BUSINESS MEETING ON THE JANUARY 6TH INVESTIGATION

MEETING

OF THE

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL

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BUSINESS MEETING ON THE JANUARY 6TH INVESTIGATION

Thursday, October 13, 2022

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL,
Washington, DC.

The Committee met, pursuant to notice, at 1:01 p.m., in room 390, Cannon House Office Building, Hon. Bennie G. Thompson [Chairman of the Committee] presiding.

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

Chairman THOMPSON. The Select Committee to Investigate the January 6th Attack on the United States Capitol will be in order.

Without objection, the Chair is authorized to declare the Committee in recess at any point.

Pursuant to House Deposition Authority Regulation 10, the Chair announces the Committee's approval to release the deposition material presented during today's meeting.

Good afternoon, and may God bless the United States of America.

Four months ago, this Committee started to present our findings to you, the American people. From the beginning, we understood that some people watching those proceedings would wrongly assume that the Committee's investigation was a partisan exercise. That is why I asked those who were skeptical of our work simply to listen—to listen to the evidence, to hear the testimony with an open mind, and to let the facts speak for themselves before reaching any judgment.

Over the course of these hearings, the evidence has proven that there was a multi-part plan led by former President Donald Trump to overturn the 2020 election.

Donald Trump lost his bid for reelection. As shown from the testimony of some of the President's closest allies and advisers, Donald Trump knew he lost.

Despite this knowledge, Donald Trump went to court to contest the 2020 election, and he lost in court. The electoral college met and declared Joe Biden the winner. Yet, Donald Trump continued to pull out all the stops in his attempt to stay in power.

What Donald Trump proceeded to do after the 2020 election is something no President has done before in our country. In a staggering betrayal of his oath, Donald Trump attempted a plan that led to an attack on a pillar of our democracy. It is still hard to be-

lieve. But the facts and testimony are clear, consistent, and undisputed.

How do we know this? How have we been able to present such a clear picture of what took place? Because of the testimony we have heard and that we have now presented to you through these proceedings. Because of the documentary evidence we have gathered and also made available directly to you, the American people.

When you look back at what has come out through this Committee's work, the most striking fact is that all this evidence comes almost entirely from Republicans. The evidence that has emerged did not come from Democrats or opponents of Donald Trump. Instead, look at who has written and testified and produced evidence.

Who has that been?

Aides who have worked loyally for Donald Trump for years.

Republican State officials and legislators.

Republican electors.

The chairwoman of the Republican National Committee.

Political professionals who worked at the highest levels of the Trump Campaign.

Trump appointees who served in the most senior positions in the Justice Department.

President Trump's staff and closest advisers in the White House.

Members of President Trump's family.

His own White House counsel.

I have served in Congress a long time. I can tell you, it is tough for any congressional investigation to obtain evidence like what we have received, least of all such a detailed view into a President's inner circle.

I want to be clear: Not all these witnesses were thrilled to talk to us. Some put up quite a fight. But ultimately, the vast majority cooperated with our investigation. What we have shown you over the last 4 months has been centered on the evidence—evidence that has come overwhelmingly from Republican witnesses.

So I say to you again, as I did in June, this investigation is not about politics. It is not about party. It is about the facts, plain and simple. It is about making sure our Government functions under the rule of law as our Constitution demands.

Today, as in previous proceedings, my colleagues and I will present new evidence. That includes new testimony from additional Republicans who served in the Trump administration; never-before-seen footage of congressional leaders on January 6th working to coordinate the response to violence and ensure the people's business went forward; new materials produced to the Committee by the Secret Service; details about the ongoing threat to American democracy.

Today's proceeding will also be grounded in the facts. But it won't look exactly like all our other hearings. We will also take a step back and look at the evidence in a broader context, providing a summary of key facts we have uncovered, facts relevant to former President Trump's state of mind, about his motivation, and about his intent.

What did President Trump know? What was he told? What was his personal and substantial role in the multi-part plan to overturn the election?

For those of you who have watched our prior hearings, some of this evidence will look familiar. For those of you tuning in for the first time, we will summarize some of the most important facts, and we urge you to go on-line and watch our hearing in full.

There is one more difference about today. Pursuant to the notice circulated prior to today's proceedings, we are convened today not as a hearing but as a formal Committee business meeting, so that in addition to presenting evidence, we can potentially hold a Committee vote on further investigative action based upon that evidence.

Before we get to that evidence, I would recognize our distinguished Vice Chair, Ms. Cheney of Wyoming, for any opening statement she would care to offer.

Vice Chair CHENEY. Thank you very much, Mr. Chairman.

Much has happened since our last public hearing on July 21st. As the Chairman mentioned, we have received new and voluminous documentation from the Secret Service, which we continue to analyze. We have received new witness testimony, including about efforts to obstruct our investigation and conceal key facts. According to public reporting, the Department of Justice has been very active in pursuing many of the issues identified in our prior hearings.

Our Committee may ultimately decide to make a series of criminal referrals to the Department of Justice. But we recognize that our role is not to make decisions regarding prosecution. The Preamble to our Constitution recites among its purposes to, "establish justice," and our Nation's judiciary and our U.S. Department of Justice have that responsibility.

A key element of this Committee's responsibility is to propose reforms to prevent January 6th from ever happening again. We have already proposed, and the House has now passed, a bill to amend the Electoral Count Act, to help ensure that no other future plots to overturn an election can succeed. We will make further specific recommendations in our final report based in part on the evidence you will hear today.

Our hearings last summer began with an outline of President Trump's multi-part plan to overturn the 2020 Presidential election. We then proceeded to demonstrate each of these elements in detail with more than 20 hours of evidence. Today we will see new evidence, but as the Chairman said, we will also synthesize evidence you have seen before.

The vast weight of evidence presented so far has shown us that the central cause of January 6th was one man, Donald Trump, who many others followed. None of this would have happened without him. He was personally and substantially involved in all of it.

Exactly how did one man cause all of this? Today we will focus on President Trump's state of mind, his intent, his motivations, and how he spurred others to do his bidding, and how another January 6th could happen again if we do not take necessary action to prevent it.

As you view our evidence today, I would suggest a focus on the following points.

First, as you will see, President Trump had a premeditated plan to declare that the election was fraudulent and stolen before election day, before he knew the election results. He made his stolen

election claims on election night, against the advice of his campaign, without any evidence in hand.

Then, over the next 2 months, he sought to find those who would help him invent and spread lies about the widespread fraud. Many of those who stepped forward to help, including Rudy Giuliani, knew they never had real evidence sufficient to change the election results. On the evening of January 5th, they admitted they were still trying to find that phantom evidence.

Of course, as a result of making intentionally false claims of election fraud, Mr. Giuliani's license to practice law has now been suspended.

Second, please recognize that President Donald Trump was in a unique position, better informed about the absence of widespread election fraud than almost any other American. President Trump's own campaign experts told him that there was no evidence to support his claims. His own Justice Department appointees investigated the election fraud claims and told him point-blank they were false.

In mid-December 2020, President Trump's senior advisers told him the time had come to concede the election. Donald Trump knew the courts had ruled against him. He had all of this information, but still he made the conscious choice to claim, fraudulently, that the election was stolen, to pressure State officials to change election results, to manufacture fake electoral slates, to attempt to corrupt our Department of Justice, to summon tens of thousands of supporters to Washington. Knowing that they were angry, knowing that some of them were armed, he sent them to the Capitol.

Then, as the riot was underway, he incited his supporters to further violence by publicly condemning his Vice President. Then he refused for hours to disband his rioting supporters and instruct them to leave the Capitol, even when he was begged repeatedly to do so.

None of this is normal or acceptable or lawful in our Republic.

Third, please consider today who had a hand in defeating President Trump's efforts to overturn the election: Vice President Pence. Bill Barr, Jeff Rosen, and others at the Department of Justice. State Republican officials. White House staff who blocked proposals to mobilize the military to seize voting machines and run new elections. Our Capitol Police, aided by the Metropolitan Police. Other Federal law enforcement and our National Guard, who arrived later in the afternoon. All of these people had a hand in stopping Donald Trump.

This leads us to a key question. Why would Americans assume that our Constitution and our institutions in our Republic are invulnerable to another attack? Why would we assume that those institutions will not falter next time?

A key lesson of this investigation is this: Our institutions only hold when men and women of good faith make them hold, regardless of the political cost.

We have no guarantee that these men and women will be in place next time. Any future President inclined to attempt what Donald Trump did in 2020 has now learned not to install people who could stand in the way.

Also, please consider this: The rulings of our courts are respected and obeyed because we as citizens pledge to accept and honor them. Most importantly, our President, who has a constitutional obligation to faithfully execute the laws, swears to accept them.

What happens when the President disregards the courts' rulings as illegitimate, when he disregards the rule of law? That, my fellow citizens, breaks our Republic.

Finally, as you view the evidence today, also consider this: President Trump knew from unassailable sources that his election fraud claims were false. He admitted he had lost the election. He took actions consistent with that belief.

Claims that President Trump actually thought the election was stolen are not supported by fact and are not a defense. There is no defense that Donald Trump was duped or irrational. No President can defy the rule of law and act this way in a constitutional republic, period.

Mr. Chairman, our Nation's Federal judges are sworn to do impartial justice, to preserve our Constitution, and preserve our Union. Dozens of these judges have been addressing January 6th cases, and many have given us plain, unmistakable warnings about the direction of our Republic.

Let me read from one judge's statement given at a recent sentencing hearing. "High-ranking Members of Congress and State officials who know perfectly well the claim of fraud was and is untrue and that the election was legitimate are so afraid of losing their power, they won't say so.

"It has to be crystal clear, that it is not patriotism, it is not standing up for America to stand up for one man who knows full well that he lost instead of the Constitution he was trying to subvert."

Mr. Chairman, the violence and lawlessness of January 6th was unjustifiable, but our Nation cannot only punish the foot soldiers who stormed our Capitol. Those who planned to overturn our election and brought us to the point of violence must also be accountable. With every effort to excuse or justify the conduct of the former President, we chip away at the foundation of our Republic. Indefensible conduct is defended. Inexcusable conduct is excused. Without accountability, it all becomes normal, and it will recur.

So as we watch the evidence today, please consider where our Nation is in its history. Consider whether we can survive for another 246 years.

Most people in most places on Earth have not been free. America is an exception, and America continues only because we bind ourselves to our Founders' principles, to our Constitution. We recognize that some principles must be beyond politics, inviolate, and more important than any single American who has ever lived.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. The Chair recognizes the gentlewoman from California, Ms. Lofgren, for an opening statement.

Ms. LOFGREN. Thank you, Mr. Chairman.

We begin this meeting by returning to election night, November 3, 2020. As the Chairman noted, we have previously presented testimony about how the election results were expected to come in that night. In certain States, ballots cast by mail before election

day would be counted only after the polls closed that evening. That meant that election results would not be known for some time.

Although President Trump's campaign manager, Bill Stepien, House Republican Leader Kevin McCarthy, and Jared Kushner had advised Donald Trump to encourage mail-in voting by Republicans, President Trump did not do so.

Mr. KUSHNER. Yeah, I just remember generally, you know, you had people arguing that we had a very, very robust get-out-the-vote effort and that, you know, mail-in ballots could be a good thing for us if we looked at it correctly.

Mr. STEPIEN. There was one meeting that was had in particular. I invited Kevin McCarthy to join the meeting, he being of like mind on the issue with me, in which we made our case for why we believed mail-in balloting—mail-in voting—not to be a bad thing for his campaign. But, you know, the President's mind was made up.

