

IMPEACHMENT OF PRESIDENT
DONALD JOHN TRUMP

THE EVIDENTIARY RECORD
VOLUME II

Public Reporting and Other Documents Part 2



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PRODUCED BY THE HOUSE COMMITTEE ON THE JUDICIARY
PURSUANT TO H. RES. 40 AND SUBMITTED BY:

JAMIE RASKIN (D-MD), *Lead House Impeachment Manager*
DIANA DEGETTE (D-CO), *House Impeachment Manager*
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Read Mayor Bowser's Presentation on DC's COVID-19 Situational Update: January 21.
DC Entered Phase Two of Reopening on June 22. View the Guidance.

Office of the Mayor



Email: com@dc.gov



[Ask the Mayor](#)



Connect With Us

John A. Wilson Building
1350 Pennsylvania Avenue, NW, Washington, DC 20004
Phone: (202) 727-2643
TTY: 711

[Muriel Bowser](#)
Mayor

Mayor Bowser Continues Preparation for Upcoming First Amendment Demonstrations

Sunday, January 3, 2021

(Washington, DC) Mayor Bowser is continuing preparations for this week's First Amendment activities. She had previously directed the DC Homeland Security and Emergency Management Agency (HSEMA) to stand up the District's Emergency Operations Center (EOC) beginning Monday, January 4, to coordinate the response for the upcoming First Amendment demonstrations, permitted by the National Park Service, scheduled for January 5 and January 6. The EOC serves as the coordination hub

between District agencies and regional and federal partners. On Tuesday, the Metropolitan Police Department (MPD) begins its full activation with all staff reporting for response on Tuesday and Wednesday.

Mayor Bowser instructed District agencies to create a comprehensive public safety response to ensure residents' safety. Additionally, HSEMA and MPD are conducting event overviews for the Council of the District of Columbia, faith leaders, and the downtown business community. Residents are encouraged to report suspicious activity by making a report through iwatchdc.org or by calling 911 for immediate threats or emergencies.

"MPD and HSEMA are coordinating among District agencies and with federal authorities to ensure our residents and businesses remain safe," said Mayor Muriel Bowser. "I am asking Washingtonians and those who live in the region to stay out of the downtown area on Tuesday and Wednesday and not to engage with demonstrators who come to our city seeking confrontation, and we will do what we must to ensure all who attend remain peaceful."

Members of the public and anyone attending the events are reminded that District law prohibits anyone from carrying a firearm within 1,000 feet of any First Amendment activity. Under federal law, it is illegal to possess firearms on the US Capitol grounds and on National Park Service areas, such as Freedom Plaza, the Ellipse, and the National Mall. Additionally, members of the public are reminded that the District of Columbia does not have reciprocity with other states' concealed pistol licenses; unless a person has been issued a concealed pistol license by the District of Columbia, they cannot conceal carry a firearm in the city. Finally, it is illegal to open carry firearms in the District.

Residents and commuters are encouraged to register for important alerts from the District by signing up for AlertDC at alertdc.dc.gov.

A comprehensive list of traffic adjustments and street closures can be found below:

Emergency No Parking - Tuesday, January 5, 2021 at 6 am to Thursday, January 7, 2021 11:59 pm:

- H Street from 15th Street, NW to 17th Street, NW
- I Street from 15th Street, NW to 17th Street, NW

- Connecticut Avenue from H Street, NW to L Street, NW
- Vermont Avenue from H Street, NW to L Street, NW
- 15th Street from I Street to K Street, NW (west side of McPherson Square)
- 17th Street from I Street to K Street, NW (east side of Farragut Square)

Emergency No Parking - **Tuesday, January 5, 2021 and Wednesday, January 6, 2021 at 12:01 am to 11:59 pm:**

- Constitution Avenue from Pennsylvania Avenue, NW to 18th Street, NW
- Pennsylvania Avenue from 3rd Street, NW to 18th Street, NW
- E Street from 9th Street, NW to 15th Street, NW
- F Street from 12th Street, NW to 15th Street, NW
- G Street from 12th Street, NW to 15th Street, NW
- I Street from 9th Street, NW to 15th Street, NW
- I Street from 17th Street, NW to 18th Street, NW
- H Street from 9th Street, NW to 15th Street, NW
- H Street from 17th Street, NW to 18th Street, NW
- K Street from 9th Street, NW to 18th Street, NW
- New York Avenue from 9th Street, NW to 15th Street, NW
- 17th Street from Constitution Avenue, NW to L Street, NW
(west side of Farragut Square)
- 15th Street from Constitution Avenue, NW to L Street, NW
(east side of McPherson Square)
- 16th Street from K Street, NW to O Street, NW
- 14th Street from Independence Avenue, SW to L Street, NW
- 13th Street from Pennsylvania Avenue, NW to L Street, NW
- 12th Street from Constitution Avenue, NW to E Street, NW
- 11th Street from Pennsylvania Avenue, NW to E Street, NW
- 10th Street from Constitution Avenue, NW to E Street, NW
- 9th Street from Constitution Avenue, NW to Pennsylvania Avenue, NW
- 7th Street from Independence Avenue, SW to E Street, NW
- 6th Street from Constitution Avenue, NW to E Street, NW
- 4th Street from Independence Avenue, SW to Pennsylvania Avenue, NW
- 3rd Street from Independence Avenue, SW to Pennsylvania Avenue, NW
- New York Avenue from 18th Street, NW to 17th Street, NW
- C Street from 18th Street, NW to 17th Street, NW

- D Street from 18th Street, NW to 17th Street, NW
- Madison Drive from 3rd Street, NW to 15th Street, NW
- Jefferson Drive from 3rd Street, SW to 15th Street, SW

Street Closures - On Tuesday, January 5, 2021 and Wednesday, January 6, 2021, the following streets will be restricted to vehicular traffic **from approximately 6 am to 11:59 pm**. The decision to restrict vehicles will be based upon public safety and if safe to do so, vehicles will be allowed to enter the restricted area if they are on essential business or traveling to-and-from their residence.

- Constitution Avenue from Pennsylvania Avenue to 18th Street, NW
- K Street from 9th Street, NW to 18th Street, NW
- I Street from 9th Street, NW to 18th Street, NW
- H Street from 9th Street, NW to 18th Street, NW
- New York Avenue from 9th Street, NW to 15th Street, NW
- New York Avenue from 17th Street, NW to 18th Street, NW
- G Street from 9th Street, NW to 15th Street, NW
- G Street from 12th Street, NW to 15th Street, NW
- G Street from 17th Street, NW to 18th Street, NW
- F Street from 9th Street, NW to 15th Street, NW
- F Street from 12th Street, NW to 15th Street, NW
- F Street from 17th Street, NW to 18th Street, NW
- E Street from 9th Street, NW to 15th Street, NW
- E Street from 17th Street, NW to 18th Street, NW
- D Street from 5th Street, NW to 9th Street, NW
- D Street from 17th Street, NW to 18th Street, NW
- C Street from 3rd Street, NW to 6th Street, NW
- C Street from 17th Street, NW to 18th Street, NW
- Pennsylvania Avenue, NW from 3rd Street, NW to 15th Street, NW
- Pennsylvania Avenue, NW from 17th Street, NW to 18th Street, NW
- Indiana Avenue from 3rd Street to 5th Street, NW
- 3rd Street from Independence Avenue, SW to D Street, NW
- 4th Street from Independence Avenue, SW to Pennsylvania Avenue, NW
- 4th Street from Indiana Avenue, NW to E Street, NW
- 5th Street from Indiana Avenue, NW to E Street, NW
- 6th Street from Constitution Avenue, NW to E Street, NW

- 7th Street from Independence Avenue, SW to E Street, NW
- 9th Street from Constitution Avenue, NW to E Street, NW
- 10th Street from Constitution Avenue, NW to L Street, NW
- 11th Street from Pennsylvania Avenue, NW to L Street, NW
- 12th Street from Constitution Avenue, NW to L Street, NW
- 13th Street from Pennsylvania Avenue, NW to L Street, NW
- 14th Street from Independence Avenue, SW to L Street, NW
- 15th Street from Independence Avenue, SW to L Street, NW
- 16th Street from H Street, NW to L Street, NW
- Vermont Avenue from H Street, NW to L Street, NW
- Connecticut Avenue from H Street, NW to L Street, NW
- 17th Street from Independence Avenue, SW to L Street, NW
- Madison Drive from 3rd Street, NW to 15th Street, NW
- Jefferson Drive from 3rd Street, SW to 15th Street, SW
- 12th Street Tunnel
- 9th Street Tunnel

While the Metropolitan Police Department does not anticipate additional street closures on Tuesday, January 5, 2021 and Wednesday, January 6, 2021, there is the potential for intermittent closures in the downtown area. Additionally, while the Metropolitan Police Department does not anticipate street closures on Thursday, January 7, 2021, there is the potential for intermittent closures in the downtown area. Any decision to close a street will be based upon public safety. For timely traffic information, visit: twitter.com/DCPoliceTraffic

The public should expect parking restrictions along the street and should be guided by the posted emergency no parking signage. All vehicles that are parked in violation of the emergency no parking signs will be ticketed and towed.

Motorists could encounter possible delays if operating in the vicinity of downtown area and may wish to consider alternative routes. The Metropolitan Police Department and the District Department of Transportation also wishes to remind motorists in the vicinity of this event to proceed with caution as increased pedestrian traffic can be anticipated.

[PRIVACY AND SECURITY](#)

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[TERMS AND CONDITIONS](#)



McCaul, Meeks Release a Joint Statement on Today's Violence in the Capitol

Press Release 01.06.21

Media Contact 202-225-5021

WASHINGTON, DC – House Foreign Affairs Committee Lead Republican Michael McCaul and Chairman Gregory Meeks released the following statement in response to today's violence in the U.S. Capitol Building.

"America has always been a beacon of freedom to the world; proof that free and fair elections are achievable, and that democracy works. But what happened at the Capitol today has scarred our reputation and has damaged our standing in the world.

"Today's violence – an inevitable result when leaders in positions of power misled the public – will certainly empower dictators and damage struggling democracies.

"The people perpetrating the violent insurrection of the Capitol today should be arrested and prosecuted in accordance with the law. We must send a message to the world that this is not acceptable, and that America continues to stand for the rule of law.

"It is time to make the peaceful transition of power. The world is watching."

###

McCaul's Statement on Impeachment Vote

 mccaull.house.gov/media-center/press-releases/mccaulls-statement-on-impeachment-vote

January 13, 2021

Jan 13, 2021

Press Release

WASHINGTON, DC – Below is a statement from Congressman Michael McCaul (TX-10) on today's vote to impeach the president.

“Let me start by saying I strongly condemn the president’s rhetoric and his behavior. I understand, having witnessed these events first-hand, that emotions are high; but this decision must be based on facts and evidence.

“Let me also say, there very well may have been impeachable offenses committed leading up to, and on, that tragic day.

“But we have not been given the time to truly look at the facts and the evidence before this impeachment was hurried to the House floor. We haven’t been given the opportunity to hear from a single witness, or hold even one hearing.

“If Congress moves forward with removing a sitting president in this manner, it would set a bad precedent. I do not believe the Founding Fathers envisioned impeachment taking place in one day.

“If we did this in a deliberative way, perhaps we could come to a more bipartisan consensus. At the very least, I believe a deliberative process would give more Americans faith in the outcome.

“That’s why I’m calling on my colleagues and officials from the Justice Department to launch a full and thorough investigation. The American people deserve to know the full scope and severity of what took place.

“As a former federal prosecutor, I look at this as attempting to indict a case before it’s been presented to the grand jury. And I can tell you from first-hand experience, rushed justice is not the solution to mob violence.

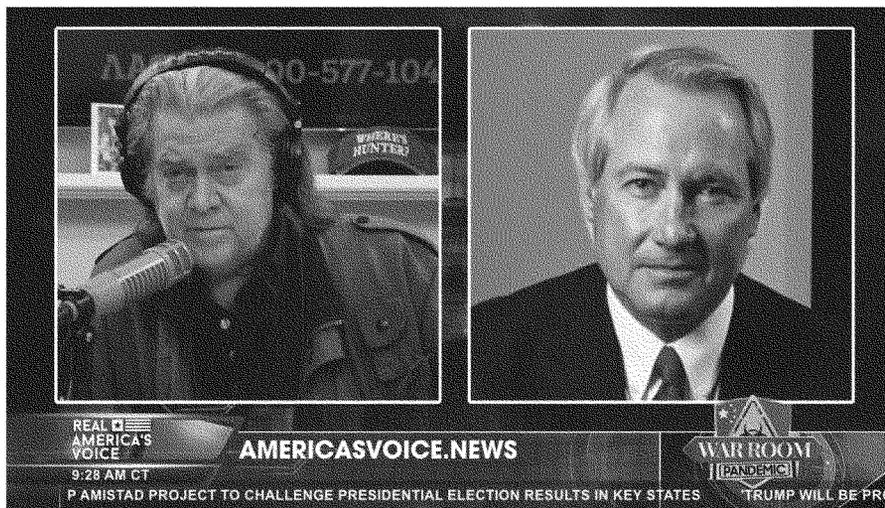
“For that reason, I will, with a heavy heart, oppose impeachment at this time. I did not come to this decision lightly. And I truly fear there may be more facts that come to light in the future that will put me on the wrong side of this debate.

“It’s time for the nation to heal as we prepare for the peaceful transition of power.”

###

Pro-Trump lawyer Lin Wood to Steve Bannon: Trump supporters must do what “our Founding Fathers did in 1776”

mediamatters.org/steve-bannon/pro-trump-lawyer-lin-wood-steve-bannon-trump-supporters-must-do-what-our-founding



F O R A M E R I C A

Wood: “The country is ready to do what is necessary to preserve freedom”

Written by [Media Matters Staff](#)

Published 11/22/20 2:18 PM EST

Video file

Citation *From the November 21, 2020, edition of War Room: Pandemic*

STEVE BANNON (HOST): Do you have any, what would you like to tell our audience, about what they not just should look for, but how they can help, how they can assist and how they have to steel themselves for what's ahead? Because we're coming to a climax of one of the most important times in American history, we're going to be one thing or the other at the end of this, by December 14th, we're either going to be the republic that was bequeathed to us or something radically different. Do you have any words for the audience before we let you go?

LIN WOOD: I think the audience has to do what the people that were our Founding Fathers did in 1776. I think you've got to pledge your life, your money, and your sacred honor so that generations that come after us can live in freedom. I don't believe the people trying to take over our country are going to let go when it's exposed that the election was a fraud. I think there are plans in place to try to do other things to try to take over our government.

I think 2020 is the year they wanted to do it. Old George Soros said he was going to get it done and get rid of Trump, so I think the people need to have courage, I think they need to be prepared to fight for their freedom and I think at this time more than any time in my lifetime people need to have faith in God.

...

WOOD: I know the spirit is there, the country is ready to do what is necessary to preserve freedom, I think that patriots have to come together. They need to be prepared to stay in touch with each other. They need to be prepared for some difficult days ahead, but they need to have faith that this country was founded under God and I don't believe that communism is ever going to rule the day in America even though it may have infiltrated our government in the last 20 years, freedom is going to prevail, Steve.

BANNON: Lin, thank you very much, make me proud to be an American and a southerner, thank you sir, Lin Wood.

In This Article

Steve Bannon



JANUARY 6, 2021

Stanford scholars react to Capitol Hill takeover

Stanford scholars reflect on the occupation of the U.S. Capitol on Wednesday and suggest what needs to happen next to preserve democracy.

BY MELISSA DE WITTE AND SHARON DRISCOLL

On Wed. Jan 6, a mob of pro-Trump supporters stormed the U.S. Capitol building, disrupting the certification of the electoral vote count for President-elect Joe Biden and causing members of the Senate and House to evacuate their chambers.

Biden called what occurred an “insurrection” that “borders on sedition.” What do we know about the people who turned a protest into a violent demonstration at the nation’s capital? What were their likely motivations? And what happens next?

Here, Stanford scholars – from legal experts to political scientists – share their thoughts on some of these pressing questions, as well as their thoughts on what led to an aggressive act of rebellion against the American government.

Weighing in on the Capitol takeover are:

- Gregory Ablavsky (<https://law.stanford.edu/directory/gregory-ablavsky/>), associate professor of law
- Bruce Cain (<https://west.stanford.edu/about/people/bruce-e-cain>), professor of political science in the School of Humanities and Sciences and director of the Bill Lane Center for the American West
- Larry Diamond (<https://profiles.stanford.edu/larry-diamond>), senior fellow at the Hoover Institution and at the Freeman Spogli Institute for International Studies (FSI)
- Frank Fukuyama (<https://cddl1.fsi.stanford.edu/people/fukuyama>), Olivier Nomellini Senior Fellow at FSI
- Shirin Sinnar (<https://law.stanford.edu/directory/shirin-sinnar/>), professor of law
- David Sklansky (<https://law.stanford.edu/directory/david-alan-sklansky/>), Stanley Morrison Professor Law; faculty co-director of the Stanford Criminal Justice Center
- Stephen Stedman, (<https://politicalscience.stanford.edu/people/stephen-stedman>) senior fellow at FSI



(https://news-media.stanford.edu/wp-content/uploads/2018/11/13120408/midterms_getty-e1609993190406.jpg)

Stanford scholars reflect on the occupation of the U.S. Capitol and suggest what needs to happen next to preserve democracy. (Image credit: Getty Images)

- Robb Willer, (<https://sociology.stanford.edu/people/robb-willer>) professor of sociology, School of Humanities and Sciences

As people try to make sense of what happened in Washington on Wednesday, what do you think led to these events?

Diamond: What is occurring is the product of years of disinformation and rising extremism and defection from democratic norms, particularly on the extremist right, which has been fed by the support and indulgence of President Donald Trump and other politicians who have sought to mobilize grassroots political anger and disaffection for their own political ends. Analyses of public opinion, including [this one](https://www.politico.com/news/magazine/2020/10/01/political-violence-424157) (<https://www.politico.com/news/magazine/2020/10/01/political-violence-424157>) that I was involved in, have been warning for years that there was dangerous and growing support for political violence if their party or political program did not prevail.

Social scientists and political commentators have been warning for several years that Trump and other right-wing populist politicians were feeding a dangerous climate that could spill over into violence.

Stedman: Part of Donald Trump's strategy since 2016 was to cast doubt on our electoral legitimacy. This strategy was amplified during the pandemic when so much of the country implemented early voting and vote by mail, which Trump and his acolytes relentlessly criticized as fraudulent methods. His strategy was aided and abetted by Fox News and its commentators, as well as by various social media personalities and websites.

Wednesday was the culmination of that strategy. The electoral count was the last possible chance for Trump to keep power. The strategy was shamefully supported by senators like Josh Hawley of Missouri and Ted Cruz of Texas, as well as key members of the Republican House leadership. This all ratcheted up the stakes of yesterday's electoral count, and Trump's supporters were there yesterday to pressure Republicans to bend to the President's will, and failing that to prevent the count from taking place.

Given that Trump has been falsely denying the election results and encouraging protest on Wednesday, are you surprised that the Capitol police were so unprepared for the violence that took place?

Sinnar: The violence came as no surprise, but the fact that "protesters" could so easily access the Capitol – and remain there for hours – is stunning. The government response is striking in light of the massive surveillance and violence deployed on racial justice protesters last year, including by the National Guard, in cities across the United States. While law enforcement officials say they didn't want to respond to election protesters with an overt military presence, no such respect for free expression or democratic legitimacy characterized the response to protests against police brutality, especially at the federal level.



(https://news-media.stanford.edu/wp-content/uploads/2021/01/06184319/Sinnar_Shirin.jpg)

Shirin Sinnar

(Image credit: Courtesy Stanford Law School)

Cain: I expected protests and some street fighting, but not the breaching of the Capitol. The proximate cause was Trump's rally speech preceding the attack that primed the crowd's anger with just enough linguistic ambiguity, or so he thinks, to avoid legal liability. But make no mistake, he is responsible. He has fomented civil unrest and slyly encouraged far-right elements to act violently throughout his four years in office.

Would you describe the violence on Wednesday as insurrection?

Sinnar: The protesters who flocked to Washington, D.C., are a mix of unaffiliated Trump supporters and members of far-right militant groups, like the Proud Boys, a self-described "Western chauvinist" group, and the Oath Keepers, a 25,000-member paramilitary organization whose ranks include many military veterans and law enforcement officials.

An insurrection is a violent rebellion *against* the government. Yesterday's political violence certainly sought to subvert democratic governance, but it came at the behest of the president, who has pushed demonstrably false claims of voting fraud in an attempt to overturn the election. Trump's message to the Proud Boys during the fall presidential debates – to "stand back and stand by" – authorized the kind of violence we saw yesterday. His response after it occurred – "these are the things and events that happen when a sacred landslide election victory" is "stripped away from great patriots" – further legitimized it. So this violence isn't

unconnected to the state; it's been licensed by the president.

What do people need to understand about the people and likely motivations behind Wednesday's events?

Fukuyama: The one thing to say about motives is that many Trump supporters genuinely believe that Trump won a massive landslide and that the election was stolen from him by massive fraud. If you believe that, you would be angry and violent as well. Our problem is that we are living in parallel information universes.

Diamond: The hardliners who broke into Congress are similar to the ones who marched into the Michigan State Capitol in May and later protested the governor. Their views have been distorted by years of disinformation, fed and encouraged by some opportunistic politicians, and drenched in insular networks that become increasingly extreme and cut off from true information and rational dialogue. They have come to see this as a battle of good and evil. They are not going to be reached by liberal professors or Congress members.

Willer: This insurrection follows more than a decade of increased right-wing street protests and riots since the emergence of the Tea Party in early 2009. While the right-wing groups we've seen over the last decade vary in a number of ways, there are common threads: claims of social and political disenfranchisement, anger at Democrats, online organizing, conspiracy theorizing, and primarily white participants.

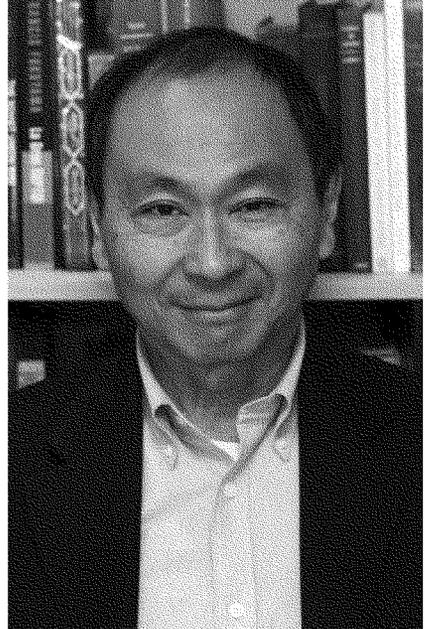
The president called his supporters to the Capitol to protest his loss of a free and fair election. Is there any legal liability for the president for what happened on Wednesday? Is speech that incites violence protected speech?

Sklansky: Trump's statements in the weeks, days and hours leading up to Wednesday's storming of the Capitol – culminating with statements like “They're not going to take this White House,” “We will never concede,” “You don't concede there's theft involved” – were like throwing matches onto a gasoline spill. Not only did the president egg the rioters on, he made clear on Twitter afterward that he was on their side – calling them “great patriots,” excusing their lawlessness and urging them to “remember this day forever.”

But the First Amendment protects even wildly irresponsible speech unless it is calculated to produce imminent lawlessness. Incitement needs to be pretty explicit and direct to satisfy that test. Winks and nods aren't enough. Neither are statements of support after the fact. So the criminal liability of President Trump for Wednesday's riot isn't clear.

So the president's calls to his supporters to fight a fair election may not be prosecutable. Are they impeachable?

Sklansky: There is a strong and straightforward argument for treating Trump's words and conduct over the past several weeks, and especially on Wednesday, as grounds for impeachment. The standard for impeachment is “high crimes and misdemeanors,” which is a term meaning, essentially, abuse of power. And it is hard to think of a clearer violation of office, or a more dangerous abdication of duty, than refusing to acknowledge the result of an election voting you out of office, encouraging your supporters to prevent the lawful transfer of power and congratulating them for their violent efforts to do just that.



(<https://news-media.stanford.edu/wp-content/uploads/2021/01/06181414/Frank-Fukuyama.jpg>)

Frank Fukuyama

(Image credit: Courtesy of the Freeman Spogli Institute)

“

“Our problem is that we are living in parallel information universes.”

FRANK FUKUYAMA
—Olivier Nomellini Senior Fellow at FSI

Can the protesters who turned violent be prosecuted? If so, under what charges?

Sklansky: They absolutely can be prosecuted. It's a felony to enter the floor of either House of Congress by force and violence. It's a felony to assault a federal official, like an officer of the Capitol Police. It's a felony to intimidate, impede, or interfere with federal officials, like members of Congress, engaged in their lawful duties, like the counting of electoral votes. And it's a felony to conspire to seize federal property by force, or to conspire to use force to obstruct the carrying out of any federal law.

Cain: The Constitution and the Electoral Count Act process is pretty clear. They are in violation of the rule of law and democracy. The violent ones should be punished accordingly.

Are there any parallels between what happened Wednesday and to other events in history and in other countries?

Stedman: This is reminiscent to me of several elections I studied in Africa in the last 10 years, including Cote D'Ivoire, and Kenya, where an incumbent lost an election, cried electoral fraud and mobilized violence to overturn the election and stay in power. And lots of people got hurt.

Those countries ended up in civil war. We are not there yet but this could still play out in escalatory ways.

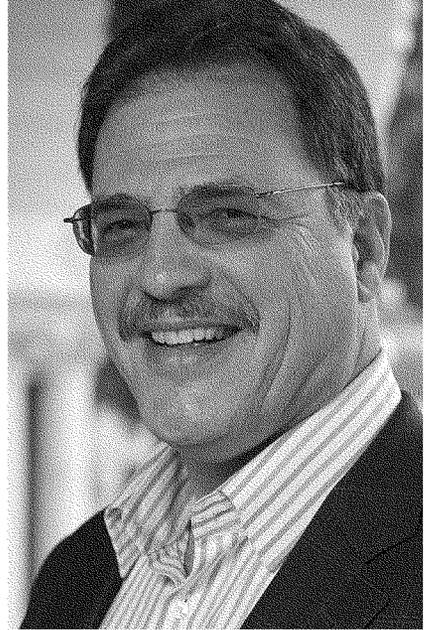
Cain: Pretty clearly, Trump was mimicking Putin and other authoritarians in his disdain for democratic processes. Aside from all the obvious parallels with third world country coups, the attempt to bully Congress into not certifying the election reminds me of the Republican Brooks Brother riots around the Florida recount in 2000.

Ablavsky: Clearly, what happened yesterday is pretty extraordinary, especially in recent American history, and many people have said how they felt that it seemed like a foreign country. But if you look at U.S. history broadly, you see quite a few “rebellions” in which armed groups proclaimed themselves the true and legitimate source of governance – “self-created” bodies, as their opponents denounced them. Early American history is rife with such revolts: events like Shays' Rebellion and the Whiskey Rebellion of the 1790s, or the Dorr Rebellion of the 1840s. And, of course, the most violent and widespread rebellion of all, Southern secession. In that sense, perhaps, it was appropriate that many of the invaders were carrying Confederate flags.

But I actually think one of the best analogies to yesterday's events is something that I taught my students about recently: the Wilmington Massacre or Coup of 1898. (<https://www.newyorker.com/magazine/2020/04/27/what-a-white-supremacist-coup-looks-like>) That year, Wilmington, North Carolina duly elected a Fusionist government of both Black and whites. But white supremacists deemed that new government illegitimate, denouncing what they called "Negro Rule." They violently overthrew the government, killed as many as 60 people, almost all Black, and forced the local government to resign, installing their chosen candidates in their place.

Fortunately, unlike in Wilmington, yesterday's coup attempt does not seem to have succeeded. But it does demonstrate a similar insistence on the right to overthrow a duly elected government based on a self-appointed group's faith in their own exclusive legitimacy.

The protesters said they occupied the Capitol to uphold American democracy. What would you say to these people? Can they be convinced otherwise?



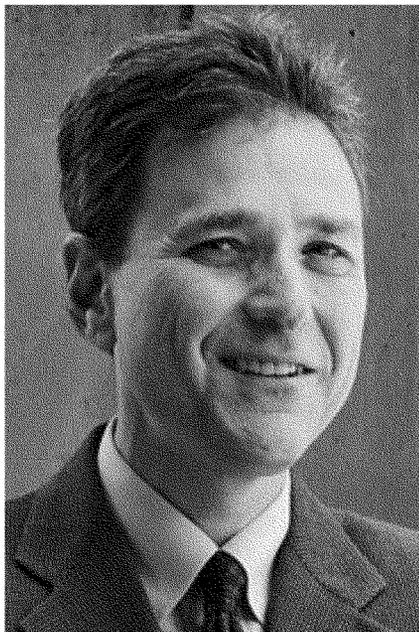
(<https://news-media.stanford.edu/wp-content/uploads/2021/01/06180701/Larry-Diamond.jpg>)

Larry Diamond

(Image credit: L.A. Cicero)

Diamond: I don't think there is anything that a Stanford professor can say to people who would forcibly break into the Capitol building while it is deliberating on certifying a presidential election. These people broke the law and committed a grave offense at constitutional democracy. These people have to be held accountable. These actions have to be prosecuted.

Previous extremist groups have been dismantled or contained by legitimate law enforcement and judicial efforts. It not only diminishes their operating ability, it sends a broad societal signal that their actions are morally wrong and illegitimate. The key messages have to come from the political leaders who have encouraged and incited them, but that is not going to come from Donald Trump, who, even while asking them to go home, has expressed his love and empathy for them.



([https://news-media.stanford.edu/wp-](https://news-media.stanford.edu/wp-content/uploads/2021/01/06182739/Sklansky_David.jpg)

[content/uploads/2021/01/06182739/Sklansky_David.jpg](https://news-media.stanford.edu/wp-content/uploads/2021/01/06182739/Sklansky_David.jpg))

David Sklansky

(Image credit: Courtesy Stanford Law School)

Fukuyama: I don't think you can convince that crowd. I actually believe that Wednesday's events could break the Trump spell. A lot of Republicans have stood up and said they support the Constitution and not Trump, unlike what they did during the impeachment. McConnell gave a great speech defending the integrity of the election this morning [Wednesday, Jan. 6].

How can political norms and democratic values be reaffirmed during a time of crisis? What would you say to people who might feel helpless or at a loss as to what unfolded?

Diamond: We need to rally in defense of our constitution across party lines. The key imperative now is for the growing circle of Republicans who are disgusted by these actions to come forward loudly and denounce this. Senator Mitt Romney has been particularly eloquent in this regard, but the circle has been growing. It looks like the [vice president], the national security advisor and the acting attorney general are all behaving in responsible ways now. Anything they do to contain this damage and denounce this insurrection should be embraced across party lines.

Obviously people in Washington, D.C., should stay off the streets and not try to battle these extremist protesters. There will be another time for peaceful pro-democracy demonstrations.

Stedman: A famous political scientist, Adam Przeworski, once wrote that democracy is a system where parties lose elections. For elections to be legitimate parties have to have confidence in the professionals who carry out the elections, and there must be rule of law to determine whether electoral grievances are warranted and need to be redressed. If elections are conducted with integrity and there is rule of law, there will be winners and losers, and losers are obligated to honor the results, however much they might abhor them.

Cain: Our Democracy is holding up. That is the good news. The bad news is that the anger and tensions will not go away soon.

Media Contacts

Melissa De Witte, Stanford News Service: (650) 723-6438, mdewitte@stanford.edu (<mailto:mdewitte@stanford.edu>)

Stephanie Ashe, Stanford Law School: (650) 723-2232, sashe@law.stanford.edu (<mailto:sashe@law.stanford.edu>)



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Trump meets with GOP allies with eye on challenging count of electoral votes

[cbsnews.com/news/trump-house-republicans-electoral-college-challenge/](https://www.cbsnews.com/news/trump-house-republicans-electoral-college-challenge/)



Washington — President Trump huddled with Republican congressional allies at the White House on Monday to discuss the possibility of challenging the Electoral College votes when Congress convenes January 6 to tally them, in what would be the president's last-ditch attempt to overturn the results of the presidential election.

A number of the president's closest supporters on Capitol Hill attended the meeting, including Congressmen Jim Jordan of Ohio, Matt Gaetz of Florida, Mo Brooks of Alabama, Louie Gohmert of Texas and Andy Biggs of Arizona. White House chief of staff Mark Meadows, himself a former Republican congressman, confirmed the gathering on Twitter.

"Several members of Congress just finished a meeting in the Oval Office with President @realDonaldTrump, preparing to fight back against mounting evidence of voter fraud. Stay tuned," Meadows tweeted Monday night.

Several members of Congress just finished a meeting in the Oval Office with President [@realDonaldTrump](#), preparing to fight back against mounting evidence of voter fraud.

Stay tuned.

— Mark Meadows ([@MarkMeadows](#)) [December 21, 2020](#)

Biggs, who chairs the conservative House Freedom Caucus, told Fox Business in an interview the group discussed the process for objecting to electoral votes during a joint session of Congress, of which Vice President Mike Pence will preside over.

"We think we're going to actually be able to contest this, as you say, with at least one objection from the House — and we'll have dozens of objectors in the House — and then at least one in the Senate, and we think we'll have more than that," the Arizona Republican said.

Since the presidential election, of which President-elect Joe Biden was declared the winner, Mr. Trump has mounted an unsuccessful campaign to reverse the outcome of the election, turning to the courts and then [Republican-led state legislatures](#) to contest the results.

But the vast majority of lawsuits filed by the Trump campaign and the president's allies in [state and federal courts](#), as well as the [Supreme Court](#), have been tossed out, and state Republican lawmakers have [resisted pressure](#) by the president to subvert the will of voters and seat their own set of electors.

The 538 members of the Electoral College from all 50 states and the District of Columbia met December 14 to count the electoral votes, [formalizing Mr. Biden's victory](#).

But January 6, when Congress convenes to count those votes, will mark the final long-shot attempt for the president and his backers to challenge the outcome of the election. During the joint session, which is required by law to ratify the results, members can object to the returns from any individual state as they are announced, which opens the door for Mr. Trump's GOP allies to contest a state's results.

Objections must be made in writing by at least one member each of the House and Senate, after which the joint session will recess and the two chambers separate and debate the objection in their respective chambers for no more than two hours, according to the Congressional Research Service. The House and Senate then vote separately on whether to either accept or reject the objection. If the two chambers agree to accept the objection, the contested state's electoral votes are tossed out.

While Biggs expressed optimism there would be numerous House Republicans lining up to contest states' Electoral College votes, the plan has not gained traction in the Senate, dimming the prospects of Congress delivering Mr. Trump a second term. Additionally, because Democrats control the House, it is highly unlikely the lower chamber would vote to toss out a state's electoral votes.

Republican Senator John Thune of South Dakota, the majority whip, said he isn't aware of any GOP senators planning to object to the results.

"The thing they've got to remember is, it's just not going anywhere," he told reporters Monday. "In the Senate it would go down like a shot dog. And I just don't think it makes a lot of sense to put everybody through this when you know what the ultimate outcome is going to be."

GOP Senator Lindsey Graham of South Carolina, an ally of Mr. Trump, said challenging the votes would "probably do more harm than good."

Senate Majority Leader Mitch McConnell [asked Senate Republicans](#) last week not to object to the election results when the joint session of Congress convenes. Senator Shelley Moore Capito of West Virginia, a Republican, told reporters "there was encouragement on the phone for us to accept the result."

[Election 2020](#) ▼

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Office of the Attorney General
Washington, D. C. 20530

November 9, 2020

MEMORANDUM FOR UNITED STATES ATTORNEYS
THE ASSISTANT ATTORNEYS GENERAL FOR THE
CRIMINAL DIVISION
CIVIL RIGHTS DIVISION
NATIONAL SECURITY DIVISION
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

FROM: THE ATTORNEY GENERAL *W.P. Barr*

SUBJECT: POST-VOTING ELECTION IRREGULARITY INQUIRIES

Last week, our nation once again demonstrated the strength of our democracy as more than 140 million Americans cast ballots to select their leaders. I want to thank each of you and your teams for your extraordinary efforts to ensure that all Americans could exercise this most fundamental of rights with confidence and in safety.

Now that the voting has concluded, it is imperative that the American people can trust that our elections were conducted in such a way that the outcomes accurately reflect the will of the voters. Although the States have the primary responsibility to conduct and supervise elections under our Constitution and the laws enacted by Congress, the United States Department of Justice has an obligation to ensure that federal elections are conducted in such a way that the American people can have full confidence in their electoral process and their government.

The Department's general policies with regard to election fraud investigations are contained in the Justice Manual. Those policies require, among other things, consultation with the Public Integrity Section's Election Crimes Branch ("ECB") in some instances. Those policies already allow preliminary inquiries, including witness interviews, to be conducted without ECB consultation. In instances in which they are consulted, the ECB's general practice has been to counsel that overt investigative steps ordinarily should not be taken until the election in question has been concluded, its results certified, and all recounts and election contests concluded. Such a passive and delayed enforcement approach can result in situations in which election misconduct cannot realistically be rectified. Moreover, this ECB practice has never been a hard and fast rule, and case-specific determinations and judgments must be made. While most allegations of purported election misconduct are of such a scale that they would not impact the outcome of an election and their investigation can immediately be deferred that in rare circumstances the

Transportation Secretary Elaine Chao resigns following Capitol unrest

[wfsb.com/transportation-secretary-elaine-chao-resigns-following-capitol-unrest/article_4ae38c2g-24c6-5ad8-a9b5-b4cc862122f6.html](https://www.wfsb.com/transportation-secretary-elaine-chao-resigns-following-capitol-unrest/article_4ae38c2g-24c6-5ad8-a9b5-b4cc862122f6.html)

Meredith Digital Staff

January 7, 2021



(Meredith) -- Transportation Secretary Elaine Chao is resigning, becoming the first person to leave President Donald Trump's Cabinet after Wednesday's unrest at the US Capitol.

"Yesterday, our country experienced a traumatic and entirely avoidable event as supporters of the President stormed the Capitol building following a rally he addressed. As I'm sure is the case with many of you, it has deeply troubled me in a way that I simply cannot set aside," Chao said in a statement.

Chao has been married to Senate Majority Leader Mitch McConnell since 1993.

This is a breaking news story. More info to come.

Disputing Trump, Barr says no widespread election fraud

AP apnews.com/article/barr-no-widespread-election-fraud-b1f1488796c9a98c4b1a9061a6c7f49d

December 1, 2020



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By MICHAEL BALSAMO December 1, 2020 GMT

1 of 3

FILE - In this Oct. 15, 2020, file photo Attorney General William Barr speaks during a roundtable discussion on Operation Legend, a federal program to help cities combat violent crime in St. Louis. Attorney General William Barr said Tuesday, Dec. 1, that the Justice Department has not uncovered evidence of widespread voter fraud and has seen nothing that would change the outcome of the 2020 presidential election. (AP Photo/Jeff Roberson, File)

1 of 3

FILE - In this Oct. 15, 2020, file photo Attorney General William Barr speaks during a roundtable discussion on Operation Legend, a federal program to help cities combat violent crime in St. Louis. Attorney General William Barr said Tuesday, Dec. 1, that the Justice

Department has not uncovered evidence of widespread voter fraud and has seen nothing that would change the outcome of the 2020 presidential election. (AP Photo/Jeff Roberson, File)

WASHINGTON (AP) — Disputing President Donald Trump’s persistent, baseless claims, Attorney General William Barr declared Tuesday the U.S. Justice Department has uncovered no evidence of widespread voter fraud that could change the outcome of the 2020 election.

Barr’s comments, in an interview with the The Associated Press, contradict the concerted effort by Trump, his boss, to subvert the results of last month’s voting and block President-elect Joe Biden from taking his place in the White House.

Barr told the AP that U.S. attorneys and FBI agents have been working to follow up specific complaints and information they’ve received, but “to date, we have not seen fraud on a scale that could have effected a different outcome in the election.”

The comments, which drew immediate criticism from Trump attorneys, were especially notable coming from Barr, who has been one of the president’s most ardent allies. Before the election, he had repeatedly raised the notion that mail-in voting could be especially vulnerable to fraud during the coronavirus pandemic as Americans feared going to polls and instead chose to vote by mail.

More to Trump’s liking, Barr revealed in the AP interview that in October he had appointed U.S. Attorney John Durham as a special counsel, giving the prosecutor the authority to continue to investigate the origins of the Trump-Russia probe after Biden takes over and making it difficult to fire him. Biden hasn’t said what he might do with the investigation, and his transition team didn’t comment Tuesday.

Trump has long railed against the investigation into whether his 2016 campaign was coordinating with Russia, but he and Republican allies had hoped the results would be delivered before the 2020 election and would help sway voters. So far, there has been only one criminal case, a guilty plea from a former FBI lawyer to a single false statement charge.

Under federal regulations, a special counsel can be fired only by the attorney general and for specific reasons such as misconduct, dereliction of duty or conflict of interest. An attorney general must document such reasons in writing.

Barr went to the White House Tuesday for a previously scheduled meeting that lasted about three hours.

Trump didn’t directly comment on the attorney general’s remarks on the election. But his personal attorney Rudy Giuliani and his political campaign issued a scathing statement claiming that, “with all due respect to the Attorney General, there hasn’t been any semblance” of an investigation into the president’s complaints.

■



Attorney General William Barr said Tuesday the Justice Department has not uncovered evidence of widespread voter fraud that would change the outcome of the 2020 presidential election. (Dec. 1)

Other administration officials who have come out forcefully against Trump's allegations of voter-fraud evidence have been fired. But it's not clear whether Barr might suffer the same fate. He maintains a lofty position with Trump, and despite their differences the two see eye-to-eye on quite a lot.

Still, Senate Democratic leader Chuck Schumer quipped: "I guess he's the next one to be fired."

Last month, Barr issued a directive to U.S. attorneys across the country allowing them to pursue any "substantial allegations" of voting irregularities before the 2020 presidential election was certified, despite no evidence at that time of widespread fraud.

That memorandum gave prosecutors the ability to go around longstanding Justice Department policy that normally would prohibit such overt actions before the election was certified. Soon after it was issued, the department's top elections crime official announced he would step aside from that position because of the memo.

The Trump campaign team led by Giuliani has been alleging a widespread conspiracy by Democrats to dump millions of illegal votes into the system with no evidence. They have filed multiple lawsuits in battleground states alleging that partisan poll watchers didn't have a clear enough view at polling sites in some locations and therefore something illegal must have happened. The claims have been repeatedly dismissed including by Republican judges who have ruled the suits lacked evidence.

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But local Republicans in some battleground states have followed Trump in making unsupported claims, prompting grave concerns over potential damage to American democracy.

Trump himself continues to rail against the election in tweets and in interviews though his own administration has said the 2020 election was the most secure ever. He recently allowed his administration to begin the transition over to Biden, but he still refuses to admit he lost.

The issues they've have pointed to are typical in every election: Problems with signatures, secrecy envelopes and postal marks on mail-in ballots, as well as the potential for a small number of ballots miscast or lost.

But they've gone further. Attorney Sidney Powell has spun fictional tales of election systems flipping votes, German servers storing U.S. voting information and election software created in Venezuela "at the direction of Hugo Chavez," – the late Venezuelan president who died in 2013. Powell has since been removed from the legal team after an interview she gave where she threatened to "blow up" Georgia with a "biblical" court filing.

Barr didn't name Powell specifically but said: "There's been one assertion that would be systemic fraud and that would be the claim that machines were programmed essentially to skew the election results. And the DHS and DOJ have looked into that, and so far, we haven't seen anything to substantiate that."

In the campaign statement, Giuliani claimed there was "ample evidence of illegal voting in at least six states, which they have not examined."

Full Coverage: [Election 2020](#)

"We have many witnesses swearing under oath they saw crimes being committed in connection with voter fraud. As far as we know, not a single one has been interviewed by the DOJ. The Justice Department also hasn't audited any voting machines or used their subpoena powers to determine the truth," he said.

However, Barr said earlier that people were confusing the use of the federal criminal justice system with allegations that should be made in civil lawsuits. He said a remedy for many complaints would be a top-down audit by state or local officials, not the U.S. Justice Department.

"There's a growing tendency to use the criminal justice system as sort of a default fix-all," he said, but first there must be a basis to believe there is a crime to investigate.

"Most claims of fraud are very particularized to a particular set of circumstances or actors or conduct. ... And those have been run down; they are being run down," Barr said. "Some have been broad and potentially cover a few thousand votes. They have been followed up on."

Associated Press Writers Lisa Mascaro and Eric Tucker contributed to this report.

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Records show fervent Trump fans fueled US Capitol takeover

By MICHAEL BIESECKER, MICHAEL KUNZELMAN, GILLIAN FLACCUS and JIM MUSTIAN January 10, 2021



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WASHINGTON (AP) — They came from across America, summoned by President Donald Trump to march on Washington in support of his false claim that the November election was stolen.

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Man ID'd as speaker's office invader

“Big protest in D.C. on January 6th,” Trump tweeted a week before Christmas. “Be there, will be wild!”

The insurrectionist mob that showed up at the president’s behest and stormed the U.S. Capitol was overwhelmingly made up of longtime Trump supporters, including Republican Party officials, GOP political donors, far-right militants, white supremacists, members of the military and adherents of the QAnon myth that the government is secretly controlled by a cabal of Satan-worshipping pedophile cannibals.

Records show that some were heavily armed and included convicted criminals, such as a Florida man recently released from prison for attempted murder.

culture,’ son says

by Taboola

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The Associated Press reviewed social media posts, voter registrations, court files and other public records for more than 120 people either facing criminal charges related to the Jan. 6 unrest or who, going maskless amid the pandemic, were later identified through photographs and videos taken during the melee.

The evidence gives lie to claims by right-wing pundits and Republican officials such as Rep. Matt Gaetz, R-Fla., that the violence was perpetrated by left-wing antifa thugs rather than supporters of the president.

MORE ON THE CAPITOL SIEGE:

- In wake of Capitol riot, Americans struggle for answers
- Capitol assault a more sinister attack than first appeared
- Capitol police were overrun, little defense against rioters

“If the reports are true,” Gaetz said on the House floor just hours after the

in fact, were members of the violent terrorist group antifa.”

Steven D'Antuono, the assistant director in charge of the FBI's Washington field office, told reporters that investigators had seen “no indication” antifa activists were disguised as Trump supporters in Wednesday's riot.

The AP found that many of the rioters had taken to social media after the November election to retweet and parrot false claims by Trump that the vote had been stolen in a vast international conspiracy. Several had openly threatened violence against Democrats and Republicans they considered insufficiently loyal to the president. During the riot, some livestreamed and posted photos of themselves at the Capitol. Afterwards, many bragged about what they had done.

As the mob smashed through doors and windows to invade the Capitol, a loud chant went up calling for the hanging of Vice President Mike Pence, the recent target of a Trump Twitter tirade for not subverting the Constitution and overturning the legitimate vote tally. Outside, a wooden scaffold had been erected on the National Mall, a rope noose dangling at the ready.

