

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

UNITED STATES OF AMERICA

v.

DONALD J. TRUMP,

Defendant.

*
*
*
*
*
*
*

CRIMINAL NO. 23-cr-257 (TSC)

GOVERNMENT APPENDIX VOL. I

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED] [REDACTED]

12

13

14

15

Thursday, June 2, 2022

16

17

Washington, D.C.

18

19

20 The interview in the above matter was held in Room 5480, O'Neill House Office
21 Building, commencing at 10:02 a.m.

22

Present: Representatives Thompson, Aguilar, Schiff, Lofgren, and Cheney.

1 In any event, I called [REDACTED] and I said, look, you know, what the hell is going on
2 here? And he said, the trouble is that all these people on the outside, not just [REDACTED]
3 but others too, are filling the President's ear with all this stuff about fraud, and they're
4 being very authoritative, and they know how to push the President's buttons, and they're
5 telling him what he wants to hear, and he seems inclined to believe it or go along with it.

6 And, you know, that -- that is my conversation with [REDACTED]
7 Ms. Cheney. Thank you very much. I appreciate it.

8 And I'd also like to say hello to [REDACTED], who graduated ahead of me at the
9 University of Chicago.

10 Mr. [REDACTED] Ahead academically or ahead chronologically?

11 Ms. Cheney. Academically, not chronologically.

12 Thank you.

13 Mr. [REDACTED] I want to turn, Ms. Lofgren, to you. I know you wanted to ask
14 some questions about that November 23rd and perhaps some other meetings. So let
15 me give you a chance now to jump in and ask those questions.

16 Ms. Lofgren. Thank you so much.

17 And thanks, Mr. [REDACTED] for your recounting of these events.

18 Just a quick followup on the November 23rd meeting. You mentioned that the
19 fraud allegations were not correct. Did you go through the specifics with the President
20 in the various States at that meeting?

21 Mr. [REDACTED] I don't think I attempted to go through all of them. The one I
22 specifically remember addressing was -- were the Dominion machines.

23 Ms. Lofgren. Okay.

24 Mr. [REDACTED] And I made the point that it was crazy for them to be wasting their
25 time on this, because they can be easily checked, because they're tabulation machines,

1 and all you have to do is compare the ballots with the tabulation, and I just thought it was
2 crazy.

3 And I may have raised other ones with him, but I don't -- I can't really say that I
4 remember doing that. But I think I probably alluded to some of the other ones.

5 Ms. Lofgren. Okay.

6 In your book, you talk about a December 1st meeting with the President. Can
7 you tell us about that meeting, who was there and what you said and what others said?

8 Mr. [REDACTED] Right.

9 So, I mean, part of the context of that meeting was, after the November 23rd
10 meeting, I took -- I had talked to some Members on the Hill, Senators and -- more than
11 one Member, and a lot of people were asking, what do you make of -- you know, what's
12 going on? Is there going to be a transition? What do you make of these fraud claims?

13 And one of those calls -- I talked a couple of times, at least, with Senator
14 [REDACTED] and other Senators too. But [REDACTED] expressed concern about where
15 things were headed, and he said, you know, when I look around, it seems to me that
16 you're the best person to inject some reality into this situation; I hope you consider
17 speaking up. And I said that I was planning to do that but I wanted to make sure both as
18 to the timing and also I wanted to pin down a few more facts.

19 I felt that, number one, if the President after the 23rd was going to become more
20 realistic, that would affect the timing of when I said something. But, also, I wanted to
21 make sure that, you know, I didn't say something about that I didn't see any evidence of
22 fraud and then have something dropped on me that was fairly significant. So I wanted
23 to do some more due diligence.

24 So, with that as background, you know, I felt that things continued to deteriorate
25 between the 23rd and the weekend of the 29th. The President started meeting with

1 delegations, and it looked to me there was maneuvering going on. And, you know, I
2 have no problem with going through the appropriate process to challenge an election
3 and, you know, through the processes of the courts or the regular processes of the State
4 government, but I was worried that I didn't have any transpar- -- you know, I didn't have
5 any visibility into what was going on, but it looked to me that the President was digging
6 in.

7 And then, on November 29th, he appeared on the Maria Bartiromo show, "Sunday
8 Futures" I believe it was, and he said that the Department was missing in action. And,
9 you know, I will admit that I was annoyed by a basic dynamic which I actually told my staff
10 very soon after the election, which is, I didn't think the President would ever admit that
11 he lost the election, and he would blame it on fraud, and then he would blame the
12 actions and evidence on the Department of Justice.

13 So I felt all along that people were going to be attacking the Department, saying
14 that, you know, we had ignored evidence of fraud. And so this got under my skin, but I
15 also felt it was time for me to say something.

16 So I set up a lunch with the AP reporter Mike Balsamo. And I told him at lunch,
17 made the statement that, to date, we have not seen fraud on a scale that could've
18 effected a different outcome in the election. And I realized, when I said that, that that
19 was going to be in the news and go national.

20 So I had a later meeting scheduled at the White House at 3 o'clock with [REDACTED];
21 this was previously scheduled. So I knew this was going to come up. And I went over
22 there, and I told my secretary that I thought I would probably be fired and told not to -- to
23 go home -- I mean, not go back to my office. So I said, you might have to pack up for
24 me.

25 And so, when I got over there, I met with the chief of staff. He said the President

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

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

INTERVIEW OF: [REDACTED]

Sunday, June 19, 2022

Washington, D.C.

The interview in the above matter was held via Webex, commencing at 4:33 p.m.

Present: Representative Schiff.

1 be required in my mind to convince me that there was -- there was sufficient fraud and
2 sufficient activity that would merit our involvement, no, never found any.

3 Q So it sounds like there were a multitude of claims brought to your attention
4 by constituents, other members of the House of Representatives, but in your view, there
5 was no credible evidence to support any of those claims. Is that correct?

6 A That's correct.

7 Q [REDACTED], I understand that, in late November, or November 22nd to
8 be specific, you received a phone call from President Trump and [REDACTED] in which
9 they discussed the result of the Presidential election in Arizona with you.

10 Do you recall that conversation?

11 A Of course.

12 Q Can you describe that phone call for us?

13 A I can. My wife and I returned from church. We had been in very serious
14 discussion, [REDACTED] and I, for some -- couple weeks, at least, on what we might do
15 that would help restore confidence generally and defray some of this activity.

16 So we had spoken a lot and when our chief first had called and had asked if I had
17 received -- been in contact with the White House and I said: No. No.

18 She said: Well, they've been trying to get in touch with me, and I don't know
19 that they're going to ask, but we at least should be on the same page and have some, you
20 know, not move, take any motion or make any commitment without talking to each
21 other.

22 I agreed.

23 And then we said: Well, if you get it, call me back.

24 And immediately, on my Bluetooth in my car, it said that the White House was
25 calling. And I took that call, and the White House operator asked if I would hold for the

1 President, and it was [REDACTED] who came on and said salutation. And he said that
2 the President would be with us shortly, and shortly thereafter, the President came on.

3 Q [REDACTED], can I interrupt you for one second? I just want to clarify.
4 You referenced [REDACTED]. Is that [REDACTED], the President of the Arizona Senate?

5 A That is correct.

6 Q Okay. So [REDACTED] told you that the President would be coming on the
7 line, and then he --

8 A And he shortly did, shortly thereafter he did.

9 Q Okay.

10 A Collegial, you know, some small talk. And then I said: Well, how can I be
11 of help?

12 And, again, in the context -- I support the President, and they said: Well, we are
13 given to understand -- and I am reconstructing a lot of things in my mind, that is, to my
14 best memory -- I understand that there are -- there has been a lot of fraud in your
15 election.

16 And then he proceeded to give classifications, groups of people, a large amount,
17 60,000 illegal aliens, you know, large numbers, voted in your election, a number of dead
18 people voted in your election, fraudulent military ballots were counted in your election,
19 people that voted and moved -- and he had more. I can't remember all of them
20 and -- and I said: [REDACTED] you -- [REDACTED] at first, and then it just got down to [REDACTED] -- do
21 you have -- do you have proof of that?

22 And they said: Yes.

23 I said: Do you have names?

24 Yes.

25 Can you give those to me?

1 Yes.

2 And the President -- and I said: I need more than just numbers. I need proof,
3 and I need it on my desk. I don't want it -- it's not a thing about a hunch, I think, maybe,
4 none of that. It has to be proof, names, how they voted, on my desk.

5 Q [REDACTED], can I interrupt you for one moment?

6 A Of course.

7 Q So was the person who started ticking off these claims that there were
8 60,000 illegal aliens who voted, a number of dead people voted, was that President
9 Trump or [REDACTED]?

10 A No, it was [REDACTED].

11 Q Did the President share any of his thoughts or give any input on the specifics
12 of the claims of election fraud?

13 A He did not, to my recollection. Not to the specifics. He didn't offer any
14 numbers or anything.

15 Q So [REDACTED] --

16 A He did say --

17 Q I'm sorry.

18 A He did say, because I -- I was insistent that I had to have proof, real proof,
19 judicial level. That's the kind of proof I'm talking about. And the President said:
20 [REDACTED] give the man what he wants. Give him what he wants.

21 And [REDACTED] said: I will. I will. We have it.

22 And then he continued in his discussion. And I said: [REDACTED] what's the ask here?
23 What's the ask?

24 And the President said: [REDACTED] what's the ask? What do you need from the
25 speaker?

1 And then he said -- of the two issues that I remember most, the first was that he
2 wanted to have a committee meeting. He wanted the legislature to hold an official
3 committee and then be able, I would presume, when you say "official committee," I'm
4 not talking about an interim ad hoc committee, but an official committee of using one of
5 our standard standing committees to do it.

6 And that's what he said: We'd like to have a committee meeting and review this
7 proof and this information in a legislative committee. And then, you know, have some
8 type of established level of recognition of that information.

9 And I said: I will not do that.

10 And we discussed why. And I said: I'm not going to have a circus. And you
11 know and I know that for me to establish some type of an official report to the legislature
12 that I should call the legislature into session.

13 And to call them into a special session, I need two-thirds of the members to do
14 that, and I only have half plus one. The Democrats aren't going to call me into session or
15 let me go into session. And ██████ said, he said: I'm not familiar with all of the laws of
16 Arizona and the legislature, et cetera.

17 So I just said: You know, people can go out and do an ad hoc committee -- I
18 mean, and not named by the President, but the speaker or the President, they can go get
19 a group of people together and talk about it and do what they want. But if you're asking
20 something to happen in the House, I'm not going to allow that.

21 Q So --

22 A Unless I see myself what it is we're talking about. That was kind of the
23 flavor of our discussion.

24 Q So I want to cover a couple things that you mentioned there. First, you said
25 that, early part of your answer, you said that the President encouraged ██████ to

1 give you the evidence that you were looking for, and he said he would.

2 Did [REDACTED] give you the evidence that you were asking for in that
3 conversation?

4 A Not then and not a week later, not 2 weeks later, not now. Never.

5 Q Okay. The other thing I want to follow up on, I thought you said that there
6 were two components to the ask and one of them you've just described, which is that
7 there be an official committee meeting by a standing committee. What was the other
8 component of the ask by [REDACTED]?

9 A And then he said in this flowing of the conversation said: We understand
10 from someone -- and I remember the phrase "high up in Republican circles" in the
11 legislature who said that Arizona law allows for you to call for the dismissal of the Biden
12 electors and the replacement of those electors by a new slate of electors for President
13 Trump if there was sufficient cause.

14 And the flavor of the discussion was that the committee meeting would prove
15 sufficient cause to allow us then to move to number two, which would be the dismissal or
16 the questioning of the electors that had already been elected. I mean, the vote had
17 already been taken by the people, you know, 2 and a half weeks earlier.

18 Q I'm sorry. [REDACTED], did [REDACTED] identify this high up person in
19 the Republican circles in the legislature?

20 A He did not. I said: I would very much like to know who that is.
21 And he declined.

22 Q So you were the leading Republican in the House as speaker, I assume?

23 A I presumed I was.

24 Q And [REDACTED] was the leading Republican in the Senate?

25 A Yes.

1 Q And was she on this phone call with you on November 22nd?

2 A No, sir, she was not.

3 Q Was it your understanding that [REDACTED] was talking about [REDACTED]
4 [REDACTED]?

5 A No, it was not my understanding.

6 Q Okay.

7 A They never intimated any more than what I've told you. They never said
8 anymore. In my view, I know exactly who it was, but I couldn't -- that's just my personal
9 opinion for who had been pressing this very issue and pressing me to allow him to hold a
10 committee meeting to review it, and that was [REDACTED], my Federal relations
11 chairman.

12 Q [REDACTED], in your view, was there any merit to the position that [REDACTED]
13 [REDACTED] or whoever this person was, was pressing on [REDACTED] that the Arizona State
14 legislature could disregard Biden electors and install electors for Trump instead?

15 A At the time -- in fact, when he said that, my response was: Now that's a
16 new one. I've never heard that one before.

17 And I said: You need to tell me more about that.

18 And he did. Not they. He. [REDACTED] [REDACTED] said: Well, we're given this
19 information and that there is a legal theory and there's some legal work.

20 And I said: [REDACTED] can you think of a time that's ever happened in the United
21 States history?

22 He said: I personally am not an expert on Arizona law. So it was very general.
23 It was later that I received a treatise -- I may have received it earlier by email, but I never
24 read it, wherein [REDACTED] presents it as part of -- and he told -- he personally told me
25 that that was part of his term paper that he did as part of the legal studies program that

1 he was entered in with the University of Arizona.

2 And it also later came to my attention that [REDACTED] had had some
3 information that was used by [REDACTED] as a, you know, legal theory upon which to
4 base his paper and that he cited in his paper.

5 But I had not any other clue other than that initial, you know, claim by [REDACTED]
6 [REDACTED] And he -- he backed right up. I mean, he didn't try to give me scripture and
7 verse where in Arizona statute. And he would have been way off, because the claim is
8 against Article II, section 1, clause 2, about the legislative powers.

9 But that was what he had said, and I just said: [REDACTED] you're asking me to do
10 something that is beyond anything I have ever heard or contemplated as a constitutional
11 prerogative or choice that I might take. And I will do nothing, nothing that will put my
12 State at risk or cast a bad reputation on my State or on my body unless I know a lot more
13 about it and that I have competent legal -- and not necessarily from this conversation. I
14 said: I'm not going to go willy-nily off and take some kind of decision without good
15 legal counsel on this issue, and I have some good lawyers. And -- and, in fact, I will -- I
16 may have gone beyond what you want me to answer, [REDACTED].

17 Q No, no. That's fine. So just to summarize.

18 So, [REDACTED], the second part of his ask -- the first part was that you convene a
19 special -- or you bring the committee back into session, an official committee.

20 And the second ask was that the State legislature consider disregarding the Biden
21 electors and install the electors for Trump instead.

22 And, on that second ask, you told him you never heard of such a thing, right?

23 A I never heard of such an authority or thing ever.

24 Q And you shared your skepticism with [REDACTED]?

25 A I did.

1 Q And sorry?

2 A Strongly. And he said: Well, you know, we're all kind of Republicans and
3 we need to be working together.

4 And I said -- I mean, that was, you know, those little snippets would be in the
5 conversation and I know when I'm being worked. I mean, I've only been at it for a while.
6 And I know he's trying to work me to a point. And I believe that one -- one point the
7 President said: We're just asking you to investigate. Just look into it.

8 And -- and I said: I will give you the number of my attorney right now.

9 But I said: I have seen people do that on their cell phones, but I'm not real
10 familiar with it, and, Mr. President, I can't even tweet on this thing and watch; it'll be me
11 telling my grandkids that me trying to do this, and I hung up on the President of the
12 United States.

13 And I said: But I'll try.

14 He said: Well, go for it.

15 The President said: Well, go for it.

16 And so I did, and that's exactly what I did. I disconnected us. I hung up on him.

17 Q You're a man of your word.

18 A I follow through. And then [REDACTED] immediately called me back and
19 said, hey -- he was laughing, and he said: Hey, the President, he's a great guy. He was
20 laughing like crazy. He said: You know that really is funny.

21 And so then we went on. And I got right back to dead serious. I said: Just
22 remember, [REDACTED], you said you had proof, and I want it. You bring me the proof
23 of all these things you say are real.

24 Q Sorry. And is that how you sort of left things at the end of that
25 conversation?

1 A Yeah. It kind of ended that way. He said he would. I said: I'll have my
2 lawyer get in touch with you. You can expect his call, and I expect you to call him.

3 And I gave him the number, and that's how we left the phone.

4 Q And I think you've already said that you didn't get the proof that you had
5 requested and that he had promised?

6 A That is correct. Nor did he ever call [REDACTED]. He never made that call.

7 Q I understand that, a week or so after that call -- yes?

8 [REDACTED]. I just wanted a couple of followup questions, [REDACTED].

9 BY [REDACTED]:

10 Q Just to clarify, did the President participate in the entirety of the phone call?

11 A Yes.

12 Q Okay. And did you hear him ever challenge or dispute what [REDACTED]
13 was saying to you?

14 A No.

15 Q Okay. And you mentioned that in part of your -- part of your discussion
16 here with us today that one of the second ask that you described about replacing the
17 electors in Arizona, the Biden electors with Trump electors, that you now understand that
18 the source of this argument was in the United States Constitution.

19 Did that come up during the call at that time, or is that something that you've
20 understood later?

21 A No. It did not come up in the call; it was later.

22 Q Okay. So, at the time of this call in November 2020, all that [REDACTED]
23 was asserting to you was that someone from Arizona Republican circles had told him that
24 there was an Arizona law that would provide you an avenue to replace the electors. Is
25 that right?

1 A Yes. That's correct.

2 Q And did the President make any comment about that assertion by [REDACTED]

3 [REDACTED]

4 A He did not.

5 Q Okay.

6 [REDACTED]. Thank you.

7 [REDACTED]. Mr. Schiff?

8 Mr. Schiff. Yes, thank you, [REDACTED].

9 Mr. Speaker, once again, thank you for spending part of your Father's Day with us
10 this way. I just wanted to follow up and make sure that weren't leaving anything out.
11 Can you tell us, as best you can recall, each of the times the President spoke up during the
12 conversation and what he had to say?

13 [REDACTED] [REDACTED] Generally, I even thought, is this like a good cop, bad cop thing,
14 because he would say: [REDACTED] give him what he needs. Tell him what you need.
15 What's the ask? We'll call the lawyer. Things like that.

16 It was never -- and then one time he said, "We would just like you to investigate
17 this," which was, in my view, I understood that to check it out: We'd like to ask you if
18 you would check it out.

19 [REDACTED] [REDACTED] What did the President say to you when he first got on the line with
20 you?

21 [REDACTED] [REDACTED] He said: Mr. Speaker, I've heard a lot about you. You know, the
22 pat on the back stuff. We -- we'd like to talk with you about something that we've been
23 thinking about.

24 He didn't go right to any point, but it was kind of a general introduction, some
25 niceties, and then he turned it over to [REDACTED]

1 Mr. Schiff. And what was the rest of the pat on the back stuff? Do you recall?

2 [REDACTED]. That he had heard that I was doing a great job. He did -- we
3 did -- we had met when he had come to campaign, and we -- you know, we met him
4 coming down from Air Force One and went to an event with him and he gave the, you
5 know, the call to the stage and that kind of stuff.

6 So we had met and it was more like, you know, we really appreciate Arizona. It's
7 a great State, great people, that kind of -- it was like campaign talk.

8 Mr. Schiff. So, when you said that you campaigned for him in the 2020 election,
9 you actually campaigned with him at times?

10 [REDACTED]. I did.

11 Mr. Schiff. And was that more than once or what was the nature --

12 [REDACTED]. I only recall one campaign -- large campaign event where we went.
13 And then I walked for the campaign and passed out flyers and, you know, went door to
14 door, things like that.

15 Mr. Schiff. Wow. So you actually as the speaker of the House of
16 Representatives in Arizona, you went door to door precinct, walking for President Trump?

17 [REDACTED]. He and [REDACTED], yes, that's correct.

18 Mr. Schiff. So, on the phone call after the pleasantries and the pat on the back,
19 he basically turns it over to [REDACTED] to make the requests?

20 [REDACTED]. That's correct.

21 Mr. Schiff. And, you know, as [REDACTED] is asking you to call the legislature into
22 session so that he can present whatever evidence he has or suggesting to you that the
23 legislature can somehow decertify the Biden electors or appoint Trump electors, is the
24 President commenting on this along the way?

25 [REDACTED]. No. I don't ever remember him saying, like "that's right" or "yes"

1 or "well said," nothing like that, never.

2 Mr. Schiff. So his interjections were mostly to, as you say, good cop/bad cop to
3 prompt [REDACTED] to tell you exactly what he wants you to do?

4 [REDACTED]. That is -- that is my recollection, Mr. Schiff. That's my
5 recollection, yes.

6 Mr. Schiff. And, on the first ask, [REDACTED] wanted you to reconvene the
7 legislature so he could present you with what he claimed was evidence of these
8 allegations of fraud, but you weren't willing to do that without seeing some -- some
9 substance to these allegations. Is that right?

10 [REDACTED]. Representative, my recollection is that he wanted a committee
11 meeting at the legislature. It was my view that if we're going to have some official
12 outcome to this committee, that we would have to be in session, and that I talked about
13 that.

14 But the committee meeting, the hope was for that so that they could present all of
15 these cases, whatever it was that they had in an official capacity, establish an official
16 record for whatever use they felt that was necessary. That's my -- that was my
17 understanding.

18 Mr. Schiff. And if I understood correctly, you had two strong objections to that?
19 One was you wanted to see some evidence first?

20 [REDACTED]. That's correct.