Ms. LOFGREN. So it was expected before the election that the initial counts in some States—in other words, those votes cast on election day—would be more heavily Republican, and this would create the false perception of a lead for President Trump, a so-called "red mirage," but as the results of the absentee ballots were later counted, there could be trends toward Vice President Biden, as those mail-in ballots were counted.

Now, on election night, Donald Trump's advisers specifically told him he didn't have a factual basis to declare victory. He should wait for the remaining ballots to be counted.

Here is campaign manager Bill Stepien.

Mr. STEPIEN. It was far too early to be making any calls like that. Ballots were still being counted. Ballots were still going to be counted for days. And it was far too early to be making any proclamation like that.

My belief, my recommendation, was to say that votes were still being counted, it is too early to tell, too early to call the race.

Ms. LOFGREN. But President Trump did declare victory in the late hours of election night. Not only did he declare victory, he also called for the ongoing count of votes to just stop.

Stopping the count would have violated both Federal and State laws and also disenfranchised millions of voters who lawfully cast their vote. He called for that action anyway.

Here is what he said.

President TRUMP. This is a fraud on the American public. This is an embarrassment to our country. We were getting ready to win this election. Frankly, we did win this election. We did win this election . . . .

We want all voting to stop.

Ms. LOFGREN. We now know more about President Trump's intentions for election night. The evidence shows that his false victory speech was planned well in advance, before any votes had been counted. It was a premeditated plan by the President to declare victory no matter what the actual result was. He made a plan to stay in office before election day.

Now, the Vice President's staff was concerned with what Donald Trump might do on election night. They took steps to ensure that Mr. Pence would not echo a false victory announcement from President Trump.

Here is what the Vice President's counsel, Greg Jacob, told us about his preparations with the Vice President's chief of staff, Marc Short.

Mr. JACOB. Marc had indicated to me that there was a possibility that there would be a declaration of victory within the White House that some might push for—and this is prior to the election results being known—and that he was trying to figure out a way of avoiding the Vice President sort-of being thrust into a position of needing to opine on that when he might not have sufficient information to do so.

Ms. LOFGREN. Now, following this conversation, Mr. Jacob drafted a memo to Mr. Short which the Select Committee got from the National Archives. The memo was sent on November 3rd, election day, and advised " . . . it is essential that the Vice President not be perceived by the public as having decided questions concerning disputed electoral votes prior to the full development of all relevant facts."

A few days before the election, Mr. Trump also consulted with one of his outside advisers, activist Tom Fitton, about the strategy for election night. The Select Committee got this pre-prepared statement from the National Archives. As you can see, the draft statement, which was sent on October 31st, declares, "We had an election today—and I won."

The Fitton memo specifically indicates a plan that only the votes "counted by the election day deadline"—and there is no election day deadline—would matter. Everyone knew that ballot counting would lawfully continue past election day. Claiming that the counting on election night must stop before millions of votes were counted was, as we now know, a key part of President Trump's premeditated plan.

On election day, just after 5 p.m., Mr. Fitton indicated he had spoken with the President about the statement. "Sending along again. Just talked to him about the draft below . . . ". Again, this plan to declare victory was in place before any of the results had been determined.

In the course of our investigation, we also interviewed Brad Parscale, President Trump's former campaign manager. He told us he understood that President Trump planned as early as July that he would say he won the election even if he lost.

Just a few days before the election, Steve Bannon, a former Trump chief White House strategist and outside adviser to President Trump, spoke to a group of his associates from China and said this.

Mr. BANNON. And what Trump's gonna do is just declare victory, right? He's gonna declare victory. But that doesn't mean he's the winner. He's just going to say he's the winner.

The Democrats—more of our people vote early that count. Theirs vote in mail. And so they're going to have a natural disadvantage, and Trump's going to take advantage of it. That's our strategy. He's gonna declare himself the winner. So when you wake up Wednesday morning, it's going to be a firestorm.

Also—also, if Trump—if Trump is losing by 10 or 11 o'clock at night, it's going to be even crazier. No, because he's going to sit right there and say, "They stole it. I'm directing the Attorney General to shut down all ballot places in all 50 States." It's going to be—no, he's not going out easy. If Trump—if Biden's winning, Trump is going to do some crazy shit.

Ms. LOFGREN. As you know, Mr. Bannon refused to testify in our investigation. He has been convicted of criminal contempt of Congress, and he is awaiting sentencing. But the evidence indicates that Mr. Bannon had advance knowledge of Mr. Trump's intent to declare victory falsely on election night, but also that Mr. Bannon knew about Mr. Trump's planning for January 6th.

Here is what Bannon said on January 5th.

Mr. BANNON. All hell is going to break loose tomorrow.
It's all converging, and now we're on, as they say, the point of attack, right, the point of attack tomorrow.
I'll tell you this. It's not going to happen like you think it's going to happen, okay? It's going to be quite extraordinarily different. And all I can say is strap in. You have made this happen, and tomorrow it's game day. So strap in. Let's get ready.

Ms. LOFGREN. Another close associate of Donald Trump apparently knew of Mr. Trump's intentions as well.

Now, Roger Stone is a political operative with a reputation for dirty tricks. In November 2019, he was convicted of lying to Congress and other crimes and sentenced to more than 3 years in prison.

He is also a longtime adviser to President Trump and was in communication with President Trump throughout 2020. Mr. Trump pardoned Roger Stone on December 23, 2020.

Now, recently, the Select Committee got footage of Mr. Stone before and after the election from Danish filmmaker Christoffer Guldbrandsen, pursuant to a subpoena. Right before the election, here is Roger Stone talking about what President Trump would do after the election.

Mr. STONE. Let's just hope we're celebrating. I suspect it'll be—I really do suspect it will still be up in the air. When that happens the key thing to do is to claim victory. Possession is nine-tenths of the law. No, we won. Fuck you. Sorry. Over. We won. You're wrong. Fuck you.
I said, fuck the voting. Let's get right to the violence.
VOICE. That's what I am fucking saying. There is no point.
Mr. STONE. We will have to start smashing pumpkins, if you know what I mean.
VOICE. Oh, yeah.

Ms. LOFGREN. The Select Committee called Mr. Stone as a witness, but he invoked his Fifth Amendment right against self-incrimination.

Vice Chair CHENEY. Do you believe the violence on January 6th was justified?
Mr. STONE. On the advice of counsel, I respectfully decline to answer your question on the basis of the Fifth Amendment.
Vice Chair CHENEY. And, Mr. Stone, did you have any role in planning for the violence on January 6th?
Mr. STONE. Once again, I will assert my Fifth Amendment right to decline to answer your question.

Ms. LOFGREN. Although we don't yet have all the relevant records of Roger Stone's communications, even Stone's own social media posts acknowledge that he spoke with Donald Trump on December 27th as preparations for January 6th were underway.

In this post, you can see how Roger Stone talked about his conversations with President Trump. He wrote, "I also told the President exactly how he can appoint a Special Counsel with full subpoena power to ensure those who are attempting to steal the 2020 election through voter fraud are charged and convicted and to ensure Donald Trump continues as our President."

As we know by now, the idea for a Special Counsel was not just an idle suggestion. It was something President Trump had actually tried to do earlier that month.

We know that Roger Stone was at the Willard Hotel on January 5th and 6th, and we know from other witness testimony that President Trump asked his chief of staff, Mark Meadows, to speak with Roger Stone and General Michael Flynn that night.

In addition to his connection to President Trump, Roger Stone maintained extensive direct connections to two groups responsible for violently attacking the Capitol, the Oath Keepers and the Proud Boys. Individuals from both of these organizations have been charged with the crime of seditious conspiracy.

Now, what is seditious conspiracy? It is a conspiracy to use violent force against the United States, to oppose the lawful authority of the United States.

Multiple associates of Roger Stone, from both the Oath Keepers and the Proud Boys, have been charged with this crime. Close associates of Roger Stone, including Joshua James, have pled guilty to this crime.

We know that at least seven Oath Keepers—who have been criminally charged—provided personal security for Roger Stone or were seen with him on January 6th or in the weeks leading up to January 6th.

For example, Joshua James, the leader of the Alabama Oath Keepers, provided security for Roger Stone and was with him on January 5th. This is a picture of the two together on January 5th.

James entered the Capitol on January 6th. He assaulted a police officer. Earlier this year, he pled guilty to seditious conspiracy and obstruction of Congress.

Another example is the married couple Kelly and Connie Meggs. Now, Kelly Meggs was the leader of the Florida chapter of the Oath Keepers. Both he and his wife provided security for Roger Stone, and both are charged with leading a military-style stack attack of Oath Keepers attacking the Capitol on January 6th.

Perhaps even more disturbing is Roger Stone's close association with Enrique Tarrio, the national chairman of the Proud Boys. Roger Stone's connection with Enrique Tarrio and the Proud Boys is well-documented by video evidence, with phone records the Select Committee has obtained. Tarrio, along with other Proud Boys, has been charged with multiple crimes concerning the attack on January 6th, including seditious conspiracy.

During the attack, Tarrio sent a message to other Proud Boys claiming, "We did that!" He also visited the White House on December 12th.

Later that day, he posted a disturbing video claiming credit for the attack. This video, posted on January 6th, was apparently created prior to the attack.

This Big Lie, President Trump's effort to convince Americans that he had won the 2020 election, began before the election results even came in. It was intentional. It was premeditated. It was not based on election results or any evidence of actual fraud affecting the results or any actual problems with voting machines.

It was a plan concocted in advance to convince his supporters that he won. The people who seemingly knew about that plan in advance would ultimately play a significant role in the events of January 6th.

Mr. Chairman, I yield back.

Chairman THOMPSON. The gentlewoman yields back.

The Chair recognizes the gentleman from Illinois, Mr. Kinzinger, for an opening statement.

Mr. KINZINGER. Thank you, Mr. Chairman.

Very shortly after the election, the Trump campaign recognized that they had likely lost the election, and they informed Donald Trump of that fact.

Even before the networks called the race for President Biden on November 7th, his chances of pulling out a victory were virtually nonexistent, and President Trump knew it.

Mr. GEORGE. Do you know if anybody ever told the President that he had lost and that there wasn't a chance of him winning?

Mr. JASON MILLER. The—I know that the President, when the networks called—it—of course, he was informed about the network—decision—that—afternoon, at some point, myself and a handful of other folks went over and sat down with the President and communicated that the odds of us prevailing in legal challenges were very small.

Ms. LOFGREN. You know, after the election, as of November 7th, in your judgment, what were the chances of President Trump winning the election?

Mr. STIREWALT. After that point?

Ms. LOFGREN. Yes.

Mr. STIREWALT. None.

Mr. KINZINGER. At times, President Trump acknowledged the reality of his loss. Although he publicly claimed that he had won the election, privately he admitted that Joe Biden would take over as President.

Here are a few examples of that.

General MILLEY. So we're in the Oval and there's a discussion going on. And the President says—I think it's—it could've been Pompeo. But he says words to the effect of, "Yes, we lost, we need to let that issue go to the next guy," meaning President Biden.

Ms. FARAH. I remember, maybe a week after the election was called, I popped into the Oval just to like give the President the headlines and see how he was doing, and he was looking at the TV, and he said, "Can you believe I lost to this F'ing guy?"

Ms. HUTCHINSON. So Mark raised it with me on the 18th. And so following that conversation, we're in the motorcade ride driving back to the White House, and I had said like, "Does the President really think that he lost?" And he said, "You know, a lot of times he'll tell me that he lost but he wants to keep fighting, and he thinks that there might be enough to overturn the election. But, you know, he pretty much has acknowledged that he—that he's lost."

Mr. KINZINGER. Knowing that he had lost and that he had only weeks left in office, President Trump rushed to complete his unfinished business.

