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## House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, February 11, 2021, at 9 a.m.

## Senate

WEDNESDAY, FEBRUARY 10, 2021

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

All-powerful God, Sovereign of this beloved land, You are our fortress, and You desire justice to be done. As our Senate jurors remember their accountability to You, use them to cause justice to roll down like waters and righteousness like a mighty stream.

Lord, during this impeachment trial, give our lawmakers the gift of discernment so that they will know truth from falsehood. Inspire them to commit their thoughts and decisions to You.

Let Your Kingdom come and Your will be done on Earth as it is done in Heaven.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The PRESIDENT pro tempore. Senators, will you please be seated.

### THE JOURNAL

If there is no objection—I hear none—the Journal of proceedings of the trial are approved to date.

The Sergeant at Arms will make the proclamation.

The Acting Sergeant at Arms, Jennifer A. Hemingway, made the proclamation as follows:

Hear ye! Hear ye! All persons are commanded to keep silence, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the Article of Impeachment against Donald John Trump, former President of the United States.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, for the information of all Senators, no motions were filed this morning. So we will proceed to the House managers' presentation. We anticipate two 10-minute breaks and a 45-minute dinner break around 6 p.m.

The PRESIDENT pro tempore. Pursuant to the provisions of S. Res. 47, the managers for the House of Representatives have 16 hours to make a presentation of their case.

The Senate will now hear you. We recognize Mr. Manager RASKIN to begin the presentation of the case for the House of Representatives.

Mr. RASKIN.

### MANAGERS' PRESENTATION

Mr. Manager RASKIN. Thank you very much, Mr. President.

Members of the Senate, good morning, good day.

Some people think this trial is a contest of lawyers or, even worse, a com-

petition between political parties. It is neither. It is a moment of truth for America.

My late father, Marcus Raskin, once wrote:

Democracy [needs] a ground to stand upon. And that ground is the truth.

America needs the truth about ex-President Trump's role in inciting the insurrection on January 6 because it threatened our government, and it disrupted—it easily could have destroyed—the peaceful transfer of power in the United States for the first time in 233 years.

It was suggested yesterday by President Trump's counsel that this is really like a very bad accident or a natural disaster, where lots of people get injured or killed, and society is just out looking for someone to blame. And that is a natural and normal human reaction, according to the President's counsel, but he says it is totally unfair in this case.

President Trump, according to Mr. Castor, is essentially an innocent bystander who got swept up in this catastrophe but did nothing wrong. In this assertion, Mr. Castor unerringly echoes his client, ex-President Trump, who declared after the insurrection that his conduct in the affair was "totally appropriate," and, therefore, we can only assume he could do and would do the exact same thing again because he said his conduct was totally appropriate.

So now the factual inquiry of the trial is squarely posed for us. The jurisdictional constitutional issue is gone. Whether you were persuaded by the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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President's constitutional analysis yesterday or not, the Senate voted to reject it. And so the Senate is now properly exercising its jurisdiction and sitting as a Court of Impeachment conducting a trial on the facts. We are having a trial on the facts.

The House says ex-President Donald Trump incited a violent insurrection against Congress and the Constitution and the people. The President's lawyers and the President say his conduct was totally appropriate and he is essentially an innocent victim of circumstances, like the other innocent victims that we will see getting caught up in all of the violence and chaos, over the next several days.

The evidence will be for you to see and hear and digest. The evidence will show you that ex-President Trump was no innocent bystander. The evidence will show that he clearly incited the January 6 insurrection. It will show that Donald Trump surrendered his role as Commander in Chief and became the "inciter in chief" of a dangerous insurrection, and this was, as one of our colleagues put it so cogently on January 6 itself, "the greatest betrayal of the presidential oath in the history of the United States."

The evidence will show you that he saw it coming and was not remotely surprised by the violence. And when the violence inexorably and inevitably came as predicted and overran this body and the House of Representatives with chaos, we will show you that he completely abdicated his duty as Commander in Chief to stop the violence and protect the government and protect our officers and protect our people.

He violated his oath of office to preserve, protect, and defend the Constitution, the government, and the people of the United States.

The evidence will show you that he assembled, inflamed, and incited his followers to descend upon the Capitol to "Stop the Steal," to block Vice President Pence and Congress from finalizing his opponent's election victory over him.

It will show that he had been warned that these followers were prepared for a violent attack, targeting us at the Capitol through media reports, law enforcement reports, and even arrests.

In short, we will prove that the impeached President was no innocent bystander whose conduct was totally appropriate and should be a standard for future Presidents, but that he incited this attack, and he saw it coming.

To us, it may have felt like chaos and madness, but there was method in the madness that day. This was an organized attack on the counting of the electoral college votes in joint session of the U.S. Congress under the Twelfth Amendment and under the Electoral Count Act to prevent Vice President Mike Pence and to prevent us from counting sufficient electoral college votes to certify Joe Biden's victory of 306 to 232 in the electoral college—a

margin that President Trump had declared a landslide in 2016.

When my colleague Mr. NEGUSE speaks after me, he will set forth in detail the exact roadmap of all the evidence in the case. My fellow House managers and I will then take you through that evidence step-by-step so everyone can see exactly how these events unfolded.

But I want to tell you a few key reasons right now that we know this case is not about blaming an innocent bystander for the horrific violence and harm that took place on January 6. This is about holding accountable the person singularly responsible for inciting the attack.

Let's start with December 12. You will see during this trial a man who praised and encouraged and cultivated violence. "We have just begun to fight!" he says more than a month after the election has taken place, and that is before the second Million MAGA March, a rally that ended in serious violence and even a burning of a church. And as the President forecasted, it was only the beginning.

On December 19, 18 days before January 6, he told his base about where the battle would be that they would fight next. January 6 would be "wild," he promised. "Be there, will be wild!" said the President of the United States of America. And that, too, turned out to be true.

You will see in the days that followed, Donald Trump continued to aggressively promote January 6 to his followers. The event was scheduled at the precise time that Congress would be meeting in joint session to count the electoral college votes and to finalize the 2020 Presidential election.

In fact, in the days leading up to the attack, you will learn that there were countless social media posts, news stories, and, most importantly, credible reports from the FBI and Capitol Police that the thousands gathering for the President's Save America March were violent, organized with weapons, and were targeting the Capitol. This mob got organized so openly because, as they would later scream in these halls and as they posted on forums before the attack, they were sent here by the President. They were invited here by the President of the United States of America.

And when they showed up, knowing of these reports that the crowd was angry and they were armed, here is what Donald Trump told them. President Trump whipped the crowd into a frenzy, exhorting followers:

If you don't fight like hell, you're not going to have a country anymore.

And then he aimed straight at the Capitol declaring:

You'll never take back our country with weakness. You have to show strength, and you have to be strong.

He told them to "fight like hell," and they brought us hell on that day.

Incited by President Trump, his mob attacked the Capitol. This assault un-

folded live on television before a horrified nation.

According to those around him at the time, this is how President Trump reportedly responded to the attack that we saw him incite in public: Delight, enthusiasm, confusion as to why others around him weren't as happy as he was.

Trump incited the January 6 attack, and when his mob overran and occupied the Senate and attacked the House and assaulted law enforcement, he watched it on TV like a reality show. He reveled in it, and he did nothing to help us as Commander in Chief. Instead, he served as the "inciter in chief," sending tweets that only further incited the rampaging mob. He made statements lauding and sympathizing with the insurrectionists.

At 4:17 p.m.—over 3 hours after the beginning of the siege—for the very first time, he spoke out loud—not on Twitter. He spoke out loud to the American people. Here is what he said:

(Text of video presentation of 1-6-2021.)

President TRUMP. I know your pain. I know you're hurt.

So you might be saying: All right, the President is going to console us now. He is going to reassure America. He knows our pain. He knows we are hurt. We have just seen these horrific images of officers being impaled and smashed over the head. We have just been under attack for 3 hours. But here is what he actually goes on to say:

(Text of video presentation of 1-6-2021.)

President TRUMP. I know your pain. I know you're hurt. We had an election that was stolen from us. It was a landslide election, and everyone knows it, especially the other side.

So you would think he is about to decry the mayhem and violence, the unprecedented spectacle of this mob attack on the U.S. Capitol, but he is still promoting the big lie that was responsible for inflaming and inciting the mob in the first place.

If anyone ever had a doubt as to his focus that day, it was not to defend us; it was not to console us. It was to praise and sympathize and commiserate with the rampaging mob. It was to continue to act as "inciter in chief," not Commander in Chief, by telling the mob that their election had been stolen from them.

Even then, after that vicious attack, he continued to spread the big lie. And as everyone here knows, Joe Biden won by more than 7 million votes and 306 to 232 in the electoral college. But Donald Trump refused to accept his loss even after this attack, and he celebrated the people who violently interfered with the peaceful transfer of power, for the first time in American history, and did that at his urging.

And when he did, in this video, finally tell them to go home in peace, he added this message:

We love you. You're very special.

Distinguished Members of the Senate, this is a day that will live in disgrace in American history; that is, unless you ask Donald Trump because this is what he tweeted before he went to bed that night at 6:01 p.m.—not consoling the Nation, not reassuring everyone that the government was secure, not a single word that entire day condemning the violent insurrection.

This is what he says:

These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace. Remember this day forever!

“These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots. . . .” In other words, this was all perfectly natural and foreseeable to Donald Trump. At the beginning of the day, he told you it was coming. At the end of the day, he basically says: I told you this would happen. And then he adds: “Remember this day forever!” But not as a day of disgrace, a day of horror and trauma, as the rest of us remember it, but as a day of celebration, a day of commemoration.

And if we let it be, it will be a day of continuation, a call to action, and a rallying cry for the next rounds of insurrectionary justice because all of this was totally appropriate.

Senators, the stakes of this trial could not be more serious. Every American—young and old and in between—is invited to participate with us in this essential journey to find the facts and share the truth. Trials are public events in a democracy, and no trial is more public or significant than an impeachment trial.

Because the insurrection brought shocking violence, bloodshed, and pain to the Nation’s Capitol, and we will be showing relevant clips of the mob’s attack on police officers and other innocent people, we do urge parents and teachers to exercise close review of what young people are watching here, and please watch along with them if you are allowing them to watch.

The impeachment managers will try to give warnings before the most graphic and disturbing violence that took place is shown.

We believe that the managers’ comprehensive and meticulous presentation will lead to one powerful and irresistible conclusion: Donald Trump committed a massive crime against our Constitution and our people and the worst violation of the Presidential oath of office in the history of the United States of America. For this, he was impeached by the House of Representatives, and he must be convicted by the United States Senate.

Before I close, I want to address a constitutional issue still lingering from yesterday’s argument. The President, obviously, is still exploring ways to change the subject and talk about

anything other than his responsibility for inciting the attack.

We heard a lot yesterday about his claim that this incitement of the insurrection was perfectly appropriate because it is somehow protected by the First Amendment, and this little diversion caught my eye because I have been a professor of constitutional law and the First Amendment for decades.

And as we will demonstrate over the course of the trial, the factual premise and the legal underpinnings of that claim are all wrong. They present President Trump as merely like a guy at a rally expressing a political opinion that we disagree with, and now we are trying to put him in jail for it. That has nothing to do with the reality of these charges or his constitutional offense.

The particular political opinions being expressed are not why we impeached the President and have nothing to do with it. It makes no difference what the ideological content of the mob was, and if we license and forgive incitement to violent insurrection by militant Trump followers this week, you can be sure there will be a whole bunch of new ideological flavors coming soon.

As we will demonstrate with overwhelming evidence, portraying Trump as a guy on the street being punished for his ideas is a false description of his actions, his intent, and the role that he played on January 6, when he willfully incited an insurrectionary mob to riot at the Capitol.

Last week, 144 constitutional scholars, including Floyd Abrams, a ferocious defender of free speech; Charles Fried, President Reagan’s Solicitor General; Steven Calabresi, the co-founder of the Federalist Society, released a statement calling the President’s First Amendment arguments “legally frivolous”—“legally frivolous”—adding:

[W]e all agree that the First Amendment does not prevent the Senate from convicting President Trump and disqualifying him from holding future office.

They went on to say:

No reasonable scholar or jurist could conclude that President Trump had a First Amendment right to incite a violent attack on the seat of the legislative branch, or then to sit back and watch on television as Congress was terrorized and the Capitol sacked.

Incitement to violence is, of course, not protected by the First Amendment. That is why most Americans have dismissed Donald Trump’s First Amendment rhetoric simply by referring to Justice Oliver Wendell Holmes’s handy phrase: You can’t shout “fire” in a crowded theater.

But even that time-honored principle doesn’t begin to capture how off-base the argument is. This case is much worse than someone who falsely shouts “fire” in a crowded theater. It is more like a case where the town fire chief, who is paid to put out fires, sends a mob not to yell “fire” in a crowded theater but to actually set the theater

on fire; and who then, when the fire alarms go off and the calls start flooding in to the fire department asking for help, does nothing but sit back, encourage the mob to continue its rampage, and watch the fire spread on TV, with glee and delight.

So then we say this fire chief should never be allowed to hold this public job again and “you are fired, and you are permanently disqualified”—and he objects. And he says we are violating his free speech rights just because he is pro-mob or pro-fire or whatever it might be.

Come on. I mean, you really don’t need to go to law school to figure out what is wrong with that argument. Here is the key. Undoubtedly, a private person can run around on the street expressing his or her support for the enemies of the United States and advocating to overthrow the United States Government.

You have got a right to do that under the First Amendment, but if the President spent all of his days doing that, uttering the exact same words, expressing support for the enemies of the United States and for overthrowing the government, is there anyone here who doubts that this would be a violation of his oath of office to preserve, protect, and defend the Constitution of the United States and that he or she could be impeached for doing that?

Look, if you are President of the United States, you have chosen a side with your oath of office, and if you break it, we can impeach, convict, remove, and disqualify you permanently from holding any office of honor, trust, or profit under the United States.

As Justice Scalia once said, memorably, “You can’t ride with the cops and root for the robbers.” And if you become “inciter in chief” to the insurrection, you can’t expect to be on the payroll as Commander in Chief for the Union.

Trump was the President of the United States, and he had sworn to preserve, protect, and defend the Constitution. He had an affirmative, binding duty, one that set him apart from everyone else in the country, to take care that the laws be faithfully executed, including all the laws against assaulting Federal officers, destroying Federal property, violently threatening Members of Congress and the Vice President, interfering with Federal elections, and dozens of other Federal laws that are well known to all of you.

When he incited insurrection on January 6, he broke that oath. He violated that duty. And that is why we are here today, and that is why he has no credible constitutional defense.

I will tell you a final, sad story in this kaleidoscope of sadness and terror and violence. One of our Capitol officers who defended us that day was a longtime veteran of our force, a brave and honorable public servant who spent several hours battling the mob as part of one of those blue lines defending the Capitol and our democracy.

For several hours straight, as the marauders punched and kicked and mauled and spit upon and hit officers with baseball bats and fire extinguishers, cursed the cops and stormed our Capitol, he defended us, and he lived every minute of his oath of office. And afterward, overwhelmed by emotion, he broke down in the Rotunda and he cried for 15 minutes and he shouted out:

I got called an n-word 15 times today.

And then he reported:

I sat down with one of my buddies, another Black guy, and tears just started streaming down my face. [And] I said, "What the [F] man? Is this America?"

That is the question before all of you in this trial: Is this America? Can our country and our democracy ever be the same if we don't hold accountable the person responsible for inciting the violent attack against our country, our Capitol, and our democracy and all of those who serve us so faithfully and honorably? Is this America?

Mr. NEGUSE will now provide a roadmap, a roadmap of our evidentiary case.

Mr. Manager NEGUSE. Mr. President, distinguished Senators, counsel, like several of you, I am a child of immigrants. And as a son of immigrants, I believe firmly in my heart that the United States is the greatest Republic that this world has ever known.

A hallmark of our Republic since the days of George Washington has been the peaceful transfer of power. For centuries, we have accepted it as fact.

Unfortunately, sadly, we know now that we can no longer take that for granted because, as Lead Manager RASKIN explained, on January 6, the peaceful transition of power was violently interrupted when a mob stormed this Capitol and desecrated this Chamber.

As you will see during the course of this trial, that mob was summoned, assembled, and incited by the former President of the United States, Donald Trump, and he did that because he wanted to stop the transfer of power so that he could retain power, even though he had lost the election. And when the violence erupted, when they were here in our building, with weapons, he did nothing to stop it.

If we are to protect our Republic and prevent something like this from ever happening again, he must be convicted.

Now, I want to be very clear about what we will show you during the course of this trial. As my fellow managers present our case to you today, tonight, and tomorrow, it will be helpful to think about President Trump's incitement of insurrection in three distinct parts: provocation, the attack, and the harm.

Let's start with the provocation. We will show, during the course of this trial, that this attack was provoked by the President, incited by the President, and, as a result, it was predictable, and it was foreseeable. And, of course, that makes sense.

This mob was well orchestrated. Their conduct was intentional. They did it all in plain sight—proudly, openly, and loudly—because they believed, they truly believed that they were doing this for him; that this was their patriotic duty.

They even predicted that he would protect them. And for the most part, they were right. In his unique role as Commander in Chief of our country and as the one person whom the mob was listening to and following orders from, he had the power to stop it, and he didn't.

Now, some have said that President Trump's remarks, his speech on January 6, was just a speech. Well, let me ask you this: When in our history has a speech led thousands of people to storm our Nation's Capitol with weapons, to scale the walls, break windows, kill a Capitol Police officer?

This was not just a speech. It didn't just happen. And as you evaluate the facts that we present to you, it will become clear exactly where that mob came from, because here is the thing: President Trump's words, as you will see, on January 6 in that speech, just like the mob's actions, were carefully chosen. Those words had a very specific meaning to that crowd. And how do we know this? Because in the weeks prior to, during, and after the election, he used the same words over and over and over again. You will hear over and over three things—you can see them on the screens—first, what Lead Manager RASKIN referred to as the "big lie," that the "election was stolen, full of fraud, rigged." You will hear over and over him using that lie to urge his supporters to "never concede" and "stop the steal." Finally, you will hear the call to arms, that it was his supporters' patriotic duty to fight like hell. To do what? To stop the steal. To stop the election from being stolen by showing up in this very Chamber. To stop you. To stop us.

I respectfully ask that you remember those three phrases as you consider the evidence today—"The election was stolen," "Stop the Steal," and "Fight like hell"—because they did not just appear on January 6. Let me show you what I mean. Let's start with the "big lie."

You will see during this trial that the President realized, really by last spring, that he could lose, he might lose the election. So what did he do? He started planting the seeds to get some of his supporters ready by saying that he could only lose the election if it was stolen.

In other words, really what he did was create a no-lose scenario: either he won the election or he would have some angry supporters—not all but some—who believed that if he lost, the election had to be rigged, and they would be angry because he was telling Americans that their vote had been stolen. And in America, our vote is our voice. So his false claims about election fraud, that was the drumbeat being used to inspire, instigate, and ignite them, to anger them.

Watch this clip.

(Text of video presentation.)

President TRUMP. Because we are not going to let this election be taken away from us. That's the only way they are going to win this. We are not going to let it happen. (Applause.)

It is the only way we can be—it is the only way we can lose, in my opinion, is massive fraud.

We all know what happened after that. He lost. He lost the election. But remember, he had that no-lose scenario that I referenced earlier. He told his base that the election was stolen, as he had forecasted, and then he told them: Your election has been stolen, but you cannot concede. You must stop the steal.

(Text of video presentation.)

President TRUMP: You can't let another person steal that election from you. All over the country, people are together in holding up signs: 'Stop the Steal.'

The Democrats are trying to steal the White House. You cannot let them. You just can't let them.

Now, while he is inciting his supporters, he is also simultaneously doing everything he possibly can to overturn the election.

First, he begins with the courts—a legitimate avenue, legitimate avenue—to challenge the election, but he ignores all of their adverse rulings when all of his claims are thrown out.

Then he moves on to try to pressure State election officials to block the election results for his opponent even though he had lost in their States. You will hear my fellow managers discuss that in detail.

Then he tries to threaten State election officials to actually change the votes to make him the winner, even threatening criminal penalties if they refused.

He had the Justice Department investigate his claims, and even they found no support for those claims. So he tried to persuade some Members of his party in Congress to block the certification of his vote with attacks in public forums.

When that failed, he tried to intimidate the Vice President of the United States of America to refuse to certify the vote and send it back to the States.

None of it worked. So what does he do, with his back against the wall, when all else has failed? He turned back to his supporters. He had already spent months telling them that the election was stolen, and he amplified it further. He turned it up a notch. He told them that they had to be ready not just to stop the steal but to fight like hell.

(Text of video presentation.)

President TRUMP. We are going to fight for the survival of our nation. And we are going to keep on fighting.

We will never surrender, we will only win. Now is not the time to retreat. Now is the time to fight harder than ever before.

We have to go all the way. We are going to fight like hell, I will tell you right now.

We will not bend, we will not break, we will not yield. We will never give in. We will never give up. We will never back down. We will never, ever surrender.

You will see that in the months the President made these statements, people listened. Armed supporters surrounded election officials' homes. The secretary of state for Georgia got death threats. Officials warned the President that his rhetoric was dangerous, and it was going to result in deadly violence. And that is what makes this so different, because when he saw firsthand the violence that his conduct was creating, he didn't stop it. He didn't condemn the violence. He incited it further, and he got more specific. He didn't just tell them to fight like hell; he told them how, where, and when. He made sure they had advance notice, 18 days' advance notice. He sent this "save the date" for January 6. He told them to march to the Capitol and fight like hell on January 6, as Lead Manager RASKIN said, the exact same day we were certifying the election results. What time was that rally scheduled for? The exact same time that this Chamber was certifying the election results in joint session. When did he conclude his speech? Literally moments before Speaker PELOSI had gavelled us into session.

Many of us were in the House during that joint session of Congress. I was sitting two rows behind Leader SCHUMER and Leader MCCONNELL. I remember it vividly. And as we were standing there fulfilling our solemn oath to the Constitution, the President was finishing his speech just a couple of miles away. How did he conclude that infamous speech? With a final call to action. He told them to march down Pennsylvania Avenue, to come here; that it was their patriotic duty because the election had been stolen. And when they heard his speech, they understood his words and what they meant because they had heard it before.

Let's take just a minute and really look at his words on January 6 as he spoke at the Save America rally. Remember, I told you you would hear three phrases: "The election was stolen," "Stop the Steal," and "Fight like hell." Let's start with that first phrase.

(Text of video presentation of 1-6-2021.)

President TRUMP. All of us here today do not want to see our election victory stolen.

There has never been anything like this. It is a pure theft in American history. Everybody knows it. Make no mistake, this election was stolen from you, from me, and from the country.

Now, of course, each of you heard those words before. So had the crowd. The President had spent months telling his supporters that the election had been stolen, and he used this speech to incite them further, to inflame them, to stop the steal, to stop the certification of the election results.

(Text of video presentation of 1-6-2021.)