21 Mr. Schiff. And, second, in the absence of that evidence, it was going to be
22 impossible to convince enough of the legislature, the two-thirds needed to bring it back
23 into some session?

24 [REDACTED]. I think -- I had not thought that, but I think that is true. In my
25 view -- see, they have to vote. I can't call them in. We can -- I can say we're going to

1 meet on X date and you'll vote whether you come in or not. They have to vote to come
2 in.

3 And we have only called, I believe, the legislature has called itself into session one
4 time, and that was like in 1981 or -3, and it was to override a veto of the Governor.

5 So I have no practical knowledge of the A, B, C, Ds of calling the legislature into
6 session. And that -- we would just rely on the established protocols, but I knew that I
7 had to have nine Democrats ascent to calling us into session.

8 We had been fighting this battle for over a year on the COVID issue where they
9 wanted me to call them into session, repel the Governor's autocratic rule, et cetera.
10 And this had been a subject of hundreds, thousands of emails over the last period of
11 COVID time when we were out of session, couldn't meet, you know, many of the
12 problems that the whole country was going through.

13 So that point was, again, presented to me that I was just going to call us into
14 session, and I wanted to clarify to him how that would have to happen.

15 Mr. Schiff. And, Mr. Speaker, can you tell us, again, as best you recall exactly
16 what ██████ -- what his second request was, that is, what he was arguing you could do to
17 either decertify the Biden electors, appoint Trump electors? What was he asking you to
18 do? What did he believe you had the power to do?

19 ██████. The bridge between the first point and the second point was me
20 saying: To what end? What's the end? I get the ask of the committee, but to what
21 end? Where are we going with this? What's the end?

22 And he said: Well, we understood that there's this thing where you would be
23 able to decertify.

24 And we got into the second ask.

25 And that was exactly it, that I would decertify because of obvious fraud, you know,

1 things like that.

2 Mr. Schiff. And by "decertify" you mean, he was asking --

3 [REDACTED]. Decertify the electors' position and decertify the election and allow
4 for the certification of a new slate of electors to go to Washington to represent Arizona
5 and our vote.

6 Mr. Schiff. So his second ask was for you to call the legislature and to decertify
7 the electors for Biden, recertify electors for Trump, and send those to Washington?

8 [REDACTED]. That's correct. That's as I understood it, yes.

9 Mr. Schiff. And your response to him was what?

10 [REDACTED]. That's a new one. I'd never heard that one before, you know, as
11 far as some off-the-wall thing. I said: Has that ever been done before?

12 He said: I really don't know. You know, I'm not familiar with Arizona law.

13 He did kind of a pivot.

14 And then I said: You're asking me to do something that has never been done
15 before, that's supposedly constitutional, and I swore an oath to the Constitution of the
16 United States, and I also swore an oath to the constitution and laws of my State, and I'm
17 going to just willy-nilly do this?

18 I said: No. I am not going to. I swore an oath.

19 And I asked: Whose oath should I honor? Should I honor the United States?
20 Should I honor the State? I swore an oath to both.

21 And he said: The United States Constitution trumps -- trumps the State
22 constitution.

23 I said, I was -- I'll admit I was a little bit frustrated by now, and I said: I will not do
24 any such thing without sufficient proof, but also without sufficient -- I'm not going to do
25 this willy-nilly and make some commitment on the phone.

1 That kind of thing, you know. I thought somebody's trying to sell me a used car.

2 Q That they didn't even have on the lot?

3 A They certainly didn't have any proof. When he came, he said he would
4 bring the proof. He didn't bring the proof, but he did bring COVID. That's about the
5 only thing that's lasted in Arizona. I've never seen any proof.

6 Q Do you recall any specific allegations? I know there was no proof, but do
7 you recall specific allegations that were made --

8 A Oh, yes.

9 Q -- at this meeting?

10 A Again, I don't remember -- like if he said 6,000 dead people or 60,000 dead
11 people or a huge number of illegal aliens and I mean large. I think one time he said that
12 you have 5 million illegal aliens in this State and Senator █████ said: █████ we've only got
13 7 million people in the State. Are you telling me that 5 million of them are illegal aliens?

14 And it was not -- it was not a little Sunday school class meeting. It was a very -- it
15 was a very tough meeting.

16 Q And I think you've referenced --

17 A I'm sorry.

18 Q Go ahead, █████.

19 A I was done.

20 Q I think you said earlier that, in response to Mr. Schiff's questions, that █████
21 █████ took note of the fact that the -- that it was somewhat of a tense and he called
22 hostile meeting.

23 A At least twice, if not more, but at least twice and specifically would say:
24 Man, I thought we were all Republicans. This is -- this is -- this is a little more hostile a
25 reception. I'm amazed at the reception I'm getting here.

1 where a President's electors could be replaced. And then she opined, you know. She
2 gave her opinions on the subject.

3 One thing was, because we -- I had pushed for evidence: Have you got the
4 evidence?

5 I remember, I don't know if it was just an off-the-cuff comment or what, but
6 he -- ██████████ said something like: We have -- we don't have the evidence, but we
7 have lots of theories.

8 And I -- in retrospect, I think, at least he said that right, you know. But it was -- it
9 was something that he had said that we later, we all looked at each other and said: Did
10 he really say that?

11 Yes, he did.

12 So it was an illuminative moment, which he went on at length.

13 And I seem -- you know, as I think of it now, that's one of the things that ██████████
14 really went after was the idea of throwing out the election and -- I'm sorry, not ██████████
15 ██████████, that he really went after that point. That was an
16 exercised point.

17 Q Understood. Thank you.

18 A Thank you.

19 ██████████ Mr. Schiff?

20 Mr. Schiff. Thank you.

21 Mr. Speaker, on December 4th, you released a statement publicly addressing,
22 quote, calls for the legislature to overturn the 2020 certified election results. The
23 statement was very straightforward in explaining the breathtaking request made by
24 representatives of President Trump, quote, that the Arizona legislature overturn the
25 certified results of last month's election and delivered the State's electoral college votes

1 Q Okay.

2 A -- I understand.

3 Q Did he -- did he try to tell you that what he was asking of you was not illegal?

4 A He never mentioned anything about what he asked, from my recollection,
5 which is why it was kind of surreal to me. I thought, wow.

6 Q Okay. Thank you.

7 BY [REDACTED]

8 Q On December 4th, did you have a call with [REDACTED], another attorney
9 working for the President on his efforts to oppose the election results?

10 A Yes.

11 Q How did that call come about?

12 [REDACTED]. I'm sorry. I just want to interject. I think that you asked the
13 question whether it was on December 4th. I think you meant January.

14 BY [REDACTED]:

15 Q Thank you, Counsel. I did misspeak.

16 On January 4th, you had a call with [REDACTED]?

17 A I do remember speaking with [REDACTED]. I'm not -- let me -- yes, I see it
18 in my notes. Yes, that meeting did occur.

19 Q How did that call come about?

20 A We had been pressed by [REDACTED] and others for me to talk to
21 [REDACTED] (ph) to -- in the hopes of convincing me of the
22 constitutional quality of taking an action about having a committee meeting or
23 doing -- now, it was shifted more to -- let's see -- yes, more to the electors, and that there
24 was this, you know, high-level legal minds and decisions on this, not court decisions, but
25 legal decisions, you know, thoughts, papers, and that I should talk to [REDACTED], one

1 of the highest constitutional lawyers in the country. And so I said, sure. I shouldn't say
2 I said sure. That sounds flippant. I acquiesced. I said: I would like to know if there
3 is any evidence that anybody has and if there's any legal precedence or thoughts on the
4 issue.

5 And that -- and so [REDACTED] -- I don't know [REDACTED], but I was told
6 [REDACTED] knew [REDACTED] from sometime back in California when he was a
7 candidate for attorney general, knew him from other associations. And he talked to me
8 about the man, and that he was, you know, he had a reputation, and that it would be
9 good at least to hear it. I mean, he would -- nobody was a cheerleader for the
10 conversation, but -- I mean, on my staff. There were cheerleaders but not from my
11 staff. And so we took that call.

12 Q Can you describe the phone call for us?

13 A It was lengthy. And --

14 Q Well, how about a very high-level summary of what was covered in the call
15 with [REDACTED] on January 4th.

16 A Well, one of the things was about what the plenary power of authority of the
17 legislature would be and where we would secure that. We talked about the -- the only
18 other kind of a close decision in the area of Article II was the Hawaii case with President
19 Nixon and Mr. -- and President Kennedy and how those two competing groups ended up
20 being a factor.

21 And -- but the -- but the principle that I -- we -- I talked about was that, as it was
22 explained, I said, but the issue wasn't whether or not there was fraud; the issue was -- is
23 that -- well, there might have been. Who knows. The issue was that you had a
24 recount, a mandatory recount because the vote was within the margin of error, or it was
25 within the margin of Hawaiian law, and so they had a recount. And, in the recount, the

1 vote flipped.

2 And so now you had already chosen one group and now another one went back,
3 and how ironic it was that the Vice President would be the President of the Senate and
4 would take the decision and chose for Kennedy, and -- but that showed -- it was the
5 pleading of ██████████ that that showed that the powers of the legislature were such
6 that they could reach into that arena.

7 And we talked about how much illegal evidence would have to be present just to
8 decertify or to -- and the timeline when that would have to happen. We talked about
9 the investigations being ongoing; we haven't yet determined whether any illegal votes
10 even affected the outcome, and yet we should take this decision, and that shouldn't we
11 at least get some resolution to the amount of fraud necessary in order to even get the
12 resolution to decertify the electors?

13 And a lot of things were talked -- and his general outtake was that: It's a difficult
14 decision. It's -- but the power does lie with you.

15 And I said: But it doesn't lie with me solely. It's -- again, back to Arizona law
16 and how you can't just pull yourself into session.

17 And I'm sure he understood that nine Democrats weren't going to come marching
18 down there and vote to decertify their own President's candidate or the electors and how
19 it's impossible.

20 And he said, well, then -- I think part of the discussion was: Well, don't use
21 them. You don't need them. You just need a majority. Call a majority together.
22 That's a majority of the legislature. Take the decision. Let the courts sort it out.

23 And --

24 Q So --

25 A Go ahead.

1 Q Can I interrupt you there? I want to break down some of the things that
2 you said there. When you -- when you -- let me ask you this way. Did you tell
3 ██████████ in the call that you had still not received the proof of the claims of fraud that
4 had been made and even though it had been promised to you by ██████████ on multiple
5 occasions?

6 A I -- it would make sense that I did, because I kept saying when are we going
7 to get this proof to everybody.

8 I got a notice that my battery is running low and so my image is going to stall for
9 just a second while I put this thing in.

10 ██████████. Go right ahead.

11 ██████████. Let's go off the record for just a second.

12 [Recess.]

13 BY ██████████:

14 Q We'll go back on the record.

15 A Again --

16 Q So, ██████████, did -- how did ██████████ respond when you told him
17 that you still didn't have proof of the claims of election fraud that you had been
18 demanding?

19 A I think he kind of laid out a course of steps of what they would -- of what was
20 being asked in this conversation. It wasn't only a conversation to inform me. It was a
21 conversation to get somewhere.

22 Q So what were the --

23 A The first was that we would -- that we would certify an alternative slate -- an
24 alternate slate of electors and that if there isn't enough evidence of illegal votes to throw
25 the election to Biden and that he was asking to certify another slate of electors.

1 Q Was there some alternative that he offered or suggested?

2 A And then the second was, if investigations -- I'm reading from the note: If
3 investigations are ongoing and the legislature can't yet determine whether illegal votes
4 affected the outcome of the election, then at least get a resolution that decertifies the
5 existing slate.

6 So both -- both one and two focused on a justification of sorts to decertify. And
7 then, if that wasn't enough, that at least -- we -- ██████████ had passed around a letter,
8 which I vociferously and strongly asked my colleagues, please, get off the letter campaign
9 where everybody has to -- is being asked to sign on whatever it might be to asking
10 this -- the counties to do that, sending a letter to Congress. This just divides us and
11 hurts -- it's going to be used in campaigns that you didn't do this and you didn't do that
12 and why didn't you stand up -- so that -- here we came again that I would -- I was being
13 asked by ██████████ to sign a letter from ██████████ that he had circulated asking
14 Mr. Pence to not certify the election and to do that before the 6th of January. That was
15 the third ask. If you can't decertify them or are not willing to decertify them, blah, blah,
16 blah, at least be willing to sign on to ask Pence not to certify until sufficient information
17 can be obtained in the lack of evidence, you know, at least hold it off, it's too quick type
18 of thing.

19 BY ██████████:

20 Q Thank you, ██████████. And did you respond to ██████████
21 suggestions of these possible courses of action for you in a similar manner as you did
22 when similar suggestions were made by ██████████, including on that first phone call
23 with President Trump?

24 A Yes. Again, we went through my oath and that I wasn't going to
25 experiment with my oath, that I -- that mentality. I wasn't going to play with the oath of

1 office, that I could see that the explanation, there is a part of the Constitution that might
2 be construed to give an authority. It's never been used. And now it's the time for me
3 to have the courage to stand up and declare what it means, and that I was going -- me
4 and my State, we were going to take this previously unused stance at a time of enormous
5 consequence, and that I wasn't going to do that, that in the absence of proof that would
6 get me even pause that I wasn't going to take such an action.

7 Q And, notwithstanding your response to [REDACTED], did he
8 nonetheless still encourage you to take some action and allow the courts to sort it out?

9 A That is correct. He just said: Well, just do it and let the courts sort it
10 through. Let it work through the courts.

11 And I just said: Yeah, I'm not going to do that. I appreciate, you know, the call,
12 et cetera, but we're not going to -- I'm not going to play with my State, and I'm not going
13 to play with the oath. We're not going to do that.

14 Q Understood. I'm sorry --

15 A And so that was it. I did ask him --

16 Q [REDACTED], our connection is not very good right now --

17 A -- okay. Can you hear me?

18 Q Yes. That's much better. We see you now.

19 A Okay.

20 Q We lost just a little bit of your answer. I know that you were responding to
21 my question, that I believe I heard you say that [REDACTED] did recommended that you
22 nonetheless take some action and allow the courts to sort it out. And I believe that I
23 heard you say that he encouraged you to just do it and let them -- let the --

24 A Yes. Just go ahead, just do it and let the courts -- I said: Seriously, with all
25 that we've talked about, really, what would you recommend that I would do?

1 And he said: I would just do it and let the courts sort it out.

2 I said: We're not going to do that. I'm not going to take that.

3 Q Understood. Just two other quick questions about that call, [REDACTED]

4 [REDACTED] One, did [REDACTED] represent himself to be representing President Trump
5 in -- when he spoke with you?

6 A Whether he did or not, I understood that he was one of Mr. Trump's
7 counsel, a team, a counsel, yes.

8 Q Okay. Thank you.

9 A I don't remember him saying "I'm President Trump's lawyer," but he -- he
10 may have, but I totally understood him to be representing him -- representing the
11 President's position and the White House.

12 Q Okay. Thank you.

13 And at any time either on this phone call with [REDACTED] or in any of your other
14 discussions with folks representing or associated with President Trump, did any of them
15 ever raise the prospect of there already being a Trump slate of electors, that the electors
16 for Trump and Pence had, in fact, met in Arizona on December 14th and signed
17 documents purporting to represent the duly elected electors from Arizona?

18 A Is the question that in a conversation with [REDACTED] or [REDACTED] or any of
19 them that that point came up, no.

20 Q Okay. Were --

21 A It didn't seem to be important. I knew about these things in the general
22 course of reporting and in the -- you know, learning -- going through this process in a very
23 heightened way, but, no, it was never mentioned to any particular end that I recall.

24 Q Okay. And what was your assessment having learned that there
25 were -- that there was this slate of Trump-Pence electors who had met in Phoenix and,

1 you know, purported to cast votes to elect Trump and Pence in the electoral college, what
2 was your assessment of whether that was legal or appropriate?

3 A I thought it was totally foolish and -- but it falls right in line with some of the
4 activities that I've heard about in this State and other States. But that was
5 presumptuous and foolish, and I thought -- I didn't -- I did not support such a thing, that's
6 for sure.

7 Q Understood. And is it fair to say that you did not think that they had any
8 legal effect?

9 A So far from it that it would be a charade. It was a charade to me. And it
10 was -- it just reinforced that the train gets rolling and it's like people don't realize they're
11 on a train and that they ought to be pulling the brakes or getting off this train, but it just
12 keeps right on rolling. So what's the next thing that we could do on our crazy train?

13 And I get it -- I get a little flippant. I'm sorry. I know this is -- I just think that
14 these things are -- it's almost juvenile our responses, that -- we elected an elector, yet I'm
15 going to just say: Hey, I think I'll be an elector, and I'll just head on down there and sign
16 up.

17 None of them were even elected. Who would elect them? We didn't have an
18 election. It was just -- so how one might volunteer to take the place of duly elected
19 electors, I'm -- I wish it hadn't been that way. I wish that the original electors for Trump,
20 that's not the point. They were Mr. Biden's -- okay. It was -- it was foolish. It was
21 very foolish.

22 Q Understood. Thank you for that. We appreciate your perspective.

23 BY [REDACTED]:

24 Q I want to move to a separate -- or another phone conversation that you had,
25 [REDACTED], and that's a couple days later on January 6th. Did you get a call from

1 Q There was --

2 A We talked about it in fraud, and I said: No, no, no, no, no, no, no. There
3 is only one place that I think that the manner of electing electors was compromised, and
4 that was by the Federal judge who pushed the registration period into the voting periods,
5 and that's contrary to Arizona law, and that's contrary to the manner.

6 But it was for 5 days, and before they could get it all stopped, I think it was almost
7 10 days. Within that period of time, I asked: Is there any way we can know
8 who -- who all was involved and how many, et cetera, et cetera.

9 My initial recollection was that there were not enough registrations that one
10 might consider would vote for Trump or Mr. Biden enough to cover the gap.

11 Q Understood. I think you mentioned this earlier, and I just want to ask you if
12 you could provide a little bit more detail on it. And I don't mean to sort of dwell on a
13 situation that I'm sure was troubling for you, but you mentioned the fact of protesters
14 calling between election day and January 6th being quite active and harassing of you.
15 Can you tell us a little bit about what that involved?

16 A Well, aside from the Capitol, because at the Capitol there was a constant
17 presence, including a guy that walks -- strolled into the Senate and stood up on the dais,
18 the QAnon Shaman dude. He was -- I was one of his favorite targets for his rhetoric at
19 the Capitol.

20 But, when we came to my home, when people started showing up at my home
21 with bullhorns and with loud speakers and with panel trucks with videos on the side and
22 with a large military looking civilian vehicle and lines of cars honking and screaming and
23 then crowding at the end of my driveway, and I'll just say irritating, but it was a real pain
24 to all my neighbors. They'd come down and say, '██████ I am -- I am so far different
25 from you than the man on the moon politically, I'm as liberal as you could ever be, but I

1 know you're not a pedophile," which was one of the things that they'd put up on their
2 video trucks as they went by.

3 And this was -- I couldn't ever -- I never went out to interview them and say:
4 Now, exactly who sent you today?

5 But part of it was from a group called the Patriot Party of Arizona. They'd call
6 themselves that and have tried to become a separate party. A [REDACTED], he was
7 very active in agitating on social media and in person, et cetera. There were the
8 people -- different groups. I know that he specifically did that, but I -- again, I don't
9 know all of who came or why. I just know they came.

10 And, ultimately, that went over a period of months with some regularity, you
11 know. I think there was nine times totally that they came, with the ninth time being
12 rather recent. But it was -- I have a whole different view. I have been in some
13 situations in my life, pretty tough. And they just seemed like unhinged, you know, the
14 screaming and the yelling and the loudspeakers broadcasting my perversions to the
15 neighborhood and that I was, you know, horrible, on the take, corrupt, all this.

16 When they stopped, when actual people got out and started to come on my
17 property, I would say, "Don't come on my property," you know, loudly. They kept
18 coming: Don't come on my property. Go back.

19 And they never rushed the place. They did -- somebody did come in and cut my
20 Christmas lights, you know. Okay. That's pretty juvenile. And it wasn't like antifa.
21 They were -- you know, might get a little more directed. But the police would always
22 come. They had spotters. So, when they spotted the police, they would call, and
23 everybody would kind of flee like quail.

24 And then -- but one -- at the end, there was a gentleman, a Three Percenter. He
25 had it on his T-shirt. It was on his car, and he had a pistol. And when I -- I was already

1 so close but not close enough, and so I got closer. I got closer, because if he pulled that
2 out, I had to be close enough to get on him. I mean, why would I even have to think
3 that standing on my own property, but that's what I thought. And just vain, vile,
4 screaming at me and my neighbors.

5 And so then one of them, a lady hit my neighbor with her car, and he flipped up
6 on the hood, and she just kept right on going. And, later on, she sent the police because
7 he damaged her car. We'd say: Well, that's cool. We -- she came to you. That's
8 the lady that hit my neighbor, you know.

9 It just was so -- it was -- and the cops would say: Did you ever feel threatened?

10 I said: Well, yeah.

11 My wife said: Yeah, I did.

12 And, at the same time, we had a daughter who was very, very ill and inside and
13 wondering what was all the noise and causing her disruption and angst. And the whole
14 thing was just -- it was very unsettling.

15 I never felt like I was in imminent danger, per se, but in those situations all it takes
16 is one of them to think: I'm going to prove that I'm a great patriot and so I'm going to
17 pull out a gun and shoot this guy.