One key example is this: President Trump issued an order for large-scale U.S. troop withdrawals. He disregarded concerns about the consequences for fragile governments on the front lines of the fight against ISIS and al-Qaeda terrorists.

Knowing he was leaving office, he acted immediately and signed this order on November 11th, which would have required the immediate withdrawal of troops from Somalia and Afghanistan, all to be complete before the Biden inauguration on January 20th.

As you watch these clips, recall that General Keith Kellogg was the National Security Advisor to the Vice President and had served as chief of staff to the National Security Council for President Trump, and General Milley was the Chairman of the Joint Chiefs of Staff at the Pentagon.

Mr. WOOD. Are you familiar with a memo that the President reportedly signed on November 11, 2020, ordering that troops be withdrawn from Afghanistan and Somalia?

Mr. KELLOGG. Yes.

General MILLEY. So I think you might have seen some things where there's a memo or something from Johnny McEntee to Douglas Macgregor. It says, "Here's your task: To get U.S. forces out of—out of Somalia, get U.S. forces out of Afghanistan."

Ms. DAYANANDA. When you first interviewed and met Colonel Douglas Macgregor, is it fair to say you discussed this decision of withdrawing from Somalia and Afghanistan? Correct?

Mr. MCENTEE. Yes, I'm sure that was part of it, yes.

Ms. DAYANANDA. And that was—the position that he was taking over there was senior adviser to the Secretary of Defense. Is that correct?

Mr. MCENTEE. Yes.

Ms. DAYANANDA. So on that same day, just so I'm clear, he responded back to you that they, meaning DOD leadership, was not going to do—take any of those steps without an order?

Mr. MCENTEE. Without a directive, yes.

Mr. MACGREGOR. I explained in language that should be in the order, while I was in the meeting with McEntee, and this was my answer to him. I said, if you want this to happen, or if the President wants this to happen, he's got to write an order.

Mr. MARX. So you never wrote this down in any capacity?

Mr. MACGREGOR. Well, I sketched on a piece of paper for him some key statements. You know, "The President directs." You know, this is—what's the right word? Boilerplate language?

Ms. DAYANANDA. Who was in his office that drafted the order?

Mr. MCENTEE. It was myself and one of my assistants.

General MILLEY. McEntee duly types it up, brings it in to the President, the President signs it, and boom, it's over—faxed over or emailed, scanned over—and Kash Patel delivers it to me.

Ms. DAYANANDA. Was it by autopen, or was it the President himself signing it?

Mr. MCENTEE. It was the President.

Ms. DAYANANDA. And who obtained that signature?

Mr. MCENTEE. I did.

General MILLEY. It is odd. It is not standard. It is potentially dangerous. I personally thought it was militarily not feasible nor wise.

Mr. KELLOGG. And I proceeded to tell the PPO and proceeded to tell Macgregor that if I ever saw anything like that, I would do something physical, because I thought what was done was a tremendous disservice to the Nation. And by the way, it was—that—it was a very contested issue. There were people who did not agree with getting out of Afghanistan. I appreciate their concerns.

An immediate departure that that memo said would have been catastrophic. It's the same thing what President Biden went through. It would have been a debacle.

Mr. KINZINGER. Keep in mind, the order was for an immediate withdrawal. It would have been catastrophic. Yet, President Trump signed the order. These are the highly consequential actions of a President who knows his term will shortly end.

At the same time that President Trump was acknowledging privately that he had lost the election, he was hearing that there was

no evidence of fraud or irregularities sufficient to change the outcome.

Mr. CANNON. I remember a call with Mr. Meadows where Mr. Meadows was asking me what I was finding and if I was finding anything. And I remember sharing with him that we weren't finding anything that would be sufficient to change the results in any of the key States.

Mr. HARRIS. When was that conversation?

Mr. CANNON. Probably in November, mid-to-late November. I think it was before my child was born.

Mr. HARRIS. And what was Mr. Meadows's reaction to that information?

Mr. CANNON. I believe the words he used were, "So there's no 'there' there?"

Mr. STEPIEN. It would be our job to track it down and come up dry because the allegation didn't prove to be true. And we'd have to relay the news that, yes, that someone told you about those votes or that fraud or nothing came of it. It would be our job as the truth-telling squad. And it's not a fun job to be much—it's an easier job to be telling the President about wild allegations. It's a harder job to be telling him on the back end that, yes, that's—that wasn't true.

Mr. MORGAN. What was generally discussed on that topic was whether the fraud, maladministration, abuse or irregularities, if aggregated and read most favorably to the campaign, would that be outcome-determinative. I think everyone's assessment in the room, at least amongst the staff, Marc Short, myself, and Greg Jacob, was that it was not sufficient to be outcome-determinative.

Mr. KINZINGER. Look, it is the right of any candidate to litigate genuine election disputes. Nobody argues that. But President Trump's litigation was completely unsuccessful.

In our past hearings, we told you that the Committee had identified a total of 62 election lawsuits filed by the Trump Campaign and its allies between November 4th and January 6th of 2021. Those cases resulted in 61 losses and only a single victory, which did not affect the outcome for any candidate.

The claims were not supported by any sufficient evidence of fraud or irregularities. In fact, they were baseless, as judges repeatedly recognized. In none of these 62 cases was President Trump able to establish any viable claims of election fraud sufficient to overturn the results of the election.

In those hearings, we shared with you the words used by judges around the country in rejecting the Trump Campaign's claims. It is strong language, criticizing the lack of evidentiary support for the claims of election fraud in those lawsuits. For example, a Federal appeals court in Pennsylvania wrote, "Charges require specific allegations and proof. We have neither here."

A Federal judge in Wisconsin wrote, "The Court has allowed the former President the chance to make his case, and he has lost on the merits."

Another judge, in Michigan, called the claims "nothing but speculation and conjecture that votes for President Trump were either destroyed, discarded, or switched to votes for Vice President Biden."

A Federal judge in Michigan sanctioned nine attorneys, including Sidney Powell, for making frivolous allegations in an election fraud case, describing the case as "a historic and profound abuse of the judicial process."

Recently, a group of distinguished Republican election lawyers, former judges, and elected officials issued a report confirming the findings of the courts.

In their report, entitled "Lost, Not Stolen," these prominent Republicans analyzed each election challenge and concluded this: "Donald Trump and his supporters failed to present evidence of fraud or inaccurate results significant enough to invalidate the results of the 2020 Presidential election."

On December 11th, Trump's allies lost a lawsuit in the U.S. Supreme Court that he regarded as his last chance at success in the courts. A newly obtained Secret Service message from that day shows how angry President Trump was about the outcome: "Just FYI, POTUS is pissed—breaking news—Supreme Court denied his lawsuit. He is livid now."

Cassidy Hutchinson, an aide to Chief of Staff Mark Meadows, was present for that conversation and described it in this way.

Ms. HUTCHINSON. This is the day that the Supreme Court had rejected that case. Mr. Meadows and I were in the White House residence at a Christmas reception. And as we were walking back from the Christmas reception that evening, the President was walking out of the Oval Office, so we crossed paths in the Rose Garden colonnade. The President was fired up about the Supreme Court decision.

And so, you know, I was standing next to Meadows, Mr. Meadows, but I stepped back, so I was probably 2, 3 feet catty-corner, from a diagonal from him. You know, the President is just raging about the decision and how it's wrong and why didn't we make more calls, and, you know, just his typical anger, outburst at this decision.

And the President said he had—I had put the quote—okay. So he had said something to the effect of, "I don't want people to know we lost, Mark. This is embarrassing. Figure it out. We need to figure it out. I don't want people to know that we lost."

Mr. KINZINGER. Our country is a country of laws where every person, including the President, must follow the law and respect the judgment of our courts. President Trump's closest advisers held that view both then and now.

Vice Chair CHENEY. Well, do you believe the President should abide by the rulings of the courts?

Secretary of State POMPEO. Oh, yes, we should all comply with the law at all times to the best of our ability, every one of us.

Vice Chair CHENEY. So once the courts had ruled and the electoral college had met, the election was over, in your view?

Secretary of State POMPEO. Yes. I think I—I think I've said previously that when the Vice President made the certification and the litigation was complete, it was complete.

Vice Chair CHENEY. When the electoral college met on the 14th?

Secretary of State POMPEO. Yes, as of December 14th. Is that right? I think that's the right date, yes.

Vice Chair CHENEY. I assume, Pat, that you would agree the President is obligated to abide by the rulings of the courts?

Mr. CIPOLLONE. Of course.

Vice Chair CHENEY. And I assume you also would——

Mr. CIPOLLONE. Everybody is obligated to abide by rulings of courts.

Vice Chair CHENEY. And I assume you also would agree the President has a particular obligation to take care that the laws be faithfully executed?

Mr. CIPOLLONE. That is one of the President's obligations, correct.

Vice Chair CHENEY. Ivanka, do you believe the President's obligated to abide by the rulings of the courts?

Ms. TRUMP. I do.

Mr. KINZINGER. By mid-December 2020, President Trump's senior staff were attempting to persuade him to concede the election outcome.

Mr. CIPOLLONE. But if your question is did I believe he should concede the election at a point in time, yes, I did.

Attorney General BARR. December 14th was the day that the States certified their votes and sent them to Congress. And in my view, that was the end of the matter. I didn't see—you know, I thought that this would lead inexorably to a new administration.

Mr. DEERE. I told him that my personal viewpoint was that the electoral college had met, which is the system that our country is set under to elect a President and Vice President, and I believed at that point that the means for him to pursue litigation was probably closed.

Mr. WOOD. And do you recall what his response, if any, was?

Mr. DEERE. He disagreed.

Mr. KINZINGER. Secretary of Labor Gene Scalia, the son of late Justice Scalia, visited President Trump in mid-December and explained the situation clearly.

Secretary of Labor SCALIA. And so I had put a call in to the President—I might have called on the 13th, we spoke, I believe, on the 14th—in which I conveyed to him that I thought that it was time for him to acknowledge that President Biden had prevailed in the election.

But I communicated to the President that when that legal process is exhausted and when the electors have voted, that that's the point at which that outcome needs to be expected.

I told him that I did believe, yes, that once those legal processes were run, if fraud had not been established that had affected the outcome of the election, then, unfortunately, I believed that what had to be done was concede the outcome.

Mr. KINZINGER. Not only did the courts reject President Trump's fraud and other allegations, his Department of Justice appointees, including Bill Barr, Jeffrey Rosen, and Richard Donoghue, did as well. President Trump knew the truth.

He heard what all his experts and senior staff were telling him. He knew he had lost the election. But he made the deliberate choice to ignore the courts, to ignore the Justice Department, to ignore his campaign leadership, to ignore senior advisers, and to pursue a completely unlawful effort to overturn the election. His intent was plain: Ignore the rule of law and stay in power.

Mr. Chairman, I yield back.

Chairman THOMPSON. The gentleman yields back.

The Chair recognizes the gentlewoman from Virginia, Mrs. Luria.

Mrs. LURIA. Thank you, Mr. Chairman.

Mid-December was a turning point. President Trump made a decision, a choice, to ignore the courts and his advisers and to push forward to overturn the election.

His efforts to overturn the election were not random or disconnected; rather, they were part of a coordinated, multi-part plan to ensure that he stayed in power.

Donald Trump was the driver behind each part of this plan. He was personally and directly involved.

Of course, a key element of the plan was continuing to convince tens of millions of Americans that he did not, in fact, lose. Again,

he did this even though his own campaign advisers and his Justice Department officials told him his claims of fraud were wrong.

In this video, you will see that even when top law enforcement officials told the President his election fraud claims were false, he still repeated the claims in the days and weeks that followed, sometimes even the very next day.