President TRUMP. We will never give up, we will never concede. It doesn't happen. You don't concede when there's theft involved. And to use a favorite term that all of you people really came up with: We will stop the steal.

We must stop the steal.

Finally, the President used the speech as a call to arms. It was not rhetorical. Some of his supporters had been primed for this over many months. As you will learn, days before this speech, as Lead Manager RASKIN noted, there were vast reports across all major media outlets that thousands of people would be armed, that they would be violent. You will learn that Capitol Police and the FBI reported in the days leading up to the attack that thousands in the crowd would be targeting the Capitol specifically, that they had arrested people with guns the night before the attack on weapons charges.

And this is what our Commander in Chief said to the crowd in the face of those warnings, right before they came here.

(Text of video presentation of 1-6-2021.)

President TRUMP. We will not let them silence your voices. We're not going to let it happen. Not going to let it happen.

(People chanting: "Fight for Trump.")

President TRUMP. Thank you. And you have to get your people to fight because you'll never take back our country with weakness. You have to show strength, and you have to be strong. And we fight. We fight like hell. And if you don't fight like hell, you're not going to have a country anymore.

"You have to get your people to fight," he told them.

Senators, this clearly was not just one speech. It didn't just happen. It was part of a carefully planned, months-long effort with a very specific instruction: Show up on January 6, and get your people to fight the certification.

He incited it. It was foreseeable. And again, you don't have to take my word for it. The President's former Chief of Staff—he is a retired marine, four-star general, was confirmed by this body to be the Secretary of Homeland Security, overwhelming vote—that man was John Kelly. On the day after the insurrection, he said this:

(Text of video presentation.)

Mr. KELLY. You know, the president knows who he's talking to when he tweets or when he makes statements. He knows who he is talking to. He knows what he wants them to do. And the fact that he said the things, he has been saying the things he has been saying since the election, and encouraging people, there is no surprise, again, at what happened yesterday.

No surprise. Think about that. No surprise. The President had every reason to know that this would happen because he assembled the mob, he summoned the mob, and he incited the mob. He knew when he took that podium on that fateful morning that those in attendance had heeded the words and they were waiting for his orders to begin fighting.

And that, of course, brings me, my fellow managers, to what happened here in this building. As Lead Manager RASKIN stated, my colleagues are going to walk through the events of January 6 and the evidence in very great detail.

They are painful to watch and to recount, and I am not going to repeat the evidence now.

But I do want to be clear about what also happened during that terrible attack, and that is this: that President Trump, once again, failed us because when the violence erupted, when we and the law enforcement officials protecting you were under attack, as each of you were being evacuated from this Chamber from a violent mob, as we were being evacuated from the House, he could have immediately and forcefully intervened to stop the violence. It was his duty as Commander in Chief to stop the violence, and he alone had that power, not just because of his unique role as Commander in Chief but because they believed that they were following his orders. They said so.

(Text of videotape presentation.)

President Trump!

President Trump!

Fight for Trump!

Fight for Trump!

Fight for Trump!

We were invited by the President of the United States!

I thought I was following my President. I thought I was following what we were called to do. President Trump requested that we be in DC on the 6th.

You heard it from them. They were doing what he wanted them to do. They wouldn't have listened to you, to me, to the Vice President of the United States who they were attacking. They didn't stop in the face of law enforcement, police officers fighting for their lives to stop them. They were following the President. He alone, our Commander in Chief, had the power to stop them and he didn't.

You will hear evidence tonight, tomorrow, throughout the trial, about his refusal as Commander in Chief to respond to numerous desperate pleas on the phone, across social media, begging him to stop the attack. And you will see his relentless attack on Vice President PENCE, who was at that very moment hiding with his family as armed extremists were chanting, "Hang Mike Pence," calling him a traitor.

You will see that even when he did finally, 3½ hours into the attack, tell these people to go home in peace, he added, as Lead Manager RASKIN said, I will quote:

You're very special. We love you.

Think for a moment—just a moment—of the lives lost that day, of the more than 140 wounded police officers, and ask yourself if, as soon as this had started, President Trump had simply gone onto TV, just logged onto Twitter and said "Stop the attack." If he had done so with even half as much force as he said "Stop the steal," how many lives would we have saved? Sadly, he didn't do that.

At the end of the day, the President was not successful in stopping the certification. That we know, thanks to the bravery of our law enforcement and to the bravery of the Senators in this

room, each of you who still fulfilled your constitutional duty even under the threat of mortal peril. But there can be no doubt of the grave harm that he caused to our elected leaders; to us, our families; to all who work at the Capitol, our staff, your staff; to our brave Capitol police, who defend us tirelessly with little thanks, who believed that they had a Commander in Chief who would defend and protect them, instead put them in harm's way; to those killed for heeding his command; to our democracy and the system, which ensures that we have a President elected by the people; to our national security and our standing in the world. The harm was real. The damage was real.

Five people lost their lives on that terrible, tragic day. A woman was shot dead 50 feet from where we later certified the election results. And for those who question just how bad it was, criminal complaints recently unsealed by the Department of Justice are more than revealing. You all see one of these documents on the screen. In the charging affidavit of one of the leaders of the Proud Boys, we learned that members of this group "said that they would have killed . . . Mike Pence if given the chance."

In another, we learned of the tweet in realtime while they were in the building stating:

We broke into the Capitol . . . we got inside, we did our part. . . . We were looking for Nancy [Pelosi] to shoot her in the friggin' brain but we didn't find her.

And for anyone who suggests otherwise, these defendants themselves have told you exactly why they were here. You will see this in the trial, that in the halls of the Capitol, on social media, in news interviews, and in charging documents, they confirmed they were following the President's orders. You can see some of the statements on that screen, one who said:

Trump wants all able-bodied patriots.

Another:

President Trump is calling us to FIGHT!  
. . . This isn't a joke.

Another:

I thought I was following my President. I thought I was following what we were called to do.

Our President wants us here.

We wait and take orders from [the] president.

He made them believe, over many weeks, that the election was stolen and they were following his command to take back their country.

As I prepared for today—yesterday, this trial—one memory that I couldn't shake: It was on the night of January 6 and the feeling of walking back onto the House floor and seeing many of you there. I remember us finishing our task at 4 in the morning, and as I walked off the floor, I was so grateful—so grateful—for the opportunity to thank the Vice President of the United States, Mike Pence, for his actions, for standing before us and asking us to follow our oath and our faith and our duty.

We only got a couple of hours of sleep that morning. Early the next day, I called my dad, who came to this country, as I mentioned, as an immigrant 40 years ago, and I told him that the proudest moment, by far, of serving in Congress, for me, was going back on to the floor with each of you to finish the work that we had started.

I am humbled to be back with you today. And just as on January 6, when we overcame that attack on our Capitol, on our country, I am hopeful that at this trial, we can use our resolve and our resilience to, again, uphold our democracy by faithfully applying the law, vindicating the Constitution, and holding President Trump accountable for his actions.

Mr. Manager RASKIN. Senators, Representatives JOAQUIN CASTRO and ERIC SWALWELL will now show the evidence of President Trump's long campaign to delegitimize his electoral defeat and to galvanize his supporters to help him retain his power at any cost.

So we are going to go, at this point, step by step to explain the progression all the way up until the attack.

Mr. Manager CASTRO. Good afternoon, you all. My name is JOAQUIN CASTRO. I represent San Antonio in the United States Congress. There is a saying that "[a] lie can travel halfway around the world before the truth has a chance to put on its shoes." That was before the internet.

The point of that saying is the lie can do incredible damage and destruction, and that is especially true when that lie is told by the most powerful person on Earth, our Commander in Chief, the President of the United States.

This attack did not come from one speech, and it didn't happen by accident. The evidence shows clearly that this mob was provoked over many months by Donald J. Trump. And if you look at the evidence, his purposeful conduct, you will see that the attack was foreseeable and preventable.

I will start by discussing President Trump's actions leading up to the election when he set up his big lie. Beginning in the spring of 2020, President Trump began to fall behind in the polls, and by July, President Trump had reached a new low. He was running 15 points behind his opponent, and he was scared.

He began to believe that he could legitimately lose the election, so he did something entirely unprecedented in the history of our Nation. He refused to commit to a peaceful transition of power. Here is what he said:

(Text of videotape presentation.)

Mr. WALLACE. Can you give a direct answer you will accept the election?

Mr. TRUMP. I have to see. Look, I have to see. No, I'm not just going to just say yes. I'm not going to say no.

Mr. WALLACE. Do you commit to making sure that there is a peaceful transfer of power?

Mr. TRUMP. Get rid of the ballots and you'll have a very peaceful—there won't be a transfer, frankly. There will be a continuation.

Senators, the President of the United States said: There won't be a transition of power, frankly. There will be a continuation.

President Trump was given every opportunity to tell his supporters: Yes, if I lose, I will peacefully transfer power to the next President. Instead, he told his supporters the only way he could lose the election is if it were stolen.

In tweet after tweet, he made sweeping allegations about election fraud that couldn't possibly be true. But that was the point. He didn't care if things were true. He wanted to make sure that his supporters were angry, like the election was being ripped away from them.

On May 24, 6 months before the election, he tweeted:

It will be the greatest Rigged Election in history.

How could he possibly know it would be the greatest rigged election in history 6 months before the election happened?

And, on June 22, more of the same:

RIGGED 2020 ELECTION: IT WILL BE THE SCANDAL OF OUR TIMES!

Again—about an election that had not even happened.

On July 30:

2020 will be the most INACCURATE & FRAUDULENT Election in history.

Again, just big words with nothing to prove them, but he wanted to make his supporters believe that an election victory would be stolen from him and from them. This was to rile up his base, to make them angry.

Now, these were just a few of the many times President Trump tweeted about this, and he did it in speeches, in rallies, and on television, too.

(Text of video presentation of 7-31-2020.)

President TRUMP: This is going to be the greatest election disaster in history.

Because the only way we are going to lose this election is if the election is rigged. Remember that.

The only way they can take this election away from us is if this is a rigged election. We are going to win this election.

It's a rigged election. That's the only way we are going to lose.

But this will be one of the greatest fraudulent—most fraudulent elections ever.

This is clearly a man who refuses to accept the possibility or the reality in our democracy of losing an election, and there are dozens more tweets and speeches of Donald Trump spreading his lie, but you get the point. His supporters got the point as well. They firmly believed that, if he lost, it was because the election was rigged.

(Text of video presentation of 9-15-2020.)

The Interviewer. Will you accept the result if Joe Biden wins?

Unidentified Speaker. No.

The Interviewer. Under any circumstances?

Unidentified Speaker. No.

The Interviewer. Why is that?

Unidentified Speaker. Because it's lies and deceit and corruption.

The Interviewer. Do you think that, when you get to election night or in the following

days, if Biden winds up somehow becoming the winner—do you think it's rigged?

Unidentified Speaker. Oh, yes, very much so.

The Interviewer. On election night—Unidentified Speaker. Yes.

The Interviewer.—if it ends up that Joe Biden wins—

Unidentified Speaker. Yes.

The Interviewer.—in your opinion, would that be the only way that Trump could lose, that it would be a rigged election? Is that the only way Joe Biden could win?

Unidentified Speaker. Absolutely. I agree with that because there's no way in heck our President is going to lose, but, yes, it would be a rigged election. There will be—some type of cheating went on, what have you, and I firmly believe that.

Now, all of us in this room have run for election, and it is no fun to lose. I am a Texas Democrat, and we have lost a few elections over the years, but can you imagine telling your supporters that the only way you could possibly lose is if an American election were rigged and stolen from you?

Ask yourself whether you have ever seen anyone at any level of government make the same claim about their own election, but that is exactly what President Trump did. He truly made his base believe that the only way he could lose was if the election were rigged.

Senators, all of us know and all of understand how dangerous that is for our country, because the most combustible thing you can do in a democracy is convince people that an election doesn't count, that their voices and their votes don't count, and that it has all been stolen, especially if what you are saying are lies.

Let us turn now to the election.

As you know, the results were not fully reported on election night, which is not unusual in our Nation's history. But by November 7, major news networks, including FOX News, reported that, once the remaining votes were counted, Joe Biden would be the likely victor. So President Trump began urging his supporters to stop the count.

I would imagine that, if we went around this room, there would be folks sitting here who started down on election night and ended up coming back up and winning their races. Perhaps that is why some of you are seated in this room today.

But imagine if you were behind, and the results started coming in, and as you started pulling ahead, your opponent said: That's not fair. Stop the count while I am still ahead.

That is what Donald Trump did, but that is not how America works. Here, every vote counts. You don't just stop counting when one person is ahead. We count every vote.

And let's be clear: President Trump knew that you just can't stop counting votes, but he wanted to inflame his base. There was a purpose behind this—to truly make them believe that counting votes would result in a stolen, rigged election.

He said at 12:49 a.m. on election night:

They are trying to STEAL the Election. We will never let them do it.

A little over an hour later, at, roughly, 2:30 in the morning, before all the votes were even close to being counted, he goes even further and actually declares victory. Take a look.

(Text of video presentation of 11-4-2020.)

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.

"Frankly, we did win," rather than calmly saying: Let's count the votes. If there are legal issues, we will go to court, and we will resolve them.

Instead, he told his supporters that he had actually won the election and that the whole thing was a fraud. He said that on November 4, and he has never renounced that statement since.

Despite President Trump's pressure at the time, election officials around the country continued to carry out their duties, and as votes were counted and his loss became more certain, he riled up his base further. Take a look at these tweets.

On November 5, he tweeted, in all capital letters, as if shouting commands:

STOP THE COUNT!

STOP THE FRAUD!

Senators, this is dangerous.

I also want you to remember these tweets for another reason, because that is what it looks like when Donald Trump wants people to stop doing something.

Bear in mind, this is not the President saying to his supporters that somebody stole your cup of coffee. This is the Commander in Chief telling his supporters "your election is being stolen, and you must stop the counting of American votes," and it worked. His words became their actions. His commands led to their actions. Take a look at this.

The same day as those tweets—the same day as those tweets—around 100 Trump supporters showed up in front of the Maricopa County elections center in Phoenix, some of them carrying rifles, literally trying to intimidate officials to stop the count just as President Trump had commanded. Arizona Secretary of State Katie Hobbs said that protesters were "causing delay and disruption and preventing those employees from doing their job."

Let's call this what it was. We were facing a global pandemic, and workers were risking their health to ensure the integrity of our elections. President Trump's supporters were encircling them, trying to prevent them from doing their own jobs. This was dangerous, it was scary, and it was a blatant act of political intimidation.

In Philadelphia, that same day, police investigated an alleged plot to attack the city's Pennsylvania Convention Center, where votes were being counted. Police took at least one man into custody who was carrying a weap-

on. This happened all over. In Atlanta, in Detroit, and in Milwaukee, his supporters used armed force to try to disrupt the lawful counting of votes because they bought into Trump's big lie that the election was stolen from them.

President Trump's months of inflaming and inciting his supporters had worked. They believed it was their duty to, quite literally, fight to stop the count. So they showed up at election centers across the country to do just that.

(Text of video presentation of 11-5-2020.)

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.

(People chanting: "Yeah.")

(People chanting: "Stop the count.")

(People chanting: "They ain't taking it from us.")

President TRUMP. We were winning in all the key locations by a lot, actually, and then our numbers started miraculously getting whittled away in secret.

(People chanting: "They will pay. They will be destroyed because America is rising.")

And there it is. They had bought into his big lie. President Trump told his supporters over and over again, nearly every day, in dozens of tweets, speeches, and rallies, that their most precious right in our democracy—their voice, their vote—was being stripped away, and they had to fight to stop that. They believed him, and so they fought.

You may say: Well, he didn't know that they would take up arms. But when he did know, when it was all over the news, President Trump didn't stop. As Mr. SWALWELL will show, after Donald Trump lost, he became even more desperate and incited his base even further. He urged them again and again, with increasingly forceful language, to fight to stop the steal. Even as the certification got closer and he grew even more desperate, he gave them specific instructions on how, where, and when to fight to stop the steal. He told them to show up on January 6 and march to the U.S. Capitol to stop the certification of the election results, and he told them to come here and fight like hell.

You will see, clearly, that this violent mob that showed up here on January 6 didn't come out of thin air. President Donald John Trump incited this violence, and that is the truth.

Mr. Manager SWALWELL. Mr. President, distinguished Senators, my name is ERIC SWALWELL, and I represent California's 15th Congressional District.

Manager CASTRO just told you about Donald Trump's lies and acts before the election, but to paraphrase Winston Churchill, that wasn't the end of his efforts. That wasn't the beginning of the end, but perhaps it was the end of the beginning. Here is what I mean.

You saw President Trump prime for months his supporters to believe that, if the election were lost, it only could



have been so because it was rigged, but that took time just like, to build a fire, it doesn't just start with the flames. Donald Trump, for months and months, assembled the tinder, the kindling—threw on logs for fuel—to have his supporters believe that the only way their victory would be lost was if it were stolen. So, that way, President Trump was ready, if he lost the election, to light the match.

And on November 7, after all the votes were counted, President Trump did lose by 7 million votes.

But for Donald Trump, all was not lost. He had a backup plan. Instead of accepting the results or pursuing legitimate claims, he told his base more lies. He doused the flames with ker-  
osene.

And this wasn't just some random guy at the neighborhood bar blowing off steam. This was our Commander in Chief.

Day after day, he told his supporters false, outlandish lies that the victory—that the election outcome was taken and it was rigged. And he had absolutely no support for his claims, but that wasn't the point. He wanted to make his base angrier and angrier.

And to make them angry, he was willing to say anything. On November 15, he stated:

I concede NOTHING! We have a long way to go. This was a RIGGED ELECTION!

He doesn't say why the election is rigged.

November 17, in a Twitter statement: DEAD PEOPLE VOTED.

That is it. No evidence, just "DEAD PEOPLE VOTED."

November 28, Twitter statement:

We have found many illegal votes. Stay tuned!

This just wasn't true. He never found illegal votes. He didn't even try to pretend that he had evidence for that. And "stay tuned"? Well, that was all about inciting his base, not about bringing legitimate claims. It was about dramatizing the election to anger his supporters.

December 5, you see here he goes after the Governors of Arizona and Georgia, Governors from his own party, claiming that they weren't with him.

You see, Senators, he is casting this in combat terms; that either you are with him, making sure that he won the election, or you are fighting against him.

These are just a few of the hundreds of Twitter statements that President Trump sent. And it wasn't just Twitter statements.

As you will see, he was dialing into meetings, holding rallies, appearing on television, continuing to spread the big lie that his election victory was stolen.

(Text of video presentation of 12-2-2020.)

President TRUMP. People that were dead were signing up for ballots. Not only were they jumping in and putting in a ballot, but dead people were requesting ballots, and they were dead for years, and they were requesting ballots.

President TRUMP. Dead people voting all over the place.

President TRUMP. The alleged Biden margin of victory in several states is entirely accounted for by extraordinarily large midnight vote dumps. You saw them going up to the sky.

Massive "midnight vote dumps." Dead people voting all over the place. He said there were votes "going up to the sky."

This was never about pursuing legitimate claims. He was saying anything he could to trigger and anger his base so that they would fight like hell to overturn a legitimate election.

And it worked. Just as Manager CASTRO showed you, President Trump's supporters were taking up arms to stop the count. His message to "fight like hell" was having real consequences.

In Michigan, you will recall that President Trump was attacking that State and its officials. He continued these attacks even after Michigan certified its votes.

(Text of video presentation of 11-26-2020.)

President TRUMP. Take a look at Michigan. Take a look at what they did with respect to counties, and then you get to Detroit and it's like more votes than people. Dead people voting all over the place.

(Text of video presentation of 12-5-2020.)

President TRUMP. You know I won almost every county in Michigan, almost every district.

President TRUMP. We should have won that state very easily. We have a similar type of governor, I think, but I'll let you know that in about a week.

He is literally telling them that there were more votes in Detroit than people.

About 260,000 people voted in Detroit. There are roughly 500,000 registered voters in Detroit. There are approximately 670,000 people living in the city. So, again, not true. But he needed to make these outlandish claims to truly make his supporters believe that their victory was stolen from them.

And it was working. A few days after these clips, on December 5, his supporters surrounded the Michigan Secretary of State's home.

(Text of video presentation of 12-6-2021.)

Unidentified Speaker. I'm just sharing our Secretary of State's House and . . . (People chanting: "Stop the steal.")

Unidentified Speaker. You are a threat to democracy. You are a threat to free and honest elections.

Nine o'clock at night, Secretary's family is inside; protestors have surrounded her home; and they are chanting that she is a felon.

And, as we saw, when armed protestors showed up to follow President Trump's direction to stop the steal, this was not the first time that President Trump's supporters used threats and intimidation.

President Trump cannot say: I didn't know what I was inciting. From what Manager CASTRO showed and what I just showed, there was plenty of evi-

dence that his words had consequences, and if he wanted to stop it, he could stop it.

You saw Mr. CASTRO read statement after statement from our Commander in Chief saying, "Stop the count." "Stop the steal."

President Trump was never shy about using his platforms to try and stop something. He could have very easily told his supporters: Stop threatening officials. Stop going to their homes. Stop it with the threats.

But each time, he didn't. Instead, in the face of escalating violence, he incited them further.

The next phase in the certification of results was the certification on December 14 of the electoral college votes.

The night before, President Trump personally issued 14 Twitter statements, with more false claims about the election being stolen and directing his supporters to make sure that "they cannot be certified."

He states here:

The RINOS—

The RINOS—

that run the state voting apparatus have caused us the problem of allowing the Democrats to so blatantly cheat in their attempt to steal the election, which we won overwhelmingly.

We will never give up!

In the face of threats to elected officials, this is his message.

And he calls them RINOS—Republicans in name only—and tells them to never give up.

President Trump, to him, it was his supporters against anyone who would not overturn the election results so that President Trump could win.

But on December 14, despite all of President Trump's efforts to stop, the electors cast their votes according to the will of the American people, and Joe Biden was certified as having won 306 electoral college votes.

The day after this occurred, Leader MCCONNELL recognized this, stating:

Many of us hoped that the presidential election would yield a different result, but our system of government has processes to determine who will be sworn in on January 20. The Electoral College has spoken.

As Manager CASTRO said, no one here, no one among us wants to lose an election. Sometimes there is a reason to dispute an election. Sometimes the count is close. Sometimes we ask for a recount or we go to court. That is entirely appropriate.

But what President Trump did was different. What President Trump did was the polar opposite of what any of us would do if we lost an election because once the outcome is clear and a judge rules, we concede. We recognize the will of the American people because we let the people decide.

And that is what all of the courts, the Justice Department, and the 50 States that had counted the votes—they said it was time for a peaceful transition of power because that is what our Constitution and rule of law demands.



Except President Trump. He directed all of the rage that he had incited to January 6. That was his last chance to stop the peaceful transition of power.

And that brings us to the attack. Manager CASTRO told you the power of the lie—especially when the lie comes from the most powerful person in the world, the Commander in Chief.