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So far, at least 90 people have been arrested on charges ranging from misdemeanor curfew violations to felonies related to assaults on police officers, possessing illegal weapons and

making death threats against House Speaker Nancy Pelosi, D-Calif.

Among them was Lonnie Leroy Coffman, 70, an Alabama grandfather

three handguns and 11 Mason jars filled with homemade napalm, according to court filings.

The truck was found during a security sweep involving explosives-sniffing dogs after two pipe bombs were found and disarmed Wednesday near the national headquarters of the Republican and Democratic parties. Coffman was arrested that evening when he returned to the truck carrying a 9mm Smith & Wesson handgun and a .22-caliber derringer pistol in his pockets. Federal officials said Coffman is not suspected of planting the pipe bombs, though he was charged with having Molotov cocktails in the bed of his truck.

His grandson, Brandon Coffman, told the AP on Friday his grandfather was a Republican who had expressed admiration for Trump at holiday gatherings. He said he had no idea why Coffman would show up in the nation's capital armed for civil war.

Also facing federal charges is Cleveland Grover Meredith Jr., a Georgia man who in the wake of the election had protested outside the home of Republican Gov. Brian Kemp, whom Trump had publicly blamed for his loss in the state. Meredith drove to Washington last week for the "Save America" rally but arrived late because of a problem with the lights on his trailer, according to court filings that include expletive-laden texts.

Full Coverage: Capitol Siege

"Headed to DC with a (s---) ton of 5.56 armor-piercing ammo," he texted friends and relatives on Jan. 6, adding a purple devil emoji, according to court filings. The following day, he texted to

the group: "Thinking about heading over to Pelosi (C---'s) speech and putting a bullet in her noggin on Live TV." He once again added a purple devil emoji, and more he might hit her with his

that within 12 days, many in our country will die.”

Meredith, who is white, then texted a photo of himself in blackface. “I’m gonna walk around DC FKG with people by yelling ‘Allahu ak Bar’ randomly.”

A participant in the text exchange provided screenshots to the FBI, who tracked Meredith to a Holiday Inn a short walk from the Capitol. They found a compact Tavor X95 assault rifle, a 9mm Glock 19 handgun and about 100 rounds of ammunition, according to court filings. The agents also seized a stash of THC edibles and a vial of injectable testosterone.

Meredith is charged with transmitting a threat, as well as felony counts for possession of firearms and ammunition.

Michael Thomas Curzio was arrested in relation to the riots less than two years after he was released from a Florida prison in 2019 after serving an eight-year sentence for attempted murder. Court records from Florida show that he shot the boyfriend of his former girlfriend in a fight at her home.

Federal law enforcement officials vowed Friday to bring additional charges against those who carried out the attack on the Capitol, launching a nationwide manhunt for dozens of suspects identified from photographic evidence

The FBI has opened a murder probe into the death of Capitol Police Officer Brian D. Sicknick, who was hit in the head with a fire extinguisher, according to law enforcement officials who spoke on the condition of anonymity because they were not authorized to discuss the ongoing investigation publicly. He died at a hospital.

The Trump supporters who died in the riot were Kevin D. Greeson, 55, of Athens, Alabama; Benjamin Phillips, 50, of Ringtown, Pennsylvania; Ashli

Robbie, 37, of San Diego; and Benjamin

conspiracy theory that holds Trump is America's savior. Her Facebook page featured photos and videos praising Trump and promoting fantasies, including one theory that a shadowy group was using the coronavirus to steal elections. Boyland's final post on Twitter — a retweet of a post by White House social media director Dan Scavino — was a picture of thousands of people surrounding the Washington Monument on Wednesday.

"She would text me some things, and I would be like, 'Let me fact-check that.' And I'd sit there and I'd be like, 'Well, I don't think that's actually right,'" Lonna Cave, Boyland's sister, said. "We got in fights about it, arguments."

The AP's review found that QAnon beliefs were common among those who heeded Trump's call to come to Washington.

Doug Jensen, 41, was arrested by the FBI on Friday in Des Moines, Iowa, after returning home from the riot. An AP photographer captured images of him confronting Capitol Police officers outside of the Senate chamber on Wednesday.

Jensen was wearing a black T-shirt emblazoned with a large Q and the phrase "Trust The Plan," a reference to QAnon. Video posted online during the storming of the Capitol also appears to show Jensen, who is white, pursuing a Black police officer up an interior flight of stairs as a mob of people trails several steps behind. At several points, the officer says "get back," but to no avail.

Jensen's older brother, William Routh, told the AP on Saturday that Jensen believed that the person posting as Q was either Trump or someone very close to the president.

"I feel like he had a lot of influence from the internet that confused or obscured

thought that maybe this was Trump telling him what to do.”

Jensen's employer, Forrest & Associate Masonry in Des Moines, announced Friday that he had been fired.

Tara Coleman, a 40-year-old mother who lives in Lancaster, Pennsylvania, was arrested at the Capitol for a curfew violation and for unlawful entry. On her Facebook page, Coleman re-posted articles supporting the QAnon beliefs about a “deep state” conspiracy to target children. The AP could not find a working phone number for Coleman and her attorney, Peter Cooper, did not respond to an email seeking comment.

And Jake Chansley, who calls himself the “QAnon Shaman” and has long been a fixture at Trump rallies, surrendered to the FBI field office in Phoenix on Saturday. News photos show him at the riot shirtless, with his face painted and wearing a fur hat with horns, carrying a U.S. flag attached to a wooden pole topped with a spear.

Chansley's unusual headwear is visible in a Nov. 7 AP photo at a rally of Trump supporters protesting election results outside of the Maricopa County election center in Phoenix. In that photo, Chansley, who also has gone by the last name Angeli, held a sign that read, “HOLD THE LINE PATRIOTS GOD WINS.” He also expressed his support for the president in an interview with the AP that day.

The FBI identified Chansley by his distinctive tattoos, which include bricks circling his biceps in an apparent reference to Trump's border wall. Chansley didn't respond last week to

messages seeking comment to one of his social media accounts.

There were also current and former members of the U.S. military in the

Emily Rainey's involvement in the Wednesday rally. The 30-year-old psychological operations officer told the AP she led 100 members of Moore County Citizens for Freedom who traveled to Washington to "stand against election fraud" and support Trump. She insisted she acted within Army regulations and that no one in her group entered the Capitol or broke the law.

"I was a private citizen and doing everything right and within my rights," Rainey told the AP.

Retired Air Force Lt. Col. Larry Rendall Brock Jr. of Texas was charged in federal court on Sunday after he was identified in photos showing him standing in the well of the Senate, wearing a military-style helmet and body armor while holding a pair of zip-tie handcuffs.

The insurrectionist mob also included members of the neofascist group known as the Proud Boys, whom Trump urged to "stand back and stand by" when asked to condemn them by a moderator during a presidential debate in September.

Nicholas R. Ochs, 34, was arrested Saturday after returning home to Hawaii, where he is the founder of the local Proud Boys chapter. On Wednesday, Ochs posted a photo of himself on Twitter inside the Capitol, grinning broadly and smoking a cigarette. According to court filings, the FBI matched photos of Ochs taken during the riot to photos taken when Ochs campaigned unsuccessfully last year as the Republican nominee for a seat in the Hawaii statehouse.

Proud Boys leader Henry "Enrique" Tarrío was arrested Monday in Washington on weapons charges and ordered to stay out of the nation's capital. Tarrío is accused of vandalizing a Black Lives Matter banner at a historic Black church last month.

the Proud Boys. He told The Stanly News & Press in 2019 that he was a Proud Boys supporter but wouldn't say if he was an official member of the group. Another North Carolina newspaper, The Jacksonville Daily News, published a photo of Thaxton wearing a "Make America Great Again" hat at a 2019 protest over the removal of Confederate statues.

A man who answered a telephone number associated with Thaxton hung up on an AP reporter. The recipient of a text message to the same number responded with an expletive.

Also arrested at the Capitol was William Arthur Leary, who owns a manufactured housing business in Utica, New York. In an interview Friday, Leary told the AP that he strongly believes the election was stolen from Trump and that he went to Washington to show his support.

Leary said he doesn't trust information reported by the mainstream media and that one of his main sources of information was Infowars, the far-right conspiracy site run by Alex Jones. He denied he ever set foot in the Capitol and complained that he was held for more than 24 hours and had his cell phone seized.

"They treated us like animals," he complained. "They took all our phones. I didn't get to make a phone call to tell anybody where I was."

Leary said he remembers seeing a woman, Kristina Malimon, 28, sobbing at the detention center because she had been separated and not allowed to translate for her mother, who primarily speaks Russian. Both women had been charged with curfew violation and

unlawful entry. According to a video posted on her Instagram account, the younger Malimon says she was born in Moldova, where her family had faced

resistance under the Soviet era regime.

the Young Republicans of Oregon, according to the group's website and is also listed as an "ambassador" for the pro-Trump group Turning Point USA. Her social media feeds are full of photos taken at Trump events, including the earlier "Million MAGA March" held in Washington last month. She also posted photos of herself posing with Donald Trump Jr. and Roger Stone, who was convicted of crimes including obstruction of justice and pardoned by Trump on Christmas Eve.

Media reports from Oregon quoted Malimon in August as the primary organizer of a Trump boat parade on the Willamette River, where big waves created by speeding boats flying Trump flags swamped and sank a smaller boat that was not participating, throwing a family into the water to be rescued by the sheriff's department.

"Oregon, today you came out and showed your love and support for our wonderful President, Donald J. Trump thank you!" Kristina Malimon wrote on Facebook following the parade.

Malimon also served as a Republican poll watcher in Georgia and spoke at an event organized by the Trump campaign in December, claiming to have seen voting machines and tabulation computers in Savannah, Georgia, with suspiciously blinking green lights she interpreted as a sign they were being secretly controlled by outside hackers — a claim debunked as false by GOP election officials in the state.

A phone number listed for Kristina Malimon rang without being answered on Friday. At the address listed for her in southeast Portland on Friday night, her

teenage brother answered the door as other family members, including young children, ran around.

The family spoke Russian to each other

seem upset about her arrest.

Others are facing consequences even beyond arrest.

A Texas sheriff announced Thursday that he had reported one of his lieutenants to the FBI after she posted photos of herself on social media with a crowd outside the Capitol. Bexar County Sheriff Javier Salazar said Lt. Roxanne Mathai, a 46-year-old jailer, had the right to attend the rally but he's investigating whether she may have broken the law.

One of the posts Mathai shared was a photo that appeared to be taken Wednesday from among the mass of Trump supporters outside the Capitol, "Not gonna lie.....aside from my kids, this was, indeed, the best day of my life. And it's not over yet."

A lawyer for Mathai, a mother and longtime San Antonio resident, said she attended the Trump rally but never entered the Capitol.

Attorney Hector Cortes said Mathai's contract bars her from speaking directly with the press but that she welcomes an FBI investigation and that her actions were squarely within the bounds of the First Amendment.

Brad Rukstales, a Republican political donor and CEO of Cogensia, a Chicago-based data analytics firm, was arrested with a group of a half-dozen Trump supporters who clashed with officers Wednesday inside the Capitol. Campaign finance reports show Rukstales contributed more than \$25,000 to Trump's campaign and other GOP committees during to 2020 election cycle.

He told a local CBS news channel last week that he had entered the Capitol and apologized. He was fired Friday and did not respond to calls and emails

[continue comment](#)

following his arrest on two charges related to the Capitol riot. He had streamed video of himself charging into the building with the mob.

"They're making an announcement now saying if Pence betrays us you better get your mind right because we're storming the building," Evans, 35, says in the video, as the door to the Capitol building is smashed and rioters rush through. "The door is cracked! ... We're in, we're in! Derrick Evans is in the Capitol!"

On Saturday he issued a statement saying he regretted taking part.

"I take full responsibility for my actions, and deeply regret any hurt, pain or embarrassment I may have caused my family, friends, constituents and fellow West Virginians," the statement said.

Kunzelman reported from College Park, Maryland, Flaccus from Portland, Oregon, and Mustian from New York. Associated Press writers Jake Bleiberg in Dallas; Michael R. Sisak in New York; Michael Balsamo in Washington; Rebecca Boone in Boise, Idaho; James LaPorta in Delray Beach, Florida; and Heather Hollingsworth in Mission, Kansas, contributed to this report.

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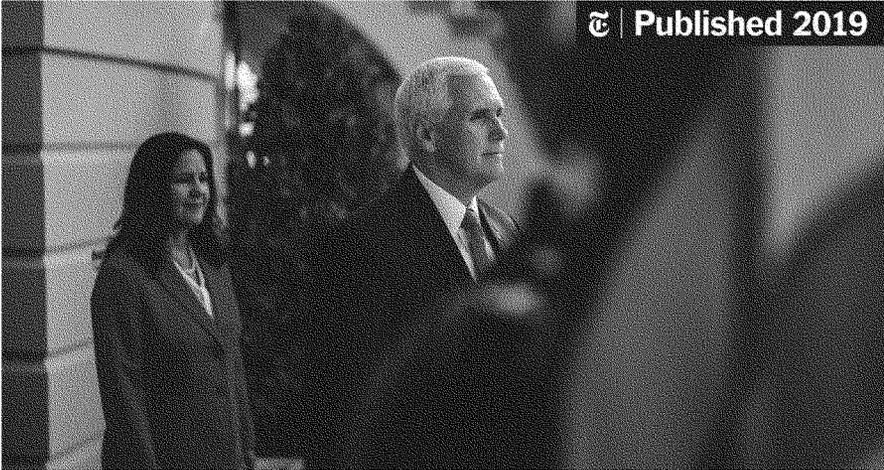
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Pence Makes Clear There Is No Daylight Between Him and Trump

 [nytimes.com/2019/10/03/us/politics/mike-pence-trump-impeachment.html](https://www.nytimes.com/2019/10/03/us/politics/mike-pence-trump-impeachment.html)

October 4, 2019



WASHINGTON — He held firm when the “Access Hollywood” tape nearly ended President Trump’s 2016 campaign. He did not waver through even the most trying moments of the special counsel’s Russia investigation.

And once again, Vice President Mike Pence has risen to Mr. Trump’s defense at a moment of crisis that some Republicans fear could inflict lasting damage on them both.

Amid questions about Mr. Pence’s role in the campaign of political pressure directed at Ukraine’s government that has become the subject of a House Democratic impeachment action against Mr. Trump, the vice president appeared before reporters in Arizona on Thursday and was all in.

Hours after Mr. Trump defiantly escalated the impeachment drama by [openly urging China’s government to investigate](#) the business dealings there of former Vice President Joseph R. Biden Jr.’s son Hunter, Mr. Pence backed up his boss without apology, saying that Mr. Trump was making good on his campaign pledge to “drain the swamp.”

Mr. Pence also reiterated an earlier statement that the business Hunter Biden did in Ukraine while his father was overseeing the Obama administration’s policy toward the country was, as he put it on Thursday, “worth looking into.”

“The president made it very clear that he believes our other nations around the world should look into it as well,” Mr. Pence added.

No evidence has emerged to indicate that the elder Mr. Biden sought to steer American foreign policy based on his son’s foreign business dealings, and Hunter Biden has not been accused of any legal wrongdoing.

But Mr. Pence’s remarks further cemented his unlikely political bond with Mr. Trump, whose political style bears little relation to the vice president’s low-key Midwestern conservatism. It also reflected Mr. Pence’s apparent belief that he cannot afford to allow even a sliver of daylight to appear between himself and the president for fear of drawing Mr. Trump’s wrath and, potentially, that of core Republican voters.

“Daylight is deadly. That’s why he did what he did today,” said Michael Feldman, a former adviser to Vice President Al Gore. “His job as vice president is to support the president politically, no matter what. Even when the president is setting fire to his presidency.”

Mr. Gore found himself in a similarly awkward position in 1998, when Congress impeached President Bill Clinton for lying under oath about his affair with a White House intern, Monica Lewinsky.

Mr. Gore, too, remained steadfastly loyal. But unlike Mr. Pence, he never publicly supported Mr. Clinton’s defenses of his own conduct.

David Kochel, an Iowa-based Republican strategist, said that in vigorously defending Mr. Trump, Mr. Pence was making the only move available to him. “No matter what comes out, the base is going to stick with Trump,” even if some Republican members of Congress do not.

Mr. Kochel added that Mr. Pence “is going to be judged by” the president and “his fervent supporters on his loyalty to the president.” But he said there is little downside politically for Mr. Pence in demonstrating his loyalty during the impeachment fight.

The Biden Administration

Live Updates:

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Jan. 21, 2021, 1:04 p.m. ET

“Right now it’s framed as a partisan fight,” he said.

Still, in expressing criticism of his predecessor, Mr. Biden, Mr. Pence also seemed to underscore the quandary he faces in his proximity to a president bearing a large load of ethical and legal accusations.

“The simple fact is that, you know, when you hold the second-highest office in the land, it comes with unique responsibilities,” he said. “Not just to be above impropriety but to be above the appearance of impropriety.”

Mr. Pence, who was in Arizona meeting with Hispanic leaders when he talked to reporters, did not address questions about whether he had a role or knowledge of Mr. Trump’s efforts to press foreign governments to investigate the Bidens and the origins of the F.B.I.’s 2016 investigation into his campaign’s ties to Russia.

According to the whistle-blower complaint accusing Mr. Trump of improperly pressuring Ukraine on those subjects, Mr. Pence planned to attend the May inauguration of Ukraine’s new president, Volodymyr Zelensky, but canceled his trip at the instruction of Mr. Trump, who was seeking to pressure the Ukrainian government to investigate the Bidens. But a source in Mr. Pence’s office said that no such trip had been planned.

And when Hurricane Dorian led Mr. Trump to cancel an early-September trip to Warsaw on which he was set to meet with Mr. Zelensky, Mr. Pence traveled in place of the president. While there, on Sept. 2, Mr. Pence denied to reporters that he had discussed the elder Mr. Biden with the Ukrainian leader.

“The president asked me to meet with President Zelensky and to talk about the progress that he’s making on a broad range of areas,” Mr. Pence said. “And we did that.”

Mr. Pence did not directly respond to a question at the time about whether the Trump administration had held up \$391 million in military aid for the country this summer in order to further pressure Mr. Zelensky’s government. Instead he cited Mr. Trump’s complaint that Europe has not done more to assist Ukraine, adding that “as President Trump had me make clear, we have great concerns about issues of corruption.”

By that time, Mr. Trump’s public remarks had already conflated well-established concerns about endemic corruption in Ukrainian society with his more personalized notion of corruption in the country — namely the alleged activities of the Bidens and unfounded theories that it was Ukraine’s government that meddled in the 2016 election, not Russia’s.

Mr. Pence’s critics say that despite the vice president’s professions of ignorance about the core of Mr. Trump’s political agenda in Ukraine, he knew enough about the president’s mixing of foreign policy and politics to be implicated in any wrongdoing.

At the same time, Mr. Pence appears to have been almost willfully oblivious to Mr. Trump’s public obsession with Ukraine, the Bidens and conspiracy theories surrounding the 2016 election that have also been amplified in public by Mr. Trump’s lawyer, Rudolph W. Giuliani.

“What’s unique about Pence is that he just feels he had no political fortune left in America if Trump didn’t tap him,” said Douglas Brinkley, a presidential historian. “His game plan is never to lose not just Donald Trump, but Trumpians,” Mr. Brinkley said.

“He doesn’t want to have any kind of backlash from the alt-right or conservative talk radio,” he added. “So all he does is megaphone Trump with the amplification lowered a few notches.”

But by defending Mr. Trump’s behavior to an extent that few other elected Republican officials did on Thursday, Mr. Pence may not only find himself drawn deeper into the impeachment morass, but also diverted from the message of economic growth and legislative action he has sought to promote as an antidote to the politics of the congressional inquiry.

While defending Mr. Trump’s call to investigate the Bidens on Thursday, Mr. Pence also stressed the president’s policy agenda, a theme his aides have also promoted during internal White House discussions about responding to the Democratic impeachment onslaught.

“The people of this country want us to focus on issues that matter most to them,” Mr. Pence said. “These endless investigations should end in Washington, D.C., and Speaker Pelosi and the Democrats ought to be focusing on issues of security, of prosperity, infrastructure, the U.S.M.C.A., lowering drug prices.”

Mr. Pence’s aides have argued that such a message would be effective against Democrats in red congressional districts and states where impeachment lacks strong support, especially when compared with kitchen-table issues.

The fact that Speaker Nancy Pelosi had cited those issues during her own public remarks on Wednesday before mentioning impeachment was a sign that she understands the risk of blowback from voters frustrated by legislative inaction in Washington.

Today's Rampage at the Capitol, as It Happened

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Jan. 6, 2021, 11:22 p.m. ET
By Michael Levenson



Washington, D.C. mayor issues order extending emergency for 15 days.

Mayor Muriel E. Bowser of Washington on Wednesday night issued an order extending the city's public emergency for 15 days, warning that extremists who support President Trump might continue to wreak havoc in the nation's capital.

The order empowers officials to reduce the hours of operation for businesses, order people off the street if a curfew is issued, and expend funds as needed to protect public safety.

The directive, which will expire at 3 p.m. on Jan. 21, extends the emergency through the inauguration of President-elect Joseph R. Biden Jr. on Jan. 20. It came hours after Ms. Bowser imposed a citywide curfew from 6 p.m. on Wednesday until 6 a.m. on Thursday.

[Read more](#)



Jan. 6, 2021, 9:38 p.m. ET
By The New York Times



Video: Protesters linger as law enforcement surrounds the Capitol building.



<https://www.nytimes.com/live/2021/01/06/us/washington-dc-protests>

1/9

1/15/2021

What Happened at the Capitol Yesterday - The New York Times



There are still protesters — and even more law enforcement — around the Capitol in Washington tonight, several hours after a curfew was imposed following a pro-Trump mob's storming of the building.

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Jan. 6, 2021, 8:53 p.m. ET
By Neil Vigdor



Congress resumes vote-counting as leaders on both sides repudiate siege.

Rattled but defiant, members of Congress returned to the Capitol on Wednesday night to resume counting the electoral votes from the November election, a process that leaders on both sides of the aisle said would not be derailed by the earlier siege of the building by President Trump's supporters.

"This temple to democracy was desecrated, its windows smashed, our offices vandalized," Senator Chuck Schumer, the minority leader, said as the Senate reconvened.

Mr. Schumer, who is poised to become the majority leader after Democrats won both of Tuesday's runoffs in Georgia, said that January 6, 2021, was a date that would live in infamy, invoking President Franklin D. Roosevelt's phrase after the Japanese attacked Pearl Harbor on Dec. 7, 1941.

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Jan. 6, 2021, 8:31 p.m. ET
By Maggie Haberman and Helene Cooper



Trump rebuffed initial requests to deploy the National Guard to the Capitol. Pence gave the go-ahead.

<https://www.nytimes.com/live/2021/01/06/us/washington-dc-protests>

2/9

1/15/2021

What Happened at the Capitol Yesterday - The New York Times

President Trump initially rebuffed and resisted requests to mobilize the National Guard to quell violent protests at the Capitol, according to a person with knowledge of the events.

In the end, it was Vice President Mike Pence, defense and administration officials said, who approved the order to deploy. It was unclear why Mr. Trump, who is still technically the commander in chief, did not give the order. The mobilization was initiated with the help of Pat A. Cipollone, the White House counsel, among other officials, according to the person with knowledge of the events.

Kash Patel, the chief of staff to Chris Miller, the acting defense secretary, responded: “The acting secretary and the president have spoken multiple times this week about the request for National Guard personnel in D.C. During these conversations, the president conveyed to the acting secretary that he should take any necessary steps to support civilian law enforcement requests in securing the Capitol and federal buildings.”

[Read more](#)



Jan. 6, 2021, 8:09 p.m. ET
By Neil Vigdor



A prominent business group calls on Pence to start Constitutional process to remove Trump from office.

A lobbying group for the manufacturing industry — an entity once aligned with the Trump administration — urged Vice President Mike Pence on Wednesday to utilize powers within the constitution to remove President Trump from office after Mr. Trump’s supporters stormed the U.S. Capitol.

In a lengthy statement, the National Association of Manufacturers termed the violent incursion at the Capitol complex as “mob rule” that it said was fueled by Mr. Trump.

The 14,000-member group, which last year honored Ivanka Trump, the president’s eldest daughter, said that Mr. Trump was not fit for office.

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Jan. 6, 2021, 7:43 p.m. ET

<https://www.nytimes.com/live/2021/01/06/us/washington-dc-protests>



3/9

1/15/2021

What Happened at the Capitol Yesterday - The New York Times



By Michael Levenson



Twitter, taking a harder line, locks President Trump's account. Facebook does the same.

Twitter on Wednesday took the extraordinary step of locking President Trump's account, depriving the president of his favorite means of communication after violent Trump supporters stormed the Capitol and swarmed the streets of Washington.

Twitter took the harder line after removing three of Mr. Trump's tweets, which it said had violated a company policy that forbids using the platform "for the purpose of manipulating or interfering in elections or other civic processes."

Facebook later said it had "assessed two policy violations" against Mr. Trump's page, and said it was blocking him from posting on the platform for 24 hours.

[Read more](#)



Jan. 6, 2021, 7:30 p.m. ET
The New York Times



In photos: Night falls on Washington.

Police officers take cover behind their shields as they try to keep protestors outside the U.S. Capitol. Leah Millis/Reuters

First responders wheel a person on a stretcher into an ambulance outside the Capitol after protesters stormed the grounds. Michael Reynolds/EPA, via Shutterstock

Local and federal law enforcement officers patrol inside the Capitol. Olivier Douliery/Agence France-Presse -- Getty Images

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Jan. 6, 2021, 6:59 p.m. ET
By Neil Vigdor



Mitt Romney says Trump incited an ‘insurrection’ at the Capitol.

Senator Mitt Romney, Republican of Utah, condemned President Trump on Wednesday night for the breaching of the U.S. Capitol by his supporters, saying that the president bore direct responsibility for the violence that disrupted the counting of electoral votes by Congress.

“What happened here today was an insurrection, incited by the president of the United States,” Mr. Romney said in a statement. “Those who choose to continue to support his dangerous gambit by objecting to the results of a legitimate, democratic election will forever be seen as being complicit in an unprecedented attack against our democracy.”

Mr. Romney, the lone Republican in the Senate who voted to convict Mr. Trump last year on one of two articles of impeachment, has been the target of verbal attacks by Mr. Trump’s supporters in recent days. Videos showed one of the president’s followers confronting Mr. Romney before a flight at Salt Lake City International Airport earlier this week. He was later heckled by Mr. Trump’s supporters aboard a flight.

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Jan. 6, 2021, 6:52 p.m. ET
The New York Times



In photos: A mob's costumes foreshadow its actions.

Some of the protesters who stormed the Capitol on Wednesday came in costume — dressed like Vikings, pioneers or soldiers in camouflage. Many had faces painted with American flags and others carried elaborate signs.

Saul Loeb/Agence France-Presse — Getty Images

Samuel Corum/Getty Images

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Jan. 6, 2021, 6:37 p.m. ET
By Emily Cochrane



Pelosi: The electoral vote tally will resume tonight.

Lawmakers will resume counting Electoral College votes on Wednesday after a mob of Trump loyalists stormed the Capitol, Speaker Nancy Pelosi of California said, as she vowed that the attack could not “deter us from our responsibility to validate the election of Joe Biden.”

Ms. Pelosi, in a letter to colleagues, said she had reached that decision after consulting with her leadership team and a series of calls with the Pentagon, the Justice Department and Vice President Mike Pence. She made no mention of the president.

“We always knew this responsibility would take us into the night,” Ms. Pelosi wrote. “We also knew that we would be a part of history in a positive way, today, despite ill-founded objections to the Electoral College vote. We now will be part of history, as such a shameful picture of our country was put out to the world, instigated at the highest level.”



Jan. 6, 2021, 6:15 p.m. ET
By The New York Times



Twitter locks Trump’s account after he encouraged his supporters to ‘remember this day.’

In what could be interpreted as an attempt to stoke the flames of a Capitol mob which has begun to disperse, President Trump sent a tweet at around 6 p.m. in which he reiterated the false claim that the election was stolen and encouraged his supporters to “remember this day” going forward.

“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,” he tweeted. “Go home with love & in peace. Remember this day forever!”

Twitter later took down the tweet, saying that it had violated the company’s rules.

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Jan. 6, 2021, 6:14 p.m. ET
By Nicholas Bogel-Burroughs



Woman shot in the Capitol has died.

A woman who was shot inside the Capitol building after it was overrun by a pro-Trump mob has died, Washington D.C. police officials said on Wednesday.

The woman has not been identified and no information has been released about who may have shot her. Chief Robert J. Contee of the Metropolitan Police Department said earlier that she was a “civilian” and that his officers were leading the investigation.

The woman was pronounced dead at a local hospital, Dustin Sternbeck, a spokesman for the police department, said in an email. Mr. Sternbeck said he did not yet know who shot her or have any other details.

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Jan. 6, 2021, 6:11 p.m. ET
By Eric Schmitt



‘I thought we’d have to fight our way out,’ a congressman says.

Within minutes of the mob breaching the Capitol complex, rioters were pounding on the doors of the House gallery, where a group of lawmakers were trapped.

“I thought we’d have to fight our way out,” said Representative Jason Crow, Democrat of Colorado and a former Army Ranger who served in Iraq.

Mr. Crow said he moved other members away from the barricaded door inside the gallery, helped them don gas masks, told them to take off the lapel pins assigned to all House members and took out his only possible weapon — a pen.

[Read more](#)



Jan. 6, 2021, 6:08 p.m. ET
By Jennifer Steinhauer



Police in Washington seize 5 guns and arrest at least 13 during violent Capitol protest.

<https://www.nytimes.com/live/2021/01/06/us/washington-dc-protests>

8/9

1/15/2021

What Happened at the Capitol Yesterday - The New York Times

Police seized five guns and arrested at least 13 people during the violent protests involving supporters of President Trump at the Capitol on Wednesday, Chief Robert J. Contee of the D.C. Metropolitan Police Department said on Wednesday.

Chief Contee said the firearms included handguns and long guns. He also noted that none of the people arrested were residents of the District of Columbia.

At the same news conference, D.C. Mayor Muriel Bowser called the violent protests, where Trump supporters looted and vandalized congressional offices, “shameful” and “unpatriotic.”

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Jan. 6, 2021, 6:01 p.m. ET
By Emily Cochrane and Neil Vigdor



Sergeant-at-arms declares the Capitol cleared of a rampaging mob.

The sergeant-at-arms, who is responsible for Congress's security, has told lawmakers and reporters that the Capitol is now secure, though lawmakers, staff and reporters continue to shelter in much of the Capitol complex.

Lawmakers in both parties have called for the certification process of the Electoral College votes to resume with the securing of the building. No word yet if and when that will begin.

Representative James E. Clyburn of South Carolina, the No. 3 Democrat in the House, vowed that Congress would continue the counting on Wednesday night.

[Read more](#)

President Trump Joins Call Urging State Legislators to Review Evidence and Consider Decertifying 'Unlawful' Election Results

[breitbart.com/politics/2021/01/03/president-trump-joins-call-urging-state-legislators-to-review-evidence-and-consider-decertifying-unlawful-election-results/](https://www.breitbart.com/politics/2021/01/03/president-trump-joins-call-urging-state-legislators-to-review-evidence-and-consider-decertifying-unlawful-election-results/)

January 3, 2021



Michael Reynolds/Getty Images

Michael Patrick Leahy

3 Jan 2021

President Trump spoke to 300 state legislators from the battleground states of Arizona, Michigan, Wisconsin, Pennsylvania, and Georgia on Saturday in a Zoom conference call hosted by Got Freedom? in which the 501 (c) (4) non-profit election integrity watchdog group urged those lawmakers to review evidence that the election process in their states was unlawful and consider decertifying the results of the November 3 presidential election.

President Trump addressed the call for 15 minutes at the invitation of former New York City Mayor Rudy Giuliani, who now serves as the president's personal attorney, and was one of the featured speakers on the call.

Other featured speakers included Chapman Law School Professor John Eastman, Dr. Peter Navarro, Assistant to the President for Trade and Manufacturing (appearing in his personal capacity), John Lott, Senior Advisor, U.S. Department of Justice (also appearing in his personal capacity), and Liberty University Law School Professor Phill Kline.

Kline, a former attorney general in Kansas, is a spokesperson for the 501 (c) (4) Got Freedom? non-profit, and also serves as director of the 501 (c) (3) Amistad Project of the Thomas More Society, an election integrity public interest law firm which is engaged in litigation regarding the 2020 election.

In a press statement released after the call, GotFreedom? said they conducted Saturday's "exclusive national briefing . . . at the request of state legislators from Michigan, Pennsylvania, and Wisconsin to review the extensive evidence of irregularities and lawlessness in the 2020 presidential election."

"A similar briefing is being scheduled in Washington, D.C. at the request of Members of Congress," the group noted.

UPDATE: Representatives and senators' objections to Electoral College votes on Wednesday will allow Republicans to air allegations of vote fraud.

<https://t.co/zl916HIWK5>

— Breitbart News (@BreitbartNews) January 1, 2021

A joint session of the newly convened 117th Congress will meet in Washington, D.C. on Wednesday to determine if they will accept the results of the December 14 meeting of the Electoral College, in which Joe Biden received 306 Electoral College votes for president and Donald Trump received 232 Electoral College votes.

If at least one member of the House of Representatives and one member of the Senate object to certifying those votes on Wednesday, each chamber must then separately hold a debate on whether to accept those Electoral College votes.

More than 30 members of the House have already announced they will object to certification. Last week, Sen. Josh Hawley (R-MO) announced he will publicly object to certification.

Then on Saturday, as Breitbart News reported, 11 Republican senators said they would vote not to certify on Wednesday and would instead recommend the establishment of a commission to review the lawfulness of the election process in the disputed states in a full

election audit. That commission would have ten days to review the evidence and report back to the joint session of Congress.

“This information should serve as an important resource for state legislators as they make calls for state legislatures to meet to investigate the election and consider decertifying their state election results,” Kline, who hosted the call on behalf of Got Freedom? said.

“The integrity of our elections is far too important to treat cavalierly, and elected officials deserve to have all relevant information at their disposal as they consider whether to accept the reported results of the 2020 elections, especially in states where the process was influenced by private interests,” Kline added.

The statement continued:

The evidence discussed includes unprecedented public-private partnerships that created a two-tiered election system in the states that determined the winner of the Electoral College. Funded by over \$400 million from Facebook founder Mark Zuckerberg, these public-private partnerships sought to boost turnout in Democratic strongholds while depressing turnout in conservative areas, violating constitutional guarantees of due process and equal protection.

The private monies paid the salaries of election workers and funded the purchase of election equipment, but came with strict conditions on the conduct of elections in jurisdictions that accepted the money. These private interventions were aided by the actions of public officials, who sought to undermine transparency, fought efforts to audit the results, threatened legislators with investigation and prosecution for questioning the reported results, and in some cases even physically prevented state lawmakers from entering the Capitol Building in order to prevent them from challenging election certification.

A communication sent to participating state legislators after the call summarized Professor Eastman’s argument during the call about the specific “Constitutional imperatives” of state legislators.

State legislators, Eastman stated, have both the right and duty to:

- Assert your plenary power
- Demand that your laws be followed as written
- Decertify tainted results unless and until your laws are followed
- Insist on enough time to properly meet, investigate, and properly certify results to ensure that all lawful votes (but only lawful votes) are counted.

In that subsequent communication, Kline encouraged the state legislators to:

... agree to sign on to a joint letter from state legislators to Vice President Mike Pence to demand that he call for a 12-day delay on ratifying the election, allowing the states the necessary time to further investigate the lawlessness with which the presidential election was conducted. We also request that you send this message out to fellow legislators to ask them to sign on to the letter as well.

He added that “Representative Daryl Metcalfe (R-Pennsylvania), Senator Brandon Beach (R-Georgia), and Representative Mark Finchem (R-Arizona) already wrote a letter to Vice President Mike Pence for this narrow purpose. Coming together to sign a joint letter is a vital step—one you should take confidently and in solidarity. We will send the joint letter to all legislators who contact us in reply to this message.”

The 1,400 pages of evidence presented to state legislators on the call can be seen at got-freedom.org/evidence/

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1/15/2021

One Trump Fan's Descent Into the U.S. Capitol Mob - WSJ

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<https://www.wsj.com/articles/one-trump-fans-descent-into-the-u-s-capitol-mob-11610311660>

U.S.

One Trump Fan's Descent Into the U.S. Capitol Mob

Doug Sweet joined rioters who breached the Capitol, where he was eventually arrested.

By *Michael M. Phillips, Jennifer Levitz and Jim Oberman*

Jan. 10, 2021 3:47 pm ET



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19 minutes

GWYNN'S ISLAND, Va.—On Doug Sweet's first trip to the U.S. Capitol, as a 13-year-old in 1975, he tilted his head back, gazed up at the glistening white dome and thought it was the most awesome thing he had ever seen.

On his second trip to the Capitol, he joined a mob of Trump supporters who smashed their way into the seat of the U.S. Congress, and finished his visit handcuffed facedown on the floor.

The 45-year journey between those two visits was marked by bright idealism and belief in dark conspiracies, by a solitary existence and a newfound fraternity with those convinced there is no way Joe Biden beat Donald Trump in the 2020 presidential election.

It didn't matter that no evidence of widespread election fraud emerged, or that more than 50 legal claims filed by the Trump campaign have been dismissed by courts.

Mr. Sweet put his faith in Mr. Trump and his allies, who for weeks had implored followers to rise up against the outcome of a national election they said was rigged.

STORMING OF THE CAPITOL

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[Capital Journal: Political Violence Shakes Country](#)

“He said, ‘Hey, I need my digital soldiers to show up on January 6,’” Mr. Sweet says of the president. “And we all did.”

The mob that stormed the Capitol last Wednesday was a combustible stew of QAnon conspiracy theorists, armed rampagers and extremist personalities, as well as more ordinary Trump loyalists determined to fulfill the president’s desire to persuade—or intimidate—lawmakers into undoing his election loss. Among those who have been arrested are a leader of the far-right Proud Boys for his alleged role in the siege, and an online provocateur and white nationalist—who before the attack warned of rioting if the results weren’t overturned—who live-streamed from inside House Speaker [Nancy Pelosi](#)’s office.

A Capitol Police officer was killed and four others died amid the violence.

The Wall Street Journal interviewed Mr. Sweet at his home after police included him on a list of those arrested.

Mr. Sweet is a man who dipped his toe in the pool of wild and false conspiracies during the Barack Obama administration and is now up to his neck in it, wallowing in resentment and anger that others can’t see how the elites are scheming to destroy America the way he can. He has become intractably fixated on beliefs so extreme—but widespread—that he is estranged from his elder daughter.

He came to Washington ready to act on them.

1/15/2021

One Trump Fan's Descent Into the U.S. Capitol Mob - WSJ



Trump supporters at the U.S. Capitol.

PHOTO: STEPHANIE KEITH/REUTERS

Mr. Sweet and a friend, Cindy Fitchett of Mathews, Va., first visited the Ellipse, where President Donald Trump told his supporters that the election had been stolen and that he planned to walk with them along Pennsylvania Avenue to take their anger to the Capitol.

“We fight like hell,” the president said. “And if you don’t fight like hell, you’re not going to have a country anymore.”

Mr. Sweet says he took his marching orders from the president and walked east. The Capitol was a battlefield when he arrived in early afternoon.

People waving Trump flags and wearing MAGA hats were swarming the bleachers erected for Mr. Biden’s inauguration. They were scrambling up the walls. Rioters had overrun Capitol Police and forced their way into the building. Mr. Sweet could hear the thuds and see the smoke from flash-bang grenades going off inside.

 THE JOURNAL.



How Wednesday's Attack Came Together: Out in the Open



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One Trump Fan's Descent Into the U.S. Capitol Mob - WSJ

He says he and Ms. Fitchett walked up stairs on the Mall side of the Capitol, where he found the doors open.

He says he hesitated. He says he felt the need to go inside to share his views with Congress but wanted to consult God first. He prayed aloud: "Lord, is this the right thing to do? Is this what I need to do?" He says he felt God's hand on his back, pushing him forward.

"I checked with the Lord," he says. "I checked with Him three times. I never heard a 'No.'"

They walked in and, he says, found themselves in a whirlwind of broken glass and debris. He says he was shocked; the event on the Ellipse had been all picnic blankets and puppy dogs. This was an orgy of destruction.



Trump supporters mob the Capitol Rotunda after breaching security.

PHOTO: JIM LO SCALZO/EPA/SHUTTERSTOCK

Mr. Sweet, 58, lives alone in a worn, wood-heated house on a lot crowded with tractors and old boats on Gwynn's Island, a short walk from the Chesapeake Bay.

He's usually up at 5 a.m. and in bed by 9 p.m. A lot of days his only conversation during the hours in between is with Jenkins, his aging Labrador.

For 40 years he has pieced together a living, a far cry from the path taken by his father, an aeronautical engineer who developed satellites for NASA during the Cold War space race and died when Mr. Sweet was in high school.

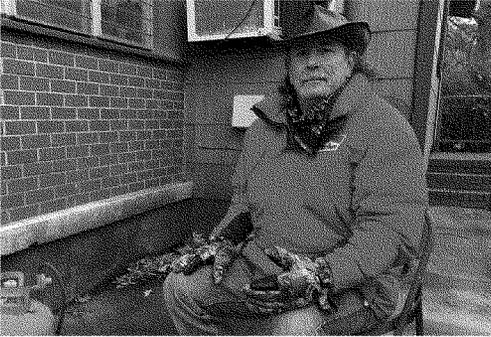
After graduating from Mathews High School in 1980, he operated a crane and forklift for a decade in the Newport News shipyards. He tried his hand at landscaping and did a stint on a tugboat and another fishing for oysters on the Rappahannock River.

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A divorce left him with custody of his two daughters, so in 1996 he took up odd jobs welding and doing carpentry to remain on dry land. A garage-building business collapsed in the crash of 2008.

These days he earns a thin living mowing grass in the summer and selling oak firewood in the winter, filling his larder with deer he shoots and striped bass he catches. He is on Medicaid, the government program for the poor or disabled, but says he doesn't use it.



Mr. Sweet outside his home in Virginia. "Some people can't accept losing," he says.

PHOTO: MICHAEL M. PHILLIPS/THE WALL STREET JOURNAL

There were a couple of run-ins with the law along the way—a fistfight with his brother, who dropped the charges, and a six-month suspended sentence after he hit his older daughter, Robyn Sweet, then 14. It was an act he describes as a spanking and that she prefers not to discuss. "I think he did his best, but it was very dysfunctional," Ms. Sweet, who responded to questions through [Facebook](#) Messenger, says of her childhood.

Mr. Sweet still remembers his thoughts when he first entered the Capitol building as a teenager: "You feel like you own it. I have a right to be here. This is America's building. My voice counts as good as anyone else's here."

A Richard Nixon fan, Mr. Sweet found that Bill Clinton's presidency deepened his dislike of Democrats. Friends from Arkansas told him Mr. Clinton was "one of the biggest cocaine smugglers in the U.S.," a partner in crime with Colombian kingpin Pablo Escobar. Mr. Sweet found the false allegations plausible.

In 2008 he voted for GOP candidate John McCain, the senator from Arizona. He preferred the Republican vice presidential pick, Alaska Gov. Sarah Palin, whose beliefs and attitude

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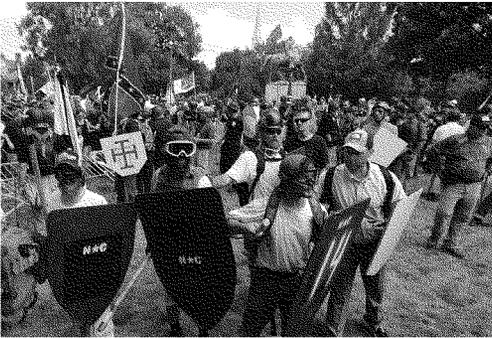
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reflected his own self-image as a “Tea Party Patriot.”

Nonetheless, he says he was “kind of excited” that the country got its first Black president, Barack Obama. He soon concluded, however, that Mr. Obama was actively “trying to destroy the country,” citing infrastructure spending and the cash-for-clunkers program.

In 2016, Donald Trump caught his eye. Here was a businessman who told it like it was, he thought, not a politician. “He’s not a perfect man, but we haven’t seen a perfect man since Christ,” Mr. Sweet says.

One thing he liked was Mr. Trump’s defense of Confederate war memorials.



Protesters in Charlottesville, Va., in 2017

PHOTO: STEVE HELBER/ASSOCIATED PRESS

In 2017, Mr. Sweet went to Charlottesville for the Unite the Right rally, a protest against the removal of a statue of rebel Gen. Robert E. Lee. The event devolved into violence, with neo-Nazis shouting anti-Semitic slogans and a white nationalist plowing his car through a crowd and killing a counter-protester, Heather Heyer. Mr. Sweet thinks Democrats staged the clashes to make anyone “pro-Confederate” seem like a Ku Klux Klan racist. No evidence has backed up that theory.

Afterwards, Mr. Trump defended the statue. “So this week it’s Robert E. Lee,” he told reporters at the time. “I noticed that Stonewall Jackson is coming down. I wonder, is it George Washington next week? And is it Thomas Jefferson the week after? You know, you really do have to ask yourself, where does it stop?”

That resonated with Mr. Sweet, who felt Mr. Trump was trying to “preserve America.”

<https://www.wsj.com/articles/one-trump-fans-descent-into-the-u-s-capitol-mob-11610311660>

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Two years ago, Mr. Sweet helped found an activist group called the East Coast Hiwaymen. He saw the fledgling organization's mission as defending Confederate war memorials in Southern cities and towns, while also undertaking charity drives.

Initially the East Coast Hiwaymen had some 30 members, he says. During the summer of 2019, they spent many weekends forming a protective shield around the 27-foot statue of a Confederate soldier in front of the courthouse in Pittsboro, N.C.

Members grew demoralized after spending heavily on gas and restaurant meals only to see the statue come down amid the backlash to Charlottesville. Now the East Coast Hiwaymen number just eight.

"Some people can't accept losing," Mr. Sweet says.

This summer, the remaining East Coast Hiwaymen loyalists spent their nights guarding the memorial to "Our Confederate Soldiers" in Mathews, Va., just down the road from Gwynn's Island. Mr. Sweet considered it a victory that the county Board of Supervisors decided to put the monument's fate up to a referendum later this year.

Mr. Sweet says it's a question of remembering Southern history, not honoring the Confederacy's armed defense of slavery.



Radio host Alex Jones speaks to Trump supporters gathered in front of the Maricopa County Election Department in Arizona.

PHOTO: OLIVIER TOURON/AGENCE FRANCE-PRESSE/GETTY IMAGES

Mr. Sweet says he gets his news from the internet and the pro-Trump news stations, Newsmax and One America News. He says controversial radio host Alex Jones, the InfoWars founder, was an early favorite.