Attorney General BARR. He specifically raised the Dominion voting machines, which I found to be among the most disturbing allegations, disturbing in the sense that I saw absolutely zero basis for the allegations. I told him that it was crazy stuff, and they were wasting their time on that, and it was doing a grave disservice to the country.

President TRUMP. We have a company that's very suspect. Its name is Dominion. With the turn of a dial or the change of a chip you can press a button for Trump and the vote goes to Biden. What kind of a system is this?

Mr. DONOGHUE. We definitely talked about Antrim County again. That was sort-of done at that point, because the hand recount had been done and all that. But we cited back to that to say, you know, "This is an example of what people are telling you and what's being filed in some of these court filings that are just not supported by the evidence. And this is the problem. The problem is people keep telling you these things and they turn out not to be true."

President TRUMP. In addition, there is the highly troubling matter of Dominion Voting Systems. In one Michigan County alone, 6,000 votes were switched from Trump to Biden, and the same systems are used in the majority of States in our country.

Attorney General BARR. I went into this and would, you know, tell him how crazy some of these allegations were and how ridiculous some of them were. I'm talking about some of the things like, you know, more votes—more absentee votes were cast in Pennsylvania than there were absentee ballots requested, you know, stuff like that, it was just easy to blow up. There was never—there was never an indication of interest in what the actual facts were.

President TRUMP. There were more votes than there were voters. Think of that. You had more votes than you had voters. That's an easy one to figure. And it's by the thousands.

Attorney General BARR. Then he raised the big vote dump, as he called it, in Detroit, and he said people saw boxes coming into the counting station at all hours of the morning. And I said, "Mr. President, there are 630 precincts in Detroit, and unlike elsewhere in the State, they centralize the counting process so they're not counted in each precinct. They're moved to counting stations. And so the normal process would involve boxes coming in at all different hours."

President TRUMP. This is Michigan. At 6:31 in the morning, a vote dump of 149,772 votes came in unexpectedly.

Mr. DONOGHUE. With regard to Georgia, we looked at the tape. We interviewed the witnesses. There is no suitcase. The President kept fixating on this suitcase that supposedly had fraudulent ballots and that the suitcase was rolled out from under the table. And I said, "No, sir, there is no suitcase. You can watch that video over and over. There is no suitcase. There is a wheeled bin where they carry the ballots, and that's just how they move ballots around that facility. There's nothing suspicious about that at all."

President TRUMP. Election officials pull boxes, Democrats, and suitcases of ballots out from under a table. You all saw it on television. Totally fraudulent.

Mrs. LURIA. This happened over and over again, and our Committee's report will document it, purposeful lies made in public directly at odds with what Donald Trump knew from unassailable sources, the Justice Department's own investigations, and his own campaign. Donald Trump maliciously repeated this nonsense to a wide audience over and over again. His intent was to deceive.

President Trump's plan also involved trying to coerce Government officials to change the election outcome in the States he lost. He personally reached out to numerous State officials and pressured them to take unlawful steps to alter the election results in those States.

These actions, taken directly by the President himself, made it clear what his intentions were: to prevent the orderly transfer of power.

We all recall, for example, President Trump's tape-recorded call with Georgia Secretary of State Brad Raffensperger. At the time this call occurred, President Trump had already been told repeatedly by the U.S. Justice Department, by his campaign, and by his advisers that his allegations of fraud in Georgia were false.

President TRUMP. So, look, all I want to do is this. I just want to find 11,780 votes, which is one more than we have, because we won the State.

Look, we need only 11,000 votes. We have far more than that as it stands now. We'll have more and more.

So what are we going to do here, folks? I only need 11,000 votes. Fellas, I need 11,000 votes. Give me a break.

Mrs. LURIA. "I just want to find 11,780 votes." That is an extraordinary demand by the President, especially since he already knew from the Justice Department there was no genuine basis for this request. No one could think it would be legal for the secretary of state to simply "find the votes" the President needed in order to win.

Secretary Raffensperger told the President the truth—that he lost the election in Georgia. But President Trump did not accept that answer. Instead, he suggested that Secretary Raffensperger himself might be prosecuted.

President TRUMP. That's a—you know, that's a criminal—that's a criminal offense. And, you know, you can't let that happen. That's a big risk to you and to Ryan, your lawyer. That's a big risk.

Mrs. LURIA. We know that President Trump's White House advisors reacted negatively. Immediately after the call, Cassidy Hutchinson had a conversation with Chief of Staff Mark Meadows.

Ms. HUTCHINSON. I remember looking at Mark, and I said, "Mark, he can't possibly think we're going to pull this off. Like, that call was crazy." And he looked at me and just started shaking his head, and he's like, "No, Cass, you know, he knows it's over. He knows he lost. But we're going to keep trying. There are some good options out there still. We're going to keep trying."

Mrs. LURIA. This call and other related activity is now the focus of an ongoing criminal investigation in Fulton County, Georgia.

Georgia is not the only State where President Trump tried to pressure State officials to change the results. He also attempted to pressure State officials in Arizona, Pennsylvania, and Michigan to change the results in those States as well.

While President Trump was pressuring State officials, he was also trying to use the Department of Justice to change the election result. His top officials told him that there was no evidence to support his claims of fraud, but he didn't care. As he told them, "Just say the election was corrupt, and leave the rest to me and the [Republican] Congressmen."

When these officials would not do what he said, President Trump embarked on an effort to install Jeff Clark as Acting Attorney General, solely because he would do what others in the Department would not do.

We know that Trump was doing so for a specific purpose: so Clark could corruptly employ the Justice Department's authority to help persuade the States to flip electoral votes.

For example, when Richard Donoghue and Jeff Rosen, both appointed by President Trump, learned of Mr. Clark's proposal, here is why they said they forcefully rejected it.

Mr. DONOGHUE. And I recall toward the end saying, "What you're proposing is nothing less than the United States Justice Department meddling in the outcome of a Presidential election."

But, more importantly, this was not based on fact. This was actually contrary to the facts as developed by Department investigations over the last several weeks and months. So I responded to that.

And for the Department to insert itself into the political process this way I think would have had grave consequences for the country. It may very well have spiraled us into a constitutional crisis.

Mrs. LURIA. We know from our investigation that President Trump offered Jeff Clark the position of Acting Attorney General and that Jeff Clark had decided to accept it.

The only reason this ultimately did not happen is that the White House Counsel and a number of Justice Department officials confronted the President in the Oval Office and threatened mass resignations.

Mr. DONOGHUE. And then—and I said something to the effect of, "You're going to have a huge personnel blowout within hours, because you're going to have all kinds of problems with resignations and other issues, and that's not going to be in anyone's interest."

Mrs. LURIA. The President ultimately relented, only because the entire leadership of the Department of Justice, as well as his White House Counsel, threatened to resign.

Mr. Chairman, I yield back.

Chairman THOMPSON. The gentlewoman yields back.

The Chair recognizes the gentlewoman from Florida, Mrs. Murphy, for an opening statement.

Mrs. MURPHY. Thank you, Mr. Chairman.

President Trump's efforts to unlawfully overturn the results of the 2020 election were not limited to the Big Lie and pressuring State officials and the Department of Justice officials. Another key part of the President's effort was a scheme to assemble fake electors to cast false electoral votes in the States that President Trump lost.

This was something done not only with the President's knowledge but also with his direct participation. Ronna McDaniel, chair of the Republican National Committee, testified before this Committee that President Trump and his attorney Dr. John Eastman

called her and asked her to arrange for the fake electors to meet and rehearse the process of casting their fake votes.

Ms. MCDANIEL. When I received the call—again, I don't remember the exact date—it was from the White House switchboard, and it was President Trump who had contacted me.

Mr. WOOD. And did President Trump have anyone else on the line with him?

Ms. MCDANIEL. He introduced me to a gentleman named John Eastman. So I vaguely remember him mentioning that he was a professor, and then essentially he turned the call over to Mr. Eastman, who then proceeded to talk about the importance of the RNC helping the campaign gather these contingent electors in case any of the legal challenges that were ongoing changed the result of any of the States.

Mrs. MURPHY. These fake electors were ultimately part of the President's plan to replace genuine Biden electors with Trump electors on January 6th. As part of this plan, the false electoral slates were sent to the National Archives and to the Capitol.

The "fake electors" plan was also tied to another plan: the coercive pressure campaign to make Vice President Mike Pence reject or refuse to count certain Biden electoral votes so that President Donald Trump would "win" reelection instead.

Here is what Vice President Pence has said about this scheme.

Vice President PENCE. President Trump said I had the right to overturn the election, but President Trump is wrong. I had no right to overturn the election. The Presidency belongs to the American people and the American people alone. And, frankly, there is no idea more un-American than the notion that any one person could choose the American President.

Mrs. MURPHY. Make no mistake: President Trump knew that what he was demanding Vice President Pence do was illegal. He was informed of this repeatedly and specifically on January 4th.

Even his lawyer John Eastman admitted in front of President Trump that this plan would break the law by violating the Electoral Count Act.

Mr. WOOD. Did John Eastman ever admit, as far as you know, in front of the President that his proposal would violate the Electoral Count Act?

Mr. JACOB. I believe he did on the 4th.

Mrs. MURPHY. Dr. Eastman confirmed this in writing. Recall this email, written on January 6th, in which Vice President Pence's counsel asked Dr. Eastman, "Did you advise the President that in your professional judgment the Vice President does not have the power to decide things unilaterally?" Dr. Eastman replied, "He's been so advised."

Of course, President Trump's own White House Counsel, Pat Cipollone, also recognized that this plan was unlawful. Here is Mr. Cipollone's testimony.

Mr. CIPOLLONE. My view is that the Vice President didn't have the legal authority to do anything except what he did.

Mrs. MURPHY. There is no doubt that President Trump's pressure campaign on Vice President Pence was significant.

On the morning of January 6th, President Trump called the Vice President from the Oval Office and demanded that he overturn the results of the election. Numerous witnesses told the Select Committee about the invective that President Trump leveled at his own Vice President.

Mr. LUNA. Something to the effect—this is—the wording's wrong—"I made the wrong decision 4 or 5 years ago."

Mr. TONOLLI. And the word that she relayed to you that the President called the Vice President—I apologize for being impolite, but do you remember what she said her father called him?

Ms. RADFORD. The P word.

Mrs. MURPHY. But Vice President Pence didn't waver, even when his own life was endangered by President Trump and the rioters at the Capitol on January 6th, as you'll see in more detail later.

A Federal judge concluded, based on this and other evidence, that President Trump's pressure campaign against the Vice President likely violated multiple criminal statutes.

In the end, all these people—Department of Justice officials, State elections officials, his own Vice President—stood strong in the face of President Trump's immense pressure.

But, as we now know, President Trump had already summoned tens of thousands of his supporters to Washington on January 6th to "take back" their country.

On December 19th, President Trump first told his supporters to come to Washington. In this and numerous other tweets, he fraudulently and repeatedly promoted January 6th as the day Americans could come and change the election outcome.

For weeks, President Trump worked with others to plan the rally, intending all along that he would send an assembled crowd of angry supporters to the Capitol after his speech on the Ellipse on January 6th.

We obtained a text message that one rally organizer sent on January 4th. In part, it reads that "POTUS is going to have us march there/the Capitol" and "POTUS is going to just call for it 'unexpectedly.'"

Again, each of these examples—the Big Lie, the pressure campaigns against State officials, the pressure campaign against the Department of Justice and his Vice President, the fake electors, summoning the mob—all of this demonstrates President Trump's personal and substantial role in the plot to overturn the election. He was intimately involved. He was the central player.

Thank you, Mr. Chairman, and I yield back.

