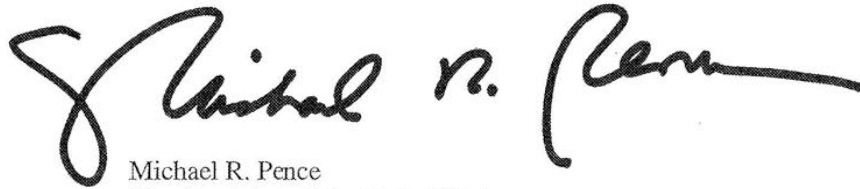
As presiding officer, I will ensure that any objections that are sponsored by both a Representative and a Senator are given proper consideration, and that all facts supporting those objections are brought before the Congress and the American people. Those who suggest that raising objections under the Electoral Count Act is improper or undemocratic ignore more than 130 years of history, and fail to acknowledge that Democrats raised objections in Congress each of the last three times that a Republican candidate for President prevailed.

Today it will be my duty to preside when the Congress convenes in Joint Session to count the votes of the Electoral College, and I will do so to the best of my ability. I ask only that Representatives and Senators who will assemble before me approach this moment with the same sense of duty and an open mind, setting politics and personal interests aside, and do our part to faithfully discharge our duties under the Constitution. I also pray that we will do so with humility and faith, remembering the words of John Quincy Adams, who said, “Duty is ours; results are God’s.”



076P-R000005241\_0003

Four years ago, surrounded by my family, I took an oath to support and defend the Constitution, which ended with the words, "So help me God." Today I want to assure the American people that I will keep the oath I made to them and I will keep the oath I made to Almighty God. When the Joint Session of Congress convenes today, I will do my duty to see to it that we open the certificates of the Electors of the several states, we hear objections raised by Senators and Representatives, and we count the votes of the Electoral College for President and Vice President in a manner consistent with our Constitution, laws, and history. So Help Me God.

A handwritten signature in black ink that reads "Michael R. Pence". The signature is written in a cursive style with a long horizontal stroke at the end.

Michael R. Pence  
Vice President of the United States

**SEALED**

SEALED

SEALED

SEALED

## **READ: Transcript of CNN's town hall with former President Donald Trump**

Published 2:31 PM EDT, Thu May 11, 2023

Read the full transcript of [CNN's presidential town hall with former President Donald Trump](#) moderated by CNN's Kaitlan Collins at Saint Anselm College in Goffstown, New Hampshire.

**KAITLAN COLLINS, CNN HOST:** Good evening, and welcome to New Hampshire, the first GOP primary state.

We're live here at Saint Anselm College for CNN's town hall with former President Donald Trump. I'm Kaitlan Collins.

Tonight, President Trump is here as he embarks on a campaign unlike any other in the history of U.S. presidential elections. He's the first former president in more than a century to seek a return to the White House. And he is currently leading the Republican field, while also facing multiple criminal investigations and an indictment.

Just yesterday, he was found liable for sexual abuse and defamation. No questions are off the table, and we agreed to no conditions. We're here to give voters the answers that they deserve. Our audience is made up of Republicans and undeclared voters who plan to take part in New Hampshire's Republican primary.

They will get the chance to question the former president directly. These voters and the issues that they care about the most will help decide if former President Trump will get a second chance to take on President Joe Biden.

Please welcome the front-runner for the Republican nomination, former President Donald Trump.

**DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES:**  
Thank you.

**TRUMP:** Thank you.

**COLLINS:** How are you? Thank you for being here tonight.

**TRUMP:** How nice to see you.

TRUMP: Yes.

COLLINS: Obviously, that's a big topic, especially given what's expected to happen tomorrow.

But I want to talk about the influence you have over your voters. It's very clear that you are very influential over them. You have a lot of impact. I have been to many of your rallies and seen it up close, which raised a lot of questions about the influence that we saw that you had on them on January 6 and your supporters when they attacked the Capitol.

Do you have any regrets about your actions on January 6?

TRUMP: Well, you know, January 6 was – again, we go back to it, but January 6 had to do with the fact that hundreds of thousands of people – and you don't see the pictures very often.

A lot of the people here probably were there. January 6, it was the largest crowd I have ever spoken to. That was prior to the walk down to the Capitol Building. I don't think – and I have spoken to hundreds of thousands of people. I have never spoken to a crowd as large as this.

And that was because they thought the election was rigged. And they were there proud. They were there with love in their heart. That was an unbelievable – and it was a beautiful day. And what I was asked to do – I wasn't involved in it very much. I was asked to come in. Would I make a speech?

I made a speech. I said, walk peacefully and patriotically, many different things. In fact, I brought a list of things. I don't want to bore the audience, but we can go sentence after sentence after sentence of things I said and things I put out.

One of the big problems was that Nancy Pelosi, crazy Nancy, as I affectionately call her...

TRUMP: ... crazy Nancy Pelosi and the mayor of Washington were in charge, as you know, of security, and they did not do their job.

COLLINS: They're not in charge of the National Guard. You're in charge of the National Guard.

Once it was clear...

TRUMP: No, I know, but you didn't report that. You know why? Because it was taken down.

COLLINS: We did report it. I was reporting that day.

TRUMP: It was taken down, and it wasn't put back up.

COLLINS: But when it was clear to you that they were not being peaceful – you saw them rushing the Capitol, breaking windows. They were hitting officers with flagpoles, Tasing them, beating them up.

When it was clear they weren't being peaceful, why did you wait three hours to tell them to leave the Capitol? They listen to you like no one else.

TRUMP: Yes.

COLLINS: You know that.

TRUMP: They do. I agree with that.

But Nancy Pelosi...

COLLINS: So, why didn't you tell them to go home sooner?

TRUMP: Nancy Pelosi and the mayor are in charge. I assumed they were able to do their job. They weren't.

COLLINS: But Pelosi is not in charge of Capitol security.

TRUMP: And it kicked in.

And, if you remember, I made a video right outside the Oval Office in the Rose Garden. And I'm very proud of that video. I didn't have a script. I don't need scripts, like a certain person that's in there right now.

COLLINS: But what time – the video, it came out much later, after they had already attacked the Capitol.

TRUMP: It's right there. It's right...

TRUMP: It was a great video. And it was a beautiful video.



COLLINS: ... over 140 officers were injured that day.

TRUMP: And a person named [REDACTED] was killed.

COLLINS: Yes.

TRUMP: You know what? She was killed, and she shouldn't have been killed.

And that thug that killed her, there was no reason to shoot her at blank range. Cold, blank range, they shot her. And she was a good person. She was a patriot.

COLLINS: One person who was there...

TRUMP: And there was no reason. There was no reason.

And he went on television to brag about the fact that he killed her.

TRUMP: She was a patriot. There was no reason –

COLLINS: One person who was there –

TRUMP: – there was no reason. And he went on television to brag about the fact that he killed her.

COLLINS: That officer was not bragging about the fact that he killed her.

TRUMP: Oh, he was bragging.

COLLINS: But one person who was at the Capitol that day, as you know, was your vice president, Mike Pence, who says that you endangered his life on that day. Do you feel –

TRUMP: I don't think he was in any danger.

COLLINS: Mr. President, do you feel that you owe him an apology?

TRUMP: No, because he did something wrong. He should have put the votes back to the state legislatures and I think we would have had a different outcome. I really do.

COLLINS: But he doesn't have the authority to do that as you know.

TRUMP: What?

██████████: Thank you for coming, Mr. President.

TRUMP: Thank you, ██████████.

██████████: My question to you is: will you pardon the January 6th rioters who were convicted of federal offenses?

TRUMP: I am inclined to pardon many of them. I can't say for every single one because a couple of them, probably, they got out of control.

But, you know, when you look at Antifa, what they've done to Portland, and if you look at Antifa, look at what they've done to Minneapolis and so many other – so many other places, look at what they did to Seattle. And BLM – BLM, many people were killed.

These people – I'm not trying to justify anything, but you have two standards of justice in this country, and what they've done – and I love that question because what they've done to see many people is nothing – nothing. And then what they've done to these people, they've persecuted these people.

And yeah, my answer is I am most likely – if I get in, I will most likely – I would say it will be a large portion of them. You know, they did a very –

And it'll be very early on. And they're living in hell right now.

COLLINS: So when it comes to pardons –

TRUMP: They're living in hell, and they're policemen, and they're firemen, and they're soldiers, and they're carpenters and electricians and they're great people. Many of them are just great people.

COLLINS: Mr. President, one of the people who was convicted was a former policeman but he was convicted of attacking a police officer, I should note.

But when you said you are considering pardoning a large portion of those charged with crimes on January 6th, does that include the four Proud Boys members who were charged and convicted of seditious conspiracy?

TRUMP: I don't know. I'll have to look at their case, but I will say in Washington, D.C., you cannot get a fair trial, you cannot. Just like in New York City, you can't get a fair trial either.

**SEALED**

**SEALED**

SEALED

SEALED

**SEALED**

SEALED



**SEALED**

H94

CONGRESSIONAL RECORD—HOUSE

January 6, 2021

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. To remind both sides of the aisle, during in the joint session, there are 11 House Republicans, 11 House Democrats, 11 House Senate Democrats, 11 Senate Republicans, 44 Members on the floor. Please view the proceedings from your offices. Thank you.

This is not a suggestion. That is a direction, in the interest of good example to the public of how serious we take the coronavirus threat and the need for social distancing.

Please, my colleagues, if you are not participating in the next part of this, please return to your offices.

I wish to remind Members that we have to reduce the number of Members on the floor to the gallery to witness the proceedings from there, in a relative number. So first come, first serve.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Secretary of the Senate shall inform the House of Representatives that the Senate is ready to proceed in joint session with the further counting of the electoral votes for President and Vice President.

At 11:35 p.m., the Sergeant at Arms, Paul D. Irving, announced the Vice President and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by the Vice President and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left. Senators took seats to the right of the rostrum as prescribed by law.

The VICE PRESIDENT. The joint session of Congress to count the electoral vote will resume. The tellers will take their chairs.

The two Houses retired to consider separately and decide upon the vote of the State of Arizona, to which an objection has been filed.

The Secretary of the Senate will report the action of the Senate.

The Secretary of the Senate read the order of the Senate, as follows:

*Ordered*, That the Senate by a vote of 6 ayes to 93 nays rejects the objection to the electoral votes cast in the State of Arizona for Joseph R. Biden, Jr., for President and KAMALA D. HARRIS for Vice President.

The VICE PRESIDENT. The Clerk of the House will report the action of the House.

The Clerk of the House read the order of the House, as follows:

*Ordered*, That the House of Representatives rejects the objection to the electoral vote of the State of Arizona.

The VICE PRESIDENT. Pursuant to the law, chapter 1 of title 3, United States Code, because the two Houses have not sustained the objection, the

original certificate submitted by the State of Arizona will be counted as provided therein.

The tellers will now record and announce the vote of the State of Arkansas for President and Vice President in accordance with the action of the two Houses.

This certificate from Arkansas, the Parliamentarian has advised me, is the only certificate of vote from that State, and purports to be a return from the State, and that has annexed to it a certificate from an authority of that State purporting to appoint or ascertain electors.

Mr. RODNEY DAVIS of Illinois. Mr. President, the certificate of the electoral vote of the State of Arkansas seems to be regular in form and authentic, and it appears therefrom that Donald J. Trump of the State of Florida received 6 votes for President and MICHAEL R. PENCE of the State of Indiana received 6 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the State of Arkansas that the teller has verified appears to be regular in form and authentic?

There was no objection.

The VICE PRESIDENT. Hearing none, this certificate from California, the Parliamentarian has advised me, is the only certificate of vote from that State that purports to be a return from the State and that has annexed to it a certificate from an authority of the State purporting to appoint and ascertain electors.

Ms. LOFGREN. Mr. President, the certificate of the electoral vote of the State of California seems to be regular in form and authentic, and it appears therefrom that Joseph R. Biden, Jr., of the State of Delaware received 55 votes for President and KAMALA D. HARRIS of the State of California received 55 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the State of California that the teller has verified appears to be regular in form and authentic?

There was no objection.

The VICE PRESIDENT. Hearing none, this certificate from Colorado, the Parliamentarian has advised me, is the only certificate of vote from that State that purports to be a return from the State, and that has annexed to it a certificate from an authority of the State purporting to appoint and ascertain electors.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the State of Colorado seems to be regular in form and authentic, and it appears therefrom that Joseph R. Biden, Jr., of the State of Delaware received 9 votes for President and KAMALA D. HARRIS of the State of California received 9 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the State of Colorado that the teller has verified appears to be regular in form and authentic?

There was no objection.

The VICE PRESIDENT. Hearing none, this certificate from Connecticut, the Parliamentarian has advised me, is the only certificate of vote from that State that purports to be a return from the State and that has annexed to it a certificate from an authority of the State purporting to appoint or ascertain electors.

Senator KLOBUCHAR. Mr. President, the certificate of the electoral vote of the State of Connecticut seems to be regular in form and authentic, and it appears therefrom that Joseph R. Biden, Jr., of the State of Delaware received 7 votes for President and KAMALA D. HARRIS of the State of California received 7 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the State of Connecticut that the teller has verified appears to be regular in form and authentic?

There was no objection.

□ 2345

The VICE PRESIDENT. Hearing none, this certificate from Delaware, the Parliamentarian has advised me, is the only certificate of vote from that State that purports to be a return from the State and that has annexed to it a certificate from an authority of the State purporting to appoint and ascertain electors.

Mr. RODNEY DAVIS of Illinois. Mr. President, the certificate of the electoral vote of the State of Delaware seems to be regular in form and authentic, and it appears therefrom that Joseph R. Biden, Jr., of the State of Delaware received 3 votes for President and KAMALA D. HARRIS of the State of California received 3 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the State of Delaware that the teller has verified appears to be regular in form and authentic?

There was no objection.

The VICE PRESIDENT. Hearing none, this certificate from the District of Columbia, the Parliamentarian has advised me, is the only certificate of vote from the District that purports to be a return from the District and that has annexed to it a certificate from an authority of the District purporting to appoint and ascertain electors.

Senator BLUNT. Mr. President, the certificate of the electoral vote of the District of Columbia seems to be regular in form and authentic, and it appears therefrom that Joseph R. Biden, Jr., of the State of Delaware received 3 votes for President and KAMALA D. HARRIS of the State of California received 3 votes for Vice President.

The VICE PRESIDENT. Are there any objections to counting the certificate of vote of the District of Columbia that the teller has verified appears to be regular in form and authentic?

There was no objection.