He professes a series of beliefs about the powerful manipulating the world in ways visible only to those able to see through the deception. He knows he is one of them.

“There are so many people walking around half asleep,” he says. “They don’t know what’s going on.”

In Mr. Sweet’s world of false conspiracies, financier George Soros is both a Nazi and a Communist who pays leftist activists to burn and loot American cities. QAnon, a conspiracy-theory group that believes Mr. Trump is under assault by devil worshipers, speaks the truth. A Washington pizza parlor serves pies made of children’s blood to Satanists who know to order off-menu. The U.S. military invaded Afghanistan to seize control of the heroin trade. Former Secretary of State Hillary Clinton and House Speaker Pelosi drink children’s blood in a quest for eternal youth.

“I’m not going to go open a court case saying [Ms. Clinton] eats children,” Mr. Sweet says. “But I can believe that she might eat children.”

‘I’m not really quite sure of what, but it’s like they’re paranoid’

— Robyn Sweet, daughter of Doug Sweet

Robyn Sweet, now 35 and the operator of a group home for disabled adults, says she has been saddened and puzzled to see her father’s views grow more extreme. She says she loves him and still sees his good qualities, calling him “charismatic, lovable and funny outside of all this.” Yet she says he has become someone she doesn’t quite recognize.

“I don’t know this person anymore,” she says. “It’s almost like a lot of these middle-aged white men are afraid, I’m not really quite sure of what, but it’s like they’re paranoid...It’s mass hysteria.”

She says their relationship has become increasingly strained “because it just seems so crazy some of the stuff he would talk about.”

Ms. Sweet marched in support of Black Lives Matter in June after the killing of George Floyd in police custody, and started a Facebook page to highlight bigotry. She says her father supported her exercise of her constitutional right to free speech, but some people “in his camp” began accusing her of “being antifa,” a loose collection of sometimes-violent left-wing activists.

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"She's caught up in the idea that BLM goes into cities and helps Black children," Mr. Sweet says with a wheezy laugh. "I wish they did. I would get behind that," he says.

"She's really hard to the left," Mr. Sweet says of his daughter. "I'm really hard to the right. We're polar opposites. But I love her."

This summer, Mr. Sweet became more active at Gwynn's Island Baptist Church, where, due to pandemic concerns, congregants listened to services from their cars and honked their horns to say amen.

In July, Mr. Sweet demonstrated his growing faith with a baptismal dip in the Chesapeake Bay.

"His priorities changed, and he got very committed to church," says Pastor Ed Jordan. He describes Mr. Sweet as a passionate "patriot" who talked about being "concerned for our country."

Mr. Sweet's distrust of those in power colors the way he sees the 2020 election results. "We always knew there was something funny going on with elections," he says.

Former Vice President Biden couldn't possibly have gotten 80 million votes "by sitting in his basement," he says. After all, almost everyone he knows voted for Mr. Trump.

And in the news sites Mr. Sweet consults, everyone felt as he did. Mr. Sweet followed online reports about the "Stop the Steal" rallies, and he took the word of Mr. Trump and his high-level supporters who insisted that the election was rigged.

"Big protest in D.C. on January 6th," Mr. Trump wrote on Twitter on Dec. 19. "Be there, will be wild!" He and his allies used battle terms, repeatedly calling for "patriots" to fight for Mr. Trump and take back their country.

The invitation seemed to speak directly to Mr. Sweet, who describes himself as someone who is trying to save America from dark forces. In his view, Mr. Trump had summoned his "digital soldiers" and he meant Mr. Sweet. He thought of his granddaughter and imagined her "looking me in the eye and saying, 'Paw Paw, how come you didn't do anything?'"

"I'm sitting here watching my country go in the cesspool," he says. "I can't just sit here and watch it happen."

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President Trump speaks to his supporters before they breached the Capitol.

PHOTO: CAROL GUZY/ZUMA PRESS

At 4:15 a.m. on Jan. 6, Mr. Sweet left home, picked up Ms. Fitchett and another like-minded woman at the YMCA parking lot in Hudgins, and a guy in Saluda. They met four others and caravanned to Washington to attend Mr. Trump's "Save America" rally on the Ellipse, a grassy expanse between the White House and the National Mall.

"We didn't know exactly why he wanted us there—just a show of force or a show of numbers," Mr. Sweet says. "Whatever it was, it was fine with me."

He says he didn't travel to Washington planning to go to the Capitol. Or to do anything illegal.

Mr. Sweet says he wanted to enter the building so he could share his views with lawmakers. "There is no other way I can engage Congress other than walking in unannounced and taking the floor," he says.

Once inside, he says, he was alarmed by the violence and tried to stop the rioters. "This is our house," he says he told them.

Mr. Sweet and Ms. Fitchett wandered over several floors of the building, turning at one point to find themselves facing a wall of more than a dozen Capitol Police officers. He says he saw fear in their faces and assured them that he presented no threat.

"We want to get to the Senate and talk to the senators," he recalls telling them.

The police saw it from a different perspective. Mr. Sweet, Ms. Fitchett and four others were at the front of the mob when the officers, "in a loud and clear voice," ordered them to

leave the building, according to a police report. "The six individuals, like others in the larger crowd, willfully refused the order to leave."

Several police officers wrestled Mr. Sweet to the ground, held him facedown on the floor and cuffed his hands behind his back, Mr. Sweet says. The officers soon let Mr. Sweet sit up and gave him water. One loosened his cuffs to give him more room to move his shoulders.

Mr. Sweet estimates he was held in the Capitol for more than four hours, as police tried to find a safe way to get the group out of the building, which was besieged by the pro-Trump masses.

Along the way, Mr. Sweet noticed a blood trail on the floor.

Passing through the Capitol crypt, one officer played tour guide and pointed out the white stone compass star on the floor, which marks the meeting point of Washington D.C.'s four geographic quadrants. In the Hall of Columns, the officer gripped Mr. Sweet's arm in front of a marble statue of Francis Blair, an anti-slavery lawmaker and major general in the Union Army. Mr. Sweet says he offered the policeman ibuprofen for his injured knee.

The officers marched the group along one of the underground subway tunnels that lead to nearby congressional office buildings. The scent of tear gas hung in the air, Mr. Sweet says.

The police finally found a clear exit to the street, loaded Mr. Sweet and the others into a police van and deposited them at the station house a few blocks away.

He was one of four in his cell, sharing a stainless steel bench and a stainless steel toilet.

Around 11 p.m., he was released on his own recognizance. The police kept his phone, which contained photos he took inside the Capitol, and gave him a sheet of paper saying he had been arrested for unlawful entry and that prosecutors would determine whether to file formal charges before a June hearing date in D.C. Superior Court. He says he's not sure if he'll show up for it, but if he does, he says he'll plead guilty.

"I'm a realist," he says. "I was inside a building I wasn't supposed to be inside."

He wondered aloud if Mr. Trump would rescue loyal supporters who heeded his call and now face criminal charges. "I am seriously contemplating getting in touch with Donald Trump and asking him to pardon all of us who were in our group," he says. (The president can pardon people for federal crimes, but not local or state offenses.)

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On Friday, the Justice Department announced Mr. Sweet and Ms. Fitchett would also face federal charges of unlawful entry, with intent to impede government business, and violent entry and disorderly conduct on Capitol grounds. Usually, a federal case supplants any local charges.

Ms. Fitchett's husband, Ronald Fitchett, says his wife won't comment. But, in an interview Saturday, he said she went to Washington to convince Congress to "look at how the election was done" and didn't intend to enter the building.

She is slight, he says, and was carried into the building by the crowd.



Police clash with rioters using a ladder to try to smash their way into the Capitol building.

PHOTO: LEV RADIN/PACIFIC PRESS/ZUMA PRESS

Mr. Sweet and Ms. Fitchett were among some 55 people facing federal or local charges as of Saturday, according to the Justice Department. FBI Director Christopher Wray and other law-enforcement officials promised further investigations and suggested more arrests were likely.

A friend drove Mr. Sweet back to Virginia, where he returned to splitting wood and pondering the conspiracies around him. He says that on reflection, he's quite sure that it was antifa, the radical left, who broke into the Capitol and started the violence to make Trump supporters look bad.

Law-enforcement officials have found no indication of such a left-wing provocation, a federal prosecutor said Friday.

Mr. Sweet remains unconvinced. "They weren't acting like characteristic American patriots in there," he says.

<https://www.wsj.com/articles/one-trump-fans-descent-into-the-u-s-capitol-mob-11610311660>

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Ms. Sweet, his daughter, learned her father had been arrested Thursday after seeing his name in the news. She told him in a call that he had put the family in a bad light and that she was worried about him.

“I really feel sad that he’s involved in all of this,” she says. “I don’t think there’s anything I can do to change it.”

Sitting in his yard the day after he returned home, the court citation folded up in his Jeep Cherokee, he remained confident that someone will stop Joe Biden from becoming president on Jan. 20. He isn’t sure who. He isn’t sure how. But he is sure.

“There’s something getting ready to happen before the 20th,” he said.

Write to Michael M. Phillips at michael.phillips@wsj.com, Jennifer Levitz at jennifer.levitz@wsj.com and Jim Oberman at Jim.Oberman@wsj.com

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The Constitutional and Moral Imperative of Immediate Impeachment

The process need not be long and drawn out. And it need not be limited to current officeholders.

by MICHAEL STOKES PAULSEN ([HTTPS://THEBULWARK.COM/AUTHOR/MICHAEL-PAULSEN/](https://thebulwark.com/author/michael-paulsen/)) ·

JANUARY 8, 2021



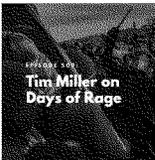
A vulture flies near a banner towed by a plane calling for the impeachment of U.S. President Donald Trump. A day after a pro-Trump mob stormed the U.S. Capitol, members of the House Judiciary Committee have announced articles of impeachment for President Donald Trump, alleging he will remain a threat to national security, democracy and the Constitution if he is allowed to remain in office for two more weeks. (Photo by Paul Hennessy/SOPA Images/LightRocket via Getty Images)

President Trump should be impeached and removed from office immediately.

He has, without doubt, committed acts constituting “high Crimes and Misdemeanors” within the meaning of the Constitution’s impeachment standard. He has attempted to preserve himself in office, notwithstanding his

defeat for reelection, by seeking to subvert the results of a series of popular democratic state elections—a terrible attack on our constitutional republican government. He has done so by developing a tissue of lies and repeating them endlessly, in a fraudulent effort to undermine public confidence in election results. Over the course of an hour-long phone call last Saturday, he essentially threatened state election officials in Georgia, seeking to intimidate them into “finding”—manufacturing—sufficient votes for him to corruptly overturn the official, verified count of a freely and fairly conducted election.

He sought to have the vice president of the United States unconstitutionally refuse to allow the counting of votes cast by electors who were selected in election results certified by their states and upheld against court challenges. When the vice president declined to do so, Trump incited a mob to march on the Capitol and disrupt Congress’s official counting of electors’ votes for his opponent. His remarks and tweets fairly can be read as efforts to incite imminent lawlessness, insurrection and violence—including even attacks directed against his own vice president.



PODCAST

Tim Miller on Days of Rage

(<https://podcast.thebulwark.com/tim-miller-on-days-of-rage>)

President Trump’s actions are nothing less than an attempted *coup d’etat* against the lawful constitutional government of the United States by a defeated presidential candidate. This is worse than anything ever done by any other president in America’s history. It lies at the very core of the offenses contemplated by the Constitution’s impeachment standard (<https://harvardlawreview.org/2018/12/to-end-a-republican-presidency/>).

It is at the heart of the Framers’ (<https://lawliberty.org/alexander-hamilton-the-federalist-and-the-power-of-impeachment/>) intentions

(<https://lawliberty.org/the-ratification-era-understanding-of-high->

crimes-and-misdemeanors-impeachment/) concerning the very most clearly justified occasions for use of the vital constitutional check of impeachment and removal from office. If Trump's misconduct is not impeachable, nothing is. If this is not the legal and moral occasion for exercise of the power to impeach, convict, remove from office, and disqualify from future office a president, then there is never such an occasion. The impeachment power is a dead letter if not used now. Presidents can do whatever they want.

Impeachment—not the Twenty-fifth Amendment—is the constitutionally proper method for removing Trump. The Twenty-fifth Amendment is about presidential *disability*, not presidential *culpability*. Trump's attempted coup, while perhaps delusional, is an act of malevolence more than madness. It is not evidence of literal inability or incapacity to perform as president—the subjects to which the Twenty-fifth Amendment is addressed. It is evidence of a rational, but morally culpable mind. Trump knew what he was doing.

Impeachment in a Day

Constitutionally, Trump can be impeached, tried, convicted, and removed in a day or even a matter of a few hours—literally overnight. The House of Representatives and Senate share the constitutional power of impeachment, each with their respective, independent constitutional roles to be exercised in whatever procedural manner they see fit. The Constitution requires only an ordinary majority vote of the House of Representatives on impeachment for any grounds satisfying the Constitution's sweeping standard for impeachment of federal officers—"Treason, Bribery, or other high Crimes and Misdemeanors." There is no constitutional requirement of formal "articles" of impeachment, hearings, or extended debate.

The Constitution requires a two-thirds majority vote of the Senate to convict and remove a president from office, but little more than that in the way of formal process. Other than the two-thirds majority requirement, the

directive that senators acting as a tribunal of impeachment sit “on Oath or Affirmation,” and the requirement that the chief justice (rather than the vice

president) preside “when the President of the United States is tried,” there are no constitutional rules governing the Senate’s procedures for conducting an impeachment proceeding.

Constitutionally, the Senate can proceed in essentially whatever procedural fashion it deems appropriate, including acting as expeditiously as it deems necessary or by a summary process. “The Senate shall have the sole Power to try all Impeachments,” Article I section 3 of the Constitution says, leaving it to the Senate to decide how to conduct its impeachment proceedings. As the Supreme Court held, in *Nixon v. United States* in 1993—unanimously as to the result—this power commits to the Senate alone the decision about what procedures are appropriate and necessary in a given situation. There is no requirement for a drawn-out, formal legal trial proceeding.

Is Impeachment Really Necessary?

What’s the point? Won’t Trump be gone in two weeks anyway?

The point is preservation of the Constitution. The point is preservation of constitutional government. The point is decisive and emphatic repudiation of any leader, or pretender, who would seek to usurp power and overthrow the democratic and constitutional processes of free government.

The point is also to disqualify such a would-be usurper from ever seeking to become president again. The Constitution specifies that “Judgment in Cases of Impeachment shall not extend further than to removal from Office, *and disqualification to hold and enjoy any Office of honor, Trust, or Profit under the United States*” (Article I, Section 3, clause 7, emphasis added). (The provision goes on to preserve the possibility of criminal punishment in separate proceedings.) A failure to impeach and convict President Trump means that he could run again in 2024, raising the specter of a coup–plotting former

president waving in the wings and attempting to incite further insurrections.

There is a fair argument that the Constitution would permit impeachment, conviction and disqualification from future office even of a *former* president, in order to impose the punishment of disqualification. Impeachment is the exclusive method *for removing* a president from office but nothing in the constitutional text literally limits impeachment to present officeholders. Moreover, it would seem almost absurd to permit a miscreant officeholder to frustrate completely the possibility of receiving the constitutionally contemplated punishment of disqualification from future office by quickly submitting a pre-emptive resignation, hoping to launch a new bid for office in the future. The impeachment power thus arguably extends to former officeholders.

But that argument is contestable. More to the point, there is no reason for delay and every reason to act immediately to remove Trump from office *now*. The constitutional standard is satisfied. The moral imperative is plain. The moment is right, and important. The Constitution permits—and the present circumstances require—a streamlined, expeditious process, as each house of Congress directs.

What about the many senators and representatives who voted with Trump to challenge and overturn the results of democratic elections—who served as either co-conspirators in or willing aiders and abettors of a coup attempt? I leave for another day whether such members of Congress should be expelled by their respective houses of Congress, a procedure which constitutionally requires a two-thirds majority vote of the house in which a member sits. (Impeachment does not apply to remove members of Congress from their elected offices as representatives. Rather, Article I, section 5 of the Constitution specifies that each separate house of Congress has the exclusive power to “determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.”)

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The Constitutional and Moral Imperative of Immediate Impeachment - The Bulwark

in some cases, expulsion may in fact be justified. But that discussion can wait. Clearly, no one's culpability exceeds Trump's. And whether or not congressional sycophants or seditious enablers deserve expulsion from Congress, it is plain that President Trump deserves impeachment and removal from office. He must not be allowed to leave office, gracelessly, claiming grievance as if the rightfully reelected holder of the presidency—a pretender to the throne, seeking to govern from “exile.” He must be forced to leave office, involuntarily, in ignominy and in shame, for his commission of high crimes and misdemeanors against the American republic.

Michael Stokes Paulsen (<https://thebulwark.com/author/michael-paulsen/>)

*Michael Stokes Paulsen is Distinguished University Chair & Professor of Law, and co-director of the Pro-Life Advocacy Center, at the University of St. Thomas, in Minneapolis. He is co-author of *The Constitution: An Introduction* (https://www.amazon.com/Constitution-Introduction-Michael-Stokes-Paulsen/dp/0465094104/ref=tmm_pap_swatch_o?_encoding=UTF8&qid=1603829707&sr=8-1) (Basic Books, 2015).*

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Facebook Bars Trump Through End of His Term

Mark Zuckerberg, Facebook's chief executive, said the risks of Mr. Trump using the service were too great, even as Twitter lifted its lock on the president's account.

By Mike Isaac and Kate Conger

Published Jan. 7, 2021 Updated Jan. 8, 2021

SAN FRANCISCO — Facebook on Thursday said it will block President Trump on its platforms at least until the end of his term on Jan. 20, as much of the mainstream online world moved forcefully to limit the president after years of inaction.

But Twitter, which had locked Mr. Trump's account on Wednesday for posts that violated its rules, lifted the suspension, allowing the president to tweet. Late on Thursday, Mr. Trump marked his return to social media by posting a two minute 41 second video on Twitter in which he said he would support a peaceful transition of power.

Facebook and Twitter said they made their contrasting decisions for different reasons. Mark Zuckerberg, Facebook's chief executive, said in a post that the social network decided to cut off Mr. Trump because a rampage by pro-Trump supporters in the nation's capital a day earlier, which was urged on by the president, showed he wanted to undermine the transition to President-elect Joseph R. Biden Jr.

"We believe the risks of allowing the president to continue to use our service during this period are simply too great," Mr. Zuckerberg wrote. As a result, he said, Facebook and its photo-sharing site Instagram would extend blocks, first put in place on Wednesday, on Mr. Trump's ability to post "until the peaceful transition of power is complete."

Twitter had said on Wednesday that while it saw a "risk of harm" in Mr. Trump's messages, the company would only permanently suspend the president's account if he continued to break its rules. Mr. Trump deleted the tweets that had prompted the locking of his account, Twitter said Thursday, starting a countdown to his access being restored.

The diverging actions showed how social media companies were still grappling with how to moderate one of their most powerful and popular users. Mr. Trump, who has used the sites throughout his presidency to rile up his supporters and bully his enemies, has constantly bedeviled Facebook and Twitter by pushing the envelope on what world leaders are willing to say online.

Before Twitter reinstated Mr. Trump's account, it and other social media companies had been part of a widening revolt against Mr. Trump. Twitter had started the online curtailment on Wednesday by temporarily locking Mr. Trump's account after he posted tweets that violated its rules against calling for violence and discrediting the vote.

Facebook later followed suit. Snap, the maker of Snapchat, also cut off access to Mr. Trump's Snapchat account. YouTube on Thursday enacted a stricter election fraud misinformation policy to make it easier to suspend the president for posting false election claims. Twitch, a video streaming platform, also suspended Mr. Trump's account on Thursday.

Those actions were a striking change for a social media industry that has long declined to interfere with Mr. Trump's posts, which were often filled with falsehoods and threats. Facebook and Twitter positioned themselves as defenders of free speech and public discussion, saying it was in the public's interest to see what world leaders posted, even as critics assailed the platforms for allowing misinformation and toxic content to flow unimpeded.

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Trump Is Banned on Facebook 'at Least' Until His Term is Over - The New York Times

Lawmakers and even employees of the companies said the platforms had waited too long to take serious action against Mr. Trump. At Facebook, dozens of workers noted that the company had only suspended Mr. Trump from posting after Democrats had secured the presidency and control of the Senate, according to people familiar with the internal conversations.

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“While I’m pleased to see social media platforms like Facebook, Twitter and YouTube take long-belated steps to address the president’s sustained misuse of their platforms to sow discord and violence, these isolated actions are both too late and not nearly enough,” said Senator Mark Warner, Democrat of Virginia.

Derrick Johnson, the president and chief executive of the N.A.A.C.P., praised Facebook’s decision to lock Mr. Trump’s account and urged Twitter to do the same.

“The president’s social media accounts are a petri dish of disinformation, designed to divide and fuel violence at all costs,” Mr. Johnson said.

A White House spokesman said no one had been more successful at using digital media than Mr. Trump and that it was “incredibly ironic, yet not surprising, that when the president spoke to the country at a critical time, Big Tech chose to censor and block him from doing so. Big Tech is out of control.”

Over the past year, Facebook and Twitter had started taking some steps to label Mr. Trump’s posts as inaccurate and to direct users to reliable information. But they had remained largely unwilling to delete Mr. Trump’s messages or limit his account.

At Facebook, that unwillingness changed on Wednesday after Mr. Trump egged on his supporters using social media and a mob stormed the Capitol building. From their homes, Mr. Zuckerberg and other executives — including the chief operating officer Sheryl Sandberg, the head of policy, Monica Bickert, the vice president of integrity, Guy Rosen, and the head of international policy and communications, Nicholas Clegg — dialed into video calls to discuss what to do, said two people who were on the call and who were not authorized to speak publicly.

After Twitter locked Mr. Trump’s account late Wednesday, Mr. Zuckerberg approved removing two posts from the president’s Facebook page, the two people said. By that evening, Mr. Zuckerberg had decided to restrict Mr. Trump’s Facebook account for the rest of his term — and perhaps indefinitely, they said.

“What we watched and saw in real-time on TV — that was atrocious, a violent insurrection, deeply disturbing,” Mr. Zuckerberg said on a conference call with Facebook employees on Thursday, which The New York Times listened to. “You just can’t have a functioning democracy without a peaceful transition of power.”

Mr. Zuckerberg also criticized Mr. Trump directly on the call, saying the president was “fanning the flames of his supporters who moved to overturn the election outcome.”

Ms. Bickert added that while Mr. Trump’s posts had not been direct calls for violence — the standard Facebook uses to take down posts — executives “felt that these posts did more to contribute to, rather than diminish, the risk of continuing violence.”

Alex Holmes, the deputy chief executive of the nonprofit The Diana Award, said external councils that he is a member of that advise Facebook and Twitter on trust and safety had raised concerns about President Trump’s inflammatory social media posts — but were ignored.

“What was sometimes lost was the understanding of how things could result in offline harm,” he said. “The world is watching now.”

1/15/2021

Trump Is Banned on Facebook 'at Least' Until His Term is Over - The New York Times

At Twitter, the decision to temporarily suspend Mr. Trump's account on Wednesday came after discussion among executives in charge of safety and policy, a person familiar with the company said. They pointed to a clause in Twitter's policy, which said that even world leaders could face consequences if they promoted terrorism or made clear and direct calls to violence.

Jack Dorsey, Twitter's chief executive, then spent Thursday morning liking and retweeting commentary that urged caution against a permanent ban of Mr. Trump, suggesting he would not deviate from the plan to allow Mr. Trump back onto the service.

A Twitter spokesman declined to comment on Mr. Dorsey.

The social media companies' clampdown extended beyond Mr. Trump. Twitter overnight permanently suspended Lin Wood, a lawyer who had used his account to promote the conspiracy theory QAnon and to urge on Wednesday's mob. The company also removed a post from Dan Bongino, a conservative podcast host, on Thursday.

That helped renew right-wing criticism that conservatives were being censored by the platforms, which are headquartered in liberal Silicon Valley. Mr. Trump has accused the companies of censorship in the past and signed an executive order last year intended to strip legal protections from the platforms.

"The speech suppression is going to get worse," Mr. Bongino tweeted before publishing the post that would be removed and cause his account to be locked.

Other conservatives railed against Facebook on alternative social media sites like Parler and Gab, two Twitter-like platforms that the far-right have flocked to for their laissez-faire attitudes toward speech. On Parler, the hashtag #FacebookCensorship was trending on Thursday, while Gab's "Trending" page featured a full-screen photo of Mr. Zuckerberg with the headline "Facebook Bans Trump."

Parler and Gab did not respond to requests for comment.

"The purge will only intensify," wrote one Gab user with the handle @Winst0n_Smith. "People need to migrate to alternative social media."

Daisuke Wakabayashi and Sheera Frenkel contributed reporting.

President Trump deletes tweets after Twitter, Facebook and Instagram lock down accounts for 'violations'

usatoday.com/story/tech/2021/01/06/twitter-locks-president-trumps-account-after-his-tweets-riots/6574242002/



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President Trump deletes tweets after Twitter, Facebook and Instagram lock down accounts for 'violations'

Twitter confirmed President Trump deleted tweets causing a lockdown to his account after similar suspensions on Facebook and Instagram.

Mike Snider, USA TODAY Published 7:26 p.m. ET Jan. 6, 2021 | Updated 11:56 a.m. ET Jan. 7, 2021

The big three social media platforms have locked President Trump's accounts because his posts violated their policies during riots at the U.S. Capitol. USA TODAY

Update: Facebook and Instagram on Thursday indefinitely blocked President Trump from posting on those platforms. Twitter did not say when the president can resume tweeting.

In an unprecedented move, Twitter locked President Trump's account on Wednesday after freezing three of his tweets about the riots at the U.S. Capitol so they could not be liked or forwarded. A couple of hours later, Facebook followed with a 24-hour block.

The @realDonaldTrump Twitter account will be locked and those tweets must be removed. At that point, the account will remain locked for 12 hours, Twitter said in a post on its Twitter Safety account.

On Thursday, Twitter confirmed in an email to USA TODAY the tweets leading to Trump's locked account have been deleted.

Future violations of the social networks rules – such as including inciting violence and interfering in elections – could "result in permanent suspension of the @realDonaldTrump account," Twitter said on the thread.

Facebook later followed with its own more stringent response, after initially removing the president's video, saying the company assessed a couple of policy violations, "which will result in a 24-hour feature block, meaning he will lose the ability to post on the platform during that time."

'Words of a president matter': Calls grow for social media platforms to silence Trump as rioters storm US Capitol

This comes after Trump shared a video on multiple platforms in which he told followers, "We had an election that was stolen from us," in response to thousands of rioters storming the U.S. Capitol in Washington, D.C.



Twitter locked President Trump's account on Wednesday after freezing three of his tweets about the riots at the U.S. Capitol so they could not be liked or forwarded. Trump must remove the tweets to unlock the account. (Photo: Twitter)

He told followers to go home, but maintained his unfounded claim that the election was "fraudulent."

This means that the account of [@realDonaldTrump](https://twitter.com/realDonaldTrump) will be locked for 12 hours following the removal of these Tweets. If the Tweets are not removed, the account will remain locked.

— Twitter Safety (@TwitterSafety) [January 7, 2021](#)

In a subsequent tweet, Trump said, about the riots: "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!"



Donald J. Trump
@realDonaldTrump

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!



This claim of election fraud is disputed, and this Tweet can't be replied to, Retweeted, or liked due to a risk of violence

6:01 PM · Jan 6, 2021 · Twitter for iPhone

A tweet from President Trump about the riots that happened at the U.S. Capitol on Wednesday, Jan. 6, 2021. (Photo: Twitter)

Initially, Twitter labeled the president's tweet, noting that it could not be retweeted, liked or replied to, though the option to "quote" the tweet remained. But later, it took the move to lock his account. Facebook removed the video.

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The planned protests turned into riots after pro-Trump demonstrators stormed the U.S. Capitol. USA TODAY

Guy Rosen, Facebook's VP of integrity tweeted that this was an "emergency situation and we are taking appropriate emergency measures, including removing President Trump's video." He went on to say that the video was removed because, "on balance we believe it contributes to rather than diminishes the risk of ongoing violence."

This is an emergency situation and we are taking appropriate emergency measures, including removing President Trump's video. We removed it because on balance we believe it contributes to rather than diminishes the risk of ongoing violence.

— Guy Rosen (@guyro) [January 6, 2021](#)

Prior to that many had called for social media networks including Twitter, where Trump has 88.7 million followers, to remove the president's accounts.

After Twitter took action, Sen. Joe Manchin, D-W.Va., said, in a tweet cc'd to Twitter CEO Jack Dorsey, the penalty was "not sufficient. He is a danger to our democracy and should be banned from @twitter for the next 14 days."

12 hours is not sufficient. He is a danger to our democracy and should be banned from [@twitter](#) for the next 14 days.

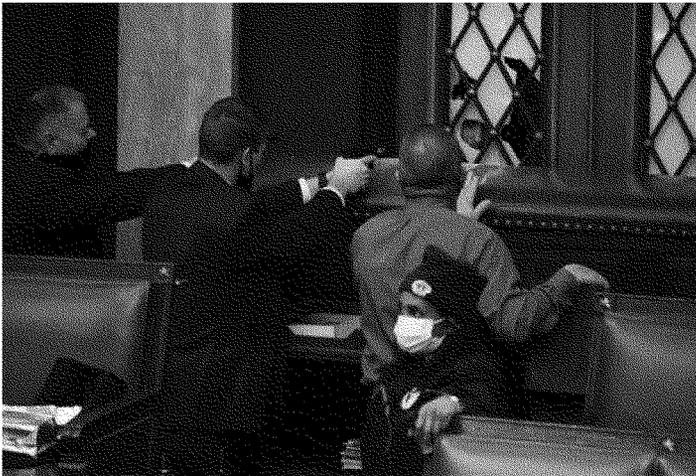
Cc: [@jack](#) <https://t.co/11CndGgzXK>

— Senator Joe Manchin ([@Sen_JoeManchin](#)) [January 7, 2021](#)

Adam Mosseri, head of Instagram, [tweeted](#) Trump's Instagram account was also locked for 24 hours.

Echoing Sen. Manchin, [the "Real Oversight Board,"](#) a Facebook watchdog organization not affiliated with Facebook, said in a statement that social network actions taken against Trump were "too little, too late. Donald Trump has breached Facebook's own terms and conditions multiple times. His account is not just a threat to democracy but to human life. ... Twenty-four hours is not enough - there are 13 days until President-Elect Biden's Inauguration, plenty of time for President Trump to wreak havoc."

Follow Mike Snider on Twitter: [@MikeSnider](#).



Police with guns drawn watch as protesters try to break into the House Chamber at the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. J. Scott Applewhite, AP

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Rioters swarm the U.S. Capitol building as protests in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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Trump supporters receive aid after tear gas was deployed at rioters storming the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Congress staffers barricade themselves after Trump supporters stormed inside the US Capitol in Washington, DC on Jan. 6, 2021. Donald Trump's supporters stormed a session of Congress held today, January 6, to certify Joe Biden's election win, triggering unprecedented chaos and violence at the heart of American democracy and accusations the president was attempting a coup. OLIVIER DOULIERY, AFP via Getty Images

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Trump supporters cover their faces after tear gas was deployed at rioters storming the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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A Trump supporter shows off her face paint at the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Trump rioters storm the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Trump rioters storm the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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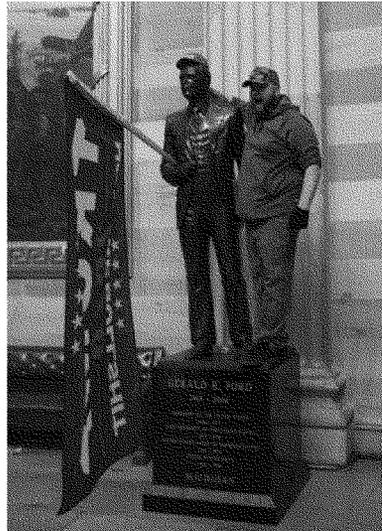


Congress staffers barricade themselves after Trump supporters stormed inside the US Capitol in Washington, DC on Jan. 6, 2021. OLIVIER DOULIERY, AFP via Getty Images

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Supporters of US President Donald Trump enter the US Capitol's Rotunda on Jan. 6, 2021, in Washington, DC. Demonstrators breached security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. SAUL LOEB, AFP via Getty Images

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Supporters of US President Donald Trump protest inside the US Capitol on Jan. 6, 2021, in Washington, DC. - Demonstrators breached security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. SAUL LOEB, AFP via Getty Images

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Protesters gather outside the U.S. Capitol Building on Jan. 06, 2021 in Washington, DC. Pro-Trump protesters entered the U.S. Capitol building after mass demonstrations in the nation's capital during a joint session Congress to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Tasos Katopodis, Getty Images

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A protester yells inside the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Pro-Trump protesters entered the U.S. Capitol building during mass demonstrations in the nation's capital. Win McNamee, Getty Images

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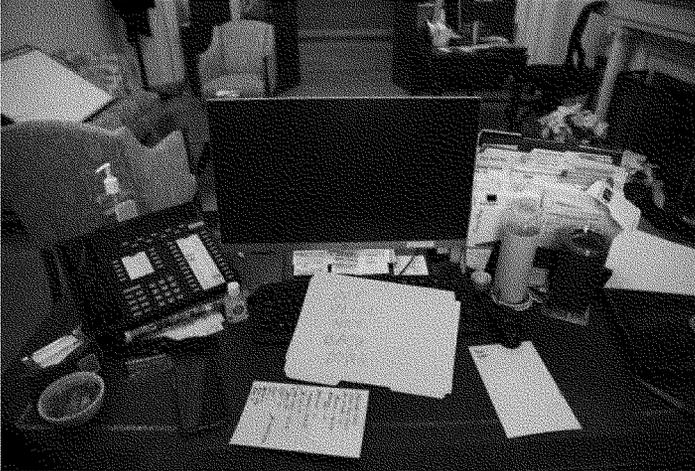
Protesters enter the U.S. Capitol Building on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results. Win McNamee, Getty Images

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Protesters enter the U.S. Capitol Building on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results Win McNamee, Getty Images

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A supporter of US President Donald Trump leaves a note in the office of US Speaker of the House Nancy Pelosi as he protest inside the US Capitol in Washington, DC, January 6, 2021. SAUL LOEB, AFP via Getty Images

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A rioter holds a Trump flag inside the US Capitol Building near the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results. Win McNamee, Getty Images

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A supporter of US President Donald Trump sits inside the office of US Speaker of the House Nancy Pelosi as he protest inside the US Capitol in Washington, DC, January 6, 2021. SAUL LOEB, AFP via Getty Images

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Protesters enter the U.S. Capitol Building on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Win McNamee, Getty Images

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Protesters enter the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Win McNamee, Getty Images

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Protesters enter the Senate Chamber on January 06, 2021 in Washington, DC. Win McNamee, Getty Images

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A protester sits in the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Win McNamee, Getty Images

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Protesters attempt to enter the U.S. Capitol building on Jan. 6 after mass demonstrations during a joint session of Congress to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Tasos Katopodis, Getty Images

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A protester is seen hanging from the balcony in the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Pro-Trump protesters have entered the U.S. Capitol building after mass demonstrations in the nation's capital. Win McNamee, Getty Images

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A Capitol police officer looks out of a broken window as protesters gather on the U.S. Capitol Building on January 06, 2021 in Washington, DC. Tasos Katopodis, Getty Images

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Supporters of US President Donald Trump roam under the Capitol Rotunda after invading the Capitol building on January 6, 2021, in Washington, DC. - Demonstrators breached security and entered the Capitol as Congress debated the 2020 presidential election Electoral Vote Certification. SAUL LOEB, AFP via Getty Images

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Police hold back supporters of US President Donald Trump as they gather outside the US Capitol's Rotunda on January 6, 2021, in Washington, DC. - Demonstrators breached security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. OLIVIER DOULIERY, AFP via Getty Images

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House of Representatives members leave the floor of the House chamber as protesters try to break into the chamber at the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. Rep. Jim Jordan, R-Ohio, is at center. J. Scott Applewhite, AP

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Police keep a watch on demonstrators who tried to break through a police barrier, Wednesday, Jan. 6, 2021, at the Capitol in Washington. As Congress prepares to affirm President-elect Joe Biden's victory, thousands of people have gathered to show their support for President Donald Trump and his claims of election fraud. Julio Cortez, AP

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U.S. Capitol police officers point their guns at a door that was vandalized in the House Chamber during a joint session of Congress on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results. Drew Angerer, Getty Images

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Supporters of US President Donald Trump enter the US Capitol on January 6, 2021, in Washington, DC. Demonstrators breached security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. SAUL LOEB, AFP via Getty Images

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Supporters of US President Donald Trump enter the US Capitol on January 6, 2021, in Washington, DC. Demonstrators breached security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. MANDEL NGAN, AFP via Getty Images

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Supporters of President Donald Trump enter the U.S. Capitol as tear gas fills the corridor on Jan. 6, 2021. Saul Loeb/AFP via Getty Images

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A supporter of US President Donald Trump sits at a desk after invading the Capitol Building on January 6, 2021, in Washington, DC. SAUL LOEB, AFP via Getty Images

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Washington state rep joins list of Republicans voting to impeach Trump

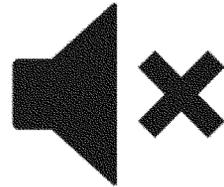
 thehill.com/homenews/house/533970-washington-state-rep-joins-list-of-republicans-voting-to-impeach-trump

Morgan Gstalter

January 13, 2021



Rep. [Jaime Herrera Beutler](#)[Jaime Lynn Herrera Beutler](#)[Upton becomes first member of Congress to vote to impeach two presidents](#) [The Hill's Morning Report - Trump impeached again; now what? Kinzinger says he is 'in total peace' after impeachment vote](#) [MORE](#) (R-Wash.) late Tuesday joined the growing list of GOP lawmakers who will vote to impeach [President Trump](#)[Donald Trump](#)[Clinton, Bush, Obama reflect on peaceful transition of power on Biden's Inauguration Day](#) [Arizona Republican's brothers say he is 'at least partially to blame' for Capitol violence](#) [Biden reverses Trump's freeze on .4 billion in funds](#) [MORE](#) after a violent mob of his supporters stormed the Capitol last week.



Beutler said in a statement that Trump “incited a riot” aimed at blocking a peaceful transition to President-elect [Joe Biden](#)[Joe Biden](#)[Katy Perry and her 'Firework' close out inauguration TV special](#) [Arizona Republican's](#)



brothers say he is 'at least partially to blame' for Capitol violence Tom Hanks: After years of 'troubling rancor,' Inauguration Day 'is about witnessing the permanence of our American ideal' MORE.

“Hours went by before the President did anything meaningful to stop the attack,” she wrote. “Instead, he and his lawyer were busy making calls to senators who were still in lockdown, seeking their support to further delay the Electoral College certification.”

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The Washington Republican noted that Trump launched a Twitter attack against Vice President Pence while some in the mob were chanting threats to hang him.

She also denounced Trump’s “pathetic denouncement of violence that also served as a wink and a nod to those who perpetuated it,” noting how the president said he loved the protesters and called them “special.”

“The President’s offenses, in my reading of the Constitution, were impeachable based on the indisputable evidence we already have,” Beutler said. “I understand the argument that the best course is not to further inflame the country or alienate Republican voters. But I am a Republican voter. I believe in our Constitution, individual liberty, free markets, charity, life, justice, peace and this exceptional country.”

“I see that my own party will be best served when those among us choose truth,” she continued. “I believe President Trump acted against his oath of office, so I will vote to impeach him.”

pic.twitter.com/hiLYy9lWfG

— Jaime Herrera Beutler (@HerreraBeutler) January 13, 2021

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Beutler joined several members of her caucus in calling for Trump to be impeached.

House Republican Conference Chair Liz CheneyElizabeth (Liz) Lynn CheneyBudowsky: Democracy won, Trump lost, President Biden inaugurated Liz Cheney gets 2022 primary challenger after voting to impeach Trump The Hill's Morning Report - President Biden, Vice President Harris begin work today MORE (Wyo.), Rep. Adam KinzingerAdam Daniel KinzingerBudowsky: Democracy won, Trump lost, President Biden inaugurated Upton becomes first member of Congress to vote to impeach



two presidents The Hill's Morning Report - Trump impeached again; now what? MORE (R-Ill.) and Tuesday Group Co-Chairs John KatkoJohn Michael KatkoRep. John Katko: Why I became the first Republican lawmaker to support impeachment NY Republican says cybersecurity will be a high priority for Homeland Security panel Upton becomes first member of Congress to vote to impeach two presidents MORE (R-N.Y.) and Fred UptonFrederick (Fred) Stephen UptonUpton becomes first member of Congress to vote to impeach two presidents The Hill's Morning Report - Trump impeached again; now what? Kinzinger says he is 'in total peace' after impeachment vote MORE (R-Mich.) all issued statements on Tuesday saying the president's rhetoric the day of the riot met the threshold of an impeachable offense.



The House is set to vote to impeach Trump for a second time on Wednesday. The resolution, crafted by Reps. Jamie RaskinJamin (Jamie) Ben RaskinInauguration parties lose the glitz and glamour in 2021 This week: Tensions running high in Trump's final days Democratic lawmaker says 'assassination party' hunted for Pelosi during riot MORE (D-Md.), David CicillineDavid CicillineWashington state rep joins list of Republicans voting to impeach Trump Growing number of GOP lawmakers say they support impeachment Pelosi names 9 impeachment managers MORE (D-R.I.) and Ted LieuTed W. LieuHouse Democrats introduce measures to oppose Trump's bomb sale to Saudis Washington state rep joins list of Republicans voting to impeach Trump Growing number of GOP lawmakers say they support impeachment MORE (D-Calif.), charges Trump with high crimes and misdemeanors for “willfully inciting violence against the Government of the United States.”



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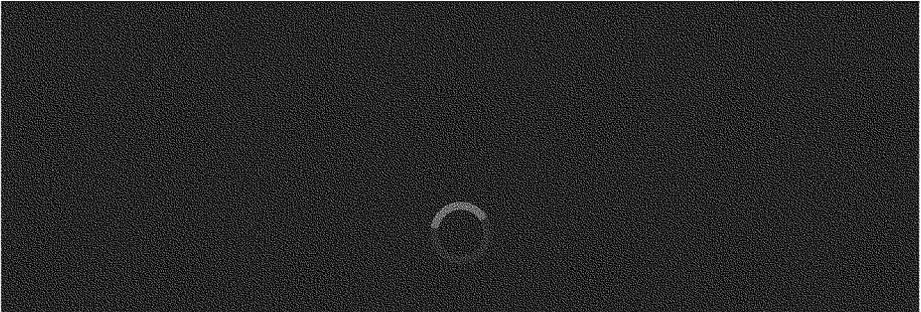
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Bar Association Urged to Disqualify Giuliani Over 'Trial by Combat' Speech Before D.C. Riot

BY NATALIE COLAROSSO ON 1/9/21 AT 5:32 PM EST



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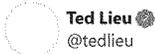
DONALD TRUMP

2020 PRESIDENTIAL ELECTION

CAPITOL HILL

The New York State Bar Association has been urged to investigate and disqualify President Donald Trump's attorney, Rudy Giuliani, for an inflammatory speech in which he called for a "trial by combat" prior to Wednesday's deadly riot at the U.S. Capitol.

Democratic Representatives Ted Lieu and Mondaire Jones drafted a letter to the association Friday, urging them to "open an immediate investigation" into Giuliani, the former mayor of New York City.



We will hold responsible everyone involved with the attempted coup, including the attorney to @POTUS, Rudy Giuliani.

Letter from Rep @MondaireJones and me to New York State Bar requesting they investigate @RudyGiuliani to disbar him.



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Before the pro-Trump mob stormed Capitol Hill, Rudy Giuliani said there should be "trial by combat" in opposing @JoeBiden's win: "If we're wrong, we will be made fools of. But if we're right, a lot of them will go to jail." Well, look at how many rioters are now heading to jail.

2:45 PM · Jan 9, 2021



"We request that your office open an immediate investigation into the President's attorney for his statements calling for a 'trial by combat' preceding a violent insurrection at the Capitol in which five people died, including a U.S. Capitol Police Officer, and Members of Congress and the Vice President were credibly threatened with violence," the letter said.

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"We believe the actions of Mr. Giuliani disqualify him from being a member in good standing with the New York State Bar."

Sneaking at the 'Stop the Steal' rally in Washington, D.C. on Wednesday, Giuliani
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"Over the next 10 days, we get to see the machines that are crooked, the ballots that are fraudulent. If we're wrong we will be made fools of, but if we're right a lot of them will go to jail. Let's have trial by combat," he said.

"I'm willing to stake my reputation, the president is willing to stake his reputation on the fact that we're going to find criminality there," he added.

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Shortly after, a violent mob of the president's supporters stormed the U.S. Capitol building. The riot left five people dead, caused multiple injuries, and postponed the election certification of President-elect Joe Biden.

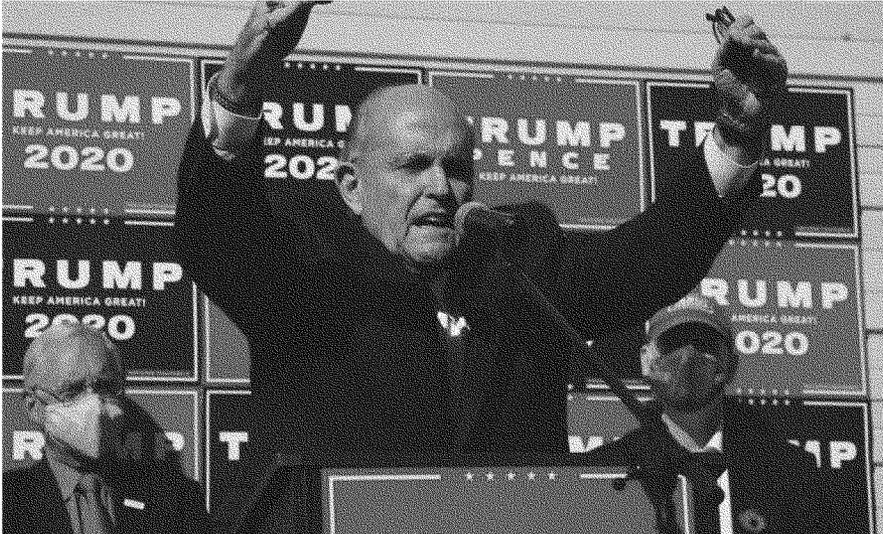
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Lawmakers have urged the New York State Bar Association to investigate and disqualify President Donald Trump's attorney, Rudy Giuliani, for an inflammatory speech he gave ahead of a deadly riot on Wednesday. Here, Giuliani, speaks at a news conference on November 7, 2020 in Philadelphia.

BRYAN R. SMITH/GETTY

Lieu and Jones argued that through his language, Giuliani emboldened the "agitated, armed crowd," to engage in violence.