It also helps if you spend millions of dollars to amplify that lie. You will see here, in mid-December, President Trump announced the release of ads, including ones entitled “The Evidence is Overwhelming—FRAUD!” “STOP THE STEAL.”

He spent \$50 million from his legal defense fund on these ads to stop the steal and amplify his message. They were released nationally, played in video ads, online advertising, and targeted text messages.

They used the same words and phrases that President Trump had been spreading for months; that the election was full of “fraud,” to “stop the steal.”

But now they had a specific purpose. How do we know that purpose? These ads were designed to run all the way up to January 5, and then they stopped. This was purposeful and deliberate planning to target his base to rally around that day.

And it wasn't just his ads. He continued to use his own platform. He told his supporters, who truly believed their victory had been stolen and were ready to fight, when, where, and how to stop what he believed was a steal.

Donald Trump would issue a deliberate call to action, and just like in his ads, that action was centered around January 6.

On December 19, at 1:42 in the morning, our Commander in Chief tweeted:

Big protest in D.C. on January 6th. Be there, will be wild!

“Will be wild!” We know why he picked this day. It wasn't random. It was his last chance to stop a peaceful transition of power, and he gave his supporters plenty of time to plan.

This was the save-the-date sent out 18 days before the event on January 6, and it wasn't a casual one-off reference or a single invitation.

For the next 18 days, Donald Trump would make sure to remind them over and over and over to show up on January 6.

And he would tell them exactly what he wanted them to do.

On December 26, he tweets:

If a Democrat Presidential Candidate had an Election Rigged & Stolen, with proof of such acts at a level never seen before, the Democrat Senators would consider it an act of war, and fight to the death. Mitch & the Republicans do NOTHING, just want to let it pass. NO FIGHT!

He is saying that the Republicans are doing nothing and have no fight because you are doing your job, taking on the constitutional process of certifying the electoral college results.

And he also suggests, President Trump, that if this was the reverse and the Democrats had lost, it would be an

act of war—an act of war. That is how Donald Trump prepared his supporters for January 6.

He even stated again, 14 minutes later, to make sure his supporters understood:

The “Justice” Department and the FBI have done nothing about the 2020 Presidential Election Voter Fraud, the biggest SCAM—

All caps.  
—in our nation's history, despite overwhelming evidence. They should be ashamed.

And then he adds:

History will remember. Never give up. See everyone in D.C. on January 6th.

That phrase, “History will remember,” was the only time—the first time—Donald Trump had used it in his Presidency, and he sent this to 70-plus million Twitter followers the day they needed to show up and be ready to fight.

On December 27, he reminds them again:

Don't miss it. Information to follow!

A few days later, December 30, all caps, “SEE YOU IN DC!” This continues all the way up to January 6.

On January 1, he states:

The BIG Protest Rally in Washington . . . will take place at 11:00 A.M. . . . Locational details to follow. StopTheSteal!

You will see that an hour later President Trump retweeted one of his Twitter followers. That follower was Kylie Kremer, executive director of Women for America First, the group organizing the January 6 rally and the creator of the Facebook group, Stop the Steal. Kremer tweeted: “The [cavalry] is coming, Mr. President!” referring to the cavalry showing up on January 6. She also added a website for supporters to RSVP and made clear what the message was: hashtag “Stop The Steal.” And what did President Trump say in response to hearing that the cavalry was coming? “A great honor!” he wrote back.

This wasn't just a single tweet. He and his organizers would do this over and over repeatedly. On January 3, another supporter tweets:

We have been marching all around the country for you Mr. President. Now we will bring it to DC on Jan 6 and PROUDLY stand beside you! Thank you for fighting for us.

When President Trump reposted her tweet, she wrote back:

BEST DAY EVER!!! Thank you . . . for the retweet! It has been an honor to stand up and fight for you and our nation. We will be standing strong on Jan 6th in DC with you! We are bringing the [cavalry] Mr. President.

“We are bringing the cavalry.” That was the consistent message. This was not just any old protest. President Trump was inciting something historic. The cavalry was coming, and he was organized.

In her post, Ms. Lawrence tagged Kylie Kremer, the organizer of the event, whose post we just saw President Trump retweet. Again, you see this is all connected.

I won't show you all the Twitter statements—and there are a lot—but here's one more.

President Trump retweeted another of Ms. Kremer's posts, which had all the details of January 6 with the same hashtags: “March For Trump,” “Do Not Certify,” “Stop The Steal.” And in response, President Trump, he writes back:

I will be there. Historic day!

Before Congress, I prosecuted violent crimes in California as an Alameda County deputy district attorney. And when you investigate and prosecute violent crimes, you have to distinguish: Was this a heat-of-passion crime? Or was it something more deliberate, planned, premeditated?

The evidence here on this count is overwhelming. President Trump's conduct leading up to January 6 was deliberate, planned, and premeditated. This was not one speech, not one tweet. It was dozens in rapid succession with the specific details. He was acting as part of the host committee. In fact, when he had assembled his inflamed mob in DC, he warned us that he knew what was coming.

This was President Trump's statement the night before the attack—I should say this was one of his dozens of statements on Twitter in the hours leading up to the attack:

I hope the Democrats, and even more importantly, the weak and ineffective RINO section of the Republican Party, are looking at the thousands of people pouring into D.C. They won't stand for a landslide . . . victory to be stolen. @senatemajldr @JohnCornyn @SenJohnThune.

“Thousands of people pouring into D.C. [who] won't stand for the landslide election to be stolen”—it is all right there. And he tags Senators to pressure you to stop this, and he warns all of us that his thousands of supporters, whom you will see that the FBI had warned were armed and targeting the Capitol, won't stand for us certifying the results of the election.

This was never about one speech. He built this mob over many months with repeated messaging until they believed that they had been robbed of their votes and they would do anything to stop the certification. He made them believe that their victory was stolen and incited them so he could use them to steal the election for himself.

(Text of videotape presentation.)

President TRUMP. This election was rigged.

Unidentified Speaker. This is tyranny against the people of the United States, and we are not standing for it any more.

President TRUMP. If we don't root out the fraud—the tremendous and horrible fraud that has taken place in our 2020 election, we don't have a country anymore.

The Left lies. They cheat, and they steal. They are ruthless, and they are hell-bent on getting power and control by any means necessary.

(People chanting and screaming.)

(Police: “Move back. Move back.”)

(People chanting: “Stop the steal.”)

President TRUMP. Can't let it happen.

(People chanting: “Stop the steal.”)

President TRUMP. The Democrats are trying to steal the White House. You cannot let them.

(People chanting: "Fight for Trump.")

"You can't let it happen." "Never concede." "Fight," he told them in speech after speech. These crowds were ready to fight. This is what President Trump was inciting. He foresaw what was coming, and this is what he deliberately led to our doorstep on January 6.

I want to be clear. During this trial, when we talk about the violent mob during the attack, we do not mean every American who showed up at President Trump's rally. Certain Americans came to protest peacefully, as is their right. That is what makes our country so great—to debate freely, openly, and peacefully our differences, just like all of you were attempting to do in this very room on January 6.

But what President Trump did was different. He didn't tell his supporters to fight or be strong in a casual reference. He repeatedly, over months, told them to fight for a specific purpose. He told them their victory was stolen, the election was rigged, and their patriotic duty was to fight to stop the steal. And he repeated this messaging even after he saw the violence it was inciting. And when they were primed and angry and ready to fight, he escalated and channeled their rage with a call to arms: Show up on January 6 at the exact time the votes of the American people were being counted and certified, and then march to the Capitol, and "fight like hell." He told this to thousands of people who were armed to the teeth, targeting us and determined to stop the electoral college count.

What our Commander in Chief did was wildly different from what anyone here in this room did to raise election concerns. This was a deliberate, premeditated incitement to his base to attack our Capitol while the counting was going on. And it was foreseeable, especially to President Trump, who warned us he knew what was coming. This is what the evidence has overwhelmingly shown and will show in this trial, and it is also the truth.

The PRESIDENT pro tempore. The majority leader.

#### RECESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate recess for a 15-minute break.

There being no objection, at 1:39 p.m., the Senate, sitting as a Court of Impeachment, recessed until 2:04 p.m., whereupon the Senate reassembled when called to order by the President pro tempore.

#### MANAGERS' PRESENTATION—CONTINUED

The PRESIDENT pro tempore. Mr. RASKIN.

Mr. Manager RASKIN. Thank you, Mr. President.

My colleagues MADELEINE DEAN and TED LIEU will now detail former President Trump's increasingly desperate attempts to stop the steal.

Ms. Manager DEAN. Mr. President, esteemed Members of the Senate, it is

my solemn honor to be before you today.

I am MADELEINE DEAN, Congresswoman from the Fourth Congressional District of Pennsylvania. I am a lawyer. I am a former professor of writing. I am a sister. I am a wife. I am a mother. I am a grandmother to three, with fourth on her way. I am a person of faith. And I am an American.

Along with Manager LIEU, I will present the actions of a desperate President, and we will present evidence today of a class of public servants who, standing up to enormous pressure from the President of the United States, did the right thing and upheld their oaths.

My colleagues just presented evidence of President Trump's month-long effort to incite his base, leading them to believe the election was stolen, that they needed to fight like hell to stop the steal on January 6.

These weren't President Trump's only efforts to overturn the results. Manager LIEU and I will present evidence of President Trump's relentless, escalating campaign to fabricate an election victory by ignoring adverse court rulings, pressuring and threatening election officials, attacking Senators and Members of Congress, pressuring the Justice Department, and finally bullying his own Vice President.

President Trump and his allies filed 62 separate lawsuits in Federal courts across more than half a dozen States and the District of Columbia, including Pennsylvania, my home State, as well as Arizona, Georgia, Michigan, Minnesota, Nevada, and Wisconsin. Of the 62 postelection legal challenges, he lost 61. Only one was successful, and that case involved ballot curing in Pennsylvania and had no impact on President Biden's 80,555-vote victory in our Commonwealth.

To be clear, not a single court, not a single judge agreed that the election results were invalid or should be invalidated. Instead, court after court reviewing these challenges said these cases were "not credible," "without merit," "based on nothing but speculation," and "flat out wrong."

The judiciary resoundingly rejected Trump's fraud allegations and upheld the election results, but it was more than that. The court said these cases were different; they were dangerous to our democracy. For an example, in an opinion by United States District Court Judge Matthew Brann from Pennsylvania, he said:

[T]his Court has been presented with strained legal arguments without merit and speculative accusations. . . . In the United States of America, this cannot justify the disenfranchisement of a single voter, let alone all the voters of its sixth most populated state. Our people, [and] laws, and institutions demand more.

Because this Court has no authority to take away the right to vote of even a single person, let alone millions of citizens, it cannot grant Plaintiff's requested relief.

That decision by Judge Brann was affirmed on appeal by Judge Stephanos Bibas, a Trump appointee who agreed and wrote:

The Campaign's claims have no merit. The number of ballots it specifically challenges is far smaller than the roughly 81,000-vote margin of victory. And it never claims fraud or that any of the votes were cast by illegal voters. Plus, tossing out millions of mail-in ballots would be drastic and unprecedented, disenfranchising a huge swath of the electorate and upsetting all down-ballot races.

Similarly, as Judge Linda Parker of the Eastern District of Michigan framed it—she said:

[S]tunning in its scope and breathtaking in its reach. If granted, the relief would disenfranchise the votes of . . . more than 5.5 million Michigan citizens who, with dignity, [and] hope, and a promise of a [vote], participated in the 2020 General Election.

Donald Trump told his supporters: They are stealing the election. They took away your vote. It is rigged.

That was not true. According to judge after judge, the truth was exactly the opposite.

Trump was not suing to ensure election integrity; he was pursuing lawsuits that would, in effect, strip away American votes so that he could win. In other words, Donald Trump was asking the judiciary to take away votes from Americans so that he could steal the election for himself.

Then, after losing in all the courts, Trump turned to another tactic: pressuring and threatening election officials. You saw what happened in Michigan after Trump attacked the State and its election officials. His supporters surrounded the secretary of state's home, as you saw in the earlier slide, chanting, calling her a felon.

On November 17, the Board of Canvassers for Wayne County, MI, home to Detroit, unanimously certified the election results for Biden. That same night, after their vote to certify the results, Trump called the two Republican members of that board, pressuring them to change their minds. The call worked. The next day, both Monica Palmer and William Heartmann, the Republican board members, attempted to rescind their vote to certify Michigan's election results, but they simply couldn't.

President Trump didn't stop there. He then contacted majority leader of the Michigan Senate, Mike Shirkey, and the speaker of the Michigan House, Lee Chatfield, to lobby them to overturn Michigan's results. Trump invited Mr. Chatfield and Mr. Shirkey to Washington to meet with him at the White House, where the President lobbied them further.

Let's be clear. Donald Trump was calling officials, hosting them at the White House, urging them to defy the voters in their State and instead award votes to Trump. The officials held strong, and so Trump moved on to a different State, my home State of Pennsylvania. I am certain my Senators, CASEY and TOOMEY, remember what happened there.

In early December, as he did in Michigan, he began calling election officials, including my former colleagues in the Pennsylvania Legislature, Republicans, Majority Leader Kim Ward

and Speaker of the House Bryan Cutler. Majority Leader Ward said the President called her to “declare there was a fraud in the voting.”

Then, on November 25, President Trump phoned in to a Republican State senate policy hearing, trying to convince the Republican legislators, senators, and house members that there had been a fraud in the vote. He even had his lawyer hold a phone up to the microphone in that hearing room so the committee could hear him. Here is what he said:

(Text of audio presentation.)

President TRUMP. We can't let that happen. We can't let it happen for our country. And this election has to be turned around because we won Pennsylvania by a lot, and we won all of these swing States by a lot.

This was a gathering—I have attended many, I have to tell you, as a former State legislator, a lot of policy hearings. I have to say with some confidence, that was likely the first time a President of the United States of America called in to a State legislative policy hearing.

And, remember, here is the President saying he won Pennsylvania, and Pennsylvania had been certified, that Biden had won by more than 80,000 votes.

Less than a week after calling in to that meeting, he invited multiple Republican members of the Pennsylvania Legislature to the White House—the same scheme he had used on the Michigan legislators. It didn't work with those public servants either.

Think about it. The President of the United States was calling public officials, calling from the White House, inviting them into the Oval Office, telling them to disenfranchise voters of their State, telling them to overturn the will of the American people. All so he could take the election for himself.

And then in Georgia, a State Trump had counted on for victory, his conduct was perhaps the most egregious. On November 11, Republican Secretary of State Brad Raffensperger confirmed that he believed ballots were accurately counted for Biden.

Trump went on a relentless attack. Here are just a few examples. In all, Trump tweeted at Raffensperger 17 times in the coming weeks—there are just a few—calling him a “disaster,” “obstinate,” not having a clue, being played for a fool, and being a “so-called Republican,” all because Raffensperger was doing his job, ensuring the integrity of our elections.

And these attacks had consequences. Mr. Raffensperger and his family received death threats:

Your husband deserves to face a firing squad.

You better not botch this recount. Your life depends [upon] it.

The Raffenspergers should be put on trial for treason and face execution.

Just some of the threats they received. After these death threats, on November 25, Mr. Raffensperger wrote an op-ed, where he said:

My family voted for [Trump], donated to him and are now being thrown under the bus by him.

But he also noted:

Elections are the bedrock of our democracy. They need to be run fairly and, perhaps more [importantly], impartially. That's not partisan. That's just American.

It is important to remember that this wasn't just a random attack. Trump wasn't just criticizing a politician over policy or saying he didn't agree. Donald Trump was savagely attacking a secretary of state because the official did his job and certified the State according to how the people in that State voted.

Donald Trump was trying to undermine our elections by taking votes away from the American people so that he could remain President, and he was willing to blame and betray anyone—anyone—even his own supporters, if they got in the way. Remember, Senators, those threats were to Mr. Raffensperger's family.

So some may say Trump didn't know his attacks against Mr. Raffensperger would result in death threats—except that all of this was very public. The secretary published his op-ed in USA TODAY, and major networks, including FOX, covered the threats against the Raffenspergers.

What did Trump do? Did he stop? Did he say: No, no, supporters; that isn't what I meant? No. He doubled down.

Let's see the evidence.

(Text of audio presentation of 11-26-2020.)

President TRUMP. This was a massive fraud. This should never take place in this country. We're like a third world country. Look at—look at Georgia. But I understand the secretary of state who is really, uh, uh, he's an enemy of the people. The secretary of state—and whether he's Republican or not, this man, what he's done.

... this character in Georgia, who is a disaster.

Let that sink in. A Republican public servant doing his job, whose family had just received death threats, and the President of the United States labeled him “an enemy of the people.”

And that is why this is different, because this was not just one attack or one comment. This was attack after attack in the face of clear threats of violence.

And on December 1, another official, Gabriel Sterling, a Republican who voted for Trump, made this point and appealed directly to our President to stop his dangerous conduct:

(Text of audio presentation 12-1-20.)

Mr. STERLING. Mr. President, it looks like you likely lost the State of Georgia. We're investigating. There's always a possibility—I get it—and you have the right to go through the courts. What you don't have the ability to do—and you need to step up and say this—is stop inspiring people to commit potential acts of violence. Someone's going to get hurt, someone's going to get shot, someone's going to get killed.

Mr. Sterling put this perfectly. In this country, we can appropriately challenge a close count or go to the courts or disagree with others or make bold statements, but what Trump was doing was different.

Someone's going to get hurt, someone's going to get shot, someone's going to get killed.

Mr. Sterling saw what Trump's conduct was fomenting. He warned him on live TV that violence was already happening and that more violence was foreseeable and inevitable. Sterling's pleas were played over and over on every network.

Rather than heed that warning, Trump escalated again. In early December, Trump called Brian Kemp, the Governor of Georgia, and pressured him to hold a special session of the State legislature to overturn the election results and to appoint electors who would vote for Trump.

A few weeks later, on December 23, Trump called the chief investigator for the Georgia Bureau of Investigations, who was conducting an audit, an audit of the signature-matching procedures for absentee ballots. Trump urged him, “[F]ind the fraud,” and claimed the official would be a “national hero” if he did.

Let's call this what it is. He was asking the official to say there was evidence of fraud when there wasn't any. The official refused, and the investigation was completed. And on December 29, Raffensperger announced that the audit found “no fraudulent absentee ballots” with a “99 percent confidence” level.

On January 3, Trump tweeted about a call he had with Georgia election officials the day before. He said:

I spoke to Secretary of State Brad Raffensperger yesterday about Fulton County and voter fraud in Georgia. He was unwilling, or unable, to answer questions such as the “ballots under the table” scam, ballot destruction, out of state “voters”, dead voters, and more. He has no clue!

On January 5, the Washington Post released a recording of that call which had occurred on January 2—remember, just 4 days before the attack on the Capitol. Here is what President Trump said:

(Text of audio presentation of 1-2-2021.)

President TRUMP. It's more illegal for you than it is for them because you know what they did and you're not reporting it. That's the—you know, that's a criminal—that's a criminal offense. And you know, you can't let that happen. That's—that's a big risk to you and to Ryan, your lawyer. That's a big risk.

Let's be clear. This is the President of the United States telling a secretary of state that if he does not find votes, he will face criminal penalties—and not just any number of votes. Donald Trump was asking the secretary of state to somehow find the exact number of votes Donald Trump lost the State by.

Remember, President Biden won Georgia by 11,779 votes. In his own words, Trump said:

All I want to do is this. I just want to find 11,780 votes.

He wanted the secretary of state to somehow find the precise number, plus one, so that he could win.

Here is what he said.

(Text of audio presentation of 1–2–21.)

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.

He says it right there, the President of the United States, telling a public official to manufacture the exact votes needed so he can win.

Senators, we must not become numb to this. Trump did this across State after State, so often, so loudly, so publicly. Public officials like you and me received death threats and calls threatening criminal penalties, all because Trump wanted to remain in power. These public officials exercised great political and personal courage in the face of unprecedented pressure from a President of the United States.

Senators, ours is a dialogue with history, a conversation with the past, with a hope for the future.

Senators, I thank you today for your kind attention.

Mr. Manager LIEU. Good afternoon. I am Congressman TED LIEU. My colleague Congresswoman DEAN went through President Trump's efforts to overturn the election through the courts and, when that started failing, his deeply disturbing attacks on State and local officials.

I am going to walk through President Trump's extraordinary efforts remaining until January 6, when he tried again to overturn the election.

I first want to highlight Representative RASKIN's question to all of you today: Is this America?

Like all of you, I love this country. I am an immigrant. My parents came to Ohio, and we started off living in the basement of a person's home. We were poor, and they went to flea markets to sell gifts to make ends meet. Over many years, they built a small business, opened six gift stores, and achieved the American dream.

That is one reason I joined the United States Air Force on Active Duty. I believe America is an exceptional country. I was trained as a prosecutor at Maxwell Air Force Base in Alabama, and I remain in the Reserves because we are the greatest country in the world.

But how did our exceptional country get to the point where a violent mob attacked our Capitol, murdering a police officer, assaulting over 140 other officers? How did we get to the point where rioters desecrated, defiled, and dishonored your Senate Chamber, where the very place in which you sit became a crime scene, and where National Guard troops still patrol outside wearing body armor?

I will show you how we got here. President Donald J. Trump ran out of nonviolent options to maintain power. After his efforts in courts and threatening officials failed, he turned to privately and publicly attacking Members of his own party in the House and in the Senate. He would publicly bait Senators, naming them in social media.

For example, on December 18, President Trump named "@senatemajldr

and Republican Senators," telling them they "have to get tougher" or they "won't have a Republican Party anymore. We won the Presidential Election, by a lot. FIGHT FOR IT. Don't let them take it away!"

President Trump was suggesting to Members of this Senate that if they didn't help him try to overturn the election, there would be consequences. On December 24, President Trump wrote:

I saved at least 8 Republican Senators, including Mitch, from losing in the last Rigged (for President) Election. Now they (almost all) sit back and watch me fight against a crooked and vicious foe, the Radical Left Democrats. I will—

And in all capital letters he wrote—  
NEVER FORGET!

President Trump was telling you that you owe him; that if you don't help him fight to overturn the results, he will never forget and that there will be consequences. These are threats, just like the threats he made to State and local officials.

And it continued. On December 29, President Trump tweeted:

Can you imagine if the Republicans stole a Presidential Election from the Democrats—All hell would break out. Republican leadership only wants the path of least resistance. Our leaders (not me, of course!) are pathetic. They only know how to lose! P.S. I got MANY Senators and Congressmen/Congresswomen Elected. I do believe they forgot!

President Trump targeted Senators and Members of Congress on social media, calling them pathetic for letting the election get "stolen" from them.

On January 4, 2 days before the attack, President Trump tweeted:

The "Surrender Caucus" within the Republican Party will go down in infamy as weak and ineffective "guardians" of our Nation, who were willing to accept the certification of fraudulent presidential numbers!