The VICE PRESIDENT. Hearing none, this certificate from Florida, the

January 6, 2021

CONGRESSIONAL RECORD—HOUSE

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Electoral votes of each State	For President		For Vice President	
	Joseph R. Biden, Jr.	Donald J. Trump	Kamala D. Harris	Michael R. Pence
California—55	55		55	
Colorado—9	9		9	
Connecticut—7	7		7	
Delaware—3	3		3	
District of Columbia—3	3		3	
Florida—29		29		29
Georgia—16	16		16	
Hawaii—4	4		4	
Idaho—4		4		4
Illinois—20	20		20	
Indiana—11		11		11
Iowa—6		6		6
Kansas—6		6		6
Kentucky—8		8		8
Louisiana—8		8		8
Maine—4	3	1	3	1
Maryland—10	10		10	
Massachusetts—11	11		11	
Michigan—16	16		16	
Minnesota—10	10		10	
Mississippi—6		6		6
Missouri—10		10		10
Montana—3		3		3
Nebraska—5		5		5
Nevada—6		6		6
New Hampshire—4		4		4
New Jersey—14	14		14	
New Mexico—5		5		5
New York—29		29		29
North Carolina—15		15		15
North Dakota—3		3		3
Ohio—18		18		18
Oklahoma—7		7		7
Oregon—7	7		7	
Pennsylvania—20	20		20	
Rhode Island—4	4		4	
South Carolina—9		9		9
South Dakota—3		3		3
Tennessee—11		11		11
Texas—38		38		38
Utah—6		6		6
Vermont—3	3		3	
Virginia—13	13		13	
Washington—12	12		12	
West Virginia—5		5		5
Wisconsin—10	10		10	
Wyoming—3		3		3
Total—538	306	232	306	232

ROY BLUNT,  
AMY KLOBUCHAR,  
*Tellers on the part of the Senate.*  
ZOE LOPGREN,  
RODNEY DAVIS,  
*Tellers on the part of the House of Representatives.*

The VICE PRESIDENT. The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for President of the United States is 538, of which a majority is 270.

Joseph R. Biden, Jr., of the state of Delaware, has received for President of the United States 306 votes;

Donald J. Trump, of the state of Florida, has received 232 votes;

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

KAMALA D. HARRIS, of the state of California, has received for Vice President of the United States 306 votes;

MICHAEL R. PENCE, of the state of Indiana, has received 232 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the twentieth day of January, two

thousand and twenty one, and shall be entered, together with the list of the votes, on the Journals of the Senate and House of Representatives.

□ 0340

The VICE PRESIDENT. The whole number of electors appointed to vote for President of the United States is 538. Within that whole number, a majority is 270.

The votes for President of the United States are as follows:

Joseph R. Biden, Jr., of the State of Delaware has received 306 votes.

Donald J. Trump of the State of Florida has received 232 votes.

The whole number of electors appointed to vote for Vice President of the United States is 538. Within that whole number, a majority is 270.

The votes for Vice President of the United States are as follows:

KAMALA D. HARRIS of the State of California has received 306 votes.

Michael R. Pence of the State of Indiana has received 232 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 20th day of January, 2021, and shall be entered, together with the list of the votes, on the Journals of the Senate and House of Representatives.

The Chair now recognizes for the purpose of a closing prayer the 62nd Chaplain of the United States Senate, Chaplain Barry C. Black.

Chaplain BLACK. Lord of our lives and sovereign of our beloved Nation, we deplore the desecration of the United States Capitol Building, the shedding of innocent blood, the loss of life, and the quagmire of dysfunction that threaten our democracy.

These tragedies have reminded us that words matter and that the power of life and death is in the tongue. We have been warned that eternal vigilance continues to be freedom's price.

Lord, You have helped us remember that we need to see in each other a common humanity that reflects Your image. You have strengthened our resolve to protect and defend the Constitution of the United States against all enemies domestic, as well as foreign.

Use us to bring healing and unity to a hurting and divided Nation and world. Thank You for what You have blessed our lawmakers to accomplish in spite of threats to liberty.

Bless and keep us. Drive far from us all wrong desires, incline our hearts to do Your will, and guide our feet on the path of peace. And God bless America. We pray in Your sovereign name. Amen.

The VICE PRESIDENT. The purpose of the joint session having concluded, pursuant to Senate Concurrent Resolution 1, 117th Congress, the Chair declares the joint session dissolved.

(Thereupon, at 3 o'clock and 44 minutes a.m., the joint session of the two Houses of Congress was dissolved.)

The SPEAKER pro tempore (Ms. JACKSON LEE). Pursuant to Senate Concurrent Resolution 1, the electoral vote will be spread at large upon the Journal.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until 11 a.m. on Monday, January 11, 2021.

Thereupon (at 3 o'clock and 48 minutes a.m.), under its previous order, the House adjourned until Monday, January 11, 2021, at 11 a.m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CLOUD (for himself, Mr. ALLEN, Mr. STEUBE, Mr. DAVIDSON, Mr. BERGMAN, Mr. PALMER, Mr. RUTHERFORD, and Mr. BAIRD):

H.R. 217. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to enforce the licensure requirement for medical providers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PFLUGER (for himself, Mr. TONY GONZALES of Texas, Mrs. BICE of Oklahoma, Mr. JACKSON, Ms. HERRELL, Mr. BABIN, Mr. ROY, Mr. CRENSHAW, Mr. FALLON, and Mr. ARRINGTON):

H.R. 218. A bill to prohibit the Secretary of the Interior and the Secretary of Agriculture from issuing moratoriums on issuing new oil and gas leases and drill permits on certain Federal lands; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT:

H.R. 219. A bill to amend the Trade Act of 1974 to exclude from eligibility for the generalized system of preferences any country that fails to effectively enforce its environmental laws or meet its international environmental obligations, and for other purposes; to the Committee on Ways and Means.

By Mr. EMMER (for himself and Mr. RODNEY DAVIS of Illinois):

H.R. 220. A bill to make supplemental appropriations to carry out farm stress programs, provide for expedited additional support under the farm and ranch stress assistance network, and for other purposes; to the Committee on Agriculture.

By Ms. ESHOO:

H.R. 221. A bill to amend title 5, United States Code, to modify the oath of office taken by individuals in the civil service or uniformed services, and of other purposes; to the Committee on Oversight and Reform.

By Ms. ESHOO (for herself and Mr. McEACHIN):

H.R. 222. A bill to treat the Tuesday next after the first Monday in November in the same manner as any legal public holiday for purposes of Federal employment, and for other purposes; to the Committee on Oversight and Reform.

By Mr. ESPAILLAT (for himself and Mr. SIREs):

H.R. 223. A bill to direct the Secretary of Health and Human Services to reimburse

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**From:** "White House Press Office" <info@mail.whitehouse.gov>  
**Sent:** Fri, 20 Nov 2020 14:24:54 -0500 (EST)  
**To:** [REDACTED]  
**Subject:** Press Briefing by Press Secretary Kayleigh McEnany | 11/20/2020, #39

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Office of the Press Secretary

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FOR IMMEDIATE RELEASE

November 20, 2020

PRESS BRIEFING

BY PRESS SECRETARY KAYLEIGH MCENANY

James S. Brady Press Briefing Room

12:10 P.M. EST

MS. MCENANY: Good afternoon, everyone. The beginning of the end of the pandemic started with the leadership of President Trump. In recent days, Pfizer and Moderna reported the highly successful results of their vaccine development, each achieving a COVID vaccine that is over 90 percent effective. We know Moderna is 94.5 percent effective; Pfizer 95 percent. That is extraordinary.

In July, the Trump administration, as part of Operation Warp Speed, agreed to provide Pfizer with \$1.95 billion to manufacture and distribute their COVID vaccine, allowing this vaccine to be provided free for the American people.

While Democrats were pursuing a highly divisive and entirely baseless impeachment endeavor, as far back as January 13th, this President, the Trump administration, and the National Institute of Health was partnering with Moderna and working on this vaccine for the American people.

But that's not all: This administration has remained engaged on the development and distribution of a safe and effective vaccine throughout the year. It began in January and continued thereafter.

one. And not in the slightest. Because, in fact, I did hear the former Vice President say yesterday he was concerned about not being able to distribute a vaccine. He shouldn't be. Maybe he hasn't seen, but we have publicly available that plan that I mentioned in my opening. It's the COVID-19 Vaccination Program, the Interim Playbook for Jurisdiction Operations. This is publicly available, if the former Vice President would like to read through it.

Beyond that, I would say that we've already, going back months, partnered with the 64 jurisdictions in this country to make sure that they each had individualized distribution plans. Those have been assessed. Those have been made certain that they're -- they're good and operational.

So this work has been ongoing. There's a distribution plan in place, which is why you heard General Perna say yesterday that, within 24 hours of getting that EUA, the emergency use authorization, we will be able to distribute this all across the country.

Q When are you going to admit you lost?

MS. MCENANY: Yes, Kevin. Yeah.

Sorry. Mario.

Q Okay. Thanks, Kayleigh. What is the President planning to discuss this afternoon with the two Michigan lawmakers? And will he ask them to have the state legislature appoint electors who will support his re-election? What's the nature of that meeting?

MS. MCENANY: So he will be meeting later on. This is not an advocacy meeting. There will be no one from the campaign there. He routinely meets with lawmakers from all across the country.

Q When will you admit you lost the election?

Q Kayleigh, at what point does the President concede the race and allow for a proper transition to the Biden team?

MS. MCENANY: So, right now, there's ongoing litigation. There are -- what we know: 74 million Americans that voted for this President; that's more votes than any President has gotten in history. It's really extraordinary. And there are very real claims out there that the campaign is pursuing -- 234 pages of affidavits publicly available in one county alone; that's Wayne County. And two individuals in the canvassing board there that have declined to certify.

So these are real claims. These individuals deserve to be heard. This was a system that had never been tried in American history: mass mail-out voting. It's one that we have identified as being particularly prone to fraud. So those claims deserve to be pursued.

Tamara.

Q Yeah. Has anyone from the White House spoken with GSA -- with the director of GSA about the timing of ascertaining who the next President will be? And has any pressure been applied to her?

MS. MCENANY: Absolutely not. GSA will make the determin- -- determination of ascertainment at the right moment. Right now, there's a constitutional process that's being played out. There are questions being asked in court. But the GSA will determine when ascertainment is reached.

Q And can I just ask one other question, which is: Senator Lamar Alexander, today, has put out a statement encouraging the Trump administration, in the absence of ascertainment, to begin allowing the Biden team access -- full access to everything they need for a transition, access to agencies, access to real-time data. What's the harm in doing that?

MS. MCENANY: So there's a Presidential Transition Act that determines exactly what an administration needs to do in advance of an election. And we have done everything statutorily required, and we will continue to do that.

Q It's after reelection, though.

Q Thank you. I have a question. First, a follow-up on the transition. Has the President or anyone in the administration instructed officials not to

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**Sent:** Monday, January 4, 2021 3:18 PM  
**To:** [REDACTED]  
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**The Senate Runoff Election is TOMORROW**, and it's going to take the support of Patriots from all around the Nation if we're going to WIN BIG and **SAVE America** from the Radical Left.

The President needs to know he can count on you during this critical time. We're handing him an updated donor list before he steps on the RALLY stage and we want him to see YOUR NAME.

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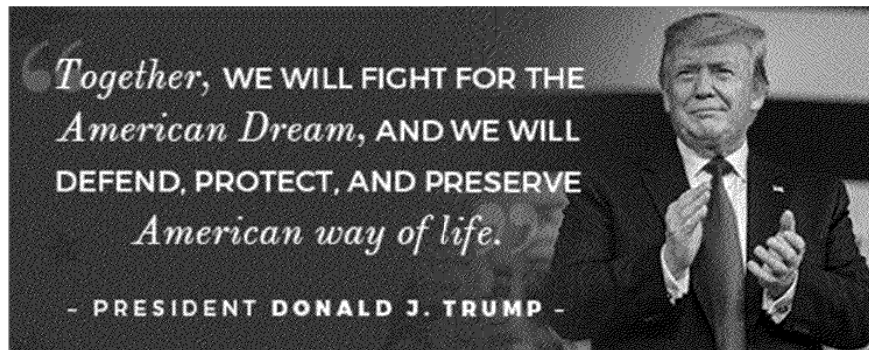
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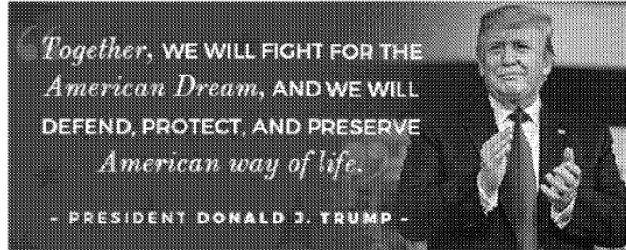
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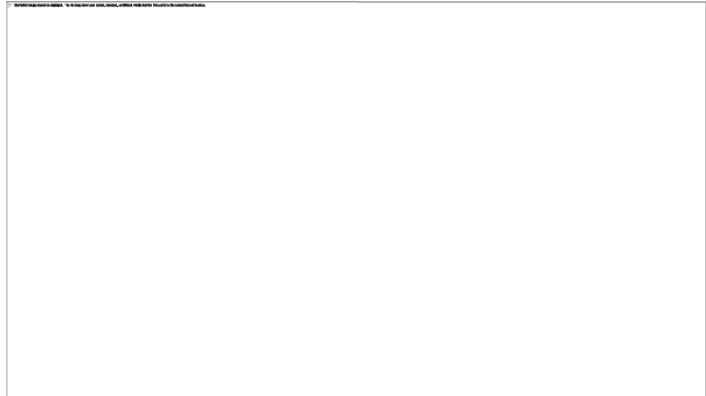
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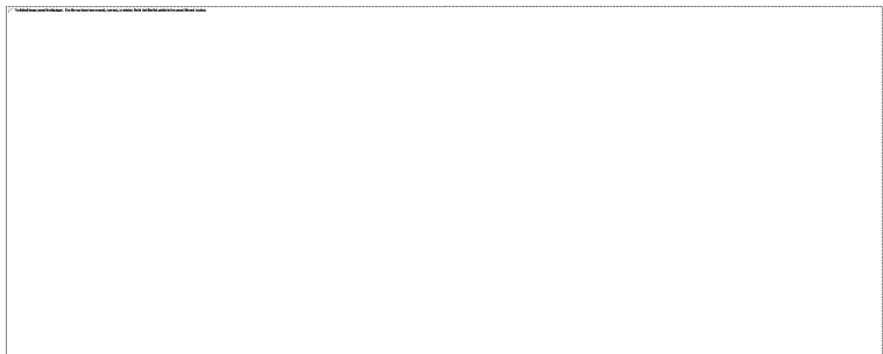
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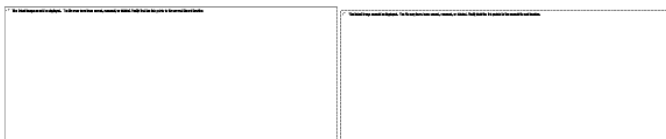


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**To:** [REDACTED]  
**Subject:** My father is LIVE

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PRESIDENT TRUMP IS ON STAGE NOW

[REDACTED],

**My father is on stage RIGHT NOW in Georgia rallying with Senators Kelly Loeffler and David Perdue to DEFEND our Senate Republican Majority. Are YOU watching?**

He's speaking DIRECTLY to the American People because he knows just how important it is we PROTECT AMERICA from the Left and their **BIG GOVERNMENT SOCIALIST** agenda.

**The Senate Runoff Election is TOMORROW** and YOU are the only one who can stop them from taking over, [REDACTED]. My father needs your support now more than ever and I know you won't let him down.

I'm sending my father the FINAL donor list with the names of EVERY Patriot who steps up during the rally. If you step up **RIGHT NOW**, I'll make sure [REDACTED] from District of Columbia is on the list.