18 I mean, those thoughts came to my mind because they have happened. And so
19 that's, you know -- it was unsettling.

20 Q And has this continued, I mean, past January 2021?

21 A Oh, yeah. Oh, yeah.

22 Q To this day?

23 A Well, none recently. The last one was a couple of months ago-ish. You
24 know, I don't -- I have a journal somewhere, but I don't have it with me. And it
25 broke -- it ebbed off for a while, but it just became less frequent. There is only nine in

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

11

SEALED

1

11

SEALED

1

11

SEALED

1

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEAL

SEAL

SEALED

SEAL

SEALED

SEALED

SEAL

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED]

12

13

14

15 TUESDAY, MAY 17, 2022

16

17

18 Washington, D.C.

19

20

21 The interview in the above matter was held via Webex, commencing at 10:23 a.m.

1

2 Appearances:

3

4

5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED] SENIOR INVESTIGATIVE COUNSEL

9 [REDACTED], INVESTIGATIVE COUNSEL

10 [REDACTED], FINANCIAL INVESTIGATOR

11 [REDACTED], PROFESSIONAL STAFF MEMBER

12 [REDACTED], INVESTIGATIVE COUNSEL

13 [REDACTED], CHIEF CLERK

14 [REDACTED], INVESTIGATIVE COUNSEL

15 [REDACTED], FINANCIAL INVESTIGATOR

16 [REDACTED], CHIEF INVESTIGATIVE COUNSEL

17 [REDACTED], STAFF ASSOCIATE

18 [REDACTED], STAFF ASSOCIATE

19

20

21 For [REDACTED]:

22

23 [REDACTED], ESQ.

1 Q Okay. Were you -- did you participate in any conversations with the
2 President about whether he should declare victory, whether he should that say he won
3 the election versus some other outcome?

4 A What do you mean by participate? Like I say that because in that big
5 meeting, those conversations were happening when they were discussing his remarks.
6 We all know what his remarks were.

7 Q Right.

8 A And there were definitely conversations about that in that big meeting. I
9 don't think I ever weighed in other than giving an update on where we stood with respect
10 to the count.

11 I don't think I ever said you should say this or you should say that or you shouldn't
12 say this or shouldn't say that. I don't think I ever weighed with respect to those
13 remarks, but when I present there when those conversations were being had, the answer
14 is yes.

15 Q Just going back to, you know, I hear you saying you don't think you weighed
16 in about whether or not he should say that he had won the election, but in the course of
17 your providing an update on the status of counting and the status of the election, did you
18 tell the President that he had won?

19 A No. I wouldn't have said that.

20 Q Okay. What would you have said?

21 A I would have said we -- I would have told him the truth, which I always did,
22 which was at the time like, Hey, this still looks really good, like I don't know where this is
23 going to come out tomorrow, and I gave him the update that I just gave you: Georgia,
24 we had a lead. Pennsylvania, there was still way to many ballots outstanding. I
25 thought they called Arizona wrong. There were issues with the absentee ballots in

1 Wisconsin that we needed to deal and would deal with.

2 So it was still open. It was an open question.

3 Q Okay. Open question as to the outcome?

4 A What I would have said is, you know, I don't think this thing is over by a long
5 shot. I would have said that to him, something along those lines. I don't remember
6 the specific words that I used, but that's what I would have said.

7 Q Okay. So for the rest of the conversation, even if you weren't asked or
8 didn't actually weigh in about what he should say, but in the rest of that group
9 conversation, did anyone advocate for a different position than what would be the
10 natural implication of what you just said, which is that -- like you just told us, that it's not
11 over by a long shot yet?

12 Were there other voices advocating that it was over?

13 A I don't remember that. Everyone would have looked to me or to [REDACTED].
14 Frankly, they would have looked to [REDACTED] if he didn't go ahead and get COVID that night,
15 but they would have looked to us to say what the status of the race was, and I don't think
16 there was any daylight between what [REDACTED] and I thought about where the race was at that
17 moment.

18 Q Got it. So is it fair to say that you don't remember anyone giving an
19 assessment or advice to the President that was different than what you and your
20 colleagues viewed, which was that it was still possible to win, but it was still tight and the
21 election was not over yet?

22 A I don't think anyone -- no. No one would have said that. They would
23 have gotten an earful from me and [REDACTED], because nobody in that room was from the
24 political department or the field department to count votes. No one had access. They
25 could talk to them, but no one was talking on a regular basis our data analytics team.

1 So we were the ones everyone would have looked to, and if someone had said,
2 Well, no, or they disagreed, it would have turned into some kind of argument, because
3 we would have said, No, you're all wet, like what are you talking about.

4 I don't remember that happening. So I don't think anyone gave a different
5 assessment of the election at that point.

6 Q Okay. Thanks. So did you observe any other, even if you didn't
7 participate, but did you observe any other conversation that night before the President's
8 remarks about what he should say about the outcome of the election?

9 A So I'm sure I did observe it, okay, in terms of what was spoken, what was
10 said. I also don't remember what that was and the likelihood is because my job at that
11 moment was to give an assessment of the politics of it. I never weighed in on speeches.
12 I rarely weighed in on speeches, because that wasn't my bailiwick.

13 So was I there? Was I present when they were talking about the wordsmithing
14 of a document and what he should say? Yes. Do I remember what was said? No,
15 and I probably don't remember because, "A", it was a long time ago and, "B", I was
16 probably on my phone, looking at numbers, doing something else.

17 I just didn't -- that wasn't my area.

18 Q Understood. Do I remember who, if anyone, advocated for the President
19 to say he had won the election?

20 A I don't remember specifically.

21 Q Okay. Did you later come to learn who had, if anyone?

22 A No. I don't remember, period, who, if anybody, advocated that the
23 President say those things.

24 Q Okay. I did want to follow up on one other thing. You said that you got
25 on the phone with the team in Pennsylvania. Who, in particular, did you speak to in

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED] [REDACTED]

12

13

14

15 Monday, November 28, 2022

16

17 Washington, D.C.

18

19

20 The interview in the above matter was held in room 5480, O'Neill House Office
21 Building, commencing at 10:17 a.m.

22 Present: Representatives Schiff, Lofgren, and Raskin.

1 patient, but you're up, so --

2 Q That conversation you just recounted in the wee hours of November 4th,
3 was that before the President publicly went out and gave his election night, I guess, next
4 morning speech --

5 A It was after that.

6 Q It was after that?

7 A Yes.

8 Q Okay. And how did he respond to your comments about that, that we
9 need to be patient?

10 A Frankly, he was skeptical. He sort of felt something I didn't. I thought he
11 would win Pennsylvania based on the 700,000-plus margin he had at that moment. And
12 he just -- he felt he wouldn't. He was --

13 Q He was skeptical, meaning he might lose Pennsylvania?

14 A Yes, and other States.

15 Q Okay. What other States was he afraid he might lose at that point on --

16 A Well, I mean, we were told that Arizona was called and Governor ██████ was
17 calling and saying he didn't think so, ██████ popped up and said, That's BS.
18 There's no way they should've called that yet. I think ██████ was off talking to ██████
19 ██████ or someone. I was asking the Fox hosts what was going on, you know, what
20 do you see, because nobody else called it. Fox and the AP called Arizona for Donald
21 Trump and the others hadn't, days later had not.

22 Lots of networks that did not want him to run again -- CNN, ABC, NBC, CBS, New
23 York Times, none of them had called -- they hadn't called the race -- they hadn't called
24 Arizona for either Biden or Trump.

25 So -- and we knew as we -- turns out we know in 2022, Arizona just -- they've got

SEALED

SEALED

SEALED

SEALED

ORIGINAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

INTERVIEW OF: A WHITE HOUSE EMPLOYEE

Friday, June 10, 2022

Washington, D.C.

The interview in the above matter was held via Zoom,
commencing at 2:04 p.m.

1 Appearances:

2

3

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

6

7 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 seems like you have a memory of this.

2 A It's just -- I mean, it's -- I mean, sometimes I
3 just don't know how to deal with my emotions. But I just
4 remember him coming back in, and this is me telling him about
5 his speech was cut off. Because he asked me did I get it all
6 on TV, and this is me explaining to him that it was cut off
7 there close at the end and what was happening. And that's
8 pretty much the face I got the whole time, and it was kind of
9 like he told me, Really? And I was, like, Yes, sir.

10 Q And you were telling him the speech was cut off at
11 the end. Do you know why it was cut off?

12 A Because it jumped to what was happening down at the
13 Capitol.

14 Q So when the President came back in this moment --
15 this is time stamped 1:21 -- you were telling him that his
16 speech was cut off and the recording because the coverage
17 jumped to what was happening at the Capitol. Is that right?

18 A Yes, sir.

19 Q What was his reaction to that when he found out?
20 Did he ask any questions, like what's going on at the
21 Capitol?

22 A He -- so, yeah. It was -- I mean, it was -- I
23 don't know like the direct quotes. I can just pretty much,
24 like, it was, Sir, they cut it off because they're rioting
25 down at the Capitol. And he was, like, What do you mean? I

1 said, It's, like, they're rioting down there at the Capitol.
2 And he was, like, Oh, really? And then he was like, All
3 right, let's go see.

4 And then we walked back to the back. I'm taking off his
5 outer coat that he's wearing right now, and I get the TV,
6 like, ready for him, and hand him over the remote, and he
7 starts watching it. And I stepped out to get him a Diet
8 Coke, come back in, and that's pretty much it for me as he's
9 watching it and, like, seeing it for himself.

10 Q Okay. When you said you walked to the back, did
11 you know mean walked to the Oval Dining Room?

12 A Correct.

13 Q Is that where the President set up for the
14 afternoon? And set up may not be the best term, but is that
15 where he's kind of stationed himself?

16 A Typically that's -- a lot of times he's in that
17 back dining room a lot.

18 Q So you set up the TV. Did you set it up for him to
19 watch his speech or watch live coverage of what was happening
20 at the Capitol?

21 A I have it usually set to the beginning of his
22 speech.

23 Q And do you know whether, in fact, that's what he
24 started watching, or was he watching the events at the
25 Capitol?

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED] [REDACTED]

12

13

14

15

Tuesday, May 31, 2022

16

17

Washington, D.C.

18

19

20 The interview in the above matter was held in Room 4480, O'Neill House Office
21 Building, commencing at 4:59 p.m.

22

Present: Representative Schiff.

1 I had to move out of my house because the FBI said it wasn't safe. Strangers
2 came by my home the week of January 6th. One person told me I had 48 hours to give
3 them some sort of statement to avoid going to jail -- to admit to something I never did.

4 They tried to force their way into my mom's house to do a citizens' arrest on
5 [REDACTED] and me. Friends and members of my community were afraid to even be
6 associated with me because they didn't want to get caught up in the harassment.

7 There is nowhere I feel safe -- nowhere.

8 Do you know how it feels to have the President of the United States to target you?
9 The President of the United States is supposed to represent every American, not to target
10 one. But he targeted me, [REDACTED], a small-business owner, a mother, a proud
11 American citizen who stood up to help Fulton County run an election in the middle of the
12 pandemic. He said my name 18 times -- 18 times -- to the Georgia secretary of state,
13 accusing me of election fraud.

14 The President of the United States made up lies about two ordinary Americans for
15 his own personal gain. Then he and he allies like [REDACTED] and those in the media
16 who repeat whatever they say spoon fed us as enemies and villains to their mob. They
17 said we were like drug dealers passing out ballots. Targeted American election workers
18 as a prop in the "big lie."

19 And, lo and behold, when someone as powerful as the President of the United
20 States eggs on a mob, that mob will come. They came for us with their cruelty, their
21 threats, their racism, and their hats. They haven't stopped even today.

22 Number 45 and his crew have destroyed our lives. So I won't call Number 45 by
23 his name. He and his allies took my name, so I won't utter his.

24 This isn't political for me. This is about truth and decency. I'm here today for
25 more than myself and my daughter. I hope that by me telling my story that you all can

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED]

12

13

14

15 Wednesday, May 18, 2022

16

17 Washington, D.C.

18

19

20 The interview in the above matter was held via Webex, commencing at 2:02 p.m.

21 Present: Representatives Aguilar and Cheney.

1 A I don't know. I really don't know. Again, I wish people could understand
2 what that scene looked like. It was -- the residence isn't huge, and so there were
3 probably 15 to 20 people surrounding this man who has papers. I don't know what was
4 on the papers. He's throwing them around. He's yelling. Everyone's talking over
5 each other. You just couldn't -- you couldn't tell.

6 Q Yeah. Do you recall anyone suggesting that he should declare victory or say
7 that the election was stolen?

8 A Not at that point, until we went downstairs, but not up in the residence.

9 Q Okay. So when you went downstairs from the residence, did you have a
10 clear sense as to what he might say, or was that still up in the air?

11 A No. No, I had no idea. She had no idea. We got -- it was time to go.
12 They went into the elevator. The White House elevator, from the residence to
13 downstairs, isn't big. So it was -- I don't even know. I know it was the President, the
14 First Lady, maybe a couple of the kids, and an agent. And then the rest of us, which,
15 again, was probably 15 people, all ran down the stairs to get to the Green Room.

16 By the time I made it into the Green Room he was once again surrounded, but
17 now you've got ██████████, ██████████ was in there, ██████████ was in there.
18 There were more people in there adding their 10 cents.

19 Q People that had not been upstairs but were now in the Green Room?

20 A That is correct.

21 Q How about ██████████, was he either place?

22 A He was in the -- that I saw -- he was definitely in the Green Room. I don't
23 remember seeing him in the residence, but he could've been.

24 Q Do you remember him giving the President any advice about what he should
25 say?

1 A No. And, in fact, it's interesting because the one person who was the
2 loudest was [REDACTED], and he kept saying very loudly, you go out there and tell
3 them it was stolen, go out there and say it was stolen.

4 Q Did others agree with [REDACTED], in your observation, when he said that to
5 the President?

6 A No. At that time, [REDACTED] and even [REDACTED], and I believe [REDACTED]
7 and [REDACTED], also [REDACTED] and [REDACTED] were all, like, whoa, whoa, whoa, just let's go out and say,
8 there's still time, we need to do this count, we'll see you in the morning.

9 You know, nobody ever said, go concede, but there were definitely differing
10 opinions on if you say it was stolen or if you say we'll see you in the morning.

11 Q So it sounds like [REDACTED] was saying, say it was stolen --

12 A Yes.

13 Q -- and everybody else was on the other side, saying, hey, no, it's too early,
14 we have votes to count, we'll see you in the morning, something like that.

15 A Yeah, yeah. Something around -- yes.

16 Q The consensus was different from what [REDACTED] was advising?

17 A Yes.

18 Q Did the President make a decision right there in the Green Room, or did you
19 still not know until he took the stage what he was going to say?

20 A No one knew until he took the stage.

21 Q How did he react to the various different advice he was getting in the --

22 A I mean, he just listened. He just -- I mean, that was his way, when anybody
23 did this, because he did enjoy this kind of thing. With a lot of people around, he would
24 just look at people and listen and nod.

25 Q All right. And do you remember -- I'm going back to [REDACTED] -- whether

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 DEPOSITION OF: [REDACTED]

12

13

14

15

Tuesday, April 12, 2022

16

17

Washington, D.C.

18

19

20

The deposition in the above matter was held via Webex, commencing at 10:02

21

a.m.

1 A The two processes were slightly different. The White House Counsel
2 advised that, on political speeches, to minimize, you know, writing them on your work
3 computer. And so, you know, we would -- on political speeches, initial drafts would be
4 done on personal laptops, and then, as we got to the speech day, those would then go
5 onto the official system. And so that would be an example of a different process.

6 Q But other than that, mostly the same?

7 A Well, the -- and on political speeches, it was pretty clear, as a rule of thumb,
8 that, you know, you would -- that the political people would only be working on them.
9 The fact-checkers could check the facts, but political people -- only political people
10 worked on the political speeches.

11 Q And that would mean yourself or █████ in your political role versus your
12 official White House role?

13 A Yeah, people who had a commission.

14 Q Understood. Thank you.

15 So would you consider -- just fast-forwarding a second, the speech that President
16 Trump delivered on the Ellipse on January 6th, would you consider that to be a political
17 speech?

18 A You know, at the time, I don't have a recollection of whether that was -- I
19 don't recall anybody specifically saying to us, this is this versus this.

20 The -- you know, I know afterward that the White House -- I forget the name of
21 the White House component, but the one that does the transcriptions sent out a text of
22 that speech, and it was styled "internal transcript." And my recollection is internal
23 transcripts were political speeches.

24 Q And you said no one told you that it was one or the other, to paraphrase
25 you. Was that uncommon, for no one to give a direction about whether a speech would

1 be political or official?

2 A Well, the political speeches, the rally speeches, were very -- you know, we
3 knew that, speeches of speech. And this one, it just -- we just didn't know. We didn't
4 know which one it was. I don't recall a clear direction one way or the other. I do recall
5 that there was a question about it, but -- yeah.

6 Q Do you recall who raised the question?

7 A I think [REDACTED] and I did. I think [REDACTED] raised the question and was going to try
8 to find out. And I think -- you know, I believe we played it safe, if you will, by doing the
9 initial draft on personal computers.

10 Q And you mentioned that rallies, as a general matter, for you were kind of
11 obviously political. Why wasn't the Ellipse rally one of those same obviously political
12 speeches?

13 A It just wasn't clear. I don't recall, but, you know, it just -- because it wasn't
14 organized by -- at least I don't recall it being organized by the President's campaign. I
15 think it was an outside group that had put it together and was asking the President to
16 speak there.

17 Q So were there ever times that the President spoke in his official capacity at
18 events organized by outside political organizations?

19 A Outside organizations? Yeah, the President has -- if I understand the
20 question correctly -- can you restate the question?

21 Q Yeah. I'll restate the question. Were there times when, in his official
22 capacity, you drafted a speech for the President where he was speaking at an event
23 organized by an outside political organization?

24 A I mean -- and "political," do you mean also, like, advocacy organization? I
25 mean, I don't know the nature of the --

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 DEPOSITION OF: [REDACTED]

12

13

14

15

Wednesday, March 30, 2022

16

17

Washington, D.C.

18

19

20 The deposition in the above matter was held in room 4480 O'Neill House Office
21 Building, commencing at 10:06 a.m.

22

Present: Representatives Aguilar and Cheney.

1 Nothing from the 6th or days immediately preceding or afterwards. I didn't have
2 anything from Members. I gave all of that to you guys, so --

3 Q Okay.

4 A I can go back and check, but I don't believe that I have any of those.

5 [REDACTED]. Okay. Great.

6 Thank you.

7 The Witness. Yeah.

8 BY [REDACTED]:

9 Q Okay. So picking up in the timeline, there's some text messages behind tab
10 64 that I would like to draw your attention to.

11 So this is an exchange with an individual named [REDACTED]. Who is [REDACTED]

12 A That's [REDACTED], chief of staff to [REDACTED].

13 Q Okay. And these are text messages from just before the beginning of the
14 joint session?

15 A Yes.

16 Q It starts around 12:37?

17 A Yes.

18 Q So [REDACTED] writes to you [REDACTED] needs to hand something to
19 VPOTUS. Please advise.

20 And then after you ask, What is it, he says, Alternate slate of electors for Michigan
21 and Wisconsin because archivist didn't receive them.

22 I know we talked about this a little bit earlier. Ms. Cheney asked you some
23 questions about it. Is it your understanding that this relates to the same topic that had
24 come up, I believe it was from [REDACTED] the day before?

25 A Yes.

1 Q Okay. And, obviously, you have, in the text messages, dissuaded him, for
2 the reasons that you explained to Ms. Cheney earlier, from actually handing any mail to
3 the Vice President.

4 Put us back in the time period right before you're going onto the House floor for a
5 joint session of Congress.

6 A Uh-huh.

7 Q Why would [REDACTED] have been trying to give such documents to the
8 Vice President at that moment?

9 A I don't know the origin of where [REDACTED] received those documents.
10 Again, in the broader conversation of alternate slates of electors being presented from a
11 number of the States having already been received, you know, by our office and mailed to
12 our office, I would have to assume that it was part of that same transmittal of documents.
13 I don't know specifically why Michigan and Wisconsin were not sent via mail, but it strikes
14 me that there was an effort to try at the last minute to get those, you know, either
15 inserted into the record or to the Vice President or the parliamentarians because they
16 hadn't been received in the mail.

17 But I don't know what the back story is as to why those were treated differently
18 than some of the ones that were sent in via mail.

19 Q Okay. Was it also your understanding that they may have been trying to
20 give them to the Vice President for him to actually consider them as slates of electors in
21 the joint session?

22 A I don't know if the expectation was that he would consider them as part of
23 the joint session or if he would follow the procedure of getting them to the
24 parliamentarians. I don't know what the expectation was that he would do with them,
25 which, in addition to the security aspects of not receiving them, you know, right before he

SEALED

SEALED

1

2

3

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

8

9

10

11 DEPOSITION OF: [REDACTED]

12

13

14

15

Tuesday, February 1, 2022

16

17

Washington, D.C.

18

19

20 The deposition in the above matter was held in room 5480, O'Neill House Office
21 Building, commencing at 10:05 a.m.

22

Present: Representatives Aguilar, Schiff, Murphy, Raskin, Cheney, and Kinzinger.

1 about that, nor was any question raised about it in the Congressional Record for the
2 count.

3 There is a newspaper article from a few days after the count where one of the
4 tellers allegedly told someone that there was an irregularity with the certificate for
5 Georgia where a page was missing. No question as to the authenticity of the page that
6 was received. They had simply failed to attach a page that should have been there.

7 It was a technical defect. No question about the outcome. And Jefferson had
8 not called it to the attention of the larger body, according to the newspaper article,
9 despite the fact that the teller had expected him to.

10 That was hardly an example of a Vice President asserting authority to decide
11 disputes over electoral certificates. And that was really the example [REDACTED] kind
12 of pinned most of his hopes on, I suppose, in terms of a historical example of Vice
13 Presidential authority.