"Immediately following his speech, a crowd of thousands descended upon the Capitol and assaulted U.S. Capitol Police, forcibly entered the building, and threatened to assault or kill elected officials," their letter read.

"We cannot and should not stand for a member of our profession — no matter who —

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On Thursday, Giuliani called the attack on the Capitol "shameful."

"The violence at the Capitol was shameful. It was as criminal as the rioting and looting this summer which was not condemned strongly enough by the Left. This violence is condemned in the strongest terms. Our movement values respect for law and order and for the Police," he tweeted.

A number of politicians have blamed the attack on Giuliani, Trump and additional allies who have peddled false conspiracies about election fraud for the past three months.

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Trump to be removed from office. On Friday, House Speaker [Nancy Pelosi](#) warned that president that if he does not resign from office, Congress will [bring forth articles of impeachment](#).

Newsweek reached out to the New York State Bar Association and Giuliani for additional comment, but did not hear back in time for publication.

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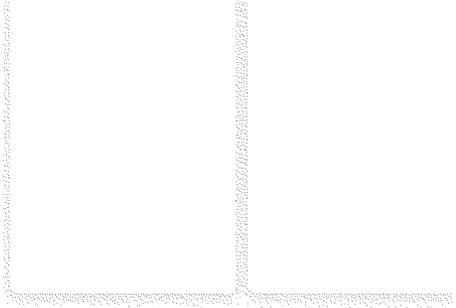
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Bar Association Urged to Disqualify Giuliani Over 'Trial by Combat' Speech Before D.C. Riot

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Justice Department warns of national security fallout from Capitol Hill insurrection

político.com/news/2021/01/07/capitol-hill-riots-doj-456178

By SARAH FERRIS , MELANIE ZANONA , HEATHER CAYGLE and KYLE CHENEY

A supporter of President Donald Trump sits inside the office House Speaker Nancy Pelosi as he riots inside the U.S. Capitol in Washington on Wednesday. | Saul Loeb/AFP via Getty Images

The mob that rampaged inside the halls of Congress on Wednesday might have taken a lot more than Americans' illusions of invulnerability.

"National security equities" may have been among the records stolen from the Capitol on Wednesday when pro-Trump insurgents stormed the building and looted several congressional offices, the Justice Department said in a briefing Thursday.

Michael Sherwin, the acting U.S. attorney for Washington, D.C., said it will likely take "several days to flesh out exactly what happened, what was stolen, what wasn't," noting that "items, electronic items were stolen from senators' offices, documents and materials were stolen, and we have to identify what was done to mitigate that [damage]."

Lawmakers and congressional staffers are demanding answers about how a federal complex in the nation's capital with its own police force was overrun in broad daylight, leading to four deaths and dozens of injuries.

But it's not only the physical security of members, staff and other employees that was endangered by the breach — congressional offices were ransacked, and at least one laptop, belonging to Sen. Jeff Merkley (D-Ore.), was stolen, Merkley said. Rioters were photographed sitting at a staffer's desk in House Speaker Nancy Pelosi's office and removing a piece of Pelosi's mail from the building.

"We have to do a full review of what was taken, or copied, or even left behind in terms of bugs and listening devices, etc.," said Rep. Ruben Gallego (D-Ariz.), raising the possibility that foreign adversaries could have easily infiltrated the crowd that encircled the Capitol.

The House Chief Administrative Office [said in a memo](#) to staff on Thursday evening that "at this time, there have been no indications that the House network was compromised," noting that the office issued commands on Wednesday to lock computers and laptops and shut down wired network access amid the protests. Classified national security information, moreover, is supposed to be secured in Sensitive Compartmented Information Facilities in the capitol, which were not breached during the attack, congressional aides said.

But questions remain about whether the attackers were able to remove any physical documents containing personal identifying information, legislative strategy or sensitive logistical details. The failures of the Capitol Police, which prompted House Speaker Nancy Pelosi to request the police chief's resignation on Thursday, and the risk that lawmakers might again be targeted makes it all the more urgent that officials get fully apprised what sensitive information — about members' schedules, for example, or inauguration plans — was stolen, lawmakers said.

“If this were an organized, fully intent terrorist group — and there were certainly terrorist activities yesterday, but I mean, al Qaeda style — they could have killed a lot of representatives and god knows what else,” Gallego said. “There has to be a full accounting of what happened here.”

Gallego is one of dozens of lawmakers, staffers, capitol employees and journalists who were on the Hill on Wednesday when Capitol Police officers — a 2,000-person police force who were mostly in regular uniforms rather than riot gear — were swarmed by thousands of Trump supporters who had marched to the Capitol at the president's urging to protest the results of the 2020 election.

Standing between the mob and the Capitol building — where lawmakers had assembled that morning to officially count the electoral votes for Biden and ultimately declare him the president-elect — were short, fairly lightweight barriers with “Area Closed” signs that protesters were seen simply ripping off before they charged the fences and the officers standing behind them.



A pro-Trump rioter carries the lectern of House Speaker Nancy Pelosi through the Rotunda of the U.S. Capitol Building after a mob stormed the building on Wednesday. | Win McNamee/Getty Images

Just over 100 people were arrested throughout the day, and dozens of Capitol Police and D.C. Metro Police officers were injured, law enforcement officials said on Thursday.

But Capitol Police are now facing a reckoning after appearing to feed the rioters' perception that they would not be severely punished for their behavior, as one congressional staffer said — videos have circulated online appearing to show a Capitol police officer taking selfies with the protesters, and some Metro D.C. police officers were seen chatting and joking around with protesters who had breached the perimeter.

“The fact is that it’s explicitly because they were white dudes with the support of the president that law enforcement basically did nothing,” the staffer said.

One current Metro D.C. police officer said in a public Facebook post that off-duty police officers and members of the military, who were among the rioters, flashed their badges and I.D. cards as they attempted to overrun the building. “If these people can storm the Capitol building with no regard to punishment, you have to wonder how much they abuse their powers when they put on their uniforms,” the officer wrote.

“I agree they would take over the Capitol in minutes,” said another Democratic lawmaker when asked whether, on an average day with even looser security, an even more organized and militarized terrorist group might be able to breach the building. “Virtually every member is asking how this could happen,” he said.

The police on Thursday indicated that they were unprepared for the violence. D.C. Police Chief Robert Contee said in a press conference on Thursday that there was “no intelligence that suggested there would be a breach of the U.S. Capitol.” And Capitol Police chief Steven A. Sund, who is expected to resign on January 16 over the security failures, said in a statement that while the Capitol Police had a “robust plan established to address anticipated First Amendment activities ... these mass riots were not First Amendment activities; they were criminal riotous behavior.”

It remains unclear why the police force was not prepared for the protests to escalate, given the repeated and explicit threats by many of Trump’s supporters — as recently as Tuesday night — that they were prepared to use force if necessary to enter the Capitol.

Rep. Tim Ryan (D-Ohio), who sits on the House Appropriations Committee that oversees Capitol Police funding, told reporters on Thursday that he was “livid” with police leadership and said that while “the rank and file did everything they could,” they were only able to hold off the mob for just over an hour until they breached the building because there “was no expeditious plan.”

An investigation into the security failures, he added, has to be done “rather quickly because we’ve got the inauguration coming in two weeks.”

Olivia Beavers and Heather Caygle contributed reporting.

www.politico.COM/news/2021/01/21/legal-scholars-federalist-society-trump-convict-461089

Legal scholars, including at Federalist Society, say Trump can be convicted

Natasha Bertrand

4-5 minutes

Former President Donald Trump waves as he disembarks from his final flight on Air Force One. | AP Photo/Manuel Balce Ceneta

Former President Donald Trump can be convicted in an impeachment trial for his role in inciting the Capitol insurrection on Jan. 6 even though he is no longer in office, a bipartisan group of constitutional law scholars wrote in a letter Thursday.

"We differ from one another in our politics, and we also differ from one another on issues of constitutional interpretation," wrote the signatories, which include the co-founder and other members of the conservative Federalist Society legal group. "But despite our differences, our carefully considered views of the law lead all of us to agree that the Constitution permits the impeachment, conviction, and disqualification of former officers, including presidents."

More than 150 legal scholars signed on to the letter, which was obtained by POLITICO. They include Steven Calabresi, the co-founder of the Federalist Society; Charles Fried, who served as solicitor general under Ronald Reagan and is now an adviser to the Harvard chapter of the Federalist Society; Ilya Somin, a law professor at George Mason University and adjunct scholar at the libertarian Cato Institute; and Brian Kalt, a law professor at Michigan State University and leading scholar on the specific question of whether former officials can be impeached.

The House impeached Trump last week, for the second time, in a 232-197 vote for "incitement of insurrection" following the attack on the Capitol by a pro-Trump mob that left five people dead. As the impeachment process moves into its next phase in the Senate, the signatories of the letter are seeking to counter an argument that has been gaining steam among some Republican senators: that it would be unconstitutional for the Senate to hold an impeachment trial for Trump now that he is a private citizen.

"The Senate lacks constitutional authority to conduct impeachment proceedings against a former president," Sen. Tom Cotton (R-Ark.) said in a [statement](#) last week. "The Founders designed the impeachment process as a way to remove officeholders from public office—not an inquest against private citizens."

Many Republicans have taken a cue from the conservative former federal appeals Judge J. Michael Luttig, who argued in the [Washington Post](#) earlier this month that "once Trump's term ends on Jan. 20, Congress loses its constitutional authority to continue impeachment proceedings against him — even if the House has already approved articles of impeachment."

The constitutional scholars who signed on to the letter disagree with that assessment, arguing that because the Constitution's impeachment power has two aspects — removal from office and disqualification from holding office again in the future — it must also be extended to former officials who could try to run for reelection.

"Impeachment is the exclusive constitutional means for removing a president (or other officer) before his or her term expires," they wrote. "But nothing in the provision authorizing impeachment-for-removal limits impeachment to situations where it accomplishes removal from office. Indeed, such a reading would thwart and potentially nullify a vital aspect of the impeachment power: the power of the Senate to impose disqualification from future office as a penalty for conviction."

Trump had signaled before leaving office that he might try to run for president again in 2024, and has reportedly mullied forming his own political party. But if the Senate were to hold an impeachment trial and convict him, he would be barred from holding public office ever again. That provision of the impeachment power, the legal scholars wrote, "is an important deterrent against future misconduct."

1/21/2021

Legal scholars, including at Federalist Society, say Trump can be convicted :: Reader View

"If an official could only be disqualified while he or she still held office, then an official who betrayed the public trust and was impeached could avoid accountability simply by resigning one minute before the Senate's final conviction vote," they noted. "The Framers did not design the Constitution's checks and balances to be so easily undermined."

National Guardsmen briefed on IED threat to Capitol

 politico.com/news/2021/01/13/national-guardsmen-capitol-threats-459002

National Guard units are being told to prepare for the possibility that improvised explosive devices will be used by individuals plotting to attack the Capitol in the days surrounding the Inauguration, according to two Guardsmen briefed this week.

The briefings indicate that Washington, D.C.-area law enforcement believe the IEDs planted last week at the Republican National Committee and the Democratic National Committee headquarters were not an isolated incident. The individual who planted those bombs has yet to be apprehended, and FBI agents have been going door to door in D.C. this week asking residents for any photos or video they might have that could help identify the suspect, two of the residents told POLITICO.

In addition to the IED threat, the Guardsmen are being briefed that protesters could be heavily armed. Army Secretary Ryan McCarthy has authorized the National Guardsmen protecting the Capitol, previously only carrying protective gear, to carry lethal weapons including M-9 handguns. A “significant majority” of soldiers are also carrying M-4 rifles, one of the Guardsmen said.

A Guard spokesperson declined to say whether law enforcement had briefed units at the Capitol on an IED threat.

“Our primary objective is to provide support to local authorities,” said spokesperson Tracy O’Grady Walsh, noting that the Guard’s mission during the inauguration is to provide crowd management, traffic control, parking coordination and medical and logistical support to local authorities. “The public’s safety is our top priority.”

Up to 20,000 Guardsmen could be stationed around D.C. in the coming days, at the request of the D.C. Metropolitan Police Department and other civil authorities. On Tuesday night, hundreds of armed Guardsmen deployed to the Capitol ahead of lawmakers beginning a second round of impeachment proceedings against President Donald Trump.

It’s not clear whether National Guardsmen are preparing to respond themselves to potential IEDs, and the briefings about potential IEDs have left some uneasy, the people familiar with the matter said.

Guard members are trained in the use of lethal and nonlethal force, the use of protective equipment and “deescalation techniques,” as is standard for civil disturbance response missions, O’Grady Walsh said. Some Guard units, including Guard combat engineers, infantry and military police units, typically train for IED response ahead of overseas deployments, but not all Guardsmen are so trained.

“The most important element of defeating IEDs is knowing what to look for, knowing where to look, and understanding how to either quickly defuse or mark them for eventual destruction,” said retired U.S. Army Lt. Gen. Mark Hertling, noting that IED training principally involves “early reconnaissance of anticipated routes by drones and engineers and scouts, the use of intelligence to plot and predict potential locations of placement of IEDs that would cause the most damage or destruction, and the interference of networks.”

An unclassified intelligence bulletin compiled by the U.S. Secret Service, obtained by POLITICO, warned that at least one right-wing extremist group, Patriot Actions for America, “is organizing and encouraging a violent demonstration” on Jan. 16 at the Capitol.

The bulletin, which primarily relies on open-source information from social media and was first reported by The Daily Beast, said law enforcement is also tracking a separate “Million Militia March” being planned by two other groups for Inauguration Day itself, warning that “although no civil disobedience has been confirmed, organizers have encouraged attendees to bring weapons to the event through the use of images of weapons on promotional materials for the event. The group claims they will not attack, but defend.”

President-elect Biden was briefed on Wednesday by senior FBI and Secret Service officials about the threats surrounding the Inauguration, and will continue to receive daily briefings on “security and operational preparations to ensure the transition unfolds smoothly,” Biden’s transition team said in a statement.

Biden’s national security team “is engaging with the current administration to gain as much information as possible on the threat picture, and on the preparations being put in place to deter and defend against violent disruptions or attacks,” the statement said.

Bannon talk shows Trump attack on election could damage GOP long-term

rollcall.com/2020/12/23/bannon-talk-shows-trump-attack-on-election-could-damage-gop-long-term/



By [Nathan L. Gonzales](#)

Posted December 23, 2020 at 8:00am

ANALYSIS — Former White House chief strategist Steve Bannon laid out the president’s plan to overturn the election results during a call for prayer on Sunday night in an effort that has potential consequences for the GOP beyond January.

There are some Republicans ready to turn the page from President Donald Trump’s time in office. GOP leadership in the Senate is discouraging Republican senators from contesting any states during the Electoral College ratification on Jan. 6. And there’s other evidence of apathy about Trump slowly starting to emerge. “I am counting the days until he is gone,” a high-ranking Republican in Congress — who has been an ally of the president — [told Jonathan Karl of ABC News](#).

But based on Bannon’s comments, it’s going to be harder (or take longer) for the party to start a post-Trump chapter. While Bannon’s disdain for Democrats is clear (and he called Georgia Democrat Stacey Abrams a “tough hombre”) in his 45 minutes worth of remarks, he trained most of his fire on Republicans.

“There’s no need to talk about Insurrection Act. There’s no need to talk crazy talk right now,” Bannon told a group who gathered virtually for a Global Prayer for U.S. Election Integrity on Sunday night, according to a recording that was [broadcast on The Eric Metaxas Radio Show](#) on Monday. “We can do this with Republican legislatures and Republican governors.”

Putting the burden for action on Republican state officials is the legacy of this fight.

While it's never quite clear how close Bannon is to the president at any given time, the former Trump senior adviser's sentiments align with other reporting about the president's state of mind.

Investigation could be lengthy

Overall, Bannon laid out a three-prong case to overturn the certified results: illegal voting, mail-in ballots and voting machines. He admitted that the third leg of the stool was less of a focus because the investigation could take "months, if not years" and time is of the essence. Bannon didn't mention [Newsmax's lengthy on-air statement](#) about not having evidence to back up its claims about Dominion and Smartmatic.

The other legs stand on a combination of GOP state legislators and governors in Arizona, Georgia, Pennsylvania, Michigan and Wisconsin calling [special sessions](#) and decertifying Biden's electors. The goal is to get the former vice president under the 270 electoral vote threshold needed to win, force a [contingent election](#), and somehow allow the U.S. House of Representatives to reelect Trump in a one-state-one-vote process — though the law may not work the way Bannon described it as working.

While he praised work being done by GOP Reps. [Paul Gosar](#) and [Andy Biggs](#) of Arizona, Bannon called out Govs. Brian Kemp of Georgia and Doug Ducey of Arizona for failing to support the cause and expressed frustration about Republicans' unwillingness to act at the state level.

"Now is the time that people, and particularly Republican elected officials in the state legislatures, the governorships and members of Congress, have to stand, and they have to stand for the Constitution," Bannon said. "Besides your prayers, any amount of pressure you can put on these people is what's necessary."

"They will not listen to the people," he continued about Republican elected officials. "We've got to put pressure on them and we've got two weeks to do it."

Bannon, who has pleaded not guilty to [federal fraud charges](#) and could be [angling for a pardon](#) from his former boss, asserted that 20 percent of Trump voters had "had it" with Republican inaction.

At the end of the call, Metaxas said the entire analysis was "basically nonpartisan" because Bannon called out leaders of both parties. The fact of the matter is that Republicans can't afford to have 20 percent, or even 5 percent, of their voters not show up. It's a recipe for life in the minority and out of the White House.

Loading the player...

Pressure on Georgia

Kemp is up for reelection in 2022. He was first elected in 2018, when he beat Abrams by 1.5 points. This year, Biden won Georgia by less than half of 1 percent. Ducey won reelection by 14 points in 2018, but Republicans can't afford to have any slippage in Arizona now that Democrats have won two consecutive competitive Senate races and Biden won the state narrowly. Eight states were decided by less than 5 points in this year's presidential race.

Bannon's rhetoric and strategy could have near-term implications for the two Jan. 5 Senate runoffs in Georgia. "I wouldn't lift a finger for Perdue or for Loeffler unless they did three things that they haven't done," said Bannon. He demanded both senators immediately call for a special session of the state legislature to hear evidence of voter fraud, publicly agree with incoming Sen. Tommy Tuberville of Alabama (who has suggested he'll contest the results), and back Trump appointing special prosecutors to investigate election fraud and the Biden family.

Bannon isn't the only one describing a schism in the GOP. "The Republican Party is splintered right now, and I think it will continue to splinter more depending on what happens with President Trump," Rep.-elect Marjorie Taylor Greene of Georgia told the Christian Science Monitor. "If he's not in the White House over the next four years, you're going to see his base, the MAGA base, continue to grow." If that base grows away from Republicans, it will be difficult to regain control of the executive and legislative branches of government. This tension within the GOP is the result of the party becoming primarily the following of a person rather than an ideology.

To win the presidential race, targeting Republicans to act at the state level is not a terrible strategy for Trump considering his team's lack of success in the courts up to this point. But Republicans who think this will all go away after a Jan. 6 ratification or a Biden inauguration are fooling themselves.

Fight past Jan. 20

First of all, don't expect a concession. "He is not going to back down. He will never concede. And I will tell you, in the small chance we don't win this, he will never sit on that stage and participate in inauguration," according to Bannon. Of course, a Trump concession isn't necessary, and the president's presence on the stage at the inauguration isn't required for Biden to take office. But it would be a historic moment.

Second, inauguration won't stop people who see this as a fight between good and evil. "We will never ever ever allow Biden to really take control of this government. We will fight this every day, we will fight this every day, even past Jan. 20," said Bannon.

There were other facts that Bannon just got wrong.

When reminiscing about the surprise win in 2016, Bannon said Trump was down 12 to 14 points to Hillary Clinton in the middle of August. Trump was down 8 points on Aug. 15, according to the Real Clear Politics national average, which is where he was for most of that month.

Bannon claimed that Trump received almost 50 percent of the Hispanic vote in the recent elections. According to the exit polls, Biden won the Latino vote 65 percent to 32 percent. In the same part of the conversation, Bannon predicted Republicans could receive between 50 and 60 percent of Hispanic vote in 2022, along with one-third of the Black vote (which would be an increase from Trump's 12 percent this year) and a majority of the Asian vote (Biden won those voters 61-34 percent in November).

Nathan L. Gonzales is an elections analyst for CQ Roll Call.

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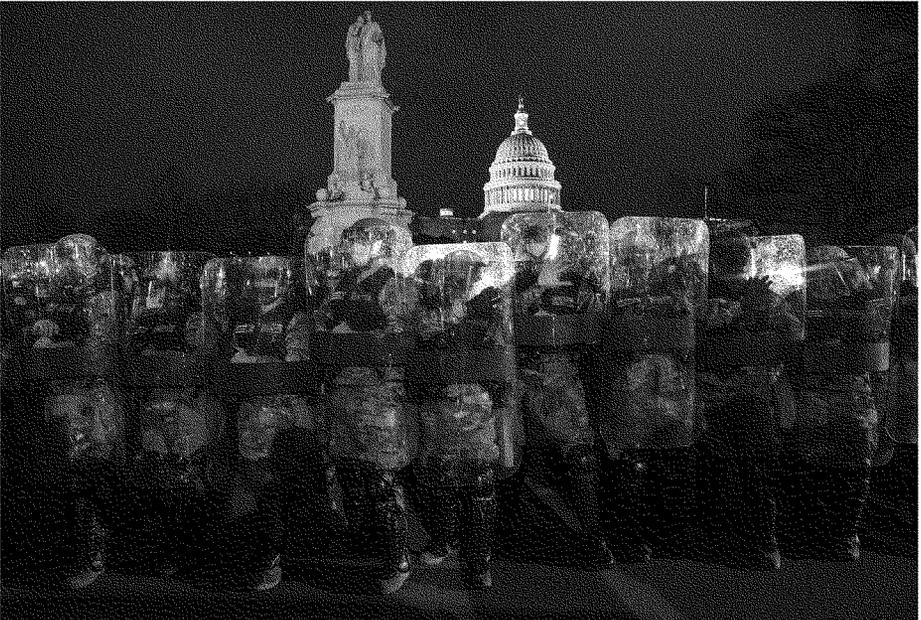
1/15/2021

Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol

CONGRESS

Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol

Lawmakers were evacuated during the counting of Electoral College votes after supporters descended on the Capitol at Trump's urging.



— District of Columbia National Guard stand outside the Capitol on Wednesday night. John Minchillo / AP

Updated Jan. 7, 2021, 11:45 AM EST

President Donald Trump early on Thursday committed to "an orderly transition" of power soon after Congress confirmed President-elect Joe Biden's election win, and following the storming of the Capitol by a mob of violent Trump supporters.

1/15/2021

Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol

In a statement released by the White House, the president again made false claims about the outcome of the election. Twitter suspended Trump's account for 12 hours Wednesday after he continued to push conspiracy theories about the election after the chaos at the Capitol.

Overnight, Congress reconvened and counted the electoral votes Biden's victory. After some objections, the count of Biden's 306 votes to President Donald Trump's 232 was finished in proceedings that lasted until 3:40 a.m.

This live coverage has ended. Continue reading about the aftermath of the rioting at the Capitol.

Read the highlights:

- The woman shot in the Capitol amid violent breach of the complex has died.
 - Biden condemns "insurrection."
 - Jon Ossoff defeats David Perdue in Georgia, handing control of the Senate to Democrats, NBC News projects.
 - Defying Trump, Pence says he won't overturn the 2020 election.
-

8d ago / 12:00 PM EST

Photo: Workers build a wall around the Capitol

— Workers install a fence in front of the Capitol on Thursday, the day after Trump supporters occupied the building. [Stephanie Keith / Reuters](#)

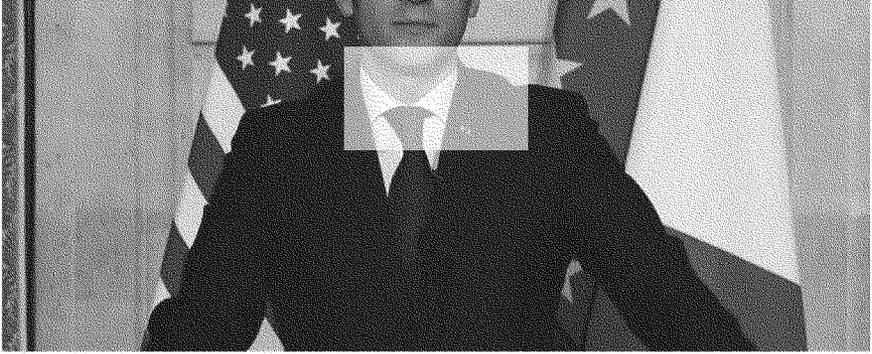
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Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol

Foreign governments react to Capitol riots with alarm



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NBC News

8d ago / 4:26 AM EST

Trump says 'there will be an orderly transition on January 20th'

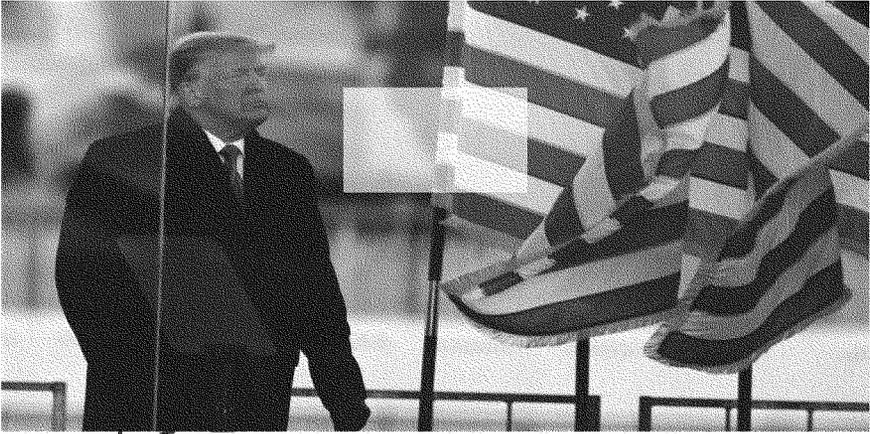
President Donald Trump early Thursday said there would be "an orderly transition on January 20th."

The president released the statement through the White House minutes after Congress confirmed President-elect Joe Biden's win.

In his statement, the president again made false claims about the outcome of the election but said that this month will bring to end "the greatest first term in presidential history."

[Read the full story here.](#)

Trump: 'There will be an orderly transition on January 20'



Doha Madani

8d ago / 4:09 AM EST

Congress confirms Joe Biden's Electoral College win

Early Thursday, Congress finished counting the Electoral College votes and confirmed President-elect Joe Biden's win after a chaotic day that resulted in four deaths and forced lawmakers to evacuate the Capitol.

Despite the disruption and objections from Republicans to election results in Arizona and Pennsylvania, members of the House and the Senate were able to certify the Electoral College more than 14 hours after the process began.

Biden is scheduled to be inaugurated as the 46th president on Jan. 20.

[Congress confirms Biden and Harris Electoral College win](#)

1/15/2021

Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol



Doha Madani

8d ago / 3:14 AM EST

Pennsylvania objection fails in the House

The objection to Pennsylvania's Electoral College votes failed in the House, moving the counting process along after a series of delays during what was previously thought of as a simply ceremonial event.

A total of 138 House members voted to sustain the objection, and 282 members opposed the motion.

While the Senate decided to forgo any discussion on the objection before voting to strike the motion, House members engaged in two hours of debate. Legislators from both chambers can now resume their joint session and finish counting the Electoral College votes.

Senate Majority Leader Mitch McConnell, R-Ky., previously said he did not expect any more votes for the evening.

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8d ago / 3:07 AM EST

Oregon's Merkley shows damage to Senate office

The trail of destruction and looting. What happened today was an assault by the domestic terrorists who stormed the Capitol, but it was also an assault on our constitution.

[sound on] pic.twitter.com/BrELF7cMz1

– Senator Jeff Merkley (@SenJeffMerkley) January 7, 2021

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NBC News

8d ago / 2:14 AM EST

Capitol Complex declared all-clear

Early Thursday morning, Capitol Police declared the Capitol Complex all clear.

A notice was sent to congressional staff about 1:15 a.m. indicating that officials had cleared the security threat after a mob stormed the Capitol on Wednesday afternoon.

The official notice indicating that normal operations could resume came as the House debated objections to the election results in Pennsylvania.

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8d ago / 1:11 AM EST

Rep. Grace Meng on being barricaded in the Capitol: 'I texted everyone I loved'

Rep. Grace Meng on being barricaded in the Capitol: 'I texted everyone I loved'

1/15/2021

Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol

**Doha Madani**

8d ago / 1:38 AM EST

Pennsylvania objection fails in the Senate with no debate

Senators chose to skip all debate and immediately voted to strike down an objection to Pennsylvania's Electoral College certification early Thursday.

Only seven senators voted to sustain the objection, while 92 opposed the motion.

The objection, raised by Rep. Scott Perry, R-Pa., and co-signed by Sen. Josh Hawley, R-Mo., came after no senators co-signed objections to three other states' votes.

Hawley and Sen. Ted Cruz, R-Texas, both voted to sustain the objection. Sens. Tommy Tuberville of Alabama, Cindy Hyde-Smith of Mississippi, Rick Scott of Florida, Cynthia Lummis of Wyoming and Roger Marshall of Kansas also voted in favor of the objection.

Members of the House continue to debate before voting on the objection.

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Doha Madani

<https://www.nbcnews.com/politics/congress/blog/electoral-college-certification-updates-n1252864>

7/9

Hawley objects to Pennsylvania certification

Sen. Josh Hawley, R-Mo., joined Republican House members in objecting to Pennsylvania's Electoral College certification, forcing the congressional chambers to split into individual sessions.

Although senators withdrew their objections for Georgia, Michigan and Nevada, Hawley co-signed the opposition to Pennsylvania, as he had told his fellow lawmakers he planned to do when the Senate reconvened earlier in the evening. But Hawley also said he intended to yield his time in the two-hour debate.

It's unclear how long each chamber will debate the objection before moving to a vote.

Congressional rules say any objection to an Electoral College ballot certification must be signed by both a senator and a member of the House. Rep. Scott Perry, R-Pa., joined Hawley's challenge.

Hawley makes claim about legality of vote in Pennsylvania



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Police Officer Who Responded to Capitol Riot Dies Off Duty

[nytimes.com/2021/01/10/us/politics/capitol-police-howard-liebengood-dies.html](https://www.nytimes.com/2021/01/10/us/politics/capitol-police-howard-liebengood-dies.html)

January 10, 2021



WASHINGTON — Four days after a violent mob stormed the Capitol, overrunning its police force, an officer who was assigned to protect the Senate during the siege died off duty, the Capitol Police announced on Sunday.

The Capitol Police union said that Officer Howard Liebengood, a 15-year veteran of the force, “was among the officers who responded to the rioting at the U.S. Capitol” on Wednesday, when insurrectionists incited by President Trump attacked the seat of American government.

“We extend our deepest sympathies to Officer Liebengood’s family, and we mourn the death of a friend and colleague who worked alongside us to protect the lives of the members of Congress, their staff and all who serve at the U.S. Capitol,” the statement from the union said.

Officer Liebengood, 51, had been a Capitol Police officer since 2005 and was assigned to the agency’s Senate division. His father, who shared his name, served as the sergeant-at-arms, the chief security official, of the Senate from 1981 to 1983. Officer Liebengood is the second Capitol Police officer to die in the aftermath of the riot.

In a statement on Sunday, the Capitol Police said only that Officer Liebengood’s death took place “off duty,” but did not provide the cause or answer further questions.

His family also declined to comment, releasing a statement through their lawyer, Barry J. Pollack: “Mr. Liebengood’s family members wish to grieve privately as they mourn the sudden and heartbreaking loss of Howard Liebengood. He will be sorely missed.”

“We are reeling from the death of Officer Liebengood,” said Gus Papathanasiou, the chairman of the union. “Every Capitol Police officer puts the security of others before their own safety, and Officer Liebengood was an example of the selfless service that is the hallmark of U.S.C.P. This is a tragic day.”

The news rocked the force days after another officer, Brian D. Sicknick, died on Thursday of injuries he sustained when he engaged with the mob that attacked the Capitol. At least four civilians have died in connection with the siege.

Lawmakers have demanded investigations and accountability based on arguably the most significant security failure in decades. The chief of the Capitol Police, as well as the sergeants-at-arms of both the House and the Senate, have been fired or resigned.

“The U.S. Capitol Police just announced the tragic death of Officer Howard Liebengood — for whom I mourn,” Representative Dean Phillips, Democrat of Minnesota, wrote on Twitter on Sunday. “Our officers need more than gratitude. They need authentic, capable leadership and meaningful support, and I call on my colleagues to join me demanding it immediately.”

Speaker Nancy Pelosi also offered condolences in a statement that called Officer Liebengood “a patriot who dedicated his life to defending the Capitol and protecting all who serve, work in and visit this temple of our democracy.”

“His passing is a great tragedy that compounds the horror of this past week,” Ms. Pelosi said.

Ian Koski, a former aide to Senator Chris Coons, Democrat of Delaware, posted to Twitter a photo of Officer Liebengood smiling with a handful of cookies in December 2014.

“He was a real person and a good guy, and this is a terrible tragedy,” Mr. Koski wrote.

'Senate Being Locked Down': Inside a Harrowing Day at the Capitol

Three New York Times journalists were at the Capitol when it was breached. Here's how they experienced it.

By [Nicholas Fandos](#), [Erin Schaff](#) and [Emily Cochrane](#)

Jan. 7, 2021

WASHINGTON — Something was not right inside the Senate chamber.

Below the press balcony where I stood, looking down on the room like a fishbowl, Vice President Mike Pence had just been rushed out without explanation.

"We do have an emergency," bellowed a police officer with a neon sash who had appeared in the middle of the chamber. Officers and doorkeepers raced around, slamming and locking the immense wooden doors. There were panicked cries for senators to move further into the room.

Senator Mitt Romney, Republican of Utah, threw up his hands in exasperation.

"This is what you've gotten, guys," he yelled, referring to a dozen or so Republican colleagues who were challenging President-elect Joseph R. Biden Jr.'s victory, which Congress was meeting to affirm.

Now everything had ground to a halt and I had about 10 seconds to decide whether to run out or get locked in myself. I stayed, deciding I should keep my eyes on the senators I was there to cover, no matter what came next.

"Senate being locked down," I texted my editor.

One minute later: "This is frightening."

Senator Patrick Leahy, an avid amateur photographer, snapped a few frames. Senator Amy Klobuchar blurted out that shots might have been fired. A hush fell over the room and sirens wailed outside.

In an instant, Capitol Police officers began herding the lawmakers down into the well of the Senate and moving them out a back door.

"What about us?" someone near me yelled from the balcony. The police shouted for us to get to the basement.

I dashed to grab my laptop and plunged with a handful of reporters down three floors, where a lone officer held back a pair of doors leading to the Capitol Visitor Center, built after the Sept. 11, 2001, attacks as an underground fortress of sorts. It, too, had been breached.

Looking left, we saw a stream of senators snaking out ahead into the narrow subterranean tunnels that connect the sprawling Capitol campus.

1/11/2021

Inside the Harrowing Day When the Capitol Went Into Lockdown - The New York Times

There was Senator Mitch McConnell, 78, the majority leader and a polio survivor, practically being carried by his security detail, their hands beneath his arms to steady him as they hustled along. The body man for Senator Chuck Schumer of New York had a firm grasp on his suit behind his neck. Trying to keep the mood light, Senator Roy Blunt from my home state of Missouri teased that perhaps the interruption would speed up the debate.

When we came up above ground, we were in a space I knew well from years of work on Capitol Hill, but officers implored us not to share details of our location. We would be there for about four hours. Later, after the Capitol had been cleared and secured, we retraced our steps, along with staff aides who carried two mahogany boxes containing the Electoral College certificates.

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As Congress resumed its count and night turned to early morning, I found myself wandering alone through an eerily silent Capitol, studying the remains of an abandoned occupation. The ornate tiled floors, one of the building's treasures, were coated in a powdery residue of fire extinguishers and pepper spray.

The window entering the Speaker's Lobby, where I've spent hours cornering lawmakers was shattered. Benches were upturned. Soft drinks littered the halls. On the first floor, I found a handful of syringes and a defibrillator spent on someone — I wondered who — and left behind. —*Nicholas Fandos, congressional reporter*



Trump loyalists incited by President Trump storming into the Capitol building on Wednesday during a joint session of Congress convened to formally tally the results of the election. Erin Schaff/The New York Times

Facing a Mob and Police

I could hear protesters on the first floor of the Senate side of the Capitol, so I went downstairs, following the noise. They came up to the Ohio Clock Corridor just outside the chamber where senators were meeting, and were yelling that they wanted to get in. I was shocked they'd made it inside, and thought this would be the big moment of the day: a small group of protesters having breached the Capitol building.

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I was wrong.

I looked down the hall to the Rotunda and saw what looked like a hundred people running around, yelling and pulling around a podium. I took a bunch of photos and then went to the ceremonial doors to the Rotunda, where a single police officer guarded the door against a throng of hundreds outside.

The mob massed together and rushed the officer, forcing open the door, and people flooded in. I ran upstairs to be out of the way of the crowd, and to get a better vantage point to document what was happening. Suddenly, two or three men in black surrounded me and demanded to know who I worked for.

The Capitol was placed on lockdown on Wednesday after hundreds of extremist protesters swarmed in. Erin Schaff/The New York Times

Grabbing my press pass, they saw that my ID said The New York Times and became really angry. They threw me to the floor, trying to take my cameras. I started screaming for help as loudly as I could. No one came. People just watched. At this point, I thought I could be killed and no one would stop them. They ripped one of my cameras away from me, broke a lens on the other and ran away.

After that I was hyperventilating, unsure of what to do. I knew I needed to get away from the mob and hide my broken camera so I wouldn't be targeted again. I ran into Speaker Nancy Pelosi's suite, but people were vandalizing her office, so I kept moving. Walking out to her balcony facing west toward the National Mall, I saw a mass of people covering the inaugural stage. I found a spot to hide my camera in there, then stood watching the crowd from the balcony and filming from my phone, which was all I had left.

"This will be the start of a civil war revolution," a man next to me said.

At that point, the Capitol Police had started deploying pepper spray or tear gas, and I knew I needed to find a place to hide. I didn't know where I could go since I no longer had my congressional credentials. I ran to the third floor, opened the first door I saw and hid in a hallway. I called my husband, who told me to stay calm and find a safer spot.

But then the police found me. I told them that I was a photojournalist and that my pass had been stolen, but they didn't believe me. They drew their guns, pointed them and yelled at me to get down on my hands and knees. As I lay on the ground, two other photojournalists came into the hall and started shouting "She's a journalist!"

The officers told us it wasn't safe to leave, and helped us find a room to barricade ourselves in. The two other photographers grabbed my hands and told me it would be OK, and to stay with them so they could vouch for me. I'll never forget their kindness in that moment. —*Erin Schaff, staff photographer*

Sheltering in the House

A little after 2:15 p.m., aides in the House chamber began quietly warning us to prepare to take shelter. I thought about how stupid I was to have left my bag at my desk on the opposite end of the Capitol, and asked to borrow someone's computer charger just in case.

I watched as a security detail rushed Representative Steny Hoyer of Maryland, the majority leader, off the floor along with other members of leadership. Police officers began to shut the gallery doors.

"We now have individuals that have breached the Capitol building," said a Capitol Police officer who had stepped up to the rostrum. Remain inside and calm, he instructed.

I just kept updating my story, needing something to keep me distracted. Lawmakers were yelling. It didn't feel real.

Tear gas had been deployed in the Rotunda, an officer said, and everyone needed to grab an emergency hood from under his or her chair and prepare to put it on.

Suddenly, it seemed as if every lawmaker had a duffel bag in hand, pulling out aluminum bags and emergency hoods, and staff members were distributing them out to reporters.

You could hear banging outside, so I crouched behind a desk, the reality of the chamber being breached sinking in. I ripped at the bag, struggling to pull out the hood, a sort of hybrid gas mask with a tarp, which made a loud whirring noise and had a flashing red light. I peeked over the desk and could see Representative Ruben Gallego, Democrat of Arizona and a veteran, jacketless, standing on a chair and yelling instructions on how to use the masks.

People banged on glass windows, crowds charged past the front columns, and others used poles to batter an entrance to the building on Wednesday. Erin Schaff/The New York Times

Officers hauled a huge wooden chest as a makeshift barricade in front of the main doors to the House chamber — the ones Vice President Mike Pence had just walked through, the ones through which they had carried the chests with the elector certificates. The floor was empty, except for staff aides yelling at everyone in the gallery to get out.

I grabbed my laptop, my phone and this whirring hood, clutched it all to my chest, and clambered up to the back of the gallery where a line was forming to leave the chamber. There was a banister separating the area into sections and we struggled to climb over. What's faster? Ducking under? Climbing over? As I plotted my escape, I heard shouts of "Get down!" Everyone dropped to the floor.

Face down behind an auditorium chair, I could see a few officers with guns drawn at the barricaded chamber doors. Representative Markwayne Mullin, Republican of Oklahoma, was trying to reason with whomever was banging on the door. I started thinking about how I really wasn't shielded behind this chair. Was it worth scuttling down a few steps to see if the TV equipment provided more cover? But then would I be more exposed if people started shooting? I stayed put.

I sent a few "I love you" texts, otherwise frozen on the ground. I didn't know what might happen. I just wanted them to know. —*Emily Cochrane, congressional reporter*

Newhouse Statement on Impeachment

newhouse.house.gov/media-center/press-releases/newhouse-statement-impeachment

January 13, 2021



January 13, 2021

Press Release

WASHINGTON, D.C. – Today, Rep. Dan Newhouse (R-WA) released the following statement:

“Last week, hateful and un-American extremists stormed the U.S. Capitol, attacking both the structural embodiment of our Republic and the values we promote as citizens of this great nation. This violent mob, intent on disturbing the constitutional duties of Congress, resulted in the tragic loss of American lives, including a U.S. Capitol Police officer. The mob was inflamed by the language and misinformation of the President of the United States.

This is a pivotal and solemn moment in our country's history. I wholeheartedly believe our nation – and the system of government it was founded upon – may well be in jeopardy if we do not rise to this occasion. This is not a decision I take lightly.

Turning a blind eye to this brutal assault on our Republic is not an option.

A vote against this impeachment is a vote to validate the unacceptable violence we witnessed in our nation's capital. It is also a vote to condone President Trump's inaction. He did not strongly condemn the attack nor did he call in reinforcements when our officers were overwhelmed. Our country needed a leader, and President Trump failed to fulfill his oath of office.

I will vote yes on the articles of impeachment.”

The Trump Administration Officials Who Resigned Over Capitol Violence

 [nytimes.com/article/trump-resignations.html](https://www.nytimes.com/article/trump-resignations.html)



[Follow our [live news coverage on the protests at the Capitol and across the country.](#)]

Several Trump administration officials have announced that they are resigning after a mob of [Trump](#) supporters stormed the Capitol on Wednesday, temporarily disrupting Congress as it was certifying Joseph R. Biden Jr.'s Electoral College victory.

The officials included those in prominent positions in the White House, and staff members who have been working in the Trump administration since the beginning of the president's term, in 2017. Some of the resignations came hours after President Trump [openly encouraged his supporters to go to the Capitol](#) to protest what he has falsely claimed was a stolen election. The moves are being made with less than two weeks remaining in Mr. Trump's term.

Here is a list of the administration officials who have resigned.

Education secretary

Betsy DeVos

Ms. DeVos, the education secretary, submitted a letter of resignation to President Trump on Thursday, [saying she would step down on Friday](#).

In the letter, Ms. DeVos called the mob that disrupted Congress as it was certifying the election results on Wednesday “unconscionable for our country.”

“There is no mistaking the impact your rhetoric had on the situation, and it is the inflection point for me,” she wrote.

With her letter, Ms. DeVos became the second cabinet member to announce plans to resign after violent protesters overwhelmed the police and stormed through the Capitol.

A billionaire Republican donor, Ms. DeVos was confirmed as education secretary in February 2017 with a tiebreaking vote in the Senate from Vice President Mike Pence.

Image



Transportation Secretary Elaine Chao last year.Credit...Andrew Harnik/Associated Press

Transportation secretary

Elaine Chao

Ms. Chao, the transportation secretary, announced her resignation on Twitter on Thursday, becoming the first cabinet member to do so. The unrest at the Capitol, she wrote, “deeply troubled me in a way that I simply cannot set aside.” Ms. Chao, who is married to Senator Mitch McConnell of Kentucky, the majority leader, said that her resignation would take effect on Monday.

Image

Mick Mulvaney resigned from his post as special envoy to Northern Ireland on Wednesday night.Credit...Patrick Semansky/Associated Press

Special envoy to Northern Ireland and former White House chief of staff

Mick Mulvaney

Mr. Mulvaney, Mr. Trump's former acting chief of staff, resigned as special envoy to Northern Ireland on Wednesday night, saying he "can't stay" after watching the president encourage the mob that overtook the Capitol complex.

In an interview with CNBC Thursday morning, Mr. Mulvaney said he had called Secretary of State Mike Pompeo on Wednesday night and told him: "I can't do it. I can't stay."

Mr. Mulvaney praised administration officials who had defended Mr. Pence, who oversaw the tallying of the votes that certified Mr. Biden's victory despite pressure from Mr. Trump. Mr. Mulvaney said he anticipated that there would be more resignations. "Those who choose to stay, and I have talked with some of them, are choosing to stay because they're worried the president might put someone worse in," he said.

On Wednesday afternoon, Mr. Mulvaney, who was named acting chief of staff in 2018, wrote on Twitter: "The President's tweet is not enough. He can stop this now and needs to do exactly that. Tell these folks to go home."

Image

Matthew Pottinger had been Mr. Trump's deputy national security adviser since 2019.Credit...Andrew Harnik/Associated Press

deputy national security adviser

Matthew Pottinger

Mr. Pottinger has been Mr. Trump's deputy national security adviser since 2019. He was formerly the administration's Asia director on the National Security Council, and was known for his on-the-ground experience in China, where he advised Mr. Trump during his meeting with President Xi Jinping in 2017. Mr. Pottinger has resigned, a person familiar with the events said on Thursday.

Image

John Costello, one of the country's most senior cybersecurity officials, resigned Wednesday.Credit...Cyberspace Solarium Commission

deputy assistant secretary at the Commerce Department

John Costello

Mr. Costello, one of the country's most senior cybersecurity officials, resigned on Wednesday, telling associates that the violence on Capitol Hill was his "breaking point" and, he hoped, "a wake-up call."

Image

Tyler Goodspeed, top row left, resigned on Thursday.Credit...Evan Vucci/Associated Press

White House Council of Economic Advisers acting chairman

Tyler Goodspeed

Mr. Goodspeed, the acting chairman of the White House Council of Economic Advisers, resigned on Thursday, citing Mr. Trump's incitement of the mob that stormed the Capitol. "The events of yesterday made my position no longer tenable," he said in an interview, after informing the White House chief of staff, Mark Meadows, of his decision.