**Please contribute ANY AMOUNT RIGHT NOW to stand with my father and to get your name on the Donor List. >>**

# GET ON THE LIST

Lary H	\$30
Luiz C	\$5
Richard C	\$5
Thomas W C	\$10
Andrea K	\$5
Louis J B	\$25

**CONTRIBUTE NOW >>**

**CONTRIBUTE \$20**

**CONTRIBUTE \$15**

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**CONTRIBUTE \$5**

**CONTRIBUTE ANY AMOUNT**

After my father steps off stage, I want him to know that [REDACTED] had his back during this critical time.

This is your last chance to get on the list. Don't wait.

**Please contribute ANY AMOUNT NOW to get on the Donor List I send my father when he steps off the stage.**



Thank you,



Donald Trump Jr.

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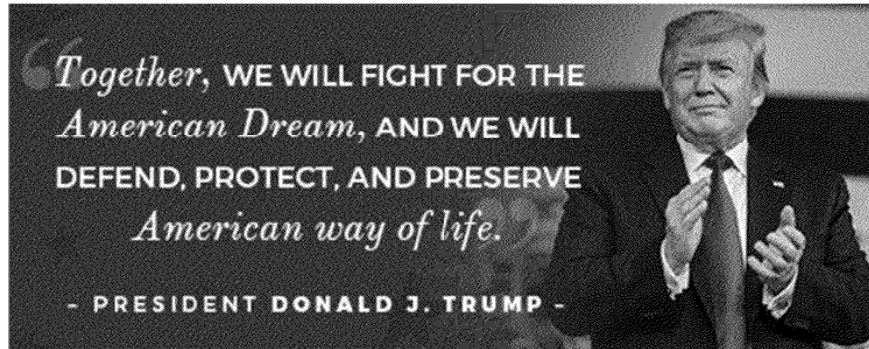
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**PRESIDENT TRUMP IS ON STAGE NOW**

[REDACTED]

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Please contribute \$45 RIGHT NOW to stand with my father and to get your name on the Donor List. >>

**GET ON THE LIST**

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Louis J B	\$25

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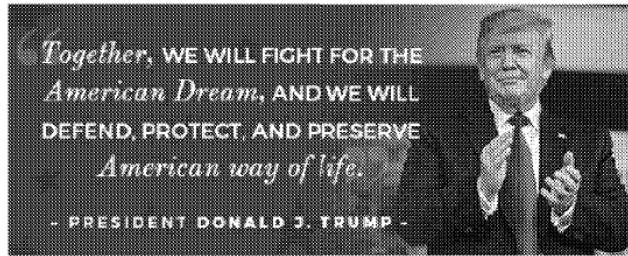
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Start earning Trump Reward points and download the Official Trump 2020 App below.



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**SEALED**

**SEALED**

Message

**From:** Donald Trump Jr. [contact@victory.donaldtrump.com]  
**Sent:** 1/4/2021 9:21:41 PM  
**To:** [REDACTED]  
**Subject:** My father is LIVE



**PRESIDENT TRUMP IS ON STAGE NOW**

[REDACTED],

**My father is on stage RIGHT NOW in Georgia rallying with Senators Kelly Loeffler and David Perdue to DEFEND our Senate Republican Majority. Are YOU watching?**

He's speaking DIRECTLY to the American People because he knows just how important it is we PROTECT AMERICA from the Left and their **BIG GOVERNMENT SOCIALIST** agenda.

**The Senate Runoff Election is TOMORROW** and YOU are the only one who can stop them from taking over, [REDACTED]. My father needs your support now more than ever and I know you won't let him down.

I'm sending my father the FINAL donor list with the names of EVERY Patriot who steps up during the rally. If you step up **RIGHT NOW**, I'll make sure [REDACTED] from District of Columbia is on the list.

*Note: If you've saved your payment information, your donation will go through immediately.*

Please contribute \$45 RIGHT NOW to stand with my father and to get your name on the Donor List. >>



# GET ON THE LIST

Lary H	\$30
Luiz C	\$5
Richard C	\$5
Thomas W C	\$10
Andrea K	\$5
Louis J B	\$25

**CONTRIBUTE NOW »**

**CONTRIBUTE \$250**

**CONTRIBUTE \$100**

**CONTRIBUTE \$50**

**CONTRIBUTE \$45**

**CONTRIBUTE ANY AMOUNT**

After my father steps off stage, I want him to know that [REDACTED] had his back during this critical time.

This is your last chance to get on the list. Don't wait.

Please contribute \$45 NOW to get on the Donor List I send my father when he steps off the stage.

Thank you,



Donald Trump Jr.

**CONTRIBUTE \$45**

Contributions to the Trump Make America Great Again Committee are not deductible for federal income tax purposes.

---

Paid for by Trump Make America Great Again Committee, a joint fundraising committee authorized by and composed of Donald J. Trump for President, Inc., Save America, and the Republican National Committee.

---

You are receiving this email at [REDACTED]  
Trump Make America Great Again Committee, 725 Fifth Ave, New York, NY 10022

We believe this is an important way to reach our grassroots supporters with the most up-to-date information regarding the efforts of the Trump Make America Great Again Committee and President Trump, and we're glad you're on our team.

Thank you for joining Team Trump. It's because of grassroots supporters like YOU that we've been able to consistently call out the Fake News media EVERY SINGLE TIME they try to spread misinformation or outright LIES about the important work President Trump is doing. Reaching grassroots supporters directly is CRITICAL if we're going to WIN BIG in November. But, in order to do that we need to provide them with the most up-to-date information on all of our efforts.

**TEXT WIN2020 to 88022** to start receiving text messages from the Official Trump Campaign

**TEXT WIN2020 to 80810** to start receiving text messages from the Republican National Committee

**President Trump has a personal message for some of his top supporters. See below.**

This message is intended for: [REDACTED]

CONFIDENTIAL SUBJECT TO FED R. CRIM. P. 6(E)  
SUBJECT TO PROTECTIVE ORDER

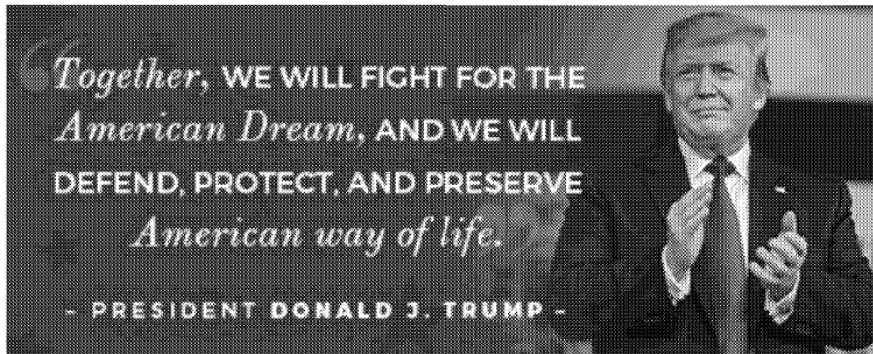
[REDACTED]

SCO-02984628

Together, we will Make America Great Again



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Start earning Trump Reward points and download the Official Trump 2020 App below.



[Privacy Policy](#)

**From:** Donald J. Trump <contact@victory.donaldtrump.com>  
**Sent:** Monday, January 4, 2021 10:53 PM  
**To:** [REDACTED]  
**Subject:** I just stepped off stage

---



[REDACTED]

I just stepped off stage after speaking at an **EPIC Victory Rally in Georgia with Senators Kelly Loeffler and David Perdue**. The energy of the American People was UNMATCHED and I know we're going to WIN BIG tomorrow.

When I get back to my office tonight, my team is handing me the FINAL list of EVERY Patriot who stepped up to help us secure a MASSIVE VICTORY in the **Senate Runoff Election**.

You've always been one of my strongest supporters, so I want to give YOU the opportunity to get your name at the TOP of the list.

**Please contribute \$5 IMMEDIATELY to help us WIN BIG and to get on the FINAL donor list I see. >>**

# GET ON THE LIST

Lary H	\$30
Luiz C	\$5
Richard C	\$5
Thomas W C	\$10
Andrea K	\$5
Louis J B	\$25

**CONTRIBUTE NOW >>**

**CONTRIBUTE \$20**

**CONTRIBUTE \$15**

**CONTRIBUTE \$10**

**CONTRIBUTE \$5**

**CONTRIBUTE ANY AMOUNT**

Please contribute \$5 NOW to get on the donor list.

Thank you,



Donald J. Trump  
President of the United States

**CONTRIBUTE \$5**

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---

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---

You are receiving this email at [REDACTED]  
Trump Make America Great Again Committee, 725 Fifth Ave, New York, NY 10022

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SUBJECT TO PROTECTIVE ORDER

[REDACTED]  
SCO-02351527

GA 1787

TEXT WIN2020 to 88022 to start receiving text messages from the Official Trump Campaign

TEXT WIN2020 to 80810 to start receiving text messages from the Republican National Committee

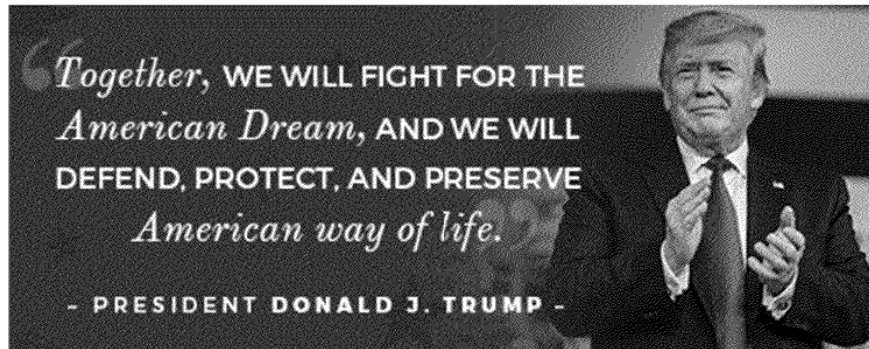
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This message is intended for: [REDACTED]

Together, we will Make America Great Again



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Privacy Policy

**From:** Donald J. Trump <contact@victory.donaldtrump.com>  
**Sent:** Monday, January 4, 2021 10:44 PM  
**To:** [REDACTED]  
**Subject:** I just stepped off stage



[REDACTED]

I just stepped off stage after speaking at an **EPIC Victory Rally in Georgia with Senators Kelly Loeffler and David Perdue**. The energy of the American People was UNMATCHED and I know we're going to WIN BIG tomorrow.

When I get back to my office tonight, my team is handing me the FINAL list of EVERY Patriot who stepped up to help us secure a MASSIVE VICTORY in the **Senate Runoff Election**.

**You've always been one of my strongest supporters, so I want to give YOU the opportunity to get your name at the TOP of the list.**

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### GET ON THE LIST

Lary H	\$30
Luiz C	\$5
Richard C	\$5
Thomas WC	\$10
Andrea K	\$5
Louis J B	\$25

**CONTRIBUTE NOW >**

**CONTRIBUTE \$250**

**CONTRIBUTE \$100**

**CONTRIBUTE \$50**

**CONTRIBUTE \$45**

[REDACTED]



**CONTRIBUTE ANY AMOUNT**

Please contribute \$45 NOW to get on the donor list.

Thank you,



Donald J. Trump  
President of the United States

**CONTRIBUTE \$45**

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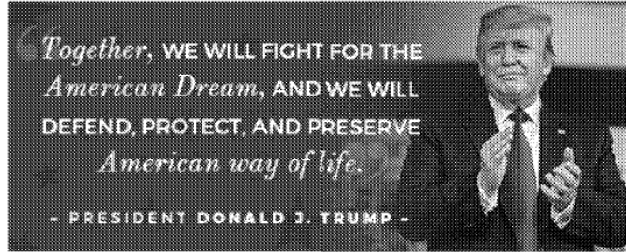
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**SEALED**

**SEALED**

Message

**From:** Donald J. Trump [contact@victory.donaldtrump.com]  
**Sent:** 1/4/2021 10:41:43 PM  
**To:** [REDACTED]  
**Subject:** I just stepped off stage



[REDACTED]

I just stepped off stage after speaking at an **EPIC Victory Rally in Georgia with Senators Kelly Loeffler and David Perdue**. The energy of the American People was UNMATCHED and I know we're going to WIN BIG tomorrow.

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>>

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**CONTRIBUTE NOW >**

**CONTRIBUTE \$250**

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**CONTRIBUTE \$45**

**CONTRIBUTE ANY AMOUNT**

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Donald J. Trump  
President of the United States

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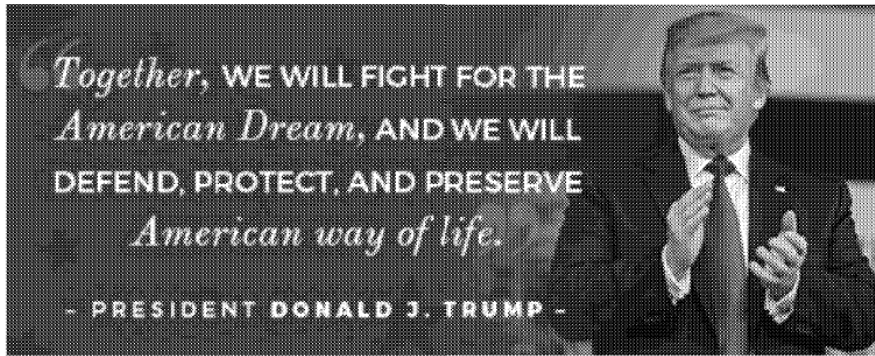
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SUBJECT TO PROTECTIVE ORDER

[REDACTED]  
SCO-02984640

GA 1796



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**SEALED**

**SEALED**

**SEALED**

**SEALED**

**SEALED**

**SEALED**

**SEALED**

**BUDGET & TRIP PLAN**

MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**AGENDA:**

**MONDAY, JANUARY 4:**

2:30 PM EST  
(3:50 PM EST)  
4:00 PM EST  
(6:00 PM EST)  
6:00 PM EST  
(8:30 PM EST)  
9:00 PM EST  
(10:20 PM EST)  
10:30 PM EST  
(11:00 PM EST)  
RON

*Depart Lakeland (KLAL) for Dalton (KDNN) via nejets  
Flight time approx. 1hr 20mins  
Hold until POTUS arrival*

**Georgia Rally with POTUS**  
Dalton Regional Airport, Dalton, GA

*Depart Dalton (KDNN) for Washington, DC (KIAD) via nejets  
Flight time approx. 1hr 20 mins*

*Depart LAD for Willard Hotel via private car  
Drive time approx. 30 mins.*

The Willard Hotel  
Confirmation #:  
Confirmation #:

**TUESDAY, JANUARY 5**

MID-MORNING  
12:00 PM EST  
(1:30 PM EST)  
2:00 PM EST  
(4:30 PM EST)  
6:30 PM EST  
(8:00 PM EST)  
RON

**White House Tour**  
**Lunch**  
The Willard Hotel, Washington, DC  
**MAGA Rally Speeches**  
Freedom Plaza, Washington, DC  
**Dinner**  
TBD, Washington, DC  
The Willard Hotel  
Confirmation #:  
Confirmation #:

**WEDNESDAY, JANUARY 6**

10:30 AM EST  
(4:30 PM EST)  
6:00 PM EST  
(6:45 PM EST)  
7:00 PM EST  
(9:15 PM EST)

**MAGA Rally Speeches**  
Freedom Plaza, Washington, DC  
*Depart The Willard for Dulles Airport (KIAD) via private car  
Drive time approx. 45 mins*  
*Depart DC (KIAD) for Lakeland (KLAL) via nejets  
Flight time approx. 2 hrs 15 mins*

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REVU\_000014

SUBJECT TO PROTECTIVE ORDER

SCO-00728715



**BUDGET & TRIP PLAN**  
**MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021**

**BUDGET:**

ROUND 1	ROUND 2	ENTITY	DESCRIPTION
\$1,000,000.00	\$-	Turning Point Action	Turning Point Action was founded by [REDACTED]. This investment will allow them to deploy social media influencers and students from around the country to Washington, DC to attend the rally. Additionally, they will be producing all the video content at the event and will also be running nationwide ads educating millions about the significance of January 6th for President Trump, in addition to mobilizing students to fight against voter fraud as well as help expand Turning Point Action's campus army towards the President's America First goals/objectives.
\$500,000.00	\$-	Save the U.S. Senate	Save the U.S. Senate PAC was founded by Donald Trump Jr in an effort to stop the Georgia Voter Fraud and to help re-elect Republican Senate candidates Kelly Loeffler and David Perdue. This investment will help support attendance at President Trump's rally on January 4th and will also enable the organization to make additional ad buys featuring Donald Trump Jr to encourage Senators Loeffler and Perdue to vote to stop the steal in Georgia on January 6.
\$400,000.00	\$-	Tea Party Express	They will use the contribution to create a centralized website to promote the rally events on January 5th and 6th including the agenda and an RSVP page. They will use targeted ads to promote the website to encourage individuals to attend and sign up via the webpage. This will include both a television, radio and digital campaign to promote the January 6th rally and will geo-target a 180 mile radius to encourage attendance.
\$200,000.00	\$-	[REDACTED]	This investment will go directly to [REDACTED] to assist with his organization efforts.
\$200,000.00	\$-	Rule of Law Defense Fund (RAGA)	The Republican Attorneys Generals (RAGA) have been incredibly supportive of President Trump's legal efforts. This investment would fund their continued legal efforts to fight the election fraud around the country with so many pending lawsuits.
\$50,000.00	\$-	Bluebonnet Fundraising LLC	This payment is to retain [REDACTED] services including overseeing the budget, event organization, travel logistics and donor advisement. The budget is built to scale pending subcontractors that may be needed to assist with the execution and logistics of the rallies.
\$-	\$300,000.00	Women for America First/Rally Event organizers	These funds will assist the organizers of the rally. The main organizer is currently Women for America First but another organization holds the actual permits. Holding on payment until this gets worked out but the organizers expect the expenses to be around \$300,000 and they have raised \$150,000 to date so this would go to supplement the additional costs.
\$-	\$200,000.00	Speakers Fees/Speakers Travel	This is money we are holding back to help assist VIP speakers that will need potential speakers fees, flights, lodging, etc.
\$-	\$100,000.00	Crowd Building/Busing Program	We will need these funds to organize a busing program for cities within 180 mile radius. We may just contract directly through Bluebonnet Fundraising with the busing companies.
\$-	\$100,000.00	Hotels/Flights/Security	This is the estimated cost for the hotels/private flights, car services and private security for the [REDACTED] group (estimate 10-15 people)
\$2,350,000.00	\$700,000.00	<b>TOTAL</b>	
	\$3,000,000.00	<b>TOTAL BUDGET</b>	

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REJU\_000015

SUBJECT TO PROTECTIVE ORDER

SCO-00728716

**[REDACTED] BUDGET & TRIP PLAN**  
MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**ROUND 1 DONATIONS**  
**TURNING POINT ACTION** **\$1,000,000** **EXECUTE DONATIONS ON 12/28/20**

EIN: 46-[REDACTED]  
Bank: Chase Bank  
Bank Address: 906 W. Jefferson St. Shorewood, IL 60404  
Routing #: [REDACTED]  
Wires: [REDACTED]  
Account: [REDACTED]

**SAVE THE U.S. SENATE PAC** **\$500,000**

Bank: Truist/BB&T  
Bank Address: 1909 K Street NW, Washington, DC 20006  
Account Number: [REDACTED]  
Routing Number: [REDACTED]

**STATE TEA PARTY EXPRESS** **\$400,000**

Bank: Wells Fargo  
Routing Number: [REDACTED]  
Account Number: [REDACTED]

**RULE OF LAW DEFENSE FUND** **\$200,000**

Bank: Chain Bridge Bank, N.A.  
Bank Address: 1445-A Laughlin Ave, McLean, VA 22101  
Routing #: [REDACTED]  
Account: [REDACTED]

**BLUEBONNET FUNDRAISING LLC** **\$50,000**

Bank: Frost Bank Texas  
Bank Address: 5656 Bee Caves Road, Austin, TX 78746  
Routing #: [REDACTED]  
Account #: [REDACTED]

REVU\_000016

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SCO-00728717

SUBJECT TO PROTECTIVE ORDER

**[REDACTED] BUDGET & TRIP PLAN**  
MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**NETJET FLIGHT REQUESTS:**

**Flight 1)**

**Date:** **Lakeland, FL > Dalton, GA**  
Monday, January 4, 2021  
**Departure FBO:** Lakeland Linder International Airport (KLAL)  
**Arrival FBO:** Dalton Regional Airport (KDNN)  
**Departure Time:** 2:30 PM EST  
**Arrival Time:** 3:50 PM EST  
**Flight Time:** 1hr 20mins  
**Tail #:** **Need**  
**Manifest:** **[REDACTED]**

**Flight 2)**

**Date:** **Dalton, GA > Washington, DC**  
Monday, January 4, 2021  
**Departure FBO:** Dalton Regional Airport (KDNN)  
**Arrival FBO:** Washington Dulles Airport (KIAD)  
**Departure Time:** 9:00 PM EST  
**Arrival Time:** 10:20 PM EST  
**Flight Time:** 1hr 20mins  
**Tail #:** **Need**  
**Manifest:** **[REDACTED]**

**Flight 3)**

**Date:** **Washington, DC > Lakeland, FL**  
Wednesday, January 6, 2021  
**Departure FBO:** Washington Dulles Airport (KIAD)  
**Arrival FBO:** Lakeland Linder International Airport (KLAL)  
**Departure Time:** 7:00 PM EST  
**Arrival Time:** 9:15 PM EST  
**Flight Time:** 2hr 15mins  
**Tail #:** **Need**  
**Manifest:** **[REDACTED]**

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REVU\_000017

SUBJECT TO PROTECTIVE ORDER

SCO-00728718

**BUDGET & TRIP PLAN**

MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**AGENDA:**

**MONDAY, JANUARY 4:**

2:30 PM EST  
(3:50 PM EST)  
4:00 PM EST  
(6:00 PM EST)  
6:00 PM EST  
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9:00 PM EST  
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10:30 PM EST  
(11:00 PM EST)  
RON

*Depart Lakeland (KLAL) for Dalton (KDNN) via nejets  
Flight time approx. 1hr 20mins  
Hold until POTUS arrival*

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Dalton Regional Airport, Dalton, GA

*Depart Dalton (KDNN) for Washington, DC (KIAD) via nejets  
Flight time approx. 1hr 20 mins*

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The Willard Hotel  
Confirmation #:  
Confirmation #:

**TUESDAY, JANUARY 5**

MID-MORNING  
12:00 PM EST  
(1:30 PM EST)  
2:00 PM EST  
(4:30 PM EST)  
6:30 PM EST  
(8:00 PM EST)  
RON

**White House Tour**  
**Lunch**  
The Willard Hotel, Washington, DC  
**MAGA Rally Speeches**  
Freedom Plaza, Washington, DC  
**Dinner**  
TBD, Washington, DC

The Willard Hotel  
Confirmation #:  
Confirmation #:

**WEDNESDAY, JANUARY 6**

10:30 AM EST  
(4:30 PM EST)  
6:00 PM EST  
(6:45 PM EST)  
7:00 PM EST  
(9:15 PM EST)

**MAGA Rally Speeches**  
Freedom Plaza, Washington, DC  
*Depart The Willard for Dulles Airport (KIAD) via private car  
Drive time approx. 45 mins*  
*Depart DC (KIAD) for Lakeland (KLAL) via nejets  
Flight time approx. 2 hrs 15 mins*

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REVU\_000018

SUBJECT TO PROTECTIVE ORDER

SCO-00728719

**BUDGET & TRIP PLAN**  
**MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021**

**BUDGET:**

ROUND 1	ROUND 2	ENTITY	DESCRIPTION
\$1,000,000.00	\$-	Turning Point Action	Turning Point Action was founded by [REDACTED]. This investment will allow them to deploy social media influencers and students from around the country to Washington, DC to attend the rally. Additionally, they will be producing all the video content at the event and will also be running nationwide ads educating millions about the significance of January 6th for President Trump, in addition to mobilizing students to fight against voter fraud as well as help expand Turning Point Action's campus army towards the President's America First goals/objectives.
\$500,000.00	\$-	Save the U.S. Senate	Save the U.S. Senate PAC was founded by Donald Trump Jr in an effort to stop the Georgia Voter Fraud and to help re-elect Republican Senate candidates Kelly Loeffler and David Perdue. This investment will help support attendance at President Trump's rally on January 4th and will also enable the organization to make additional ad buys featuring Donald Trump Jr to encourage Senators Loeffler and Perdue to vote to stop the steal in Georgia on January 6.
\$400,000.00	\$-	Tea Party Express	They will use the contribution to create a centralized website to promote the rally events on January 5th and 6th including the agenda and an RSVP page. They will use targeted ads to promote the website to encourage individuals to attend and sign up via the webpage. This will include both a television, radio and digital campaign to promote the January 6th rally and will geo-target a 180 mile radius to encourage attendance.
\$200,000.00	\$-	[REDACTED]	This investment will go directly to [REDACTED] to assist with his organization efforts.
\$200,000.00	\$-	Rule of Law Defense Fund (RAGA)	The Republican Attorneys Generals (RAGA) have been incredibly supportive of President Trump's legal efforts. This investment would fund their continued legal efforts to fight the election fraud around the country with so many pending lawsuits.
\$50,000.00	\$-	Bluebonnet Fundraising LLC	This payment is to retain [REDACTED] services including overseeing the budget, event organization, travel logistics and donor advisement. The budget is built to scale pending subcontractors that may be needed to assist with the execution and logistics of the rallies.
\$-	\$300,000.00	Women for America First/Rally Event organizers	These funds will assist the organizers of the rally. The main organizer is currently Women for America First but another organization holds the actual permits. Holding on payment until this gets worked out but the organizers expect the expenses to be around \$300,000 and they have raised \$150,000 to date so this would go to supplement the additional costs.
\$-	\$200,000.00	Speakers Fees/Speakers Travel	This is money we are holding back to help assist VIP speakers that will need potential speakers fees, flights, lodging, etc.
\$-	\$100,000.00	Crowd Building/Busing Program	We will need these funds to organize a busing program for cities within 180 mile radius. We may just contract directly through Bluebonnet Fundraising with the busing companies.
\$-	\$100,000.00	Hotels/Flights/Security	This is the estimated cost for the hotels/private flights, car services and private security for the [REDACTED] group (estimate 10-15 people)
<b>\$2,350,000.00</b>	<b>\$700,000.00</b>	<b>TOTAL</b>	
	<b>\$3,000,000.00</b>	<b>TOTAL BUDGET</b>	

**ROUND 1 DONATIONS** **EXECUTE DONATIONS ON 12/28/20**

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEE'S USE ONLY

REVU\_000019

SUBJECT TO PROTECTIVE ORDER

SCO-00728720

**[REDACTED] BUDGET & TRIP PLAN**  
MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**TURNING POINT ACTION** \$1,000,000

EIN: 46-[REDACTED]  
Bank: Chase Bank  
Bank Address: 906 W. Jefferson St. Shorewood, IL 60404  
Routing #: [REDACTED]  
Wires: [REDACTED]  
Account: [REDACTED]

**SAVE THE U.S. SENATE PAC** \$500,000

Bank: Truist/BB&T  
Bank Address: 1909 K Street NW, Washington, DC 20006  
Account Number: [REDACTED]  
Routing Number: [REDACTED]

**STATE TEA PARTY EXPRESS** \$400,000

Bank: Wells Fargo  
Routing Number: [REDACTED]  
Account Number: [REDACTED]

**RULE OF LAW DEFENSE FUND** \$200,000

Bank: Chain Bridge Bank, N.A.  
Bank Address: 1445-A Laughlin Ave, McLean, VA 22101  
Routing #: [REDACTED]  
Account: [REDACTED]

**BLUEBONNET FUNDRAISING LLC** \$50,000

Bank: Frost Bank Texas  
Bank Address: 5656 Bee Caves Road, Austin, TX 78746  
Routing #: [REDACTED]  
Account #: [REDACTED]

**NETJET FLIGHT REQUESTS:**

REVU\_000020

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEES USE ONLY

SUBJECT TO PROTECTIVE ORDER

SCO-00728721

**[REDACTED] BUDGET & TRIP PLAN**  
**MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021**

**Flight 1)**

**Date:** **Lakeland, FL > Dalton, GA**  
**Departure FBO:** Monday, January 4, 2021  
**Arrival FBO:** Lakeland Linder International Airport (KLAL)  
**Departure Time:** Dalton Regional Airport (KDNN)  
**Arrival Time:** 2:30 PM EST  
**Flight Time:** 3:50 PM EST  
**Tail #:** 1hr 20mins  
**Manifest:** **[REDACTED]**

**Flight 2)**

**Date:** **Dalton, GA > Washington, DC**  
**Departure FBO:** Monday, January 4, 2021  
**Arrival FBO:** Dalton Regional Airport (KDNN)  
**Departure Time:** Washington Dulles Airport (KIAD)  
**Arrival Time:** 9:00 PM EST  
**Flight Time:** 10:20 PM EST  
**Tail #:** 1hr 20mins  
**Manifest:** **[REDACTED]**

**Flight 3)**

**Date:** **Washington, DC > Lakeland, FL**  
**Departure FBO:** Wednesday, January 6, 2021  
**Arrival FBO:** Washington Dulles Airport (KIAD)  
**Departure Time:** Lakeland Linder International Airport (KLAL)  
**Arrival Time:** 7:00 PM EST  
**Flight Time:** 9:15 PM EST  
**Tail #:** 2hr 15mins  
**Manifest:** **[REDACTED]**

REVVU\_000021

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SUBJECT TO PROTECTIVE ORDER

SCO-00728722

**BUDGET & TRIP PLAN**

MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**AGENDA:**

**TUESDAY, JANUARY 5**

Long Confirmation #:

**MID-MORNING**

**White House Tour**

**WEDNESDAY, JANUARY 6**

**12:00 PM EST  
(1:30 PM EST)**

**Lunch**  
The Willard Hotel, Washington, DC

**10:30 AM EST  
(4:30 PM EST)**

**MAGA Rally Speeches**  
Freedom Plaza, Washington, DC

**2:00 PM EST  
(4:30 PM EST)**

**MAGA Rally Speeches**  
Freedom Plaza, Washington, DC

**6:00 PM EST  
(6:45 PM EST)**

*Depart The Willard for Dulles  
Airport (KIAD) via private car  
Drive time approx. 45 mins*

**6:30 PM EST  
(8:00 PM EST)**

**Dinner**  
TBD, Washington, DC

**7:00 PM EST  
(9:15 PM EST)**

*Depart DC (KIAD) for Lakeland (KLAL)  
via netjets  
Flight time approx. 2 hrs 15 mins*

RON

The Willard Hotel

Confirmation #:

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEES USE ONLY

REVVU\_000022

SUBJECT TO PROTECTIVE ORDER

SCO-00728723



**BUDGET & TRIP PLAN**  
**MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021**

**BUDGET:**

ROUND 1	ROUND 2	ENTITY	DESCRIPTION
\$1,000,000.00	\$-	Turning Point Action	Turning Point Action was founded by [REDACTED]. This investment will allow them to deploy social media influencers and students from around the country to Washington, DC to attend the rally. Additionally, they will be producing all the video content at the event and will also be running nationwide ads educating millions about the significance of January 6th for President Trump, in addition to mobilizing students to fight against voter fraud as well as help expand Turning Point Action's campus army towards the President's America First goals/objectives.
\$500,000.00	\$-	Save the U.S. Senate	Save the U.S. Senate PAC was founded by Donald Trump Jr in an effort to stop the Georgia Voter Fraud and to help re-elect Republican Senate candidates Kelly Loeffler and David Perdue. This investment will help support attendance at President Trump's rally on January 4th and will also enable the organization to make additional ad buys featuring Donald Trump Jr to encourage Senators Loeffler and Perdue to vote to stop the steal in Georgia on January 6.
\$400,000.00	\$-	Tea Party Express	They will use the contribution to create a centralized website to promote the rally events on January 5th and 6th including the agenda and an RSVP page. They will use targeted ads to promote the website to encourage individuals to attend and sign up via the webpage. This will include both a television, radio and digital campaign to promote the January 6th rally and will geo-target a 180 mile radius to encourage attendance.
<b>\$200,000.00</b>	<b>\$-</b>	[REDACTED]	<b>This investment will go directly to [REDACTED] to assist with his organization efforts.</b>
\$200,000.00	\$-	Rule of Law Defense Fund (RAGA)	The Republican Attorneys Generals (RAGA) have been incredibly supportive of President Trump's legal efforts. This investment would fund their continued legal efforts to fight the election fraud around the country with so many pending lawsuits.
\$50,000.00	\$-	Bluebonnet Fundraising LLC	This payment is to retain [REDACTED] services including overseeing the budget, event organization, travel logistics and donor advisement. The budget is built to scale pending subcontractors that may be needed to assist with the execution and logistics of the rallies.
\$300,000.00		Women for America First/Rally Event organizers	These funds will assist the organizers of the rally. The main organizer is currently Women for America First but another organization holds the actual permits. Holding on payment until this gets worked out but the organizers expect the expenses to be around \$300,000 and they have raised \$150,000 to date so this would go to supplement the additional costs.
\$-	\$200,000.00	Speakers Fees/Speakers Travel	This is money we are holding back to help assist VIP speakers that will need potential speakers fees, flights, lodging, etc.
\$-	\$100,000.00	Crowd Building/ Busing Program	We will need these funds to organize a busing program for cities within 180 mile radius. We may just contract directly through Bluebonnet Fundraising with the busing companies.
\$-	\$100,000.00	Hotels/Flights/Security	This is the estimated cost for the hotels/private flights, car services and private security for the [REDACTED] group (estimate 10-15 people)
<b>\$2,350,000.00</b>	<b>\$700,000.00</b>	<b>TOTAL</b>	
	<b>\$3,000,000.00</b>	<b>TOTAL BUDGET</b>	

**ROUND 1 DONATIONS** **EXECUTE DONATIONS ON 12/28/20**

REVU\_000023

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEE'S USE ONLY

SUBJECT TO PROTECTIVE ORDER

SCO-00728724

**[REDACTED] BUDGET & TRIP PLAN**  
MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**TURNING POINT ACTION** \$1,000,000

EIN: 46-[REDACTED]  
Bank: Chase Bank  
Bank Address: 906 W. Jefferson St. Shorewood, IL 60404  
Routing #: [REDACTED]  
Wires: [REDACTED]  
Account: [REDACTED]

**SAVE THE U.S. SENATE PAC** \$500,000

Bank: Truist/BB&T  
Bank Address: 1909 K Street NW, Washington, DC 20006  
Account Number: [REDACTED]  
Routing Number: [REDACTED]

**STATE TEA PARTY EXPRESS** \$400,000

Bank: Wells Fargo  
Routing Number: [REDACTED]  
Account Number: [REDACTED]

**RULE OF LAW DEFENSE FUND** \$200,000

Bank: Chain Bridge Bank, N.A.  
Bank Address: 1445-A Laughlin Ave, McLean, VA 22101  
Routing #: [REDACTED]  
Account: [REDACTED]

**BLUEBONNET FUNDRAISING LLC** \$50,000

Bank: Frost Bank Texas  
Bank Address: 5656 Bee Caves Road, Austin, TX 78746  
Routing #: [REDACTED]  
Account #: [REDACTED]

**NETJET FLIGHT REQUESTS:**

REVU\_000024

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEES USE ONLY

SUBJECT TO PROTECTIVE ORDER

SCO-00728725

**[REDACTED] BUDGET & TRIP PLAN**  
**MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021**

**Flight 1)**

**Date:** **Lakeland, FL > Dalton, GA**  
**Departure FBO:** Monday, January 4, 2021  
**Arrival FBO:** Lakeland Linder International Airport (KLAL)  
**Departure Time:** Dalton Regional Airport (KDNN)  
**Arrival Time:** 2:30 PM EST  
**Flight Time:** 3:50 PM EST  
**Tail #:** 1hr 20mins  
**Manifest:** **Need** [REDACTED]

**Flight 2)**

**Date:** **Dalton, GA > Washington, DC**  
**Departure FBO:** Monday, January 4, 2021  
**Arrival FBO:** Dalton Regional Airport (KDNN)  
**Departure Time:** Washington Dulles Airport (KIAD)  
**Arrival Time:** 9:00 PM EST  
**Flight Time:** 10:20 PM EST  
**Tail #:** 1hr 20mins  
**Manifest:** **Need** [REDACTED]

**Flight 3)**

**Date:** **Washington, DC > Lakeland, FL**  
**Departure FBO:** Wednesday, January 6, 2021  
**Arrival FBO:** Washington Dulles Airport (KIAD)  
**Departure Time:** Lakeland Linder International Airport (KLAL)  
**Arrival Time:** 7:00 PM EST  
**Flight Time:** 9:15 PM EST  
**Tail #:** 2hr 15mins  
**Manifest:** **Need** [REDACTED]

REVU\_000025

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEE'S USE ONLY

SCO-00728726

SUBJECT TO PROTECTIVE ORDER

**[REDACTED] BUDGET & TRIP PLAN**  
MONDAY, JANUARY 4 WEDNESDAY, JANUARY 6, 2021

**Double beds**

GA 1817

REVU\_000026

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEE'S USE ONLY

SUBJECT TO PROTECTIVE ORDER

SCO-00728727

CONFIDENTIAL - NOT TO BE DISCLOSED - FOR SELECT COMMITTEES USE ONLY REVU\_000027

**BUDGET & TRIP PLAN**

MONDAY, JANUARY 4 – WEDNESDAY, JANUARY 6, 2021

**BUDGET:**

*to fund: 250,000 of this to the 501(c)(3)  
750,000 ✓ ✓ ✓ ✓ ✓ 501(c)(4)*

ROUND 1	ROUND 2	ENTITY	DESCRIPTION
\$1,000,000.00	\$-	Turning Point Action	Turning Point Action was founded by ██████████ this investment will allow them to deploy social media influencers and students from around the country to Washington, DC to attend the rally. Additionally, they will be producing all the video content at the event and will also be running nationwide ads educating millions about the significance of January 6th for President Trump, in addition to mobilizing students to fight against voter fraud as well as help expand Turning Point Action's campus army towards the President's America First goals/objectives.
\$ 400,000	\$-	Save the U.S. Senate	Save the U.S. Senate PAC was founded by Donald Trump Jr in an effort to stop the Georgia Voter Fraud and to help re-elect Republican Senate candidates Kelly Loeffler and David Perdue. This investment will help support attendance at President Trump's rally on January 4th and will also enable the organization to make additional ad buys featuring Donald Trump Jr to encourage Senators Loeffler and Perdue to vote to stop the steal in Georgia on January 6.
\$ 200,000	\$-	Tea Party Express	They will use the contribution to create a centralized website to promote the rally events on January 5th and 6th including the agenda and an RSVP page. They will use targeted ads to promote the website to encourage individuals to attend and sign up via the webpage. This will include both a television, radio and digital campaign to promote the January 6th rally and will geo-target a 180 mile radius to encourage attendance.
\$200,000.00	\$-	██████████	This investment will go directly to ██████████ to assist with his organization efforts.
\$ 150,000	\$-	Rule of Law Defense Fund (RAGA)	The Republican Attorneys Generals (RAGA) have been incredibly supportive of President Trump's legal efforts. This investment would fund their continued legal efforts to fight the election fraud around the country with so many pending lawsuits.
\$50,000.00	\$-	Bluebonnet Fundraising LLC	This payment is to retain ██████████ services including overseeing the budget, event organization, travel logistics and donor advisement. The budget is built to scale pending subcontractors that may be needed to assist with the execution and logistics of the rallies.
300,000	\$-	Women for America First/Rally Event organizers	These funds will assist the organizers of the rally. The main organizer is currently Women for America First but another organization holds the actual permits. Holding on payment until this gets worked out but the organizers expect the expenses to be around \$300,000 and they have raised \$150,000 to date so this would go to supplement the additional costs.
\$-	\$ Minimal	Speakers Fees/Speakers Travel	This is money we are holding back to help assist VIP speakers that will need potential speakers fees, flights, lodging, etc.
\$-	\$ <i>WFO</i>	Crowd Building/Busing Program	We will need these funds to organize a busing program for cities within 180 mile radius. We may just contract directly through Bluebonnet Fundraising with the busing companies.
\$-	<i>we pay our own way</i> \$	Hotels/Flights/Security	This is the estimated cost for the hotels/private flights, car services and private security for the ██████████ group (estimate 10-15 people)
\$2,300,000.00	\$ < 100,000	<b>TOTAL</b>	
	\$2,400,000.00	<b>TOTAL BUDGET</b>	

**SEALED**

**SEALED**

**SEALED**



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**SEALED**

**SEALED**

### Save America March

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.

Today, I will lay out just some of the evidence proving that we won this election, and we won it by a landslide. Almost 75 million people voted for our campaign, the most of any incumbent president in history--and we will not let them silence your voices.

Many of you have travelled from all across the nation to be here. From the bottom of my heart, thank you for your incredible support of our movement, and your extraordinary love for this amazing country. I will never, ever forget it.

We are gathered together in the heart of our nation's capital for a simple reason: to SAVE our Democracy.

For years, Democrats have gotten away with election fraud and Republicans have turned a blind eye -- even as Democrats enacted policies that shipped away our jobs, weakened our military, threw open our borders, and put America Last.

But this year, using the pretext of the China Virus and the scam of mail in ballots, Democrats attempted the most brazen and outrageous election theft in American history.

Now it is up to Congress to confront this egregious assault on our Democracy. We have come to demand that Congress do the right thing, and only certify the electors who have been lawfully slated. I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard.

I want to thank the more than 140 members of the House of Representatives who have announced that they will object to the certification of the election results. I also want to thank our [14] most courageous members of the U.S. Senate: Senators Ted Cruz, Ron Johnson, Josh Hawley, [[David Perdue,]] [[Kelly Loeffler,]] Marsha Blackburn, Mike Braun, Steve Daines, Bill Hagerty, John Kennedy, James Lankford, Cynthia Lummis, Tommy Tuberville, and Roger Marshall.

1

As you know, the media has constantly asserted that there is “no evidence” of widespread fraud--but the American People do not believe the Fake News anymore. We will not be intimidated into accepting their hoaxes and lies.

Over the past several weeks, we have amassed overwhelming evidence. Today, for the sake of our democracy, for the sake of our Constitution, and for the sake of our children, we lay out the case for the entire world to hear:

In every single swing state, state and local officials--almost all Democrats--made illegal and unconstitutional changes to election procedures without the mandated approvals by the state legislatures--and these changes paved the way for fraud on a scale never seen before.

- In **Pennsylvania**, the Democrat Secretary of State and the Democrat state Supreme Court Justices illegally abolished the signature verification requirements 11 days prior to the election.
- There were over 200,000 more ballots counted in Pennsylvania than there were actual voters. This mathematical impossibility remains completely unexplained.
- Over 8,000 ballots in Pennsylvania were cast by people whose name and date of birth matches an individual who died in 2020 prior to the election.
- Over 14,000 ballots were cast by out of state voters. More than 10,000 votes were illegally counted even though they were received AFTER election day. And more than 60,000 ballots in Pennsylvania were reported received back BEFORE they were ever supposedly mailed out—which is also logically impossible.
- 25,000 ballots in Pennsylvania were requested by nursing home residents all in a single giant batch--indicating an enormous illegal ballot harvesting operation.
- The day BEFORE the election, the state of Pennsylvania reported the number of absentee ballots that had been sent out. Yet this number was suddenly and drastically increased by 400,000 ballots one day AFTER the election--it remains completely unexplained how an additional 400,000 ballots appeared from nowhere AFTER Election Day.
- These are the facts that you won't hear from the news media--it is all part of the suppression effort by people who want to deceive you, demoralize you and control you—just like the suppression polls that said we were going to lose Wisconsin by 17 points, and just like the Radical left tries to blacklist you on social media, and indoctrinate your children in school. It is all part of a

2

comprehensive assault on our democracy--and the American People are finally standing up and saying NO.

- In **Wisconsin**, corrupt Democrat-run cities deployed more than 500 illegal unmanned, unsecured ballot drop boxes which collected a minimum of 91,000 unlawful votes. In addition, over 170,000 absentee votes were counted in Wisconsin without a valid absentee ballot application, meaning those votes were blatantly illegal under state law--and they came 100 percent from Democrat areas such as Milwaukee and Madison.
- In Madison, 17,000 votes were deposited in so-called "human drop boxes," where operatives stuffed thousands of unsecured ballots into duffle bags on park benches across the city, in complete defiance of a cease-and-desist letter from the state legislature.
- According to eyewitness testimony, Postal Service workers in Wisconsin were also instructed to illegally backdate approximately 100,000 ballots.
- The margin of difference in Wisconsin is only 20,000 votes--any one of these issues is more than enough to show that we WON the state.
- In **Georgia**, the Secretary of State and Democrat party operatives entered into an illegal settlement agreement that drastically weakened signature verification and other election security procedures. As a result, Georgia's absentee ballot rejection rate went from an average of 3 percent in past elections, down to just 0.3 percent in 2020--a reduction of more than 10 times. 48 counties in Georgia rejected ZERO ballots.
- In other words, in a year in which more mail-in ballots were sent than ever before, and more people were voting by mail for the first time, the rejection rate was somehow drastically LOWER than ever before. The only way this can be explained is if tens of thousands of illegitimate votes were added to the tally.
- If Georgia had merely rejected the same number of unlawful ballots as in other years, there should have been approximately 45,000 ballots rejected--far more than the margin.
- There is only one reason that Democrats could possibly want to eliminate signature matching, oppose Voter ID, and stop citizenship confirmation: because they want to STEAL elections. The Radical Left knows EXACTLY what they are doing--they are ruthless, and it's time somebody did something about it.