14 So we also walked through the history of all of the different disputes that had
15 arisen in Congress up to the Electoral Count Act. He acknowledged -- by this point, I had
16 determined the Nixon example was not a counter example, and he agreed with me that,
17 indeed, since the Electoral Count Act had gone into effect, there were no instances of
18 departing from the Electoral Count Act.

19 And we sort of summed it up at the end saying that, so what we have here is an
20 admittedly not well-drafted sentence in the Constitution that simply does not provide for
21 the possibility of objections or how to resolve them. It's just not in the constitutional
22 sentence.

23 The constitutional sentence refers to two activities. The Vice President or the
24 President of the Senate shall open the certificates, and switches to the passive voice, and
25 they shall be counted. Doesn't even specify who does the counting.

1 So there's nothing about objections. There's nothing about resolution of
2 objections.

3 So you start with that. And his premise was, well, the Vice President is the one
4 who does the counting because nobody else is mentioned and the Vice President opens
5 the certificate.

6 The constitutional provision doesn't say that, but that's his premise. And his best
7 argument for that is actually a piece of paper that was attached to a copy of the
8 Constitution that was sent out to the different States.

9 They realized, wait a second, there was something that we forgot about here,
10 which is we won't have a sitting Vice President come the first count for George
11 Washington's election as President.

12 And so they recommended that a Senator be appointed to the role of presiding
13 over that session and serve as President of the Senate, even though they wouldn't have
14 one, and that he would do the counting.

15 So that was his best example, was that the Framers did seem to think that the Vice
16 President would have a real role in counting. That's a far cry from resolving objections
17 or even thinking that there would be objections.

18 So he acknowledged that there was an ambiguous provision with 100 percent
19 consistent historical practice since the time of the Founding that the Vice President did
20 not have -- did not ever assert or exercise authority to do what he was suggesting we
21 should do.

22 And the 130 years of practice of following the Electoral Count Act every single
23 time. We went through examples like Al Gore.

24 "Are you really saying, [REDACTED], that Al Gore could have just declared himself the
25 winner of Florida and moved along?"

1 "Well, no, no, there wasn't enough evidence for that."

2 So it was a very contingent position in [REDACTED] mind about all of the
3 underlying unconstitutional things that he thought were happening in the States this time
4 around, and it wasn't clear how he drew the line that that worked.

5 But he acknowledged by the end that, first of all, no reasonable person would
6 actually want that clause read that way because if indeed it did mean that the Vice
7 President had such authority, you could never have a party switch thereafter. You
8 would just have the same party win continuously if indeed a Vice President had the
9 authority to just declare the winner of every State.

10 He acknowledged that he didn't think Kamala Harris should have that authority in
11 2024; he didn't think Al Gore should have had it in 2000; and he acknowledged that no
12 small government conservative should think that that was the case.

13 And I said, "If this case got to the Supreme Court, we'd lose 9-0, wouldn't we, if we
14 actually took your position and it got up there?" And he started out at 7 to 2.

15 And I said, "Who are the two?"

16 And he said, "Well, I think maybe Clarence Thomas."

17 And I said, "Really? Clarence Thomas?"

18 And so we went through a few Thomas opinions and, finally, he acknowledged,
19 "Yeah, all right, it would be 9-0." Except that his fallback --

20 Q Did he say who the other one was?

21 A I don't recall. I don't recall.

22 But he ultimately acknowledged that none of them would actually back this
23 position when you took into account the fact that what you have is a mildly ambiguous
24 phrase, a nonsensical result that has all kinds of terrible policy implications, and uniform
25 historical practice against it. It just didn't work.

1 So I kind of wound up, "Can't we just acknowledge that this is a really bad idea?"

2 And he didn't quite say yes, but, he said, "Well, all right. I get everything you're
3 saying." He said, "They're going to be really disappointed."

4 I don't know who the "they" is. You can -- I know what your follow-up question
5 is going to be. He said, "They're going to be really disappointed."

6 Q My follow-up question is, who's the "they"?

7 [Laughter.]

8 A I don't know. I don't know.

9 He said, "They're going to be really disappointed that I wasn't able to persuade
10 you." And he left.

11 I will say the one other thing that we had a lot of discussion on was the political
12 question doctrine and -- because once he acknowledged that they would lose in the
13 Court, he said, "Well, but I think that, you know, it's a political question and they
14 shouldn't get involved at all."

15 And a lot of our discussion was my view, A, that they would because they would
16 recognize if it wasn't them who was going to step in on a question that -- it's a pretty
17 easily presented question, right? Here we have a statute, and the question is, is the
18 statute consistent with the text of the Constitution?

19 His view was that the Vice -- that the constitutional text has the Vice President
20 having the sole authority to do the counting, and that with that comes the authority to
21 resolve objections, and, therefore, anything in the Electoral Count Act to the contrary is
22 unconstitutional.

23 And indeed, if that's what the constitutional clause actually said, you couldn't have
24 a statute that was -- that contradicted that authority or removed it from the authority of
25 the Vice President. But that's where he was.

1 But I thought the question of the statute and the Constitution, are they
2 consistent? That is an easy question for the Supreme Court to weigh in on and to decide
3 that question, and that although I understood the sort of belt-and-suspenders position
4 that this kind of conflict between the branches is the kind of thing that the Court has
5 invoked political question on at times in the past, I didn't think that they would here. I
6 certainly didn't think that the district court or the D.C. Circuit were going to.

7 And that even if they did ultimately invoke political question, where does that
8 leave us? And that was a big question that [REDACTED] never had an answer to:
9 What happens then?

10 Q Meaning Vice President Pence would pound the gavel and say, "Trump
11 wins," and then the question of whether it would be accepted by the American people or
12 what would be left?

13 A Yes. So you'll have an enraged House of Representatives at least and
14 probably an enraged Senate, because they had expressed no interest in not following the
15 Electoral Count Act. I mean, among other things, we had all of these Senators who said
16 that they wanted to follow the Electoral Count Act and make objections. That's not
17 provided for in the Constitution either.

18 But if we were to do what [REDACTED] suggested, it would mean that none of
19 those debates happened in Congress. None of those Senators would get to make their
20 objections. We would be asserting we have the unilateral authority to do all of that.

21 And so you would essentially have a standoff between the Vice President and
22 Congress, a bunch of State legislatures, pretty much all of which had said we have no
23 interest in revisiting what we think was indeed the outcome of the election in our States.

24 We gathered together in my office a list of statements of Republican legislative
25 leaders in all the different States that were at issue where they had said, "The people

1 have spoken. We're not going to do anything to overturn that."

2 So you then send it back out to them? You'll have litigation flying all around, an
3 enraged House and Senate, legislatures that aren't interested in actually doing what [REDACTED]
4 [REDACTED] wants them to do. You'd have total constitutional chaos and with no real exit
5 strategy to happen.

6 Q I want to make sure I understand what [REDACTED] was requesting, though,
7 because your note says -- your handwritten notes say, "Requesting VP reject."

8 But as we went through the, what I'll call the longer version of the [REDACTED]
9 memo, in that there were several different scenarios.

10 So the Vice President could reject the slates that were certified by the governors
11 of those States and instead choose the Trump electors. He could reject the ones from
12 the governors and say there are no electors for those States and, therefore, it's, you
13 know, a majority of the votes cast. There was another scenario where they said nobody
14 gets to 270 so it goes to the House. Then there's also this idea of you reject the electors
15 and send it back to the States.

16 At the beginning of the meeting on the 5th, what was your understanding of what
17 he was suggesting would be done if the Vice President rejected the electors from certain
18 States?

19 A So, as you know, there were a number of different procedural mechanisms
20 that were proposed both by [REDACTED] and by other people at other times, so it's hard
21 for me to have a completely clear memory as to which procedure was the one at issue at
22 which time.

23 Here, with respect to the rejecting of the electors, it was -- to the best of my
24 recollection, there were -- the end game that he was hoping would happen in
25 Washington, if we actually rejected, would be, one, if we rejected the one slates and the

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED]

12

13

14

15

Friday, February 18, 2022

16

17

Washington, D.C.

18

19

20

The interview in the above matter was held via Webex, commencing at 10:07 a.m.

21

Present: Representatives Luria, Murphy, and Kinzinger.

1

2 Appearances:

3

4

5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED] SENIOR ADMINISTRATIVE ASSISTANT

9 [REDACTED] INVESTIGATIVE COUNSEL

10 [REDACTED] PROFESSIONAL STAFF MEMBER

11 [REDACTED], CHIEF CLERK

12 [REDACTED] PROFESSIONAL STAFF MEMBER

13 [REDACTED] SENIOR TECHNICAL ADVISOR

14 [REDACTED] INVESTIGATIVE COUNSEL

15 AND [REDACTED] SENIOR INVESTIGATIVE COUNSEL

16

17

18 [REDACTED]

19

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

1 Mr. [REDACTED]. Okay. Do you have any questions before we get started?

2 Ms. [REDACTED]. No, I don't think I do. I'm good.

3 Mr. [REDACTED]. All right. Well, appreciate that.

4 EXAMINATION

5 BY MR. [REDACTED]:

6 Q So, you know, the way I think just to give you an overview, we'll start with
7 just some general background questions, and then I think we can work our way into the
8 November and December rallies and then into the January 6th rally. So that's kind of
9 how we'll block it out.

10 A Okay.

11 Q So just to get started, you don't have to give me the full history, because you
12 have done quite a lot in your career, but can you just give us a summary of your work? I
13 think of it as grassroots political work, but however you view it, what you've been doing
14 over these past few years.

15 A Yeah, I mean, that's exactly what it is, is grassroots political work.

16 And I got started. I'm one of the original founders of the modern-day Tea Party
17 movement, and worked in the -- with Tea Party Express up through 2014, maybe 2015,
18 doing congressional and Senate races. That's really where I cut my teeth in politics.

19 And then when President Trump ran in '16, I supported him. I was one of the
20 earliest ones out there publicly. I did a lot of media, and then we had Women for
21 Trump. And we were just active in, you know, doing what we could to help win the
22 election. And then after he won, then we started Women for America First to focus on
23 pushing the America First agenda. And that's where I am now.

24 Q Now, I get the sense that in the early days with Tea Party Express, that's
25 where you got some experience with bus tours. Is that fair?

1 A Yes. I'm called the bus queen.

2 Q Okay. All right. I won't call you that but I hear --

3 A My family rolls their eyes when I say the word bus because they're, like, here
4 she goes again.

5 Q And so talk about that, using the bus as a means to get out and get your
6 message around. Why is it something you did, and why has it been effective for you?

7 A Because I -- we realized early on with Tea Party Express that any one of us
8 could be replaced on the bus. None of us were the rock stars. It was the bus that was
9 the rock star. And while we're blessed to be able to travel and go across the country
10 and be with people and meet people, there are people out, you know, in the middle of
11 the heartland that aren't able to travel. And they live on a farm, and they don't see
12 people that often.

13 And so, with the bus, it was -- it was something that everybody got to share a
14 piece of, you know. And so, it was always successful. People loved it. And it was
15 exhausting and tiring. But, I mean, it -- we loved it and it worked. And so I think we
16 built one of the biggest brands in modern -- in modern-day politics.

17 And -- and so, it was, you know, Let's get back on the bus, and Let's do the March
18 for Trump. And, again, it was, you know, being able to connect with people that
19 otherwise wouldn't be able to, you know, participate in something.

20 Q And doing the March for Trump, is that -- and the bus tour, is that something
21 you started before the 2020 election, or did that happen after Election Day?

22 A No. So we actually, the first event we did for the March for Trump was
23 during the first impeachment. And we had a rally on Capitol Hill. And that was
24 in -- was that in October 2019, I think, the fall of 2019? And then I think we did
25 something back at that Christmas to March for Trump on the Hill, and so, we had done

1 Mr. [REDACTED]. Ms. [REDACTED]'s phone number is also in the prior exhibit.

2 Mr. [REDACTED]. And the prior -- I see what you are saying. Yes, absolutely. We
3 will take care of that.

4 BY MR. [REDACTED]:

5 Q And so, if we look back then when the President tweeted about January
6 6th -- it is in exhibit 12 on page 5, that "be there, will be wild" tweet -- did you have any
7 idea he was going to send that out, any forewarning? Did anybody tell you?

8 A What day did he send that out?

9 Q December 19th. So, before [REDACTED] comes in the picture, this is just
10 on his own -- it appears to be the President on his own.

11 A No. I mean, no. I didn't know that he was going to send that out. I
12 mean, until we started -- until [REDACTED] reached out to me -- I think it was the day
13 after Christmas -- and asked if -- about my connecting with [REDACTED] and possibly moving
14 the event to the Ellipse, I mean, we were just doing an event January 6th at Freedom
15 Plaza, just like we did in November and December. And, I mean, I had no idea, you
16 know, what the President was planning or doing at that point.

17 Q And, to that point, I am going to flip back really quick to text messages with
18 [REDACTED]. It's exhibit 3. And the very last one is, on December 19th, 2020, at 2
19 p.m., so in the afternoon after of the tweet, you send [REDACTED] a link to a tweet that
20 you had put up. Okay? If we zoom in, I will show you. You can see [REDACTED]
21 Keep going. Maybe one more. So there you sent him a link to your tweet. And then
22 we got the tweet on page 6 of exhibit 12. We can then show that.

23 Okay. If you can go down to the bottom, you can see the time is 1:57 p.m., on
24 December 19th. So it looks like you send [REDACTED] a link to this tweet just a couple
25 minutes later. And it just says: We have been marching and fighting for the

1 did not have the permit at that time. But we have been told we were probably going to
2 get it.

3 Q I see. Could you -- do you know how to spell Ms [REDACTED] last name?

4 A I think [REDACTED].

5 Q Okay. At this time had you reconciled with [REDACTED] and you were
6 going to work with him on the event on the 6th, or whatever he was doing was separate
7 from what you were planning?

8 A Yeah, no, I mean, to this day we haven't reconciled with [REDACTED].

9 Q Okay.

10 A He would be -- you know, he would be doing her Periscopes or whatever
11 live, bashing us, just, I mean, just ridiculous. So, no, I mean, it was -- we just, you know,
12 moved on and kept looking forward.

13 Q You -- you've already talked about. We might as well get it to, that things
14 changed when you get that phone call from [REDACTED] it sounds like.

15 A Oh, yeah, so [REDACTED] reached out and said we have a mutual friend, [REDACTED]
16 [REDACTED], and she's been trying to get in touch with you. I think he said, you know, she sent
17 you direct message on Instagram or Twitter or whatever. And she wanted to talk to you
18 to see what you thought about moving the event to the Ellipse and possibly having POTUS
19 come.

20 Well, the whole reason [REDACTED] was -- [REDACTED] was involved was because that second
21 rally on -- in December, I reached out to [REDACTED] and hired them for jumbotrons because
22 the crowd had been so big that people couldn't hear. So we had the jumbotrons there.

23 So [REDACTED] reached out to me, because we had worked together on that event. He
24 reached out about [REDACTED], and so I honestly can't remember if I called [REDACTED] or if
25 [REDACTED] called [REDACTED]. I just remember that [REDACTED] was -- because we were still at the

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 DEPOSITION OF: [REDACTED]

12

13

14

15

Thursday, February 3, 2022

16

17

Washington, D.C.

18

19

20 The deposition in the above matter was held via Webex, commencing at 10:04

21 a.m.

22 Present: Representatives Aguilar, Lofgren, Murphy, Cheney, and Kinzinger.

1 Appearances:

2

3 For the SELECT COMMITTEE TO INVESTIGATE

4 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

5

6 [REDACTED], STAFF ASSOCIATE

7 [REDACTED], INVESTIGATIVE COUNSEL

8 [REDACTED], STAFF ASSOCIATE

9 [REDACTED], RESEARCHER

10 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

11 [REDACTED], CHIEF INVESTIGATIVE COUNSEL

12 [REDACTED], INVESTIGATIVE COUNSEL

13 [REDACTED], DETAILEE, DEPARTMENT OF HOMELAND SECURITY

14 [REDACTED], CHIEF CLERK

15 [REDACTED], SENIOR TECHNICAL ADVISOR

16 [REDACTED], STAFF ASSOCIATE

17

18 For THE WITNESS:

19

20 [REDACTED]

21 [REDACTED]

22 Greenberg Traurig, LLP

23 101 L Street, N.W.

24 Suite 1000

25 Washington, D.C. 20037

1 Q When you say you went upstairs, is that to the residence?

2 A Correct.

3 Q All right. And we'll talk about that.

4 Can you just describe the atmosphere? What were people expecting that night
5 when you got to the White House?

6 A I think that there was typically for people who show up there on election
7 night, it is going to be a self-select more positive environment. And I think people were
8 a little bit nervous not nothing what was going to happen with the red wave or the red
9 mirage as the debate was being carried out.

10 Q What were your expectations for that night?

11 A I knew that we were closing. I felt pretty confident that we'd win.

12 Q Was it still an open question, though, in your mind?

13 A There is always some degree of doubt. But I felt -- I felt that trend lines
14 were moving in the right direction, and we'd prevail.

15 Q And you seem like a numbers person, [REDACTED]. Is that based on your
16 analysis of the numbers and the polling that was going on?

17 A With regard to this, yes.

18 Q When you say "with regard to this," what do you mean?

19 A Meaning that our -- the way that we were closing strong with early vote
20 returns, the way that early vote numbers -- and when I say "early vote" that is a general
21 early vote or mail-in or any -- or any, any method. But we were doing better than
22 expected in some places, and Democrats were doing worse than expected in some places.

23 Q Okay. I understand that FOX News projected that Joe Biden won Arizona
24 around 11 o'clock that night. Do you remember when they called it for Arizona?

25 A Somewhere around that timeframe.

1 Q After, did that shift the atmosphere or the attitude in the White House?

2 A Completely.

3 Q How so? Can you describe that?

4 A Because FOX News was the first to go out and say that. Even the CNNs of
5 the world thought the race was too close to call. And, in particular, our data people
6 were saying that we would prevail in Arizona. It would be close, but we would prevail
7 when all the ballots were counted.

8 Q Was it kind of anger kind of directed towards FOX News for making a call
9 more so than, like, disappointment that maybe the campaign lost Arizona?

10 A All the above.

11 Q So both, anger and disappointment?

12 A Both disappointment with FOX and concern that maybe our data or our
13 numbers weren't accurate.

14 Q I understand that it's been reported at least that Bill Hemmer from FOX
15 called you before that projection came out. Is that right?

16 A I forget if it was a call or a text, but I did communicate with him and knew
17 that they were getting ready to make that call, yes.

18 Q Did you say anything in response when he told you that they were getting
19 ready to make that call?

20 A Yeah, probably wasn't particularly family friendly. I was a little bit shocked.

21 Q Without the unfamily-friendly words, what was the gist of your message
22 back?

23 A How can you make this call when even more liberal outlets aren't making a
24 call like this.

25 Q Did he express that he was comfortable or that FOX was comfortable doing

1 this based on the data?

2 A He expressed that it was completely out of his hands, and there was a -- I
3 forget the term, brain center, war room, or something of that nature, decision desk that
4 was making it, and he was simply the messenger.

5 Q Did you pass along this message to the President?

6 A Yes.

7 Q Personally?

8 A It was a bit of a chaotic night. I don't remember if -- I don't remember if I
9 was able to personally get to the President before it was announced. I was in a room
10 full of people. And so everybody heard me say it or announce it in advance of it being
11 broadcast, but I don't remember the exact order of communicating with the President.

12 Q Was he in that room when you announced it out loud?

13 A Not that I recall. I believe he was up in the residence.

14 Q Do you know what his reaction to that FOX News announcement was,
15 though?

16 A Similar to mine.

17 Q Did you talk to him about it?

18 A At a certain point. I don't remember, again, if it was before the on-air
19 announcement or afterward. Excuse me.

20 Q What did he say when you did talk to him about it?

21 A Similar to what I'd expressed to Bill Hemmer, except with a dynamic that
22 Rupert Murdoch was twisting the knife.

23 Q Meaning that FOX News was not being fair to him? I guess, could you
24 explain what you meant by that or what he meant by that?

25 A I think that FOX News wasn't being fair or was jumping to conclusions when

1 the race was still too close to call.

2 Q And did the President expect more from FOX News?

3 A By that point in the relationship, probably not, but I think he was frustrated
4 nonetheless.

5 Q And the major networks didn't call -- actually, I'm sorry. Let me just back
6 up. Do you remember any specific words he said to you in that conversation?

7 A Other than certain nonfamily-friendly words, those are probably the only
8 ones I'd remember from that and Murdoch's name.

9 Q Now the major networks didn't call Pennsylvania, Michigan, Wisconsin, or
10 Georgia on election night. Do you remember that?

11 A I do not remember with great detail when each State was called across the
12 board. But I know that the race overall wasn't called until Saturday. Yeah.

13 Q Fair enough. Now, when you went up to the residence, can you describe
14 what happened and when that was?

15 A -- I went up to the residence twice.

16 Q Starting with the first time, what happened? And roughly when do you
17 think you went up?

18 A Somewhere probably shortly after the Arizona news. Again, I might be
19 conflating the two trips up. So I just remember that one time there were a lot more
20 people than the other. There's -- at least with the earlier group, I want to -- I believe
21 that there were more people, more allies, family members, people like that that were
22 around. One of the trips had a lot more people; one of the trips had fewer people.

23 Q Okay. And in the fewer trip -- fewer people trip, what happened?

24 A And, again, I don't remember which one was first, if it was -- I think it was
25 probably more people initially and then fewer later. But I think the -- both of them were

1 just wanting to know about where the numbers were and where they were -- where they
2 were tracking with a lot more of the numbers people doing a lot more of the talking, and
3 at least the first time I remember there was more conversation about calling FOX News to
4 try to get them to reverse their call.