Now he is mocking some Republican Members as the "Surrender Caucus," calling them "weak and ineffective guardians of our Nation" because they would not pretend that he had won when, in fact, he had not.

And then, the very day before the attack, President Trump's threats were even more heated and specific toward Republicans that he considered to be part of that "Surrender Caucus."

Now, we have shown you this tweet before, but I want to draw your attention to how the President was not just inciting his base but how he was also calling out specific Senate Republicans at the end of this tweet. This is a specific warning to anyone who won't help him overturn the results. Anyone who was against the President became an enemy.

And let me be very clear. The President wasn't just coming for one or two people or Democrats like me; he was coming for you, for Democratic and Republican Senators. He was coming for all of us, just as the mob did at his direction.

In addition to going after Senators and Members of Congress, President

Trump also pressured our Justice Department to investigate the false claims that the election was stolen. At the President's direction, Attorney General William Barr, a loyal member of the President's Cabinet, authorized Federal prosecutors to pursue "substantial allegations of voting and vote tabulation irregularities."

Bill Barr pursuing these allegations sparked an outcry. Sixteen assistant U.S. attorneys in the Trump administration urged the Attorney General to cease investigations because they had not seen evidence of any substantial anomalies. That means they did not find any evidence of real fraud.

Attorney General Barr pursued the investigation anyway, and after his investigation, this is what he found:

[W]e have not seen fraud on a scale that could have effected a different outcome in the election.

Two weeks later, on December 14, the electors voted to give Joe Biden 306 electoral votes and ensured his victory. The following day, Bill Barr resigned.

Attorney General Barr had loyally served President Trump. He had never publicly come out against the President. But for Bill Barr, making up election fraud claims and saying the election was stolen was a bridge too far.

Bill Barr made clear that attempting to overturn election results crossed a line. According to a news report, Bill Barr, the highest law enforcement official in the land, told President Donald Trump to his face that his theories of election fraud were "bullshit."

When Bill Barr resigned, his former Deputy, Jeff Rosen, took his place. President Trump initially tweeted about Mr. Rosen that he was "an outstanding person" when he announced that he would become Acting Attorney General, but when Rosen took over, President Trump put the same pressure on him that he had done with State officials and Members of Congress, U.S. Senators, and his former Attorney General.

President Trump reportedly summoned Acting Attorney General Rosen to the Oval Office the next day and pressured Rosen to appoint special counsels to keep investigating the election, including unfounded accusations of widespread voter fraud, and also to investigate Dominion, the voting machines firm.

According to reports, Mr. Rosen refused. He maintained that he would make decisions based on the facts and the law and reminded President Trump what he had already been told by Attorney General Bill Barr—that the Department had already investigated and "found no evidence of widespread fraud." But President Trump refused to follow the facts and the law, so the President turned to someone he knew would do his bidding. He turned to Jeffrey Clark, another Justice Department lawyer, who had allegedly expressed support for using the Department of Justice to investigate the election results. Shortly after Acting Attorney General Rosen followed his

duty—and the law—to refuse to reopen investigations, President Trump intended to replace Mr. Rosen with Mr. Clark, who could then try to stop Congress from certifying the electoral college results.

According to reports, White House Counsel Pat Cipollone advised President Trump not to fire Acting Attorney General Rosen. Department officials had also threatened to resign en masse if he had fired Rosen.

President Trump's actions time and time again made clear that he would do anything and pressure anyone if it meant overturning the election results. We watched President Trump use any means necessary to pursue this aim, feverishly grasping for straws at retaining his hold on the Presidency, but all his efforts prior to January 6 kept failing.

Finally, in his desperation, he turned on his own Vice President. He pressured Mike Pence to violate his constitutional oath and to refuse to certify the vote. President Trump had decided that Vice President Pence, who presided over the certification, could somehow stop it.

As Pence later confirmed, the Vice President does not have that power in the Constitution. And President Trump never tried to explain why he thought the Vice President could block the certification of the election results; he just began relentlessly attacking the Vice President.

Publicly, President Trump attacked Pence on social media and at rallies, getting his supporters to believe that Mike Pence could stop the certification on January 6. Here is what President Trump said in Georgia on January 4.

(Text of video presentation of 1-4-2021.)

President TRUMP. And I hope Mike Pence comes through for us, I have to tell you. I hope that our great Vice-President, our great Vice-President comes through for us. He's a great guy. Of course, if he doesn't come through, I won't like him quite as much.

Behind closed doors, President Trump applied significant pressure to his second-in-command. Multiple reports confirmed that President Trump used his personal attorneys and other officials to pressure the Vice President. Trump reportedly told almost anyone who called him to also call the Vice President. According to reports, when Mike Pence was in the Oval Office, President Trump would call people to try to get them to convince the Vice President to help him.

And President Trump kept repeating the myth that Pence could stop the certification to his base to anger them, hoping to intimidate MIKE PENCE.

On the morning of the rally on January 6, President Trump tweeted:

All Mike Pence has to do is send them back to the States, AND WE WIN. Do it Mike, this is a time for extreme courage!

President Trump later went on to attack Pence nearly a dozen times in his speech at the Save America March.

Privately, in person, before Pence headed to oversee the joint session on January 6, President Trump again threatened Pence. "You can either go down in history as a patriot," Mr. Trump told him, according to two people briefed on the conversation, "or you can go down in history as a pussy."

As a veteran, I find it deeply dishonorable that our former President and Commander in Chief equated patriotism with violating the Constitution and overturning the election.

You will see and hear the consequences of President Trump's repeated attacks on the Vice President, the chants of "Traitor" and the chants of "Hang Mike Pence."

Thankfully, Vice President Mike Pence stood his ground, like our other brave officials stood their ground. He refused the President and fulfilled his duty on January 6. Even after the Capitol was attacked, even after he was personally targeted, even after his family was targeted, Vice President Pence stood strong and certified the election. Vice President Pence showed us what it means to be an American, what it means to show courage. He put his country, his oath, his values, and his morals above the will of one man.

The President had tried everything in his power to seize the—everything in his attempt to seize power from the rightful victor of the election. President Trump's extraordinary actions grew increasingly more desperate. You saw him go from pursuing claims in the courts to threatening State and local election officials, to then attacking Members of Congress in the Senate, to compromising our Justice Department, and then to attacking the Republican Vice President.

These great public servants were being pressured by our Commander in Chief to overturn the results. Some of them and their families got death threats. Thankfully, at every turn, our democratic processes prevailed, and the rule of law prevailed. It is only because all of these people stayed strong and refused President Trump that our Republic held fast and the will of the electorate was seen through. And at this point, President Donald J. Trump ran out of nonviolent options to maintain power.

I began today by raising the question of how we got here. What you saw was a man so desperate to cling to power that he tried everything he could to keep it, and when he ran out of nonviolent measures, he turned to the violent mob that attacked your Senate Chamber on January 6.

As you cast your vote after this trial, I hope each of you will think of the bravery of all of these people who said no to President Trump because they knew that this was not right, that this was not America.

Mr. Manager RASKIN. Next, Representative STACEY PLASKETT of the Virgin Islands will show in quite chilling detail, I should say, how President Trump was well aware of the

threat of violence on January 6 and how he welcomed and amplified his supporters' plans for insurrection against the Union.

I should say as lead manager, this is a moment of special pride for me because Representative PLASKETT is not only the first delegate ever to be on a team of impeachment managers in American history, but she was also my law student at American University Washington College of Law. I hope I am not violating any Federal educational records laws when I say she was an A-student then, and she is an A-plus student now.

STACEY.

Ms. Manager PLASKETT. Thank you so much.

Hi. Mr. President, distinguished Senators, I am STACEY PLASKETT, and I represent the people of the Virgin Islands of the United States.

Over this past weekend, my 11-year-old daughter—I overheard her telling one of my sons: Mommy doesn't seem really nervous about the impeachment trial, to which that son, sounding like an older brother, said: Taliah, you will learn that most of the time, Mommy really seems to have it under control.

We know as parents that is not always the case, but I have learned throughout my life that preparation and truth can carry far, can allow you to speak truth to power. I have learned that as a young Black girl growing up in the projects in Brooklyn, a housing community on St. Croix, sent to the most unlikely of settings, and now, as an adult woman representing an island territory, speaking to the U.S. Senate. And because of truth, I am confident today speaking before you because truth and fact are overwhelming that our President, the President of the United States, incited a mob to storm the Capitol to attempt to stop the certification of a Presidential election.

My fellow managers have shown and will continue to show clear evidence that President Trump incited a violent mob to storm our Capitol when he ran out of nonviolent means to stop the election. Once assembled, that mob, at the President's direction, erupted into the bloodiest attack on this Capitol since 1814.

Some of you have said there is no way the President could have known how violent the mob would be. That is false because the violence—it was foreseeable. I want to show you why this violence was foreseeable and why Donald Trump was different than any other politician just telling their fighters, their supporters to fight for something.

The violence that occurred on January 6, like the attack itself, did not just appear. You will see that Donald Trump knew the people he was inciting, he saw the violence that they were capable of, and he had a pattern and practice of praising and encouraging that violence, never ever condemning it.

And you will see that this violent attack was not planned in secret. The insurgents believed that they were doing the duty of their President. They were following his orders. And so they publicized openly, loudly, proudly exact blueprints of how the attack would be made.

Law enforcement saw these postings and reported that these insurgents would violently attack the Capitol itself. This was months of cultivating a base of people who were violent, praising that violence, then leading that violence—that rage—straight at our door.

The point is this: By the time he called the cavalry of his thousands of supporters on January 6, at an event he had invited them to, he had every reason to know that they were armed, that they were violent, and that they would actually fight. He knew who he was calling and the violence they were capable of, and he still gave the marching orders to go to the Capitol and “Fight like hell” to “Stop the Steal.”

Make no mistake, the violence was not just foreseeable to President Trump; the violence was what he deliberately encouraged. As early as September, Trump set the precedent that, when asked to denounce violence, he would do the opposite and encourage it.

Now, if the President had only said something once about fighting to stop the steal, and violence erupted, there would be no way to know he intended to incite it or saw it coming. But just as the President spent months spreading his big lie of the election, he also spent months cultivating groups of people who, following his command, repeatedly engaged in real, dangerous violence. And when they did, when the violence erupted as a response to his calls to fight against the stolen election, he did not walk it back. He did not tell them no. He did the opposite—the opposite. He praised and encouraged the violence so that it would continue. He fanned the flame of violence and it worked.

You will see this over time. These very groups and individuals whose violence the President praised helped lead the attack on January 6. And that is how we know clearly that President Trump deliberately incited this and how we know he saw it coming.

There are many examples where the President engaged in this pattern. I am just going to walk you through a few of them.

Let's start with President Trump's incitement of the Proud Boys. Many of you have heard of this group, which since 2018 has been classified by the FBI as an extremist organization. Since that classification, the group has repeatedly engaged in serious acts of violence, including at pro-Trump rallies. In one such act on September 7, the Proud Boys attacked a man with a baseball bat and then punched him while he was down on the ground.

On September 29, during a Presidential debate, President Trump was

asked specifically if he was willing to condemn White supremacy and militia groups, if he was willing to tell them to stand down and stop the violence. Let's watch.

(Text of video presentation.)

Mr. WALLACE. Are you willing tonight to condemn White supremacists and militia groups—

President TRUMP. Sure.

Mr. WALLACE. And to say that they need to stand down and not add to the violence at a number of these cities as we saw in Kenosha and as we've seen in Portland?

President TRUMP. Sure. I'm willing to do that.

Mr. WALLACE. Will you say that specifically?

President TRUMP. I would say—

Mr. WALLACE. Then go ahead, sir. Do it. Say it.

President TRUMP. I would say—

Let's hear now the President's response.

(Text of video presentation.)

Mr. Chris WALLACE. Do it, sir. Say it. Do it.

President TRUMP. Say it. Do it. Say it. You want to call them—what do you want to call them? Give me a name. Give me a name. Go ahead.

Mr. Chris WALLACE. White supremacists and White proud—

President TRUMP. Who do you want me to condemn? Proud Boys, stand back and stand by.

When asked to condemn the Proud Boys and White supremacists, what did our President say? He said:

Stand back and stand by.

His message was heard loud and clear. The group adopted that phrase, “Stand back and stand by” as their official slogan. They created merchandise with their new slogan, which they wore proudly across their backs at Trump's rallies and they followed the President's orders.

You will see more about this later in the trial, but you will see in these photos to the left, Dominic Pezzola, and to the right, William Pepe, two of the leaders of the group heading to the Capitol on January 6. They were later charged with working together to obstruct law enforcement.

As we go through this evidence, I want you to keep in mind these words by President Trump when asked to condemn violence:

Stand back and stand by.

And see example after example of the kinds of people, like the Proud Boys, who he had standing by on January 6.

By October, as my colleagues Mr. CASTRO and Mr. SWALWELL showed you, Donald Trump was escalating his big lie that the only way he could lose the election was if it was rigged. So as election day neared, his supporters were frustrated and they were angry. They were prepared to ensure his victory by any means necessary.

One of these violent acts was on October 30. Sometime after 12:30 p.m., a caravan of more than 50 trucks covered in pro-Trump campaign gear confronted and surrounded cars carrying Biden-Harris campaign workers and a

Biden-Harris campaign bus as they were traveling down Interstate 35 from San Antonio to Austin.

(Video presentation.)

According to witnesses, this caravan repeatedly tried to force the bus you saw and you see in that video to slow down in the middle of the highway and then to run it off the road. What that video you just saw does not show is that the bus that they tried to run off the road was filled with young campaign staff, volunteers, supporters, surrogates—people.

As the Trump supporters closed in on the bus, a large black pickup truck adorned with Trump flags suddenly and intentionally swerved and crashed into a car driven by a Biden-Harris volunteer. News of the event went viral on social media. The President of the United States, in a campaign, saw his own supporters trying to run a bus carrying his opponents' campaign workers off the highway, to physically intimidate people in this country campaigning.

Here was his response the next day.

(Text of video presentation.)

Three, two, one, go!

Welcome to the Red Kingdom.

Yeah.

Red Kingdom.

Welcome to the Red Kingdom.

Yeah.

Red Kingdom.

Welcome to the place where we run it.

The President of the United States tweeted a video of his supporters trying to drive a bus off of the road. You will recall in that first video that I showed you there was no sound. Well, the one that he tweeted had a fight theme song placed to it that the President—the President—put that music to that video and he added at the top: “I LOVE TEXAS!”

By the next evening, that tweet that he did had been viewed 12.6 million times. And it wasn't just the tweet.

On November 1, at a Michigan rally with a sea of supporters, the President talked about that incident again. Here it is.

President TRUMP. You see the way our people, you know, they were protecting his bus yesterday because they're nice. So his bus—they had hundreds of cars, “Trump,” “Trump,” “Trump,” “Trump” and the American flag. You see “Trump” and the American flag.

The President made a public joke of violence against campaigners in an American election. He made light of it. This was not a joke. In fact, it was so violent, it put so many people in harm's way that the FBI investigated the incident and the criminal responsibility of those who attacked these campaign workers.

Now, our President, Donald Trump, could have said: OK, I didn't realize how bad that was. This was very violent. Please stop.

But he didn't. He saw the investigation and made a statement in defense of his supporters' attack on the bus writing:

In my opinion, these patriots did nothing wrong.



Engaging in violence for him made them patriots to Donald Trump. For anyone who says Donald Trump didn't know the violence he was inciting, I ask you to consider his supporters tried to drive a bus off a highway in the middle of the day to intimidate his opponents' campaign workers, and his response was to tweet the video of the incident that had fight music, joke about it, and call those individuals in that incident patriots.

And once again, Donald Trump's praise worked to incite them further. Emboldened by that praise, they remained ready to fight, ready to "Stand back and stand by." This link is not hypothetical.

Just like we saw the Proud Boys showing up in full force on January 6, Donald Trump's encouragement of this attack made sure his supporters were ready for the next one. The caravan bus attack had been organized by a Trump supporter named Keith Lee. Leading up to the attack on our Capitol of January 6, Mr. Lee teamed up with other supporters to fundraise to help to bring people to Washington, DC, for that date.

The morning of the attack, he filmed footage of the Capitol, pointed out the flimsiness of the fencing, and then addressed his supporters before the attack, saying:

As soon as you all get done hearing the President, y'all get to the Capitol, we need to surround this place.

During the attack, he used the bullhorn to call out for the mob to rush in. He later went to the Rotunda, himself, and then back outside to urge the crowd to come inside. These are the people that President Trump cultivated, who were standing by.

I would like to look at another example. After the election on December 12, Trump supporters gathered in mass to protest the "stolen" election in DC. It was billed by his loyalists as the second Million MAGA March. The rally was organized by Women for America First, the same group that you will see later secured the permit for the January 6 rally. And who else was there? The Proud Boys, standing by.

Donald Trump did not attend that rally, but he made sure to make clear to his supporters, throughout the day, how he felt about the event. At 8:47 a.m., he sent out a tweet:

WE HAVE JUST BEGUN TO FIGHT!!!

And then the rally began. And Donald Trump's allies who spoke at the rally carried on his message of the stolen election and the importance of fighting to stop the steal.

Here is Nicholas Fuentes, a commentator who had organized a "stop the steal rally" in Michigan with Trump supporters.

(Text of video presentation.)

Mr. FUENTES. In the first Million MAGA March, we promised that if the GOP would not do everything in their power to keep Trump in office that we would destroy the GOP.

(People chanting: Yeah. GOP.)

Mr. FUENTES. And as we gather here in Washington, DC, for a second Million MAGA March, we're done making promises. It has to happen now. We are going to destroy the GOP!

(People chanting: Yeah. Yeah. Let's go. Let's go. Destroy the GOP. Destroy the GOP. Destroy the GOP.)

Those words—that was Trump's message: Destroy anyone who won't listen, who won't help them take the election for Trump.

And, as you will see, this was just the preview for Fuentes, who, like the Proud Boys and the Trump caravan organizers, would later heed the President's call and come to Washington and be there on January 6.

Later in the rally, a former Trump campaign spokeswoman, Katrina Pierson, also spoke.

During her speech, she stated: "This isn't over. This is just beginning," referring to the fight to stop the steal.

Then she added:

We knew that both Republican and Democrats were against we the people. We are the cavalry. No one's coming for us.

It is clear that Trump and some of his supporters saw this as war—a fight against anyone who was unwilling to do whatever it took to keep Donald Trump in power. "We are the cavalry."

President Trump continued to reinforce the support of these messages throughout the day. At 1:48 p.m., after both speeches, he retweeted his Deputy Chief of Staff's tweet, showing his crowd that he had flown over on Marine One, and he tweeted:

Thank you, Patriots.

These people were, as you can see, gathered in masse and being told by the President's allies that their election had been stolen, and they were told they were the cavalry; that no one else could do it.

After hearing these speeches and seeing the President's support, this is what Donald Trump's cavalry was capable of.

(Video footage of 12-12-2020.)

What you just saw was the violence that ensued after that rally.

The Proud Boys, after that rally, engaged in serious acts of violence in downtown DC. Some Trump supporters and self-identified Proud Boys vandalized churches after that rally.

If we look at these events, it is clear how we got here because what did the President do after that? He turned right around, and a little over a week later, he began coordinating the January 6 Save America rally with the same people who had planned the second Million MAGA March.

You will recall that the Women for America First had organized that second Million MAGA March. They had originally planned rallies for January 22 and January 23, after the inauguration, but Donald Trump had other plans. On December 19, President Trump tweeted his save the date for January 6. He told his supporters to come to DC for a "big protest" that day, billing it as "wild." Just days

later, Women for America First amended their permit to hold their rally on January 6, pursuant to the President's save the date, instead of after the inauguration. This was deliberate.

Reports confirm that the President himself, President Trump, became directly involved with the planning of the event, including the speaking lineup and even the music to be played, just as he chose the music of his retweet of the caravan, driving the Biden-Harris bus off the road, with a fight song.

He brought in the same people who spoke at the second Million MAGA rally to help as well. Trump's campaign adviser, Katrina Pierson, who you will recall said on December 12 that this is only the beginning—"we are the cavalry"—also became directly involved in planning the event. They even sent out invitations together.

This is Amy Kremer, one of the Founders of Women for America First, tweeting the invitation, tagging Donald Trump and other organizers, inviting the same supporters who had just engaged in serious violence at the second Million MAGA rally to show up to the largest rally to stop the steal. President Trump seemed to have other plans for what was going to happen at that rally too.

Women for America First had initially planned for the rally goers to remain at the Ellipse until the counting of the State electoral slates was completed, just like they had remained at the Freedom Plaza after the second Million MAGA March. In fact, the permit stated, in no uncertain terms, that the march from the Ellipse was not permitted. It was not until after President Trump and his team became involved in the planning that the march from the Ellipse to the Capitol came about in direct contravention of the original permit. This was not a coincidence. None of this was.

Donald Trump, over many months, cultivated violence, praised it, and then, when he saw the violence his supporters were capable of, he channeled it to his big, wild, historic event. He organized January 6 with the same people who had just organized the rally resulting in substantial violence, and he made absolutely sure, this time, these violent rally-goers wouldn't just remain in place. He made sure that those violent people would literally march right here, to our steps, from the Ellipse to the Capitol, to stop the steal—his cavalry. This was deliberate.

Because the President of the United States incited this, because he was orchestrating this, because he was inviting them, the insurgents were not shy about their planning. They believed they were following the orders of the Commander in Chief. They were, as with the tweet we just saw, quite literally, his cavalry. So they posted exact blueprints of the attack openly, loudly, proudly, and they did this all over public forums. They were not just hidden posts on dark websites that



Trump would not have seen. Quite the opposite. We know that President Trump's team monitored these websites. We know this because his advisers confirmed it.

An "ex-White House and campaign insider," as you will read, "who has known both Scavino and the president for years, said there was no way that Scavino and the Trump social media operation would not have been aware of the plans circulating online to storm the Capitol" because the Trump "operation closely monitored the web's darkest corners, ranging from mainstream sites such as Twitter, Facebook, and Reddit, to fringe message boards like 4chan and 8chan (now called 8kun) to TheDonald.win, an offshoot from a banned Reddit community dedicated to rabidly supporting all things Trump." They actively monitored the exact sites, like TheDonald.win, on which these insurrectionists wrote their posts.

So what would Trump and his team have seen when they were monitoring these sites? What would his supporters have said? They would have seen a clear roadmap of exactly what happened.

This is an example of a post that was captured from one of the sites dedicated to Donald Trump, that we just talked about, shortly before the site was taken down.

The meme reads:

The Capitol is our goal. Everything else is a distraction. Every corrupt Member of Congress locked in one room and surrounded by real Americans is an opportunity that will never present itself again.

Let that sink in. Think about that. The exact thing that happened on January 6—that was their goal, and they said it out loud on sites that the Trump administration was actively monitoring.

A third-party site captured a post on TheDonald.win, where one user posted:

This cannot simply be a protest. It has to be the establishment of the MAGA militia with command offices set up, with all further militia tactical missions spreading from there.