3



- In Fulton County, Republican poll watchers were ejected from the room under the false pretense of a burst pipe--which we now know to be a horrendous lie. Then, election officials pulled boxes and suitcases of ballots out from under the tables and illegally scanned them for nearly 2 hours unsupervised. This act coincided with a mysterious vote dump of up to 100,000 votes for Joe Biden at 1:34AM in Georgia.
- The Georgia Secretary of State has rejected 5 separate appeals for an independent and comprehensive audit of signatures. Yet the numbers of fraudulent ballots we have identified stagger the mind.
- Over 10,300 ballots in Georgia were cast by individuals whose name and date of birth matches a Georgia resident who died in 2020 prior to the election.
- More than 2,500 ballots were cast by individuals whose name and date of birth matches an incarcerated felon in a Georgia prison— people who are not allowed to vote.
- More than 4,500 illegal ballots were cast by individuals who do not appear on the state's voter rolls.
- Over 18,000 illegal ballots were cast by individuals who registered to vote using an address listed as "vacant," according to the postal service.
- At least 86,000 ballots in Georgia were cast by people whose registrations were illegally backdated.
- 66,000 votes in Georgia were cast by individuals under the legal voting age.
- At least 15,000 ballots were cast by individuals who moved out of the state prior to the November 3rd election.
- Despite all of this, the margin in Georgia is only 11,000 votes--each and every one of these issues is enough to give us the margin of victory. Make no mistake - this election was stolen, and not a single swing state has conducted a comprehensive audit to remove the illegal ballots. This should absolutely occur in every single contested state BEFORE the election is certified.
- In the state of **Arizona**, over 36,000 ballots were illegally cast by non-citizens. 2,000 ballots were returned with no address, more than 22,000 were returned before they were ever supposedly mailed out, and there were 11,600 more votes counted than there were actual voters.
- 150,000 people registered in Maricopa County AFTER the registration deadline. 103,000 ballots in the county were sent for electronic adjudication with no Republican observers.

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- In Clark County, **Nevada**, the accuracy settings on the signature verification machines were purposefully lowered before they were used to count over 130,000 ballots.
- There were also more than 42,000 double votes in Nevada.
- Over 1,500 ballots were cast by individuals whose name and date of birth matches a Nevada resident who died in 2020 prior to the November 3rd election, and more than 8,000 votes were cast by individuals with no address.
- The margin in Nevada is only 33,000 votes--without the cheating, we easily won.
- In **Michigan**, the Secretary flooded the state with unsolicited mail in ballot applications, sent to every person on the rolls in direct violation of state law.
- More than 17,000 Michigan ballots were cast by individuals whose name and date of birth matches a person who was deceased.
- In Wayne County alone, 174,000 ballots were counted without being tied to an actual registered voter. Also in Wayne County, poll watchers observed canvassers re-scanning batches of ballots through vote tabulation machines up to 3 to 4 times.
- A career employee of the city of Detroit testified under penalty of perjury that she witnessed city workers coaching voters to vote straight Democrat, while accompanying them to watch who they were voting for--all of which is against the law. The same worker was instructed not to ask for any voter ID, and not to attempt to validate any signatures. She was also told to illegally backdate ballots received after the deadline, and reports that thousands of ballots were improperly backdated.
- Four witnesses have testified that after officials in Detroit announced the last votes had been counted, tens of thousands of additional ballots arrived without the required envelopes, all voting for Democrats.
- At 6:31 AM in the early morning hours after the voting had ended, Michigan suddenly reported 147,000 votes--an astounding 94 percent for Biden, 6 percent for Trump. Such gigantic and one-sided vote dumps were only observed in a few swing states--and they were always just enough to push Joe Biden barely into the lead.

In addition, there is the highly troubling matter of Dominion voting systems. In one Michigan county alone, 6,000 votes were switched from Trump to Biden--and the same systems are used in the majority of states.

Georgia State Senator William Ligon [Lig-in], Chairman of the Georgia Senate Judiciary Subcommittee on Elections, has written a letter describing his concerns with Dominion in Georgia. He wrote QUOTE: "the Dominion voting machines employed in Fulton County had an astounding 93.67 percent error rate in the scanning of ballots requiring a review panel to "adjudicate" or "determine" the voter's intent in over 106,000 ballots out of a total 113,130 ballots. The national average for such an error rate is far less at 1.2 percent. The source of this astronomical error rate must be identified to determine if these machines were set up or designed to allow for a third party to disregard the actual ballot cast by the registered voter."

The letter continues: "There is clear evidence that tens of thousands of votes were switched from President Trump to former Vice President Biden in several counties in Georgia. For example, in Bibb County, President Trump was reported to have 29,391 votes at 9:11 pm EST while simultaneously former Vice-President Joe Biden was reported to have 17,218 votes. Minutes later at the next update, these vote numbers switched with President Trump now having 17,218 votes and Mr. Biden having 29,391 votes, a 12,173 vote switch to Mr. Biden's favor. No rational explanation has been put forth demonstrating a legitimate reason for this switch in the vote tally."

In addition, Senator Ligon [Lig-in] provided an expert demonstration proving that the Dominion Systems can indeed be hacked and the votes manipulated in real time because the devices are connected to the Internet.

Another letter from Representative Mark Finchem, Chairman of the Arizona House Federal Relations Committee, attests that expert and eyewitness testimony in Arizona indicates that "143,000 votes were artificially injected into the ballot total."

It is no coincidence that in every one of these cases, all of this cheating and rule-breaking worked to the benefit of Joe Biden, and to the detriment of our campaign. There was an organized, coordinated, and systematic effort to steal this election across all the critical states. In every swing state, the Democrat fraud, irregularities, and illegal votes that I have just outlined vastly exceed the margin of difference and are more than enough to flip the electoral votes to us if corrected.

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Every fact demonstrates a clear, definitive, and overwhelming Trump victory:

- There are 19 counties that have correctly predicted the results of every single presidential election in the modern era. Winning any one of these counties is a powerful statistical indicator of having won the election--but we didn't just win a few, we won 18 out of 19.
- Democrats were projected to GAIN 15 House seats--instead, with my coattails, Republicans won 25 out of 26 tossup House races, and Democrats LOST 14 seats.
- We won approximately 12 million more votes than in 2016, a record-breaking increase for any president from the first election to the second.
- We made historic gains among African Americans, Hispanic Americans, and Asian Americans.
- In fact, we did better with African-American voters everywhere in the country EXCEPT for a small handful of corrupt Democrat-run cities in key swing states-- such as Milwaukee, Detroit, Atlanta, and Philadelphia, where Joe Biden supposedly outperformed Barack Obama.

There is virtually no one who believes that BIDEN, who barely even left his basement to campaign, somehow got 12 million more votes than Obama.

In addition to all of the brazen cheating and theft I have described, we cannot ignore that the election hoax was the culmination of four years of unceasing propaganda, disinformation, and lies perpetrated by the Democrat Party and the media.

First there was the Russia Hoax--an attempted takedown of a sitting president of the United States. Then there was the impeachment witch hunt. Then, there was the relentless campaign to induce panic during the pandemic. Then there was the effort to incite rioting, looting, arson, and violence in the street unless the Radical Left Democrats were given their way, which was an open attack on Democracy. And finally, there was the shameless effort to protect Joe Biden and get him elected by any means necessary.

The media and Big Tech's censorship of the truth about Joe Biden's corruption is, by itself, one of the greatest scandals in American history. The overwhelming majority of Americans were prevented from learning that the Biden family took millions of dollars from the Chinese Communist Party in a flagrant payoff. The American People deserved to know BEFORE the election that Joe Biden is owned by China. The unprecedented censorship of this information constituted a rigging of the election on

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a grand scale. Yet the same media that falsely told you there was no evidence of Biden corruption is now telling you there is no evidence of election fraud. Congress and the Justice Department have an absolute obligation to investigate the Biden payoffs as well as the corporations that engaged in censorship. The American People deserve the truth--and the American People deserve ACCOUNTABILITY.

It is a disgrace that in the United States of America, tens of millions of people are allowed to go vote without so much as showing an ID. In no state is there any genuine effort to verify the identity, citizenship, residency, or eligibility of those who cast ballots. It is also widely understood that the voter rolls are crammed full of non-citizens, felons, people who have moved out of state, and individuals who are otherwise ineligible to vote--yet Democrats oppose every effort to clean up the rolls. This is not just a matter of domestic politics, this a matter of national security.

So today, in addition to challenging the certification of the election, I am calling on Congress and the state legislatures to quickly pass sweeping election reforms.

Today is not the end, it is the beginning. With your help, over the last four years, we built the greatest political movement in the history of our country. But our fight against the Big Donors, Big Media, and Big Tech is just getting started.

We must stop the steal, and then we must ensure that such outrageous election fraud never happens again!

With your help, we will finally pass powerful requirements for Voter ID. You need an ID to cash a check, go to the bank, buy alcohol, and drive a car--every person should need to show an ID in order to cast a vote.

We will also require proof of American CITIZENSHIP in order to vote in American Elections.

We will ban ballot harvesting, and prohibit the use of unsecured drop boxes to commit rampant fraud.

We will stop the practice of universal unsolicited mail-in balloting. We will clean up the voter rolls and ensure that every single person who casts a vote is a citizen of our country, a resident of the state in which they vote, and that their vote is cast in a lawful and honest manner.

We will restore the vital civic tradition of in-person voting ON ELECTION DAY--so that voters can be fully informed when they make their choice.

We will finally hold Big Tech ACCOUNTABLE. Congress should immediately repeal Section 230--and if the tech monopolies are going to abuse their power and interfere in our elections, they should be regulated, investigated, and brought to justice under the fullest extent of the law.

Together, we will Drain the Washington Swamp and we will clean up the corruption in our nation's capital once and for all.

Despite everything we have been through, looking out at all the amazing patriots here today, I have never been more confident in our nation's future.

We are the greatest country on earth--with the greatest PEOPLE on earth.

As this enormous crowd shows, we have truth and justice on our side. We have a deep and enduring love for America in our hearts. We have overwhelming pride in this great country in our souls. And together, we are determined to defend and preserve government OF the people, BY the people, and FOR the people!

We will defeat the corrupt political class--and we will lead our nation to new heights. Our brightest days are still ahead. Our greatest achievements still await. Our exciting adventures and boldest endeavors have not yet begun!

My fellow Americans, for our movement, for our children, and for our beloved country, the BEST IS YET TO COME!

Thank you again to every citizen here today and all across the country for standing strong. Now it is up to the men and women of Congress to do the right thing by their conscience, by their country, and by our Constitution.

Thank you, God Bless You, and God Bless America.

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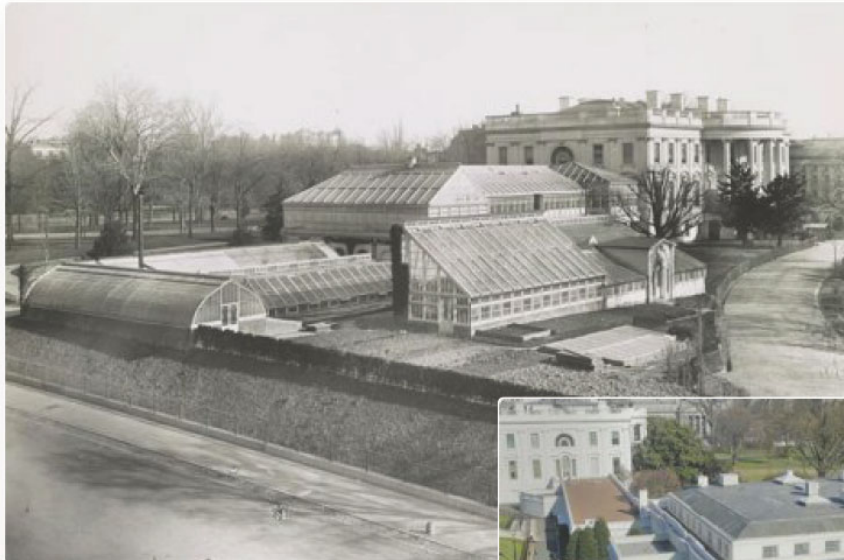
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U.S. OFFICE OF SPECIAL COUNSEL

Report of Prohibited Political Activity Under the Hatch Act  
OSC File No. HA-20-000279 [REDACTED]

November 18, 2020

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SCO-02254585

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## I. INTRODUCTION

This report contains the findings and conclusions of the U.S. Office of Special Counsel's (OSC) investigation of allegations that ██████████ Assistant to the President and Director of the Office for Trade and Manufacturing Policy, violated the Hatch Act by using his official authority or influence to interfere with or affect the result of the 2020 presidential election through both media appearances and social media. As detailed below, OSC substantiated the allegations and concluded that ██████████ violated the Hatch Act. Accordingly, OSC submits this Report of Prohibited Political Activity to President Donald J. Trump for appropriate disciplinary action.<sup>1</sup>

## II. LEGAL STANDARD REQUIRED TO ESTABLISH A HATCH ACT VIOLATION

For purposes of the Hatch Act, an employee is defined as "any individual, other than the President and the Vice President, employed or holding office in ... an Executive agency other than the Government Accountability Office."<sup>2</sup>

The Hatch Act prohibits (1) federal Executive branch employees (2) from using their official authority or influence (3) for the purpose of interfering with or affecting the result of an election.<sup>3</sup> The attendant Hatch Act regulation gives examples of the type of activity this prohibition encompasses.<sup>4</sup> For example, the regulation makes clear that it is a prohibited use of official authority for an employee to use his official title or position while participating in political activity.<sup>5</sup> Political activity is defined as activity directed at the success or failure of a political party, partisan political group, or candidate for partisan political office.<sup>6</sup> Thus, a covered federal employee violates the Hatch Act if he promotes the election or defeat of candidates for partisan political office while speaking in his official capacity or using an official social media account.

## III. INVESTIGATIVE FINDINGS

OSC's investigation determined that ██████████ violated the Hatch Act's prohibition against using his official authority or influence to affect an election by engaging in political activity during official media appearances and on his official Twitter account. From May 26 through October 19, 2020, during at least six media interviews where he appeared in his official capacity as Assistant to the President and Director of the Office on Trade and Manufacturing Policy, ██████████ repeatedly attacked presidential candidate Joe Biden and/or vice-presidential candidate Kamala Harris. ██████████ often attacked Mr. Biden about his relationship with China and at times accused him of being "compromised" and susceptible to being "bought" by China, even nicknaming him "Beijing Biden." ██████████ also argued that a Biden presidency

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<sup>1</sup> See 5 U.S.C. § 1215(b).