5 Q And was that a suggestion that the President made?

6 A It was something that we had already started to do, even before we
7 discussed it with the President.

8 Q And when you did you discuss it with him, was that -- did he agree with that
9 suggestion?

10 A Yeah. But he was probably even more adamant about redoubling efforts.

11 Q Can you describe that? And it is okay to use unfamily-friendly words. And
12 we are interested in the discussion that you had and what he said.

13 A I mean, simply that how could FOX go and call this when even the fake news
14 outlets weren't calling it. It's way too early. Our numbers show that we are going to
15 win that State, and Murdoch's just doing this to mess with me. That's a summary.

16 Q Okay. Now were you up in the residence with him as he planned to give his
17 speech on election night?

18 A The -- thinking carefully here.

19 Q Let me ask it this way: Did you ever discuss the speech that he was going
20 to give on election night?

21 A That's what I'm trying to think back to. That was largely being worked on
22 by I believe [REDACTED] and his team, the speech-writing team. And I don't
23 remember weighing in -- I don't remember weighing in on the speech details, other than
24 there was suggestions by I believe it was [REDACTED] to go declare victory and to say
25 that we'd won it outright. And I remember saying that I -- to the best of my memory, I

1 was saying that we should not go declare victory until we had a better sense of the
2 numbers.

3 Q Okay. Can you be more specific about that conversation, in particular what
4 ██████████ said, your response, and anybody else in the room's response?

5 A I think effectively ██████████ was saying: We won it. They are
6 stealing it from us. Where did all the votes come from? We need to go say that we
7 won. And essentially anyone who didn't agree with that position was being weak. And
8 I believe ██████████ pushed back on that, said that we'd need more information; we
9 can't go and declare that. And then a certain point I think there's -- I think maybe ██████
10 ██████ maybe got into it with either -- I think it was ██████████ or ██████████. But ██████
11 ██████ was definitely pushing to declare victory.

12 Q When you say ██████████ may have gotten into it with ██████████ or ██████
13 ██████, can you be more specific?

14 A I think some of the commentary may have included a couple of expletives
15 and may have gotten a little more personal in nature.

16 Q I'm going to ask you to unpack that. Could you be specific about what
17 happened?

18 A I think it's more of just a general "you're not very good at your job or you're
19 not very smart" but with extra expletives in there.

20 Q And how did ██████████ or ██████████ respond?

21 A I think they responded in kind, the same level of passion.

22 Q Did the President see this happening?

23 A I believe it was in a side room. I do not think this played out in front of the
24 President.

25 Q So you said that both you and ██████████ pushed back and said, you

1 can't do that, meaning accept [REDACTED] recommendation to just go out there and
2 say he won. Why was that important to you?

3 A Well, I think for a couple of things. I mean, I always strive to be as accurate
4 as possible, but also there was a concern that if we just went with a blanket "we won,"
5 then it might undercut some of the legitimate legal efforts that were -- that were going to
6 happen later. And, also, we'd have to come up with some aspect of compelling
7 evidence to go and show that, and it was just too early. We didn't have that all put
8 together yet.

9 Q So there wasn't evidence to support the fact that he had won at least at this
10 point in the election. Is that fair?

11 A At that moment. And to be fair, there wasn't evidence that Biden had won
12 either. It was still very much an election -- excuse me -- in dispute as it took the better
13 part of a week before a winner was announced.

14 Q Now obviously the President ended up making a speech that night and he
15 said: This is a fraud on the American public. This is an embarrassment to our country.
16 We were getting ready to win this election. Frankly, we did win this election. We did
17 win this election. This is a major fraud on our Nation -- among other things that he said
18 that night. Did you know beforehand he was going to give -- or make a speech like that?

19 A I don't remember those specific words. And I don't recall at this time if I
20 had the opportunity to review the speech before it started. There was very much
21 a -- there were a lot of things going on that night, including trying to get more information
22 to better inform our positioning. And I was not active -- I would not describe myself as
23 an active participant for his speech prep for those remarks.

24 Q Okay. And I think you just mentioned, though, at that point, there still
25 wasn't information whether the President had won or lost. Right? In your view?

1 A Correct. Of the election overall, it was too early to say one way other the
2 other.

3 [REDACTED]. Any questions about that from members on the call?

4 Anybody in the room?

5 [REDACTED]. No thanks.

6 BY [REDACTED]:

7 Q [REDACTED], a quick followup. You mentioned [REDACTED] as someone who
8 was saying -- telling the President that he could say that he won the election. Was there
9 anyone else that you saw that was in that camp pushing the President to stay that he had
10 won the election?

11 A Not that I immediately recall. There were a lot of people that were floating
12 around. And I certainly was not present for every conversation.

13 Q Okay. And how about you mentioned [REDACTED] as someone pushing
14 back and you as well. Was there any one else in the camp pushing back against [REDACTED]
15 [REDACTED] recommendation that --

16 A [REDACTED].

17 Q [REDACTED]. And what do you recall [REDACTED] saying?

18 A Very roughly something along the lines of: We don't know what's
19 happened yet. We can't definitively declare victory.

20 Q Do you recall when [REDACTED] was saying, you know, "you should say that
21 you won," what he was basing that off of?

22 A You'd have to ask [REDACTED]?

23 Q Okay. I mean, did he, like, reference maybe any numbers, or, like,
24 statistics, or anything that he had that made him think that Trump had won?

25 A The concerns vocalized focused more on the fact that we'd been ahead at

1 A I mean, effectively, yes.

2 Q Okay. So on exhibit 33, if you could scroll up to the top.

3 This is a January 5th, 2020, statement from President Donald J. Trump. It talks
4 about the New York Times report.

5 Is this the statement that we've been referring to?

6 A Yes.

7 Q And how did this come to be? Did he ask you, the President, ask you to put
8 out a statement about this lunch?

9 A I remember I called the President to make sure that he had seen the story.
10 And I don't remember what stretch of the day I caught him in. Obviously, that was the
11 night of the Georgia elections, the Georgia Senate elections.

12 So at some point I got the President on the phone and talked through and said
13 that -- asked him if it was an accurate story or if he wanted to say something different.
14 And he had a much different perspective on how their conversation had played out.

15 Q In the end of the first paragraph there it says, "The Vice President and I are
16 in total agreement that the Vice President has the power to act."

17 Did you express any concern that that was not what you were hearing to the
18 President as he asked you to put the statement out?

19 A I think the way that came up was obviously the story had been pushed by
20 the Vice President's camp, but didn't know necessarily who exactly did it or if the Vice
21 President was -- to what extent he was in agreement. But that was the President's
22 recollection, was that they were in agreement that the Vice President did have the power
23 to act.

24 Q Understood that that was his perspective. But did you say to him that
25 that's not what the Vice President's camp is saying?

1 A Oh, I had not communicated directly with the Vice President's camp at that
2 point, and so I did not say that.

3 Q You later found out --

4 A We discussed the news story, obviously, we discussed the first cut of the
5 news story that went up with no statement from the President.

6 Q So this is the President's, at least as communicated to you, this is the
7 President's belief of what happened in that meeting?

8 A Correct.

9 Q When ██████████ contacted you, he was upset. Is that what you said?

10 A He clearly was not pleased.

11 Q Tell us what he said.

12 A What's the process for putting out a statement for a meeting where only
13 two people are in the room?

14 Q Did he ask you to retract the statement?

15 A No. He just -- I think it went right to, what's the process for putting out a
16 statement for a meeting when only two people are in a room.

17 Q And he clearly disagreed with the substance, though, right, because he said
18 the Vice President doesn't agree with this?

19 A I'm trying to think what exactly he said. I mean, the tone was very clearly
20 that -- he used some language to strongly infer that the Vice President disagreed with
21 that take, but I don't remember what that language was.

22 Q When you spoke to the President about this story and before you put the
23 statement out, what was the President's mood? Was he upset?

24 A I don't recall the -- I don't recall a particular mood. And, again, it was by
25 phone so I was not with him in person.

1 Q Fair enough.

2 From what you could tell, did he seem frustrated?

3 A I just -- I don't remember with enough clarity to describe a mood at that
4 moment.

5 Q Did he comment to you on his thoughts about the President's power -- or,
6 excuse me, the Vice President's power at the January 6th joint session?

7 A Well, I mean, obviously, we put that statement out. So I think that's
8 probably the best reflection of what the President's mindset was at that time.

9 Q Did he say anything about being disappointed with the Vice President or
10 what he thought the Vice President might do?

11 A I think it was more of usually what he would say is, "I hope Mike does the
12 right thing," or, "I Hope Mike says they need to look at all the broadened irregularity and
13 unconstitutional way that this election was conducted." So it would usually be along
14 those lines.

15 [REDACTED]. Anything else on this statement?

16 [REDACTED]. Yeah.

17 BY [REDACTED]:

18 Q Let's go back.

19 So the New York Times article comes out during the day on January 5th. Is that
20 right, [REDACTED]?

21 A I don't remember the time during the day that it came out, but it was some
22 point after the lunch. But I don't remember how late, though, or early or late it came
23 out.

24 Q Okay. So it's posted on the New York Times website sometime in the
25 afternoon after the President and the Vice President had had this lunch in which they had

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED]

12

13

14

15

Friday, March 25, 2022

16

17

Washington, D.C.

18

19

20

The interview in the above matter was held via Webex, commencing at 10:02 a.m.

21

Present: Representative Luria.

1

2 Appearances:

3

4

5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED], STAFF ASSOCIATE

9 [REDACTED], INVESTIGATIVE COUNSEL

10 [REDACTED], STAFF ASSOCIATE

11 [REDACTED], PROFESSIONAL STAFF MEMBER

12 [REDACTED], CHIEF INVESTIGATIVE COUNSEL

13 [REDACTED], CHIEF CLERK

14 [REDACTED], PROFESSIONAL STAFF MEMBER

15 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

16

17

18 For [REDACTED]:

19

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

1 a lot of press around him being serious about running. So I continued to do television
2 for him. He eventually started calling me to thank me for my public support.

3 Q Did you take on an official role with the campaign at some point?

4 A That would be the end of 2015, September-October time period, when he
5 finally called and invited me to become his official campaign spokesperson.

6 Q Did you hold that role through the election?

7 A Yes.

8 Q And did you go into his administration after he won?

9 A I did not.

10 Q What did you do instead?

11 A I stayed out with the super-PAC that was started with some of the other
12 members of the campaign for a little while, before going back to the campaign.

13 Q And so for his reelection campaign, President Trump's, did you have an
14 official role?

15 A Senior adviser to the 2020 reelection.

16 Q And what were you overseeing in that role as a senior adviser?

17 A So my portfolio, for lack of a better term, it was more press, comms, and
18 coalitions.

19 Q And when you say coalitions, what does that mean?

20 A It is the grassroots outreach support.

21 Q And what sort of work in terms of the outreach and otherwise interacting
22 with the coalitions and grassroots did you do in that role?

23 A Really just oversee. Because each department had their own director and
24 deputies and staff, so there were essentially like miniature campaigns within the
25 campaign. But because I had so much experience in running coalitions and networks, I

1 Q As part of your work with the coalitions, was there also a proactive sense of
2 being aware if someone who hadn't come to you to get vetted was otherwise holding
3 themselves out as somehow associated with the campaign?

4 A There were a lot of people who would pretend to speak on behalf of the
5 campaign, and we would track that. We'd ask them to stop in many cases, but you just
6 can't police the entire internet.

7 Q Now, when -- after the election in 2020, did you stay on the campaign for a
8 time?

9 A After the November election?

10 Q Uh-huh.

11 A My time ended December 31st.

12 Q So between November 3rd, election day, and at the end of the year,
13 December 31st, what role were you doing, if it was different, or was it the same?

14 A So during that time period, there were a lot of coalition members, board
15 members who wanted to stay engaged in the process, follow the constitutional process of
16 challenging the election. And one of my primary goals, one of my primary personal
17 goals was to make sure that our specific campaign people did not get caught up with
18 those who were out there not really carrying our message and kind of going their own
19 route and -- which is something that we've done throughout the entire campaign, making
20 sure that they had clear guidance on what would be approved or what would not be
21 approved.

22 Q You, yourself, were you -- did you go out and advocate on behalf of the
23 campaign and the President or were you still -- were you strictly doing the oversight of
24 coalitions during this, after the election to the end of the year period?

25 A I was still advocating. I didn't really do much TV. We did Team Trump

1 Q Okay. So did the -- so the campaign started to shift its focus to the State
2 legislators and then the certification on January 6th, right?

3 A Correct.

4 Q Did you have any role in messaging, yourself, on behalf of the campaign once
5 that shift was made between then and the end of your time on December 31st?

6 A No.

7 Q And did you notice a shift or observe that the grassroots organizations that
8 had been protesting, that they shifted their focus to January 6th at that time similarly to
9 the President in the campaign?

10 A Every -- once the news started coming out at the -- they were announcing
11 what the next process would be, it was natural for everybody to shift to what was to be
12 next.

13 Q And so on that point, if we look at exhibit 5, these are going to be screen
14 shots of tweets. And we go to page 1.

15 Do you -- what we have here are [REDACTED] and her Twitter account. And you
16 see on December 16th -- and I'll just go through a few of these just to set the stage -- she
17 says: We have some very exciting news coming soon for the #MarchForTrump.

18 If we go to page 2, still on December 16th, she says: Our incredible team
19 @AmericaFirstWomen has put on the two largest events that the American people have
20 ever put on for a POTUS. March for Trump has sent shock waves around the world that
21 we the people will be heard. Help us keep fighting.

22 And down below, if we can zoom in, you see that she makes clear that: After our
23 second massive March for Trump in D.C., we are keeping the buses going leading to our
24 next massive rally January 6th in D.C.

25 A Uh-huh.

1 Q So the [REDACTED], up by December 16th. Like you said, people are focused
2 on the 6th. And here it is, they're saying they're coming back to town.

3 A Right.

4 Q Did you talk to them about this plan before they sent it out or soon after,
5 that you can remember?

6 A I don't remember when they told me they were doing the bus. I remember
7 having a discussion because, prior to the electoral college, which I think it even states on
8 there, through January 20th, prior to that, there were no plans for the 6th until the 6th
9 became the next step, and then they rearranged everything for the 6th. But I couldn't
10 tell you when we had that conversation.

11 Q Understood. And if we go to page 3, you see Women for Trump is the
12 Twitter handle, and I'll tell you, that's actually still the [REDACTED]' group, even though they
13 had changed the name but it was still under the Women for Trump name, and sending
14 out that they were going to keep rolling patriots, never, ever back down, and that was
15 retweeting [REDACTED] and this was also on December 16th.

16 A Uh-huh.

17 Q So consistent. And then we go to page 4. We have to do a little bit of
18 math here, but what we see here are a tweet by [REDACTED]. Now, it's actually on
19 December 19th. That's going to be in reaction to President Trump's tweet that same
20 day that we'll see in a second.

21 But what [REDACTED] says is: 2 days ago, Stop the Steal founder [REDACTED]
22 announced our coalition was doing a protest in D.C. on January 6th.

23 And if you go down below that, you see he's re -- I don't know if that's retweeting
24 or resharing a tweet he sent out of [REDACTED] 2 days prior. So on -- if you see that, next to
25 [REDACTED] name, so on December 17th. And you can see down there: Every Saturday every

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

4

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

9

10

11

12 INTERVIEW OF: [REDACTED]

13

14

15

16

Tuesday, November 30, 2021

17

18

Washington, D.C.

19

20

21

The interview in the above matter was held in Room 4480, O'Neill House Office
22 Building, commencing at 10:01 a.m.

23

Present: Representatives Schiff, Lofgren, Raskin, Aguilar, Cheney, and Kinzinger.

1

2 [2:08 p.m.]

3 [REDACTED] I was on the Neil Cavuto show, and we were talking about
4 the election. And I think -- I shared some data points with FOX News, Neil Cavuto, and I
5 said that there was 20,000 Georgians, Republicans, that voted in the June primary that
6 did not come out and vote in the November election, and I shared that about
7 19,000 -- Senator [REDACTED] got 19,000 more votes in the metropolitan area than
8 President Trump, and in the Republican congressional areas the Republican Congressmen
9 got about 33,000 more votes than President Trump.

10 And I believe that President Trump was watching FOX News and he didn't care for
11 my comments on those three data points.

12 BY [REDACTED]:

13 Q So what happened?

14 A So my deputy secretary called me, [REDACTED] called, and said, "The
15 President wants to talk to you." And so, "Me?" He says, "Yeah, [REDACTED] called.
16 The President wants to talk to you." I don't want to do that. And just tell him, you
17 know, we're just not interested in doing that.

18 So she called him back and said --

19 Q Called who back?

20 A [REDACTED].

21 Q Okay.

22 A And I gather they had a conversation. And so she called me back and said,
23 "No, they really want to talk to you." I said, "I don't want to." And so she said, "Well,
24 they really want to talk to you." I said, "We have all these lawsuits going on. It's not
25 appropriate for me just to talk to the President by myself. We need to have, you know,

1 our general counsel on this call, [REDACTED], and you need to be on that call as well."

2 And so that's how that got set up for, I believe it was 3 o'clock that afternoon.

3 Q And were you told anything about what the President wanted to discuss
4 with you?

5 A No.

6 Q So you may have said this earlier, but how did you find out that the
7 President was unhappy with what you said on the Neil Cavuto show?

8 A That was kind of the inference I got from my deputy, I guess.

9 Q Who got it from [REDACTED]?

10 A Right, that President Trump saw you on, you know, FOX News this morning,
11 so -- got it.

12 Q Now, as I understand, the call with you and President Trump, with others on
13 as well, was January 2, 2021. Does that sound correct to you?

14 A Sounds about right.

15 Q Now, by then, the election results in Georgia had already been certified by
16 your office, correct?

17 A Right.

18 Q And the electoral college had already cast their votes --

19 A Uh-huh.

20 Q -- correct? So what's your understanding of why he was calling?

21 A Didn't really know why. But I assumed it was to express displeasure, make
22 a case. But that's why I really had reluctance to have the call.

23 Q Okay.

24 And then in your book at pages 178 to 179, you wrote, "The President was asking
25 me to do something that I knew was wrong, and I was not going to do it."

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED]

12

13

14

15 Wednesday, June 8, 2022

16

17 Washington, D.C.

18

19

20 The interview in the above matter was held via Webex, commencing at 1:02 p.m.

1

2 Appearances:

3

4

5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

9 [REDACTED], INVESTIGATIVE COUNSEL

10 [REDACTED], PROFESSIONAL STAFF MEMBER

11

12

13 For [REDACTED]:

14

15 [REDACTED]

16 [REDACTED] LLP

1 Q Did you actively campaign for President Trump in 2020?

2 A I'm not sure the definition of actively campaign, but I attended some
3 meetings and rallies, not very many. But there was no mystery about me supporting
4 him for President.

5 Q You did support his candidacy?

6 A Yes.

7 Q After the election did you have any direct personal interactions with
8 President Trump?

9 A Yes.

10 Q When was the first direct interaction you had with President Trump after the
11 2020 election?

12 A Now I've got to refer to my notes so I don't get dates mixed up.
13 So the best of my recollection, the first time I was interacting with the President
14 after the election was November 18th.

15 Q Was that a telephone call at approximately 6:07 p.m.?

16 A Yes.

17 Q Tell me what, if you know -- well, did you call the President or did he call
18 you?

19 A He called me.

20 Q What was the purpose of that phone call?

21 A He invited me to join the speaker of the house and visit the Oval Office a
22 couple of days later.

23 Q Prior to receiving the call from the President, had you been alerted to the
24 fact that he might be calling to invite you to the White House?

25 A Yes.

1 Q How did you learn of that?

2 A The speaker of the house told me that I might be getting a call from the
3 President of the United States and advised me that my display on my phone would say,
4 "Spam risk Egypt." That was my notification for the fact that that might be him.

5 Q Was the speaker of the house at the time [REDACTED]?

6 A Correct.

7 Q And [REDACTED], did he tell you that he had already spoken to the
8 President about coming to the White House?

9 A I believe so.

10 Q What do you remember specifically [REDACTED] telling you about the call
11 that he had with President Trump?

12 A All I remember is, because it was a little surprising getting a notice from the
13 speaker that he would be calling, and then even more surprising to be on the alert for
14 "Spam risk Egypt," and then he just advised me that he would be asking for whether or
15 not I would be interested in coming to Washington, D.C., very quickly afterwards.

16 And that was the extent of what I remember about that interaction, because I was
17 already thinking about the logistics, because it was inferred that it was going to be pretty
18 quick.

19 Q Did [REDACTED] tell you what the purpose of the meeting at the White
20 House was or was going to be?

21 A No, no.

22 Q So you said you received a call on the evening of November 18th. Did your
23 phone indicate that it was a call coming in from Egypt?

24 A It did.

25 Q And was President Trump on the line?

1 A You know, there were more than one call -- there was more than one call,
2 and I do believe it may have been a call or two -- again, I'm just going by memory here
3 that's not good -- where it might have been a secretary announcing him. But it seems to
4 me that one was directly from him. But I could be mistaken on that.

5 Q Now, the phone records reflect that the call lasted approximately 4 minutes.
6 What do you remember about taking place on that call?

7 A I remember him introducing himself and inviting the speaker and I to
8 Washington, to the Oval Office. I also remember him saying, "If you want to bring along
9 some of your buddies, some of your colleagues, that's fine also."

10 Q Did he tell you what the purpose of the meeting was?

11 A No, he didn't. He just -- he not say what the purpose of the meeting was.

12 Q Did he ask you anything about the 2020 election in that phone call on the
13 18th?

14 A Yeah. He mentioned his concerns about the election and questioned
15 whether or not we were doing about it, and I mentioned to him that we were indeed
16 looking into some of the allegations that had been made.