Image

Stephanie Grisham, left, the chief of staff to Melania Trump, submitted her resignation on Wednesday. She is a former White House press secretary.Credit...Al Drago for The New York Times

First lady's chief of staff

Stephanie Grisham

Ms. Grisham, the former White House press secretary who served as chief of staff to Melania Trump, the first lady, submitted her resignation on Wednesday after the violence at the Capitol. She had worked for the Trumps since the 2016 campaign and was one of their longest-serving aides.

Image

Rickie Niceta, left, social secretary to the first lady, with other members of Mrs. Trump's team, resigned on Wednesday.Credit...Doug Mills/The New York Times

social secretary

Rickie Niceta

Melania Trump chose Ms. Niceta, a former Washington event planner who helped coordinate Mr. Trump's inaugural celebrations, as her social secretary in 2017. Ms. Niceta has said she was resigning, according to an administration official familiar with her plans who was not authorized to speak publicly.

Image

Sarah Matthews, deputy White House press secretary, resigned on Wednesday.Credit...Pool photo by Al Drago/EPA, via Shutterstock

deputy White House press secretary

Sarah Matthews

Ms. Matthews, a deputy White House press secretary, submitted her resignation on Wednesday, saying in a statement that she was “deeply disturbed by what I saw today.”

Image

Elinore F. McCance-Katz, assistant secretary for mental health and substance use, announced her resignation on Thursday.Credit...Pool photo by Pete Marovich

Assistant Secretary at the Department of Health and Human Services

Elinore F. McCance-Katz

Dr. McCance-Katz, who served as assistant secretary for mental health and substance abuse, announced her resignation on Thursday, citing the “violent takeover of the Capitol building.”

“I believe that this behavior was totally unacceptable and, in my own heart, I simply am not able to continue,” she said in a statement. “I believe that we are given certain life situations where we must make the difficult decisions and we get one chance to do it the right way.”

Image

Assistant Attorney General Eric Dreiband, back row, third from right, announced he would resign effective Friday.Credit...Leah Millis/Reuters

assistant attorney general

Eric S. Dreiband

Mr. Dreiband, who led the Justice Department’s civil rights division since 2018, announced he would resign effective Friday in a lengthy statement calling out “illegal bigotry” and “hate-motivated violence.”

“Our Constitution and civil rights laws embody the ideals that all persons have worth, and are entitled to equal justice, respect, decency, peace and safety,” Mr. Dreiband said. “It is the duty of government to secure these rights, and it is the duty of the civil rights division to protect all people in this nation against any violation of these rights, including hate-motivated violence, exploitation, unlawful discrimination and bigotry.”

Additional national security officials

On Friday, officials confirmed that five National Security Council officials had resigned over the past few days.

The officials were Rob Greenway, senior director for Middle Eastern and North African affairs; Anthony Ruggiero, senior director for weapons of mass destruction and biodefense; Ryan Tully, senior director for European and Russian affairs; Mark Vandroff, senior director

for defense policy; and Erin Walsh, senior director for African affairs.

Reporting was contributed by Maggie Haberman, Annie Karni, Christine Hauser, Michael Crowley and Michael Levenson.

Politics & Policy

I Testified at Trump's Last Impeachment. Impeach Him Again.

The insurrection at the U.S. Capitol is exactly why Trump should have been removed from office a year ago.

By [Noah Feldman](#)

January 7, 2021, 12:00 PM EST



A building wasn't the only thing damaged yesterday. *Photographer: Bloomberg*

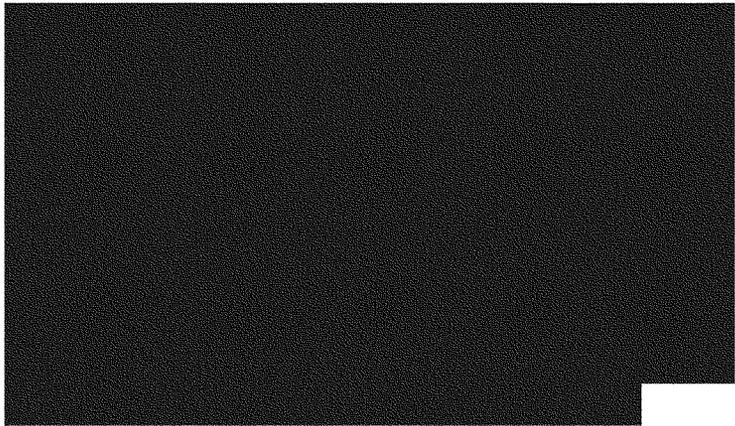
It's perfectly logical to call for the immediate impeachment and removal of President Donald Trump for inciting a mob to storm the U.S. Capitol and interrupt the process of declaring Joe Biden president. Attempting to interfere with the democratic process counts as a high crime and misdemeanor under the Constitution.

But I would like to remind us all that the time to remove Trump was a year ago, when he actually was impeached – precisely for attempting to corrupt the 2020 election. What Trump did on

January 6, 2021, was no more impeachable than what he did on July 25, 2019, when he phoned Ukraine's Volodymyr Zelensky and asked him to discredit Biden.

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Video

Which distortion of democracy is worse? Trying to steal an election secretly, in advance, or publicly inciting the interruption of a largely ceremonial process after the fact? The former could have changed the outcome of the 2020 vote. The latter had essentially zero chance of blocking Biden's ascent.

The Ukraine call was a serious and corrupt effort to misuse the office of the presidency to retain power. It was election cheating, no more and no less. Trump's highly public post-election conduct, including yesterday's incitement, has been repugnant and damaging, but it has not been a realistic plan to abuse the presidency to remain in power.

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Watching the news yesterday, I was reminded of the phrase often used by artist Jenny Holzer: "Abuse of power comes as no surprise." What Trump did on January 6 was part of a totalizing course of abuse of power that went back at least a year and a half to the conduct for which he was impeached by the House of Representatives – and, scandalously, not convicted by the Senate. The Ukraine call was an abuse of the power of the presidency. So was the incitement.

Trump was never prepared to lose a free and fair election, not to Biden, and not to anyone. His plan, however, was not to flail his way through a series of increasingly pathetic post-election efforts to delegitimize the vote. His plan was to win by secret corruption and chicanery – then to laud the democratic process that would have elected him in apparent legitimacy.

Back in the summer of 2019, Covid-19 wasn't yet on the horizon. The economy was going strong. Trump had a reasonable prospect of beating whatever Democratic candidate emerged from the primary process. Just about the only Democrat who worried Trump's camp was Biden, who at the time wasn't close to the top of the large Democratic field of challengers.

But Trump didn't want to take a chance on a fair fight with Biden. That was why he pressured Zelensky to announce corruption investigations into Biden and his son Hunter. Only when the July 25 call became public – after efforts to suppress it – did Trump claim that the call was "perfect." His intent from the start was to keep secret his attempts to distort the 2020 election and keep himself in office.

His defense – that the call was business as usual and not a high crime and misdemeanor – was promoted outrageously by Republican members of the House and Senate. But that argument was always a fall-back, post-hoc attempt to justify the crime of interfering with the electoral process.

If Trump had succeeded secretly in bringing down Joe Biden back in 2019 by means of the Ukraine corruption charges, as he tried to, it seems entirely possible that he'd have won the 2020 election, Covid or no Covid.

It's no coincidence that so many members of Congress who justified Trump's conduct then are the ones endorsing his post-election lies now. In both instances, these allies have been willing to enable the president's efforts to corrupt the democratic process.

Trump's 2019 conduct merited impeachment and removal because of the basic threat it posed to the integrity of the 2020 election. That's what the articles of impeachment passed by the House said, and it's what I and other witnesses testified before the House.

Interfering after the fact is also an attempt by Trump to corrupt the 2020 election. It also counts as a high crime and misdemeanor and merits impeachment and removal. It doesn't matter that Trump did it in public. It doesn't matter that Trump and the mob had little or no realistic chance of blocking Biden from becoming president.

It does matter, constitutionally and historically, that we had every reason to know this was coming. It does matter that Trump actually was impeached. And it matters that the Senate did not remove him – because that “judgment” invited precisely what we saw yesterday: the president inciting his supporters to violently invade the U.S. Capitol.

History will remember these events as intimately connected. It should hold to account the Republican senators who voted not to remove Trump at his trial – and then professed to be shocked when he once again sought to corrupt election results, this time in the public eye.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

To contact the author of this story:

Noah Feldman at nfeldman7@bloomberg.net

To contact the editor responsible for this story:

Sarah Green Carmichael at sgreencarmic@bloomberg.net

Noah Feldman is a Bloomberg Opinion columnist and host of the podcast “Deep Background.” He is a professor of law at Harvard University and was a clerk to U.S. Supreme Court Justice David Souter. His books include “The Three Lives of James Madison: Genius, Partisan, President.”

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The Washington Post

Democracy Dies in Darkness

The riot happened because the Senate acquitted Trump

The impeachment trial was a missed chance to stop the president's abusive behavior.

By **Norman Eisen**

Norman Eisen was a special counsel for the House Judiciary Committee for the impeachment and trial of Donald Trump. He is a senior fellow at Brookings, counsel for the Voter Protection Program and author of "A Case for the American People."

Jan. 8, 2021 at 1:17 p.m. EST



There was a terrible paradox in the images of Republican members of Congress driven into safe rooms by insurrectionists whom President Trump had whipped into a frenzy. As a lawyer for the Democratic House managers at Trump's impeachment and trial, I sat on the floor of the House and the Senate as these same lawmakers refused to hold him accountable, knowingly unleashing the storm that swept over them, their Democratic colleagues and the nation on Wednesday. Impeachment manager Jerrold Nadler (D-N.Y.), the House Judiciary Committee chairman, had warned them: "President Trump has made clear in word and deed that he will persist in such conduct if he is not removed from power. He poses a continuing threat to our nation, to the integrity of our elections and to our democratic order. He must not remain in power one moment longer."

This last week's events — and indeed all the president's abuses during this election cycle and the last year — are a consequence of their refusal to convict him in his impeachment trial. With the sole exception of Sen. Mitt Romney (Utah), not a single Republican in the Senate or the House would recognize the threat then. On the contrary. Sen. Susan Collins (Maine) went so far as to say: "I believe that the president has learned from this case. The president has been impeached. That's a pretty big lesson."

Yes, Trump did learn a lesson: He learned that he can abuse his power and obstruct the investigation of that abuse, and get away unscathed to commit more high crimes and misdemeanors. Abuse and obstruction were, of course, the two high crimes for which we prosecuted Trump in the Ukraine matter. The first article of impeachment laid out the abuse. It consisted of his pressure campaign on Ukraine to attack his most-feared opponent in the presidential race, Joe Biden, including the infamous July 2019 call to President Volodymyr Zelensky: "I would like you to do us a favor though." The obstruction consisted of his attempts to hide that wrongdoing. We pointed out too that these were not isolated incidents, but only the latest episodes in a recurring pattern of abuse and obstruction that had been documented by special counsel Robert Mueller.

Trump followed an identical pattern in his post-election assault on American democracy, culminating in another plea to another elected official to try to undermine Biden yet again. On Jan. 2, he called Georgia Secretary of State Brad Raffensperger and tried to use the power of the presidency to pressure the secretary to "find 11,780 votes" and to "get this thing straightened out fast." The president of the United States also suggested that not doing so would be "a

was being strengthened out last. The president of the United States also suggested that not doing so would be a criminal offense” and a “big risk to you” and to “your lawyer.”

As with Ukraine, when the president was caught in the act, he pivoted to more obstruction. Echoing his pronouncement that the Zelensky call was “perfect,” he declared that he had done nothing wrong in talking to Raffensperger and that “everyone loved my phone call.” He wrapped that lie in layers of other prevarications about supposed Georgia electoral wrongdoing — like his claim that he had hundreds of thousands of additional votes. His allegations were baseless.

The 62-minute call and its aftermath were constitutional high crimes and misdemeanors — and probably statutory crimes as well. They came to us courtesy of the Republicans who failed to stop Trump a year ago when they could. The call is evidence that the president and his allies may have been working to overthrow a lawful and democratic election, thereby threatening the rights of Georgia voters. If that is not an abuse of power, nothing is.

Moreover, it is a federal statutory felony if “a person . . . in any election for Federal office . . . knowingly and willfully . . . attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by . . . the . . . tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held.” This statute makes it clear that any Trump-sponsored search-and-rescue party for nonexistent votes — for example, 11,780 votes in Georgia — could constitute a crime in and of itself. Other federal and state crimes, such as extortion, may also have occurred in that call.

When the call failed, with Raffensperger rebuffing him, Trump turned to his last refuge and his latest high crime and misdemeanor: inciting his mob. They were his hardest-core supporters, urged by his Twitter feed to come to Washington. He urged them, “Be there, will be wild!” And when they gathered, he exhorted them to march on the Capitol and said, “If you don’t fight like hell you’re not going to have a country anymore.”

Every Republican member of Congress who failed to impeach, convict and remove him bears some responsibility for what happened next. True, there are gradations of responsibility. By then some of Trump’s support in his party had finally dropped away; Majority Leader Mitch McConnell (Ky.) and other senators had at last had enough. But a handful of senators led by Sens. Ted Cruz (R-Tex.) and Josh Hawley (R-Mo.), all of whom had voted to acquit on impeachment, doubled down. They picked up his false claims and drove them forward, joining about 140 of their peers in the House in announcing plans to object, baselessly, to the electoral slates from up to six states, all of which Biden won.

The Trump-stimulated chaos driving all those lawmakers from their seats and into hiding was equally the president’s fault and their own. The scenes are now etched in America’s historical consciousness: the violent mob storming the Capitol; the smashed windows; the sacred spaces invaded; the rioters posing for selfies in their camouflage gear and cultish outfits. There were dozens of injuries and, tragically, the deaths of one rioter, one Capitol Police officer and three other Trump supporters participating in the day’s protests.

Nothing would have horrified the framers of the Constitution more than a president inciting an attack against his own Congress. It was a paradigmatic abuse of power, and with it — inevitably — came the obstruction of the truth. The old pattern. Trump’s remarks to his mob that day to stand down maintained the hateful fiction that had driven them to such extremes, as he repeated the fantasy that he, in fact, had won the presidential election, that it was stolen from him. He told his mob “we love you,” even in the face of their violence.

Does the fact that impeachment a year ago opened the door to all of this mean it was a failure? Does it signify that the institution of impeachment no longer works — if it ever did? With Congress and the nation now deliberating a possible

emergency impeachment, that question is more important than ever.

The answer: Of course not. The failure of Republicans to do the right thing, or of Trump to learn a lesson, does not mean impeachment is a failure — neither his particular impeachment nor the institution. On the contrary, I believe that impeachment helped awaken Americans to just whom they were dealing with. Day after day of hearings in the House, the drama of passing the articles and then the trial in the Senate taught the country who Trump was. And its citizens delivered the final verdict on all his misconduct in turning him out of office. What the Republicans failed to do in impeachment, the American people did at the ballot box.

And that shows the power and relevance of the institution. If, as it appears, there will be no invocation of the 25th Amendment to remove the danger of Trump in these waning days of his presidency, Congress is well advised to take a hard look at the remedy we tried. If it is tried again, and it fails again, will that make Trump's behavior any worse? And while we were not successful in convincing McConnell or almost any of his colleagues of the virtue of our first effort, perhaps they have learned a lesson from the last year, even if the president has not.

Twitter: @NormEisen

Updated January 7, 2021

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North Texan Jenna Ryan Tells CBS 11 She Deserves Pardon After Arrest For Alleged Role In Capitol Riot

dfw.cbslocal.com/2021/01/15/texan-jenna-ryan-cbs-11-hoping-pardon-arrest-riot-capitol/

January 15, 2021



CARROLLTON, Texas (CBSDFW.COM) – North Texas realtor Jenna Ryan, who was seen in photos and video at the U.S. Capitol during the Jan. 6 riot, arrived home Friday, Jan. 15 after turning herself in to authorities earlier in the day.

“It was a very strange experience to be arrested by the FBI,” she told CBS 11 outside home. “They’re very professional and it was a very strange feeling. I have a lot of faith in God and I was just praising him and praying and I was just knowing God would take care of me in this situation.”

The FBI had executed a search warrant at Ryan’s home in Carrollton a short time earlier.

Ryan, who took a private plane to Washington D.C. on the day of the riot, faces charges of knowingly entering or remaining in a restricted building or grounds without lawful authority and disorderly conduct on Capitol grounds.

“I just want people to know I’m a normal person. That I listen to my president who told me to go to the Capitol. That I was displaying my patriotism while I was there and I was just protesting and I wasn’t trying to do anything violent and I didn’t realize there was actually

violence,” Ryan said. “I’d just like to apologize for all of the families that are affected by any of the negative environment and I’d just like to say I really love people and I am not a villain that a lot of people would make me out to be, or people think I am, because I was a Trump supporter at the Capitol.”

Ryan told CBS 11 she would like President Trump to pardon her.

“I think we all deserve a pardon. I’m facing a prison sentence. I think I do not deserve that and from what I understand, every person is going to be arrested that was there, so I think everyone deserves a pardon, so I would ask the President of the United States to give me a pardon.”

Ryan posted a picture of her posing outside of the building in front of a broken window with a caption that read, “”Window at the capital (sic). And if the news doesn’t stop lying about us we’re going to come after their studios next.”



Jenna Ryan (courtesy: Twitter)

“I don’t feel a sense of shame or guilty from my heart. I feel like I was basically following my president. I was following what we were called to do. He asked us to fly there. He asked us to be there. So I was doing what he asked us to do,” Ryan said. “I do feel a little wronged in this situation because I’m a real estate agent and this has taken my company. This has taken my business. I am being slandered all over the internet, all over the world and all over the news and I’m just like a normal person.”

Ryan is the second North Texas resident to be taken into custody for alleged involvement in the Capitol riot.

Air Force veteran and Grapevine resident [Larry Brock](#) was arrested last week after he was seen inside the Senate Chamber wearing body armor and holding zip ties.

WATCH EXCLUSIVE JENNA RYAN INTERVIEW HERE

HERE'S THE LATEST ON THE CAPITOL RIOT AND AFTERMATH FROM CBS NEWS

The FBI has opened about 300 cases against rioters who stormed the U.S. Capitol, as the investigation into the assault is expected to grow exponentially.

Now prosecutors are looking into whether there was coordination among people or groups within the mob, [@jeffpegueschs](#) reports pic.twitter.com/MZdBHoXWWP

— CBS Evening News (@CBSEveningNews) [January 16, 2021](#)

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Voter Protection Program

**“Objections” at the Joint
Session of Congress:
Countering the Lies**

JANUARY 6, 2021



The Voter Protection Program is a nonpartisan project that advances legal strategies and recommendations to protect the vote and make sure every vote is counted. We have a specific focus on the unique tools available to state attorneys general, governors, secretaries of state, and law enforcement officials. Our goal is to promote election integrity and ensure safe, fair, and secure elections. For more information: www.voterprotectionprogram.org.



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INTRODUCTION

During the January 6, 2021, Joint Session of Congress, President Trump's supporters in the House of Representatives and Senate have pledged to reject the electoral votes from several states based on claims of—or, more often, mere allusions to—fraud.

The allegations are meritless. They are either (1) entirely without basis, (2) reflect a profound ignorance of state election law and procedure, and/or (3) seek to argue that the results are unreliable simply because there is no way definitively to prove a negative, that is, that there was no fraud.

The allegations are also past their sell-by date. For two months, President Trump and his supporters have tested their theories in multiple courts of law, and they have ultimately lost every single time. When offered opportunities to present evidence, they have failed. That they remain muddled does not render the situation confusing: President Trump lost the election and nothing in the law or the facts can change the outcome.

Nevertheless, these myths continue to hold sway over some. So, in this guide we offer a state-by-state compendium of the falsehoods that have been circulating and attendant rebuttals. We do so to negate the deleterious effects of the president's ongoing public conspiracy mongering and the lies that we anticipate will be advanced at the Joint Session on January 6. The myths may persevere on the fringe, but we will continue to fight them. Americans can rest easy knowing they are false. The election was free, fair, and conclusive.



ARIZONA

1. Ballot Duplication Errors

Myth:

Votes for Donald Trump were “flipped” to Joe Biden during the ballot duplication process in Maricopa County. During an inspection of a small sampling of ballots, there were several errors that took votes away from Donald Trump. If that “error rate” were applied to all the ballots cast in Maricopa County, Donald Trump would win the election.

Facts:

The Chair of the Arizona Republican Party, Kelli Ward, filed a lawsuit seeking to overturn the presidential election results, claiming that ballot “duplication” errors in Maricopa County led to votes for Donald Trump not being counted.

In Arizona, if a ballot is damaged or defective and cannot be read by the county’s tabulation machines, the ballot is sent to a bipartisan ballot duplication board. Duplication is also required for electronic ballots—ballots sent by uniformed or overseas voters. The duplication boards review the ballot and duplicate the voter’s choices onto a new ballot. The board has the option to use software that auto-populates the duplicated ballot based on a scanned image of the original ballot, then the board reviews the duplicated ballot and makes any necessary corrections to match the original ballot. The board also has the option to manually duplicate the ballot by filling in each vote bubble by hand. The duplicated ballot is then run through the county’s tabulation machines and counted. In total, Maricopa County duplicated 27,869 ballots in this election.

Ward’s lawsuit claimed that the duplication boards may have made errors when duplicating ballots because the duplication software was “highly inaccurate” and required the duplication boards or observers to “catch” errors. She requested a “reasonable inspection,” and the court allowed her to inspect a sampling of 1,626 duplicated ballots. During the inspection, the parties identified nine duplication errors. Six ballots originally cast for Trump had no vote or an overvote on the duplicated ballot (+6 for Trump), and two ballots originally cast for Biden had no vote or an overvote on the duplicate (+2 for Biden). One ballot had a vote for Trump, but the duplicated ballot was erroneously marked as a vote for Biden (+2 for Trump).

These duplication errors resulted in a net gain of six votes for Donald Trump (+8 for Trump, +2 for Biden), or an error rate of .37% in Trump’s favor. Even if this error rate from the small sample size were applied to the entire universe of duplicated ballots, Trump would net only 103 votes, which falls far short of Joe Biden’s 10,457-vote margin of victory in Arizona.

After a two-day evidentiary hearing, the trial court rejected Ward’s claims and upheld the election results in Arizona. The court found that these few duplication mistakes were innocent human errors, there was no evidence of fraud or misconduct, and the errors wouldn’t make a difference in the outcome of the election. Ward appealed, and the Arizona Supreme Court affirmed. All seven justices unanimously held that “the statistically negligible error presented in this case falls far short of warranting relief” in an election contest, and Ward failed “to present any evidence of ‘misconduct,’ ‘illegal votes’ or



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that the Biden Electors ‘did not in fact receive the highest number of votes for office,’ let alone establish any degree of fraud or a sufficient error rate that would undermine the certainty of the election results.”

2. Signature Verification

Myth:

Maricopa County did not let Republican poll observers stand close enough to properly observe election workers while they verified signatures on mail-in ballots. Because observers were unable to see the process up close, election workers may have counted ballots with fraudulent signatures. Without sufficient oversight, these officials may have allowed ineligible voters, or even “dead people” to vote by mail.

Facts:

Arizona has used mail-in voting for more than two decades. Before sending mail-in ballots to Arizona voters, election officials take multiple steps to ensure that the voter is properly registered to vote, still resides at the address listed on their voter registration records, and either requested an early ballot for this election or signed up for Arizona’s Permanent Early Voting List (“PEVL”). When county election officials receive a mail-in ballot, they review the ballot return envelope to make sure it is signed, then compare the signature to the signatures on file in the voter’s registration record. The purpose of the signature review process is to verify the voter’s identity.

Arizona law does not require county election officials to allow observers to watch the signature verification process, but Maricopa County allowed political party observers to do so in this election. In Kelli Ward’s lawsuit (described above) seeking to overturn the presidential election in Arizona, she claimed that Republican poll observers did not get to sufficiently observe Maricopa County’s signature verification process for mail-in ballots. These observers claimed that they were standing ten to twelve feet away and could not see the voters’ signatures, even when using “binoculars.”

Based on this alleged lack of observation access, Ward requested an “inspection” of mail-in ballots, and the court allowed an inspection of a sampling of 100 ballot return envelopes. Ward hired an expert witness to review the signatures on these 100 ballots to look for evidence of forgery. During the inspection, no one (including Ward’s expert) found any evidence of fraudulent signatures or any reason not to count the mail-in ballots. The Maricopa County Elections Director confirmed that all 100 signatures matched the signatures on file in the county’s voter registration records.

At the end of a two-day evidentiary hearing, the trial court rejected Ward’s claims about alleged insufficient “observation,” in part because Republican poll observers never raised the claim at a time when it could have been remedied, and instead waited until after Donald Trump lost the election. The court also found that Maricopa County election officials “faithfully” followed Arizona’s signature verification requirements, and there was no evidence of fraud or misconduct. On appeal, the Arizona Supreme Court unanimously affirmed and upheld Arizona’s election results.



3. Litigation Challenges

Myth:

Ongoing litigation alleges serious problems with Arizona's vote-count procedures, including regarding fraud and ballot duplication.

Facts:

Arizona courts have decisively rejected these claims of fraud and the supposed issues with the election. While it is true that a meritless petition for certiorari remains pending at the United States Supreme Court, the issues raised revolve around state law. Both the Arizona trial court and Arizona Supreme Court rejected the contest suit filed by Kelli Ward. The Arizona Supreme Court decided only state law issues, and in fact expressly held that it "need not decide" if the "federal 'safe harbor' deadline applies to this contest." The trial court held a hearing over two days and found her claims had no merit. The trial court found no fraud, no misconduct, and no illegal votes. The court entered an order "confirming" that President-Elect Biden had won the state's electoral votes. *See Ward v. Jackson*, No. CV2020-015285 (Ariz. Super. Ct., Maricopa Cnty. Dec. 4, 2020). The Arizona Supreme Court unanimously affirmed that ruling, finding that "the challenge fails to present any evidence of 'misconduct,' 'illegal votes' or that the Biden Electors 'did not in fact receive the highest number of votes for office,' let alone establish any degree of fraud or a sufficient error rate that would undermine the certainty of the election results." *Ward v. Jackson*, CV-20-0343-AP/EL, slip op. at 6 (Ariz. Dec. 8, 2020), *pet. for cert. filed*, No. 20-809 (U.S. Dec. 11, 2020).

Additionally, with respect to ballot duplication, it is reviewed by a two-person bipartisan ballot duplication board. An inspection of duplicated ballots revealed nine errors, which resulted in a net gain of only six votes for Donald Trump. Even if this "error rate" were applied in Trump's favor to the entire universe of duplicated ballots in Arizona, Trump would net only 103 votes, which falls far short of Joe Biden's 10,457-vote margin of victory in Arizona. The claim that ballot duplication errors could have affected "over four hundred fifty thousand ballots statewide" is false. There were only 27,869 total duplicated ballots in Maricopa County. As noted above, the inspection revealed only nine errors in those ballots, and the Arizona Supreme Court held that even if that error rate were applied to all duplicated ballots, it would not change the outcome of the election.

Moreover, just last night, the Arizona Supreme Court affirmed the dismissal of another meritless election contest that was filed in Pinal County—*Burk v. Ducey*, CV-20-0349-AP/EL (Ariz. Jan. 5, 2021). After "consider[ing] the record, the trial court's December 15, 2020 minute entry, and the briefing," a four-member panel of the Court, concluded that the "contest here failed" because the contestant "is not a qualified elector" and the contest "failed to file a timely contest that complied with the election challenge statutes." As a result of this ruling, there are no other election contests pending in an Arizona court.



GEORGIA

1. Georgia's signature verification process

A Georgia statute requires election officials to compare the signatures of absentee voters on absentee ballot envelopes to the voters' signatures on registration rolls and if the signatures do not match to reject the ballots, subject to voters' ability to cure their ballots.¹

In March 2020, pursuant to a settlement agreement, the Secretary of State agreed to require three voting registrars to participate in signature verification before an absentee ballot was rejected and to implement procedures to facilitate voters' ability to cure rejected signatures. The new signature verification regulation was implemented for the 2020 general election.

Myth:

- Objectors reportedly will claim that the settlement agreement unlawfully altered the statutorily prescribed process for reviewing signatures, making it much more difficult to challenge signatures that appeared to be invalid.
- The Objectors have pointed to a lawsuit filed by Lin Wood which asserted that the settlement agreement is unconstitutional because the Secretary of State unilaterally altered Georgia election laws.² The Objectors claim that the lawsuit was dismissed by the lower court for largely procedural reasons but that a petition is pending before the Supreme Court.
- President Trump has suggested that a substantial decrease in the percentage of absentee ballots rejected in 2020 compared to 2018 demonstrates that the process failed to detect fraudulently cast ballots.

Facts:

Both federal and Georgia state courts have rejected the argument that the signature verification procedures adopted after the settlement agreement violate the law and upheld the validity of the procedure used for signature validation in the 2020 election.³

- The courts held that the Georgia statute on signature verification gave the Secretary authority to adopt implementing regulations and that the regulation issued by Secretary Brad Raffensperger pursuant to the settlement is consistent both with the statute and with constitutional requirements.⁴

¹ O.C.G.A. § 21-2-386(a).

² See *L. Lin Wood, Jr., v. Brad Raffensperger, et al.*, 1-20-cv-04651-SDG (N.D. Ga.).

³ See *Wood v. Raffensperger*, 2020 WL 6817513 (N.D. Ga. Nov. 20, 2020), *aff'd*, 2020 WL 7094866 (11th Cir. Dec. 5, 2020); *Trump v. Kemp*, 1:20-cv-05310 (N.D. Ga. Jan. 5, 2021); *Boland v. Raffensperger*, Dist. Ct. Fulton County, Docket No. 2020CV 343018, *aff'd*, Case no. S21M0565 (Ga., Dec. 14, 2020).

⁴ *Wood*, 2020 WL 6817513 at *10; *Trump*, 1:20-cv-05310 at *22-*25; *Boland*, No. 2020CV 343018 at 5 n. 3, 5-6.



- Steven Grimberg, a Trump-appointed federal district court judge in the Northern District of Georgia, dismissed the Lin Wood lawsuit in an opinion that fully addressed the merits of Wood's claims.⁵ In other words, the dismissal was not for largely procedural reasons, as Objectors will claim.
- The Trump-appointed judge found that requiring three registrars rather than one to examine signatures before rejecting a voter's ballot was not only permissible under the statute and the Constitution but was applied in a wholly uniform manner across the entire state and raised no equal protection or due process issues.⁶
- The opinion was unanimously affirmed by a panel of three federal appellate court judges, including a judge appointed by Trump and a judge appointed by President George W. Bush.⁷ While the plaintiff has asked the Supreme Court to review the case, there is no indication that the Court will do so. The plaintiff asked the Court to consider the case on an expedited basis so that it would be resolved before Georgia's runoff election on January 5 and before Congress met on January 6.⁸ The Court ignored the request.
- Both federal and state courts held that the signature verification process established pursuant to regulation resulted in "more thorough verification."⁹
- Both federal and the state courts concluded that the validly adopted regulation should be expected to result in fewer signature rejections not because it made it more difficult to challenge unlawfully cast ballots, but because it was designed to "reduce the number of lawful ballots that are improperly thrown out."¹⁰
- Trump-appointed Judge Grimberg found that "the percentage of absentee ballots rejected for missing or mismatched information and signature is the exact same for the 2018 election and the General Election" (.15%) despite the increase in the total number of absentee ballots submitted.¹¹

Moreover, courts rejected the argument that the process for matching signatures violated equal protection or due process rights, finding that the theory on which such arguments were based had been "squarely rejected."¹²

In upholding the validity of the signature verification procedure, Judge Grimberg noted that the settlement agreement had been publicly available and had been in effect for at least three elections prior to the November 2020 election.¹³ No party objected to the regulation before its adoption or its

⁵ *Wood*, 2020 WL 6817513 at *10.

⁶ *Id.* at *9 -*12.

⁷ *Wood v. Raffensperger*, 981 F.3d 1307, 1318 (11th Cir. 2020).

⁸ Motion for Expedited Consideration, *Wood v. Raffensperger*, No. 20-14418 (S. Ct.), filed Dec. 8, 2020.

⁹ *Boland*, No. 2020CV343018 at 5 n. 3; *Wood*, 2020 WL 6817513 at *10.

¹⁰ *Boland*, No. 2020CV343018 at 5 n. 3; *Wood*, 2020 WL 6817513 at *10.

¹¹ *Wood*, 2020 WL 6817513 at *10.

¹² *Id.* at *8-*9.

¹³ *Id.* at *7.



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implementation, during the 2020 primary election, or at any time prior to the November election. Only after the November election was this objection raised.¹⁴

2. Alleged unlawful votes in the Georgia election

Myth:

The Objectors point to an election contest filed by the Trump Campaign in the Fulton County Superior Court which alleges that numerous categories of people cast votes unlawfully, including:

- “As many as 2,560 felons with an uncompleted sentence.” (See Georgia contest, ¶ 61)
- 66,247 underage individuals. (¶ 64)
- 2,423 unregistered people. (¶ 67)
- 4,926 people who were registered to vote in both Georgia and another state. (¶¶ 73-81)
- 1,043 individuals who had illegally registered to vote using a postal office box as their habitation. (¶ 87)
- 8,718 dead people. (¶ 103)

Facts:

- The majority of these numbers were generated by two so-called “experts,” Matthew Braynard and Bryan Geels.
 - Braynard does not have the appropriate qualifications to issue expert testimony on these topics, he does not follow standard methodology in the relevant scientific field, and the survey underlying several of his opinions is fatally flawed. See Report of Prof. Stephen Ansolabehere for a thorough analysis of the flaws in Braynard’s methodology. (Other expert reports also rebutting these claims are available here at entry 62).
 - Geels, on the other hand, is prone to misinterpreting minor errors that he found. As MIT Professor Charles Stewart noted in his expert report: “The anomalies Mr. Geels uncovers are generally minor typographical and clerical errors that are neither signs of fraudulent behavior nor [of] lax control over election administration in the state.” (See Appendix A for Stewart’s expert report).
- The numbers of alleged unlawful votes were generated by cross-checking databases. Matching voters’ names from one database to entries in other databases (like change of address or death records) is highly unreliable, in part because different people with identical names and birth dates are not uncommon in large databases. Georgia’s voter registration database includes

¹⁴

Id.



about 7.7 million people. When it is cross-checked with databases containing hundreds of millions of datapoints, numerous mistaken matches are inevitable.

- As Ansolabehere notes, clerical errors, inconsistencies, and typographical errors in fields such as name, address, and date of birth can create significant errors in attempts to link records across different lists. This includes the example of linking a voter file to National Change of Address, telephone records, death registries, or across different states' voter files. Both false positives (matches that should not have occurred) and false negatives (matches that did not occur but should have) arise.¹⁵
- With the slap-dash sort of effort made by the so-called experts, small inconsistencies that are not in fact errors will result in false positives or false negatives. For example: how does such cross-checking account for someone who may be “Elizabeth” in one list but “Liz” in another? Or a name that appears with a “Jr.” in one list but not in another?
- The methodological flaws of the Braynard and Geels reports were so readily apparent that even basic spot checks revealed how error-filled the allegations were. During a hearing in the Georgia legislature, one state representative, Bee Nguyen, laid out what her quick [research](#) found:
 - Many of the so-called postal boxes which voters were alleged to have unlawfully registered as their habitation were actually the mail centers at large condo complexes.
 - Of the voters alleged to have voted in both Georgia and another state (the so-called “double voters”) Nguyen looked up the first 10 names on the list and found 8 of them listed in Georgia property records as residents. Taking another name from the list—a woman allegedly registered in Georgia and Arizona—she confirmed this person’s residence and voting record in Georgia, and she found another voter with the exact same name listed in the Arizona voter rolls, born in the same year but with a different birth date. She also identified another person on the list in a similar situation: voters had the same name but different birth dates. One of the names on the list of people who had allegedly voted in two states was a person who shared the same name with his father. The Georgian voted in Georgia. His father voted in Maryland. There was no cross-border voting.
- [Reporters](#) who have chased down the allegations also have found that they are riddled with errors.
 - For example, one of the so-called dead voters, “James Blalock,” was in fact his live widow, Mrs. James Blalock, voting while alive.
 - And the dead Linda Kesler did not vote. The live Lynda Kesler did.
 - Meanwhile Deborah Jean Christiansen, a Roswell, Georgia, resident who died in 2019 did not vote. Her voter registration was canceled in 2019, and the county did not mail her a ballot for the Nov. 3, 2020 election. But a different woman also named Deborah Jean

¹⁵ See Ansolabehere, [Response to Matthew Braynard Expert Report](#), at ¶ 32.



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Christiansen, who was born in the same year, did vote in Cobb County, Georgia, in 2020. However, that woman has a different birthday and social security number.

- The allegation that people under-17 were allowed to vote misunderstands Georgia [law](#) which allows 17-year-olds to pre-register to vote as long as they turn 18 by election day.

3. Election Observers

Myth:

- Objectors allege that certain Republican observers had a statutory right to observe the electoral process yet have claimed they were not permitted to be present or were prevented from effectively observing the process.
- Objectors also point to affidavits in which a handful of observers claim they observed ballots voted for Trump placed in stacks of ballots being counted for Biden or otherwise being mishandled.

Facts:

- The designation of poll watchers by political parties and establishment of procedures to permit them to observe the electoral process is the responsibility of each of the 159 counties in Georgia. There is no statewide monitoring of this function.
- Furthermore, in an election conducted in the midst of a pandemic, each of the 159 counties was required to balance the close presence of poll watchers to election workers against the requirements for social distancing essential for the protection of public health.
- Given the disparate circumstances existing in thousands of polling places in 159 counties and the absence of detailed statewide standards and monitoring, compounded by the difficulty of conducting an election in the midst of a pandemic, it would be surprising if some poll workers did not believe that a different balance should have been struck between supervision and public safety.
- Nothing in observers' claims was sufficient to establish that the integrity of the electoral process had been compromised.
- As the Trump-appointed federal district court judge in Georgia found, there is no legal "authority providing for a right to unrestrained observation or monitoring of vote counting, recounting, or auditing."¹⁶
- No court has credited claims that ballots were mishandled or miscounted, and Georgia conducted a hand audit of every ballot cast and two recounts. The audit and recounts would have caught any significant error in tabulating ballots.

4. Court Cases Addressing Georgia's Election

¹⁶

Wood, 2020 WL 6817513 at *12.



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Myth:

The Objectors claim that lawsuits relating to the election have been dismissed on procedural grounds and have failed to substantively examine the constitutional challenges and allegations of misconduct.

Facts:

Federal and state courts have thoroughly vetted the merits of constitutional challenges and allegations of misconduct and have found that they are meritless.

- Multiple courts have rejected claims that Georgia's election was unlawful or tainted by misconduct on the merits. As one court explained, allegations of misconduct "rest on speculation," not fact.¹⁷
- Objectors claim a lawsuit challenging the signature-verification settlement was dismissed on procedural grounds. As noted above, a Trump-appointed judge fully examined the merits and found that the signature-verification procedures adopted after the settlement were consistent with state statute and the Constitution.¹⁸ The opinion was affirmed by a panel of three federal appellate court judges, including a judge appointed by Trump and a judge appointed by President George W. Bush.¹⁹ While the plaintiff has asked the Supreme Court to review the case, there is no indication that the Court will do so.
- Objectors point to a lawsuit involving voting software and the mishandling of ballots that was purportedly dismissed for lack of standing. The case challenged the use of Dominion voting machines in Georgia. In that case, the court found that the plaintiffs improperly filed the suit in federal instead of state court, that plaintiffs lacked standing, and that plaintiffs waited too long to bring the suit when they could have challenged the Dominion machines well before the election.²⁰ Finally, the court found that it could not "substitute its judgment for that of two-and-a-half million Georgia voters who voted for Joe Biden."²¹ In a very similar suit challenging use of Dominion voting machines in Arizona, brought by the same attorney, the court reached the merits and found that the complaint relied on implausible "innuendos" and "wholly unreliable sources."²² The court concluded: "Allegations that find favor in the public sphere of gossip and innuendo cannot be a substitute for earnest pleadings and procedure in federal court."²³
- Objectors also point to the Trump election challenge pending in Fulton County Court. They say that the "case was dismissed for procedural reasons" and that the case "has not been assigned to a judge." In fact, the case was assigned to a judge in Fulton County, who ordered that the case would proceed in the normal course.²⁴ Trump challenged the judge's authority to hear the

¹⁷ *Boland*, No. 2020CV343018; see also *Trump*, 1:20-cv-05310 at *22; *In re Enforcement of Election Laws*, No. SPCV20000982-J3 (Ga. Sup. Ct. Chatham Cnty. Nov. 5, 2020).

¹⁸ *Wood*, 2020 WL 6817513 at *9 -*12.

¹⁹ *Wood*, 981 F.3d at 1318.

²⁰ 12/7/2020 Transcript, *Pearson v. Kemp*, No. 1:20-cv-4809 (N.D. Ga.), available at

<https://www.washingtonpost.com/context/judge-dismisses-sidney-powell-bid-to-verturn-biden-win-in-georgia/4f4ffba0-0d59-4516-aea9-738b52f7f925/>.

²¹ *Id.* at 43.

²² *Bowyer v. Ducey*, No. CV-20-02321-PHX-DJH, 2020 WL 7238261, at *14 (D. Ariz. Dec. 9, 2020).

²³ *Id.* at *16.

²⁴ Order on Case Status, *Trump v. Raffensperger*, No. 2020-cv-343255 (Ga. Sup. Ct. Fulton Cnty. Dec. 9, 2020).

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case in the Georgia Supreme Court, which refused to intervene.²⁵ The case has not resulted in a ruling at this point. However, Trump filed a similar lawsuit in federal court, claiming the state court was not acting expeditiously in resolving the matter. The federal court denied Trump's motion for emergency relief, rejecting Trump's arguments and finding "the delay is [Trump's] own doing."²⁶ Regardless, the allegations in the suit are meritless, as explained in point 2, above.

²⁵ *Trump v. Raffensperger*, No. S21M0561 (Ga. Dec. 12, 2020).

²⁶ *Trump*, 1:20-cv-05310 at 16.



MICHIGAN

1. Allegations that More than 10,000 Confirmed or Suspected Deceased Individuals Voted

Myth:

A potential objection is that thousands of votes on behalf of deceased individuals were allegedly counted.

Facts:

The Michigan Department of State (DOS) has already rebutted such claims in detail, explaining that, “[b]allots of voters who have died are rejected in Michigan, even if the voter cast an absentee ballot and then died before Election Day. Those who make claims otherwise are wrong, and the lists circulating claiming to show this is happening are not accurate.” Michigan Department of State, *Deceased voters’ ballots are not counted*, Michigan.gov (last visited Jan. 6, 2021), https://www.michigan.gov/documents/sos/Deceased_Voters_Fact_Check_707424_7.pdf.

The DOS notes that it “and news organizations have drawn samples and reviewed samples of lists claiming to show votes cast by deceased individuals in Michigan,” and they are “not aware of a single confirmed case showing that a ballot was actually cast on behalf of a deceased individual.” *Id.* Reasons why these claims have proven to be inaccurate include:

- Many of the allegedly deceased individuals are alive and registered to vote in Michigan, but simply have names similar to deceased individuals who are not registered in the Qualified Voter File.
- “In some cases, because of a clerical error, a ballot will be recorded as cast by a deceased individual when it was actually cast by a living individual with a similar name. For example, a ballot that was cast by John A. Smith, Jr., who is alive, might be accidentally recorded as having been received by John A. Smith, Sr., who is deceased.” *Id.*
- “The Qualified Voter File might contain an erroneous birthdate or a placeholder birthdate that might make it look like an individual must be deceased based on the birthdate, when in fact that voter is alive. For example, an individual might have been born in 1990 but the birthdate was accidentally entered as 1890. Or, if the birthdate is unknown, a placeholder birthdate such as Jan 1, 1900 might be used.” *Id.*
- “In some cases, a deceased individual is still registered to vote, but this does not mean the individual actually voted. Michigan uses death data from the Social Security Administration Master Death Index to regularly remove the names of individuals who are deceased from the Qualified Voter File. In some cases, this process may not identify an individual who has died, in which case that individual will stay on the voter rolls until the local election clerk identifies the



deceased individual's record and cancels it. There are safeguards in place to ensure an absentee ballot cannot be voted on behalf of another individual (deceased or otherwise), including a signature match performed on the signed absentee ballot envelope." *Id.*

2. Antrim County

Myth:

In *King v. Whitmer*, plaintiffs put forth a host of baseless allegations, including with respect to events that occurred in Antrim County that were the result of human error and were quickly identified and corrected. See [First Amended Complaint](#), at 45–66, *King v. Whitmer*, No. 2:20-cv-13134-LVP-RSW (E.D. Mich. Dec. 7, 2020), ECF No. 6.

Facts:

As the Michigan Department of State explained in a November 7, 2020 fact sheet, the error “in reporting unofficial results in Antrim County Michigan was the result of a user error that was quickly identified and corrected; did not affect the way ballots were actually tabulated; and would have been identified in the county canvass before official results were reported even if it had not been identified earlier.” Michigan Department of State, *Isolated User Error in Antrim County Does Not Affect Election Results, Has no Impact on Other Counties or States* Michigan.gov (last visited Jan. 6, 2021), https://www.michigan.gov/documents/sos/Antrim_Fact_Check_707197_7.pdf. The human error involved a failure to update all systems in such a way that they could properly communicate with one another, the result of which was that ballots were tabulated correctly, but the unofficial reports were erroneous. The error was swiftly corrected.

Furthermore, what happened in Antrim County does not have implications for the accuracy of results in other counties because, as DOS explains, “[e]ven if the error had not been noticed and quickly fixed, it would have been caught and identified during the county canvass when printed totals tapes are reviewed.” *Id.* Again, “[t]his was an isolated error, there is no evidence this user error occurred elsewhere in the state, and if it did it would be caught during county canvasses, which are conducted by bipartisan boards of county canvassers.” *Id.*

3. Lack of a Pre-Certification Audit as Allegedly Contrary to Michigan Law

Myth:

Members of Congress may also object on the basis that there was no pre-certification audit of the election results in Michigan, even though one was requested, demanded, or even allegedly promised.

Facts:

Michigan’s statutory scheme is clear that any audits, if appropriate, should happen after the certification is complete. See *Costantino v. City of Detroit*, No. 20-014780-AW (3rd Cir. Wayne Cty., Mich. Nov. 13, 2020). Canvassing the returns and certifying the results is a purely ministerial function.

Recounts, not audits, are the procedures provided by law to challenge the election result, and even recounts do not delay certification. Michigan law makes clear that an audit “is not a recount and does



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not change any certified election results.” MCL 168.31a(2). Accordingly, there is no valid basis to delay certification for an audit, which explicitly has no bearing on the certification process.