<sup>2</sup> 5 U.S.C. § 7322(1).

<sup>3</sup> See 5 U.S.C. § 7323(a)(1).

<sup>4</sup> See 5 C.F.R. § 734.302.

<sup>5</sup> See 5 C.F.R. § 734.302(b)(1).

<sup>6</sup> 5 C.F.R. § 734.101.

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would be devastating to the U.S. economy, and he disparaged vice-presidential candidate Kamala Harris, calling her a mouthpiece who cannot be taken seriously. On his [REDACTED] Twitter account, which he often used for official purposes, [REDACTED] engaged in similar partisan attacks, repeating his “Beijing Biden” nickname for Mr. Biden and accusing him of being “soft” on China and a plagiarist. Moreover, [REDACTED] violations of the Hatch Act were knowing and willful. He committed these violations after having received training on the Hatch Act and, for most of the violations, while knowing that OSC was investigating him for engaging in the same prohibited political activity.

**A. [REDACTED] is subject to the Hatch Act.**

The Hatch Act restricts the political activity of “any individual, other than the President and the Vice President, employed or holding office in ... an Executive agency other than the Government Accountability Office.”<sup>7</sup> The White House Office is a component of the Executive Office of the President, which is considered an Executive agency for purposes of the Hatch Act.<sup>8</sup> [REDACTED] serves in the White House Office as Assistant to the President and Director of the Office for Trade and Manufacturing Policy.<sup>9</sup> Therefore, as a presidential appointee employed by the White House Office, [REDACTED] is a federal employee subject to the Hatch Act.

**B. [REDACTED] knew about the Hatch Act and its requirements.**

As a federal employee in the White House Office, [REDACTED] received mandatory ethics training, which included training on the Hatch Act. The White House Counsel’s Office confirmed that all White House employees received this training. Thus, [REDACTED] was aware of the Hatch Act and its requirements.

More specifically, on July 21, 2020, after having received a complaint regarding [REDACTED] [REDACTED] media interview on May 26, 2020 (discussed *infra*), OSC sent [REDACTED] a letter asking him, *inter alia*, the meaning and purpose of his statements about presidential candidate Biden. An attorney from the White House Counsel’s Office replied on his behalf on September 4, 2020. This July 2020 letter put [REDACTED] on notice of the Hatch Act allegations OSC was investigating.

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<sup>7</sup> 5 U.S.C. § 7322(1).

<sup>8</sup> See 19 U.S. Op. Off. Legal Counsel 103 (May 5, 1995), 1995 WL 1767065 (concluding that for Hatch Act purposes, the White House Office is an Executive agency); 27 U.S. Op. Off. Legal Counsel 118 (May 23, 2003), 2003 WL 25728359 (reaffirming conclusion that the Hatch Act applies to employees of the White House Office).

<sup>9</sup> See <https://www.whitehouse.gov/presidential-actions/presidential-executive-order-establishment-office-trade-manufacturing-policy/> (establishing the Office for Trade and Manufacturing Policy within the White House Office).

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**C. ██████████ repeatedly attacked 2020 presidential candidate Joe Biden during official media interviews.**

██████████ heads the Office for Trade and Manufacturing Policy, which was established “to defend and serve American workers and domestic manufacturers.”<sup>10</sup> In his role, ██████████ advises the president on “policies to increase economic growth, decrease the trade deficit, and strengthen America’s manufacturing and defense industrial bases.”<sup>11</sup> ██████████ regularly gives official media interviews promoting the president’s agenda, particularly about the economy and trade.<sup>12</sup>

At issue here are a number of interviews ██████████ gave in his official capacity.<sup>13</sup> In each of the interviews he was introduced as Assistant to the President and Director of the Office on Trade and Manufacturing Policy or as the White House Trade Advisor, and during the interviews the chyrons read, “██████████ White House Trade Advisor” or “██████████ Assistant to the President.” He appeared to be speaking from the White House grounds during some of the interviews, and in all of the interviews, he spoke on topics related to his White House position—the president’s policies with respect to the economy, manufacturing, and trade.

As detailed below, however, during these official interviews ██████████ also engaged in political activity by disparaging Democratic presidential candidate Joe Biden and/or vice-presidential candidate Kamala Harris. ██████████ often attacked Mr. Biden about his relationship with China and at times accused him of being “compromised” and susceptible to being “bought” by China. His comments were directed at undermining Mr. Biden’s presidential candidacy and persuading voters not to support him in the 2020 election.

*1. May 26, 2020 Interview*

On May 26, 2020, ██████████ was interviewed by Martha MacCallum on Fox News’s *The Story*.<sup>14</sup> He discussed the economy, jobs creation, and President Trump’s strategy to “transition back to greatness” before attacking presidential candidate Joe Biden. Asked to respond to the Biden campaign’s argument that the coronavirus crisis would not have been as bad if it were not for the things the White House did, ██████████ said:

<sup>10</sup> See <https://www.whitehouse.gov/people/peter-██████████>

<sup>11</sup> *Id.*

<sup>12</sup> The media often refers to ██████████ as the White House Trade Advisor. See e.g., Kristen Holmes, Arman Azad and Nick Valencia, *White House trade adviser argues that CDC 'let the country down' on testing*, CNN (May 17, 2020), <https://www.cnn.com/2020/05/17/politics/██████████-cdc-testing/index.html>; Yen Nee Lee, *White House trade advisor ██████████ denies saying that China trade deal is 'over'*, CNBC (June 22, 2020), <https://www.cnbc.com/2020/06/23/white-house-trade-advisor-██████████-denies-saying-china-trade-deal-is-over.html>; David Lynch, Carol D. Leonnig, Jeff Stein, and Josh Dawsey, *Tactics of fiery White House trade adviser draw new scrutiny as some of his pandemic moves unravel*, WASHINGTON POST (Sept. 2, 2020), <https://www.washingtonpost.com/us-policy/2020/09/02/██████████-pandemic-coronavirus/>.

<sup>13</sup> The interviews detailed in this report are not inclusive of all official interviews during which ██████████ engaged in political activity in violation of the Hatch Act.

<sup>14</sup> Charles Creitz, ██████████ *blasts Biden, accuses ex-VP of spending Obama years 'toadying up and kowtowing' to China*, Fox News (May 26, 2020), <https://www.foxnews.com/media/██████████-biden-toadying-up-kowtowing-china-obama>.

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To brother Joe, I guess he forgot the eight years he was toadying up and kowtowing to the Chinese and of course he is not going to basically hold China accountable for this pandemic . . . the evidence is overwhelming that the China communist party foisted this pandemic on the world, destroyed trillions of dollars of wealth, and killed close to 100,000 Americans so far . . . If Joe Biden wants to blame President Trump for that and not even talk about China, that is perfectly consistent with the kowtowing he did for eight years as Vice President and 30 years when he was up on the capitol and that is not going to stand. Have at it Joe, we are coming at you on China if you are going to pull that kind of stuff.

The interview then continued with a discussion about events related to China's crackdown on Hong Kong.

## 2. August 23, 2020 Interview

██████████ appeared on *Sunday Morning Futures* with Maria Bartiromo on August 23, 2020.<sup>15</sup> In the lead up to his appearance on the show, Ms. Bartiromo said, "Coming up, the president's point man on trade and manufacturing, ██████████ is here with POTUS' second-term agenda plans and the shocking reason why he says China wants Joe Biden in the White House." Ms. Bartiromo started the interview by asking, "What are your expectations for this upcoming RNC? And why do you believe that China wants Joe Biden in the White House?" ██████████ responded:

. . . this whole election is setting up, both in China and with the DNC, as a battle between a nice guy and a tough guy. And we like that matchup, because I think the people of America will always choose a tough guy in the White House over a nice guy, because they know the world's a dangerous place . . . But I do want to challenge this notion of the DNC that somehow Joe Biden is a nice and empathetic guy. So, let me ask you a couple of questions here. Does a nice guy vote for NAFTA and ship millions of jobs off to Mexico and spawn millions more illegal immigrants coming north? No. But Joe Biden did. Does a nice guy let China into the World Trade Organization and have tens of thousands of factories across the Midwest go to China? Here is the thing that I find most un-nice about Joe Biden . . . Joe Biden got his start with lobbying money from the credit card companies. What does that mean? If you go, for example, in 2005 to the bankruptcy act that Joe Biden pushed for the credit card company, that prevented both people with heavy student loans and credit card debt from being able to declare bankruptcy . . . And people -- like, these credit cards, they are like addictive, right? You get your credit card, you miss a payment... pretty soon, you're paying 20 percent . . . And Joe Biden is the guy who made sure that your

<sup>15</sup> *Sunday Morning Futures, Rep. Kevin McCarthy, Sen. Tim Scott on House 'emergency' USPS bill, goals for Republican National Convention*, Fox News (Aug. 23, 2020), <https://www.foxnews.com/transcript/rep-kevin-mccarthy-sen-tim-scott-on-house-emergency-usps-bill-goals-for-republican-national-convention>.

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interest rate went up to 20 percent if you missed a few of those payments . . . We can get back to China. Hunter, okay, he is on Air Force Two and he brings back \$1 billion for his hedge fund in the 2000s . . . That's why they love Joe Biden. They know he can be bought. They know he's compromised.

Ms. Bartiromo then told ██████████ she wanted to talk about the upcoming election and the president's economic plans. ██████████ responded by discussing the president's policy agenda and finished by saying, "But the big picture here, the big picture here is to continue the agenda of deregulation, tax cuts, energy dominance, and fair trade deals. And that's exactly the opposite of what the Biden administration would do."

### 3. August 28, 2020 Interview

On August 28, 2020, ██████████ was interviewed by Sandra Smith on Fox News's *America's Newsroom*.<sup>16</sup> At the start of the interview, Ms. Smith asked ██████████ to respond to the president's assertion that "China would own this country if there was a Joe Biden presidency." ██████████ said:

That is exactly right. The problem with Joe Biden is he has a record, a 44 year record and one of things he did in that 44 years, in 2001, he voted to allow China into the World Trade Organization and that created basically a tsunami of offshoring where we lost over 7,000 factories, over five million manufacturing jobs. That happened also on his watch when he was vice president, he was doing his little shuttle diplomacy over there, meeting with Xi Jinping when he was not yet the unelected president of China. So Joe's dangerous when it comes to offshoring American jobs. He's compromised. There's a whole Hunter Biden issue related to bringing back \$1 billion in hedge fund money on Air Force 2 . . .

Ms. Smith cut him off, and they then discussed the threat from China and how China is a "bully," when ██████████ said, "We need a tough president like Donald J. Trump in the White House, not the pushover in Joe." Ms. Smith then asked ██████████ about the Administration's response to vice-presidential candidate Kamala Harris's claim that Trump is weak on China. ██████████ responded:

Let's be clear about what happened in January, that was January 31, the day Donald Trump pulled down the flights from China, which saved hundreds of thousands of American lives. At the time Joe Biden called it xenophobic and racist and then he had to apologize. With respect to Kamala Harris, I can't really take her seriously, for one single reason. This is a woman who put over a thousand young black men in jeopardy or in jail for smoking pot and she would not, she would not, go for the death penalty for a cop killer. So whenever I think of Kamala Harris, that is all I need to know. And she is just a mouthpiece. She

<sup>16</sup> America's Newsroom, ██████████ *CCP is bullying US into submission, invading our capital markets*, Fox News (Aug. 28, 2020), <https://video.foxnews.com/v/6185451314001#sp=show-clips>.

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knows nothing about China policy. We haven't heard boo from her while she has been in the Senate or when she was back in California. It is a talking point for her and she does not understand the history of Joe Biden in 2001 voting to put China in the World Trade Organization and then having them strip this country of our factories across the Midwest. Good luck with her going to Ohio or Wisconsin or Michigan, going into a factory and pulling that kind of crap. Because everyone knows across the Midwest who brought the factory jobs back and it is not Kamala Harris, Joe Biden, or Barack Obama.

Ms. Smith reacted to his answer by stating, "I guess you are giving us a preview of what the vice-presidential debate might be like." The final topic of the interview was the president's agenda related to tax cuts, during which [REDACTED] again attacked presidential candidate Joe Biden by saying:

What we know about Joe Biden is he is going to do just the opposite and that is going to be slow growth and crash the stock market. He has promised a \$4 trillion tax hike. He is going to put more regulations on our farmers our ranchers our loggers and our fisherman. He is going to cap every oil well in this country and he wants to go back to the old days with the Trans-Pacific Partnership. He's promised to take off the tariffs on China. Which look, Sandra, that is the only thing that ever got those guys to the table and will keep them there. So we love having a debate about policy. What they want to do, Sandra, what the Dems and Biden want to do is hide in the basement and blame the pandemic on Donald J. Trump . . . Nobody is buying Joe Biden as tough on China, or Kamala Harris.

#### 4. September 6, 2020 Interview

[REDACTED] again appeared on *Sunday Morning Futures* with Maria Bartiromo on September 6, 2020.<sup>17</sup> The interview began with a discussion about bringing jobs back to the United States to protect the American people from the Chinese Communist Party. They then talked about the *Global Times* "effectively" coming out with an endorsement of Mr. Biden, to which [REDACTED] said:

What would that mean for the American people? We know what it would mean. Devastation in the Midwest. Blue collar workers just getting hammered. We lost over 70,000 factories, Maria, over 5 million manufacturing jobs and it was because Joe Biden likes Made in China. Donald Trump came along in many ways because he said that's not good, that's not right, I am going to fix that . . . So, Beijing Biden vs. Made in America Donald J. Trump, I think that's one of the stark differences between the two sides. And it's really interesting, Maria, if you watched back when at the Democratic convention . . . you never hear them talk about where the virus came from, they won't say the word China virus, if you try

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<sup>17</sup> Sunday Morning Futures, [REDACTED] comments on China backing Biden, coronavirus pandemic, Fox News (Sept. 6, 2020), <https://video.foxnews.com/v/6188248199001#sp=show-clips>.

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to say it, they cancel you. And the reason is, the whole Biden Democratic Party strategy, it's a dangerous one for them and for us because it is predicated on being able to blame Donald J. Trump on the pandemic . . .

The interview then covered topics such as China and the U.S. capital markets, Americans unknowingly investing in China's military, and President Trump's second-term agenda.

5. *September 30, 2020 Interview*

On September 30, 2020, ██████████ was interviewed by Hallie Jackson on MSNBC.<sup>18</sup> The interview focused on the previous night's presidential debate, and Ms. Jackson asked ██████████ whether President Trump's comment about "what [he] was put through" when talking about the coronavirus was a "tone deaf" statement to make considering all the lives lost to the virus. ██████████ responded:

If you listen to the signal and avoid the noise of that debate, I think that there was actually pretty clear differences drawn between the candidates. And one of the points President Trump made last night, which is exactly right, is when the president pulled down the China flights on January 31, Joe Biden opposed that and the fact that he opposed that would suggest that if he had been president we would have gone months with those flights coming in and instead of 200,000 Americans being dead there'd be a million or more. I think that's an important point to recognize. The second point that the president made with respect to COVID, just quickly, was how Joe Biden handled the H1N1, swine flu, in 2009. His own chief of staff, Ron Klain said that they made every single mistake in the book and there but for god, they would have had the worst mass casualty event in history. So I think that was a good exchange. I think that if people are going to vote for Biden 'cause they think he might do better on the China virus, I think they're dead wrong on that. And the president underscored that.