17 Q So this -- I'm sorry. I interrupted your answer. I apologize.

18 A I said I responded. He asked that question, and I said, yes, we were looking
19 into some of the allegations that had been made.

20 Q So the call was approximately 2 weeks after the election. Were you aware
21 at that time of allegations of election fraud being raised in Michigan?

22 A I was aware of a lot of allegations being made about election fraud across
23 the State and Nation.

24 Q Had you taken any steps as majority leader to have any of those claims
25 investigated by anyone?

1 A We assigned a senate oversight committee the job to begin to outline how
2 they would investigate some of the allegations in Michigan that seemed to be deserving
3 of such.

4 Q At the time was Senator ██████████ the chair of the oversight committee?

5 A Yes.

6 Q And did you authorize, if that's the right term, Senator ██████████ to proceed
7 with that oversight committee investigation?

8 A Yes.

9 Q And did he do that?

10 A He did.

11 Q In the call with the President, did any of the details of the oversight
12 committee's investigation come up?

13 A No.

14 Q Anything else you remember about your discussion with the President
15 regarding election fraud claims in that first phone call on the 18th?

16 A It was a very brief call. And other than him asking the question of whether
17 or not we're aware of or looking into some of the allegations and me responding by
18 saying we are looking into it, I don't recall anything else.

19 Q Do you remember if he mentioned any specific allegations that were of
20 concern to him?

21 A I do not recall.

22 Q Did you end up going to Washington, D.C., to meet with the President?

23 A Yes.

24 Q Did you have any discussions with Speaker ██████████ in advance of that
25 meeting with the President to sort of discuss what might be the subject or the topic of

1 discussion that would come up at the meeting?

2 A We anticipated that the conversation would likely get to what are we doing
3 in Michigan to investigate some of the allegations of fraud.

4 We also talked about let's make good use of this time. And so we brought along
5 with us a formal letter to the President asking for some specific considerations regarding
6 Federal funding associated with the COVID pandemic.

7 Q Did you discuss with [REDACTED] what your response would be if he asked
8 about election fraud claims in Michigan?

9 A I did.

10 Q And what was -- can you describe what that conversation was with Speaker
11 [REDACTED]

12 A We both concurred -- it wasn't a long conversation -- that we were going to
13 simply follow Michigan's laws.

14 Q And tell that to the President?

15 A Multiple times.

16 Q Sorry. I'm asking, sir, in the pre-meeting discussions with Speaker
17 [REDACTED], did you discuss the fact that you would tell the President what you just said,
18 that we will follow the laws of Michigan?

19 A Yes.

20 Q Okay. Any other discussions with Speaker [REDACTED] beforehand about how
21 you might respond to specific election fraud claims?

22 A No.

23 Q Who else besides Speaker [REDACTED] accompanied you to Washington? And
24 then I understand maybe a smaller group of the contingent or the delegation actually met
25 with the President. Am I correct?

1 A You are correct.

2 Q So if you could --

3 A Go ahead.

4 Q Yeah. I'm sorry.

5 So in that larger group, who made the trip to Washington with you and Speaker
6 [REDACTED]?

7 A In addition to Speaker [REDACTED] and myself, we had Senators [REDACTED],
8 [REDACTED], and [REDACTED], and Representatives [REDACTED] and [REDACTED], and then we each had
9 our own respective general counsels with us.

10 Q And which members of that group actually attended the Oval Office
11 meeting?

12 A Everyone except the general counsels.

13 Q Do you recall approximately how long that meeting lasted in the Oval Office?

14 A From the time we left the Roosevelt Building, I think it's called -- Eisenhower
15 Building -- until the time we got back, it was approximately 90 minutes.

16 Q Who else, other than the Michigan delegation that you've described, who
17 else was present for the meeting in the Oval Office?

18 A Physically present, all I recall is [REDACTED].

19 Q Were there other people who participated by phone?

20 A Yes.

21 Q Who do you recall participating by phone?

22 A I recall [REDACTED] and [REDACTED].

23 Q Do you know [REDACTED] from Michigan days?

24 A I do know of her from her Michigan days, yes.

25 Q I take it, did you invite her to this meeting?

1 A I don't think I invited her to the meeting, no.

2 The video went out.

3 Q Okay. And I take it the same is true for [REDACTED], you didn't invite him to
4 participate in the meeting?

5 A No. President Trump invited him to the meeting once the meeting started.

6 Q And is that true for [REDACTED], that she was not present on the phone
7 when the meeting started?

8 A Neither [REDACTED] nor [REDACTED] were on the phone when the meeting started.

9 Mr. [REDACTED]. [REDACTED], can you hold on a second? We're just having an issue
10 with the video.

11 Mr. [REDACTED] Sure. Let's go off the record.

12 [Discussion off the record.]

13 Mr. [REDACTED] Okay. We'll go back on the record.

14 BY MR. [REDACTED]:

15 Q So, Senator [REDACTED], you said the meeting lasted about 90 minutes. Could
16 you just give us, before we get into the details, just a brief overview of what took place
17 during that 90-minute meeting? And then I'll want to dig in on some of the specifics.

18 A So we left the Eisenhower Building, made our way across the walkway, went
19 up through a narrow set of stairs, went into the reception area, which I believe was
20 immediately adjacent to the Oval Office.

21 Had an interaction with the receptionist for the United States of America.
22 Challenged her on that title that she got, and she showed me her business card. So she
23 indeed was the receptionist for the United States of America.

24 I don't think we were there more than 5 to 7 minutes. Didn't feel like a long
25 time. And then we were escorted into the Oval Office.

1 And Mr. -- President Trump was behind his desk. Came out from behind it and
2 shook everybody's hands.

3 And then there were seven chairs set up across the front of the desk, and we all
4 took positions on those chairs. ██████████ sat on the sofa behind us. And to the
5 best of my recollection, he was there for the entire meeting.

6 And then we ran through the cordials. So everybody had a chance to introduce
7 themselves and where they're from in Michigan and maybe -- I think some of them even
8 acknowledged some of the committees that they serve on.

9 And then we started, began to have a conversation. Conversation for a while.
10 And then at one point in time, the President got up and went out in the Rose Garden for a
11 few minutes. I don't know how long. It was 7, 8 minutes maybe. I don't think it was
12 10 minutes.

13 And then after that the conference call occurred with ██████████ and with ██████████.
14 We did have an entertaining interaction with the fellow that brought Diet Coke in to the
15 President.

16 Then we finished up our conversations. We concluded with a presentation of
17 our letter to him and explained the purpose of it. And there were photo ops for all of
18 the members that were there. One member, I think Senator ██████████ actually had
19 something he wanted the President to sign so he could have a signature from him.

20 And at that point in time, we departed from the Oval Office with ██████████.
21 He took us on a detailed tour, a very interesting detailed tour of the Situation Room and
22 the Cabinet Room.

23 We spent not an insignificant amount of time in both of those locations because I
24 was full of questions regarding particularly the Situation Room. He went through a
25 number of scenarios in which he was actually present and personally was able to observe

1 with regards to things like rescuing people in remote parts of the world.

2 Then he presented to us some trinkets and souvenirs to leave with. And then we
3 left. And we did not go back to see the President or the Oval Office.

4 Q Thank you for that overview. That's helpful.

5 So I want to focus on the portion, the conversation, what you described as sort of
6 the meeting starting after that, after the introductions, and so forth, but before the
7 President went out to the Rose Garden.

8 So what was the -- I assume the President at some point early on in that discussion
9 announced the reason that he had called you to Washington?

10 A I don't think there was -- to the best of my recollection, I don't think there
11 was ever a formal statement of reason for coming, but there wasn't a mystery about it
12 either in terms of he's inquiring as to what Michigan is doing to investigate the allegations
13 on fraud.

14 Q Can you give us more specifics about what the President said about the
15 allegations of fraud?

16 A You know, I'm going to disappoint you a bit because there's not a lot of
17 specifics that he said that I'm going to remember directly. I'm doing the best I can to
18 remember the essence of the conversations.

19 One thing I do remember is that he never, ever, to the best of my recollection,
20 ever made a specific ask. It was always just general topics about, you know, did you
21 hear about this or what are you doing about -- you know. And he would make mention
22 about Wayne County and TCF Center and all of the video that was shown on national TV
23 with respect to that and did it in the form of questioning what's actually going on there.

24 He was a bit disparaging about Wayne County. At one point in time I made it
25 clear to him that he didn't lose Michigan because of Wayne County. And that was -- I

1 could tell by his body language that wasn't necessarily what he wanted to hear.

2 Q Can I stop you there for one second?

3 What do you recall him saying that was disparaging of Wayne County?

4 A Just that all of the chaos going on with TCF Center and the late night band
5 showing up that everybody has seen a thousand times on TV and the boxes being
6 unloaded, and then the inference that if none of that had happened he would have won
7 Michigan. And that's not a true statement.

8 Q Did he make comments along the line of Detroit is corrupt or they're corrupt
9 in Detroit or in Wayne County, sort of broader statements about sort of his views of
10 Detroit politics, Wayne County politics, or elections?

11 A I don't recall if he ever used the word "corrupt," but I do think he probably
12 referenced that Wayne County has a history.

13 Q And you said you made some response -- or responded to that by telling him
14 that's not why he lost Michigan. Do you remember what you said to him in that regard?

15 A I do, because I have had to repeat it a few hundred times to other people
16 besides President Trump.

17 Q What did you say?

18 A I said he primarily lost Michigan because of two counties that are routinely
19 Republican counties, Kent County and Oakland County, and more specifically he
20 underperformed with educated females.

21 And I'm going to be even more specific. If he had received the same number of
22 votes as the two winning sheriffs in those two counties, he likely would have won
23 Michigan.

24 Q So I take it by November 18th, 2 weeks after the election, you already had
25 fairly specific demographic information about how sort of the votes broke out in various

1 parts of the State.

2 A Yes. It was sliced and diced pretty well.

3 Q And do you know how he did in -- how the President did in Wayne County as
4 compared to, say, 2016?

5 A He actually outperformed considering the increase in voter turnout in 2020
6 than he did in 2016. It was not enough, obviously, to carry the election. He didn't
7 underperform in Wayne County if you compare it to 2016.

8 Q You said that when you made that comment to him he didn't seem to like
9 the answer. What made you think that?

10 A My recollection is he quickly changed the topic and went a different
11 direction, but don't ask me what that was because I don't remember that.

12 Q Do you remember what he said about concerns about the TCF Center
13 specifically?

14 A He's famous for broad strokes. Can you believe all the cardboard that they
15 were taping up on Plexiglass? And can you believe the yelling and screaming that
16 occurred? And can you believe they locked certain people out who wanted ostensibly
17 to come in to observe? There was a litany of those things that he was going through.

18 Q Did you push back on any of those claims?

19 A No, because I didn't know enough at that time.

20 Q So the meeting was on -- I don't know if we even established this yet -- the
21 meeting was on November 20th, on a Friday. Is that right?

22 A Yeah. Yes.

23 Q So the evening before, or late in the afternoon before, on November 19th,
24 there was a press conference that [REDACTED], and others held at the
25 RNC headquarters in Washington.

1 Do you recall that press conference or anything about it? It got a lot of national
2 media attention.

3 A Yeah, I don't remember any -- I remember many, watching many press
4 conferences, but I don't remember -- I don't recall any specific press conferences. I
5 recall seeing [REDACTED] on television more often than I care to remember on this topic.

6 Q This is a press conference that got a lot of attention. [REDACTED] had some
7 hair dye or what appeared to be hair dye running down his face during it. And there
8 was a lengthy discussion at the press conference by [REDACTED] and [REDACTED] about
9 Dominion voting machines and Hugo Chavez. I'm just wondering if that rings a bell for
10 you.

11 A I can remember [REDACTED] mentioning Dominion voting machines. I'm just
12 not sure I remember it at that particular press conference.

13 Q And the reason I bring up the press conference is that the Oval Office
14 meeting was the day after, and I'm wondering whether -- for a lot of people that press
15 conference left a lasting impression, and whether that was something that was front of
16 mind for you or came up in the discussions during the White House meeting.

17 A So when he was on the conference call in the Oval Office he was repeating
18 things that I had heard him say multiple times. Whether or not it was the night before
19 or not, to me, he hadn't changed his mantra much at all.

20 Q Got it. Okay. Let's move to that part of the meeting.

21 So you had this initial discussion. The President left the Oval Office for a period
22 of time, a few minutes, less than 10 minutes, and then came back in. And you said at
23 that point [REDACTED] and [REDACTED] joined by phone.

24 Am I getting that sequencing right?

25 A You are.

1 Q How is it that they joined the conversation, if you know?

2 A If I recall correctly, the President hit a button on his phone and had
3 somebody connect them. He did not directly dial them.

4 Q But he requested that they be brought into the conversation, to your
5 recollection?

6 A That is true.

7 Q Did the President bring [REDACTED] and [REDACTED] in at the same time or
8 was it at different points during the meeting?

9 A I remember [REDACTED] speaking first. I don't remember if they were on at the
10 same time or it was one call then the next one.

11 Q What do you remember [REDACTED] saying during that meeting?

12 A It was no substance. It was a lot of, "Sorry I wasn't able to be there to see
13 my friends from Michigan, yada, yada, yada." But there was no -- to my recollection,
14 there was no real substance as relates to the election.

15 Q Did Mr. -- did the President tell the group why he was bringing [REDACTED]
16 into the call? So, in other words, "Hey, I'm going to get [REDACTED] on for X, Y, or Z
17 reason."

18 A I don't remember.

19 Q Okay. How about [REDACTED]? What do you recall his role being in the
20 meeting?

21 A There was an interaction between the President and us about questioning
22 how were we looking into allegations of fraud and so forth. And we were -- again, that's
23 when we were talking about TCF and Wayne County and Oakland County and Kent
24 County.

25 And I believe the strong inference from both Speaker [REDACTED] and I was that we

1 saw no reason for anything to be done on our end other than to investigate some of the
2 allegations.

3 And he asked if you'd like to -- no. He asked, "Would you mind if I dialed in
4 [REDACTED]?" What am I going to say? Yeah, I don't want [REDACTED] on the phone? So I
5 think even if I said no, he would have just done it anyway.

6 But that's the best of my recollection.

7 Q And when [REDACTED] came on the phone, did you get the sense that he was
8 surprised to be brought in? Had he been sort of -- did he know what he was getting into
9 or what you guys were doing when he was brought on the line? I know I'm asking you
10 to speculate somewhat here.

11 A Yeah. I don't think I recall vividly enough to be able to comment on that,
12 other than it didn't take him long to get into his routine.

13 Q He got up to top speed pretty quickly?

14 A Yes.

15 Q So tell me about what [REDACTED] said when he got on the line.

16 A He started going through his litany of claims and observations that he's
17 made and the reasons why, in his opinion, the election was problematic, if not worse.
18 And he went on. He was filibustering, is what he was doing.

19 Of everybody in that room, I'm not so sure he wasn't the one that talked the
20 longest of all of us for that entire time. He talked a long time. That's what he was
21 doing.

22 Q And was this -- was the President participating in that part of the discussion
23 or was [REDACTED] pretty much just on a long monologue?

24 A He was on a long monologue. And so I'm not sure if this was ever talked
25 about post-meeting, but I may have offended him a little bit because I did my best to

1 interrupt him because he was going -- literally going on and on and on. It was just
2 getting to the point of uncomfortable.

3 So I was, [REDACTED] [REDACTED] [REDACTED] He finally stopped talking. I simply asked,
4 "So when are you going to file charges, file a lawsuit in Michigan?" And there may have
5 been a 2-second void, and then he just kept talking.

6 Q So he didn't answer the question about when he would file the lawsuit?

7 A Never answered the question.

8 Q Why did you feel the need to interrupt him to ask that question?

9 A Because I'm impatient.

10 Q Did you find his presentation compelling in terms of the points that he was
11 making about election fraud?

12 A I found that there was nothing new that I hadn't already heard.

13 Q Did any of the other members of the Michigan delegation speak up and
14 challenge [REDACTED] in the same way that you did?

15 A I don't think anybody else spoke -- to the best of my recollection, I don't
16 think anybody else spoke while [REDACTED] was speaking.

17 Q Did the President make any comments during [REDACTED] lengthy
18 discussion about his concerns or claims about election fraud?

19 A I don't -- I honestly don't recall.

20 Q Did the President respond in any way when you challenged [REDACTED] and
21 asked him when he was going to file a lawsuit?

22 A I recall that he sat up a little bit, but he never said a word that I recall.

23 Q When you asked [REDACTED] whether he was going to file a lawsuit, what
24 did you mean by that or what was the point of making that -- or asking that question?

25 A My point then, and it always has been, that I got -- I was tired of hearing all

1 of these loosely calculated claims and allegations but no substance to back them up.

2 Something as serious as this, it was my strong personal feeling that we were
3 destroying the country by talking like this without having something to follow it up with
4 and creating unnecessary doubt across the country.

5 Q Did you share that feeling explicitly at the meeting?

6 A No.

7 Q Did you ever say words to the effect that this is dangerous or we're
8 destroying the country by raising these claims without any evidence to back it up?

9 A No.

10 Q And I said "we are." I'm not suggesting that you were raising these claims, I
11 guess. Did you suggest that it was irresponsible or dangerous for ██████████ to be
12 raising these claims without evidence to back them up? Did you say words to that
13 effect?

14 A I don't know. I don't think I did. But that was the -- you asked what was
15 the reason for me to say it, and that was the reason for me, to try to get to the point.

16 Q At any point during the meeting did you tell the President your personal
17 view regarding the claims that had been raised regarding Michigan?

18 A Yeah. I told him about he didn't lose it because of Wayne County and all
19 the rest of the stuff I just shared with you.

20 Q You did share that. I'm sorry. I neglected that piece.

21 How about concerns about whether there was evidence to back up those specific
22 claims of election fraud? Did you ever raise concerns or questions about that in your
23 meeting with the President?

24 A That was a strongly implied question when I asked ██████████ whether or not he
25 was ever going to file a lawsuit. But I never mentioned it specifically.

1 Q Any other comments to [REDACTED] -- or did you make any other comments
2 to [REDACTED] along the same lines, expressing skepticism or challenging him with
3 respect to the claims that he made, other than the comment you described about the
4 lawsuit?

5 A I don't think I -- I don't think there was any more exchange between [REDACTED]
6 and I after that.

7 Q At some point [REDACTED] stopped talking, I take it?

8 A Yeah. Yes, he did.

9 Q And then where did the meeting go from there?

10 A It was terminated -- that call was terminated. I don't recall if it was
11 terminated by the President or by [REDACTED].

12 Q After [REDACTED] was off the line, did your conversation with the President
13 continue regarding election fraud? I know you've mentioned the COVID issue that you
14 brought up towards the end of the meeting, but was there any further discussion about
15 election fraud claims after [REDACTED] was off the line?

16 A [REDACTED], I don't recall that. It doesn't mean that it didn't happen. But it
17 was -- any comments that the President made regarding that, they were always just
18 general things. They were not specific.

19 [REDACTED]. Okay. Before I move on to another topic, [REDACTED], do you have any
20 questions on this?

21 Ms. [REDACTED]. No. Thanks, [REDACTED].

22 BY MR. [REDACTED]:

23 Q So I'm going to -- I know you described some other things that took place in
24 that meeting, but I'm going to move on to sort of the post-meeting time period, Senator
25 [REDACTED].

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 INTERVIEW OF: [REDACTED]

12

13

14

15

Thursday, February 10, 2022

16

17

Washington, D.C.

18

19

20

The interview in the above matter was held via Webex, commencing at 10:16 a.m.

21

Present: Representatives Luria, Aguilar, Schiff, and Lofgren.

1 A It was far too early to be making any calls like that. Ballots -- ballots were
2 still being counted. Ballots were still going to be counted for days, and it was far too
3 early to be making any proclamation like that.

4 Q And when you say too early to be making any proclamation, are you saying
5 too early to say we've won, because the evidence indicated Mr. Trump lost, or just
6 couldn't tell, you didn't know either way at that point?

7 A The latter.

8 Q Didn't know either way?

9 A Too many votes -- too many votes had yet to be counted and the conclusion,
10 in my estimation, based on the data, could not be arrived at.

11 Q Did [REDACTED] in that conversation say anything about the election being
12 stolen or that the -- the Democrats might try to steal the election if you don't come out
13 and say you won?

14 A I don't recall the they're going to steal it portion of that. He certainly,
15 though, was issuing a recommendation to, you know -- you know, from a PR perspective
16 to -- to talk about winning and talk about having won.

17 Q Did he say why from the PR perspective it was important to make that
18 statement at that time?

19 A It was a very confusing conversation. You know, important to note that as,
20 you know, [REDACTED] and [REDACTED] and [REDACTED] and myself, you know, four of
21 the more senior people, you know, in the White House or on the campaign, as we're
22 talking with [REDACTED], you know, returns are coming in by the minute. And we're
23 spending 15, 20 minutes during a critical part of the evening trying to get answers out of
24 [REDACTED] that weren't coming.

25 So there was -- there was mounting frustration that, hey, we have -- we've got to

1 get back to the task at hand here. So I was -- I was mainly focused on extricating myself
2 from the conversation.

3 Q You said the other people involved in that conversation. Did [REDACTED] or
4 [REDACTED] or [REDACTED] disagree with you that you can't be making this claim about
5 Michigan at that time?

6 A Everyone agreed with me.

7 Q Except [REDACTED]?

8 A Correct.

9 Q Was [REDACTED] -- there's reports that he was drinking that night. At
10 that point, could you tell whether [REDACTED] was sober or not?