Another user said in response:

We will have to achieve an actual tactical victory like storming and occupying [the Capitol] to have the intended effect.

That is what they understood Donald Trump to want—there it is in black and white—and they explained why they felt justified in this.

Another poster on the forum TheDonald.win wrote on January 4:

If Congress illegally certifies Biden . . . Trump would have absolutely no choice but to demand us to storm Congress and kill/beat them up for it.

Donald Trump will have no choice. That was what he made them believe to the point his supporters felt justified even in carrying weapons and storming our Capitol. This was in post after post.

Here is another. When discussing how to carry guns into DC, one noted:

Yes, it's illegal, but this is war, and we're clearly in a post-legal phase of our society.

What? They treated it as a war, and they meant it.

On the morning of the attack, under a thread titled "Today, I told my kids goodbye," one poster wrote:

Today I had the very difficult conversation with my children, that daddy might not come home from DC.

Within a matter of hours, that post amassed 4,000 "likes."

President Trump had truly made them believe that their election had been stolen and that it was their patriotic duty to fight to steal it back—"patriotic," a term he gave those who use violence for him—and they were willing to say goodbye to their children for this fight.

These supporters didn't just rely on entering the Capitol with guns haphazardly. They had maps of this building. They talked through which tunnels to use and how to get to the Senate Chamber. Some posted specific floor plan layouts of the Capitol alongside hopes of overwhelming law enforcement to "find the tunnels; arrest the worst traitors."

Posters also fixated on what they saw as their ability to easily overwhelm the Capitol Police as "there are only around 2k of them," and, again, they urged "the capitol is our goal. Everything else is a distraction."

There were hundreds of these posts—hundreds—monitored by the Trump administration, and these posts were chillingly accurate right down to communication devices.

A new affidavit, filed by the FBI, described preparations by the rightwing group, the Proud Boys, to storm the Capitol, including using earpieces and walkie-talkies to direct movements throughout the building. This happened. That is the level of planning in advance that occurred. They had earpieces. On the slide, you will see Proud Boy member Dominic Pezzola has an earpiece in his right ear, consistent with the affidavit. In addition to these detailed posts, they made clear why they thought they could do this. It wasn't just that they were doing it following the President's orders; they thought he would help them.

A third-party site captured a post on TheDonald.win—again, the site monitored by Trump's team.

He [meaning Donald Trump in this instance] can order the NAT guard to stand down if needed. Unfortunately he has no control over the Capitol Police . . . but there are only around 2k of them and a lot are useless fat asses or girls.

It is all right there—the overall goal, maps of the Capitol, the weapons, communications devices. They even said publicly, openly, proudly that President Trump will help them to commandeer the National Guard so all they have to do is overwhelm the 2,000 Capitol Police officers.

This was reported in the NBC News and the Washington Post, with headlines like: "Violent threats ripple through far-right internet forums ahead of protest." "Pro-Trump forums

erupt with violent threats ahead of Wednesday's rally against the 2020 election."

FOX News also reported that the Proud Boys would come to the January 6 rally prepared for violent action, even quoting a Proud Boy member who said they would be "incognito" and "spread across downtown DC in smaller numbers."

City officials, seeing these same warnings, also publicly warned about the violence and unlawful weapons at the event. DC Mayor Muriel Bowser cautioned residents of the District of Columbia to avoid the downtown area while the rally attendees were in town.

Federal law enforcement warned of these threats also. On January 3, a Capitol Police intelligence report warned of a violent scenario in which "Congress itself" could be the target of the angry supporters of President Trump on January 6. According to that report, obtained by the Washington Post:

Supporters of the current president see January 6, 2021, as the last opportunity to overturn the results of presidential election. . . . This sense of desperation and disappointment may lead to more . . . incentive to become violent. Unlike previous post-election protests, the targets of the pro-Trump supporters are not necessarily the counter-protesters as they were previously, but rather Congress itself is the target [for January 6].

The day before the rioters stormed the Congress, an FBI office in Virginia also issued an explicit warning that extremists were preparing to travel to Washington to commit violence and "war," according to internal reports.

The FBI report cited to an online post where the user declared that Trump supporters should go to Washington and get violent. The supporter said:

Stop calling this a march, or rally, or a protest. Go there ready for war. We get our President or we die.

These threat warnings were not just hypothetical. Actual arrests occurred in the days leading to the attack.

On January 4, 2 days before the rally, one extremely well-publicized arrest was of a Proud Boy leader who destroyed a church's Black Lives Matter banner a month earlier during the December 12, second Million MAGA March. The report emphasized that when he was arrested, he was carrying high-capacity firearms magazines, which he claimed were meant to be supplied to another rally attendee for January 6.

By the night before the January 6 attack, DC police had already made six arrests in connection with the planned protests on charges of carrying weapons, ammunitions, assault, assaulting police.

This is all in public view—all of it. The truth is usually seen and rarely heard. Truth is truth, whether denied or not, and the truth is, President Trump had spent months calling his supporters to a march on a specific day, at a specific time, in specific places to stop the certification.

And leading up to the event, there were hundreds—hundreds—of posts online showing that his supporters took this as a call to arms to attack the Capitol. There were detailed posts of the plan to attack online. Law enforcement warned that these posts were real threats and even made arrests days leading up to the attack.

And yet, in the face of all this—these credible warnings of serious, dangerous threats to our Capitol—when those thousands of people were standing in front of President Trump, ready to take orders and attack, this is what he said:

We're going to the Capitol.

And we fight. We fight like hell. And if you don't fight like hell, you're not going to have a country anymore.

And that is why this is different. That is why he must be convicted and disqualified.

Mr. Manager RASKIN. Representative DEAN will now return to the events of January 6 itself. She will demonstrate President Trump's repeated incitement of the crowd that morning, as he directed them to the Capitol in his last-ditch effort to retain his hold on power.

Ms. Manager DEAN. For me and for many Americans, January 6 is forever etched in our memories.

I went to work with a sense of excitement—the start of my second term in Congress and the first time I would participate in the certification of a Presidential election.

And then we all know what happened. I know many of us have similar experiences from that day, but I will briefly share mine. I stood with colleagues in the Gallery above the House floor to observe the Arizona challenge. Moments later, police radios reported a breach of the Capitol grounds. Someone shouted up to us, "Duck"; then, "Lie down"; then, "Ready your gas masks."

Shortly after, there was a terrifying banging on the Chamber doors. I will never forget that sound. Shouts and panicked calls to my husband and to my sons, instructions to flee, and then the constant worrying of the gas masks filtering the air—the Chamber of the United States House of Representatives turned to chaos.

For Donald Trump, it was a very different day. Earlier, I showed you Donald Trump's desperate attempts to maintain power: ignoring adverse court rulings, attacking elected officials, pressuring his Justice Department, even attacking his own Vice President. You saw a man who refused to lose, who was desperate to retain power by any means necessary. You saw a man willing to attack anyone and everyone who got in his way, and you saw a man who thought he could play by different rules.

He told his supporters, as my colleague Ms. PLASKETT just showed you, exactly what he thought those different rules were—combat, fight, violence.

This was not just one speech. This was weeks and weeks of deliberate effort by Donald Trump to overturn the election results so that he didn't have to give up the Presidency.

The speech on January 6 builds on, refers to, and amplifies that same pattern—the pattern Trump had used and broadcasted for months: He refused to lose, his attacks on others, and his different rules.

The only thing different about his speech on January 6 from all these other times that we went through was that he was no longer telling his base just that they had to fight to stop the steal. He was finally telling them: Now is the time to do it. Here is the place, and here is how.

For weeks, he had urged his supporters to show up at a specific time and place, and when they got there, he told them exactly what he wanted.

Let's start with his desperation. You saw how much planning went into January 6, and when the day arrived, Donald Trump's desperation was in full force.

Between the time he woke up on January 5 and the start of the Save America March that next day, he had tweeted 34 times. When Donald Trump wants to get his message across, he is not shy, as you all know. These tweets were relentless. And these tweets all centered on his singular focus—his drumbeat to motivate, anger, and incite his supporters—his big lie: The Presidential election had been rigged. It had been stolen from him, and they had to fight to stop it.

And the timing was no coincidence. He sent 34 tweets because this was his last chance to rile up his supporters before the big, historic, wild event he had planned.

Now, I won't go through all of these tweets, but let me just highlight a few. At 1 in the morning, he tweeted:

If Vice President [Mike Pence] comes through for us, we will win the Presidency. . . . Mike can send it back.

This will look familiar to you because Mr. LIEU just showed you how Trump had privately been pressuring and publicly attacking his Vice President to stop the certification.

And when Vice President Pence refused, when he explained that the Constitution simply does not allow him to stop certification, Donald Trump provoked his base to attack him. The late-in-the-evening tweet was no different. It just got more forceful.

Let's be clear. What Donald Trump was saying—that Vice President Pence could send back the certification—was not true.

For one thing, all 50 States had ratified this election. And for another, Vice President Pence explained to him that he does not have the power to unilaterally overturn States' votes and just send certification back.

And Donald Trump knew this, but this was his last chance to get his Vice President to stop the certification, and so he was willing to say or do just about anything.

These tweets—attacking the election as fraudulent, attacking his Vice President, and urging his supporters to fight—continued throughout the morning.

Here is another example. At 8:17 a.m. he tweeted:

All Mike Pence has to do is send it back to the States, AND WE WIN.

"And we win." That is what he said, even though by then he had clearly lost.

As Trump continued tweeting, the Save America March at the White House was now in full swing. The speakers who warmed up the crowd for Trump were members of his inner circle—family members, his personal attorney, people President Trump had deputized to speak on his behalf.

Some of the speakers also spoke at the second Million MAGA March, which resulted in serious violence.

The warmup acts on January 6 focused on promoting Donald Trump's big lie. They stoked the same fears—a stolen election, of fraud, of ripping victory away from them. And the speakers told them what to do about it. As the crowd erupted in "fight for Trump" chants throughout that morning, Donald Trump Jr. urged:

That's the message! These guys better fight for Trump!

The speakers lasted 3 hours, repeating President Trump's message. And, finally, at about noon, Donald Trump took the stage with the seal of the Presidency on his podium and the White House as his backdrop.

President Trump spoke for more than 70 minutes. His narrative was familiar. It was the same message he had spent months spreading to his supporters: the big lie, the election was stolen; that they should never concede; and that his supporters should be patriots and fight much harder to stop the steal, to "take back our country"—the same phrases he had spread for weeks.

But now the message was immediate. Now it was just no longer just fight; it was "fight right now."

(Text of video presentation of 1-6-2021.)

President TRUMP. All of us here today do not want to see our election victory stolen by emboldened radical-left Democrats, which is what they're doing. And stolen by the fake news media. That is what they've done and what they're doing. We will never give up. We will never concede. It doesn't happen. You don't concede where there's theft involved.

Our country has had enough. We will not take it anymore, and that's what this is all about. And to use a favorite term that all of you people really came up with: We will stop the steal.

That set the tone. "Our country has had enough." And "[w]e will not take it anymore."

He told them and us, right at the beginning, that the only way to take back the country was to fight. Let's look at what he said next.

(Text of video presentation of 1-6-2021.)

President TRUMP. And, Rudy, you did a great job. He's got guts. You know what?

He's got guts, unlike a lot of people in the Republican Party. He's got guts. He fights.

Ms. PLASKETT showed you example after example of Donald Trump, when confronted with violence, praising it. We saw him instruct the Proud Boys, a violent extremist group, to stand back and stand by. That group was there on January 6. We saw him praise a caravan of his supporters after they tried to drive a bus belonging to the Biden campaign off the road. The organizer of that attack was there on January 6. And we saw him team up with the organizers of the violent second MAGA Million March to plan his rally on January 6.

What does he do at that rally? He tells Giuliani he is doing a great job addressing the crowd, saying he has "guts" to call for fighting. And to be clear, this is what he was praising.

(Text of video presentation of 1-6-2021.)

Mr. GIULIANI. So let's have trial by combat.

"Trial by combat." Donald Trump praised Rudy, said he did a good job, had guts for telling the crowd that we need trial by combat.

Next, more attacks.

(Text of video presentation of 1-6-2021.)

President TRUMP. All Vice President Pence has to do is send it back to the States to recertify, and we become President and you are the happiest people.

This attack, like the tweets he sent that morning, had a purpose: convincing his supporters that the future of our country, of our democracy, hinged on whether Vice President Pence would overturn the election—something he knew Pence could not and would not do.

He called out Vice President Pence nine times that day, and each time, he got more forceful. Here is what he said at 12:15.

(Text of video presentation of 1-6-2021.)

President TRUMP. And we're going to have to fight much harder. And Mike Pence is going to have to come through for us. And if he doesn't, that will be a sad day for our country, because you are sworn to uphold our Constitution.

Now it is up to Congress to confront this egregious assault on our democracy. And after this, we are going to walk down—and I'll be there with you. We are going to walk down. We are going to walk down any one you want, but I think right here, we are going to walk down to the Capitol.

(Cheers and applause.)

And we are going to cheer on our brave Senators and Congressmen and women, and we are probably not going to be cheering so much for some of them. Because you'll never take back our country with weakness. You have to show strength and you have to be strong.

"We're going to have to fight much harder. And Mike Pence will have to come through for us." That is what he said, and he told the crowd what he meant and exactly what to do, literally commanding them to confront us at the Capitol. He even told them he would walk there with them, which, of

course, was not true, and then he told them exactly what to do when they got to the Capitol.

You'll never take [your] country back with weakness. You have to show strength.

And don't forget who is standing there, the same people Ms. PLASKETT described to you, many people violent—violent people law enforcement had warned would be armed and would be targeting us.

One of President Trump's key defenses focused on what he said for a few seconds, 15 minutes into the speech.

(Text of videotape presentation of 1-6-2021.)

President TRUMP. I know that everyone here will soon be marching over to the Capitol building, to peacefully and patriotically make your voices heard.

In a speech spanning almost 11,000 words—yes, we did check—that was the one time, the only time President Trump used the word "peaceful" or any suggestion of nonviolence. The implication of the President's tweets, the rally, and the speeches were clear. President Trump used the word "fight" or "fighting" 20 times, including telling the crowd they needed to "fight like hell" to save our democracy.

We know how the crowd responded to Donald Trump's words, and he knew how they responded to his speech. Here is the evidence of how the crowd reacted.

(Text of video presentation of 1-6-2021.)

(People cheering.)

President TRUMP. We are going down to the Capitol—

(People cheering.)

President TRUMP. . . . weakness, you have to show strength—

Unidentified Speaker. Yes. Right.

(People chanting: "Take the Capitol.")

(People chanting: "Taking the Capitol right now.")

(People chanting: "Invade the Capitol.")

(People chanting: "Storm the Capitol.")

President TRUMP. Make your voices heard.

"Storm the Capitol." "Invade the Capitol." "Fight, fight, fight." "Take the Capitol right now." These were the words of the crowd. Trump was telling them to fight, and he would keep telling them to fight throughout the rest of his speech. These are not only words of aggression, they are words of insurrection, and if you have any doubt, listen to what he says next.

(Text of video presentation of 1-6-2021.)

President TRUMP. Today we see a very important event though, because right over there, right there, we see the events that will take place. And I am going to be watching, because history is going to be made. We are going to see whether or not we have great and courageous leaders or whether or not we have leaders that should be ashamed of themselves throughout history. Throughout eternity they will be ashamed. And you know what? If they do the wrong thing, we should never ever forget that they did. Never forget. We should never ever forget.

The Commander in Chief points to Congress and tells those assembled: "I

am going to be watching . . . history is going to be made." This was clearly not just some rally or march or protest; this was about Donald Trump trying to steal the election for himself, claiming that the election was fraudulent, illegitimate, so that his supporters would fight to take it back. In fact, after stoking the crowd's anger for nearly 40 minutes, after repeating false election conspiracy after false election conspiracy, he said this in no uncertain terms.

(Text of video presentation of 1-6-2021.)

President TRUMP. You will have an illegitimate President, that is what you'll have.

Any outcome besides him keeping the Presidency would be illegitimate. This was building on the big lie of a rigged and stolen election.

And here is what he said a little later in his speech.

(Text of video presentation of 1-6-2021.)

President TRUMP. When you catch somebody in a fraud, you are allowed to go by very different rules. So I hope Mike has the courage to do what he has to do.

"When you catch somebody in a fraud, you are allowed to go by very different rules."

We told you that context matters. Here is the context: This was not just one reference or a message to supporters by a politician to fight for a cause. He had assembled thousands of violent people, people he knew were capable of violence, people he had seen be violent. They were standing now in front of him. And then he pointed to us, lit the fuse, and sent an angry mob to fight the perceived enemy—his own Vice President and the Members of Congress as we certified an election.

(Text of video presentation of 1-6-2021.)

President TRUMP. But I said something's wrong here. Something's really wrong. Can't have happened. And we fight. We fight like hell. And if you don't fight like hell, you're not going to have a country anymore. Our exciting adventures and boldest endeavors have not yet begun. My fellow Americans, for our world, for our children, and for our beloved country—and I say this despite all that's happened—the best is yet to come.

(Cheers and Applause.)

So we're going to—we're going to walk down Pennsylvania Avenue. I love Pennsylvania Avenue. And we're going to the Capitol, and we are going to try and give—the Democrats are hopeless. They never voted for anything—not even one vote. But we are going to try and give our Republicans—the weak ones, because the strong ones don't need any of our help. We are going to try and give them the kind of pride and boldness that they need to take back our country. So let's walk down Pennsylvania Avenue.

(Cheers and Applause.)

President TRUMP. I want to thank you all. God bless you and God bless America.

Thank you all for being here. This is incredible. Thank you very much.

(Cheers and Applause.)

(People chanting: "Fight for Trump.")

"If you don't fight like hell, you're not going to have a country anymore." And there was only one fight left, and it was a mile up the road. Donald

Trump, the President of the United States, ordered the crowd to march on Congress, and so the crowd marched. "This is incredible," we heard him say. That is how President Trump ended his speech.

I would like to close with a very brief timeline of what was happening in parallel alongside the President as he spoke on the 6th of January. A little after noon, President Trump began his speech with a fiery refusal to concede. He commanded the crowd to fight and march down Pennsylvania Avenue, and around 12:20, some rally goers, some attendees, began marching.

By 12:30, as President Trump continued to incite his supporters, large segments of the rally crowd had amassed at the Capitol.

At 12:53, as the President's speech was playing on cell phone broadcasts, the outermost barricades of the northwest side of the Capitol were breached, and Capitol Police were forced back to the steps of the Capitol.

At 1:10, the President ended his speech with a final call to fight and a final order to march to the Capitol.

At 1:45, the President's followers surged past Capitol Police, shouting: "This is a revolution."

Just after 2:10, an hour after President Trump ended his speech, the insurrectionist mob overwhelmed Capitol security and made it inside the Halls of Congress, because the truth is, this attack never would have happened but for Donald Trump. And so they came, draped in Trump's flag and used our flag, the American flag, to batter and to bludgeon.

And at 2:30, I heard that terrifying banging on the House Chamber doors. For the first time in more than 200 years, the seat of our government was ransacked on our watch.

Mr. Manager RASKIN. Mr. President, I think this would be a good time for a break.

## RECESS

Mr. SCHUMER. Yes. I ask unanimous consent that we recess until 4 p.m.

There being no objection, at 3:43 p.m., the Senate, sitting as a Court of Impeachment, recessed until 4:08 p.m., whereupon the Senate reassembled when called to order by the President pro tempore.

## MANAGERS' PRESENTATION—CONTINUED

The PRESIDENT pro tempore. Could we have order in the Senate, please.

Mr. RASKIN.

Mr. Manager RASKIN. Thank you, Mr. President.

Members of the Senate, at this point, Representatives PLASKETT and SWALWELL will take you through the actual day of the attack. They will recreate the attack as it unfolded, focusing on the threats to Vice President Pence, Speaker PELOSI, the joint session, and law enforcement.

I do want to alert everyone that there is some very graphic, violent footage coming, so people are aware.

I am going to call, again, on Ms. PLASKETT, who I should also tell you

went to work at the Department of Justice and was the senior counsel for Deputy Attorney General Larry Thompson under Attorney General Ashcroft. So she is a very well trained and experienced prosecutor, as you can tell.

Ms. Manager PLASKETT. Mr. President, Senators, almost all of us were here on January 6, and we all have our individual experiences: what we felt, what we saw, what we heard. We have seen clips and reports in the media, but I have to tell you, it was not until preparing for this trial that I understood the full scope and learned the information that you are going to see that I understood the effort to attack our seat of government in order to carry out President Trump's mission to prevent the certification of a Presidential election. It was an attack to our Republic, to our democratic process.

My colleagues, Manager SWALWELL, and I are going to walk you through the attack on the Capitol that day and the danger that it posed to the Vice President, to the Speaker of the House, to you all as Senators, my colleagues in the House, Capitol Police, and everyone who works in and around this Capitol.

As you have heard, President Trump had been telling his supporters and his millions of Twitter followers that Pence had the ability to secure the Presidency for Trump; that Mike Pence alone had the power to overturn the election results if he would just do it.

But at 12:55 p.m., on January 6, Vice President Pence formally refused the President's demand.

He wrote, and I quote:

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

Pence ended his letter with a passage including the words:

I will do my duty.

Even though the count resulted in the defeat of his party and his own candidacy, Vice President Pence had the courage to stand against the President, tell the American public the truth, and uphold our Constitution. That is patriotism.

That patriotism is also what put the Vice President in so much danger on January 6 by the mob sent by our President. To the President and the mob he incited, that duty to our Constitution was an all-out betrayal, and the Vice President was the direct target of that rage.

At 12:53 p.m., Senators, Members of Congress, Vice President Pence were in their respective Chambers. Outside, rioters, including some linked to the Proud Boys, broke through the outer barricade surrounding the lawn of the Capitol.

(Text of video presentation of 1-6-2021.)

(People chanting: "USA.")

Unidentified Speaker. Whoa, whoa, whoa. Hey, hey, hey.

Unidentified Speaker. Way to go.

Unidentified Speaker. Break it down.

Twelve minutes later, Vice President Pence began presiding over the joint session of Congress to certify the results of the Presidential election. You can see Vice President Pence gaveling in the joint session here.

(Text of video presentation of 1-6-2021.)

The VICE PRESIDENT. Madam President, Members of Congress, pursuant to the Constitution and the laws of the United States, the Senate and House of Representatives are meeting in joint session to verify the certificates and count the votes of the electors of the several States for President and Vice President of the United States.

While Vice President PENCE presided over the joint session, Trump supporters began their assault on our Capitol. Radio communications from the Metropolitan Police Department highlight how, during and following President Trump's speech, Trump supporters descended on the Capitol and became increasingly violent.

What you are about to hear has not been made public before.

(Text of video presentation of 1-6-2021.)

The Officer. Multiple Capitol injuries. Multiple Capitol injuries.

The Dispatcher. 1318.

The Officer. Twelve to 50, we're coming around from the south side.