Chairman THOMPSON. The gentlewoman yields back.

The Chair recognizes the gentleman from California, Mr. Schiff, for an opening statement.

Mr. SCHIFF. Thank you, Mr. Chairman.

In our past hearings, you have seen direct evidence that President Trump sent a crowd of his supporters to the Capitol on January 6th knowing they were armed and angry. This was the last, most desperate and dangerous prong of his plan to disrupt the joint session and prevent the orderly transition of power.

On the morning of the 6th, the Secret Service was at the Ellipse screening the members of the crowd as they entered the rally site, and they noticed something significant about the crowd: Tens of thousands of people were outside the rally site but did not want to go through the magnetometers, the metal detectors that were used to screen for dangerous weapons.

Since our last hearings, the Select Committee has received greater cooperation from the Secret Service. Nevertheless, the Secret Service text messages from this period were erased in the days and months following the attack on the Capitol, even though documents and materials related to January 6th had already been requested by the Department of Justice and Congress.

But we were able to obtain nearly 1 million emails, recordings, and other electronic records from the Secret Service. Over the month of August, the Select Committee began its review of hundreds of thousands of pages and multiple hours of that material, providing substantial new evidence about what happened on January 6th and the days leading up to it. That review continues.

What you are about to hear is just a sample of the new and relevant evidence that we have received.

Mounting evidence before January 6th predicted violence—and not just violence generally but violence directed at the Capitol. Intelligence about this risk was directly available to the U.S. Secret Service and others in the White House in advance of the Ellipse speech, in advance of the march to the Capitol. The Committee has shown evidence that President Trump was aware of the risk of violence.

The FBI, U.S. Capitol Police, Metropolitan Police, and other agencies all gathered and disseminated intelligence suggesting the possibility of violence at the Capitol prior to the riot.

We are now going to show you just a sample of the evidence we have received.

Days before January 6th, the President's senior advisors at the Department of Justice and FBI, for example, received an intelligence summary that included material indicating that certain people traveling to Washington were making plans to attack the Capitol.

This summary noted online "calls to occupy Federal buildings"; rhetoric about "invading the Capitol Building"; and plans to "arm themselves and to engage in political violence at the event."

Other agencies were also hearing predictions suggesting possible violence at the Capitol. On a call with President Trump's White House national security staff in early January 2021, Deputy Secretary of Defense David Norquist had warned about the potential that the Capitol would be the target of the attack.

Here is General Mark Milley, who was also present for this call, describing Deputy Secretary Norquist's warning.

General MILLEY. So, during these calls—I only remember in hindsight because he was almost, like, clairvoyant. Norquist says during one of these calls, "The greatest threat is a direct assault on the Capitol." I'll never forget it.

Mr. SCHIFF. This email, for example, was an alert that the Secret Service received on December 24th with the heading "Armed and Ready, Mr. President." According to the intelligence, multiple users online were targeting Members of Congress, instructing others to "march into the chambers" on January 6th and "make sure they know who to fear."

In this report, received on December 26th, a Secret Service field office relayed a tip that had been received by the FBI. According to the source of the tip, the Proud Boys planned to march, armed, into DC.

"They think that they will have a large enough group to march into D.C. armed," the source reported, "and will outnumber the police so they can't be stopped." The source went on to say, "Their plan is to literally kill people. Please, please take this tip seriously and investigate further."

The source also made clear that "the Proud Boys had detailed their plans on multiple websites," like the TheDonald.win.

Let's pause here. The Secret Service had advance information, more than 10 days beforehand, regarding the Proud Boys' planning for January 6th. We know now, of course, that the Proud Boys and others did lead the assault on our Capitol Building.

On December 31st, agents circulated intelligence reports that "President Trump supporters have proposed a movement to occupy Capitol Hill." In particular, they flagged spikes in violent hashtags like "We Are the Storm," "1776 Rebel," and "Occupy Capitols."

On January 5th, a Secret Service Open Source Unit flagged a social media account on TheDonald.win that threatened to "bring a sniper rifle" to a rally on January 6th. The user also posted a picture of a handgun and rifle with the caption "Sunday Gun Day Providing Overwatch January 6th Will be Wild!"

Later on the evening of January 5th, the Secret Service learned during an FBI briefing that right-wing groups were establishing armed QRFs, or quick reaction forces, readying to deploy for January 6th. Groups like the Oath Keepers were "standing by at the ready should POTUS request assistance" by invoking the Insurrection Act, agents were informed.

As we all know now, the Oath Keepers did play a specific role on January 6th and had stashed weapons in Virginia for further violence that evening.

Also on that day, the Secret Service was readying its security precautions for the President's speech at the Ellipse the next day. A Secret Service deputy chief instructed agents to add certain objects to the list of items that would be prohibited at the rally site, including "ballistic vests, tactical vests (armored or not), and ballistic helmets."

By the morning of January 6th, it was clear that the Secret Service anticipated violence. It felt like the "calm before the storm," one agent predicted in a Protective Intelligence Division chat group. Another remarked how agents were "watching the crazies" on livestream.

By 9:09 that morning, the Secret Service could also see that many rally-goers were assembled outside the security perimeter. One agent emailed, "Possibly [because] they have stuff that couldn't come through? Would probably be an issue with this crowd. Just a thought."

By 9:30 that morning, agents reported more than 25,000 people outside the rally site. An hour later, the Secret Service reported that the crowd was "on The Mall watching but not in line."

The head of the President's Secret Service protective detail, Robert Engel, was specifically aware of the large crowds outside the magnetometers. He passed that information along to Tony Ornato, who worked for Mark Meadows in the chief of staff's office.

The documents we obtained from the Secret Service make clear that the crowd outside the magnetometers was armed and the

agents knew it. Take a look at what they were seeing and hearing on the ground.

One report from the rally site at 7:58 a.m. said, "Some members of the crowd are wearing ballistic helmets, body armor, carrying radio equipment and military-grade backpacks."

Another, from 9:30 a.m., said that there were "possibly OC spray," meaning pepper spray, "and/or plastic riot shields."

At 11:23 a.m., agents also reported "possible armed individuals, one with a Glock, one with a rifle."

Over the next hour, agents reported "possible man with a gun reported . . . confirmed pistol on hip, located in a tree . . . " and "one detained at 14th and I Street NW. Individual had an assault rifle on his person."

Minutes before President Trump began his speech, members of the Federal Protective Service, an agency tasked with protecting Federal buildings, were alerted about an arrest of a protester with a gun on his waistband.

During the speech, the weapons-related arrests continued. At 12:13 p.m., United States Park Police arrested a man with a rifle in front of the World War II Memorial.

These agents remarked on the number of weapons that had been seized that day, speculating that the situation could get worse. "With so many weapons found so far, you wonder how many are unknown," one agent wrote at 12:36 p.m. "Could be sporty after dark."

At 12:47 p.m., another agent responded, "No doubt. The people at the Ellipse said they are moving to the Capitol after the POTUS speech."

As the documents we received make clear, the Secret Service was aware of weapons possessed by those gathered at rallies in DC as early as the evening before.

Take this document, for instance, which details multiple arrests in the crowds demonstrating on January 5th. Those arrests were for weapons offenses—handguns, high-capacity feeding devices, ammunition.

What the Secret Service saw on the 6th was entirely consistent with the violent rhetoric circulating in the days before the joint session on pro-Trump websites, at times amplified by the President's own advisors.

One of these sites, as you have heard, was called TheDonald.win. The Select Committee has obtained a text message that Jason Miller, a senior communications advisor, sent to Mark Meadows less than a week before January 6th. "I got the base FIRED UP," he wrote in all caps.

He sent a link to this page on TheDonald.win. The linked web page had comments about the joint session of Congress on January 6th. Take a look at some of those comments:

"Gallows don't require electricity."

"If the filthy commie maggots try to push their fraud through, there will be hell to pay."

"Our 'lawmakers' in Congress can leave one of two ways: 1. In a bodybag. 2. After rightfully certifying Trump the winner."

Mr. Miller claimed that he had no idea about the hundreds of comments like these in the link that he sent to Mark Meadows.

Mr. JASON MILLER. If I had seen something like that, I probably would've flipped it to someone at the White—or, if I had seen something of that nature, I would've said, you know, flag this for Secret Service or something of that nature.

Mr. SCHIFF. But the Trump administration was aware of this type of violent rhetoric prior to January 6th. In fact, as we have seen, the Secret Service and other agencies knew of the prospect of violence well in advance of the President's speech at the Ellipse.

Despite this, certain White House and Secret Service witnesses previously testified that they had received no intelligence about violence that could have potentially threatened any of the protectees on January 6th, including the Vice President. Evidence strongly suggests that this testimony is not credible, and the Committee is reviewing additional material from the Secret Service and other sources.

The Secret Service was monitoring this kind of online activity and was sharing and receiving the results of that effort. They worked closely with other agencies, sharing intelligence about the joint session of Congress derived from social media and other sources.

The same day Jason Miller sent his text message, agents received reports about a spike in activity on another platform called Parler. This was December 30th.

In this email, an agent received a report noting "a lot of violent rhetoric on Parler directed at government people [and] entities," including Secret Service protectees. One of these protectees was Vice President Pence, perhaps the primary target of President Trump's pressure campaign in the days leading up to January 6th.

The day before the joint session, on January 5th, Secret Service was aware of increased "chatter focused on Vice President Pence"—in particular, whether he would do what President Trump wanted him to do: reverse the results of the election in the joint session the next day, January 6th.

On the morning of the 6th, agents received alerts of online threats that Vice President Pence would be "a dead man walking if he doesn't do the right thing." Another agent reported, "I saw several other alerts saying they will storm the Capitol if he doesn't do the right thing."

The anger reflected in these postings was obvious to the man at the center of the storm on January 6th—President Trump.

On the evening of January 5th, President Trump gathered a few of his communications staffers in the Oval Office. The door was open, allowing the President and others assembled there to hear the sounds of the crowd gathered at Freedom Plaza just a few blocks from the White House. President Trump could tell that his supporters were riled up.

Here again is Judd Deere, a deputy White House press secretary, describing the President's reaction.

Mr. DEERE. He fairly quickly moved to how fired up the crowd is—or was going to be.

Mr. WOOD. Okay. And what did he say about it?

Mr. DEERE. Just that they were fired up, they were angry, they feel like the election has been stolen, that the election was rigged, that—he went on and on about that for a little bit.

Mr. SCHIFF. Yes, the President knew the crowd was angry—because he had stoked that anger. He knew that they believed that

the election had been rigged and stolen—because he had told them, falsely, that it had been rigged and stolen.

By the time he incited that angry mob to march on the Capitol, he knew they were armed and dangerous—all the better to stop the peaceful transfer of power.

Mr. Chairman, I yield back.

Chairman THOMPSON. The gentleman yields back.

At this point in our meeting, we will take a brief recess. Pursuant to the order of the Committee of today, the Chair declares the Committee in recess for a period of approximately 10 minutes.

[Accordingly, at 2:27 p.m., the Committee recessed until 2:43 p.m., when it was called to order by the Chairman.]

Chairman THOMPSON. The Chair recognizes the gentleman from California, Mr. Aguilar, for an opening statement.

Mr. AGUILAR. Thank you, Mr. Chairman.

On the morning of January 6th, President Trump knew that the crowd was angry. He knew that they were armed and dangerous. And he knew that they were going to the Capitol.

It is important to understand the lengths the President was willing to go to physically be at the Capitol because it was part of his strategy to disrupt Congress and to stay in power.

As the time for the Ellipse rally approached, an email was circulated among intelligence officials, including a Secret Service intelligence official, attaching communications among rally-goers that specifically contemplated violence.