11 A I can't speak to that. I never saw him -- he didn't -- he didn't come into the
12 room with a glass of alcohol and I couldn't make an observation to that point.

13 Q And you said originally at the beginning of this conversation that [REDACTED]
14 was directed your way. Were you -- did you see yourself as like a gatekeeper, like, we
15 can't let [REDACTED] say this to the President?

16 A Yeah, I've been -- I've been, you know, involved in campaigns for 25 years,
17 and I'm not a -- I'm not a gatekeeper type. It's not my nature to restrict access and
18 particularly in, you know, around President Trump, who I think, you know, likes access,
19 likes interactions with folks. So I'm not a gatekeeper by nature, and I'm not a -- I wasn't
20 a gatekeeper, you know, for President Trump.

21 But on any election night I think, you know, who the President is around is very
22 important and/or any candidate is around is very important, and he had made a decision
23 to be upstairs in the residence with the [REDACTED]. So I was, you know, trying to protect
24 that.

25 Q What about [REDACTED] or [REDACTED] or [REDACTED], did any of them tell

1 [REDACTED] that you can't -- we can't say that we won Michigan at this point and you
2 can't tell that to the President? I know those are two separate questions, and you can
3 take them each separately if you'd like.

4 [REDACTED]. [REDACTED], one at a time. What's the first one?

5 BY [REDACTED]:

6 Q Yeah, sure. Did [REDACTED] or [REDACTED] or [REDACTED] tell [REDACTED],
7 we cannot say we won Michigan?

8 A Yes.

9 Q Okay. And did any of those three try to tell him that he cannot tell or make
10 this recommendation to the President?

11 A I don't recall if that was -- if we -- if that was relayed. But we
12 were -- [REDACTED], [REDACTED], [REDACTED], and [REDACTED] were united in saying, you know, show us,
13 show us the numbers. Show us the data. Show us -- show us how you're arriving at
14 that conclusion. And he was unable to.

15 Q Another person who's come up is [REDACTED]. Do you know him?

16 A I do.

17 Q Was he there that night on election night at the White House?

18 A I believe he was.

19 Q Do you remember him saying anything like go out there and just say we
20 won, whether specific to a State or the election as a whole?

21 A I don't. One of my -- you know, the Map Room where the -- where the
22 number analysis was occurring was, you know, kind of the cool place to be on election
23 night. So I was very focused on trying to -- I say I wasn't a gatekeeper. I very much
24 wanted to restrict access to that room so the actual work could occur.

25 So, yeah, I think he may have popped his head in the Map Room on election night.

1 the surroundings. So I apologize for that.

2 Q No, that's perfectly fine. I appreciate you saying that you don't recall.

3 Do you remember in that period up in the residence anybody telling Mr. Trump to
4 just go out and say we won?

5 A I don't recall. I was in the, you know, the President's group. You know,
6 the core from -- from -- from that, you know, interaction in the residence, I mean, heck,
7 maybe the entire group for that matter, you know, traveled down to the second floor
8 where conversations were had about what -- what he would say.

9 Q What he would say, you're talking about the speech that he would give --

10 A Yes.

11 Q -- on early the next morning?

12 A Correct.

13 Q Who was a part of those conversations?

14 A Let me take a step back.

15 Q Yeah.

16 A There -- there -- there -- there were conversations about how to
17 handle -- how to handle the evening in terms of, you know, what to say, if anything, that
18 evening. And I think there was a belief that, you know, something should be said that
19 evening, and that -- that was -- that was discussed at that point in time.

20 Q Okay. Could you be more specific? So you said there were conversations
21 about a belief that something should be said. Were there conversations recommending
22 that the President say something in particular and, if so, what was that particular
23 message?

24 A My -- my belief, my recommendation was to say that votes were still being
25 counted. It's too early to tell, too early to call the race but, you know, we are proud of

1 the race we run -- we ran and we, you know, think we're -- think we're in good position.
2 And we'll have more to say about this, you know, the next day or the next day, whenever
3 we had something to say.

4 Q And did anybody who was a part of that conversation disagree with your
5 message?

6 A Yes.

7 Q Who was that?

8 A The President disagreed with that.

9 Q Anybody else?

10 A I don't know. Again, I was kind of squarely focused on him.

11 Q And how did he express his disagreement? What did he say?

12 A I don't recall the particular words. He thought I was wrong. He told me
13 so and, you know, that they were going to, you know, go in a -- you know, he was going to
14 go in a different direction.

15 Q Do you remember any other conversations that you were a part of with the
16 President before he made his speech to the country early the next morning?

17 A I may have gone upstairs one time, but I -- I don't believe I did. I was -- I
18 was -- I don't believe I did. I was largely relying on the family to relay whatever
19 information, you know, we thought he needed to know. I was doing my best to respect
20 his privacy for that evening.

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

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

8

9

10

11 DEPOSITION OF: [REDACTED]

12

13

14

15

Tuesday, February 15, 2022

16

17

Washington, D.C.

18

19

20 The deposition in the above matter was held via Webex, commencing at 10:03

21 a.m.

22

Present: Representatives Aguilar and Murphy.

1 Appearances:

2

3

4 For the SELECT COMMITTEE TO INVESTIGATE

5 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

6

7 [REDACTED] STAFF ASSOCIATE

8 [REDACTED] PROFESSIONAL STAFF MEMBER

9 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

10 [REDACTED], CHIEF INVESTIGATIVE COUNSEL

11 [REDACTED] SENIOR COUNSELOR TO THE VICE CHAIR

12 [REDACTED], CHIEF CLERK

13 [REDACTED] PROFESSIONAL STAFF MEMBER

14 [REDACTED], INVESTIGATIVE COUNSEL

15 [REDACTED] SENIOR INVESTIGATIVE COUNSEL

16 [REDACTED] SENIOR PROFESSIONAL STAFF MEMBER

17 [REDACTED], OF COUNSEL TO THE VICE CHAIR

18

19

20 For [REDACTED]:

21

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 Q Called to talk about what concerning the document?

2 A Just to report the message.

3 Q The message that it needed to be incorporated into the speech?

4 A The message that, yeah, the President -- that there was a document from
5 ██████ that the President wanted incorporated.

6 Q And then you said you spoke to ██████ about the speech. And
7 what did ██████ convey to you about what the President wanted in the speech on
8 January 6th?

9 A I believe the message that we got from ██████ was that he
10 wanted -- similar message, that the President wanted it to be sort of like a comprehensive
11 list.

12 Q And, to what end, ██████? A comprehensive list of complaints,
13 but for what purpose? What was the intent behind the speech, as you understood it?

14 A I understood the speech to be his last, you know, rally and -- yeah.

15 Q And the way you have described the difference between events, I take it this
16 January 6th speech was a political event?

17 A I thought of it that way -- I mean, it was unclear. I thought of it that way at
18 the time.

19 Q Certainly you used your personal devices to work on the event consistent
20 with a political event? Is that right?

21 A Yes, that's correct.

22 Q And you said it was his last -- that is, President Trump's last rally, but rally for
23 what purpose? Again, what did you understand was happening on January 6th?

24 A Well, what I understood was happening, which I believe I heard from ██████
25 ██████ was that there was a preexisting event that day of people who were coming to

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

1

2

3

4

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

9

10

11

12 DEPOSITION OF: [REDACTED]

13

14

15

16

Friday, December 17, 2021

17

18

Washington, D.C.

19

20

21 The deposition in the above matter was held in Room 4480, O'Neill House Office
22 Building, commencing at 10:02 a.m.

23

Present: Representatives Schiff, Lofgren, Murphy, Aguilar, Luria, and Cheney.

1

2 Appearances:

3

4

5

6 For the SELECT COMMITTEE TO INVESTIGATE

7 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

8 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

9 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

10 [REDACTED], DETAILEE

11 [REDACTED], CHIEF CLERK

12 [REDACTED], DEPUTY STAFF DIRECTOR

13 [REDACTED], CHIEF ADMINISTRATIVE OFFICER

14 [REDACTED], PROFESSIONAL STAFF

15 [REDACTED], INVESTIGATIVE COUNSEL

16 [REDACTED], INVESTIGATIVE COUNSEL

17 [REDACTED], RESEARCHER

18

19 For [REDACTED]

20

21 [REDACTED], ARNALL GOLDEN GREGORY LLP

22 [REDACTED], JP ROWLEY LAW PLLC

23 [REDACTED], STRADLING, YOCCA CARLSON & RAUTH

1 The Witness. I think so, until I -- up until then with the Republican Attorneys
2 General Association. I was planning to reassign them as a client, but I believe that [REDACTED]
3 [REDACTED] was the first person I approached to give to RAGA.

4 Ms. [REDACTED]. And then when you were doing the donor maintenance that you
5 described earlier, who was giving you the names of people to contact?

6 The Witness. No one was. My phone -- I would get 100 calls a day probably.
7 If you see the screen shots of the text messages in all these exhibits, you can see I usually
8 have between 580 to 700 unread text messages on any given day.

9 Ms. [REDACTED]. Were you in touch with [REDACTED] during this period?

10 The Witness. Yes.

11 Ms. [REDACTED]. And was she giving you names of people to contact?

12 The Witness. If [REDACTED] called me and said, "Hey, would you call x person, they
13 had a question for you," I would have done it. But it wasn't -- we weren't like coming up
14 with lists to say, oh, we need to contact this person for any particular reason. It was
15 much more of the outreach coming to us of people saying, you know, what's going on?
16 Can you give me updates?

17 Ms. [REDACTED]. Thank you.

18 BY MS. [REDACTED]:

19 Q And so, turning back to your conversations with Ms. [REDACTED] in terms of
20 fundraising for an event --

21 A Right.

22 Q Is it your understanding that she wants to basically put on or help an event
23 on the 6th?

24 A That had to be specific to, at this time, on the 22nd, which is the first time in
25 my records that I knew about something. The memo attached is kind of an interesting

1 one because I -- I what I remember about it is that her telling -- calling me about an event
2 on the 6th but no context as to what it was. And then how much would it cost to -- she
3 wanted to see a lot of people there in D.C., so how much would that cost? And so the
4 memo that I made, it was kind of a scaling of what the budgets would be for bussing, but
5 I've never been involved in anything related to bussing. So I would have had to have
6 asked others and then kind of put it into a math equation, and that's why you saw this
7 sort of scaling budget because she never -- she didn't indicate how much she wanted to
8 give. And I didn't really do any followup research on it other than provide this. And
9 then the response was, you know, thank you, this is up in the air. And then we -- we
10 went into Christmas; we didn't really talk. And then I met with her on the 26th.

11 Q Who did you -- a moment ago, I think you said that you would have reached
12 out to some people for help. Who did you reach out to help you put together this
13 Million MAGA March overview?

14 A [REDACTED].

15 Q I'm sorry?

16 A [REDACTED].

17 Q [REDACTED]. I've been pronouncing that wrong. Okay. Thank you.

18 And what conversations did you have with him in terms of preparing that
19 overview?

20 A He had worked -- I knew he had worked at Tea Party Express before and had
21 run a bus tour. And so I had no idea if a bus costs \$100 or \$10,000. So it was a basic
22 conversation of, how many people -- how hard is it to contract buses, you know? Like, if
23 we wanted a 100 buses, could we even find 100 buses, or is it 20? And what do they
24 cost? And so just kind of basic level conversations like that.

25 Q And does he say anything about anybody that he would use for the buses or

1 Q And I'm sorry; I didn't mean to take it into the realm of hypothetical.

2 A Yes.

3 Q I'm saying, like, what happened in your discussions around --

4 A Right.

5 Q -- January 6th? Were these donations and those were the commissions?

6 A Yes.

7 Q Okay. And did you make a commission off of the \$300,000 that was given
8 to Women for America First?

9 A No.

10 Q Okay.

11 A And nothing for Tea Party Express either.

12 Q All right.

13 A Or [REDACTED] Free Speech, like those weren't clients.

14 Q Got it.

15 Ms. [REDACTED]. Do you have any questions on that?

16 BY MR. [REDACTED]:

17 Q Just to be clear, when it comes to the January 6th rally, Ms. [REDACTED]
18 brought you in in regards to planning that event?

19 A She did.

20 Q Okay. And it was around December 22nd, that's the day that you were
21 brought in, per se, to the January 6th rally planning?

22 A That was the day that I became aware of it.

23 Q Okay. And, before that, you said you had worked with Ms. [REDACTED]. She
24 hadn't mentioned January 6th to you before Ms. [REDACTED] reached out?

25 A Because I don't think Ms. [REDACTED] was aware of a January 6th event until

1 Q So is there a chance that he would have gotten the existence of a Jan. 6th
2 rally from you in your conversation about the bus project?

3 A Yeah.

4 Q Okay. And then I think you -- if you turn to exhibit 53, you had talked a
5 minute ago that you were with Ms. [REDACTED], I believe, on the 26th.

6 A Correct.

7 Q And so this is you, I believe, texting with Mr. [REDACTED], right?

8 A Right.

9 Q And so you're at Ms. [REDACTED]'s house at this point?

10 A Oh, yeah, I'm at [REDACTED] house.

11 Q Sorry. That wasn't meant to be a trick. I was just confirming that that's
12 what you meant. You say: Guess what the budget is she just gave me for our bus
13 project. You won't guess. \$3 million.

14 A Right.

15 Q You're talking about the Jan. 6th rally on the Ellipse? Are you talking about
16 the Jan. 6 rally on the Ellipse?

17 A Well, I want to be careful. At this point, like I thought it was just a bussing
18 project. So I don't know about the Ellipse or anything by this time. So I was
19 referencing what I thought, like, there was some sort of event [REDACTED] told me about on
20 January 6th in Washington, D.C. She wanted to get people there. [REDACTED] and I had -- I
21 called him to, like, make up a bus budget. And then this is where I'm at her house, and I
22 thought, like, I thought the 500,000 was way -- the high end, Right? It started at 30,000.
23 And then she told me that she wanted to do 3 million. So that's why I'm kind of saying
24 to him: You won't guess how much she wants to do on this.

25 Q Right. And I guess what I am trying to get at is, in the December 22nd

- 1 email, you refer to it as the Million MAGA March --
- 2 A Right.
- 3 Q On January 6th.
- 4 A Right.
- 5 Q You prepare a Million MAGA March overview that envisions bussing people
6 into a rally.
- 7 A Right.
- 8 Q Okay. You talk with [REDACTED] --
- 9 A Right.
- 10 Q -- to get a ballpark of the bus cost to bring people into a rally?
- 11 A Right.
- 12 Q That same day, [REDACTED] texts [REDACTED] and says: Who is doing the Jan. 6th
13 rally?
- 14 A Right.
- 15 Q Okay. On December 26th, you text him and say: I'm at [REDACTED].
16 Guess what the budget is she just give us for our bus project, the Million MAGA March.
17 \$3 million.
- 18 A Right.
- 19 Q So all I'm trying to say is, at this point on December 26th, it is \$3 million for a
20 rally on January 6th. You understand that, right?
- 21 A The number that she told me in our meeting that she wanted to spend on
22 the rally was \$3 million.
- 23 Q Okay.
- 24 A On January 26th --
- 25 Q Okay. And --

1 Mr. [REDACTED]. December 26th?

2 The Witness. I'm sorry. Yeah.

3 BY MS. [REDACTED]:

4 Q And can you turn back to exhibit 52? On December 26th -- and forgive the
5 time thing. We can't always control it. It looks like your texts with [REDACTED] on the
6 26th are around 11:25 a.m.

7 A Okay.

8 Q This one appears to be around 1:09 p.m.?

9 A Okay.

10 Q But [REDACTED] texts [REDACTED] and says: Call me. Have big money for the
11 rally on the 6th.

12 Mr. [REDACTED]. Where are you in the document?

13 Ms. [REDACTED]. Oh, I'm sorry. This is --

14 Mr. [REDACTED]. On the first page.

15 Ms. [REDACTED]. Yeah. On the first page. And apologies it is tiny; I couldn't make it
16 any bigger.

17 BY MS. [REDACTED]:

18 Q Did you have any idea that [REDACTED] was in communication with Ms.
19 [REDACTED] at that time?

20 A I do not recall. If you had -- if you had asked me, would [REDACTED] talk to
21 [REDACTED] about it and I hadn't seen this, I probably would have guessed it would have been
22 sometime around, like, the 27th or 28th. But this isn't that surprising. [REDACTED] and
23 [REDACTED] are very close. Like, and [REDACTED] very well could have told me: Oh, I talked to
24 [REDACTED]

25 I don't have any memory of it.

1 So I think the number I had thrown out was 25,000, but I don't actually know if [REDACTED] or
2 [REDACTED] were ever paid. I never saw any invoices of that amount. And I don't, like,
3 remember ever following up with anyone.

4 Q So is it fair to say that, if they got paid, it was not by you or through you?

5 A Correct.

6 Q Okay. And, sitting here today, do you in fact know if either of them were
7 paid for their work?

8 A I don't know.

9 Q Okay.

10 Ms. [REDACTED]. Did you have a question?

11 BY MR. [REDACTED]:

12 Q Can you just backtrack just a little bit. Earlier, you were describing how Ms.
13 [REDACTED] brought you in to get buses for the event it seems. Is that correct? Is that a
14 fair characterization, when she brought you in on the 22nd or 23rd?

15 A She didn't bring me in. Like, we had a phone conversation, and we talked
16 often during that time.

17 Q Okay.

18 A I think the context of that call would have been me talking to her about
19 giving to Save the U.S. Senate PAC or coming to the Turning Point events or just general
20 things. And then that's where she brought up a Million MAGA March or a January 6th
21 event and said: What would it cost to help people get there?

22 And I so I don't know if she asked me to make a memo. I'm a big memo maker.
23 So I put together a proposed budget of, like: Here would be some options if you wanted
24 to proceed with that project that we just discussed.

25 Q I guess I'm trying to understand, when did it go from the memo and the

1 project to you -- it seems like you're planning now, what you just described when you
2 brought in Ms. [REDACTED]. So when did you go from buses to now planning the event?

3 A At the meeting on the 26th with [REDACTED].

4 Q At the meeting on the 26th.

5 A Right.

6 Q And it was you who wanted to bring in his [REDACTED]. Is that correct?

7 A Yes.

8 Q Why did you want to bring in Ms [REDACTED]?

9 A Because the first couple days of becoming involved in this were confusing for
10 me because these were all, you know, players, organizations that I was not familiar with.
11 And I don't rely do grassroots things. And [REDACTED] had been the coalitions rep on the
12 campaign, and I knew that, like, she would be more familiar with these people and these
13 groups. And so I thought that she would be a good person to ask to come help kind of
14 mediate the different situations that were going on.

15 Q And when you say "different situations," what different situations were
16 going on on December 26th or 27th?

17 A The immediate -- on the 26th, was finding out like who, what this event was
18 and who was organizing it. And so, when I left the meeting -- like, during it, I texted a
19 couple of people saying, do you know -- and I think -- so I don't know what time I left the
20 meeting, but also doing some research, I found that there were a number websites that
21 were promoting, like, an event on January 6th and speakers. And it seemed that there
22 was the Women for America First was one group. And then there was the "stop the
23 steal" coalition and website as another group. And then the third part of this was that
24 Ms. [REDACTED] had reached out to [REDACTED], who, at some point, then, someone in his
25 office had called back and recommended that she talk to woman [REDACTED], so

1 figure out who was planning the rally. And I want to say earlier you said that the first
2 exposure you had to Women for America First was you like reached out to a website.

3 A Well, exposure, it's like the -- [REDACTED] I think, texted me on the 26th saying
4 Women for America First is the planner. Like, this is the first time I remember reaching
5 out by email. I think there was an Instagram message that I sent to [REDACTED], or like
6 Twitter message or something like that. I don't know the timing of that versus this.

7 Q Do you happen to know if you produced the Instagram or Twitter message
8 where you reached out to one of the [REDACTED]? I only ask because I don't remember
9 having Instagram or Twitter production.

10 Mr. [REDACTED]. I don't think so.

11 The Witness. Well, then we would have missed that.

12 Mr. [REDACTED]. I don't think so.

13 BY MS. [REDACTED]:

14 Q Okay. If it would be possible to follow up on that later, that would be
15 great.

16 A It was something along the lines of, "Hi, I" -- well, I think. I have to -- I can
17 look at it on the break.

18 Q That's fine.

19 A But this was like -- she responded fairly quickly in this.

20 Q Five minutes.

21 A Yeah. But if someone had mentioned them before earlier, something like
22 that, I don't -- when you say exposure, I just don't know my first exposure to them.