The Dispatcher. Be advised, the speech has ended.

The Dispatcher. Intel 1, be advised you've got a group of about 50 up the hill on the west front just north of the stairs. They are approaching the wall now.

The Officer. They're starting to dismantle the reviewing stand. They're throwing metal poles at us.

The Officer. Cruiser 50, give me DSO up here now. DSO. Multiple law enforcement injuries. DSO, get up here.

The Officer. All right. We're 30 seconds out.

The Officer. We need some reinforcements up here now. They're starting to pull the gates down. They're throwing metal poles at us.

The Officer. Cruiser 50, DSO, get up here.

The Officer. OK. We're here.

The Officer. Twelve to 50, we're here.

The Officer. We just had an explosion go on up here. I don't know if they're fireworks or what, but they're starting to throw explosives, fireworks material.

After attempting to dismantle the outermost perimeter, the rioters did everything in their power to storm past the police and into the Capitol. They coordinated, moving metal barricades the police were using to maintain distance. Listen to the yelling of "pull them this way" as they grabbed the barriers and attacked officers trying to hold the line.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. Pull. Pull this way. Pull forward.

Unidentified Speaker. No, no, no, no, no. No. No. No. No.

At about 1:10 and 1:23 p.m., respectively, Capitol Police sent out the first evacuation alerts of the day, telling people to evacuate the Madison Building and the Cannon Building, respectively. Shortly after, at 1:45 p.m.,

Trump supporters surged past Capitol Police protecting the Capitol's west steps, the side that is facing the White House.

In another radio communication between Metropolitan Police officers, you can hear an officer declare that there is a riot at the Capitol at 1:49 p.m.

(Text of video presentation of 1-6-2021.)

The Officer. Cruiser 50, we're going to give riot warnings as soon as the LRAD is here. We're going to give riot warnings. We're going to try to get compliance, but this now is effectively a riot.

The Dispatcher. 1349 hours. Declaring it a riot.

The next video, as well as several videos that follow, have a model of the Capitol Complex. The video is from the west front of the Capitol on the Senate side, the side facing the White House.

Watch the red dot, which moves up the lower steps of the Capitol, indicating the approximate location of the rioters as they surge past the police.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. This is our fucking house.

Unidentified Speaker. This is a revolution. Unidentified Speaker. Let's go. Push.

Unidentified Speaker. Go. Fuck you. Fuck you.

While the mob that Donald Trump sent to stop the certification came closer and closer to breaching the Capitol, just one floor below where we are now, Vice President Pence continued to preside over the session in the Senate Chamber above.

At about 2:12 p.m., Secret Service quickly and suddenly evacuated Vice President Pence from the Senate floor. Here is the immediate reaction to that evacuation.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. No audio. They just cut out. It looks like they—and sometimes the Senate—

Unidentified Speaker. It seemed like they just ushered MIKE PENCE out really quickly.

Unidentified Speaker. Yes, they did. That's exactly what just happened there. They ushered Mike Pence out. They moved him fast. They were—yeah, I saw the motions too.

While Vice President Pence was being evacuated from the Senate Chamber, rioters were at that time breaking into the Capitol. This next video shows their approach and the initial breach of the Capitol Complex.

Remember to watch the red dot, which broke—has been tracking throughout this incident.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. Let us in.

Unidentified Speaker. Let's go.

Unidentified Speaker. Break the window, bro.

Now we are going to show you, through security footage that has not been made public before, what that same breach looked like from the inside. Now, because this is security footage, there is no sound.

(Video presentation of 1-6-2021.)

Note, as the video begins, we are seeing the inside view as the mob approaches from outside and beats the windows and doors. You can see that the rioters first break the window with the wooden beam that you saw previously, and a lone police officer inside responds and begins to spray the first man who enters but is quickly overwhelmed.

I want you to pay attention to the first group of assailants as they break into the building. The second man through the window is wearing full tactical body armor and is carrying a baseball bat. Others are carrying riot shields.

Among this group are members of the Proud Boys—some of whom, like Dominic Pezzola, who was recently indicted on Federal conspiracy charges—we will discuss later.

You can watch where they are coming on our model as well.

(Video presentation of 1-6-2021.)

When I first saw this model that was created for this, I thought back to September 11. I know a lot of you Senators were here. Some of you might have been Members on the House side. I was also here on September 11. I was a staffer at that time. My office was on the west front of the Capitol. I worked in the Capitol, and I was on the House side.

This year is 20 years since the attacks of September 11, and almost every day I remember that 44 Americans gave their lives to stop the plane that was headed to this Capitol Building. I thank them every day for saving my life and the life of so many others.

Those Americans sacrificed their lives for love of country, honor, duty—all the things that America means. The Capitol stands because of people like that—this Capitol that was conceived by our Founding Fathers, that was built by slaves, that remains through the sacrifice of service men and women around the world.

And when I think of that, I think of these insurgents, these images, incited by our own President of the United States, attacking this Capitol to stop the certification of a Presidential election, our democracy, our Republic.

At the same time that that breach on this Capitol Building occurred, at approximately 2:13 p.m., just one floor up, while Senator LANKFORD was speaking on the Senate floor, Senator GRASSLEY, who had taken over for Vice President Pence, called an unscheduled immediate recess of the Senate.

A Senate aide approached Senator LANKFORD and informed him that the Capitol had been breached. Senator GRASSLEY is immediately escorted out of the Senate Chamber.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. Protesters are in the building.

Mr. LANKFORD. Thank you.

Now, while this was going on, Officer Eugene Goodman responded to the initial breach. You all may have seen

footage of Officer Goodman previously, but there is more to his heroic story. In this security footage, you can see Officer Goodman running to respond to the initial breach.

(Video presentation of 1-6-2021.)

Officer Goodman passes Senator MITT ROMNEY and directs him to turn around in order to get to safety. On the first floor, just beneath them, the mob had already started to search for the Senate Chamber.

Officer Goodman made his way down to the first floor, where he encountered the same insurrectionists we just saw—watched—breach the Capitol. In this video, we can see the rioters surge toward Officer Goodman. Recall that the rioters are in red, and Officer Goodman, in this model, is in blue. Watch Officer Goodman, who backs up the stairs.

(Text of video presentation of 1-6-2021.)

(People chanting: "USA.")

Unidentified Speaker. That's my muffin. I paid for that.

Unidentified Speaker. You work for us.

Unidentified Speaker. Where is the meeting at?

Unidentified Speaker. Hey, where do they count the fucking votes?

Unidentified Speaker. Hey! Hey!

Unidentified Speaker. Do it! Do it!

Unidentified Speaker. Where are they counting the votes? Where are they counting the votes?

Unidentified Speaker. Right there. Hey.

Unidentified Speaker. These people. These people. These people. We have no weapons. We have no fucking weapons.

Unidentified Speaker. No, no.

Unidentified Speaker. Motherfucker.

Although they were shouting that they did not have any weapons, we know from the earlier video that that is not true. The second assailant through that breach was the one carrying a metal baseball bat. We know there were other weapons there that day.

Did you hear the other shouts?

We're here for you. He's one person, we're thousands.

And—

Where do they count the votes?

They were coming at the urging of Donald Trump to keep Congress—a separate branch of government—from certifying the results of a Presidential election.

As the rioters reached the top of the stairs, they were within 100 feet of where the Vice President was sheltering with his family. And they were just feet away from one of the doors to this Chamber, where many of you remained at that time.

I also want to show you a different angle from the security footage of Officer Goodman's acts. This video is on the second floor of the Senate wing of the Capitol. The red dot, as you recall, represents the insurrectionists. The blue dot is Officer Goodman, who led the mob away from the Chamber, just minutes earlier.

(Video presentation of 1-6-2021.)

On the left-hand side of the video, just inside the hallway is the door to

the Senate Chamber. And watch how Officer Goodman provoked the rioters and purposefully draws them away from the door to the Senate Chamber and toward the other officers waiting down the hall.

The rioter seen carrying a baseball bat in this video is the same one we saw moments ago breaching the window on the first floor.

While all of this was going on, Vice President Pence was still in the room near the Senate Chamber. It was not until 2:26 that he was evacuated to a secure location. This next security video shows that evacuation.

His movements are depicted by the orange dot in our model. The red and blue dots represent the location where the mob and Officer Goodman were and where Officer Goodman led the mob away from the Chamber just moments ago.

(Video presentation of 1-6-2021.)

You can see Vice President Pence and his family quickly moved down the stairs. The Vice President turns around briefly as he is headed down.

(Video presentation of 1-6-2021.)

As Pence was being evacuated, rioters started to spread throughout the Capitol. Those inside helped other rioters break in through doors in several locations around this entire building. And the mob was looking for Vice President Pence because of his patriotism, because the Vice President had refused to do what the President demanded and overturn the election results.

During the assault on the Capitol, extremists reportedly coordinated online and discussed how they could hunt down the Vice President.

Journalists in the Capitol reported they heard rioters say they were looking for Pence in order to execute him.

Trump's supporters had erected a gallows on the lawn in front of the Capitol Building. Another group of rioters chanted: "Hang Mike Pence," as they stood in the open door of the Capitol Building.

You can hear the security alarm through the door in the background. And you can hear the mob calling for the death of the Vice President of the United States.

(Text of video presentation of 1-6-2021.)

(People chanting: "Hang Mike Pence.")

This wasn't an isolated area or incident where that was being told, where that was being said. It was going on everywhere.

Here is another example of the crowd outside yelling: "Bring out Pence, bring him out."

(People chanting: "Bring him out.")

(People chanting: "Bring out Pence.")

After President Trump had primed his followers for months and inflamed the rally-goers that morning, it is no wonder that the Vice President of the United States was the target of their wrath after Pence refused to overturn the election results.

Listen to this man explain.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. While Congress, cowards, hid in their—inside, and were escorted away because of fear of the people. Of course they are cowards. They can't face the people. They can't do the right thing. Pence lied to us. He is a total treasonous pig. And his name will be mud forever. Now the real battle begins. And it looks like the American people are very pissed. So good luck with that. Peace out.

"Peace out."

Several insurrectionists described what they had planned to do if they encountered the Vice President or other lawmakers. One of them, Dominic Pezzola, also known as Spaz, is a member of the Proud Boys, as we discussed. Pezzola came to the Capitol on January 6 with deadly intentions. He commandeered a Capitol Police shield, used it to smash a glass window, entered the Capitol, and paved the way for dozens of insurrectionists.

As you recall from an earlier video, Pezzola was one of the first wave of rioters to breach the building. On the left, you can see a screen shot from the video of the break-in we showed earlier. And on the right, you can see Pezzola in the mob chase Capitol Police Officer Eugene Goodman through the building. Pezzola is the man in the center of the photo with the gray beard.

Pezzola has since been charged with eight Federal crimes for his conduct related to January 6. According to an FBI Agent's affidavit submitted to the court, the group that was with him during the sack of the Capitol confirmed that they were out to murder "anyone they got their hands on."

Here is what the FBI said:

Other members of the group talked about things they had done that day, and they said that anyone they got their hands on they would have killed, including NANCY PELOSI.

And, I quote:

[They would have killed [Vice President] Mike Pence if given the chance.

They were talking about assassinating the Vice President of the United States. During the course of the attack, the Vice President never left the Capitol, remained locked down with his family—with his family—inside the building. Remember that as you think about these images and the sounds of the attack.

The Vice President, our second in command, was always at the center of it. Vice President Pence was threatened with death by the President's supporters because he rejected President Trump's demand that he overturn the election.

The mob also went after the Speaker of the House, who alongside the Vice President, was presiding over the joint session of the certification in the House Chamber.

The chilling evidence shows that on January 6, armed and organized insurrectionists trained their sights on Speaker PELOSI. They sought out the

Speaker on the floor and in her office, publicly declared their intent to harm or kill her, ransacked her office, and terrorized her staff. And they did it because Donald Trump sent them on this mission.

As the insurrectionists got closer, Capitol Police rushed the Speaker from the House floor at 2:15 p.m., mere minutes after the Capitol was first breached. They recognized immediately that she was in danger. The Speaker was not just rushed from the floor; the Capitol Police deemed the threat so dangerous that they evacuated her entirely from the Capitol Complex, rushing her to a secure off-site location.

The insurrectionists' intent to murder the Speaker of the House is well documented in charging documents that are now available. We know from the rioters themselves that if they had found Speaker PELOSI, they would have killed her.

I have already discussed Proud Boys member Dominic Pezzola, who has since been charged with eight Federal crimes for his conduct on January 6. As you will recall, according to the FBI agent's affidavit submitted to the court, the group he attacked the Capitol with confirmed that "anyone they got their hands on they would have killed, including NANCY PELOSI."

William Calhoun, a lawyer, from Georgia, also participated in the insurrection that day. And he, too, has been charged for his actions. This insurrectionist detailed his criminal activity at the Capitol online. Calhoun wrote about his involvement on his own Facebook page.

Here is the post. Calhoun stated:

And get this—the first of us who got upstairs kicked in Nancy Pelosi's door and pushed down the hall towards her inner sanctum, the mob howling with rage—Crazy NANCY probably would have been torn into little pieces, but she was nowhere to be seen.

"Crazy NANCY"—that is Trump's nickname for the Speaker of the House. Then he explains that he and his group only abandoned their claim to the Speaker's office when "a SWAT team showed up."

He writes:

Then a SWAT team showed and we retreated back to the rotunda and continued our hostile takeover of the Capitol Building.

"Retreated," "hostile takeover." He is using military terms for this attack.

The mob continued to look for NANCY PELOSI throughout the time they occupied the Capitol, including invading her offices.

Watch now how the mob searches for Speaker PELOSI's office, which is marked in red, and the House Chamber itself.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. Where are you, Nancy? We are looking for you?

Unidentified Speaker. Nancy! Oh, Nancy! Nancy! Where are you, Nancy?

During the siege, the Speaker's staff took cover in her office, hiding in fear for their lives for hours, as rioters broke in and ransacked her office.



As the rioters were breaking into the Capitol, her staff retreated into an interior room. Eight of them gathered in a conference room. About the same time, Capitol Police announced the Capitol had been breached, Speaker PELOSI's staff heeded the call to shelter in place.

On our model, you can see the rioters in the Rotunda in red and the Speaker's office, again, in orange.

This is a security video, so there is no sound.

(Video presentation.)

As you can see, the staff moves from their offices through the halls and then enters a door on the right-hand side. That is the outer door of a conference room, which also has an inner door that they barricaded with furniture.

The staff then hid under a conference room table in that inner room. This is the last staffer going in and then barricading themselves inside the inner office.

After just 7 minutes of them barricading themselves and the last staffer entering the door on the right, a group of rioters entered the hallway outside and, once inside, the rioters have free rein in the Speaker of the House's offices.

In this security video, pay attention to the door that we saw those staffers leaning into and going into.

(Video presentation.)

One of the rioters, you can see, is throwing his body against the door three times until he breaks open that outer door. Luckily, when faced with the inner door, he moves on. Another rioter later tried unsuccessfully to break through that inner door. At this point, the mob had already broken into the Speaker's formal conference room that is in the back of the hall at the top of the video.

I want to play some audio we have of the Speaker's staff with the rioters at the door that day. You can hear the terror in their voices as they describe what is happening to them as they are barricaded in that conference room. Please listen carefully because the staffer is whispering into a phone as he hides from the rioters that are outside the door.

(Text of video presentation.)

Unidentified Speaker. They're in the hall. We need the Capitol Police to come into the hallway. They're pounding on doors trying to find her now.

You can hear the pounding in the background as that staffer is speaking. One of those staffers explained later that they could hear the mob going through her offices, breaking down the door and yelling: Where are you, Nancy?

The mob also pillaged and vandalized the Speaker's office and documented their crimes on social media. They stole objects, desecrated the office of the Speaker of the House of Representatives of the United States.

As you can see in these photos, rioters broke down a door. They also shattered a mirror. At 2:50 p.m., several ri-

oters, including Richard "Bigo" Barnett, entered Speaker PELOSI's office. The world is all now too familiar with the images from these slides. If you look closely, however, at the now-infamous pictures of Barnett with his feet on the desk, you might see something that you didn't notice previously. Here is a better look. As this photo highlights, he is carrying a stun gun tucked into his waistband. The FBI identified the device as a 950,000-volt stun gun walking stick. The weapon could have caused serious pain and incapacitated anyone Barnett had used it against.

Richard Barnett bragged about his actions. He was proud of the way he desecrated the Speaker of the House's office. He left a note:

WE WILL NOT BACK DOWN.

Here is Barnett in his own words.

(Text of video presentation.)

Unidentified Man. Where'd you get it?

Mr. BARNETT. I didn't steal it. I bled on it. And they were fucking macing me, and I couldn't fucking see. And so I figure: Well, I'm in her office. I got blood in her office. I put a quarter on her desk even though she ain't fucking worth it. And I left her a note on her desk that says: Nancy, Bigo was here, you bitch.

Trump's mob ransacked the Speaker of the House's office. They terrorized her staff. Again, that is a mob that was sent by the President of the United States to stop the certification of an election.

The Vice President, the Speaker of the House—the first and second in line to the Presidency—were performing their constitutional duties, presiding over the election certification. And they were put in danger because President Trump put his own desires—his own need for power—over his duty to the Constitution and our democratic process. President Trump put a target on their backs, and his mob broke into the Capitol to hunt them down.

(Text of video presentation.)

The Officer. We're talking projectiles. Let's go. We need units outside on the terrace ASAP. We need units. We're surrounded.

The Officer. Cruiser 50, they've breached the scaffolds. Let Capitol know they have breached the scaffolds. They are behind our lines.

Mr. Manager SWALWELL. Shortly after 2 p.m., the Capitol Police and Metropolitan Police were overwhelmed by President Trump's mob. Perimeters were broken. The Capitol had been breached. Those officers kept fighting back for hours and hours to hold the line. They fought to defend the Capitol Building and all of us within it.

But they weren't there just to protect us—and they did—and our staff and the custodial staff and all the people who work so hard in this building. They were there to protect the votes of the American people that were being counted that day. I will show you more later about what that day was like for those brave officers.

But first, let's go back to what was happening where Manager PLASKETT left off in the House Chamber. Rioters

who had entered the building through the Senate quickly spread out through the Capitol. Many headed toward the House and Senate Chambers. After Speaker PELOSI was ushered out, Chairman MCGOVERN was presiding in the House, attempting to keep the counting process going.

On our phones, Members were receiving security updates and watching social media to see the horror that was going on outside. We never thought it would make its way in.

By 2:25 p.m., rioters who were already in the building opened the east side doors of the Capitol Rotunda to let more of the mob in. They quickly flooded through the doors, overwhelming the officers.

This is new security footage of those doors, and, as before, the mob is identified with the red dot on the model of the Capitol. If you look closely, you will see the first person through the door is holding the Trump flag.

(Video presentation.)

At the same time, just one floor below, the mob finally pushed through a line of Capitol Police officers and overtook the area. We all know that area in the Capitol as the Crypt. This is directly beneath the Rotunda at the very center of the Capitol.

(Text of video presentation.)

(People chanting: "Open up.")

The Officer. No harm. No harm.

Inside the House Chamber, a security officer suspended the floor debate to update Members.

(Text of video presentation.)

The Officer. We have a person with tear gas in the Rotunda. Please stand by. There are masks under your seats. Please grab a mask. Place it in your lap, and be prepared to don your mask in the event the room is breached.

We were told there were tear gas masks underneath our seats and to be prepared to grab them.

Determined to keep the count going, Chairman MCGOVERN called the House back into session, but only 4 minutes later, at 2:30 p.m., the House abruptly recessed. A new security announcement was made.

(Text of video presentation.)

The Officer. Be prepared to get down under your chairs, if necessary. So we have folks entering the Rotunda and coming down this way. So we will update you as soon as we can, but just be prepared. Stay calm.

As I heard that announcement on the floor, I saw the new House Chaplain, on just her fourth day on the job, walk to the front podium unannounced, and, amidst the chaos, she started to recite a prayer for peace.

Uncertain what would happen next, I sent a text message to my wife:

I love you and the babies, please hug them for me.

I imagine many of you sent a similar message.

What we could not see from inside the Chamber was that outside, the mob was growing larger and larger and approaching our doors. But we could hear them.



This security footage, which does not have sound, shows a closeup of Trump's mob as they move toward the second floor of the House Chamber to stop the counting of votes.

(Video presentation.)

In the back of the group, you see one individual carrying a "Stop the Steal" sign. They get within footsteps of the House door.

The next video is the viewpoint of the insurrectionists. It begins with the mob amassing and cuts ahead to show you their search to the House door.

(Text of video presentation.)

(People chanting: "We want Trump.")

Unidentified Man. It's a mob. They're going. Just stop. Whoa, whoa. Dude, dude, dude, dude—you're not helping. You're not helping. You are going to get me hurt and other people.

(People chanting: "Stop the steal.")

Unidentified Man. All right, no violence.

Unidentified Man. It's too late for that. They don't listen without that stuff.

(People chanting: "Stop the steal.")

Those doors, to orient you at home, are the doors that the President of the United States walks through when he or she gives the State of the Union Address.

You may have heard one man yell "no violence" and another respond:

It's too late for that. They don't listen without that.

They were there to stop the certification of the election.

At this point, inside the House Chamber, we can now hear the pounding on the doors. At 2:35 p.m., Members on the House floor were told that an evacuation route was secure, and it was time to leave. This video shows Members of Congress exiting to the side of the podium where we would go through the House Lobby and downstairs.

(Video presentation of 1-6-2021.)

Because of coronavirus restrictions, congressional Members had been waiting in the Gallery for their time to speak, just one level above the House floor. Representatives, staff, journalists all took cover under their chairs, helped each other put on their gas masks, and held hands as rioters gathered outside.

Here, on this slide, you see Representative JASON CROW comforting our colleague Representative SUSAN WILD.

(Video presentation of 1-6-2021.)

The rioters continued to surround the House Chamber, flooding the halls and kicking on the doors as they passed them.

(Video presentation of 1-6-2021.)

This security video shows Ashli Babbitt, followed by others in the mob, turning the corner to the House Lobby doors where the Members were leaving.

(Video presentation of 1-6-2021.)

Chairman MCGOVERN was one of the last Members to leave the floor. As he left through the House Lobby, just after 2:40 p.m., he was spotted by the mob.

(Video presentation of 1-6-2021.)

Minutes later, at 2:44 p.m., Ashli Babbitt attempted to climb through a shattered window into the House

Lobby. To protect the Members in the Lobby, an officer discharged his weapon, and she was killed. I want to warn everyone that the next video, which shows her death, is graphic.

(Text of video presentation of 1-6-2021.)

He has a gun! He has a gun! He's got a gun!

Inside the Chamber, Representatives, staff, and journalists remained trapped in the Gallery, one floor above the House floor, and heard the gunshot. My colleague Representative DAN KILDEE produced this recording.

(Text of video presentation of 1-6-2021.)

What the fuck? Take your pins off. Pins off!