On November 19, 2020, Michigan Secretary of State Jocelyn Benson issued a [statement](#) making clear that her office was “on track to perform a statewide risk-limiting audit of November’s general election, which we’ve been building towards and planning for over the last 22 months, as well as local procedural audits of individual jurisdictions.” See also Michigan Department of State, *Statewide audit will be paired with audits in more than 200 jurisdictions* Michigan.gov (last visited Jan. 6, 2021), <https://www.michigan.gov/som/0,4669,7-192-26847-547004--,00.html>. Under MCL 168.847, however, this audit could only take place after statewide certification of the results, which is the predicate for the release of ballots and voting equipment.

4. Absent Voter Counting Boards at the Detroit TCF Center

Myth:

Objections may be raised concerning activities and events at Detroit’s centralized Absent Voter Counting Board (“AVCB”) at the TCF Center on November 3 and 4, 2020. Allegations of suspicious, fraudulent, or discriminatory activity at the TCF Center formed the core of many of the post-election lawsuits filed in Michigan’s state and federal courts. See, e.g., [Complaint, Costantino v. City of Detroit](#), No. 20-014780-AW (Mich. 3d Cir. Wayne Cty., Nov. 13, 2020).

The thrust of the likely objection can be summed up as follows: Hundreds of Republicans filed affidavits in various actions alleging widespread, allegedly suspicious activity at the TCF Center that may have represented improper attempts to increase the number of votes for Biden (*i.e.*, to “steal the vote”), and Republican challengers were discriminated against and obstructed from meaningfully observing and challenging the irregularities — thus the true outcome is unknowable.

None of these allegations hold up to any scrutiny, and no court has found them credible.

Facts:

In [Costantino v. City of Detroit](#), No. 20-014780, slip op. at 3 (Mich. 3d Cir. Wayne Cty., Nov. 13, 2020), Judge Timothy Kenny “analyz[ed] the affidavits and briefs submitted by the parties” and concluded that the TCF election administrators “offered a more accurate and persuasive explanation of activity within the [AVCB] at the TCF Center.” The affidavits submitted in support of a motion for preliminary injunction seeking to block certification of Wayne County’s results were “decidedly contradicted” and “incorrect and not credible.” *Id.* at 12.

Highly respected and long-time State Elections Director Christopher Thomas—who served under governors of both major parties—came out of retirement to serve as special consultant to Detroit and led challenger relations at the TCF Center. He has explained in an affidavit submitted in [Costantino](#) that “there was no fraud, or even unrectified procedural errors, associated with processing of the absentee ballots for the City of Detroit,” (Thomas Aff. at ¶ 40) ([attached hereto as Appendix C](#)), and that most, if not all, of the alleged irregularities were actually election workers following proper procedure. The misinterpretations of these actions by Republican challengers reflect a lack of understanding about the basics of the election law and procedure and are indicative of the lack of training of those particular Republican challengers.



NEVADA

Many of the attacks on the validity of the vote count in Nevada were comprehensively addressed and rejected after extensive examination of the factual record by Judge James Todd Russell of the First Judicial District Court of the State of Nevada in his order of December 4, 2020. That order granted the motion of the Biden electors to dismiss the statement of contest brought by the Trump electors, and together with other cases, definitively rejected claims of wrongdoing.²⁷ Judge Russell's order was unanimously affirmed by the Supreme Court of Nevada on December 8, 2020.²⁸

1. Ballot Harvesting

Myth:

Nevada's expansion of mail-in voting resulted in illegal ballot harvesting and fraudulent votes for mail-in ballots.

Facts:

Nevada courts found no fraud for any votes, including mail-in votes.

- "The Court finds there is no evidence that voter fraud rates associated with mail in voting are systematically higher than voter fraud rates associated with other forms of voting. ...[T]he illegal vote rate totaled at most only 0.00054 percent."²⁹
- Nevada voters followed the law with respect to the collection of ballots.
- Secretary Cegavske, a Republican, defended the integrity of the election. In fact, Secretary Cegavske issues her own "myth versus fact" document that debunks all these conspiracies.³⁰ She states that "we have yet to see any evidence of wide-spread fraud."³¹ She noted that four separate cases questioned the integrity of the election in Nevada. In all cases, "[a]fter examining records presented, each case was discounted due to a lack of evidence."³² She said that "we have not been presented with evidence of non-citizens voting in the 2020 election."³³

2. Voter Fraud – Double Votes, Etc.

Myth:

Fraud occurred at multiple points in the voting process at rates that exceed the margin of victory in the presidential race. Voter fraud rates associated with mail-in voting are systematically higher than voter fraud rates associated with other forms of voting. Some voters were permitted to vote twice and were sent and cast multiple mail ballots. Some voters received and cast multiple mail-in ballots, other voters

²⁷ Judge Russell's Order Granting Mot. to Dismiss Statement of Contest ("Russell Order") is available at <https://assets.documentcloud.org/documents/20420186/order-granting-motion-to-dismiss-statement-of-contest-1.pdf>.

²⁸ *Law v. Whitmer*, 2020 WL 7240299 (Nev. 2020). Available at [Appendix B](#).

²⁹ Russell Order at ¶¶ 73-74.

³⁰ NVSOS Facts v. Myths Sheet, available at <https://www.nvsos.gov/sos/home/showdocument?id=9191>.

³¹ *Id.* at 1 (Fact #2).

³² *Id.* at 2 (Fact #4).

³³ *Id.* at 2 (Fact #5).



voted twice, votes from deceased voters were improperly cast and counted, and votes cast by persons impersonating others were improperly counted.

Facts:

Nevada courts found, on the basis of both fact evidence and expert testimony, that there is no evidence that voter fraud rates associated with mail voting are systematically higher than voter fraud rates associated with other forms of voting.³⁴

- The expert witness put forward by the Plaintiffs to contest the election in Nevada state court testified that he had no personal knowledge that any voting fraud occurred in Nevada's 2020 election.³⁵
- Nevada courts found that the record did not support a finding that any Nevada voter voted twice or that any individuals were sent and cast multiple mail ballots, that votes from deceased voters were improperly cast and counted, or that ballots completed and submitted by persons impersonating others were cast or counted.³⁶
- Nevada courts also rejected claims that Nevada failed to maintain its voter lists properly.³⁷
- Nevada courts concluded that there was no evidence that illegal votes were cast and counted or that legal votes not counted at all due to voter fraud.³⁸
- The allegations of Jesse Binnall regarding fraud were rejected by multiple courts. "There is no evidence that any vote that should lawfully not be counted has been or will be counted."³⁹ Binnall was not denied meaningful discovery. In the contest case (the *Law* case), each party could take up to 15 depositions, and the court held a full evidentiary hearing.⁴⁰ In the *Kraus* case, the court conducted a "ten-hour evidentiary hearing" where the court specifically rejected claims made by Binnall.⁴¹ These cases were affirmed by the Nevada Supreme Court.⁴²
- In total, at least 8 different lawsuits were brought in Nevada challenging the election. All were rejected, and many discussed the merits. These cases are: (1) *Law v. Whitmer*; (2) *Kraus v. Cegavske*; (3) *Trump v. Cegavske*; (4) *Election Integrity Project of Nev. v. State ex rel. Cegavske*; (5) *Stokke v. Cegavske*; (6) *Becker v. Gloria*; (7) *Rodimer v. Gloria*; (8) *Marchant v. Gloria*.⁴³

3. Non-Resident Voters

³⁴ Russell Order at ¶¶ 72-79.

³⁵ *Id.* at ¶ 78.

³⁶ *Id.* at ¶¶ 92-94, 100-101, 102-103.

³⁷ *Id.* at ¶¶ 106-107.

³⁸ *Id.* at ¶¶ 147-156.

³⁹ *Id.* at ¶ 45 (quoting *Krause v. Cegavske*, slip op. at 9).

⁴⁰ *Id.* at 2:2-7.

⁴¹ *Id.* at ¶ 43.

⁴² *See, e.g., id.* at ¶¶ 43-50.

⁴³ *Id.* at ¶¶ 49-54 (recounting cases).



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Myth:

Thousands of non-residents illegally voted. A comparison of the voting rolls with the list of voters in the U.S. Postal Service's National Change of Address database demonstrates that thousands of voters who were not residents of Nevada were permitted to vote.

Facts:

This claim was raised and rejected after evidentiary hearings in Nevada courts.⁴⁴

- The allegations were based on a superficial comparison of a list of voters with the USPS's National Change of Address database. In other words, the Trump Campaign and its allies claimed that any voter who had his mail forwarded to an out-of-state address somehow forfeited their right to vote in the Nevada election. Nevada courts correctly rejected these allegations.
- Both federal and state law guarantee the right of citizens to vote in Presidential elections if they change their residence close to the date of the election.⁴⁵ Moreover, federal law prohibits the disenfranchisement of voters based on the kind of cursory examination of voter rolls that formed the basis of the Trump Campaign's allegations⁴⁶ and also guarantees the right of citizens to vote in Presidential elections if they change residences close to the date of the election.⁴⁷
- *First*, it is not unusual for voters to have other temporary addresses while still maintaining Nevada residency. For example, military personnel stationed out-of-state commonly do so and an examination of the information relied on by the Trump Campaign revealed that at least 157 of the alleged-illegal voters had their mail forwarded to an Army Post Office ("APO") or other military addresses.⁴⁸ Many residents also temporarily relocated during the COVID-19 Pandemic. Notably, Nevada is home to 180,000 members of the Church of Jesus Christ of Latter-Day Saints.⁴⁹ Under the superficial and erroneous standards urged by the Trump Campaign, church members undertaking missions out-of-state or in other countries would be disenfranchised simply for having their mail forwarded to their temporary, out-of-state addresses. That is why Nevada law specifically provides that a voter using an out-of-state address does not give up their Nevada residence and is entitled to vote in Nevada.
- *Second*, the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20302, requires states to permit military personnel stationed out of state to vote in their home state's federal elections.
- *Third*, the Voting Rights Act guarantees the right of citizens to vote in Presidential elections if they change residences close to the date (within 30 days) of the election.⁵⁰ Nevada law contains

⁴⁴ *Id.* at ¶¶ 92-97.

⁴⁵ Voting Rights Act of 1965, 52 USC § 10502(e); Nev. Rev. Stat. § 298.250.

⁴⁶ National Voter Registration Act, 52 USC § 20507.

⁴⁷ Voting Rights Act of 1965, 52 USC § 10502(e).

⁴⁸ See Associated Press, *Nevada military voters fear they're part of unsupported fraud claim*, RENO GAZETTE JOURNAL, Nov. 13, 2020, available at <https://www.rgj.com/story/news/politics/2020/11/13/nevada-military-families-drawn-into-gops-unsupported-ballot-fraud-claim/6280312002/>.

⁴⁹ See Newsroom, the Church of Jesus Christ of Latter-Day Saints, Facts and Statistics, Nevada, available at <https://newsroom.churchofjesuschrist.org/fact-and-statistics/state/Nevada>.

⁵⁰ Voting Rights Act of 1965, 52 U.S.C. § 10502(e).



similar protections.⁵¹

- *Fourth*, Nevada law specifically protects the voting rights of Nevada residents who have out-of-state addresses in order to engage in military service,⁵² attend educational institutions,⁵³ or for work.⁵⁴ The Trump Campaign’s theories, if adopted, would disenfranchise many Nevadans.

4. Deceased Voters

Myth:

Hundreds of votes were cast by deceased individuals.

Facts:

The Nevada courts reviewed and rejected this claim.⁵⁵

- The contestants’ evidence was a hearsay declaration alleging only that a single vote from a deceased wife was counted in the November election.⁵⁶
- The voting rejection log maintained by Clark County showed only two “voter is deceased” entries.⁵⁷
- Testimony established that confirmed deceased individuals are removed from voter rolls.⁵⁸

5. Election Observers

Myth:

Clark County’s policy for observation of ballot counting led to voter fraud. Members of the public were denied the right to observe the processing and tabulation of mail ballots and were confined to a small, taped-off area in a corner of the room.

Facts:

After an extensive evidentiary review, Nevada courts rejected allegations that Clark County’s policy for observation of ballot counting led to voter fraud or that illegal or improper votes were cast or counted or that legal votes were not counted.⁵⁹

- After considering the evidence, the District Court adjudicating the contest of the election concluded “the record does not support a finding that members of the public were denied the

⁵¹ Nev. Rev. Stat. § 298.250.

⁵² Nev. Rev. Stat. § 293.487.

⁵³ *Id.*

⁵⁴ Nev. Rev. Stat. § 293.497.

⁵⁵ Russell Order at ¶ 101.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ Russell Order at ¶¶ 140-156, 162.



right to observe the processing and tabulation of mail ballots.⁶⁰

- What little evidence proffered to support such claims was hearsay and was contradicted by other testimony by the Plaintiff's own witnesses.⁶¹
- The Supreme Court of Nevada affirmed all of the District Court's findings.⁶²

⁶⁰ *Id.* at ¶¶ 110-113.

⁶¹ *Id.* at ¶ 112.

⁶² *Law v. Whitmer*, 2020 WL 7240299 (Nev. 2020).



PENNSYLVANIA

1. Constitutionality of Act 77

Myth:

There may be objections to Act 77 of the Pennsylvania Constitution, which was passed in 2019 by the Republican-controlled state legislature and created no-excuse mail-in voting. See Act of Oct. 31, 2019, P.L. 552, No. 77. Specifically, objectors may argue that Act 77 is unconstitutional because the Pennsylvania General Assembly did not have the authority to enact a mail-in voting scheme without amending the Pennsylvania Constitution. Petitioners in *Kelly v. Commonwealth* argued—after the 2020 primary and general election had taken place, and more than a year after Act 77 passed—that all attempts to expand absentee voting by statute are invalid and “a constitutional amendment is required to expand absentee voting beyond the categories provided in the Pennsylvania Constitution.” Emergency Application for Writ of Injunction, *Kelly v. Commonwealth*, No. 20A98 (Dec. 3, 2020).

Facts:

This argument is without merit and does not in any way render the election outcome unreliable or suggest that the outcome does not reflect the will of the voters. This is a technical legal argument that fails for the following reasons.

First, the General Assembly can lawfully legislate on any matter not prohibited by the Pennsylvania or federal constitutions. See *Stilp v. Commonwealth*, 601 Pa. 429, 435 (2009) (“[P]owers not expressly withheld from the General Assembly inhere in it.”). And the General Assembly has significant latitude within these confines to prescribe how votes may be cast: “All elections by the citizens shall be by ballot or by such other method as may be prescribed by law: Provided, That secrecy in voting be preserved.” Pa. Const. art. VII, § 4. Maintaining secrecy is the Pennsylvania Constitution’s only affirmative limitation on the General Assembly’s prerogative to determine “such other methods” of voting. Act 77 complies with this limitation by requiring mail-in voters to use a secrecy envelope. See *Pennsylvania Democratic Party v. Boockvar*, 238 A.3d 345, 380 (Pa. 2020) (finding secrecy envelope provision mandatory). And the General Assembly has long enjoyed broad authority to “regulate elections . . . and a “wide field for the exercise of its discretion in the framing of acts to meet changed conditions . . . as may arise from time to time.” *Winston v. Moore*, 244 Pa. 447, 455 (1914).

Second, the Pennsylvania Constitution provides that the General Assembly must allow voters in four enumerated categories to cast absentee ballots, but the General Assembly may also go further—by exercising its broad power to “prescribe[]” the permissible “method[s]” of voting, Pa. Const. art. VII, § 4—and allow other categories of voters to vote by mail, including by allowing any voter to opt to cast a mail-in ballot. Moreover, “mail-in” voting pursuant to Act 77 is a new, distinct method of voting compared to “absentee” voting under Article VII of the Pennsylvania Constitution. Compare 25 P.S. §§ 3091-3149.9 (governing “Voting by Qualified Absentee Electors”), with 25 P.S. §§ 3150.11-3150.18 (governing “Voting by Qualified Mail-In Electors”). Indeed, the Pennsylvania Elections Code repeatedly distinguishes between “mail-in” and “absentee” voting and regulates each category differently, including in defining a qualified mail-in versus absentee elector and in regulating service-member absentee



ballots. See 25 P.S. § 2602(z.6) (defining “qualified mail-in elector”); 25 P.S. § 3146.7 (regulating military service-member ballots).⁶³

Thus, unsurprisingly, the emergency application for injunctive relief in *Kelly v. Commonwealth* was summarily denied by the U.S. Supreme Court. [Order in Pending Case, Kelly v. Commonwealth](#), No. 20A98 (Dec. 8, 2020). While the petition for certiorari remains pending, the Court’s decision on the application for emergency relief forecloses any suggestion that the merits of the argument could affect the current slate of presidential electors.

2. Ballot Receipt and Postmark Extension

Myth:

A likely objection concerns the extension of time permitted for mailed ballots to be received and postmarked in Pennsylvania. Objectors may argue that the Pennsylvania Supreme Court’s decision in *Pennsylvania Democratic Party v. Boockvar* unconstitutionally extended the ballot receipt deadline. 238 A.3d 345 (Pa. 2020). In that decision, the Pennsylvania Supreme Court extended the deadline for mailed ballots to be received by three days—from Election Day to 5:00 p.m. on Friday, November 6, 2020—and established a presumption that mail-in ballots received without a legible postmark were timely mailed. *Id.* at 386. Note that, as discussed below, fewer than 10,000 ballots are at issue, which would not come close to changing the outcome in Pennsylvania.

Objectors may argue that those received-by deadlines are unconstitutional because they permit voters to cast ballots after November 3, thereby extending the General Election past the time established by federal law; and that the Electors and Elections Clause of the U.S. Constitution gives the Pennsylvania General Assembly the authority to set the times, places, and manner of federal elections, and the state supreme court unconstitutionally usurped this authority in its decision. See [Petition for a Writ of Certiorari, Republican Party of Pennsylvania v. Boockvar](#), No. 20-542 (Oct. 23, 2020).

Facts:

First, contrary to claims that the Pennsylvania Supreme Court’s decision permitted votes to be cast after November 3, the court there expressly stated that extended ballot receipt deadlines would still “require that all votes be cast by Election Day[.]” *Pennsylvania Democratic Party*, 238 A.3d at 365, n. 20, 371, n. 26.

What the Pennsylvania Supreme Court did permit, given the unprecedented circumstances brought about by COVID-19 and the significant postal delays expected in the return of mail ballots, was a short three-day extension of the *receipt* deadline for mail-in ballots, so that ballots cast by Election Day could still be counted pursuant to the Free and Equal Elections Clause of the Pennsylvania Constitution. *Id.* at 371-72. The court further concluded that voters should not be disenfranchised just because the USPS postmark on their ballot envelope became illegible or absent once in the postal system. *Id.* at 365, n. 20, 371, n. 26.

⁶³ For a more detailed account of these arguments, see [Opposition of Respondents to Emergency Application](#) at 19-21, *Kelly v. Commonwealth*, No. 20A98 (Dec. 8, 2020).



These determinations are fully consistent with federal law, which establishes when federal elections are to be held but not what procedures states may use to determine whether a ballot was timely cast. See Brief of the Pennsylvania Democratic Party Respondent in Opposition at 32-35, *Republican Party of Pennsylvania*, No. 20-542 (Nov. 30, 2020).

Second, the Pennsylvania Supreme Court's decision was constitutional. See Brief in Opposition to Petition for Certiorari, *Republican Party of Pennsylvania*, No. 20-542 (Oct. 26, 2020). Contrary to objections that the court usurped the Pennsylvania legislature's authority, the court performed its constitutional duty by interpreting the state constitution, rather than making or even interpreting statutory election law. *Id.* at 24. Further, any argument that the state legislature is insulated from checks on its election law-making authority is wrong and violates bedrock principles of federalism, separation of powers, and checks and balances, see *id.* at 16-20, and the settled Pennsylvania state law principles of the court's remedial powers, see Brief of the Pennsylvania Democratic Party Respondents in Opposition at 27-32, *Republican Party of Pennsylvania*, No. 20-542.

Third, the number of ballots received during the extended period—between 8 p.m. on Election Day and the Friday after Election Day—is too small to make a difference to the election result. See Executive Respondents' Brief in Support of Preliminary Objections at 6, *Metcalfe v. Wolf*, No. 636 M.D. 2020 (Dec. 8, 2020) (citing *Bognet v. Sec'y Commonwealth of Pennsylvania*, No. 20-3214, 2020 WL 6686120 (3d Cir. Nov. 13, 2020)); see also *Department of State Provides Updates on Election Results*, Pennsylvania Pressroom (Nov. 13, 2020), <https://www.media.pa.gov/pages/state-details.aspx?newsid=432> (noting that approximately 10,000 ballots cast on or before November 3 were received during the extended period).

3. Notice and Cure of Deficient Ballots

Myth:

There may be objections to the slate of electors sent by Pennsylvania based on the “notice and opportunity to cure” procedure offered in some counties for ballots with minor deficiencies. The Pennsylvania Election Code sets forth requirements for validly cast ballots, including that voters must mark ballots in pen or pencil, place them in secrecy envelopes, and fill out a form on the outer envelope of a vote by mail ballot. Election administrators in some counties contacted voters and provided them an opportunity to cure minor, facial defects in their ballots ahead of the ballot receipt deadline. Secretary of the Commonwealth Kathy Boockvar sent an email to counties encouraging them to assist in curing ballots with the purpose of enfranchising as many Pennsylvanians as possible. As with other alleged ballot issues discussed here, the number of ballots at issue is far too small to change the outcome even if the challenges were valid, which they are not.

The Trump Campaign objected to the fact that some counties permitted voters to cure incomplete or incorrectly completed ballots while other counties did not. For example, in *Donald J. Trump for President, Inc. v. Boockvar*, plaintiffs argued that because notice-and-cure procedures were offered by some counties, including Philadelphia County, but not by others, including Lancaster and York counties, the equal protection rights of voters in the predominantly “Republican” counties without such procedures were violated. No. 4:20 Civ. 02078, 2020 WL 6821992 (M.D. Pa. Nov. 21, 2020), *aff'd sub nom. Donald J. Trump for President, Inc. v. Sec'y Pennsylvania*, 830 Fed. App'x 377 (3d Cir. 2020).



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This claim was rejected by the federal courts, including by a panel of the Third Circuit in an opinion authored by Trump-appointee Judge Stephanos Bibas. *Donald J. Trump for President, Inc.*, 830 Fed. App'x 377.

Facts:

First, making it *easier* for some people to vote does not burden the rights of others. “Defendant Counties, by implementing a notice-and-cure procedure, have in fact *lifted* a burden on the right to vote, even if only for those who live in those counties. Expanding the right to vote for some residents does not burden the rights of others.” *Donald J. Trump for President, Inc.*, 2020 WL 6821992, at *12; *see also Texas League of United Latin Am. Citizens v. Hughes*, 978 F.3d 136, 145 (5th Cir. 2020) (“How [the] expansion of voting opportunities burdens anyone’s right to vote is a mystery.”). Indeed, every county in Pennsylvania was free to provide notice-and-cure procedures to voters. And “counties may, consistent with equal protection, employ entirely different election procedures and voting systems within a single state.” *Donald J. Trump for President, Inc. v. Boockvar*, No. 2:20-CV-966, 2020 WL 5997680, at *44 (W.D. Pa. Oct. 10, 2020) (collecting cases).

Second, the counties that employed notice-and-cure procedures did so to ensure the Commonwealth’s “longstanding and overriding policy” of “protect[ing] the elective franchise.” *Shambach v. Bickhart*, 577 Pa. 384, 391 (2004). The deficiencies corrected by counties were garden-variety irregularities in ballots and curing them does not give rise to Constitutional defects absent “intentional or purposeful discrimination.” *Snowden v. Hughes*, 321 U.S. 1, 8 (1944). “No county was forced to adopt notice-and-cure; each county made a choice to do so, or not. Because it is not irrational or arbitrary for a state to allow counties to expand the right to vote if they so choose, Individual Plaintiffs fail to state an equal-protection claim.” *Donald J. Trump for President, Inc.*, 2020 WL 6821992, at *12.

Third, the Pennsylvania Supreme Court has recently held that ballots with minor deficiencies, including ballots that lack a handwritten name, address, or date do not have to be disqualified. “[T]he Election Code does not require boards of elections to disqualify mail-in or absentee ballots submitted by qualified electors who signed the declaration on their ballot’s outer envelope but did not handwrite their name, their address, and/or date, where no fraud or irregularity has been alleged.” *In re: Canvass of Absentee and Mail-in Ballots*, 2020 WL 6875017, at *1 (Pa. Nov. 23, 2020). This undermines the claims that providing notice and cure for some minor, garden-variety deficiencies resulted in the tallying of ballots that should not have been counted. As the Third Circuit noted about the Pennsylvania Supreme Court’s ruling: “That holding undermines the Campaign’s suggestions that defective ballots should not have been counted.” *Donald J. Trump for President, Inc.*, 830 Fed. App’x 377.

Fourth, the total number of ballots that were subject to notice-and-cure procedures is significantly smaller than the vote margin in Pennsylvania. “Of the seven counties whose notice-and-cure procedures are challenged, four (including the three most populous) represented that they gave notice to only about 6,500 voters who sent in defective ballot packages. Even if 10,000 voters got notice and cured their defective ballots, and every single one of them voted for Biden, that is less than an eighth of



the margin of victory.” *Id.* Accordingly, even assuming these ballots were invalid, it would not affect the slate of electors sent by Pennsylvania.⁶⁴

4. Signature Verification

Myth:

Objectors may argue that the Pennsylvania Secretary of the Commonwealth abrogated a signature verification requirement for mail-in ballots. As background, before the election, Secretary Boockvar sought a declaratory decision from the Pennsylvania Supreme Court clarifying whether the Election Code authorizes or requires county election boards to reject absentee or mail-in ballots during pre-canvassing and canvassing based on signature analysis where there are alleged or perceived signature variances. *In re Nov. 3, 2020 Gen. Election*, 240 A.3d 591, 595 (Pa. 2020). The court analyzed the Election Code and held that it did not authorize or require such verification. *Id.* at 611.

Facts:

This issue is simple: The Election Code—which, again, a Republican-controlled state legislature revised in 2019—does not provide for rejecting mail-in ballots based on signature verification. *See id.* at 610 (“[A]t no time did the Code provide for challenges to ballot signatures.”). The court noted that Act 77 also eliminated time-of-canvassing challenges by candidate or party representatives for votes by mail. *Id.* A federal judge also concluded that there was no signature-comparison requirement here. *See Donald Trump for President, Inc. v. Boockvar*, 2020 WL 5997680, at *58 (W.D. Pa. Oct. 10, 2020) (“[T]he Election Code does not impose a signature-comparison requirement for mail-in and absentee ballots[.]”). It is notable that these cases involved straightforward statutory interpretation; this is not a case in which a state court relied on a state constitutional provision to invalidate a law passed by a state legislature.

Finally, here again, there is no allegation of fraud.

5. Observer Access

Myth:

There may be objections to observer access based on the allegedly “uneven treatment” of Trump and Biden poll watchers and representatives. For example, in *In re Canvassing Observation*, plaintiffs argued that poll watchers and observers were denied a “meaningful way” to observe the canvassing of ballots because they were either placed too far from the canvass or their view was obstructed. No. 30 EAP 2020, at 4 (Pa. Nov. 17, 2020). Plaintiffs also alleged that “Democrats who control the Defendant County Election Boards engaged in a deliberate scheme of intentional and purposeful discrimination . . . by excluding Republican and Trump Campaign observers from the canvassing of the mail ballots in

⁶⁴ For a more detailed account of these arguments, see Secretary of the Commonwealth Kathy Boockvar’s Brief in Opposition to Motion for Injunctive Relief at 9-11, *Donald J. Trump for President, Inc.*, 830 Fed. App’x 377; and *Donald J. Trump for President, Inc.*, 2020 WL 6821992, at *11-13.



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order to conceal their decision not to enforce [certain ballot] requirements." *Donald J. Trump for President, Inc.*, 830 Fed. App'x 377.

Facts:

The Trump Campaign and its surrogates have tried, unsuccessfully, to equate an alleged lack of observer access with fraudulent results. There has been no credible evidence of significant voter fraud presented in any form. The suggestion that the Trump Campaign and its surrogates were prevented from detecting fraud, and that is tantamount to evidence that there must have been fraud, is absurd.

First, there is no evidence that Trump Campaign poll watchers were treated *differently* than Biden campaign watchers. For there to be an equal protection violation, there must be allegations of differential treatment. At most, the Trump Campaign cites minor, constitutionally insignificant differences across counties in the location of observers, which were justified by differences among counties with respect to size, staffing, and security. As the Third Circuit noted: "A violation of the Equal Protection Clause requires more than variation from county to county. It requires unequal treatment of similarly situated parties. But the Campaign never pleads or alleges that anyone treated it differently from the Biden campaign." *Donald J. Trump for President, Inc.*, 830 Fed. App'x 377.

Second, there is no right under federal or state law for observers to stand at a particular distance or have a particular view of ballots. The Pennsylvania Supreme Court and the Third Circuit have rejected such claims. As the Third Circuit noted: "The Pennsylvania Supreme Court held that the Election Code requires only that poll watchers be in the room, not that they be within any specific distance of the ballots." *Id.* (citing *In re Canvassing Observation*, No. 30 EAP 2020, 2020 WL 6737895, at *8-9 (Pa. Nov. 17, 2020)). Similarly, there is no federal right protecting the location or view of observers. *Id.* (noting that the Campaign "cites no federal authority regulating poll watchers or notice and cure."). As long as observers were allowed in the room, which they were, complaints about minor deviations in the location and view of observers are legally insufficient.⁶⁵

6. Discrepancies in the Number of Ballots

Objectors may argue that discrepancies exist between the number of votes that should have been cast, as measured by poll book signatures and lists of actual voters, and the number of ballots actually cast in Pennsylvania. They may claim that these inconsistencies undermine the legitimacy of the election.

For instance, in *Metcalfe v. Wolf*, the plaintiffs alleged discrepancies based on analysis in a purported expert report (the "Ryan Report"), see [Complaint](#), No. 636 M.D. 2020 (Nov. 23, 2020). A group of Pennsylvania lawmakers released an "analysis" of election data on December 28, 2020. See Statement, PA Lawmakers: Numbers Don't Add Up, Certification of Presidential Results Premature and In Error, <http://www.repfrankryan.com/News/18754/Latest-News/PA-Lawmakers-Numbers-Don>. The analysis purports to show 202,377 more votes were cast than voters voting.

⁶⁵ For a more detailed account of these arguments, see Secretary of the Commonwealth Kathy Boockvar's Brief in Opposition to Motion for Injunctive Relief at 10-11, *Donald J. Trump for President, Inc.*, 830 Fed. App'x 377; *Donald J. Trump for President, Inc.*, 2020 WL 6821992 at *13-15; and *Donald J. Trump for President, Inc.*, 830 Fed. App'x 377.



Facts:

The allegations based on the Ryan Report are clearly erroneous. The purported expert report of Pennsylvania House Representative Francis X. Ryan, relied upon in support of ballot discrepancy allegations, misleadingly asserts that there is an unexplained discrepancy of approximately 400,000 ballots between November 2 and November 4. The reason for the discrepancy is that Representative Ryan simply elected not to count 400,000 absentee ballots and only counted mail-in ballots (these are distinct categories in the Pennsylvania Election Code) in his totals.

The Commonwealth of Pennsylvania also thoroughly rebutted the December 28, 2020, analysis. *See Response to December 28, 2020, Release of Misinformation by Group of GOP State House Members*, Penn. Dept. of State (Dec. 29, 2020), <https://www.dos.pa.gov/about-us/Documents/statements/2020-12-29-Response-PA-GOP-Legislators-Misinformation.pdf>. Its rebuttals include:

- The December 28 analysis is “obvious misinformation.”
- The December 28 analysis compares “very different systems and data points with different timeframes and incomplete information.” It was “based on incomplete data from the Department’s Statewide Uniform Registry of Electors (SURE) system.” Some counties have not finished updating the SURE system. Furthermore, it is the “vote counts certified by the counties, not the uploading of voter histories into the SURE system, that determines the ultimate certification of an election by the counties to the Department, and then in turn, by the secretary based on the county certifications.”
- The House members did not seek complete data or request clarification.
- Evidence of “undervotes” for down-ballot races was entirely consistent with prior presidential-year election cycles.
- “All vote counts are recorded on paper ballots in every county in the Commonwealth, that can be audited or recounted to confirm the accuracy of an election.”



WISCONSIN

1. Claim: Wisconsin state executive officials usurped election authority rightly exerted by the state legislature, thereby facilitating improperly cast votes based on “indefinitely confined” status.

Myth:

Objectors will argue that Wisconsin state officials used the COVID-19 pandemic to circumvent the state law requiring first-time absentee voters to show or upload photo identification to obtain a ballot. One of the few exceptions to this law is if a voter is “indefinitely confined.” Objectors will argue that these requirements had been set by the Wisconsin state legislature, but local election officials took it upon themselves to effectively change election procedure.

Facts:

These arguments failed in several Wisconsin courts which held that the ballots of indefinitely confined voters were cast legitimately under the state's laws and following the Wisconsin Election Commission (WEC) guidance.

- A majority of the Wisconsin Supreme Court (4-3) concluded that this claim was “meritless on its face” and “wholly without merit.” *Trump v. Biden*, Case No. 2020AP2038, Opinion, at 3, 6. “The Campaign’s request to strike indefinitely confined voters in Dane and Milwaukee Counties as a class without regard to whether any individual voter was in fact indefinitely confined has no basis in reason or law.” *Id.* (Other courts reached the same conclusion in earlier decisions and were proven conclusively correct by the Wisconsin Supreme Court.).
 - On March 31, the Wisconsin Supreme Court held, in the context of a preliminary injunction order, that the Dane County advice was incorrect but approved of the follow up WEC guidance: “We conclude that the WEC’s guidance . . . provides the clarification on the purpose and proper use of the indefinitely confined status that is required at this time.” (Slip Op at 2).
 - This guidance, expressly approved by the Wisconsin Supreme Court both on March 31 and again in *Jefferson v. Dane County*, 2020 WI 90 (Dec. 14, 2020), is the document that GOP talking points inaccurately say was issued “later” than the Supreme Court order having the Dane County Clerk remove his Facebook post (which was online for fewer than 3 days, more than 7 months before the November election).
- After a December 10 trial in *Trump v. Wisconsin Elections Commission (E.D. Wis.)*, the court dismissed the case. The judge in the case, Brett Ludwig, is a Trump appointee. The court found that Trump’s claims “fail as a matter of law and fact.” Order at 22. In particular, it found that the WEC properly issued the guidance concerning indefinitely confined absentee voters and that its guidance “was not a significant or material departure from legislative direction” and that “defendants acted consistently with, and as expressly authorized by, the Wisconsin Legislature.” *Id.* at 20.



- President Trump appealed *Trump v. WEC* to the Seventh Circuit, which affirmed (in a decision written by another Trump appointee, Judge Michael Scudder).
- The 150,000 votes allegedly cast pursuant to the “indefinitely confined” provision is pure speculation. That is an estimate of how many ballots were requested, but not based on any record of how many were cast and returned. Regardless, there is no evidence—or even a clear, individualized allegation—that any “indefinitely confined” voter cast an invalid or fraudulent vote. To the contrary, it [turns out](#) that most of the ballots requested under the indefinitely confined statute were requested in counties that voted for Trump.
- Wisconsin law—as affirmed by a majority of the Wisconsin Supreme Court in a lawsuit brought by the Republican Party of Wisconsin and decided after the election, *see Jefferson v. Dane County*, 2020 WI 90 (Dec. 14, 2020)—entrusts individual voters to determine whether they qualify to avail themselves of Wisconsin Statute § 6.86(2)(a).
- State law requires that clerks remove a voter from the list only “upon receipt of reliable information that [a voter] no longer qualifies for this service.” Wis. Stat. § 6.86(2)(b). Trump failed to give a single example of a municipal clerk receiving such “reliable information” and failing to remove a voter from the list. In fact, in *Wisconsin Voters Alliance v. Wisconsin Elections Commission*, the plaintiffs offered sworn affidavits from nine county clerks who each swore that if they had received reliable information that an elector was no longer “indefinitely confined,” they would have followed Wisconsin law and removed that elector from the absentee ballot list. See *Wisconsin Voters Alliance v. Wisconsin Elections Commission* (Wis.) ¶181 & Exhs. 17A-I.

Indefinitely confined voters’ ballots complied with a number of additional safeguards that apply to mail-in absentee ballots, including the requirement that each ballot be signed by the voter, witnessed by an adult U.S. citizen, securely stored by the municipal clerk until Election Day, and carefully opened, reviewed, and tabulated during a public canvass.

2. Claim: Wisconsin election officials in the state’s most heavily Democratic counties cured mail-in ballot defects in violation of state law.

Myth:

In a legal filing submitted to the Wisconsin Supreme Court, the Trump campaign argued that election officials and employees in the state’s two largest and most heavily Democratic counties (Milwaukee and Dane) filled in missing information on absentee ballots in violation of Wisconsin election law which specifies that a mail-in ballot may not be counted if it is missing information on the secure envelope. In addition, Wisconsin law prohibits a county clerk from issuing an absentee ballot without a written application.

Facts:

There is no evidence that a single one of these ballots was fraudulently or invalidly cast.



- The fact that a witness did not fully fill out the form is not suspicious. It may be a sign of haste. It often happens when family members living under the same roof witness for one another. They assume that the same address applies across the form.
- In fact, the actions taken by the clerks were in the service of preventing fraud. The only purpose of having address information for the witness is to facilitate investigation of potentially invalid absentee ballots. By looking up the information, the clerks were improving the integrity of the system.
 - There is no evidence that any of the clerks—who, to reiterate, were following WEC guidance that originated under a Republican member of the WEC, was approved by the WI DOJ under a Republican Attorney General and was unanimously adopted by the WEC—filled in incorrect witness information.
 - Indeed, the testimony demonstrated that if clerks had any doubt about the accuracy of the information they were adding, they contacted the voter or returned the ballot to the voter.
- The relevant WEC directives telling clerks to fill in missing information were issued by the WEC in October 2016 and April 2020 and were used in multiple elections without anyone ever challenging them.
- Contrary to the myth above, which suggests that the Wisconsin Supreme Court refused on purely procedural grounds to consider this argument, the objection was heard and rejected by several Wisconsin courts.
 - After a December 10 trial in *Trump v. Wisconsin Elections Commission* (E.D. Wis.), the court dismissed the case as unable to succeed on December 12. The judge in the case, Brett Ludwig, is a Trump appointee. The court found that Trump’s claims “fail as a matter of law and fact.” Order at 22. In particular, it found that the WEC properly issued the guidance which “was not a significant or material departure from legislative direction” and that “defendants acted consistently with, and as expressly authorized by, the Wisconsin Legislature.” *Id.* at 20.
 - President Trump appealed to the Seventh Circuit, which affirmed in a decision written by Judge Michael Scudder, a Trump appointee.
 - The Wisconsin Supreme Court rejected this argument in the recount appeal. *See Trump v. Biden*, 2020 WI 91 (Dec. 14, 2020) (final decision in recount challenge that followed the Wisconsin Supreme Court’s initial rejection of the President’s effort to ignore Wisconsin procedure and take his issues with the recount directly to the Supreme Court).
 - On the merits, Justice Hagedorn deemed the claims baseless. “I do not believe the Campaign has established that all ballots where clerks added witness address information were necessarily insufficient and invalid; the addresses provided directly by the witnesses may very well have satisfied the statutory directive. The circuit court’s findings of fact reflect that many of these ballots



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contained additions of the state name and/or zip code. I conclude the Campaign failed to provide sufficient information to show all the witness certifications in the group identified were improper, or moreover, that any particular number of ballots were improper.” [Recount appeal](#), Concurrence of Justice Hagedorn, at 8 (PDF at 29). (Note: Justice Hagedorn was former Gov. Scott Walker’s chief legal counsel and also was the swing vote on the appeal.).

- The majority opinion contained additional rationales for rejecting this argument.
 - *First*, it held that the argument was time-barred because the relevant WEC directives telling clerks to fill in information were issued in October 2016 and April 2020, yet Trump’s supporters waited to challenge them until after the November 3 election. Notably, Trump raised this issue only in Dane and Milwaukee Counties and once again was only seeking to invalidate votes in areas not favorable to him. It is thus Trump who is applying a double standard. [Recount appeal](#) at 15-17. “[I]f the relief the Campaign sought was granted, it would invalidate nearly a quarter of a million ballots cast in reliance on interpretations of Wisconsin’s election laws that were well-known before election day. It would apply new interpretive guidelines retroactively to only two counties.” *Id.* at 15.
 - *Second*, as the court concluded, “The claims here are not of improper electoral activity. Rather, they are technical issues that arise in the administration of every election. In each category of ballots challenged, voters followed every procedure and policy communicated to them, and election officials in Dane and Milwaukee Counties followed the advice of WEC where given. Striking these votes now—after the election, and in only two of Wisconsin’s 72 counties when the disputed practices were followed by hundreds of thousands of absentee voters statewide—would be an extraordinary step for this court to take.” *Id.* at 16-17.

With respect to the argument about applications for absentee ballots, amazingly the objectors are arguing that a form that says it is an “Application” is not in fact an application. And the objectors believe that hundreds of thousands of voters who in good faith applied for an absentee ballot using that form should be disenfranchised for this reason.

- An application is an application. The first line of the EL-122 absentee ballot envelope reads: “Official Absentee Ballot Application/Certification.” The WEC’s website clearly states that the EL-122 form serves as an absentee ballot *application* and certificate and has said so for years. See Governor Evers’ Opposition to Petition for Original Action, at 33, *Trump v. Evers*, No. 2020AP001971-OA. And the form itself has been used as an official absentee ballot application and certification since 2011. *Id.* at 33-34.
- There is no evidence that a single one of these ballots was fraudulently or invalidly cast. Nor is there any evidence to substantiate allegations in the recount petition that counties other than Milwaukee and Dane used separate applications instead of the WEC-provided form EL-122.



- Trump's supporters assert that form EL-122 is not an application because it is not *separate* from the certification. But nothing in Wisconsin law requires separate pieces of paper. Justice Hagedorn's concurrence specifically rejected this argument. "Section 6.86(1)(ar) contains no requirement that the application and certification appear on separate documents, and the facts demonstrate that the application was completed before voters received a ballot. As best I can discern from this record, EL-122 is a 'written application' within the meaning of §6.86(1)(ar). That it also serves as a ballot certification form does not change its status as an application." [Recount appeal](#), Concurrence of Justice Hagedorn, at 5 (PDF at 26). Thus, Justice Hagedorn concluded "on the merits and the record before us, in-person absentee voters using form EL-122 in Dane and Milwaukee Counties did so in compliance with Wisconsin law." *Id.* (Note: Justice Hagedorn was former Gov. Scott Walker's chief legal counsel and also was the swing vote on the appeal.).
- Finally, the Wisconsin Supreme Court rejected this argument because it was raised too late. Indeed, as the court noted, the application form "was in place for over a decade. To strike ballots cast in reliance on that form now, and to do so only in two counties, would violate every notion of equity that undergirds our electoral system." [Recount appeal](#) at 15-16. Indeed, this form was used when President Trump won Wisconsin in 2016, and President Trump's own lawyer—Jim Troupis—used this form to cast his in-person absentee ballot in the November 2020 election.

3. Claim: The Madison City Clerk's office collected absentee ballots in violation of state law.

Myth:

Wisconsin state law specifies that absentee ballots may only be returned by mail or be delivered in person to the clerk's office. However, in September and October 2020, the city of Madison, Wisconsin held events it called "Democracy in the Park," during which time it collected absentee ballots at multiple locations in the city.

Objectors will emphasize that although Wisconsin state Republicans warned the city about this effort, the city ignored the warning and collected over 17,000 ballots at these events.

Facts:

There is no evidence that fraudulent votes were cast during these events or that votes were made any easier to cast. Nor is anyone arguing that election officials mishandled the ballots or broke the chain of custody for ballots. Instead, the issue is whether Madison election officials were legally able to collect ballots outdoors in the middle of a pandemic. Objectors want to throw out tens of thousands of ballots cast by voters in good faith reliance on election officials' guidance.

- Trump cited no evidence that the Democracy in the Park events enabled illegal voting practices. As with all absentee ballots, those returned in the parks had to be signed by the voter and witnessed by an adult U.S. citizen.
- Ballots returned at the Democracy in the Park events were legally accepted in-person by trained election officials in accordance with WEC guidance, using tamper-evident seals and implementing a chain of custody log to ensure further security. *See* Governor Evers's



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Opposition to Petition for Original Action, at 57-58, *Trump v. Evers*, No. 2020AP001971-OA. As the Wisconsin Supreme Court described the event: “sworn city election inspectors collected completed absentee ballots. The city election inspectors also served as witnesses if an elector brought an unsealed, blank ballot. No absentee ballots were distributed, and no absentee ballot applications were accepted or distributed at these events.” [Recount Appeal Opinion](#) at 12.

- The nitpicking over whether this event was an authorized “in person absentee *voting* site” — which must occur in “offices” under Wisconsin law — or were ballot *return* sites — which are not location specific — was addressed by Justice [Hagedorn](#), a conservative jurist who was former Gov. Scott Walker’s chief legal counsel and who also was the swing vote on the appeal.
 - In his concurrence, Hagedorn noted that the Trump Campaign once again was citing the wrong statute. The Democracy in the Park events were not in-person absentee *voting* sites because “[b]allots were not requested or distributed.” [Recount Appeal Opinion](#) at 10 and those two acts (requesting or distributing) are the core hallmarks of a voting site.
 - Instead, the Democracy in the Parks sites were legal ballot *return* locations: Under the law, a voter must *return* the absentee ballot in a sealed envelope by mail or “in person, to the municipal clerk issuing the ballot or ballots.” Wis. Stat. §6.87(4)(b)1. “The phrase ‘municipal clerk’ has a specific meaning in the election statutes. It is defined as ‘the city clerk, town clerk, village clerk and the executive director of the city election commission and *their authorized representatives.*’ Wis. Stat. §5.02(10) (emphasis added). A sworn city election inspector sent by the clerk to collect ballots would seem to be an authorized representative as provided in the definition.” [Recount Appeal](#), Concurrence of Hagedorn, J. at 9 (PDF at 30). “In short . . . I see no basis to conclude the ballots collected at ‘Democracy in the Park’ events were cast in contravention of Wisconsin law. This challenge fails.” *Id.* at 11.
- Trump’s campaign failed to challenge or stop these events at the time they were held. Instead, they challenged the events months after they occurred and only after Trump lost the election, attempting to nullify tens of thousands of legal votes in the process.
 - Courts have repeatedly held that voters should not have their votes retroactively nullified after the election for having followed the guidance, policies, and court decisions in effect when they cast their ballot. *See, e.g., Griffin v. Burns*, 570 F.2d 1065, 1074-75 (1st Cir. 1978). Retroactively nullifying thousands of Wisconsin votes that were lawfully cast under the rules in place at the time of the vote would violate those voters’ Due Process Clause rights. *Reynolds v. Sims*, 377 U.S. 533, 554 (1964).
 - But even if the challenge against these events had merit, Trump’s belated post-Election Day challenge was barred by the equitable doctrine of laches when he waited to complain about the widely publicized events until months after they had occurred and after allowing more than 17,000 Wisconsin voters to take advantage of



the program. *Wis. Small Business United, Inc. v. Brennan*, 2020 WI 69, ¶11, 393 Wis. 2d 308, 946 N.W.2d 101.