23 Q Well, no. So here's why I asked. On December 27th at 11:20 a.m., when
24 you send this email, you're not addressing it to anyone. You're just kind -- it looks like
25 you're sending a general email --

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

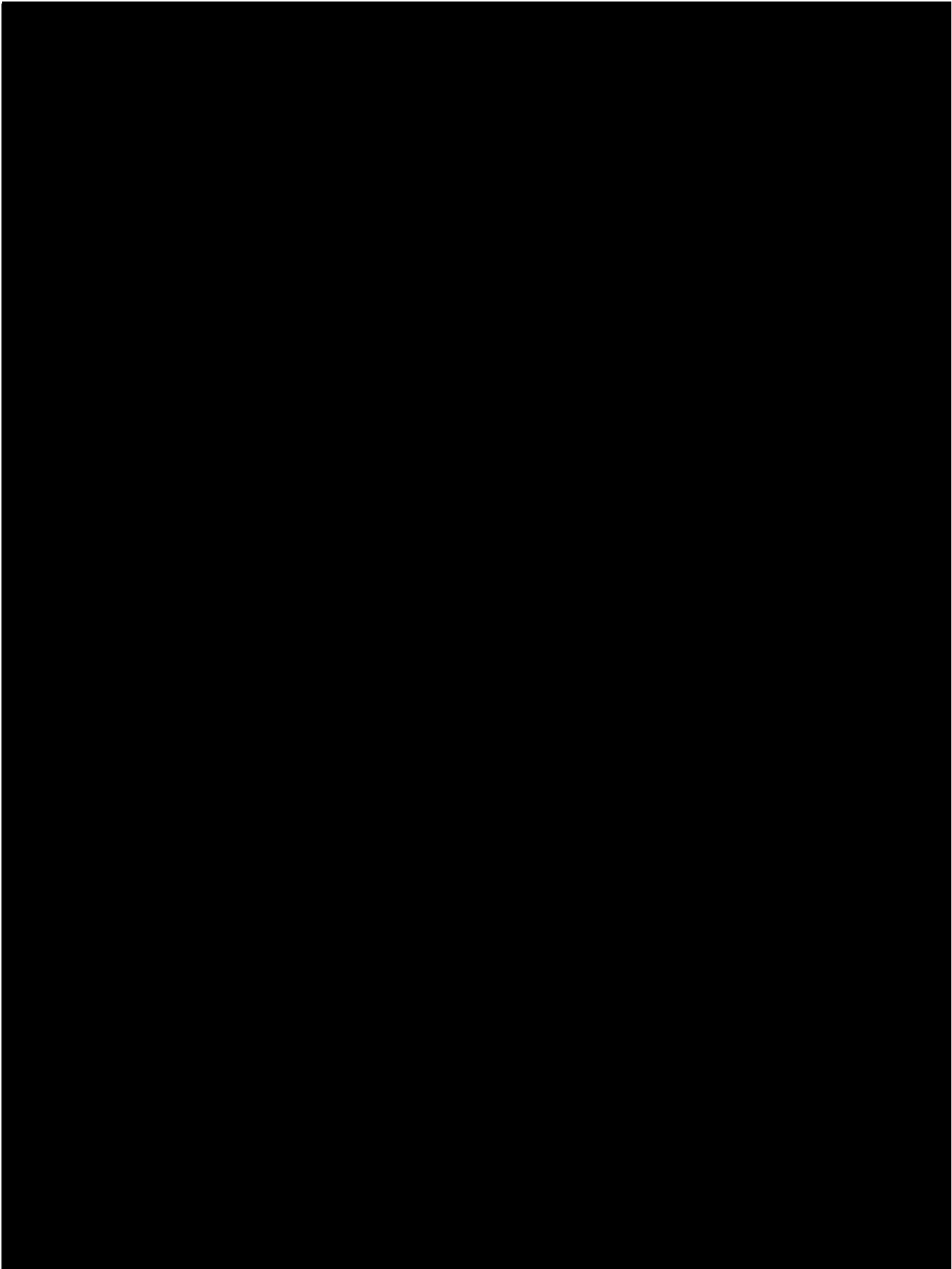
SEALED

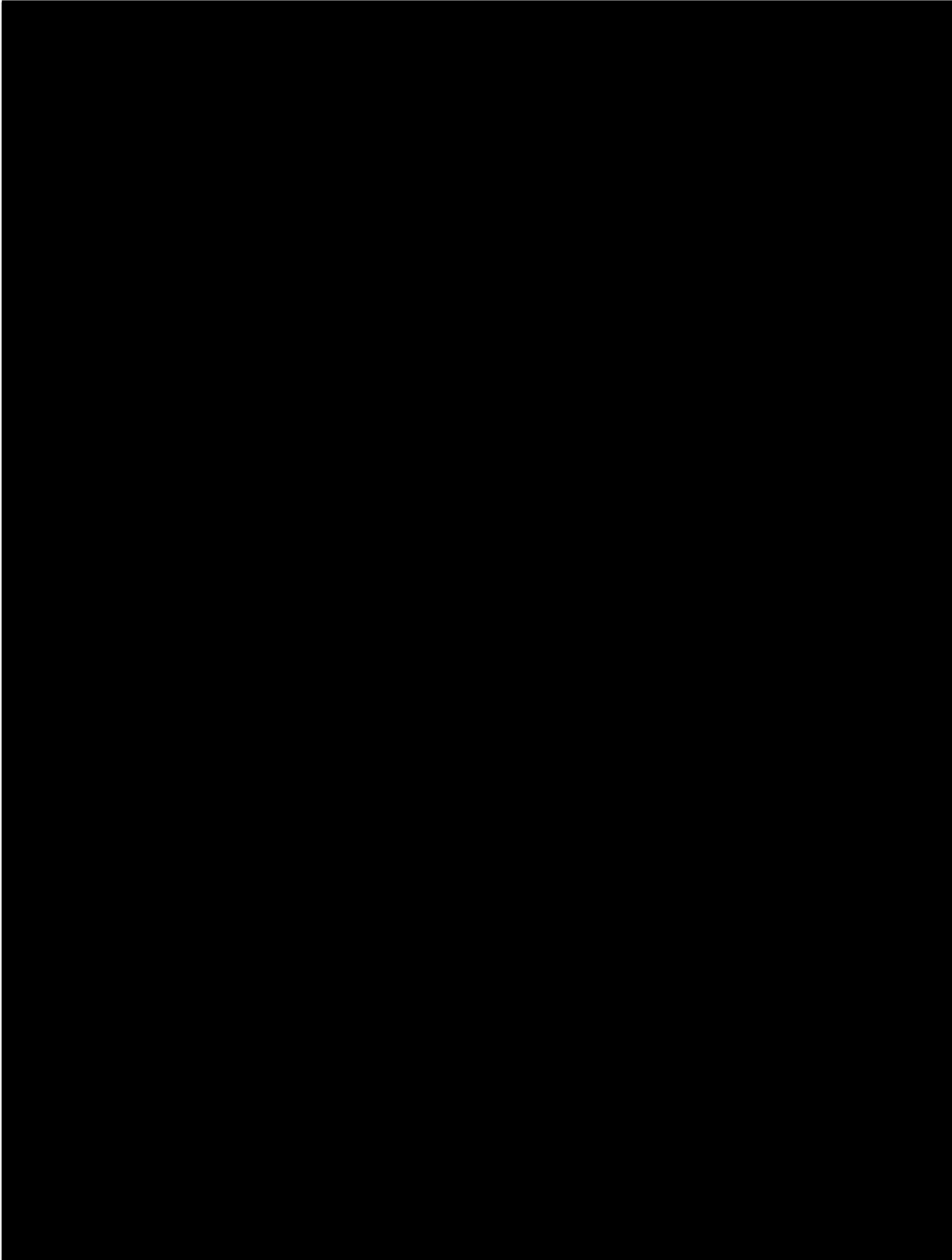
SEALED

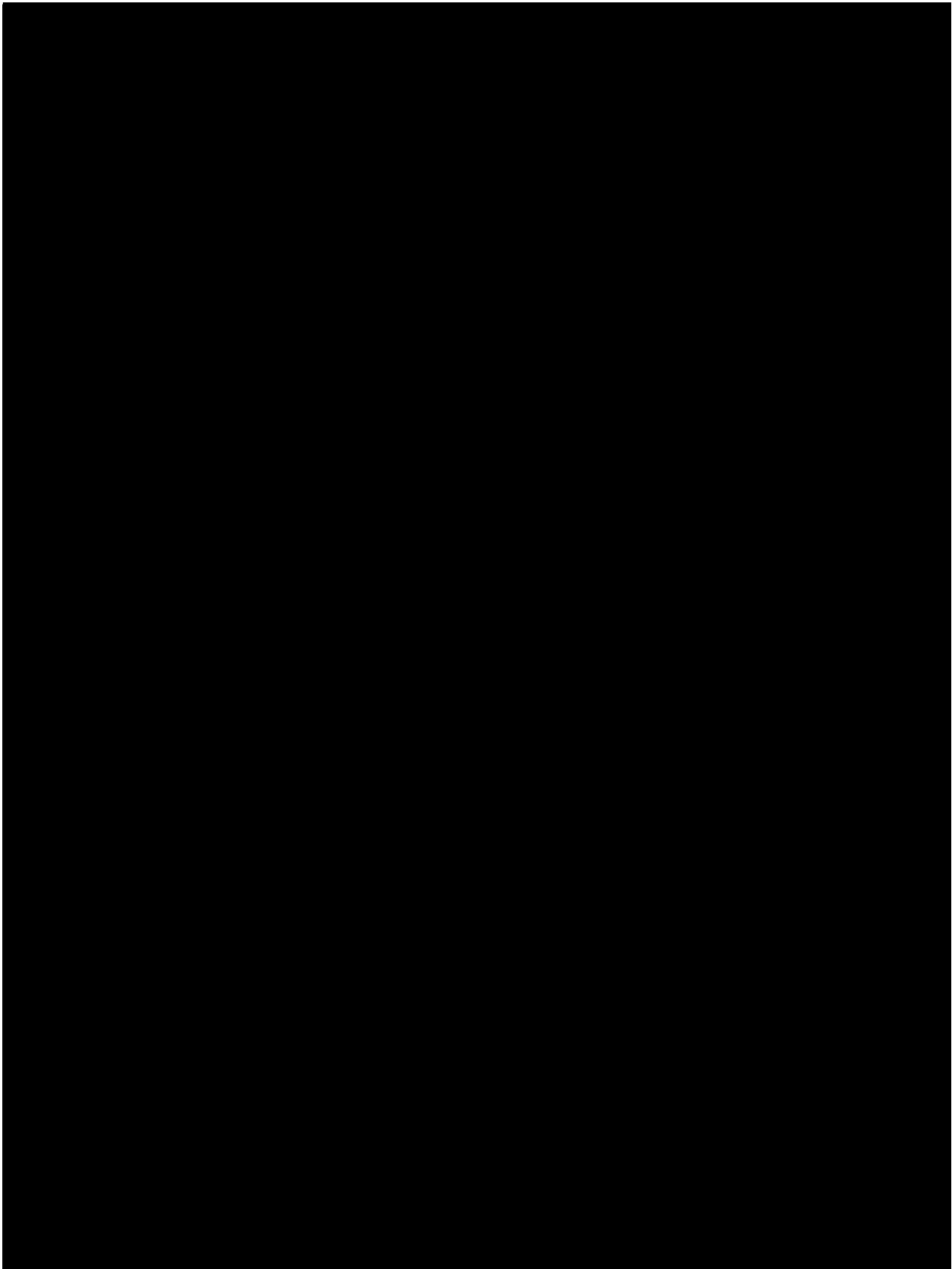
SEALED

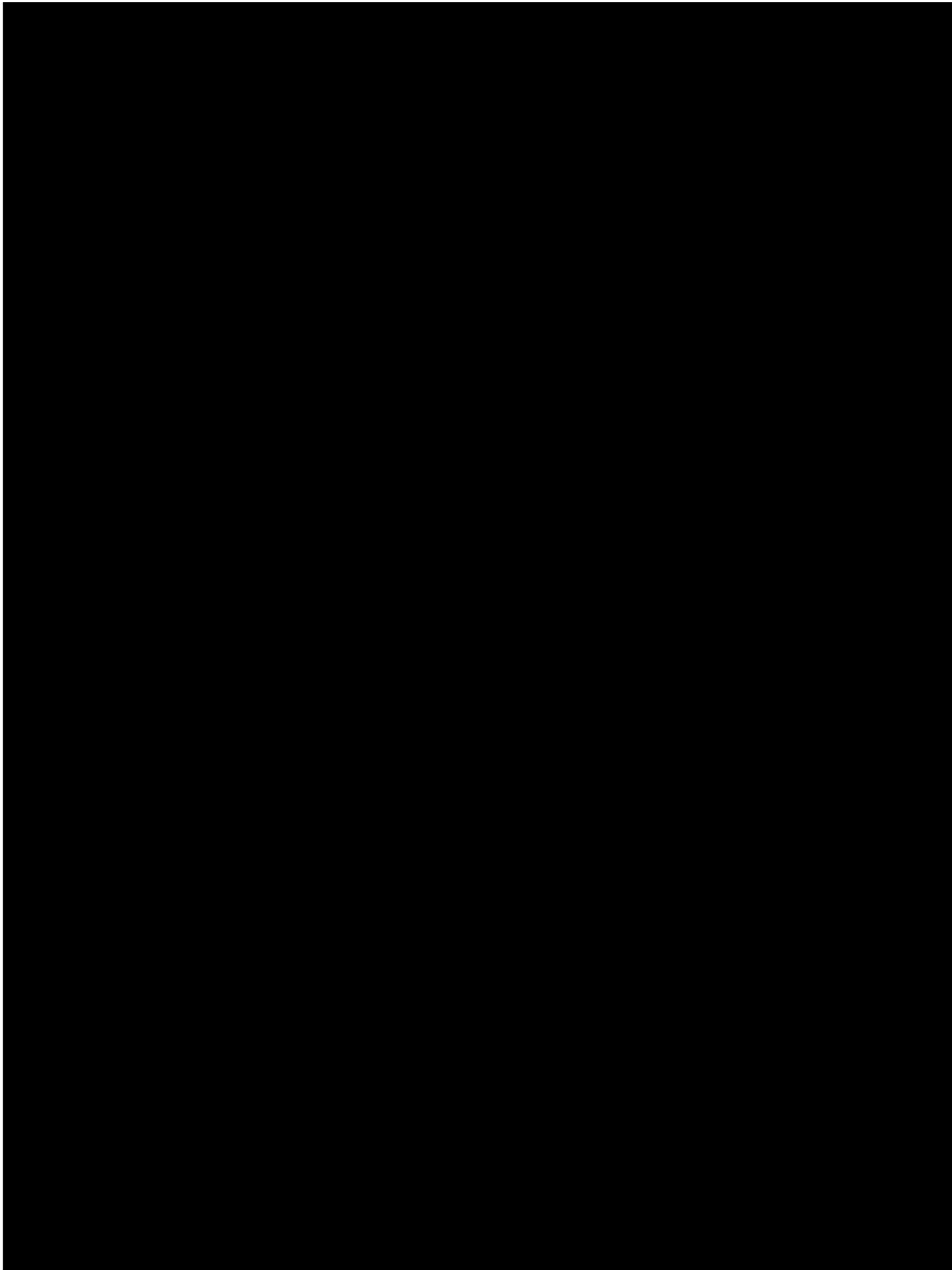
SEALED

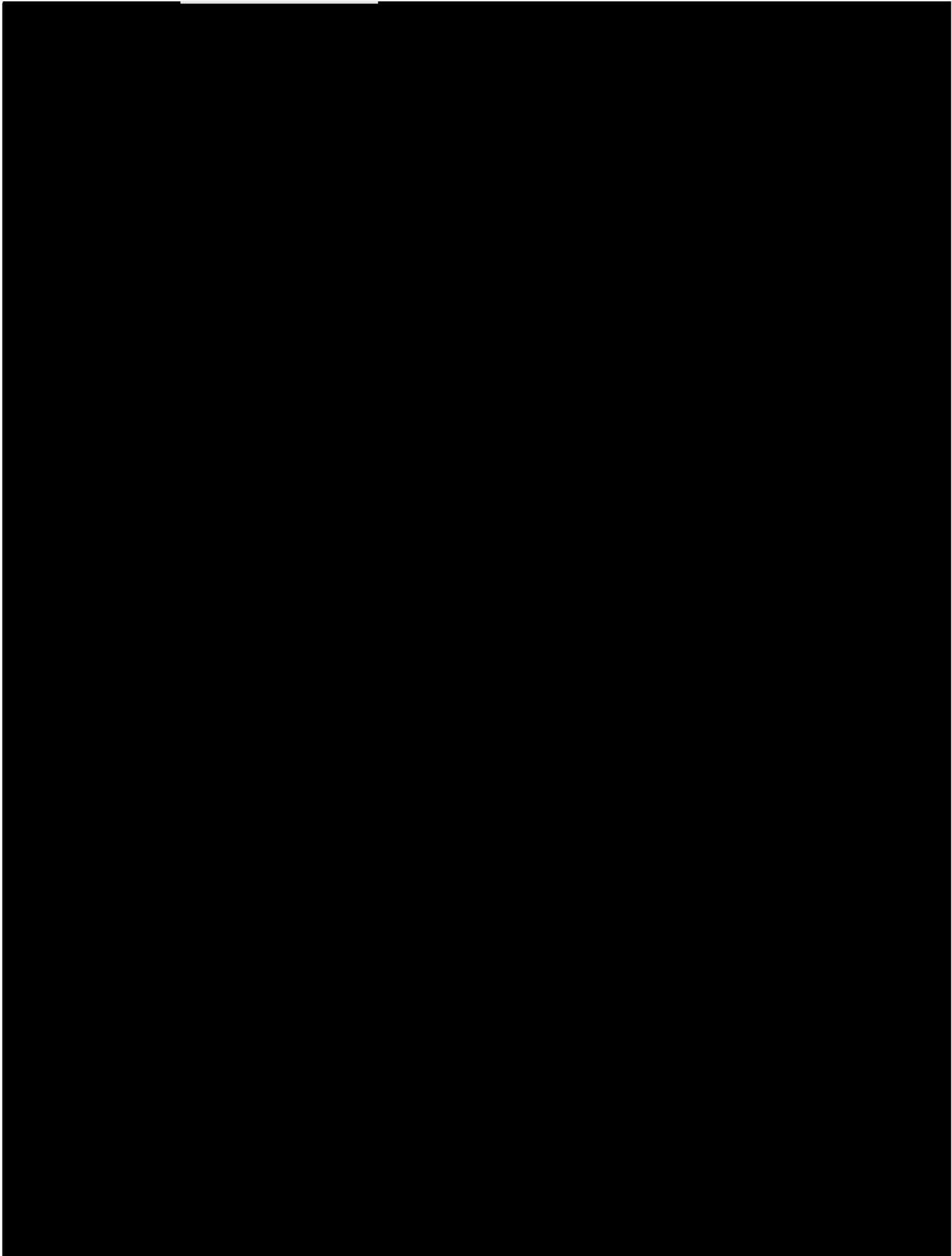
SEALED

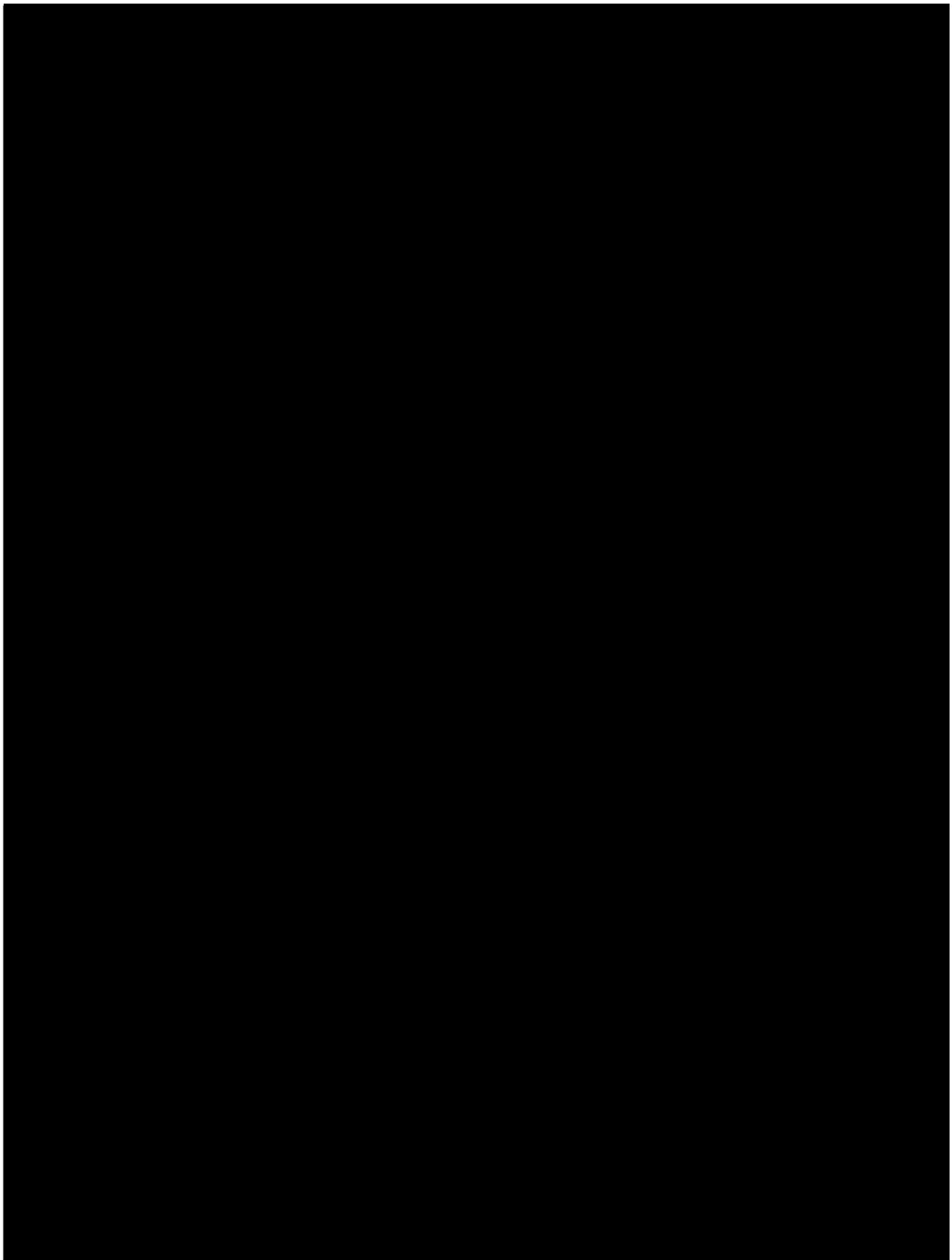












SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED

SEALED