Out of fear that they would be seen or taken by the mob, my colleagues were telling each other to take off their congressional pins. That buzzing sound that you hear in the background of these videos was the sound of the gas masks.

It was not until approximately 2:50 p.m., about 6 minutes after the shooting downstairs, that the remaining Members, staff, and journalists in the Gallery were finally able to flee.

In this security footage video, you can see them exiting. Many Members are still wearing their gas masks. They walk just feet away from where the Capitol Police are holding an insurrectionist at gunpoint. Just minutes earlier, that insurrectionist had tried to open the Gallery door and, thankfully, was stopped by a tactical team.

(Video presentation of 1-6-2021.)

Although Members were now being moved to another location, the mob continued to fight—to stop the count, to find the Members, to engage with the police. The building was not yet secure.

This security video from 2:56 p.m. shows the mob in the House of Representatives' wing on the second floor of the Capitol. Insurrectionists who are still inside the building are fighting with the police, who are overwhelmed in trying to get them out.

(Video presentation of 1-6-2021.)

Throughout this presentation, we have been very careful to not share where Members of Congress were taken or the paths they followed to get out and off the floor, but that very issue was under discussion by the insurrectionists themselves. One example comes from an FBI affidavit, which stated that a leader of a militia group known as the Oath Keepers received messages while he was at the Capitol. The leader was given directions to where Representatives were thought to be sheltering and instructions to "turn on gas; seal them in."

As you know, the threat to the Senate was no less than that of the Members of the House. The mob approached the Senate with the same purpose: fulfilling President Trump's goal of stopping the count; delaying the certification of the electoral college votes of the American people.

As you heard from Manager PLASKETT, Vice President Pence was moved away from the area near the Senate Chamber at around 2:25 p.m. By that time, rioters had breached several areas close to this Chamber, and they were flooding the hallways just outside and nearby. The Senate Chamber was not evacuated until 2:30 p.m. The mob had been in the building for more than 15 minutes.

This new security footage of the Senators and staff leaving the Chamber will be displayed on the screens. It is silent.

(Video presentation of 1-6-2021.)

You cannot see it in this footage, but quick-thinking Senate floor staff grabbed and protected the electoral ballots that the mob was after.

Those of you who were here that day will recall that, once you left the Senate floor, you moved through a hallway to get to safety. That hallway was near where Officer Goodman had encountered a mob and led them upstairs and away from the Senate Chamber. You know how close you came to the mob. Some of you, I understand, could hear them, but most of the public does not know how close these rioters came to you. As you were moving through that hallway—I paced it off—you were just 58 steps away from where the mob was amassing and where police were rushing to stop them. They were yelling.

In this security video, you can see how the Capitol Police created a line and blocked the hallway with their bodies to prevent rioters at the end of the hall from reaching you and your staff.

(Video presentation of 1-6-2021.)

Because this is security footage that you have not seen before, I want to play it again. The top of the screen is the other end of that hallway where the mob has amassed and the officers are rushing to protect you.

(Video presentation of 1-6-2021.)

Additional security footage shows how Leader SCHUMER and the members of his protective detail had a near miss with the mob. They came within just yards of rioters and had to turn around. Here, in this new video, you see Leader SCHUMER walking up a ramp. In going up the ramp with his detail, he will soon go out of view.

(Video presentation of 1-6-2021.)

Seconds later, they return and run back down the hallway, and officers immediately shut the door and use their bodies to keep them safe.

(Video presentation of 1-6-2021.)

At 2:45 p.m., shortly after Senators were ushered to safety from the Senate floor, insurrectionists reached the Senate Galleries. The following video was filmed by a New Yorker reporter.

(Text of video presentation of 1-6-2021.)

Where the fuck are they? We're here.

Minutes later, the insurrectionists invaded and desecrated the Senate floor. These vandals shouted and rifled through the desks of this room. They took pictures of documents and of

themselves, celebrating that they had taken over the floor and stopped the counting of the electoral college votes.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. Look at this. Take a picture.

Unidentified Speaker. Here. Look. TED CRUZ's objections. He was going to sell us out all along.

Unidentified Speaker. Really?

Unidentified Speaker. Objection to counting the electoral votes of the State of Arizona.

Unidentified Speaker. All right. All right. There's got to be something in here we can use against these scum bags.

Unidentified Speaker. What happened to the phone, man?

Larry Brock, who was arrested for his role in the insurrection, was photographed on the Senate floor, wearing a helmet, tactical gear, and carrying flex cuffs.

(Video presentation of 1-6-2021.)

This man, also in the Senate Galleries, is Eric Munchel. Like Brock, he was dressed in what appears to be tactical gear, also holding up flex cuffs.

(Video presentation of 1-6-2021.)

If the doors to this Chamber had been breached just minutes earlier, imagine what they could have done with those cuffs.

After insurrectionists occupied the Capitol and stopped the joint session from counting the votes, the Capitol was in lockdown for 5 hours.

As long as it took to get back to the Capitol, to get back to the certification of the election, it could have been so much longer, or we might not have been able to resume at all. As horrific as it was—140 officers injured, 3 officers who ultimately lost their lives—we all know that awful day could have been so much worse. The only reason it was not was because of the extraordinary bravery of the men and women of the Capitol Police and the Metropolitan Police Departments. For hours and hours, these insurrectionists were in hand-to-hand combat with these brave men and women.

Like some of you, I come from a law enforcement family. My dad was a cop. My two brothers—my little brothers are cops who walk the beat today. I am proud of them. And like in every law enforcement family, when we hang up the phone, we don't only say "I love you," we say "Be safe."

So let's focus now on the attack and what it was like for the officers defending the Capitol that day. And, again, I want to warn you that the following audio and videos are graphic and are unsettling, but it is important that we understand the extent of what occurred.

Here is an audio recording from the radio traffic of the DC Metropolitan Police Department describing the violence.

(Text of audio presentation of 1-6-2021.)

Cruiser 50, I copy. We're still talking rocks, bottles, and pieces of flag and metal pole.

Cruiser 50, the crowd is using munitions against us. They have bear spray in the crowd. Bear spray in the crowd.

1328.

Multiple deployments U.S. Capitol with pepper spray.

DSO, DSO, I need a re-up. I need a re-up up here.

You hear the officer describe they are "using munitions"—they, the rioters, are "using munitions against us."

This video shows how the sprays that were described were used against the officers.

(Video presentation of 1-6-2021.)

In a separate Metropolitan Police Department radio traffic recording, you can hear an officer when he realizes that the insurrectionists had overtaken the police line.

(Text of audio presentation of 1-6-2021.)

Cruiser 50. We lost the line. We've lost the line. All MPD, pull back. All MPD, pull back up to the upper deck. All MPD, pull back to the upper deck ASAP. All MPD, come back to the upper deck. Upper deck. Cruiser 50, we're flanked. 10-33. I repeat 10-33 west front of the Capitol. We have been flanked and we've lost the line.

The MPD officer calls out "10-33." That is the code for emergency, officer in need of assistance; his words, "We've lost the line."

Hours after Members of the House and Senate had left this area on the west front of the building, the mob continued to grow, continued to beat the officers, as they tried to get in.

In this new security video, you can see the mob attacking officers with a crutch, a hockey stick, a bull horn, and a Trump flag.

(Video presentation of 1-6-2021.)

I want to show you that same attack from the officer's perspective, from his body camera footage.

(Video presentation of 1-6-2021.)

This body camera footage is from 4:27 p.m., over 2 hours from when the Capitol was first breached. The attack on police that afternoon was constant.

Metropolitan Police Officer Michael Fanone, a 20-year police veteran with four daughters, was part of a line of officers protecting the Capitol. He was one of three officers whom the mob dragged down the stairs. When they dragged him, they stole his badge, his radio, his ammunition magazine, and they tased him, triggered a heart attack.

Here he describes his experience.

(Text of video presentation of 1-6-2021.)

Officer Fanone. It looked like a medieval battle scene. It was some of the most brutal combat, you know, I have ever—ever encountered. At one point I got tased. People were yelling at me, "We got one. We got one."

Officer Christina Laury, who regularly serves in MPD's Narcotics and Specialized Investigation Division, also protected the front Capitol entrance. Here is her experience.

(Text of video presentation of 1-6-2021.)

Officer Laury. I mean, I can't say enough about the officers that were there, the offi-

cers that were on the frontline. And when I say "the frontline," I mean, literally, officers that were in a line, stopping these people that were beating them with metal poles. They were spraying them with bear mace. I mean, they did everything in their power to not let those people in. And this was going on for hours.

Around 4:30 p.m., hours into the Capitol riots, Officer Daniel Hodges was protecting a west side Capitol entrance, when rioters who were trying to stop the certification trapped him between two doors.

When Officer Hodges was interviewed later, this is how he described what was happening.

(Text of video presentation of 1-6-2021.)

Officer Hodges. They threw down a huge metal object that hit me on the head. I was also knocked down. The medical mask I was wearing at the time got pulled up over my eyes, so I was on the ground and blinded, and they started attacking me from all sides.

Rioters crushed Officer Hodges. He was wedged in the doorway, blood dripping from his mouth. He was struggling to breathe, all while the insurrectionists hit him.

Officer Hodges' experience reminds you of what he and many other officers experienced that day, what they went through.

We are also reminded of three officers who lost their lives: Capitol Hill Police Officers Sicknick, Liebgood, and Metropolitan Police Officer Smith.

In many law enforcement families, we pray for our loved ones, and we know the scripture of Matthew 5:9, "Blessed are the peacemakers, for they shall be called the children of God."

I am sorry I have to show you the next video, but in it you will see how blessed we were that on that hellish day, we had a peacemaker like Officer Hodges protecting our lives, our staffs' lives, this Capitol, and the certification process.

May we do all we can in this Chamber to make sure that never happens again.

(Video presentation of 1-6-2021.)

RECESS

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, we will now have a recess for dinner, and we will resume at 6:15.

The PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 6:15 p.m.

Thereupon, the Senate, at 5:25 p.m., recessed until 6:15 p.m. and reassembled at 6:28 p.m., when called to order by the President pro tempore.

MANAGERS' PRESENTATION—CONTINUED

The PRESIDENT pro tempore. Mr. RASKIN.

Mr. Manager RASKIN. Mr. President, distinguished Members of the Senate, Managers CICILLINE and CASTRO will now remind us of what President Trump was doing during the attack. They will show how he continued to stoke the insurrection and refused to speak out against the violence or do anything to stop it.

Mr. CICILLINE.

Mr. Manager CICILLINE. Mr. President, distinguished Senators, you just heard from my colleagues about the harrowing events that happened here at the Capitol on January 6 and saw that very disturbing video, and now I would like to turn your attention to what was happening on the other end of Pennsylvania Avenue at the White House.

The truth is, the facts are that on January 6, Donald Trump did not once condemn this attack. He did not once condemn the attackers. In fact, on January 6, the only person he condemned was his own Vice President, Mike Pence, who was hiding in this building with his family in fear for his life.

In the first crucial hours of this violent attack, he did nothing to stop it, nothing to help us.

By all accounts, from the people that were around him, he was delighted. And here is the last thing Donald Trump said that day, and you might remember this from my motions presentation earlier in the week.

At 6 p.m. on January 6, after all the destruction that you just saw, Capitol Police and the National Guard fighting to secure this building, here is what Donald Trump tweeted:

These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace. Remember this day forever!

He got what he incited, and according to Donald Trump, we got what we deserve. Donald Trump's incitement of this insurrection, including his dereliction of his duty as Commander in Chief to defend the Capitol and the people in it, his complete refusal to condemn the attack while it was going on, and his continuing to incite the violence during the attack require impeachment.

Now, let's turn to then-President Trump's conduct that day. I want to start at the beginning, when he addressed his thousands of great patriots, as he called them that morning. Around noon, Donald Trump began speaking at his rally just down Pennsylvania Avenue. Even before Donald Trump finished speaking, his supporters began to walk down toward the Capitol, and they were already starting to chant "stop the steal" and "storm the Capitol" and "invade the Capitol" and "fight for Trump."

And by 12:53 p.m., they had violently forced their way through the barricades here at the Capitol. Now, about 1 o'clock that day, with this chaos just starting, Speaker PELOSI, as the Constitution requires, formally commenced the process by which this Chamber certifies election results.

Within 10 minutes, at 1:11 p.m., as if almost on cue, Donald Trump concluded his speech with his final reminder to the thousands gathered there: It was time to go to the Capitol.

Let's watch.

(Text of video presentation of 1-6-2021.)

President TRUMP. We're going to the Capitol, and we're going to try and give—and we're going to try and give our Republicans—the weak ones because the strong ones don't need any of our help—we're going to try and give them the kind of pride and boldness that they need to take back our country.

So let's walk down Pennsylvania Avenue.

I want to thank you all. God bless you, and God bless America.

Thank you all for being here. This is incredible. Thank you very much.

(People chanting: "Fight for Trump.")

Now, you have seen what happened when these supporters, following his orders, arrived here at the Capitol. But we want to look at what happened next. Now, you will recall, during the speech, President Trump said, "We're going to the Capitol," sort of suggesting he was going to go with this crowd. Of course, that was not true. But let's hear what he said.

(Text of video presentation of 1-6-2021.)

President TRUMP. Now it is up to Congress to confront this egregious assault on our democracy. And after this, we're going to walk down, and I'll be there with you. We're going to walk down. We're going to walk down.

Any one you want, but I think right here. We're going to walk down to the Capitol.

This, of course, was not true. He did not go with them to the Capitol. He left and went back to the White House, and while he was en route to the White House, violence began to grow here at the Capitol.

And within minutes of Donald Trump's speech ending, there were significant reports of escalating violence that began to surface. Buildings around the Capitol were starting to be evacuated, and by 1:15, an explosive device had been found at the DNC, and a pipe bomb had been found at the RNC about 15 minutes earlier. The House Sergeant at Arms had called for immediate assistance. At 1:34 p.m., the mayor of Washington, DC, called for additional National Guard troops.

I won't go through all of the details of violence that unfolded here. You just saw that. But as we walk through what our Commander in Chief did that day, I want to be very clear about exactly what was happening here at the same time.

For 40 minutes, while buildings were being cleared, pipe bombs were being found, and his supporters were literally breaching the perimeter of the Capitol and overwhelming law enforcement. You saw the violence that was occurring. We heard nothing from the President of the United States. We didn't hear anything from Donald Trump until 1:49 p.m., when, while all of this is unfolding, President Trump sent out a tweet.

This was the first thing he did when he learned the U.S. Capitol, with all the Members of Congress and his own Vice President, was under violent attack. What was that tweet? Nearly an hour after the rioters breached the

Capitol perimeter at 1:49, Donald Trump released a propaganda reel of his "Save America" speech that he had given an hour before.

I want to be clear. The events I just described—the rioters breaching the Capitol, attacking law enforcement, the violence that is being broadcast all over the television for the whole world to see, including the President of the United States—I want to show you: This is what is happening right before Donald Trump sends that video out again and as he does it.

(Text of video presentation of 1-6-2021.)

President TRUMP. Our country has had enough. We will not take it anymore and that's what this is all about. And to use a favorite term that all of you people really came up with: We will stop the steal. Because you'll never take back our country with weakness. You have to show strength, and you have to be strong.

Even if President Trump claims he didn't know the extent of the violence that would follow his speech, it was now happening in plain view, broadcast on television. His supporters were attacking law enforcement. The mayor and the police chief were calling for help. Members of Congress and the Vice President were inside scared for their lives.

He doesn't send help, and he doesn't try to stop it. He doesn't even acknowledge the attack. Instead, our Commander in Chief tweeted the video of the speech that he had given before, that included language like "our country has had enough. We will not take it anymore and that's what this is all about. . . . You have to be strong."

Those around Donald Trump—this was later reported—were disgusted. His close aides, his advisers, those working for him, former officials, and even his family were begging him to do something. Kellyanne Conway, the President's close adviser, called to "add her name" to the chorus of aides urging Donald Trump to take action. Ivanka Trump, the President's own daughter, went to the Oval Office "as soon as" the rioting escalated, and as was confirmed by Senator GRAHAM, "trying to get [Trump] to speak out, to tell everyone to leave."

Minority Leader KEVIN MCCARTHY called Jared Kushner, "pleading with him to persuade Trump to issue a statement" or to do something. And Kushner, too, went down to the White House after that call.

And it wasn't just the people at the White House. Members of Congress from both parties, who were trapped here, were calling the White House to ask for help. Some Members even appealed directly to Donald Trump. These Members who had "been loyal Trump supporters and were even willing to vote against the electoral college results, were now scared for their lives."

Minority Leader KEVIN MCCARTHY repeatedly even got into a screaming match as the attack was under way,

demanding that Mr. Trump do something, issue a statement denouncing the mob.

I imagine many of you sitting here today picked up your phone and tried to reach somebody at the White House to ask for help. This wasn't partisan politics. These were Americans from all sides trying to force our Commander in Chief to protect and defend our country. He was required to do that.

Now, the extent of how many people tried to reach the President to get him to act is not known. But what is clear, what we know without any doubt, is that from the very beginning, the people around Donald Trump lobbied him to take command. What is also clear is what Donald Trump, our Commander in Chief, did in those initial hours to protect us. Nothing. Not a thing. He knew it was happening. The attack was on TV. We all know that President Trump had the power to stop these attacks. He was our Commander in Chief. He had the power to assess the security situation, send backup, and send help.

He also had incited these violent attacks. They were listening to him. He could have commanded them to leave, but he didn't.

The first critical hour and a half of this bloody attack, Donald Trump tweeted his rally speech and did nothing else. And we know why. We know his state of mind that prompted his utter, complete refusal to defend us. It was reported by those around him.

The President, as reported by sources at the time, was delighted. As he watched the violence unfold on television, President Trump was reportedly "borderline enthusiastic because it meant the certification was being derailed."

Senator BEN SASSE relayed a conversation with senior White House officials that President Trump was "walking around the White House confused about why other people on his team weren't as excited as he was."

Mr. Trump's reaction to this attack, reportedly, genuinely freaked people out. I understand why. We just suffered a very serious attack, an attack on our country. And we saw them—the people around him—do it. But when Donald Trump saw it, he was delighted.

Now, what President Trump did next confirms why he was so delighted, why he wanted this, because it shows that his singular focus that day—the day we were attacked—was not protecting us, was not protecting you, was not protecting the Capitol, but it was stopping the certification of the election results.

The evidence is clear. Shortly after 2 p.m., as the siege was fully under way, then-President Trump made a call. This is the first call that we are aware he made to anyone inside the Capitol during the attack. He didn't call the Vice President to ask how he could help defend the Capitol. He didn't call the next two in line to succession of the Presidency to check on their safety or well-being.

Instead, he attempted to call Senator TUBERVILLE. He dialed Senator LEE by accident.

(Text deleted.)

Let's be clear. At roughly 2 p.m., when Donald Trump was walking around the White House watching the TV delighted and spent 5 to 10 minutes talking to Senator TUBERVILLE, urging him to delay the election results, this is what was happening in the Capitol.

(Video presentation.)

You saw Senator LANKFORD stop speaking and leave the floor quickly in that clip because the insurgents had broken through the barricades and entered the building. And as these armed insurrectionists banged on the doors, Members of Congress were told to put on their gas masks, to put bags over their heads for safety, and prepare to evacuate. And Donald Trump was calling to ask the Senator to delay the certification process. Let that sink in.

Donald Trump didn't get to finish that call. It was cut off because the Senators had to move to another location, for your security. And thank God they did because as the call was occurring, the rioters got closer to the Senate Chamber, and as we all know now, but for the heroism of Capitol Police Officer Eugene Goodman and other law enforcement officers who took them in a different direction to the police line, they very likely would have gotten here.

Think about that. Armed insurrectionists with guns, weapons, zip ties, brass knuckles, they were coming for us. They were inside the United States Capitol, trying to stop the certification process. The police were outnumbered. And but for the grace of God, they would have gotten us, all of us.

And our Commander in Chief makes a call about an hour after the siege began, not to preserve, protect, and defend you and our country and the Capitol but to join forces with the mob and pressure a Senator to stop certification. We just can't get numb to this kind of behavior.

There can be no doubt as to the purpose of Donald Trump's call, that he was not calling to assess the security threats or to check on the well-being of you or anyone else. Indeed, later on that evening, while all of the destruction and damage still continued, dozens of officers were being treated for serious injuries. Deaths were confirmed. About 7 p.m., the President's personal lawyer, Rudy Giuliani, made a call, and just in case you don't think there was some coordination, he also called Senator LEE's phone trying to reach Senator TUBERVILLE. We don't have to guess as to what Rudy Giuliani said in that voicemail because we have it recorded. So let's listen to what the President's personal lawyer said on the night of this attack.

(Text of audio presentation.)

Mr. GIULIANI. Senator Tuberville—or I should say Coach Tuberville, this is Rudy Giuliani, the President's lawyer. I'm calling you because I want to discuss with you how

they're trying to rush this hearing and how we need you, our Republican friends, to try to just slow it down.

This was the singular focus of Donald Trump during this bloody, violent attack on the Capitol: stopping the certification.

Look, as I mentioned, I was a trial lawyer for 16 years. Sometimes, you have to ask a jury to use reasonable inferences to piece together a defendant's state of mind. We don't have to do this here. While our country was violently attacked by an armed mob, President Trump not only refused to stop the attack or even address the attack at all, he made clear his focus was on the same goal of the attackers he incited: to stop the certification process and prevent the peaceful transition of power. The only action we know that he took an hour into this attack was to call Senator TUBERVILLE to ask him to delay the certification. This is as clear evidence as I have ever seen of what Donald Trump really cared about that day.

Now, look, the certification process, as we all know, includes debate and objections. Some of us disagreed, but we came here on January 6 to formally administer the certification process pursuant to our constitutional duties. At the end of it, Congress certified the results to ensure that we continue to be a country with leaders who are elected by the people for the people.

Donald Trump's objections to the certification are not on trial, but what is on trial is, while we were under armed attack and being evacuated, while our law enforcement officers were fighting for their lives, our Commander in Chief was calling not to determine how to best secure the building and the people in it but to continue to pressure Senators to stop the certification process and a peaceful transfer of power, just as he incited the mob to do earlier in the day. This was a breathtaking dereliction of his duty and a violation of his oath as our Commander in Chief.

Senators, before I hand this over to Manager CASTRO to walk through the rest of the day, please let me make one final point. These attackers stood right where you are. They went through that rostrum. They rifled through your desks, and they desecrated this place. And literally, the President sat delighted, doing nothing to help us, calling one of you to pressure you to stop the certification.

It can't be that the Commander in Chief can incite a lawless, bloody insurrection and then utterly fail in his duty as Commander in Chief to defend us from the attack, to defend our law enforcement officers from that attack, and just get away with it. Donald Trump abdicated his duty to us all. We have to make this right, and you can make it right.

Mr. Manager CASTRO of Texas. My fellow manager DAVID CICILLINE showed you what President Trump did and did not do in those first critical hours of the attack.