After discussing the Administration's response to the coronavirus, Ms. Jackson asked ██████████ about another statement President Trump made during the debate, telling the Proud Boys to "stand back and stand by." ██████████ responded by criticizing the debate moderator but also said, "What the president also made clear, and I think it's a good distinction between Joe Biden and the president, is the president is for law and order." ██████████ ended the interview with more criticism of the moderator.

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<sup>18</sup> Hallie Jackson, ██████████ 'Second debater' Wallace responsible for Trump missteps, MSNBC (Sept. 30, 2020), <https://www.msnbc.com/hallie-jackson/watch/██████████-second-debater-wallace-responsible-for-trump-missteps-92856389790>.

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6. *October 19, 2020 Interview*

██████████ again was interviewed by Maria Bartiromo on October 19, 2020.<sup>19</sup> Ms. Bartiromo began the interview by referencing a report ██████████ was doing on the swing-state economies and asked specifically about Michigan's economy. ██████████ responded:

Yeah. All job creation is indeed local here at the Trump administration. If you look at Michigan it's really an interesting study in contrast between the policies of President Trump and Joe Biden. You start with the Antrim Shale formation which is in the northern part of the lower peninsula, there's 9,000 wells there and they employ over 50,000 people, directly or indirectly, that's something that's thriving under President Trump, which would get shut down under Joe Biden.

They then discussed tariffs and defense spending before ██████████ said, "and then of course we had Joe Biden voting for NAFTA. We had President Trump renegotiating that and getting the USMCA. Guess what? That's the full employment act for auto workers in Detroit."

Ms. Bartiromo asked ██████████ about China's good economic data and whether it is an indication that the economic recovery has begun. ██████████ responded by accusing China of using the virus to expand its economy and then said:

One of the things we need to be thinking about in the next 14 days is the role of China in the world economy and who would stand up to China. We know who's laid down for China and now all this news about Hunter and emails and all that stuff. You wonder why the mainstream media won't cover that, but my gosh, if any of that stuff is true it's just unbelievable.

They continued to discuss China and ██████████ then said:

The previous presidents, it's like don't worry be happy, just buy this stuff because it's cheap. And then you turn around and Michigan, and Wisconsin, and Pennsylvania are just ravaged. I mean don't forget, China, Biden let China into the World Trade Organization. We lost 70,000 factories, five million manufacturing jobs. We must not forget that. We can bring that stuff back with President Trump.

**D. ██████████ violated the Hatch Act's prohibition against using his official authority or influence to affect an election by attacking Joe Biden during official media interviews.**

The Hatch Act prohibits ██████████ from using his official authority or influence for the purpose of interfering with or affecting the result of an election.<sup>20</sup> This prohibition includes

<sup>19</sup> Mornings with Maria, *Trump stands for 'defending blue-collar America' against China*: ██████████ Fox Business (Oct. 19, 2020), <https://www.foxbusiness.com/economy/michigan-thriving-under-trump-policies>; ██████████

<sup>20</sup> 5 U.S.C. § 7323(a)(1).



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using his official title or position while engaging in political activity, i.e., activity directed at the success or failure of a candidate for partisan political office.<sup>21</sup> What constitutes “political activity” has been interpreted broadly by both judicial courts and the Merit Systems Protection Board.

Case law makes it clear that political activity encompasses far more than just express advocacy for the electoral success or failure of a candidate.<sup>22</sup> Political activity can include comparing candidates’ records and positions,<sup>23</sup> providing factual information for the purpose of promoting a campaign,<sup>24</sup> or advancing a candidate’s campaign promise.<sup>25</sup> In *Burrus v. Vegliante*, members of a federal employee union displayed in their workplace posters comparing the positions and voting records of two candidates for president.<sup>26</sup> The posters did not explicitly recommend that viewers support either candidate. Instead, the court found that the posters merely “suggested that [one slate] held positions more favorable to the interests of postal workers than the [other slate].”<sup>27</sup> The Second Circuit rejected the idea that the poster was not political activity, finding that while it “purported to present only factual information, the [union did] not seriously dispute that it was intended to generate support for” a candidate.<sup>28</sup>

Like the posters in *Burrus*, during his official media interviews ██████████ repeatedly compared President Trump’s economic and trade policies with those of presidential candidate Biden. But, unlike the posters, ██████████ did more than merely “suggest” that President Trump’s policies were better for voters than Mr. Biden’s policies—he explicitly stated it while arguing that a Biden presidency would be devastating to the U.S. economy. In addition, ██████████ frequently attacked Joe Biden as a presidential candidate, accusing him of kowtowing to China and being compromised, even nicknaming him “Beijing Biden.” ██████████ also disparaged vice-presidential candidate Kamala Harris, calling her a mouthpiece who cannot be taken seriously. His campaign rhetoric was intended to harm Mr. Biden’s presidential candidacy and encourage viewers not to vote for him in the 2020 election. By using his official platform as a high-level White House official to engage in these partisan attacks, ██████████ violated the Hatch Act’s prohibition against using his official authority or influence to affect an election.

<sup>21</sup> See 5 C.F.R. §§ 734.302(b)(1), 734.101.

<sup>22</sup> See *Burrus v. Vegliante*, 336 F.3d 82, 84 (2d Cir. 2003) (concluding that the display of a poster comparing the positions and voting records of two candidates for president constituted political activity even though it purported to present only factual information); *Special Counsel v. Malone*, 84 M.S.P.R. 342, 363-65 (1999) (finding that an employee violated the Hatch Act when he informed people doing business with his agency of an upcoming partisan fundraiser because, even though he did not solicit attendance or a contribution, he “intended to promote the fundraiser for political purposes”); *Special Counsel v. DePaolo*, MSPB Docket No. CB-1216-18-0016-T-1, at 11, 21-22 (Sept. 13, 2019) (holding that an employee violated the use of official authority prohibition when she “tout[ed],” “advertised,” and “advanced [a candidate’s] campaign promise” while acting in the scope of her official duties).

<sup>23</sup> See *Burrus*, 336 F.3d at 84.

<sup>24</sup> See *Malone*, 84 M.S.P.R. at 363-65.

<sup>25</sup> See *DePaolo*, MSPB Docket No. CB-1216-18-0016-T-1, at 21-22.

<sup>26</sup> *Burrus v. Vegliante*, 247 F. Supp.2d 372, 373 (S.D.N.Y. 2003), *rev’d*, *Burrus v. Vegliante*, 336 F.3d 82 (2d Cir. 2003).

<sup>27</sup> *Id.* at 374.

<sup>28</sup> 336 F.3d at 84.

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The White House Counsel's Office has asserted, on ██████ behalf,<sup>29</sup> that he did not violate the Hatch Act. It argued that a government official does not violate the Hatch Act by making "factual and policy-based statements" and that such statements do not "constitute advocacy for or against a candidate." The White House Counsel's Office further argued that ██████ statements about Joe Biden and his "kowtowing to the Chinese" were the kind of factual, policy-based statements acceptable for him to make in his official capacity.

These arguments, however, are contrary to the law. The White House Counsel's Office provided no basis for its assertion that making factual and policy-based statements could not violate the Hatch Act, and OSC is unaware of any authority supporting such a rule. And as detailed above, express advocacy for or against a candidate is not required to find that an employee engaged in political activity. A federal employee acting in his official capacity violates the Hatch Act when, as here, he makes statements intended to encourage others to vote for or against a candidate for partisan political office or otherwise promotes or disparages that candidate's campaign. ██████ violated the Hatch Act because he engaged in that very activity.

**E. ██████ violated the Hatch Act's prohibition against using his official authority or influence for the purpose of affecting the result of an election by disparaging 2020 presidential candidate Joe Biden on his Twitter account, ██████."**

Until October 5, 2020, ██████ Twitter account, created in March 2020, was "█████"<sup>30</sup> The account identified him as, "Assistant to the @POTUS for Trade & Manufacturing Policy" and linked to the official White House website. He tweeted about issues related to his official position—manufacturing, the economy, and trade—and about the Administration's response to the coronavirus. The official White House Twitter account, "@WhiteHouse," tweeted at "@█████ to highlight, for example, ██████ official media interviews.<sup>31</sup> Because ██████ used the "█████" Twitter account for official purposes, the Hatch Act prohibited him from also using that account to engage in political activity.<sup>32</sup>

But in the relatively short time ██████ had this Twitter account, he repeatedly used it to attack presidential candidate Joe Biden.<sup>33</sup> For example, on August 23, 2020, he included a link to the *Sunday Morning Futures* interview detailed above and wrote, "Biden a 'Nice Guy?'"

<sup>29</sup> As part of OSC's investigation, after receiving a complaint concerning ██████ May 26, 2020 interview, on July 21, 2020, OSC sent him a letter asking a series of questions about the interview, including the meaning and purpose of his statements about presidential candidate Biden. While ██████ did not respond to this letter, an attorney from the White House Counsel's Office replied on September 4, 2020.

<sup>30</sup> Several administration officials have similar official Twitter accounts, bearing their name and the number 45. See e.g., "@Scavino45," "@MarcShort45," "@StephGrisham45," "@JaRonSmith45." The White House Counsel's Office told OSC, though, that ██████ account was not created or managed by the White House.

<sup>31</sup> This occurred on several occasions, including on July 28-29, August 6, and September 22, 2020.

<sup>32</sup> See OSC's February 2018 "Hatch Act Guidance on Social Media," pg. 7, available at: <https://osc.gov/Documents/Hatch%20Act/Advisory%20Opinions/Federal/Social%20Media%20Guidance.pdf>.

<sup>33</sup> The tweets discussed here are just a sampling of the many political messages ██████ posted on his account.

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Nice guys don't vote for NAFTA and China's entry into the WTO and destroy American factories and jobs like Joe did. NICE GUYS don't CRUSH poor people with credit card debt and DESTROY young folks with student loans like Joe did."

On August 28, 2020, he tweeted, "Major POLICY differences reviewed in DNC v. RNC conventions. @potus 4 attack vectors to defeat China virus. Biden econ plan to destroy U.S. energy, logging, fishing. Dems crossing THIN BLUE LINE between peaceful protests and anarchy/looting." Also on August 28, he included a link to the *America's Newsroom* interview detailed above and wrote, "Joe Biden's soft on China Tsunami of offshoring, K. Harris knows NOTHING about China policy vs. greatest jobs president in history. When will Dems hold China accountable for the pandemic and the loss of factories and jobs in America?"

██████████ repeated his nickname for Mr. Biden, "Beijing Biden," on his Twitter account. On September 6, 2020, he wrote, "NYT panda hug of Beijing Joe Biden. Not a SINGLE mention of HUNTER Biden is the tell in this con game. As soft as this puff piece is, it still EXPOSES Biden as a pawn in Xi Jinping's Great Global Game. Read it and weep. C'mon Man..." and linked to a *New York Times* story. ██████████ also repeatedly accused Mr. Biden of being a plagiarist. For example, on September 9, 2020, he wrote, "All hail @potus as the Lobster King. DJTRUMP delivers for fisherman from Alaska to Maine and New Hampshire. AND Joe Biden the serial plagiarizer tries to steal Trump Buy American agenda. Biden's agenda MADE IN CHINA. Trump agenda Made in America." And on September 11, 2020, he tweeted, "... Joe Biden is a plagiarist trying to steal our Buy American agenda."

On September 21, 2020, ██████████ retweeted a message from the Trump 2020 Campaign Senior Advisor for Strategy that read, "Joe Biden went to the industrial heartland of Wisconsin today...and he actually promised to help manufacturing? Look at his record, and dismiss his rhetoric!" ██████████ added, "Joe Biden tore the heart out of the heartland by voting for NAFTA and China into the WTO." And On September 30, 2020, ██████████ shared a Federalist.com story about Spanish-speaking voters concluding that President Trump had won the first presidential debate. He wrote, "Trump Si, Biden No . . . The Latino community knows who will deliver prosperity and security to the American land."

Just like with his media interviews, ██████████ used his high-level White House position, through his public social media account, to attack a presidential candidate and persuade voters against supporting his candidacy. Because he engaged in political activity while in his official capacity, he violated the Hatch Act's prohibition against using his official authority or influence to affect an election.<sup>34</sup>

#### IV. CONCLUSION

██████████ violations of the Hatch Act were knowing and willful. The White House Counsel's Office attorney explained that all White House employees receive mandatory ethics

<sup>34</sup> Four days after OSC reached out to the White House Counsel's Office to inquire about ██████████ Twitter account, the account was deleted.

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training, which includes training on the Hatch Act. And five of the interviews discussed above occurred after OSC sent its July 21, 2020 letter to ██████████ putting him on notice of the allegations OSC was investigating. Yet ██████████ continued to violate the Hatch Act by attacking Democratic presidential candidate Joe Biden during official interviews despite knowing that OSC was investigating him for engaging in that very activity.

In passing the Hatch Act, Congress intended to promote public confidence in the executive branch by ensuring the federal government is working for all Americans without regard to their political views.<sup>35</sup> Thus, while the Hatch Act allows federal employees to express their views about candidates as private citizens, it restricts employees from using their official government positions for partisan political purposes, including by trying to influence elections. ██████████ attempt to influence voters in the 2020 presidential election, while speaking as a representative of their government, is just what the Hatch Act is intended to prevent.

The U.S. Constitution confers on the president authority to appoint senior officers of the United States, such as ██████████. Considering that constitutional authority, the proper course of action, in the case of violations of the Hatch Act by such officers, is to refer the violations to the president. Accordingly, OSC hereby submits this Report of Prohibited Political Activity to the president for appropriate disciplinary action.<sup>36</sup>

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<sup>35</sup> See *Civil Serv. Comm'n v. Nat'l Ass'n of Letter Carriers*, 413 U.S. 548, 565 (1973) (upholding the constitutionality of the Hatch Act and noting that "it is not only important that the Government and its employees in fact avoid practicing political justice, but it is also critical that they appear to the public to be avoiding it, if confidence in the system of representative Government is not to be eroded to a disastrous extent").

<sup>36</sup> See 5 U.S.C. 1215(b).

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**SEALED**

JANUARY 6, 2021

President Trump Video Statement on Capitol Protesters

<https://www.c-span.org/video/?507774-1/president-trump-video-statement-capitol-protesters>

I know your pain. I know you're hurt. I know you're hurt, I know your pain. I know you're hurt. We had an election that was stolen from us. It was a landslide election and everyone knows it, especially the other side. But you have to go home now. We have to have peace. We have to have law and order. We have to respect our great people in law and order. We don't want anybody hurt. It's a very tough period of time. There's never been a time like this where such a thing happened where they could take it away from all of us, from me, from you, from our country. This was a fraudulent election. But we can't play into the hands of these people. We have to have peace. So go home, we love you. You're very special. You've seen what happens. You see the way others are treated that are so bad and so evil. I know how you feel, but go home and go home at peace.

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