"Trump has given us marching orders," one post on TheDonald.win wrote. "Basically, if you're east of the Mississippi, you can and should be there." "ADVANCE ON THE CAPITAL!" "Keep your guns hidden . . . Don't fuck around, full kits, 180 rounds minimum for main rifle, another 50 for sidearm, per person."

What is clear from this record is that the White House had more than enough warning to warrant stopping any plan for an Ellipse rally and certainly for stopping any march to the Capitol.

As evidence from our prior hearings has suggested, the President was aware of this information.

But, despite awareness of the potential for violence and weapons among the crowd, the Ellipse event nevertheless went forward, and Donald Trump instructed the angry crowd, some of whom were armed, to march to the Capitol.

As my colleague Mr. Schiff just described, the Secret Service reported that thousands in the crowd near the Washington Monument would not enter the rally area because magnetometers used in screening attendees would detect any prohibited items they carried. Mr. Trump knew this. The Secret Service had told him about it that morning.

Even in spite of these warnings, Cassidy Hutchinson overheard the President say this shortly before he took the stage:

Ms. HUTCHINSON. He wanted it full, and he was angry that we weren't letting people through the mags with weapons—what the Secret Service deemed as weapons and are—are weapons.

I was in the vicinity of a conversation where I overheard the President say something to the effect of, you know, "I don't F'ing care that they have weapons. They're not here to hurt me. Take the F'ing mags away. Let my people in. They can march to the Capitol from here. Let the people in. Take the F'ing mags away."

Mr. AGUILAR. When he went onstage, President Trump himself asked law enforcement to let his supporters into the rally site.

President TRUMP. And I'd love to have—if those tens of thousands of people would be allowed. The military, the Secret Service. And we want to thank you and the police law enforcement. Great—you're doing a great job. But I'd love it if they could be allowed to come up here with us. Is that possible? Can you just let them come up, please?

Mr. AGUILAR. President Trump then told his supporters to march to the Capitol.

Let's pause at this point to consider President Trump's state of mind, his motivation at this moment.

By that point, it was known to Secret Service that members of the crowd were armed. President Trump had been told. There was no doubt that President Trump knew what he was going to do—sending an angry mob, a number of whom were clad in tactical gear and military garb, armed with various weapons, to the Capitol.

There is no scenario where that action is benign, and there is no scenario where an American President should have engaged in that conduct. It did not matter whether President Trump believed the election had been stolen or not; this could not be justified on any basis, for any reason.

You may also recall testimony from our summer hearings regarding Mr. Trump's efforts to lead the mob to the Capitol himself and his angry altercation in the Presidential SUV when the Secret Service told him it was far too dangerous for him to go.

As we detailed in testimony from the Metropolitan Police and White House personnel during our July 21st hearing, information about the altercation was widely known—so widely known that one former White House employee with national security responsibilities explained that this information was, in fact, water-cooler talk in the White House complex. As that professional told us, they remember hearing in the days after January 6th "how angry the President was" when he was in the limo that afternoon.

That professional also testified that they were specifically informed of the President's "irate" behavior in the SUV by Mr. Ornato in Mr. Ornato's office. "It was Mr. Engel . . . with Mr. Ornato in that office." "They had expressed to me that the President was irate, you know, on the drive up." Mr. Engel "did not deny the fact that the President was irate."

That, of course, corresponds closely with the testimony you saw this summer from Cassidy Hutchinson, a Metropolitan Police Officer who was in the motorcade, and from multiple sources.

Additionally, after concluding its review of the voluminous additional Secret Service communications from January 5th and January 6th, the Committee will be recalling witnesses and conducting further investigative depositions based on that material. Following that activity, we will provide even greater detail in our final report.

I will also note this: The Committee is reviewing testimony regarding potential obstruction on this issue, including testimony about advice given not to tell the Committee about this specific topic. We will address this matter in our report.

We also want to remind you now of how security professionals working in the White House complex and who reported to national

security officials responded when they learned that Mr. Trump intended to lead the mob to the Capitol.

SECURITY PROFESSIONAL. To be completely honest, we were all in a state of shock.
Ms. DAYANANDA. Because why?
SECURITY PROFESSIONAL. Because it just—one, I think the actual physical feasibility of doing it, and then, also, we all knew what that implicated and what that meant: that this was no longer a rally, that this was going to move to something else if he physically walked to the Capitol. I don't know if you want to use the word "insurrection," "coup," whatever. We all knew that this would move from a normal, democratic, you know, public event into something else.
Why were we alarmed?
Ms. DAYANANDA. Right.
SECURITY PROFESSIONAL. The President wanted to lead tens of thousands of people to the Capitol. I think that was enough grounds for us to be alarmed.

Mr. AGUILAR. President Trump was still considering traveling to the Capitol even after returning to the White House. He knew well before 2 p.m. that a violent riot was underway at the Capitol. He was aware of the ongoing lawlessness. But his motorcade was held on West Executive Avenue, outside the White House, because he still wanted to join the crowd.

Here is Kayleigh McEnany, the White House press secretary, describing an exchange she had with the President as soon as he arrived back at the White House.

Ms. MCENANY. So, to the best of my recollection, I recall him being—wanting to—saying that he wanted to physically walk and be a part of the march and then saying that he would ride the Beast if he needed to, ride in the Presidential limo.

Mr. AGUILAR. From the Secret Service, the Select Committee has also obtained important new evidence on this issue. It shows how frantic this hour must have been for the Secret Service, scrambling to get the President of the United States to back down from a dangerous and reckless decision that put people in harm's way.

Take a look at this Secret Service email from 1:19 p.m. on January 6th, the minute that President Trump got out of the Presidential vehicle back at the White House.

As soon as the President left his motorcade, leadership from the Secret Service contacted Bobby Engel, the lead agent for the Presidential detail, and warned him that they were "concerned about an OTR"—an off-the-record movement—"to the Capitol."

The people sworn to protect the safety of the President of the United States, and who routinely put themselves in harm's way, were convinced that this was a bad idea.

Secret Service documents also reveal how agents were poised to take President Trump to the Capitol later that afternoon. Agents were instructed to don their protective gear and prepare for a movement. A few minutes later, they were told the President would leave for the Capitol in 2 hours.

It wasn't until 1:55 p.m. that the President's lead Secret Service agent told them to stand down. "We are not doing an OTR to [the Capitol]." By then, rioters had breached the Capitol and were violently attacking the efforts of the brave men and women in law enforcement trying to resist the mob.

President Trump may not have gone to the Capitol on January 6th, but what he did from the White House cannot be justified. While congressional leaders, both Democrats and Republicans, worked with Vice President Pence to try and address the violence,

President Trump refused urgent pleas for help from nearly everyone around him, and what he did do only made the situation worse.

Mr. Chairman, I yield back.

Chairman THOMPSON. The gentleman yields back.

The Chair recognizes the gentleman from Maryland, Mr. Raskin, for an opening statement.

Mr. RASKIN. Thank you, Mr. Chairman.

The President was still exhorting his supporters at the Ellipse to go "fight like hell" at 12:50, around the time that the first wave of rioters first breached barricades defending the Capitol.

Secret Service documents we recently received give a time line of precisely what the White House knew and when.

At 1:19, the President's emergency operations center sent an email to Secret Service, national security, and military advisors to the President and Vice President, informing them that "hundreds of Trump supporters stormed through metal barricades at the back of the Capitol Building about 1 p.m. Wednesday, running past security guards and breaking fences."

When the President returned to the White House around 1:20, he entered the Oval Office and was told right then about the onset of violence at the Capitol.

From that point until approximately 4 p.m., over the next 2 hours and 40 minutes, the President stayed in the White House dining room attached to the Oval Office and watched this unprecedented assault take place at the Capitol.

We have testimony from several members of the President's White House staff establishing that President Trump refused entreaties from his closest advisors and family members to tell his supporters to stand down and leave the Capitol.

Here is the testimony of President Trump's White House Counsel, Pat Cipollone.

Mr. CIPOLLONE. I can't talk about conversations with the President, but I can generically say that I said, you know, people need to be told, there needs to be a public announcement, fast, that they need to leave the Capitol.

Vice Chair CHENEY. And, Pat, could you let us know approximately when you said that?

Mr. CIPOLLONE. Approximately when? Almost immediately after I found out people were getting into the Capitol or approaching the Capitol in a way that was violent.

Vice Chair CHENEY. Who on the staff did not want people to leave the Capitol?

Mr. CIPOLLONE. On the staff?

Vice Chair CHENEY. In the White House.

Mr. CIPOLLONE. I can't think of anybody, you know, on that day who didn't want people to get out of the Capitol, particularly once the violence started. No. I mean——

Mr. SCHIFF. What about the President?

Vice Chair CHENEY. Yes.

Mr. CIPOLLONE. Well, she said the staff. So I answered.

Vice Chair CHENEY. No, I said in the White House.

Mr. CIPOLLONE. Oh, I'm sorry. I apologize. I thought you said who else on the staff.

Yes. I can't reveal communications. But, obviously, I think, you know—yes.

Mr. RASKIN. Mr. Cipollone's testimony is corroborated by multiple other White House staff members, including Cassidy Hutchinson. Here is Ms. Hutchinson describing what she heard from Mark Meadows.

Ms. HUTCHINSON. He had said something to the effect of, you know, "You heard him, Pat. He doesn't want to do anything more. He doesn't think they're doing anything wrong."

Mr. RASKIN. A former White House employee with national security duties similarly recalled an exchange between Mr. Cipollone and Eric Herschmann about President Trump's inaction against the mob assault underway at the Capitol. "Mr. Herschmann . . . said something to Mr. Cipollone. He seemed to relay that, you know, the President didn't want anything done."

Throughout this period, some of the President's most important political allies, family members, and senior staff all begged him to tell his supporters to disperse and go home. They included Sean Hannity; Laura Ingraham and other allies at Fox News; his son, Donald Trump, Jr.; the House Minority Leader, Kevin McCarthy; others in Congress; and officials in the Cabinet and Executive branch. All of them made appeals to Donald Trump, which he rejected and he ignored.

The Select Committee interviewed several people who were in the dining room with Donald Trump that afternoon, and every single one of these witnesses told us that he was watching the violent battles rage on television. He did not call his Secretary of Defense or the National Guard, the chief of the Capitol Police, or the chief of the Metropolitan Police Department.

Mr. WOOD. And, to your knowledge, was the President in that private dining room the whole time that the attack on the Capitol was going on? Or did he ever go—again, only to your knowledge—to the Oval Office, to the White House Situation Room, anywhere else?

Ms. MCENANY. To the best of my recollection, he was always in the dining room.

Mr. HEAPHY. What did they say, Mr. Meadows or the President, at all, during that brief encounter that you were in the dining room? What do you recall?

General KELLOGG. I think they were—everybody was watching the TV.

Ms. APECECHEA. Do you know whether he was watching TV in the dining room when you talked to him on January 6th?

Ms. MICHAEL. It's my understanding he was watching television.

Mr. HEAPHY. When you were in the dining room, in these discussions, was the violence at the Capitol visible on the screen, on the television?

Mr. CIPOLLONE. Yes.

Mr. RASKIN. As the President watched the bloody attack unfold on Fox News from his dining room, Members of Congress and other Government officials stepped in to the gigantic leadership void created by the President's chilling and studied passivity that day.

What you are about to see is previously unseen footage of congressional leaders, both Republicans and Democrats, as they were taken to a secure location during the riot.

You will see how everyone involved was working actively to stop the violence, to get Federal law enforcement deployed to the scene to put down the violence and secure the Capitol complex—not just Democrats like Speaker Nancy Pelosi and House Majority Leader Steny Hoyer, but Republicans like Vice President Pence, Senate Majority Leader Mitch McConnell, Majority Whip John Thune, and countless other appointees across the administration.