He sent a tweet at 1:49 p.m., where he reposted a video of the speech that incited the attack, and he called a Senator to ask him to delay the certification as the Senator was being evacuated for his own safety.

We left off around 2:15 p.m. At this point, insurgents were inside the Senate and the House, and the Senate had been evacuated for everyone's safety. As you saw, Vice President Mike Pence and his family even had to be evacuated for their safety.

Now, you will recall Donald Trump had made Vice President Pence a target. He attacked the Vice President at the rallies, in speeches, and on Twitter. And during President Trump's speech that morning of the attack, he ramped it up again. After privately pressuring Mike Pence in front of thousands in the crowd, he called Mike Pence out 11 times, including saying:

(Text of video presentation of 1-6-2021.)

Mike Pence, I hope you're going to stand up for the good of our Constitution and for the good of your country. And if you're not, I'm [going] to be . . . disappointed in you. I will tell you right now.

And this was the crowd's response to Donald Trump's days of relentless attacks on his own Vice President:

(Text of video presentation.)

(People chanting: "Hang Mike Pence.")

By 2:15 p.m., the crowd was chanting in unison "Hang Mike Pence" outside the very building he had been evacuated from with his family.

Now, even if President Trump didn't know that his inflammatory remarks about his Vice President would result in chants of "Hang Mike Pence," by 2:15 p.m., he surely knew. The attack was all over television. They were doing this out in the open. This was a Vice President whose life, whose family's life, was being threatened by people whom the President had summoned to the Capitol. And what did President Trump do in response? Did he stop? Did he tell his base: No, don't attack my Vice President. Even when President Trump knew what his words were causing, he didn't do any of those things to stop the crowd. In fact, he did the opposite. He fueled the fire.

At 2:24 p.m., he tweeted:

Mike Pence didn't have the courage to do what should have been done to protect our country and our Constitution. . . . USA demands the truth.

Over an hour and a half into the attack, and this is what he tweeted. And he still, even at this point, did not acknowledge the attack on the Capitol, let alone condemn it. Instead, he further incites the mob against his own Vice President, whose life was being threatened.

Well, some of you may say: Well, who was paying attention anyway? Well, that mob was paying attention.

(Text of video presentation.)

Unidentified Speaker. Mike Pence didn't have the courage to do what should have been done to protect our country and our Constitution, giving States a chance to cer-

tify or correct a set of facts, not (inaudible) defraud ones or inaccurate ones, which they were asked to previously certify. U.S. demands the truth.

Unidentified Speaker. Mike Pence, anarchist. Mike Pence, anarchist.

Unidentified Speaker. (Inaudible.) Can I speak to Pelosi? Yeah, we're coming, bitch. Oh, Mike Pence, we're coming for you, too, fucking traitor.

Unidentified Speaker. Donald J. Trump better (inaudible).

Unidentified Speaker. Full house.

Unidentified Speaker. (Inaudible) Mike Pence let us down. Mike Pence let us down, people. If you want to get something done, you are going to have to do it yourself.

The insurgents amplified President Trump's tweet attacking the Vice President with a bullhorn. They were paying attention, and they also followed instructions. In fact, the insurgents were at one point, as you saw, 60 feet away from the Vice President and the Vice President's family. Some of these insurgents were heard saying "that they hoped to find Vice President Mike Pence and execute him by hanging him from a Capitol Hill tree as a traitor," and then they erected a gallows with a noose.

This is what Donald Trump incited. Please take a close look at that picture. It hearkens back to our Nation's worst history of lynching.

A President's words have the power to move people to action, and these were the results.

And why did the President incite such rage against the Vice President? He was fulfilling his constitutional duty, as we all were that day. Vice Presidents in this country have been carrying out this constitutional duty—overseeing the certification of election results—without incident, without contest, without a word, for the entirety of our Nation. It is part of our peaceful transition of power in the United States.

The Vice President said he reviewed the Constitution and he could not block certification, as President Trump wanted him and was pressuring him to do. He told the President in a letter that morning, a few hours before President Trump's tweet:

[I will] approach this moment with [a] sense of duty and an open mind, setting politics and personal interests aside, and do [my] part to faithfully discharge our duties under the Constitution. I also pray that we will do so with humility and faith.

And the President's response to that statement was to attack Mike Pence while he was with his family under the threat of a violent mob. The Vice President was following his faith, his duty, and his oath to our Nation.

The Vice President and I don't agree on too much in politics, but he is a man who upholds his oath, his faith, his duty, and most of all upholds the Constitution. And Mike Pence is not a traitor to this country. He is a patriot. And he and his family, who was with him that day, didn't deserve this, didn't deserve a President unleashing a mob on them, especially because he was just doing his job.

As this was unfolding and the crowd grew more violent, the President, of course, was not alone at the White House, and the people closest to him—his family and advisers—who saw this unfolding in realtime, begged him, implored him to stop the attack.

An aide to MARK MEADOWS, the President's Chief of Staff, urged his boss to go see the President, saying: "They are going to kill people."

"They are going to kill people." That is what those around President Trump feared, and still nothing. It wasn't until 2:38 p.m., nearly 2 hours after the start of the siege, that Donald Trump even acknowledged the attack. And when he finally did acknowledge the attack, here is what he said.

On the right you will see what had been happening prior to that tweet and as he sent the tweet, and on the left you will see exactly what he tweeted.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. I'm going to stop you there for just one moment because we do have some breaking news. We want to bring in congressional correspondent Chad Pergram as this is all developing right now. Chad, I understand the Capitol is now on lockdown?

Mr. Pergram. They're definitely fired up. The chant, by the way, I heard the most today was "fight for Trump," and that's clearly what many of them feel they're doing.

Unidentified Speaker. Hold the line. (People singing: "O, the land of the free.")

That is what our President saw unfolding in realtime, broadcast all over television, and this is what he tweeted at 2:38 p.m.:

Please support our Capitol Police and Law Enforcement. They are truly on the side of our Country. Stay peaceful!

Much has been made of the fact that in this tweet he says, "Stay peaceful." Senators, "Stay peaceful"? Think about that for a second. These folks were not peaceful. They were breaking windows, pushing through law enforcement officers, waving the flag as they invaded this Capitol Building. This was a violent, armed attack.

"Stay peaceful"? How about: Stop the attack. Stop the violence.

"Stay peaceful"? How about you say: Immediately leave. Stop.

And he said: "Please support our Law Enforcement." How about he actually support our law enforcement by telling these insurgents to leave the Capitol immediately, which he never did. He didn't because, the truth is, he didn't want it to stop. He wanted them to stay and to stop the certification. And his failure had grave and deadly consequences.

By 2:45 p.m., the warnings were tragically proven correct. Ashli Babbitt was shot by an officer as she tried to break through a glass door to reach the Speaker's Lobby.

At this point, the pleas to Donald Trump, publicly and privately, grew even more desperate. At 2:54 p.m., Alyssa Farah, a former strategic communications director, begged the President:

Condemn this now. You are the only one they will listen to. For our country!

Mick Mulvaney, the President's former Chief of Staff, his right-hand man at one point, tweeted at 3:01:

The President's tweet is not enough. He can stop this now and needs to do exactly that. Tell these folks to go home.

He can stop this now. Tell these folks to go home.

At 3:06 p.m., Representative MCCARTHY appeared on FOX News. Here is what he said.

(Text of video presentation of 1-6-2021.)

Mr. MCCARTHY. I could not be sadder or more disappointed with the way our country looks at this very moment. People are getting hurt. Anyone involved in this, if you're hearing me, hear me very loud and clear: This is not the American way.

He is saying on FOX News, which the President watches: This is not the American way. Stop the attack.

Representative GALLAGHER, at 3:11 p.m., while secured in his own office, posted a video to Twitter.

(Text of video presentation of 1-6-2021.)

Mr. GALLAGHER. Mr. President, you have got to stop this. You are the only person who can call this off. Call it off.

And then, when the President didn't answer his pleas on Twitter, Representative GALLAGHER went on live television.

(Text of video presentation of 1-6-2021.)

Mr. GALLAGHER. I mean, this is insane. I mean—I—I have not seen anything like this since I deployed to Iraq in 2007 and 2008. I mean, this is America, and this is what is happening right now. We need—the President needs to call it off. Like, call it off. Call it off.

Representative GALLAGHER, you see there, said he had not seen anything like this since he was deployed in Iraq.

The message around the President was clear, from everyone: You need to call this off. Stop it.

But does he? No. His next tweet was not until about 3:13 p.m. Once again, it is important to consider what was happening between Donald Trump's 2:38 p.m. tweet and his next tweet at 3:13 p.m.

You will see footage from the attack during that time on the right and Donald Trump's tweet on the left.

(Text of video presentation of 1-6-2021.)

Unidentified Speaker. We've been informed that protesters have penetrated the Capitol.

Unidentified Speaker. This is my fucking building.

Unidentified Speaker. I tell ya, the sentiment in the streets is really getting to a different level. This is spinning out of control. This is turning violent. This is getting dangerous.

Unidentified Speaker. Stand up for America.

Unidentified Speaker. Don't touch me.

Unidentified Speaker. Don't get in his way.

Unidentified Speaker. Get the fuck out of here.

This isn't 10 minutes into the insurrection. This isn't just after his speech earlier that day. That is what our Com-

mander in Chief saw happening, and that was his response.

You will notice one of the things he says to his mob, to these insurrectionists, rather than to stop or to leave, was to say thank you. Thank you. Thank you for what? Thank you for shattering the windows and destroying property? Thank you for injuring more than 140 police officers? Thank you for putting in danger all of our lives and the lives of our families?

How about, instead of "thank you," Donald Trump, on that day, acted like our Commander in Chief and stopped this, as only he could, and told those people to leave.

Here is what former Governor Chris Christie, his very good friend, said after that tweet.

(Text of video presentation of 1-6-2021.)

Mr. Christie. It's pretty simple. The President caused this protest to occur. He is the only one who can make it stop. What the President said is not good enough. The President has to come out and tell his supporters to leave the Capitol grounds and to allow the Congress to do their business peacefully, and anything short of that is an abrogation of his responsibility.

He is right. Chris Christie is right. We know how Donald Trump acts on Twitter and otherwise when he has a message to convey. In fact, I asked you to remember those tweets earlier this morning when he yelled on Twitter: "STOP THE COUNT."

When he wanted to incite his supporters to show up on January 6, President Trump tweeted 16 times between midnight on January 5 and his noon rally/speech the next day—16 times to get them to do something he wanted. And his message in those 16 times was clear: "Fight." "Stay strong." "Be strong."

But when the violence started, he never once said the one thing everyone around him was begging him to say: Stop the attack. He refused to stop it. And as Governor Christie and Representative KINZINGER and others made clear, only Donald Trump could have stopped that attack.

(Text of video presentation of 1-6-2021.)

Mr. KINZINGER. You know, a guy who knows how to tweet very aggressively on Twitter, you know, puts out one of the weakest statements on one of the saddest days in American history because his ego won't let him admit defeat.

He was not just our Commander in Chief. He had incited the attack. The insurgents were following his commands, as we saw when they read aloud the tweet attacking the Vice President. They confirmed this during the attack too.

(Video presentation of 1-6-2021.)

Senators, ask yourselves this: How easy would it have been for the President to give a simple command, a simple instruction, just telling them: Stop. Leave.

This was a dereliction of duty, plain and simple, and it would have been for any President who had done that. And

that brings me to my next point. You heard from my colleagues that when planning this attack, the insurgents predicted that Donald Trump would command the National Guard to help them.

There is a lot that we don't know yet about what happened that day, but here is what we do know: Donald Trump did not send help to these officers who were badly outnumbered, overwhelmed, and being beaten down. Two hours into the insurrection, by 3 p.m., President Trump had not deployed the National Guard or any other law enforcement to help, despite multiple pleas to do so.

President Donald Trump was at the time our Commander in Chief of the United States of America. He took a solemn oath to preserve, protect, and defend this country, and he failed to uphold that oath. In fact, there is no indication that President Trump ever made a call to have the Guard deployed or had anything to do with the Guard being deployed when it ultimately was.

Shortly after 3:04 p.m., the Acting Defense Secretary announced that the Guard had been activated and listed the people he spoke with prior to this activation, including Vice President Mike Pence, Speaker PELOSI, Leader MCCONNELL, Senator SCHUMER, and Representative HOYER. But that list did not include the President. This omission of his name was reportedly not accidental. According to reports, "Trump initially rebuffed requests to mobilize the National Guard and required interference by other officials," including his own White House Counsel. And later, "as a mob of Trump supporters breached police barricades and seized the Capitol," Trump reportedly was "disengaged in discussions with Pentagon leaders about deploying the National Guard to aid the overwhelmed U.S. Capitol Police." President Trump was reportedly "completely, totally out of it. He made no attempt to reach [the National Guard.]" And it was Vice President Pence, still under threat for his life, who reportedly spoke to the Guard.

President Trump's conduct confirms this too. At no point on January 6 did Donald Trump even reference the National Guard. The only thing that we heard connecting the President to the Guard was from his Press Secretary, who tweeted about the Guard being deployed at the President's direction over half an hour later, at 3:36 p.m.

We have seen what Donald Trump does when he tries to take credit for something, and yet, even when the National Guard was finally deployed, he didn't even acknowledge it. In fact, he didn't say a word about the National Guard the entire day. Think about that: the bloodiest attack we have seen on our Capitol since 1812 and our President couldn't be bothered to even mention that help was on its way.

These insurgents had been attacking our government for over 4 hours by that point. And we may have been the



target, but it was the brave men and women who protect our Capitol who were out there combating thousands of armed insurgents in a fight for their lives, and that is who Donald Trump left entirely unprotected.

(Video presentation of 1-6-2021.)

This is hard to watch, but I think it is important to understand what the Capitol Police were facing, how severely they were outnumbered while our Commander in Chief, whose job it was to protect and defend them, was just watching, doing nothing for hours, refusing to send help. If he wanted to protect these officers, if he cared about their safety, as he tweeted about, he would have told his supporters to leave. He would have sent help right away.

One brave officer was killed. Others took their lives after the attack. More than 140 police officers were injured, including cracked ribs, smashed spinal discs. One officer will lose an eye. Another was stabbed with a metal fence stake. They were completely and violently overwhelmed by a mob and needed help, and our Commander in Chief, President Trump, refused to send it.

Senators, you have seen all the evidence so far, and this is clear: On January 6, President Trump left everyone in this Capitol for dead. For the next hour after President Trump's 3 p.m. tweet, he still did nothing. Not until 4:17 p.m., over 3½ hours after the violence started, did our President send a message finally asking the insurgents to go home.

On the right, you will see what happened that day in the hours leading up to his prerecorded video. On the left, you will see his message. Let's watch.  
(Text of video presentation.)

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

This is the first time our Commander in Chief spoke publicly at all since the attack began, over 3½ hours after it started, and these are the entirety of the words the President spoke out loud to the American people or to the attackers that entire day.

Nowhere in that video, not once did he say: I condemn this insurrection. I condemn what you did today.

Nowhere did he say: I am sending help immediately. Stop this.

Here is what he said instead:

I know your pain, I know you're hurt. We had an election that was stolen.

Even after all the things we witnessed, even after all of that carnage, he goes out and tells the same big lie, the same big lie that enraged and incited the attack. He repeated this while the attack was ongoing and while we were still under threat.

And here is what else he said:

Go home in peace.

We love you, you're very special.

Senators, you were here. You saw this with your own eyes. You faced that danger. And when President Trump had an opportunity to confront them as the leader of us all, as our Commander in Chief, what did he tell them?

We love you, you're very special.

This was not a condemnation; this was a message of consolation, of support, of praise. And if there is any doubt that his supporters, these insurgents, took this as a message of support and praise, watch for yourselves.

(Text of video presentation.)

Mr. Angeli. Donald Trump asked everybody to go home. He just said—he just put out a tweet. It is a minute long. He asked everybody to go home.

Unidentified Speaker. Why do you think so?

Mr. Angeli. Because we won the fucking day. We fucking won.

Unidentified Speaker. How did we win?

Mr. Angeli. Well, we won by sending a message to the Senators and the Congressmen, we won by sending a message to Pence, OK, that if they don't do as—as it is their oath do, if they don't uphold the Constitution, then we will remove them from office, one way or another.

I suspect you recognize that man. You will hear him say that “we won the day.” Who won the day? We know that at least five people lost their lives that day. The House and the Senate were in life-threatening danger, and so was the Vice President, and think of everyone else here as well. Who won on January 6? That is not a win for America, but it is a win for Donald Trump unless we hold him accountable.

Now, a little over an hour after that video, the brave members of law enforcement secured the Capitol, and we as a Congress got ready to continue certifying the results of our free and fair election.

A half hour after that, President Trump issued another tweet. In case there was any doubt as to whether he was happy with the people who did this, as to whether he had incited this, he commemorated what happened on January 6.

At 6:01 p.m. on January 6, he tweeted:

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

Ending with:

Remember this day forever!

My colleague Manager CICILLINE started with this tweet because this tweet shows exactly how Donald Trump felt about what happened on January 6. “These are the things . . . that happen.” He is saying this was

foreseeable. He is saying: I told you this was going to happen if you certified the election for anyone else, and you got what you deserved for trying to take my power away.

[G]reat patriots. . . Go home with love & in peace. Remember this day forever!

He is saying to them: You did good. He is not regretful. He is not grieving. He is not sad. He is not angry about the attack. He is celebrating it. He is commemorating it.

This is the entirety of what President Trump said to the public once the attack began—five tweets and a prerecorded video. On the day of the most bloody insurrection we faced in generations, our Commander in Chief, who is known for sending 108 tweets in a normal day, sent 5 tweets and a prerecorded video. That is the entirety of President Trump's public statements from when the attack began until he went to bed on January 6. That is all he did despite all the people we know who begged him to preserve, protect, and defend. That was our Commander in Chief's response.

He began the day with “Our country has had enough, we will not take it anymore, and that's what this is all about,” and he ended the attack with letting us know that we got what he forewarned that morning.

We will, of course, each of us, remember that day forever, but not in the way that President Trump intended, not because of the actions of these violent, unpatriotic insurrectionists. I will remember that day forever because despite President Trump's vicious attempts throughout the day to encourage the siege and block the certification, he failed. At 8:06 p.m., the Senate gaveled into session, and the counting of the electoral votes continued. About an hour later, the House followed suit. And close to 4 a.m., after spending a significant part of the day evacuated or on the floor or hiding, this great body fulfilled the will of the people and certified the electoral college vote.

And I am proud to be part of Congress. I am proud that we ensured that the will of the American people finally prevailed on that day. And I am proud that I and everyone in this room abided by our oath of office even if the President didn't abide by his.

President Trump, too, took an oath as President. He swore on a Bible to preserve, protect, and defend. And who among us can honestly say they believe that he upheld that oath? Who among us will let his utter dereliction of duty stand?

Mr. Manager RASKIN. Mr. President, the managers are prepared to recess for the evening and to finish our opening statement tomorrow.

Mr. LEE. Mr. President.

Mr. SCHUMER. Mr. President.

The PRESIDENT pro tempore. The majority leader is—

Mr. LEE. Pursuant to impeachment rule XVI, I make a motion. Statements were attributed to me moments ago by



the House impeachment managers, statements relating to the content of conversations between—a phone call involving President Trump and Senator TUBERVILLE—were not made by me, they are not accurate, and they are contrary to fact. I move, pursuant to rule XVI, that they be stricken from the record.

UNIDENTIFIED SENATOR. Second.

The PRESIDENT pro tempore. Pursuant to S. Res. 47, section 4, parties' presentations are not limited to the record provided for in section 1 of that resolution.

Mr. LEE. I appeal the ruling of the Chair.

Mr. PAUL. I second.

I ask for the yeas and nays.

Mr. WICKER. Mr. President, we might as well hear clearly what the ruling of the Chair was, so if you would repeat that, sir.

The PRESIDENT pro tempore. Of course, I will. And pursuant to S. Res. 47, section 4, the party's presentations are not limited to the record provided for in section 1 of that resolution.

The Senator from Utah has appealed that ruling; is that correct?

Mr. LEE. Yes, I have.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been requested.

Is there a sufficient second?

Mr. WICKER. What is the question? Is it, Shall the ruling of the Chair be sustained? Is that the question?

The PRESIDENT pro tempore. Yes.

Mr. LEE. What may I ask is the ruling of the Chair? My point is not whether it is appropriate to make characterizations; my point was to strike them because they were false.

The PRESIDENT pro tempore. The question is, whether the interpretation that S. Res. 47, section 4 applies is cor-

rect; that the party's presentations are not limited to the record provided in section 1 of that resolution.

Mr. LEE. Mr. President, that is not my motion. You have ruled on a motion—you ruled on something that was not what I moved. What I asked was, statements were attributed to me, repeatedly, as to which I have personal knowledge because I am the source. They are not true. I never made those statements. I ask that they be stricken. This has nothing to do with whether or not they are based on depositions, which they are not. It is simply based on the fact that I am the witness. I am the only witness. Those statements are not true, and I ask that you strike them.

The PRESIDENT pro tempore. The yeas and nays were asked for. The yeas and nays are requested.

Mr. MANCHIN. Please let him explain, Mr. President. Why was it false? What was false about it?

The PRESIDENT pro tempore. It is not in order—under S. Res. 47, section 4, the party's presentation is not limited to the record provided for in section 1 of the resolution, and that has been appealed.

The clerk will call the roll.

Mr. SCHUMER. Point of clarification.

What is the question?

Mr. President, I suggest the absence of a quorum while we work this out.

The PRESIDENT pro tempore. Without objection.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. I ask that the order for the quorum call be rescinded.

Mr. SCHUMER. Mr. President, we need order.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. LEE. I ask unanimous consent to vitiate the appeal—the request that I made.

I withdraw the request for the yeas and nays.

The PRESIDENT pro tempore. Without objection.

Mr. SCHUMER. I withdraw the quorum call and call on the manager, Mr. RASKIN, for a brief statement.

Mr. Manager RASKIN. Thank you, Mr. SCHUMER.

The impeachment manager, Mr. CICILLINE, correctly and accurately quoted a newspaper account, which the distinguished Senator has taken objection to, so we are happy to withdraw it.

Mr. LEE. Because it is not true.

Mr. Manager RASKIN. On the grounds it is not true, and we are—

Mr. LEE. CASTRO repeated it too.

Mr. Manager RASKIN. We are going to withdraw it this evening without any prejudice for the ability to resubmit it, if possible. This is much ado about nothing because it is not critical in our case.

Mr. LEE. You are not the one being cited as a witness, sir.

Mr. SCHUMER. So the managers' issue stands. Mr. LEE has withdrawn his request, and we may relitigate it tomorrow if we have to.

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#### ADJOURNMENT UNTIL TOMORROW

Mr. SCHUMER. Mr. President, I ask unanimous consent the trial adjourn until 12 noon tomorrow, Thursday, February 11, and that this order also constitute the adjournment of the Senate.

There being no objection, at 7:40 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Thursday, February 11, 2021, at 12 noon.