- Indeed, the Wisconsin Supreme Court rejected this argument because the Trump Campaign’s “delay in raising these issues was unreasonable in the extreme, and the resulting prejudice to the election officials, other candidates, voters of the affected counties, and to voters statewide, is obvious and immense.” [Recount Appeal](#) at 9.
- The Trump Campaign never challenged these events at the time. “Election officials in Dane and Milwaukee Counties reasonably relied on the advice of Wisconsin’s statewide elections agency and acted upon it. Voters reasonably conformed their conduct to the voting policies communicated by their election officials.” *Id.* at 13.
- The argument that the Trump Campaign could not have litigated before the election is entirely spurious. After a lawyer for the Wisconsin Assembly Speaker and the then-Wisconsin Senate Majority Leader sent a letter to the City of Madison complaining about Democracy in the Park, several voters filed suit, seeking to remove any cloud of confusion by obtaining a declaratory judgment that the program complied with Wisconsin law. *See Judge v. Board of Canvassers for the City of Madison*, No. 2020CV2029 (Dane Cnty. Cir. Ct. Sep. 30, 2020). As required by Wisconsin law, the legislative officials received service of this lawsuit, and the suit was widely reported. If the Trump campaign, the Republican Party of Wisconsin, or anyone else wished to contest Democracy in the Park before the election, they could and should have intervened in that suit.

4. Claim: The counting of the absentee ballots in the City of Milwaukee was illegal and possibly fraudulent because poll observers were too far away and because there were fraudulent votes.

Myth:

Objectors may allege that poll observers at the central count facility for absentee ballots in Milwaukee were not allowed to get close enough to observe the counting, intimating that fraud occurred. This claim was part of [Trump’s request for a recount](#).

Facts:

This claim is wrong legally and factually.

First, on the law, objectors’ complaints about inadequate access for poll observers are easily dispatched. Wisconsin law grants municipalities discretion to limit observers. The statute unambiguously provides “[t]he chief inspector or municipal clerk may reasonably limit the number of persons representing the same organization who are permitted to observe under this subsection at the same time.” Wis. Stat. § 7.41(1). Likewise, election officials may remove an observer if the observer causes a disruption to election activities or engages in electioneering. Wis. Stat. § 7.41(3).



Thus, while observers may be present during election operations, that right is not absolute and is subject to reasonable limitations. Further, if there were violations of state law, the appropriate remedy is to file a complaint with the WEC, *see* Wis. Stat. § 5.06 and Wis. Admin. Code ch. EL 20, or for the candidate or political party to seek a declaratory relief on Election Day, not to seek to reject an entire state's electoral college votes.

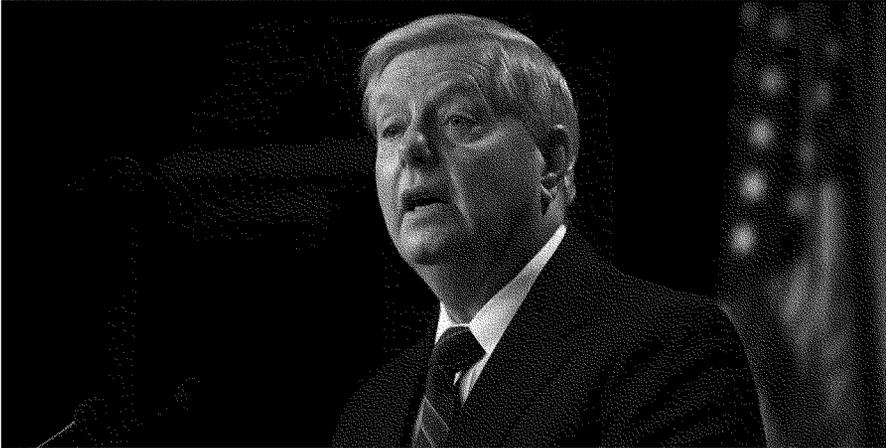
Second, President Trump had the opportunity—of which he availed himself—to trigger a fully transparent recount. The recount process includes participants from all campaigns and thereby cures any alleged limitation on the participation of observers on Election Day.

Any illegal or fraudulent votes would have been caught in the recount. Even falsely assuming that the Trump Campaign had a right to observe closer and that they could have observed closer, a recount would have found any mistaken or fraudulent votes. The recount, however, actually increased votes for Biden.

Sen. Lindsey Graham blames Trump for Capitol riots and says the president needs to 'understand that his actions were the problem'

BI [businessinsider.com/lindsey-graham-trump-should-know-that-his-actions-were-the-problem-2021-1](https://www.businessinsider.com/lindsey-graham-trump-should-know-that-his-actions-were-the-problem-2021-1)

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Sen. Lindsey Graham, R-S.C., speaks during a news conference in Washington on Thursday, Jan. 7, 2021.

Caroline Brehman/CQ-Roll Call, Inc via Getty Images

- Republican Sen. Lindsey Graham criticized President Donald Trump on Thursday after the riots at the US Capitol.
- "When it comes to accountability, the president needs to understand that his actions were the problem, not the solution," Graham said.
- Graham said he was "embarrassed and disgusted" about Wednesday's breach, and described the perpetrators as "domestic terrorists" that need to be prosecuted.
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Republican Sen. Lindsey Graham sharply criticized President Donald Trump on Thursday in the aftermath of the riots at the US Capitol.

"When it comes to accountability, the president needs to understand that his actions were the problem, not the solution," Graham said during a news conference, adding that the president's legacy has been "tarnished."

"It breaks my heart that my friend, a president of consequence, would allow yesterday to happen and it will be a major part of his presidency," he said. "It was a self-inflicted wound."

A prominent ally to Trump, the South Carolina senator was also critical of the president on Wednesday evening, saying that "enough is enough" after rioters breached the Capitol building and forced Congress to evacuate.

Graham echoed his sentiment on Thursday, and slammed Trump's legal team for pushing false claims about the election after President-elect Joe Biden was declared the winner.

"There's been a constant effort by people from the president's legal team to provide misinformation, to distort the facts, to make accusations that cannot be proven. That needs to stop," Graham said on Thursday.

"The rally yesterday was unseemly, it got out of hand, and a good friend of mine Rudy Giuliani did not help," he added. Giuliani, the president's personal lawyer, led his campaign's legal challenges against the 2020 election, all of which have failed. On Wednesday, before the chaos erupted at the Capitol, Giuliani called for "trial by combat."

Despite the criticism, Graham said he doesn't believe invoking the 25th Amendment, which would remove Trump from office, is "appropriate at this point" and that he's "looking for a peaceful transfer of power."

Before Wednesday, Graham had stood by Trump, did not publicly acknowledge his election loss and even backed his allegations. When reporters on Thursday pressed him on topic, Graham deflected the question.

"I said last night, Joe Biden is the president, he won. The Constitution worked," Graham said.

A foe of Trump on the 2016 campaign trail, the senator grew close to the president over his four years in office. As recently as December, the two went golfing together at Trump's property in Florida.

"I have absolutely no regrets of helping this president make us safer, more prosperous. I've enjoyed my relationship with him," he said. "I hate that it ends this way."

Graham said he was "embarrassed and disgusted" over Wednesday's breach, and that he will urge the Justice Department to prosecute the perpetrators, who he called "domestic terrorists."

"The people sitting in the chairs [of the House and Senate chambers] need to be sitting in a jail cell," Graham said. "The people who attacked the Capitol police need to be charged with attacking a police officer. Sedition may be a charge for some of these people."

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Jan 7, 2021 - Politics & Policy

Barr condemns Trump: "Orchestrating a mob to pressure Congress is inexcusable"



Orion Rummier



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Attorney General Bill Barr at a press briefing on Dec. 21. Photo: Michael Reynolds/pool/AFP via Getty Images

Former Attorney General Bill Barr said in a statement to [the AP](#) on Thursday that President Trump's incitement of a march by his supporters on the U.S. Capitol was a "betrayal of his office."

Why it matters: As one of the most loyal members of Trump's Cabinet, Barr backed the president through some of the most high-stakes controversies of his tenure, including the [use of force against protesters](#) steps away from the White House and his impeachment proceedings for abuse of power.

- [Barr resigned](#) last month after tensions boiled over with Trump, who had grown angry with him over his refusal to declare widespread voter fraud in the election and expedite the release of the Durham report.
- In his last press conference before departing the Justice Department, [Barr contradicted](#) Trump repeatedly on questions about Hunter Biden, voting machines and Russia's hack of the U.S. government.

What he's saying: Barr told the AP that "orchestrating a mob to pressure Congress is inexcusable."

Flashback: In response to the siege, which led to over a dozen arrests and several deaths reported by D.C. police, Trump urged his supporters "to go home" in a

you feel. But go home, and go home in peace,"
Trump said, after repeating false claims that the
election was stolen from him.



Go deeper

Sara Fischer, David Nather
Jan 9, 2021 - Politics & Policy

Trump, canceled

Twitter screenshot

Leaders in business, technology and culture are pulling the plug on their support for President Trump and some of his closest allies in the final days of his presidency.

The big picture: Trump's political power, and his popularity with a large swath of the Republican base, always protected him from a backlash from business and tech leaders — until now. The Capitol siege proved to be the final straw.

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Rebecca Falconer
Jan 10, 2021 - Politics & Policy

Pelosi tells lawmakers to be ready to return to D.C. next week over Trump

[Skip to main content](#)

<https://www.axios.com/trump-barr-capitol-mob-73da61e7-370b-4cc8-873f-fa19a885a2cd.html>

House Speaker Nancy Pelosi during a news conference on Thursday. Photo: Caroline Brehman/CQ-Roll Call, Inc via Getty Images

House Speaker Nancy Pelosi (D-Calif.) told Democratic lawmakers in a [letter released](#) Saturday night to "be prepared to return" to Washington, D.C., next week.

Why it matters: Although Pelosi did not specifically mention plans to instigate proceedings to impeach or remove President Trump from office over last Wednesday's [deadly siege](#) on the U.S. Capitol, she said, "There must be a recognition that this desecration was instigated by the President."

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Axios

Updated Jan 10, 2021 - Politics & Policy

GOP Sen. Toomey calls on Trump to resign: "It's the best path forward"

Sen. Pat Toomey (R-Pa.) told CNN's "State of the Union" Sunday he believes President Trump should resign, following his comment to Fox News on Saturday that he believes the president "committed impeachable offenses" over his actions before, during and after Wednesday's deadly siege of the U.S. Capitol.

Why it matters: Toomey's comments come as [some Republicans have signaled](#) they may be open to the possibility of removing Trump from office over Wednesday's riot. He is the second Republican senator to call on Trump to resign, following Sen. Lisa Murkowski.

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Our Response to the Violence in Washington

FB about.fb.com/news/2021/01/responding-to-the-violence-in-washington-dc/

December 15, 2020

Update on January 7, 2021 at 8:05AM PT:

We believe the risks of allowing President Trump to continue to use our service during this period are simply too great, so we are extending the block we have placed on his Facebook and Instagram accounts indefinitely and for at least the next two weeks.

Update on January 6, 2021 at 6:28PM PT:

We've assessed two policy violations against President Trump's Page which will result in a 24-hour feature block, meaning he will lose the ability to post on the platform during that time.

— Facebook Newsroom (@fbnewsroom) [January 7, 2021](#)

Originally published on January 6, 2021 at 4:00PM PT:

Let us speak for the leadership team in saying what so many of us are feeling. We are appalled by the violence at the Capitol today. We are treating these events as an emergency. Our Elections Operations Center has already been active in anticipation of the Georgia elections and the vote by Congress to certify the election, and we are monitoring activity on our platform in real time. For those of you who are wondering, here are the actions we're taking:

First, we have been searching for and removing the following content:

- Praise and support of the storming of the US Capitol
- Calls to bring weapons to locations across the US — not just in Washington but anywhere in the US — including protests
- Incitement or encouragement of the events at the Capitol, including videos and photos from the protestors. At this point they represent promotion of criminal activity which violates our policies.
- Calls for protests — even peaceful ones — if they violate the curfew in DC
- Attempts to restage violence tomorrow or in the coming days

As a part of this, we removed from Facebook and Instagram the recent video of President Trump speaking about the protests and his subsequent post about the election results. We made the decision that on balance these posts contribute to, rather than diminish, the risk of ongoing violence.

Next, we're updating our label on posts across our platforms that attempt to delegitimize the election results. The new text reads: "Joe Biden has been elected President with results that were certified by all 50 states. The US has laws, procedures, and established institutions to ensure the peaceful transfer of power after an election."

In recent days and weeks, we have also taken enforcement action consistent with our policy banning militarized social movements like the Oathkeepers and the violence-inducing conspiracy theory QAnon. We've also continued to enforce our ban on hate groups including the Proud Boys and many others. We've already removed over 600 militarized social movements from our platform.

We've had emergency measures in place since before the US elections like not recommending civic groups for people to join. We're keeping them in place. Today we're implementing several additional ones as well, including:

- Increasing the requirement of Group admins to review and approve posts before they can go up
- Automatically disabling comments on posts in Groups that start to have a high rate of hate speech or content that incites violence, and
- Using AI to demote content that likely violates our policies

We're continuing to monitor the situation and will take additional measures if necessary to keep people safe.

Republican U.S. Rep. Peter Meijer Votes To Impeach President Donald J. Trump

wkar.org/post/republican-us-rep-peter-meijer-votes-impeach-president-donald-j-trump

By Bill Chappell



U.S. Rep. Peter Meijer, (R-Grand Rapids, MI-3)

Credit Pete Meijer campaign

U.S. Rep. Peter Meijer (R-Grand Rapids, MI-3) has issued this statement on Impeachment:

We saw profiles in courage during the assault on the Capitol. Police officers, badly outnumbered, putting their lives on the line to save others. Members of Congress barricading doors and caring for colleagues. A Vice President who fearlessly remained in the Capitol and refused to bow to the mob.

There was no such courage from our President who betrayed and misled millions with claims of a “stolen election” and encouraged loyalists that “if you don’t fight like hell you’re not going to have a country any more.” The one man who could have restored order, prevented the deaths of five Americans including a Capitol Police officer, and avoided the desecration of our Capitol shrank from leadership when our country needed it most.

As gallows were erected on Capitol grounds and members of the mob chanted “Hang Mike Pence,” the President assailed the Vice President regarding the certification vote, saying he “didn’t have the courage to do what should have been done to protect our country and our

constitution.” The President also released a video expressing his admiration for those who stormed the Capitol while Congress was still under attack.

It weighs on me that Gerald Ford held this seat for 25 years before he was elevated to the Presidency. President Ford’s pardon of Richard Nixon was a necessary step to move the nation past the wounds of Watergate, but it followed Nixon’s resignation and acceptance of responsibility. Since last week, the President has accepted no responsibility for the violence his rhetoric and actions inspired.

This vote is not a victory. It isn’t a victory for my party, and it isn’t the victory the Democrats might think it is. I’m not sure it is a victory for our country. But it is a call to action for us to reflect on these events and seek ways to correct them. I have wrestled with the division this vote will cause.

I wrestled with the precedent it will establish and I have concerns with due process. I have wrestled with whether impeachment, an inherently political process, is a meaningful mechanism of accountability for the seriousness of the President’s actions.

But today, my job is to apply my best judgment to the article of impeachment that is on the floor of the US Congress. With the facts at hand, I believe the article of impeachment to be accurate. The President betrayed his oath of office by seeking to undermine our constitutional process, and he bears responsibility for inciting the violent acts of insurrection last week. With a heavy heart, I will vote to impeach President Donald J. Trump.

Tags:

[Election 2020](#)

[Impeachment](#)

[U.S. Capitol](#)

AP Definitive Source | Calling the 2020 presidential race state by state

AP blog.ap.org/behind-the-news/calling-the-2020-presidential-race-state-by-state

The following is a chronology of AP's presidential race calls (all times Eastern). At this time, Alaska, Georgia and North Carolina are too early to call.

Nov. 3, 2020

19:00: WASHINGTON (AP) — Donald Trump wins Kentucky; Joe Biden wins Vermont.

19:30: WASHINGTON (AP) — Donald Trump wins West Virginia.

19:36: WASHINGTON (AP) — Joe Biden wins Virginia.

19:56: WASHINGTON (AP) — Donald Trump wins South Carolina.

20:00: WASHINGTON (AP) — Donald Trump wins Alabama, Mississippi, Tennessee, Oklahoma; Joe Biden wins Connecticut, Delaware, Illinois, Maryland, Massachusetts, New Jersey, Rhode Island.

20:30: WASHINGTON (AP) — Donald Trump wins Arkansas.

20:52: WASHINGTON (AP) — Donald Trump wins Indiana.

21:00: WASHINGTON (AP) — Donald Trump wins North Dakota, South Dakota, Wyoming, Louisiana; Joe Biden wins New York, New Mexico.

21:00: WASHINGTON (AP) — Donald Trump wins Nebraska.

21:27: WASHINGTON (AP) — Joe Biden wins the District of Columbia.

21:37: WASHINGTON (AP) — Joe Biden wins Colorado.

21:59: WASHINGTON (AP) — Donald Trump wins Kansas.

22:31: WASHINGTON (AP) — Donald Trump wins Missouri.

22:54: WASHINGTON (AP) — Joe Biden wins New Hampshire.

23:00: WASHINGTON (AP) — Donald Trump wins Idaho; Joe Biden wins California, Oregon, Washington.

23:08: WASHINGTON (AP) — Donald Trump wins Utah.

Nov. 4, 2020

- 00:06: WASHINGTON (AP) — Joe Biden wins Hawaii.
- 00:13: WASHINGTON (AP) — Joe Biden wins Minnesota.
- 00:19: WASHINGTON (AP) — Donald Trump wins Ohio.
- 00:20: WASHINGTON (AP) — Donald Trump wins Montana.
- 00:21: WASHINGTON (AP) — Donald Trump wins Iowa.
- 00:35: WASHINGTON (AP) — Donald Trump wins Florida.
- 01:06: WASHINGTON (AP) — Donald Trump wins Texas.
- 02:51: WASHINGTON (AP) — Joe Biden wins Arizona.
- 03:06: WASHINGTON (AP) — Joe Biden wins Maine.
- 13:24: WASHINGTON (AP) — Donald Trump wins 2nd Congressional District in Maine.
- 14:16: WASHINGTON (AP) — Joe Biden wins Wisconsin.
- 17:58: WASHINGTON (AP) — Joe Biden wins Michigan.

Nov. 7, 2020

- 11:25: WASHINGTON (AP) — Joe Biden wins Pennsylvania.
- 11:26: WASHINGTON (AP) — Joe Biden elected president of the United States.
- 11:29: WASHINGTON (AP) — Democrat Joe Biden defeats President Donald Trump to become 46th president of the United States.
- 11:54: WASHINGTON (AP) — Trump does not concede, promises unspecified legal challenges.
- 12:13: WASHINGTON (AP) — Joe Biden wins Nevada.
- 20:49: WILMINGTON, Del. (AP) — President-elect Joe Biden appeals to Trump voters in call for unity: 'Let's give each other a chance.'

Follow AP's coverage.

See more on AP's essential role in U.S. elections.

The Washington Post*Democracy Dies in Darkness*

Inside the assault on the Capitol: Evacuating the Senate

By **Paul Kane**

Jan. 6, 2021 at 9:50 p.m. EST



The officer stood dead smack in the middle of the floor of the United States Senate. Across his chest, an orange POLICE sash. Hanging from his right shoulder, a semiautomatic weapon.

He said barely a word, just stared straight ahead at the backdoor entrance to the Senate Chamber.

It was 2:15 p.m. Wednesday and the U.S. Capitol was under assault, the most brazen attack on Congress since terrorists hijacked an airplane and attempted to slam it into the building more than 19 years ago. On Wednesday, a pro-Trump mob crashed into the building in a historic first that sent Washington into lockdown and prompted the type of evacuation that congressional security officials have been planning since 9/11 but had never had to execute.

Moments before, I had been sitting in the Senate press gallery high above the Senate floor, watching Senate Minority Leader Charles E. Schumer (D-N.Y.), Senate Majority Leader Mitch McConnell (R-Ky.) and other senators debate Republicans' unfounded objections to counting the electoral college votes that would seal President-elect Joe Biden's convincing victory over President Trump.

Suddenly, Vice President Pence, who had been presiding over the chamber from the Senate dais, got a signal that it was time to move.

A growing mob outside had breached the barricades and entered the Capitol. Pence was quickly ushered away by Secret Service agents.

I bolted out of the press gallery hoping to find out whether Pence just needed a bathroom break from the tedious proceedings. I bounded down the stairs to the second floor, where senators enter and exit the Chamber. Then I heard it: Police clashing with rioters yet another floor below. I could hear a loud thwacking sound — possibly a billy club being wielded against the invaders.

I retreated back up to the third-floor press gallery in time to see Sen. Kyrsten Sinema (D-Ariz.) finish defending her state's electoral count for Biden. Then Capitol Police and staff ordered everyone into the Senate Chamber.

For our own safety.

I was ordered into a gallery that is reserved for family and close friends of senators — Rep. Greg Pence (R-Ind.), the vice president's brother, had just been there watching the proceedings. But I climbed over several rails and chairs to get back to the usual press location, directly above where Pence had been sitting as the presiding officer.

Soon, the Senate was sealed off and the session was adjourned. Capitol Police raced around the two-story Senate Chamber locking every set of doors.

Then Sen. Amy Klobuchar (D-Minn.) looked at her phone and announced: "Shots fired."

A veteran Capitol Police officer tried to calm the senators, telling them the report might not be accurate. But at 2:30 p.m., police ordered everyone out.

In the most dramatic moments of the siege, with armed officers in every corner of the Senate, police began barking out instructions. They marched us all — a phalanx of senators, staff and press — through multiple office buildings in search of the safest grounds to shelter on the Capitol complex.

We didn't know it at the time, but a similar scene was playing out on the other side of the Capitol, where the House Chamber was evacuated and lawmakers ran for cover in a secure location on their side of the building.

We were not allowed to take the stairs, because the mob was on the floors below. So into the elevators and down to the basement we went, racing toward the Capitol Visitor Center. The CVC is a vast underground bunker of a structure that finally got built after 9/11. It cost roughly \$700 million and has multiple secure rooms and blast-resistant doors.

An officer, holding back two doors, ordered us to head toward the Russell Senate Office Building because the pro-Trump mob had also breached the CVC.

Some senators ran; some walked. Security guards held Schumer by the shoulders to whisk him along.

In a sign of quick staff thinking, aides to the Senate parliamentarian rounded up several people to grab the boxes containing the electoral college certificates submitted by the states — documents needed to certify Biden's victory.

By 2:45 p.m. most senators and a collection of aides and media had gathered in the secure room. An officer informed us that we were safe but said it would take a while to secure the complex. In the meantime, they said they were trying to find buses to get us to safer ground.

Back in the Capitol, police began a room-by-room search to find senators, staff and reporters who had been left behind. One senior GOP aide, who has an office not far from the Senate floor, said he took a steel rod and barricaded his door when the pro-Trump mob approached. For what seemed like 20 minutes, he said, rioters banged on his door, trying to break in.

Others huddled in silence in small rooms with doors locked and cellphones turned off while the rioters walked past.

Inside the Senate's secure location, one senior officer ordered a set of underlings to go secure Sen. Tammy Duckworth (D-Ill.), a double amputee who lost both legs while serving in the Iraq War. A recipient of the Army Commendation Medal for her service flying Black Hawks, she hid in her office three floors above, unwilling to any strangers in. The senior officer gave specific instructions of what to yell: "Senator Duckworth, Senator Klobuchar said come to the door."

A few minutes later, she appeared in the secure spot.

Somehow, Capitol food service operations still appeared to be up and running through the melee. At 4 p.m. and 5 p.m., hundreds of box lunches and bottles of water were rolled into the holding spot. Senators, staff, media and police wielding automatic weapons grabbed lunches of chicken and beef.

Eventually, reporters were herded out of the main secure room and into an outside lobby. Senators stayed behind, and began discussing what had gone wrong with the basic fabric of American democracy. Televisions were wheeled into the senators-only room so they could watch the chaos unfold for themselves.

Pressure mounted on the few Republicans who had been objecting to counting Biden's electoral college votes, giving life to the mob's delusions of four more years for Trump. Just before 5 p.m., Sen. Ted Cruz (R-Tex.) led a contingent of GOP objectors into a separate room to discuss whether to go forward with their challenge in light of the mob violence.

Around 6 p.m., more senators began talking about returning to the Senate floor in a show of democratic force — an idea that echoed a decision by many members to return to the Capitol's East Front steps the night of the 2001 terrorist attacks. On that night, in a show of bipartisan support, Republicans and Democrats stood together and sang "God Bless America."

At the other end of Pennsylvania Avenue, Trump blamed lawmakers for the chaos. "These are the things and events that happen when a sacred landslide election victory is so unceremoniously and viciously stripped away," he tweeted.

A few minutes later, Sen. Tommy Tuberville (R-Ala.) walked past reporters. He was asked what he thought about Trump's statement but walked away, saying nothing.

Just before 6:45 p.m. — four hours after senators fled the Capitol — loud applause echoed from the secure room. Congress had decided to reconvene.

As our group trekked back to the Capitol, someone shouted "make way, make way."

Nonpartisan staffers from the parliamentarian's office were carrying the boxes containing the electoral college votes back to the Senate.

Biden would still be declared the winner.

Updated January 17, 2021

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Exclusive: Capitol Police intelligence report warned three days before attack that 'Congress itself' could be targeted

Attacked with bear spray and their own batons: D.C. police describe brutal and chaotic moments

Trump's second impeachment

Unprecedented: House hands Trump a second impeachment, this time with GOP support

Senate impeachment whip count: Where Democrats and Republicans stand

The Washington Post*Democracy Dies in Darkness*

Assessing the damage at the U.S. Capitol: ‘You can see the broken windows’

By **Paul Schwartzman**

Jan. 7, 2021 at 7:06 p.m. EST



Outside the U.S. Capitol on Thursday, Sheridan Harvey took out binoculars and gazed hundreds of yards in the distance, looking for evidence of the damage rioters had caused to a complex that is an enduring symbol of American democracy.

“You can see the broken windows,” Harvey, a retired Library of Congress reference librarian, told her friend Merritt Chesley, a retired Foreign Service officer.

On Wednesday, Harvey had devoured an entire bag of Cheetos as the two women texted each other, both watching news coverage of the mob that overwhelmed the landmark at the center of their neighborhood.

“What they’re doing to our country is appalling, appalling, appalling,” Chesley said.

“I was never afraid that the building would fall or that the rioters would take control,” Harvey said. “But symbolically? It was devastating.”

Less than 24 hours after rioters desecrated a singular emblem of Washington power, the nation’s capital struggled to regain a sense of order as work crews cleaned up litter on the Capitol’s grounds and tourists returned to admire its gleaming dome.

Clusters of National Guard troops ringing the complex, along with newly installed security fencing, signaling that the path to normalcy would not be simple or quick.

“It’s reassuring to see it on a lovely, clear day, on the one hand, and I’m happy to see the National Guard,” Laird Treiber, 55, a retired Foreign Service officer who lives in the neighborhood, said as he walked his beagle past the east side of the Capitol. “But what a shame. It’s not something I would expect to see in my lifetime. It’s the kind of thing you see somewhere else, and it’s usually a sign of real trouble.”

Michael Kanter awoke Thursday at a downtown hotel, put on his red “Make America Great Again” cap and headed straight for the Capitol, where he had spent hours the day before.

Instead of voicing more outrage over the election results, as he had when he marched with thousands of other supporters of President Trump, Kanter said he wanted to make sure the building was secure.

The 67-year-old dentist from Florida still insisted the election was “stolen” from Trump, who has made unfounded allegations about rigged voting for months. But Kanter described himself as upset that the Capitol had been vandalized by hordes of his fellow Trump backers, who overtook police, broke windows and ransacked congressional offices.

“I wanted to see it quiet and peaceful,” he said as he gazed at the building. “I just wanted to see the beauty of it.”

As much as the White House, perhaps, the Capitol is a cultural icon, depicted on the \$50 bill, in countless movies and on postcards. Storming the complex as lawmakers were certifying the election results was akin to “violating a cathedral,” Georgetown University history professor Michael Kazin said.

“Our Constitution, the White House, the Mall, the Capitol — they’re like a secular version of religion,” Kazin said. “Those are the places people know if they know anything about the country.”

Over the course of U.S. history, the Capitol has been the setting for the attempted assassination of President Andrew Jackson, three bombings and several shootings, including the 1998 slaying of two Capitol Police officers. During the War of 1812, British troops torched the building while it was still under construction.

Yet Wednesday’s attack was unprecedented because of the size of the mob, cheered on by Trump, that overwhelmed the police and jammed the Capitol’s hallways and stairwells.

“Most of these previous incidents was a person or a few people doing something dastardly,” said Stephen Hess, a senior fellow at the Brookings Institution who writes about government and the media. “These were countless people, swarming in and over the Capitol. It was a stampede. The vision of that was sickening.”

Hess, 87, a D.C. resident who has been decoding the workings of Washington since the 1950s, said he was paralyzed with astonishment as he sat in front of his television for hours watching the mob.

“The Germans bombed Britain, but they were Germans,” he said. “In this case, it wasn’t an invasion. They weren’t our enemy. They were our people — friends, inspired by our president. That’s the horrible thing about it.”

Many of the marauders wore Trump hats or carried Trump flags as they entered the building Wednesday. But on Thursday, there were supporters of the president — like Kanter — who came back downtown and showed reverence for the institutions of government.

Some picked up debris near the White House. At the Capitol, a woman who identified herself only as “Asia” said she had marched Wednesday but retreated once the vandalism had begun. “I didn’t want to be part of that,” she said.

“I’m glad to see there’s not a lot of trash,” she said after emerging from a van with a Maine license plate, wearing a dirt-bike helmet fashioned to look like a skull. “I believe in our country, but I don’t believe in hurting each other. There’s a way to do it, and we messed up.”

A few yards away, Monica Squires, 35, said she did not think the pro-Trump crowd had done anything wrong. She had traveled from California for the Trump rally and saw the mayhem on the Capitol grounds but said she did not enter the building.

“The fact that I saw it with in my own eyes is really so cool,” she said, after returning to the area Thursday in hopes of running into Alex Jones, the right-wing conspiracy theorist. “I feel like I saw history. I don’t see what happened as any kind of desecration. I see it as the government should be afraid of the people. They should listen to our grievances. I thought it was all kind of entertaining.”

After the curfew imposed by D.C. Mayor Muriel E. Bowser (D) lifted at 6 a.m., the city’s roadways filled with traffic and Washingtonians emerged to buy groceries, walk their dogs and get fresh air.

Daniel Bell, a social-work student who lives in Cleveland Park, visited Black Lives Matter Plaza, near the White House, because he wanted to see the remnants of Wednesday’s “destruction.” He found a largely vacant stretch of asphalt, except for a handful of visitors, some of whom wore hats signaling support for Trump.

Bell, 27, who grew up in the District, said his ingrained sense of security in his hometown has been shaken by the demonstrations in recent months. “My neighbors are kind and caring, but the people who visit?” he said. “I’m not feeling so safe right now. I’ve been terrified since November.”

At 14th and U streets NW, where rioting erupted after Martin Luther King Jr.’s assassination in 1968, Delontay Ericson, 28, unloaded folding tables from his van to sell T-shirts emblazoned with the faces of President-elect Joe Biden and Vice President-elect Kamala D. Harris.

On most days, Ericson said, he also offers shirts and flags promoting Trump, as well as items that invoke an obscenity to express contempt for the president. But on Thursday, those items remained out of sight.

“All the Trump stuff stays in the bag,” he said. “I’m a capitalist. I don’t need no trouble today.”

Updated January 14, 2021

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Attacked with bear spray and their own batons: D.C. police describe brutal and chaotic

moments

Six hours of paralysis: Inside Trump's failure to act after a mob stormed the Capitol

Trump's second impeachment

Unprecedented: House hands Trump a second impeachment, this time with GOP support

The GOP: Ten Republicans vote to impeach, giving the vote bipartisan bona fides that could win over Senate

Trump's election fight includes over 50 lawsuits. It's not going well.

[nbcnews.com/politics/2020-election/trump-s-election-fight-includes-over-30-lawsuits-it-s-n1248289](https://www.nbcnews.com/politics/2020-election/trump-s-election-fight-includes-over-30-lawsuits-it-s-n1248289)

November 23, 2020



Nov. 23, 2020, 2:06 PM UTC / Updated Dec. 10, 2020, 5:42 PM UTC

By Pete Williams and Nicole Via y Rada

President Donald Trump and his allies have filed dozens of lawsuits across the country in an attempt to contest the election results.

Most of them have been shot down or withdrawn, and no court has found even a single instance of fraud. Of at least 57 cases to have been filed, including some not directly involving Trump but which could nonetheless affect his standing, at least 50 have been denied, dismissed, settled or withdrawn.

Trump has aggressively ramped up his allegations of election fraud in the weeks since his projected loss, tweeting dozens of debunked theories. Despite the Electoral College vote this week certifying Biden's victory, Trump has still not conceded.

Just five cases remain active as of Dec. 17. Here is where things stand:

Pennsylvania

3rd U.S. Court of Appeals: In *Bognet v. Boockvar*, Republicans argued that the extended mail-in ballot deadline challenged the constitution.

Status: Denied.

U.S. District Court, Eastern District: In *Barnette v. Lawrence*, the GOP lawsuit claimed that Montgomery County wrongly allowed mail-in voters the chance to cure ballots.

Status: Dismissed.

U.S. District Court, Eastern District: In *Trump v. Philadelphia County Board of Elections*, the Trump campaign argued that there was insufficient access by observers.

Status: Denied. The Trump campaign later admitted that there were a "nonzero number of people in the room" observing the vote count, including some affiliated with the campaign. Judge Paul S. Diamond shot back, "I'm sorry, then what's your problem?"

U.S. District Court, Middle District: In *Pirkle v. Wolf*, four voter plaintiffs generalized allegations of fraud, based on complaints issued by third parties.

Status: Withdrawn.

Pennsylvania Supreme Court: In response to the Canvass of Absentee and Mail-in Ballots, Republicans claim that Philadelphia did not give election observers enough access.

Status: Denied. The court reversed the petition allowing an appeal. The court rejected the Trump campaign's claim that mail-in ballots with minor flaws must be rejected.

Pennsylvania Commonwealth Court: In *Hamm v. Boockvar*, Republicans claimed that the state wrongly allowed voters to cast provisional ballots to cure invalid mail ballots.

Status: Denied.

Pennsylvania Commonwealth Court: Northampton Republicans challenged notifications of votes that were canceled during prescreening.

Status: Withdrawn.

Pennsylvania Commonwealth Court: In *Trump v. Boockvar*, the campaign challenged the three-day deadline extension given to mail-in voters missing identification to supply proof of identification.

Status: Relief granted. The court found that the secretary of state had no authority to provide an extension. The secretary of state's office has said the total number of votes is probably fewer than 100 statewide.

Court of Common Pleas, Bucks County: Both the Republican National Committee and the Trump campaign challenged over 2,000 mail-in ballots.

Status: Denied.

Montgomery County Court of Common Pleas: In Trump v. Montgomery County Board of Elections, the Trump campaign and the RNC challenged about 600 mail-in ballots that lacked voters' addresses.

Status: Withdrawn.

U.S. Supreme Court: In Republican Party of Pennsylvania v. Boockvar, Republicans challenged the extended mail-in ballot deadline.

Status: Active.

3rd Circuit Court of Appeals: In Trump v. Boockvar, the campaign is arguing that different provisional ballot practices violate equal protection.

- Status: Denied.
- A federal judge on Saturday dismissed the suit in a scathing opinion: "This claim, like Frankenstein's Monster, has been haphazardly stitched together," Judge Matthew Brann wrote.
- The Trump campaign appealed the ruling earlier this week, but their appeal was denied. The ruling states that "calling an election unfair does not make it so."

Pennsylvania Supreme Court: The Trump campaign appealed a Philadelphia County Board of Elections decision to count five different categories of mail-in and absentee ballots.

Status: Denied. The court is reviewing whether the state election code allows curing some mail-in ballots by casting provisional ballots.

Pennsylvania Supreme Court: In Zicarelli v. Allegheny County Board of Elections, Nicole Zicarelli, a GOP legislative candidate, challenged 2,349 undated mail-in ballots.

Status: Denied.

Court of Common Pleas for Westmoreland County: Zicarelli is also challenging a small number of provisional ballots.

Status: Relief granted.

Pennsylvania Supreme Court: In Kelly v. Pennsylvania, a group of Republicans, led by Rep. Mike Kelly, claimed that the state's no-excuse mail ballot law violates the state constitution. They sought an order blocking certification of most mail-in votes or that directs the state Assembly to choose the presidential electors.

Status: Denied. The U.S. Supreme Court denied the plaintiffs' appeal.

Commonwealth Court of Pennsylvania: *Metcalf v. Wolf*, repeats claims of voter fraud, alleging that thousands of illegal ballots were cast and that drop boxes for ballots were improperly allowed.

Status: Denied.

U.S. Supreme Court: In *Texas v. Pennsylvania et al.*, the state of Texas filed suit against Pennsylvania, Michigan, Georgia and Wisconsin alleging that fraud and mistakes damaged the presidential election in those states.

Status: Denied. 126 congressional Republicans, including House Republican leader Rep. Kevin McCarthy, R-Calif., signed on to a [brief](#) asking that the Electoral College selects a candidate for president by "counting only legal votes." The Supreme Court rejected the case on Friday, citing a "lack of standing under Article III of the Constitution."

Michigan

U.S. District Court, Western District: In *Johnson/Stoddard v. Benson*, two Trump supporters made generalized allegations of voter fraud.

Status: Withdrawn.

Michigan Supreme Court: In *Johnson v. Benson*, two Trump supporters made generalized allegations of voter fraud.

Status: Denied. In a 4-3 decision, the Michigan Supreme Court denied relief.

U.S. District Court, Western District: In *Trump v. Benson*, the campaign claimed that Wayne County denied election challengers proper access to watch election workers handle ballots.

Status: Withdrawn

Wayne County Circuit Court: In *Constantino v. Detroit*, two Republican poll challengers alleged irregularities in the vote at the TCF Center.

Status: Denied.

Wayne County Circuit Court: In *Stoddard v. Detroit*, the plaintiffs claimed that ballots were improperly duplicated by Democratic Party inspectors.

Status: Denied.

Michigan Court of Claims: In *Trump v. Benson*, the campaign sought to have more poll observers watch the vote count.

Status: Denied. In her opinion, Judge Cynthia D. Stephens said that the case was "inadmissible hearsay within hearsay."

U.S. District Court, Western District: In *Bally v. Whitmer*, a group of voters disputed election results in three counties based on allegations of voting irregularities and fraud.

Status: Withdrawn.

U.S. District Court, Eastern District: In *King v. Whitmer*, a group of Michigan Republicans asked a federal judge to reverse Biden's victory in Michigan, an outcome that was formally certified earlier this month.

Status: Denied.

Wisconsin

U.S. District Court, Eastern District: In *Langenhorst v. Pecore*, Republicans made generalized allegations of voter fraud that relied on third-party accounts.

Status: Dismissed.

Wisconsin Supreme Court: In *Wisconsin Voters Alliance v. Wisconsin Election Commission*, a conservative group claims that the five cities of Kenosha, Green Bay, Madison, Milwaukee and Racine illegally accepted grants from Facebook CEO, Mark Zuckerberg to improve election systems. They also claim that officials failed to get voter identification for some mail-in ballots.

Status: Denied.

U.S. District Court, Eastern District: In *Feehan v. Wisconsin Elections Commission*, former Trump lawyer Sidney Powell is alleging fraud with voting machines.

Status: Dismissed.

Wisconsin Supreme Court: In *Trump v. Evers*, the Trump campaign seeks to invalidate mail ballots it claims were improperly included during the canvas in Milwaukee and Dane counties.

Status: Denied.

Wisconsin Supreme Court: In *Mueller v. Wisconsin*, the lawsuit claims drop boxes were placed without proper authority and seeks nullification of any ballots placed in them. It accuses Homeland Security's Cybersecurity and Infrastructure Security Agency of leading a

propaganda campaign to encourage their use, part of a "treacherous operation to interfere with the presidential election."

Status: Denied.

U.S. District Court, Eastern District: In *Trump v. Wisconsin Elections Commission*, the Trump campaign claims that state election officials made ballots and drop boxes available in a manner not allowed by the state legislature.

Status: Dismissed.

Arizona

Maricopa County Superior Court: In *Arizona Republican Party v. Fontes*, the Republicans sought a hand recount of the ballots cast in Maricopa County by precinct. The GOP does not allege fraud, but it claims that the audit of votes did not meet state law.

Status: Dismissed.

Maricopa County Superior Court: In *Trump v. Hobbs*, the Trump campaign claimed that using Sharpies to fill in mail-in ballots caused an overvote and invalidated ballots.

Status: Dismissed.

Superior Court for the State of Arizona: In *Ward v. Jackson*, Kelli Ward, the chair of the Arizona Republican Party and a Trump elector, alleges misconduct in the elections administration and seeks that the vote certification by Gov. Doug Ducey be annulled.

Status: Denied.

U.S. District Court: In *Bowyer v. Ducey*, involves Texas lawyer Sidney Powell and alleges "massive election fraud" involving Dominion voting systems. These claims are similar to those in other lawsuits.

Status: Denied. The plaintiffs filed an appeal.

Superior Court for the State of Arizona: In *Stevenson v. Ducey*, the plaintiffs contested the election results.

Status: Dismissed voluntarily.

Arizona Superior Court: In *Burk v. Ducey*, the plaintiffs claim illegal ballots were counted in the vote totals, while attacking the use of Dominion voting machines.

Status: Active.

Nevada

Clark County District Court: In Election Integrity Project v. Nevada, the plaintiffs claimed that Nevada's vote-by-mail structure is unconstitutional. The suit was filed in September.

Status: Denied.

1st Judicial District Court, Carson City: In Law v. Whitmer, Trump's six electors claimed irregularities, including the improper use of scanning machines to verify signatures.

Status: Denied.

U.S. District Court: In Stokke v. Cegavske, the plaintiffs sought to stop the use of automated signature matching in Clark County.

Status: Withdrawn.

Nevada Supreme Court: In Kraus v. Cegavske, the Trump campaign, the Nevada GOP and a Republican voter and count-watcher named Fred Kraus sued to stop the use of automated signature matching.

Status: Dismissed. The parties reached an agreement to allow for more observers.

Clark County District Court: In Becker v. Gloria, April Becker, a state Senate candidate, challenged the use of automated systems to match mail-in ballot signatures and the mailing of ballots to all registered voters.

Status: Denied.

Clark County District Court: In Marchant v. Gloria, Jim Marchant, a congressional candidate, challenged the use of automated systems for signature-matching and for mailing ballots to all registered voters.

Status: Dismissed.

Clark County District Court: In Rodimer v. Gloria, Daniel Rodimer, a state legislative candidate, challenged the use of automated systems for signature-matching and mailing ballots to all registered voters.

Status: Dismissed.

Georgia

U.S. District Court, Northern District: In Wood v. Raffensperger, an Atlanta lawyer and Trump supporter sought an injunction to prevent a statewide canvass, arguing that a consent decree wrongly imposes an invalid procedure to verify voter signatures.

Status: Denied.

U.S. District Court, Northern Division: Pearson v. Kemp makes many of the claims alleged by Texas lawyer Sidney Powell, including that voting machines made by Dominion Voting Systems allowed Democratic officials to fraudulently add votes for Biden.

Status: Dismissed. The plaintiffs intend to appeal.

Fulton County Superior Court: In Wood v. Raffensberger, a conservative group is behind a lawsuit claiming that thousands of illegal votes were counted and that funds contributed by Mark Zuckerberg tainted the election. The suit seeks to invalidate the presidential election results.

Status: Denied.

Fulton County Superior Court: In Boland v. Raffensperger, the plaintiff claims more than 20,000 ballots were cast by non-residents and that counties did not properly screen mail ballot signatures. Seeks an audit or, if none is granted, decertification of the election results.

Status: Denied.

U.S. District Court, Southern District: In Brooks v. Mahoney, four Republican voters claimed that a voting machine software glitch caused a miscounting of votes.

Status: Dismissed.

Chatham County Superior Court: The Georgia Republican Party and the Trump campaign sought a reminder that mail-in ballots arriving late would not be counted.

Status: Dismissed.

Fulton County Superior Court: Boland v. Raffensperger claims more than 20,000 ballots were cast by non-residents and that counties did not properly screen mail ballot signatures. The complaint seeks an audit or, if none is granted, decertification of the election results.

Status: Denied.

Fulton County Superior Court: In Trump v. Raffensperger, the Trump campaign and a Trump elector claim thousand of ballots were cast by ineligible voters.

Status: Dismissed.

Minnesota

Minnesota Supreme Court: In *Kistner v. Simon*, several Republican candidates make generalized claims of voting irregularities. The lawsuit sought to block the state's certification of votes until an audit of the returns could be completed.

Status: Denied.

Minnesota District Court, 2nd Judicial District: In *Quist v. Simon*, the plaintiffs claim the secretary of state created procedural changes that made the ballot counting process "overly broad, arbitrary, disparate and ad hoc."

Status: Active.

Minnesota District Court, 2nd Judicial District: In *Jensen v. Simon*, the plaintiffs seek to contest election results under the claim that invalid votes were counted.

Status: Active.

New Mexico

U.S. District Court: In *Trump v. Toulouse Oliver*, the Trump campaign claims the secretary of state allowed ballot drop boxes without legislative authority. The plaintiffs ask the judge to void Biden's elector certificate and "remand to the state of New Mexico legislature pursuant to appoint electors."

Status: Active.

Pete Williams

Pete Williams is an NBC News correspondent who covers the Justice Department and the Supreme Court, based in Washington.



Nicole Via y Rada

Nicole Via y Rada is a news associate for NBC News.

Rich Gardella contributed.

Pence Reached His Limit With Trump. It Wasn't Pretty.

[nytimes.com/2021/01/12/us/politics/mike-pence-trump.html](https://www.nytimes.com/2021/01/12/us/politics/mike-pence-trump.html)

January 13, 2021



WASHINGTON — For Vice President Mike Pence, the moment of truth had arrived. After three years and 11 months of navigating the treacherous waters of President Trump's ego, after all the tongue-biting, pride-swallowing moments where he employed strategic silence or florid flattery to stay in his boss's good graces, there he was being cursed by the president.