All of them did what President Trump was not doing, what he simply refused to do. Take a listen.

VOICE. We're starting to get surrounded. They're taking the North Front scaffolding.

VOICE. Unless we get more munitions, we are not gonna be able to hold.

VOICE. A door has been breached, and people are gaining access into the Capitol.

Speaker PELOSI. Well, you know what? We have got to finish the proceedings, or else they're going to have a complete victory.

CROWD. U-S-A! U-S-A! U-S-A!

VOICE. Senator Schumer is at a secure location, and they're locked down in the Senate.

Speaker PELOSI. There has to be some way we can maintain the sense that people have that there is some security or some confidence that government can function and that we can elect the President of the United States.

Did we go back into session?

VOICE. We did go back into session, but now apparently everybody on the floor is putting on tear gas masks to prepare for a breach. I'm trying to get more information.

Speaker PELOSI. They're putting on their——

VOICE. Tear gas masks.

Speaker PELOSI. Do you believe this? Do you believe this?

VOICE. I can't.

VOICE. We need an area for the House Members. They're all walking over now through the tunnels.

CROWD. Bring her out! Bring her out here! We're coming in if you don't bring her out!

Senator SCHUMER. I'm going to call up the F"ing Secretary of DOD.

We have some Senators who are still in their hideaways. They need massive personnel now. Can you get the Maryland National Guard to come too?

Speaker PELOSI. I have something to say, Mr. Secretary. I'm gonna call the Mayor of Washington, DC, right now and see what other outreach she has, other police departments, as Steny—Leader Hoyer has mentioned.

VOICE. Officer down. Get him up. Get him up.

VOICE. Hold up.

VOICE. Get him up.

VOICE. Hold up.

Speaker PELOSI. Hi, Governor. This is Nancy. Governor, I don't know if you have been approached about the Virginia National Guard. Mr. Hoyer was speaking to Governor Hogan. But I still think you probably need the okay of the Federal Government in order to come into another jurisdiction? Thank you.

Oh, my gosh. They're just breaking windows. They're doing all kinds of—it's really—that somebody—they said somebody was shot. It's just—it's just horrendous. And all at the instigation of the President of the United States.

Okay, thank you, Governor. I appreciate what you're doing. And, if you don't mind, I'd like to stay in touch. Thank you. Thank you. Bye-bye.

Senator SCHUMER. The Virginia Guard has been called in.

Speaker PELOSI. Yes, I was just talking to Governor Northam. And what he said is, they sent 200 of State police and a unit of the National Guard.

They're breaking windows and going in, obviously ransacking our offices and all the rest of that. That's nothing. The concern we have about personal harm——

Senator SCHUMER. Safety.

Speaker PELOSI. [continuing]. Personal safety is—it just transcends everything. But the fact is, on any given day they're breaking the law in many different ways. And, quite frankly, much of it at the instigation of the President of the United States. And, now, if he could at least—somebody——

Senator SCHUMER. Yes, why don't you get the President to tell them to leave the Capitol, Mr. Attorney General, in your law enforcement responsibility? A public statement they should all leave.

CROWD. U-S-A! U-S-A! U-S-A! U-S-A! U-S-A! U-S-A! U-S-A!

Senator SCHUMER. This cannot be just we're waiting for so-and-so. We need them there now, whoever you got. Okay?

Mr. HOYER. You also have troops—this is Steny Hoyer—troops at Fort McNair, Andrews Air Force Base, other military bases. We need Active Duty National Guard.

Senator SCHUMER. How soon in the future can you have the place evacuated, you know, cleaned out?

VOICE. I don't want to speak for the leadership that's going to be responsible for executing the operation, so I'm not gonna say that, because they're the—on the ground and they're the experts.

Speaker PELOSI. Well, just pretend—just pretend for a moment it was the Pentagon or the White House or some other entity that was under siege. And let me say, you can logistically get people there as you make the plan.

[Crowd noise.]

Speaker PELOSI. We're trying to figure out how we can get this job done today. We talked to Mitch about it earlier—he's not in the room right now, but he was with us earlier—and said, you know, we want to expedite this, and hopefully they could confine it to just one complaint, Arizona, and then we could vote and it would be—you know, then just move forward with the rest of the States.

The overriding wish is to do it at the Capitol. What we are being told very directly is it's gonna take days for the Capitol to be okay again. We've gotten a very bad report about the condition of the House floor, with defecation and all that kind of thing as well. I don't think that that's hard to clean up, but I do think it is more from a security standpoint of making sure that everybody is out of the building, and how long will that take?

I just got off with the Vice President.

Senator SCHUMER. I got off with the Vice President-elect, so I'll tell you what she said.

Speaker PELOSI. Okay.

Senator SCHUMER. Yes.

Speaker PELOSI. But what we left the conversation with—because he said he had the impression from Mitch that Mitch wants to get everybody back to do it there.

Senator SCHUMER. Yes.

Speaker PELOSI. I said, well, we're getting a counterpoint that it could take time to clean up the poo-poo that they're making all over the—literally and figuratively—in the Capitol and that it may take days to get back.

Vice President PENCE. Yes. So I'm at the Capitol Building. I'm literally standing with the chief of police of the U.S. Capitol Police. He just informed me what you will hear through official channels. Paul Irving, your Sergeant-at-Arms, will inform you that their best information is that they believe that the House and the Senate will be able to reconvene in roughly an hour.

Senator SCHUMER. Good news.

Vice President PENCE. So your Sergeant-at-Arms will be in touch about the process for getting Members back in the building.

Speaker PELOSI. Thank you very much, Mr. Vice President. Good news.

Mr. RASKIN. In this video, you just saw Senator Chuck Schumer urging Acting Attorney General Jeff Rosen to get President Trump to call off the rioters. Of course, Acting AG Rosen did take action to defend the Government, as did many other officials. But congressional leadership recognized on a bipartisan basis that President Trump was the only person who could get the mob to end its violent siege of the Congress, leave the Capitol, and go home.

Here is Senator McConnell speaking after January 6th about how President Trump abandoned his duties and failed to do his job.

Senator MCCONNELL. It was obvious that only President Trump could end this. He was the only one who could. Former aides publicly begged him to do so. Loyal allies frantically called the administration.

The President did not act swiftly. He did not do his job. He didn't take steps so Federal law could be faithfully executed and order restored. No.

Mr. RASKIN. In the midst of this violent chaos, Kevin McCarthy implored Donald Trump to tell his supporters in the mob to leave the Capitol. When that didn't work, McCarthy called Trump's adult children to try to get them to intercede with Trump to call off the insurrectionary violence.

In our prior hearings, we showed you a description of what McCarthy told Republican Congresswoman Jaime Herrera Beutler about his conversation with Trump during the violence. Another witness, Mick Mulvaney, President Trump's former chief of staff, has also come forward and corroborated her shocking account.

Ms. HERRERA BEUTLER. You know, I asked Kevin McCarthy, who's the Republican Leader, about this. And he said he called Donald—he finally got through to Donald Trump, and he said, "You have got to get on TV, you've got to get on Twitter, you've got to call these people off."

And you know what the President said to him? This is as it's happening. He said, "Well, Kevin, these aren't my people. You know, these are—these are Antifa."

And Kevin responded and said, "No, they're your people. They literally just came through my office windows, and my staff are running for cover. I mean, they're running for their lives. You need to call them off."

And the President's response to Kevin, to me, was chilling. He said, "Well, Kevin, I guess they're just more upset about the election, you know, theft than you are."

And that's—you know, you've seen widespread reports of Kevin McCarthy and the President having basically a swearing conversation. That's when the swearing commenced. Because the President was basically saying, "Nah, I'm okay with this."

Mr. MULVANEY. I had a conversation at some point in the day or week after the riot with Kevin McCarthy.

And, yes, it was very similar to what Jaime had, the conversation she had retold about how he called and asked the President to get them to stop, and the President told him something along the lines of, "Kevin, maybe these people are just more angry about this than you are. Maybe they're more upset." I had a conversation similar to that with Kevin in the day to week after the riot.

Mr. RASKIN. We know how Kevin McCarthy described President Trump's conduct, both in public and in private.

Mr. MCCARTHY. The President bears responsibility for Wednesday's attack on Congress by mob rioters. He should've immediately denounced the mob when he saw what was unfolding. These facts require immediate action by President Trump: accept his share of responsibility, quell the brewing unrest, and ensure President-elect Biden is able to successfully begin his term.

Mr. MCCARTHY. But let be very clear to all of you, and I have been very clear to the President. He bears responsibility for his words and actions, no ifs, ands, or buts.

I asked him personally today, does he hold responsibility for what happened? Does he feel bad about what happened? He told me he does have some responsibility for what happened. And he needs to acknowledge that.

Mr. RASKIN. At 2:24 p.m., knowing the deadly riot was now bearing down on his own Vice President, President Trump composed and sent a tweet attacking Vice President Pence, accusing him of cowardice for not unilaterally rejecting electoral college votes for Joe Biden and simply handing Trump the Presidency.

The impact of that tweet was foreseeable and predictable. It further inflamed the mob, which was chanting "Hang Mike Pence," and provoked them to even greater violence. This deliberate decision to further enrage the mob against Vice President Pence cannot be justified by anything that President Trump might have thought about the election.

The tweet came precisely at the time Pence's Secret Service detail was most seriously concerned for the Vice President's physical safety.

We have obtained new documents from the Secret Service, real-time chats, that underscore the threat they knew the Vice President would be facing because of the President's escalating incitement of the mob.

After Trump's tweet, one agent in the Secret Service's Intelligence Division immediately warned, "POTUS just tweeted about Pence. Probably not going to be good for Pence."

Another agent reported the dramatic impact of Trump's anti-Pence tweet on his followers: "POTUS said he lacked courage. Over 24,000 likes in under 2 minutes."

Employees at Twitter were nervously monitoring the situation. They knew that certain Twitter users were rioting at the Capitol and tweeting about it at the same time. As the afternoon progressed, the company detected a surge in violent hashtags on the platform, including lines of lethal incitement like "Execute Mike Pence."

Listen to this former Twitter employee, Anika Navaroli, who first came to the Committee anonymously but has now bravely agreed to be named because she wants to speak out about the magnitude of the threats facing our people.

Mr. GLICK. And you were also seeing content on the platform at that time that was threatening toward the Vice President? Hashtag——

Ms. NAVAROLI. Yes.

Mr. GLICK [continuing]. "Execute Mike Pence"?

Ms. NAVAROLI. They were literally calling for his execution.

Mr. GLICK. As this tweet was going out?

Ms. NAVAROLI. Yes. And after, in response to this tweet too. Because I think, as many of Donald Trump's tweets did, it again fanned the flames. And it was individuals who were already constructing gallows, who were already willing, able, and wanting to execute someone and looking for someone to be killed. Now the individual who has called upon them to begin this coup is now pointing the finger at another individual while they're ready to do this.

Mr. RASKIN. Here is a small sample of the reactions that President Trump's fan-the-flames tweet provoked among Capitol rioters in real time.

VOICE. What percentage of the crowd is going to the Capitol?

VOICE. One hundred percent. It has spread like wildfire that Pence has betrayed us. And everybody is marching on the Capitol, all million of us. It's insane.

VOICE. Mike Pence will not stick up for Donald Trump. Mike Pence, traitor. Mike Pence is a traitor.

VOICE. Mike Pence has screwed us, in case you haven't heard yet.

VOICE. What happened? What happened?

VOICE. I keep hearing that Mike Pence has screwed us. That's the word. I keep hearing reports that Mike Pence has screwed us.

Mr. RASKIN. Between 2:30 and 2:35, within 10 minutes of President Trump's tweet, thousands of rioters overran the line that the Metropolitan Police Force's Civil Disturbance Unit was holding on the West Side of the Capitol. This was the first time in the history of the Metropolitan Police Department that a security line like that had ever been broken. President Trump's conduct that day was so shameful and so outrageous that it prompted numerous members of the White House staff and other Trump appointees to resign.

In prior hearings, you have heard Deputy National Security Advisor Matt Pottinger and Deputy White House Press Secretary Sarah Matthews explain why they felt compelled to resign on that day.

Since then, we have spoken to more high-ranking officials, like President Trump's envoy to Northern Ireland and former Chief of Staff Mick Mulvaney and Transportation Secretary Elaine Chao, who resigned after the 6th in protest of Trump's misconduct and to dissociate themselves from his role in the violence.

Take a listen to what they had to say.

Mr. MULVANEY. I was stunned by the violence and was stunned by the President's apparent indifference to the violence. Now is the time for the President to be Presi-

dential. I thought he failed at doing it. I thought he failed at a critical time to be the sort of leader that the Nation needed.

Secretary of Transportation CHAO. I think the events at the Capitol, however they occurred, were shocking. And it was something that, as I mentioned in my statement, that I could not put aside. And at a particular point the events were such that it was impossible for me to continue, given my personal values and my philosophy.

I came as an immigrant to this country. I believe in this country. I believe in a peaceful transfer of power. I believe in democracy. And so I was—it was a decision that I made on my own.

Mr. RASKIN. When security assistance began to arrive at the Capitol and the tide turned against the insurrection, President Trump finally gave his painfully belated instruction at 4:17 p.m.

So after multiple hours of rioting and more than 100 serious injuries suffered by our law enforcement officers, the crowd finally began to disperse. Listen carefully to what they said as they decided to leave the Capitol.

VOICE. I am here delivering the President's message. Donald Trump has asked everybody to go home. That's our order. He says, go home. He says, go home. Yes. He said to go home.

Mr. RASKIN. Finally, at 6:01, President Trump tweeted again, not to condemn the mass violence in any way but rather to excuse and glorify it. Significantly, he made it clear that he considered the violence perfectly foreseeable and predictable. Check it out.

"These are the things and events that happen when a sacred landslide election victory is so unceremoniously and viciously stripped away from great patriots who have been badly and unfairly treated for so long."

"These are the things that happen," he said, giving the whole game away. Trump was telling us that the Vice President, the Congress, and all the injured and wounded cops, some of whom are with us today, got what was coming to us.

According to Trump, January 6th should not be a day that lives in shame and infamy in our history but rather in glory. "Remember this day forever!" he wrote proudly, as if he were talking about D-Day or the Battle of Yorktown.

Trump did nothing to stop the deadly violence for obvious reasons: He thought it was all justified, he incited it, and he supported it.

MR. HEAPHY. Would it have been possible at any moment for the President to walk down to the podium in the briefing room and talk to the Nation at any time, between when you first gave him that advice at 2 o'clock and 4:17 when the video statement came out? Would that have been possible?

Mr. CIPOLLONE. Would it have been possible?

MR. HEAPHY. Yes.

Mr. CIPOLLONE. Yes, it would have been possible.

Ms. MATTHEWS. If the President had wanted to make a statement and address the American people, he could have been on camera almost instantly.

And conversely, the White House press corps has offices that are located directly behind the briefing room. And so if he had wanted to make an address from the Oval Office, we could have assembled the White House press corps probably in a matter of minutes to get them into the Oval for him to do an on-camera address.

Mr. RASKIN. Mr. Chairman, nothing in law or fact could justify the President's failure to act.

Vice Chair CHENEY. And I assume you also would agree the President has a particular obligation to take care that the laws be faithfully executed?

Mr. CIPOLLONE. That is one of the President's obligations, correct.

Mr. RASKIN. Mr. Chairman, in numerous places our Constitution strongly opposes insurrection and rebellion. Article I gives Congress the power to "call forth" the Militia to "suppress insurrections." Section 3 of the 14th Amendment disqualified from holding Federal and State office anyone who has sworn an oath to defend the Constitution but betrays it by engaging in "insurrection or rebellion."

It was President Lincoln at the start of the Civil War in 1861 who best explained why democracy rejects insurrection. Insurrection, he said, is a "war upon the first principle of popular government—the rights of the people."

American democracy belongs to all the American people, not to a single man.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. The gentleman yields back.

During this Committee's first hearing, in July of last year, our witnesses were four police officers who helped repel the riots of January 6th. We asked them what they hoped to see the Committee accomplish over the course of our investigation.

Officer Gonell wanted to know why the rioters were made to believe that the election process was rigged.

Officer Fanone asked us to look into the actions and activities that resulted in the day's events.

Officer Hodges was concerned about whether anyone in power had a role.

Officer Dunn put it simply: Get to the bottom of what happened.

We have worked for more than a year to get those answers. We have conducted more than a thousand interviews and depositions. We have received and reviewed hundreds of thousands of pages of documents.

Thanks to the tireless work of our Members and investigators, we have left no doubt—none—that Donald Trump led an effort to upend American democracy that directly resulted in the violence of January 6th. He tried to take away the voice of the American people in choosing their President and replace the will of the voters with his will to remain in power. He is the one person at the center of the story of what happened on January 6th.

So we want to hear from him. The Committee needs to do everything in our power to tell the most complete story possible and provide recommendations to help ensure nothing like January 6th ever happens again. We need to be fair and thorough and gain a full context for the evidence we have obtained.

But the need for this Committee to hear from Donald Trump goes beyond our fact finding. This is a question about accountability to the American people. He must be accountable. He is required to answer for his actions. He is required to answer to those police officers who put their lives and bodies on the line to defend our democracy. He is required to answer to those millions of Americans whose votes he wanted to throw out as part of his scheme to remain in power. Whatever is underway to ensure this account-

ability under law, this Committee will demand a full accounting to every American person of the events of January 6th.

So it is our obligation to seek Donald Trump's testimony. There is precedent in American history for Congress to compel the testimony of a President. There is also precedent for Presidents to provide testimony and documentary evidence to congressional investigators.

We also recognize that a subpoena to a former President is a serious and extraordinary action. That is why we want to take this step in full view of the American people, especially because the subject matter at issue is so important to the American people and the stakes are so high for our future and our democracy.

So I recognize the Vice Chair, Ms. Cheney of Wyoming, to offer a resolution.

Vice Chair CHENEY. Mr. Chairman, pursuant to today's notice, I send to the desk a Committee resolution and ask for its immediate consideration.

Chairman THOMPSON. The clerk will report the resolution.

[The clerk reported the resolution as follows:]

COMMITTEE RESOLUTION 1

Resolved, That the Chairman be, and is hereby, directed to subpoena Donald J. Trump for documents and testimony in connection with the January 6th attack on the United States Capitol pursuant to section 5(c)(4) of House Resolution 503 and clause 2(m) of rule XI of the Rules of the House of Representatives.

Chairman THOMPSON. The gentlewoman from Wyoming is recognized on her resolution.

Vice Chair CHENEY. Thank you, Mr. Chairman.

Mr. Chairman, our Committee now has sufficient information to answer many of the critical questions posed by Congress at the outset. We have sufficient information to consider criminal referrals for multiple individuals and to recommend a range of legislative proposals to guard against another January 6th.

But a key task remains: We must seek the testimony under oath of January 6th's central player.

More than 30 witnesses in our investigation have invoked their Fifth Amendment right against self-incrimination, and several of those did so specifically in response to questions about their dealings with Donald Trump directly.

Here are a few examples. This is Roger Stone with Oath Keepers at the Willard Hotel on the morning of January 6th, and here is Mr. Stone testifying before our Committee.

Vice Chair CHENEY. Did you speak to President Trump on his private cell phone on either January 5th or January 6th?

Mr. STONE. Once again, on advice of counsel, I will assert my Fifth Amendment right to respectfully decline to answer your question.

Vice Chair CHENEY. This is General Michael Flynn walking with Oath Keepers on December 12, 2020. Here is General Flynn's testimony before our Committee.

Mr. GEORGE. Did you, General Flynn, talk to President Trump at any point on January 6, 2021?

General FLYNN. The Fifth.

Vice Chair CHENEY. Here is John Eastman fraudulently instructing tens of thousands of angry protesters that the Vice President

could change the election outcome on January 6th. Later, on this same day, Dr. Eastman acknowledged in writing that Donald Trump knew what he was attempting was illegal.

Here is John Eastman testifying before our Committee.

Mr. WOOD. Did President Trump authorize you to discuss publicly your January 4, 2021, conversation with him?

Mr. EASTMAN. Fifth.

Mr. WOOD. So is it your position that you can discuss in the media direct conversations you had with the President of the United States, but you will not discuss those same conversations with this Committee?

Mr. EASTMAN. Fifth.

Vice Chair CHENEY. Here is Jeff Clark, who conspired with Donald Trump to corrupt the Department of Justice. President Trump wanted to appoint Jeff Clark as Acting Attorney General, and as you can see in this call log we obtained from the National Archives, he did so. Here is Mr. Clark testifying before our Committee.

Mr. WOOD. Mr. Clark, when did you first talk directly with President Trump?

Mr. CLARK. Fifth.

Mr. WOOD. Mr. Clark, did you discuss with President Trump allegations of fraud in the 2020 election?

Mr. CLARK. Fifth.

Vice Chair CHENEY. Other witnesses have also gone to enormous lengths to avoid testifying about their dealings with Donald Trump.

Steve Bannon has been tried and convicted by a jury of his peers for contempt of Congress. He is scheduled to be sentenced for this crime later this month.

Criminal proceedings regarding Peter Navarro continue.

Mark Meadows, Donald Trump's former chief of staff, has refused to testify based upon executive privilege. The Committee's litigation with him continues.

Mr. Chairman, at some point the Department of Justice may well unearth the facts that these and other witnesses are currently concealing.

But our duty today is to our country and our children and our Constitution. We are obligated to seek answers directly from the man who set this all in motion, and every American is entitled to those answers so we can act now to protect our Republic.

So this afternoon, I am offering this resolution: that the Committee direct the Chairman to issue a subpoena for relevant documents and testimony under oath from Donald John Trump in connection with the January 6th attack on the United States Capitol.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. The gentlewoman yields back.

If there is no further debate, the question is on agreeing to the resolution.

Those in favor will say "aye."

Those opposed, "no."

In the opinion of the Chair, the ayes have it.

Vice Chair CHENEY. Mr. Chairman, I request a recorded vote.

Chairman THOMPSON. A recorded vote is requested. The clerk will call the roll.

[The clerk called the roll, and the result was announced as follows:]

Select Committee Rollcall No. 5

Committee Resolution 1
Directing the Chairman to issue a subpoena to Donald J. Trump
Agreed to: 9 ayes to 0 noes

Members	Vote
Ms. Cheney, Vice Chair	Aye
Ms. Lofgren	Aye
Mr. Schiff	Aye
Mr. Aguilar	Aye
Mrs. Murphy (FL)	Aye
Mr. Raskin	Aye
Mrs. Luria	Aye
Mr. Kinzinger	Aye
Mr. Thompson (MS), Chairman	Aye

Chairman THOMPSON. The resolution is agreed to.

Without objection, a motion to reconsider is laid on the table.

The Chair requests that those in the hearing room remain seated until the Capitol Police have escorted Members from the room.

Without objection, the Committee stands adjourned.

[Whereupon, at 3:32 p.m., the Committee was adjourned.]

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