Mr. Trump was enraged that Mr. Pence was refusing to try to overturn the election. In a series of meetings, the president had pressed relentlessly, alternately cajoling and browbeating him. Finally, just before Mr. Pence headed to the Capitol to oversee the electoral vote count last Wednesday, Mr. Trump called the vice president's residence to push one last time.

"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."

The blowup between the nation's two highest elected officials then played out in dramatic fashion as the president publicly excoriated the vice president at an incendiary rally and sent agitated supporters to the Capitol where they stormed the building — some of them chanting "Hang Mike Pence."

Evacuated to the basement, Mr. Pence huddled for hours while Mr. Trump tweeted out an attack on him rather than call to check on his safety.

It was an extraordinary rupture of a partnership that had survived too many challenges to count.

The loyal lieutenant who had almost never diverged from the president, who had finessed every other possible fracture, finally came to a decision point he could not avoid. He would uphold the election despite the president and despite the mob. And he would pay the price with the political base he once hoped to harness for his own run for the White House.

“Pence had a choice between his constitutional duty and his political future, and he did the right thing,” said John Yoo, a legal scholar consulted by Mr. Pence’s office. “I think he was the man of the hour in many ways — for both Democrats and Republicans. He did his duty even though he must have known, when he did it, that that probably meant he could never become president.”

Former Senator Jeff Flake of Arizona, one of Mr. Trump’s most outspoken Republican critics and a longtime friend of Mr. Pence before they drifted apart over the president, said he was relieved the vice president had finally taken a stand.

“There were many points where I wished he would have separated, spoke out, but I’m glad he did it when he did,” Mr. Flake said. “I wish he would have done it earlier, but I’m sure grateful he did it now. And I knew he would.”

Not everyone gave Mr. Pence much credit, arguing that he should hardly be lionized for following the Constitution and maintaining that his deference to the president for nearly four years enabled Mr. Trump’s assault on democracy in the first place.

“I’m glad he didn’t break the law, but it’s kind of hard to call somebody courageous for choosing not to help overthrow our democratic system of government,” said Representative Tom Malinowski, Democrat of New Jersey. “He’s got to understand that the man he’s been working for and defending loyally is almost single-handedly responsible for creating a movement in this country that wants to hang Mike Pence.”

The rift between Mr. Trump and Mr. Pence has dominated their final days in office — not least because the vice president has the power under the 25th Amendment to remove the president from office with support of the cabinet. The House voted on Tuesday demanding that Mr. Pence take such action or else it would impeach Mr. Trump.

Mr. Pence sent a letter to Speaker Nancy Pelosi late Tuesday refusing to act. But Mr. Trump has been nervous enough about it that he finally broke five days of the cold shoulder to invite his vice president to the Oval Office on Monday night to smooth over their split. The official description of the hourlong conversation was “good”; the unofficial description was “nonsubstantive” and “stilted.”

The clash is the third time in 20 years that a departing president and vice president came to conflict in their last days. After Vice President Al Gore lost his presidential campaign in 2000, he had a bitter fight with President Bill Clinton in the Oval Office over who was to blame. Eight years later, just days before leaving office, Vice President Dick Cheney castigated President George W. Bush for refusing to pardon I. Lewis Libby Jr., the vice president's former chief of staff, for perjury in the C.I.A. leak case.

Mr. Trump came into office with no real understanding of how his predecessors had handled relationships with their running mates. In the early days, when it became clear that there would be no organizational chart or formal decision-making process, Mr. Pence made himself a regular presence in the Oval Office, simply showing up with no agenda, often walking into a policy discussion for which he had received no briefing materials.

He arrived in the West Wing each morning, received an update about when the president was coming down from the residence and then simply stationed himself in the Oval Office for most of the day. He was almost never formally invited to anything and his name was rarely on official meeting manifests. But he was almost always around.

Calm and unflappable, Mr. Pence took on the role of confidant for cabinet secretaries and other officials fearing Mr. Trump's ire, advising how to broach uncomfortable topics with the president without triggering him.

Not angering Mr. Trump "was a key objective of his," observed David J. Shulkin, the former secretary of veterans affairs. "He tried very hard to straddle a very tough line." But that meant Mr. Pence's own views were often opaque.

"Were the policies and the statements being put out, were they ones that he completely agreed with?" Dr. Shulkin asked. "Or was it his strategy that it is better to be in the room, it is better to be a trusted party to help moderate some of those strategies and the way to do that is not to publicly disagree? I think that was a really hard one to figure out, exactly where he stood."

Mr. Pence ultimately discovered that loyalty to Mr. Trump only matters until it does not. Tension between the two had grown in recent months as the president railed privately about Mr. Pence. The vice president's allies believed Mr. Trump was stirred up in part by Mark Meadows, the White House chief of staff, who told him that Pence aides were leaking to reporters. That helped create a toxic atmosphere between the two offices even before Election Day.

When Mr. Trump's efforts to overturn the election results were rejected at every turn by state officials and judges, Mr. Trump was told, incorrectly, that the vice president could stop the final validation of the election of President-elect Joseph R. Biden Jr. in his role as president of the Senate presiding over the Electoral College count.

The riot inside the U.S. Capitol on Wednesday, Jan. 6, followed a rally at which President Trump made an inflammatory speech to his supporters, questioning the results of the election. Here's a look at what happened and the ongoing fallout:

- As this video shows, poor planning and a restive crowd encouraged by President Trump set the stage for the riot.
- A two hour period was crucial to turning the rally into the riot.
- Several Trump administration officials, including cabinet members Betsy DeVos and Elaine Chao, announced that they were stepping down as a result of the riot.
- Federal prosecutors have charged more than 70 people, including some who appeared in viral photos and videos of the riot. Officials expect to eventually charge hundreds of others.
- The House voted to impeach the president on charges of “inciting an insurrection” that led to the rampage by his supporters.

Mr. Pence's counsel, Greg Jacob, researched the matter and concluded the vice president had no such authority. Prodded by Rudolph W. Giuliani and Jenna Ellis, two of his lawyers, Mr. Trump kept pressing.

Mr. Pence's office solicited more constitutional opinions, including from Mr. Yoo, a prominent conservative at the University of California at Berkeley who served in Mr. Bush's administration.

In the Oval Office last week, the day before the vote, Mr. Trump pushed Mr. Pence in a string of encounters, including one meeting that lasted at least an hour. John Eastman, a conservative constitutional scholar at Chapman University, was in the office and argued to Mr. Pence that he did have the power to act.

The next morning, hours before the vote, Richard Cullen, Mr. Pence's personal lawyer, called J. Michael Luttig, a former appeals court judge revered by conservatives — and for whom Mr. Eastman had once clerked. Mr. Luttig agreed to quickly write up his opinion that the vice president had no power to change the outcome, then posted it on Twitter.

Within minutes, Mr. Pence's staff incorporated Mr. Luttig's reasoning, citing him by name, into a letter announcing the vice president's decision not to try to block electors. Reached on Tuesday, Mr. Luttig said it was “the highest honor of my life” to play a role in preserving the Constitution.

After the angry call cursing Mr. Pence, Mr. Trump riled up supporters at the rally against his own vice president, saying, “I hope he doesn't listen to the RINOs and the stupid people that he's listening to.”

“He set Mike Pence up that day by putting it on his shoulders,” said Ryan Streater, an adviser to Mr. Pence when he was the governor of Indiana. “That's a pretty unprecedented thing in American politics. For a president to throw his own vice president under the bus like that and

to encourage his supporters to take him on is something just unconscionable in my mind.”

Mr. Pence was already in his motorcade to the Capitol by that point. When the mob burst into the building, Secret Service agents evacuated him and his wife and children, first to his office off the floor and later to the basement. His agents urged him to leave the building, but he refused to abandon the Capitol. From there, he spoke with congressional leaders, the defense secretary and the chairman of the Joint Chiefs of Staff — but not the president.

A Republican senator later said he had never seen Mr. Pence so angry, feeling betrayed by a president for whom he had done so much. To Mr. Trump, one adviser said, the vice president had entered “Sessions territory,” referring to Jeff Sessions, the attorney general who was tortured by the president before being fired. (A vice president cannot be dismissed by a president.)

On Thursday, the day after the siege, Mr. Pence stayed away from the White House, avoiding Mr. Trump. The next day, he went in, but spent most of the day at the Eisenhower Executive Office Building next door, where he held a farewell party for his staff.

But aides said Mr. Pence did not want to become a long-term nemesis of a vindictive president, and by Monday he was back in the West Wing.

Unlike Mr. Trump, Mr. Pence plans to attend Mr. Biden’s inauguration, then expects to divide time between Washington and Indiana, possibly starting a leadership political committee, writing a book and campaigning for congressional Republicans.

But no matter what comes next, he will always be remembered for one moment. “We’re very lucky that the vice president isn’t a maniac,” said Joe Grogan, Mr. Trump’s domestic policy adviser until last year. “In many ways, I think it vindicates the decision of Mike Pence to hang in there this long.”

The Washington Post

Democracy Dies in Darkness

Beaten, sprayed with mace and hit with stun guns: police describe injuries to dozens of officers during assault on U.S. Capitol

By **Peter Hermann** and **Julie Zauzmer**

Jan. 11, 2021 at 7:22 p.m. EST



An officer was hit with a bat. Another was struck with a flagpole. A third was pinned against a statue. A fourth was clobbered with a wrench. One became stuck between two doors amid a frenzied mob. Many were hit with bear spray.

The number of injuries suffered by police as they attempted to fend off supporters of President Trump who seized the U.S. Capitol last week runs long. They include swollen ankles and wrists, bruised arms and legs, concussions and irritated lungs.

How those injuries occurred is varied: pushed down stairs, trampled by rioters, run over in a stampede, punched with fists.

More than 58 D.C. police officers and an unknown number of U.S. Capitol Police officers were injured in the hours-long riot and assault on Wednesday as lawmakers were formalizing the election victory for Joe Biden as president. It was a battle in which police were outnumbered. One Capitol Police officer died in circumstances that remain unclear.

"I've talked to officers who have done two tours in Iraq, who said this was scarier to them than their time in combat," acting D.C. police chief Robert J. Contee III said Monday after speaking to an officer who was discharged from the hospital after being beaten and injured with a stun gun.

"He's obviously very shaken, very appalled, very angry," Contee said, adding that rioters stole items from the officer and, he thinks, tried to get his firearm.

Videos circulating on the Internet show horrific scenes, including one of an officer, identified by the police union as from the D.C. force, being dragged down stairs outside the Capitol and beaten by people with clubs, a crutch and a pole with an American flag attached. The officer was rescued by other officers swinging batons.

Another video, first shown on CNN, shows a D.C. officer pinned between two doors in a Capitol vestibule, screaming in pain as rioters try to push his gas mask over his head as he was being crushed between colleagues and demonstrators in the narrow entryway. Some rioters wrested away the officers' shields and used them to push back against the police.

It was not a brief moment. A longer version of that video shows hundreds of rioters pushing for more than 30 minutes against D.C. police officers, who had rushed to help their colleagues on the Capitol force. Rioters shouted en masse, "Heave ho," as they pushed in coordinated waves, screaming and cheering.

"It makes me sick to my stomach to see that video," Contee said. "That officer, obviously, he was afraid for his life."

D.C. police said Monday that one District officer remained hospitalized. They described many of the injuries as sprains and bruised arms and legs, but many others appear far more serious and caused by repeated blows from sticks, poles and clubs and laser pointers shined into officers' eyes.

The Capitol Police, which had 1,400 officers at the building, also have members who suffered injuries. A number was not available, but Eva M. Malecki, a spokeswoman for the agency, said injuries ranged from concussions to scrapes and bruises. She said no Capitol Police officers remain hospitalized.

In a statement the day after the riot, then-Capitol Police Chief Steven Sund, who resigned Friday, said officers were attacked with metal pipes, chemical irritants and other types of weapons. Several Capitol Police officers were hospitalized with serious injuries.

Three people among the demonstrators died during what police have described as “medical emergencies.” Authorities said a Capitol Police officer, Brian D. Sicknick, died of injuries sustained in the assault. Another Capitol Police officer who had been at the Capitol during the riot took his own life Saturday.

Greggory Pemberton, head of the D.C. police union, called the riot “a nightmare.” He said one officer suffered an apparent heart attack after he was hit six times with a stun gun, and another lost the tip of his right index finger, possibly when it was crushed.

He said many rioters came prepared, with enhanced versions of munitions carried by police. Bear spray, for example, is a highly concentrated version of OC spray, also referred to as tear gas, that is stronger than the version police use to tame violent demonstrations.

“It has a really nasty effect,” Pemberton said, noting it can burn lungs. He said that although all but one injured D.C. officer are out of the hospital, many face an extended recovery period.

Justin Jouvenal and Katie Mettler contributed to this report.

Updated January 14, 2021

Complete coverage: Pro-Trump mob storms Capitol building

Security

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Six hours of paralysis: Inside Trump's failure to act after a mob stormed the Capitol

Analysis: What Trump said before his supporters stormed the Capitol. annotated

Trump's second impeachment

Unprecedented: House hands Trump a second impeachment, this time with GOP support

The GOP: Ten Republicans vote to impeach, giving the vote bipartisan bona fides that could win over Senate



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Inside the fight for the Capitol: US Capitol Police officers recount being unprepared and 'betrayed'

 [cnn.com/2021/01/19/politics/capitol-police-officers-speak/index.html](https://www.cnn.com/2021/01/19/politics/capitol-police-officers-speak/index.html)

January 19, 2021



By Peter Nickeas, CNN

Updated 9:00 AM ET, Tue January 19, 2021

(CNN)The day before [the US Capitol was attacked](#), Capitol Police officers were ordered to report to the department's equipment depot to pick up helmets, an officer who was there that day told CNN. They didn't know why they were needed, but when they arrived, they were told to return later. The helmets had yet to be scanned into inventory.

When officers finally secured helmets that Wednesday morning following roll call, they weren't given direction for use or storage. The helmets are heavy, and it wasn't clear they'd need them for the morning's protest. Some put them in their lockers, others kept them near their fixed posts.

By afternoon, the officers in the Capitol were in a [fight for their lives](#) and for the seat of American government. They were left to their own devices, outgunned, without adequate protective equipment, unaware of backup, enclosed by people, many with weapons, attempting to take over the government.

Trump supporters try to break through a police barrier, Wednesday, January 6, 2021, at the Capitol in Washington.

New details, provided by five US Capitol Police officers who spoke to CNN, provide a deeper look at how department leadership left its officers unprepared and how the police force charged with protecting Congress was overrun, leading to the most successful assault on the Capitol in more than 200 years.

The officers who spoke to CNN felt betrayed by leadership. They spoke about the day's events, their feelings and observations, on condition of anonymity, citing fear of losing their jobs and a retributive command staff. Minority officers were hit with racial slurs by people attacking the building.

Read More

And before the fight was over, officers were forced to shout that they were police to law enforcement responding to rescue the building after it was lost. They weren't put in a position to arrest the attackers, to defend themselves, or defend the Capitol. They weren't put in a position to succeed.

The US Capitol Police handle dozens of protests and demonstrations and events each year. They're as common "as stoplights in big cities," one officer said. They know how to plan, staff and work these events. They've handled mass arrest situations and they've kept the Capitol complex secure even after protesters crossed their lines -- such as when more than 70 people were arrested inside two Senate buildings during the first day of confirmation hearings for Supreme Court Justice Brett Kavanaugh.

"There was no planning. No pre-planning. I just don't understand. For the life of me, why not have the same precautions as we did with other demonstrations?" one officer said. "Our management was completely ... nobody knew what the hell to do. Nobody was giving direction on what to do."

"I feel betrayed," another officer said. "They didn't even put us in a position to be successful." Steven Sund, the US Capitol Police chief, resigned after the assault. The sergeants at arms for the House and Senate resigned after Sund. They account for two of the three-member board that oversees US Capitol Police. The third, the Capitol Architect, is not involved in tactical decisions and has not been ensnared by the scandal.

A retired general will lead an investigation into the security failures, Pelosi announced last week. What happened that day is now the subject of congressional and federal criminal investigations.

A spokeswoman for US Capitol Police didn't respond to CNN's request for comment. Neither did the president of the labor union representing US Capitol Police officers.

Preparing for the day's events

Officers knew of a protest, and they knew the President was speaking. They were not in an elevated posture of readiness and wore standard duty uniforms.

But the all-hands planning sessions that precede major events, used to brief front-line officers on all the contingencies -- where to send people in case of sudden need to evacuate, where to send people who need medical help -- never happened.

It wasn't that nobody had any sense things could go wrong. Days before the planned protest, Sund asked the sergeants at arms to activate the National Guard, a request they denied, Sund

told CBS' "60 Minutes." His department's intelligence section also circulated a report warning for potential violence, [according to a report in The Washington Post](#). Sund did not respond to CNN's repeated requests for comment for this story.

For some officers, it was the first time they were assigned helmets. Not every US Capitol Police officer is assigned riot gear that officers use in crowd or riot control settings, though items like helmets, face-shields, body-shields, batons, and protective padding are all standard kit for police in state-level and medium-to-large police departments.

Riot police prepare to move demonstrators away from the US Capitol in Washington, DC, on January 6, 2021.

"It started like a normal day. It shouldn't have started like a normal day," one officer told CNN. "The thing that struck me was getting messages from coworkers saying, 'How come the members keep saying watch your back, be careful, you guys watch your six?' They knew what was coming."

After the President spoke, a supervisor went on police radio to warn of protesters leaving Trump's speech and heading toward the Capitol.

"Here they go. There's a large number of Trump supporters, they're coming from the West. We need perimeter on the West," one officer recalled hearing.

At first, it was just a crowd. The officers who spoke to CNN said they expected the normal yelling, name-calling and occasional pushing against the bike-rack fencing that they've grown accustomed to from years of policing demonstrations.

"It started like any other demonstration, except it was a lot of damn people," one officer told CNN. "But when it went south, it went south in a hurry. There was not enough people to stop what was coming. What hurt us was, these people, they planned for it. They knew we weren't going to shoot. They knew they could get up on you and we're not going to shoot unarmed people."

As the crowd set upon the Capitol, police rushed the workers setting up the inauguration stage to safety. They evacuated in such a hurry that some left tools behind.

Before the violence, there was a call for a possible bomb. Someone showed pictures of the device to a police officer who used their radio to alert others, and police officers and the bomb squad had to respond. A few minutes later, they found another, and again more officers had to respond to create a perimeter and evacuate people.

Police can't be in two places at once, and the officers handling the bombs couldn't help at the Capitol. That's when the fighting started on the West front of the Capitol. Investigators later determined the bombs were real, though it's not clear why they didn't detonate.

"They start throwing tear gas. Gas grenades. Flashbangs. Shooting cherry bombs, rubber bullet type guns they were shooting us with," one officer said. "We have OC spray (another term for pepper spray) but we're pleading for help, send us help."

Some of the group had blunt objects to break windows and projectiles to throw at officers, including bricks, signs, fence posts, fire extinguishers, lumber and shields.

Biden Transition

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Some DC Metropolitan Police officers were already at the Capitol trying to hold a perimeter outside the building. They had been monitoring the group from the Ellipse, where Trump had spoken earlier.

"We were outnumbered as it was, but if MPD hadn't been there, they would have come right in," an officer said. "They slowed the advance."

The officers described the violence as methodical and escalating. Officers were coming off the line one at a time to decontaminate after getting sprayed or gassed. Gas lingered in the air. The spray used by attackers had longer range than the spray officers had, so those on the front lines weren't able to effectively use pepper spray against attackers.

Police hold off Trump supporters who tried to break through a police barrier, Wednesday, January 6, 2021, at the Capitol in Washington.

Sometimes, small groups would pick an officer to fight, occupying the officer and any other officer who joined to help.

The breach of the first perimeter was fast, and police didn't have any real security barriers out. The bike-rack style fencing is used more as a guide to keep people from stumbling into restricted areas and they're light enough to be used as weapons by protesters if a protest turns violent.

"Finally, our less-than-lethal teams came out and we're deploying gas, flashbangs, fighting fire with fire. But they had masks, they were prepared. They had earpieces, they had radios. It's not a coincidence that once those bombs were found, they started to advance on us," an officer said.

There was a call for help at the West entrance to the Capitol, and the attackers watched the police shift resources, leaving the East front scarcely guarded.

A breach of the perimeter on the East entrance followed shortly after the West perimeter collapsed. Officers believe groups were communicating between the East and West fronts and coordinating the timing of their attacks on officers.

"They're methodical, lobbing cherry bombs, little bit of this and that," one officer said. "The people we were fighting. They had gas masks. They had earpieces. They had radios."

"Look, when they busted through the bike racks and green fencing at the bottom of Pennsylvania Avenue, there was only like four people there. A woman, a supervisor, two other officers," an officer told CNN. "They busted through that. (The female officer) hit her head and had a concussion, she hasn't been back."

'You couldn't have arrested anybody'

The officers who spoke to CNN, don't recall ever being made aware of plans to take back the Capitol. They remember hearing officers all over pleading for help, both in specific emergency situations and in general to formulate a plan to clear the building of the attackers. Neither recall being given orders about how or whether to arrest people.

Capitol police, once a decision is made to start mass arrests, will set up a square using bicycle rack fencing, surround it with officers and put arrestees in flex-cuffs and into the pen for holding until things calm down. Then, officers can each handle paperwork on a handful of arrestees.

That was not an option because, as the officer said, they were "getting their asses kicked." "You couldn't have arrested anybody," one officer said. "You could not. We were surrounded. Normally in mass-arrest situation, they comply under arrest. But (the attackers had) already proven to us they wanted to beat our asses. No way arrests could have been affected at that moment. Just get these people out and survive."

Even if the officers wanted to go into the crowd to grab a single problem actor, their lines weren't sufficiently staffed to allow for a small squad of officers to wade in, grab someone and drag them back behind the line for arrest.

"Everyone was screaming for help," an officer said. "At that point, (officers) were just responding to '10-33' calls. Officer in trouble, needs help."

Protesters interact with Capitol Police inside the US Capitol Building.

Once the attackers were on the rotunda steps and near the doors, people started climbing the walls. US Capitol Police don't normally staff the grounds outside those walls with more than a couple officers because they weren't seen as entrances, so the people climbing were able to break windows and get inside.

The officers at the doors didn't know people had already broken in behind them until someone went over the radio with that information, one officer told CNN.

"They're over the radio saying they've breached the doors, they've breached windows and got inside," one officer recalled. "They came in packs, and officers working inside are trying to lockdown areas where members may be, trying to get members to secret hideaways and tunnels where they'll be safe."

On scaffolding outside the Capitol, an officer climbed to try and arrest someone.

"You guys don't have the numbers," he told the police officer.

Sund told "60 Minutes" he requested the National Guard during the siege, and the office of the Secretary of the Army delayed the request, citing the poor visuals of soldiers protecting the Capitol.

"I don't like the optics of the National Guard standing the line with the Capitol behind them," is the answer Sund says he got from a representative of the secretary of the Army. The chief of the DC Metro Police Department has confirmed Sund's account to "60 Minutes."

The Pentagon has denied Sund's optics claims and said guards were approved within about 40 minutes.

'We wouldn't have won.'

Once inside, officers were getting surrounded and encircled, fighting protesters, trying to beat people back. Flashbangs and gas were going off and officers weren't sure if it was police or protesters.

Lawmakers and staffers locked themselves in offices. At some point, one officer recalled the deputy chief (now chief) give an order over police radio to lockdown the Capitol. That means doors get secured with magnetic locks across the campus -- the Capitol and outlying office buildings. Members of congressional leadership were whisked away by officers who work dignitary protection.

Two men who walked into the Capitol after it had been breached told FBI agents that an officer, who appeared to respond out of fear, shook one of their hands and said, "It's your house now, man."

One officer was hit in the head with a fire extinguisher and later died. A woman climbing through a window inside the building leading to the Speaker's Lobby was shot by an officer, the only apparent use of deadly force by US Capitol Police that day.

One officer said he wouldn't have begrudged any officer for firing their gun, but they were outgunned. "I got 16 bullets in my handgun, 28 in my long gun. Then what?" he said.

"At that point, I wasn't looking for arms. But there were arrests with guns, a cooler of Molotov (cocktails was) found. We recovered 9 or 10 guns, found or taken off people.

Guarantee so many more had 'em," he said. "You don't want to start a gunfight and have a bloodbath. We wouldn't have won."

"They knew they could get up on you without you shooting 'em," said another officer. "And there's so many. You could go hands on if you want, but there's too many people."

One officer saw two attackers flash law enforcement badges once inside. One said, "We're doing this for you, buddy."

An arrestee inside was freed after a group surrounded officers. He had already been cuffed, cleared for weapons and was on the ground when the group freed him, cuffs still on.

"(He) had that one guy cuffed thinking, OK, but there was no direction. What do you do?

Who do you go to? there was no direction and the crowd snatched him from (the officer)," an officer told CNN. "What can you do? Gonna get into a gunfight over that guy?"

'I was just trying to survive.'

"The day ended when we got the reinforcements," one of the officers said. "But hours had gone by. It was a bad day."

The officers described reinforcements coming in, dozens at a time, in helmets and riot gear with rifles drawn. Police from DC, Fairfax County, Montgomery County, Prince George's County all mustered SWAT teams or other on-call officers to help secure the Capitol.

"You hear them going in and out of rooms and people are screaming 'blue, blue, blue,' so they know it's a friendly," one of the officers told CNN.

"I'm a Black officer. There was a lot of racism that day. I was called racial slurs, and in the moment, I didn't process this as traumatic," the other officer said, referring to racial epithets he received from some attackers. "I was just trying to survive. I just wanted to get home, to see my daughter again. I couldn't show weakness. I finally reached a safe place, surrounded by officers, I was able to cry. To let it out. To attempt to process it."

The next day, officers came to work bandaged and taped from the chaos the day before. The job of securing the capitol remains and there's an inauguration in a few days.

Others haven't returned, some with serious injuries like concussions.

About a week after the assault, the department's Internal Affairs section sent an email to officers asking to report colleagues for use of force that may have been outside Capitol Police policy. The officers who spoke to CNN found this offensive, considering the failures of planning and degree to which officers had to fight for the Capitol.

"I want to report the chief to (Internal Affairs) for getting one of our officers killed. I want to report command staff for keeping everything a fucking secret. Can I put that in a tip line? I don't care if an officer spit on one of those people," an officer said. "At that point they deserved everything they got and then some."

CNN's David Brooks and Kristin Wilson contributed to this story.

A House Republican wanted proof of incitement. Here are four rioters who came to D.C. because of Trump.

By **Philip Bump**

Jan. 13, 2021 at 5:18 p.m. EST



Hours into the debate over impeaching President Trump for inciting the violence that erupted in Washington last week, Rep. Brian Mast (R-Fla.) stood up to make a point he felt had been overlooked.

"I rise with a very simple question," Mast began. "On Jan. 6, thousands broke the law by taking siege of our Capitol here with us inside. Has any one of those individuals who brought violence on this Capitol been brought here to answer whether they did that because of our president?"

He paused for effect, awaiting an answer he knew would not come.

"It appears I will receive no answer," he said after about 30 seconds. He stepped away from the lectern.

Mast's point was apparently twofold: first, that there had been no witness testimony preceding the impeachment vote and, second, that there was not evidence that Trump's actions had, in fact, incited the violence that occurred.

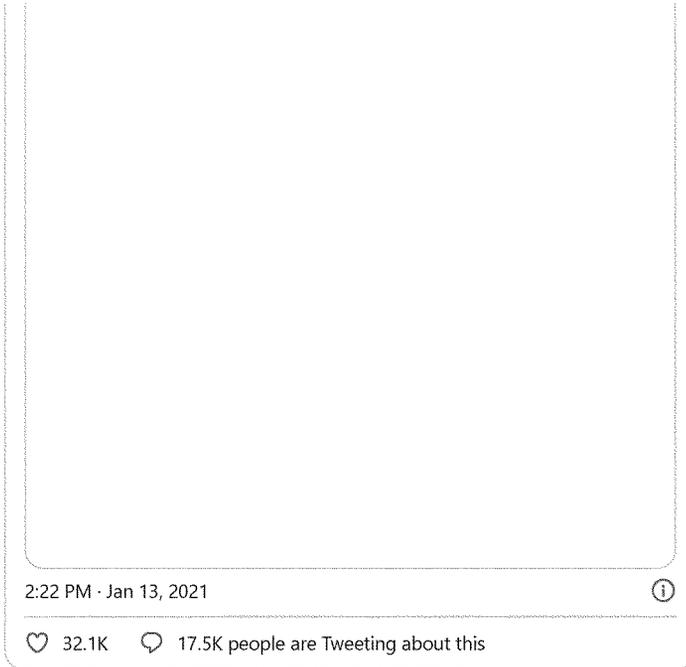
The first argument is accurate. The second is debatable.

During a speech from outside the White House shortly before the Capitol was overrun, Trump did call on the people in attendance to march down Pennsylvania Avenue to the Capitol and claimed both that he sought peaceful protest and encouraged his listeners repeatedly to "fight" on his behalf. There has not been documentation that those who were in attendance and entered the Capitol did so explicitly because they felt that Trump wanted them to, but there is documentation that the effort to breach the Capitol began shortly after Trump's speech concluded.

There is also documentation that multiple people who stormed the Capitol were only in Washington because Trump had called for them to be.



Very telling video of rioters outside the Capitol shouting at police: "We were invited here. We were invited by the president of the United States"



The best known is Jacob Chansley, or the “QAnon Shaman,” who appeared in the Capitol wearing fur and a hat with horns. When Chansley, who’s been arrested and charged in connection with the riot, was interviewed by the FBI (at his initiation), he told investigators that “he came as a part of a group effort, with other ‘patriots’ from Arizona, at the request of the President that all ‘patriots’ come to D.C. on January 6, 2021.”

Trump made that request repeatedly, including with multiple tweets on Jan. 1. (“January 6th. See you in D.C.,” one said.) His first mention of it on Twitter came on Dec. 19, when he elevated a document alleging rampant voter fraud and told his followers that there would be a “[b]ig protest in D.C. on January 6th.”

“Be there,” he added, “will be wild!”

How seriously was that taken? One of the people being sought by the FBI for having invaded the Capitol had the phrase emblazoned on a T-shirt as seen in a wanted poster from the Bureau.

Brandon Fellows, another rioter who illegally entered the Capitol, told Bloomberg News that he came to Washington specifically because of that tweet.

“We were there for one common cause,” Fellows said, “which is making a statement that the government is crushing down on us.”

Douglas Sweet, who was arrested and charged with unlawful entry, told the television station WTKR that he went to the Capitol because “Trump asked all the patriots to show up, so I did.”

“I didn’t go with any malice or intention of malice of those that committed those the fights — the tear gas and just, you

know, throwing stuff at police," he told the station. "That wasn't in my game plan at all."

One of the more infamous participants during the riot was Larry Brock, who was photographed on the floor of the Senate wearing military gear and holding flex cuffs, a form of zip-tie designed to serve as handcuffs. Brock, who was also arrested and charged in the riot, is an Air Force veteran and spoke with the New Yorker's Ronan Farrow.

"The President asked for his supporters to be there to attend, and I felt like it was important, because of how much I love this country, to actually be there," Brock told Farrow. He also claimed that he "assumed he was welcome to enter the building," a claim that seems hard to believe given his equipment and the obvious chaos through which he made his way.

Again, none of these individuals is testifying under oath before the House that they were incited specifically to engage in the violent occupation of the Capitol because of Trump. Each of them, though, is saying that they were in Washington because of Trump, and each ended up being part of the crowd that did storm the Capitol.

It's unlikely that this will change Mast's view of the impeachment effort.

The Washington Post

Democracy Dies in Darkness

After inciting mob attack, Trump retreats in rage. Then, grudgingly, he admits his loss.

By **Philip Rucker**, **Ashley Parker** and **Josh Dawsey**

Jan. 7, 2021 at 8:44 p.m. EST

President Trump spent more than 24 hours after instigating a mob to violently storm the Capitol trying to escape reality.

Cloistered in the White House, Trump raged uncontrollably about perceived acts of betrayal. He tuned out advisers who pleaded with him to act responsibly. He was uninterested in trying to repair what he had wrought. And he continued to insist he had won the election, even as his own vice president certified the fact that he had not.

Only after darkness fell in Washington on Thursday, after the Capitol had been besieged by death and destruction and a growing chorus of lawmakers had called for his immediate removal from office, did Trump grudgingly accept his fate.

“Now Congress has certified the results,” Trump said in a video recorded in the White House’s Diplomatic Reception Room late Thursday afternoon. “A new administration will be inaugurated on January 20th. My focus now turns to ensuring a smooth, orderly and seamless transition of power. This moment calls for healing and reconciliation.”

This was not a concession so much as a grudging acknowledgment that his presidency would end. Trump did not talk of winners and losers, nor did he utter the word “concede,” but it was the closest he seemed willing to go.

Some of his advisers had pleaded with him to give this kind of speech in November, after it was clear he had lost. Those appeals only intensified this week. During his 2-minute, 41-second speech, Trump read from a script that he agreed to only after a pressure campaign from Chief of Staff Mark Meadows, legal counsel Pat Cipollone and members of his family, officials said.

“My campaign vigorously pursued every legal avenue to contest the election results,” Trump said. “My only goal was to ensure the integrity of the vote. In so doing, I was fighting to defend American democracy.”

Yet it was Trump’s assault on American democracy over the past two months, culminating with Wednesday’s attack at the Capitol, that left him as isolated as he has ever been in his four years as president. An array of top aides — including Transportation Secretary Elaine Chao and Education Secretary Betsy DeVos, both original members of his Cabinet — abruptly resigned. Many more privately discussed whether to follow suit. Some of those who stayed on kept their distance from the vengeful president, and none stepped forward to defend his complicity in the attack — not even White House press secretary Kavleigh McEnany, his professional defender.

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“This is everything that everyone’s been blocking for four years, the role of buffering Trump,” said one of the president’s advisers. “It’s horrible. People are miserable. They can’t wait for the two weeks to be over. Everyone’s taking one day at a time trying to get him through the next two weeks without massive problems.”

The portrait that emerged from interviews with administration officials and Trump advisers and associates, many of whom spoke on the condition of anonymity to be candid, is of a president indignant, unmoored and psychologically fragile — one who some aides believe has sabotaged his legacy and threatens the orderly transfer of power to President-elect Joe Biden.

One administration official described Trump’s behavior as that of “a total monster.” Another said the situation was “insane” and “beyond the pale.”

“He is alone. He is mad King George,” said a Republican in frequent touch with the White House. “Trump believes that he has these people so intimidated they wouldn’t dare mess with him. I think Trump doesn’t understand how precarious his situation is right now.”

One after another on Thursday, former Trump officials broke their silence to condemn the president, some in sharp terms. William P. Barr, who resigned last month as attorney general, called Trump’s conduct “a betrayal of his office and supporters,” adding in a statement to the Associated Press that “orchestrating a mob to pressure Congress is inexcusable.”

Two of Trump’s former White House chiefs of staff joined the chorus. Mick Mulvaney resigned from his post as U.S. special envoy to Northern Ireland, telling CNBC, “We didn’t sign up for what you saw last night. We signed up for making America great again. We signed up for lower taxes and less regulation. The president has a long list of successes that we can be proud of. But all of that went away yesterday.”

John F. Kelly went even further, saying on CNN that what happened at the Capitol “was a direct result of him poisoning the minds of people with the lies and the fraud.” He urged the Cabinet to meet to discuss invoking the 25th Amendment of the U.S. Constitution to remove Trump from office. Scores of Democratic lawmakers, as well as Rep. Adam Kinzinger (R-Ill.) and Maryland Gov. Larry Hogan (R), called for the same.

Some senior administration officials have been discussing doing so out of fear that Trump could take actions resulting in further violence and death if he remains in office for even a few more days, said a person involved in the conversations.

A former senior administration official briefed on the talks confirmed that preliminary discussions of the 25th Amendment were underway, although this person cautioned that they were informal and that there was no indication of an immediate plan of action.

Under the 25th Amendment, the president can be removed from office by the vice president plus a majority of the Cabinet, or by the vice president and a body established by Congress, if they determine he “is unable to discharge the

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according to two people familiar with the talks.

Vice President Pence worked directly with acting defense secretary Christopher C. Miller and the Joint Chiefs of Staff chairman, Gen. Mark A. Milley, as well as with House Speaker Nancy Pelosi (D-Calif.), Senate Minority Leader Charles E. Schumer (D-N.Y.) and Senate Majority Leader Mitch McConnell (R-Ky.), concerning the unrest at the Capitol and military deployments, the people said.

As for Trump, one of the people said, “he was completely, totally out of it.” This person added, “He made no attempt to reach out to them.”

Instead of exercising his commander-in-chief duties to help protect the Capitol from an attempted insurrection, Trump watched the attack play out on television. Though not necessarily enjoying himself, he was “bemused” by the spectacle because he thought his supporters were literally fighting for him, according to a close adviser. But, this person said, he was turned off by what he considered the “low-class” spectacle of people in ragtag costumes rummaging through the Capitol.

Considerable internal anger was directed toward Meadows, according to four aides, both because of what many view as his incompetence in managing the White House and because of his willingness to prop Trump up while indulging his false election-fraud claims.

People who interacted with Trump said they found him in a fragile and volatile state. “A lot of people don’t want to talk to him,” a senior administration official said. “He’s in a terrible mood constantly, and he’s defensive, and everyone knows this was a horrible mistake.”

Trump spent Wednesday afternoon and evening cocooned at the White House and listening only to a small coterie of loyal aides — including Meadows, Deputy Chief of Staff Dan Scavino, personnel director Johnny McEntee and policy adviser Stephen Miller. McEnany also spent time with the president. Jared Kushner, the president’s son-in-law and senior adviser, was described as disengaged.

Trump’s “got a bunker mentality now, he really does,” said a close adviser to the president.

During the Capitol occupation, aides said, Trump resisted their entreaties to condemn the rioters and refused to be reasoned with.

“He kept saying: ‘The vast majority of them are peaceful. What about the riots this summer? What about the other side? No one cared when they were rioting. My people are peaceful. My people aren’t thugs,’ ” an administration official said. “He didn’t want to condemn his people.”

“He was a total monster today,” this official added, describing the president’s handling of Wednesday’s coup attempt as less defensible than his equivocal response to the deadly white-supremacist rally in 2017 in Charlottesville.

Some aides were mortified that Trump was so slow, and resistant, in telling his supporters to vacate the Capitol, and they believed he did irreparable damage to his presidency and legacy.

Aides and a range of lawmakers begged Trump to call on his supporters to stop rioting. Some former aides echoed

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White House aides tried to get Trump to call in to Fox News Channel, but he refused. He at first did not want to say anything but was persuaded to send tweets. Then they scripted a video message for him to record, which he agreed to distribute on Twitter. But the president ad-libbed by including references to false voter fraud claims that they had asked him not to include, the administration official said. Twitter later locked his account, enraging the president.

“He didn’t want to say anything or do anything to rise to the moment,” the official said. “He’s so driven by this notion that he’s been treated unfairly that he can’t see the bigger picture.”

This official described Trump as so mad at Pence that “he couldn’t see straight.” Several White House aides were upset that the president chose to attack Pence when the vice president, sequestered at an undisclosed location at the Capitol, had just been in harm’s way.

A former senior administration official briefed on the president’s private conversations said: “The thing he was most upset about and couldn’t get over all day was the Pence betrayal. . . . All day, it was a theme of, ‘I made this guy, I saved him from a political death, and here he stabbed me in the back.’”

Trump’s fury extended to Pence’s chief of staff, Marc Short. The president told aides he wanted to bar Short — who was with the vice president all day at the Capitol — from the White House grounds, according to an official with knowledge of the president’s remarks.

Short has told others he would not care if he were barred.

Trump also brooded about the decisions by Facebook and Twitter to suspend his accounts. An adviser likened the president’s social media accounts to his “security blanket and oxygen.” White House spokesman Judd Deere condemned the moves and said in a statement, “Big Tech is out of control.”

Meadows and Cipollone, among others, tried to persuade Trump to record a video condemning the violence, pledging to prosecute the rioters and committing to a peaceful transfer of power, officials said. They argued that his image and future political prospects could be permanently damaged otherwise.

Cipollone also warned the president that he could have legal liability for having encouraged the riots, a detail first reported by the New York Times, and urged him to clean it up. He and other lawyers helped the president understand that once he leaves office, he and his family would have considerable legal exposure on multiple fronts, an adviser said.

By the end of the day Thursday, Trump had relented, having seen some of his biggest supporters abandon him and considered the prospect of impeachment.

Deputy national security adviser Matthew Pottinger was among those who resigned in the wake of the Capitol riot. Although national security adviser Robert C. O’Brien was said Wednesday night to be considering resigning, he, as well as Secretary of State Mike Pompeo and Director of National Intelligence John Ratcliffe, received outreach from former national security officials and executives urging them to stay in their jobs.

The message conveyed was that leaving would create a vacuum that foreign enemies might seek to take advantage of.

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Trump's support rapidly eroded in the Senate, where a senior Republican aide described the mood among GOP senators as "pretty apoplectic."

McConnell, who has been estranged from the president in recent weeks, has told fellow senators and other confidants that he does not plan to speak with Trump again.

Even Sen. Lindsey O. Graham (R-S.C.), one of Trump's staunchest allies and golfing partners, broke with the president.

"When it comes to accountability, the president needs to understand that his actions were the problem, not the solution," Graham said at a Thursday news conference. While he said he did not believe invoking the 25th Amendment was necessary "now," he thinks that "if something else happens, all options would be on the table."

Speaking on the Senate floor Wednesday night, Graham was similarly blunt. "Trump and I, we've had a hell of a journey — I hate it being this way," he said. "All I can say is count me out. Enough is enough."

But Trump has found admiration elsewhere. At the Republican National Committee meeting in Amelia Island, Fla., where the president had been expected to tape a speech, he instead called into a morning session Thursday to speak to RNC members for a minute or so, RNC members said.

The crowd greeted him with applause and joy, acting as if Wednesday's breach at the Capitol had never taken place.

Shane Harris contributed to this report.

Updated January 7, 2021

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This timeline is intended to memorialize the planning and execution efforts of the Department of Defense to address the Violent Attack at the U.S. Capitol on January 6, 2021.

The timeline is as follows:

Thursday, December 31, 2020 (New Year's Eve)

- Mayor Muriel Bowser and Dr. Christopher Rodriguez, D.C. Director of Homeland Security and Emergency Management Agency, deliver a written request for D.C. National Guard (DCNG) support to D.C. Metro Police Department (MPD) and Fire and Emergency Service.

Saturday, January 2, 2021

- The Acting Secretary of Defense (A/SD) confers with the Chairman of the Joint Chiefs of Staff (CJCS) and the Secretary of the Army (SECARMY) on the Mayor's written request.

Sunday, January 3, 2021

- DoD confirms with U.S. Capitol Police (USCP) that there is no request for DoD support.
- A/SD meets with select Cabinet Members to discuss DoD support to law enforcement agencies and potential requirements for DoD support.
- A/SD and CJCS meet with the President. President concurs in activation of the DCNG to support law enforcement.

Monday, January 4, 2021

- USCP confirms there is no requirement for DoD support in a phone call with SECARMY.
- The A/SD, in consultation with CJCS, SECARMY, and DoD General Counsel (GC), reviews the Department's plan to be prepared to provide support to civil authorities, if asked, and approves activation of 340 members of the DCNG to support Mayor Bowser's request.
 - Support provided in response to Mayor Bowser's request includes support at:
 - Traffic Control Points: 90 personnel (180 total/2 shifts); Metro station support: 24 personnel (48 total/2 shifts); Weapons of Mass Destruction Civil Support Team: 20 personnel; and Internal Command and Control: 52 personnel.
 - A/SD also authorizes SECARMY to deploy a Quick Reaction Force (40 personnel staged at Joint Base Andrews) if additional support is requested by civil authorities.

Tuesday, January 5, 2021

- Mayor Bowser delivers a letter addressed to the Acting Attorney General, A/SD, and SECARMY confirming that there are no additional support requirements from the D.C.
- 255 DCNG arrive in D.C. and begin to manage traffic control points alongside local law enforcement.

Wednesday, January 6, 2021

0830: A/SD and CJCS review DoD plan to support law enforcement agencies and request an exercise regarding DoD contingency response options.

- 1130: A/SD participates in table-top exercise regarding DoD contingency response options.
- 1305: A/SD receives open source reports of demonstrator movements to U.S. Capitol.
- 1326: USCP orders evacuation of Capitol complex.
- 1334: SECARMY phone call with Mayor Bowser in which Mayor Bowser communicates request for unspecified number of additional forces.
- 1349: Commanding General, DCNG, Walker phone call with USCP Chief Sund. Chief Sund communicates request for immediate assistance.
- 1422: SECARMY phone call with D.C. Mayor, Deputy Mayor, Dr. Rodriguez, and MPD leadership to discuss the current situation and to request additional DCNG support.
- 1430: A/SD, CJCS, and SECARMY meet to discuss USCP and Mayor Bowser's requests.
- 1500: A/SD determines all available forces of the DCNG are required to reinforce MPD and USCP positions to support efforts to reestablish security of the Capitol complex.
- 1500: SECARMY directs DCNG to prepare available Guardsmen to move from the armory to the Capitol complex, while seeking formal approval from A/SD for deployment. DCNG prepares to move 150 personnel to support USCP, pending A/SD's approval.
- 1504: A/SD, with advice from CJCS, DoD GC, the Chief of the National Guard Bureau (CNGB), SECARMY, and the Chief of Staff of the Army, provides verbal approval of the full activation of DCNG (1100 total) in support of the MPD. Immediately upon A/SD approval, Secretary McCarthy directs DCNG to initiate movement and full mobilization.
- In response, DCNG redeployed all soldiers from positions at Metro stations and all available non-support and non-C2 personnel to support MPD. DCNG begins full mobilization.
- 1519: SECARMY phone call with Senator Schumer and Speaker Pelosi about the nature of Mayor Bowser's request. SECARMY explains A/SD already approved full DCNG mobilization.
- 1526: SECARMY phone call with Mayor Bowser and MPD police chief relays there was no denial of their request, and conveys A/SD approval of the activation of full DCNG.
- 1546: CNGB phone call with the Adjutant General (TAG) of Virginia to discuss support in Washington D.C. TAG said Governor had ordered mobilization of forces at 1532.
- 1548: SECARMY departs Pentagon for MPD HQ.
- 1555: CNGB phone call with TAG of Maryland to discuss support in Washington D.C. TAG said governor ordered the mobilization of the rapid response force. TAG reports Governor had ordered mobilization of the rapid response force at 1547.
- 1610: SECARMY arrives at MPD HQ.

- 1618: A/SD, CJCS, SECARMY, and CNGB discuss availability of National Guard (NG) forces from other States in the region. A/SD gives voice approval for out-of-State NG forces to muster and to be prepared to deploy to D.C.
- 1632: A/SD provides verbal authorization to re-mission DCNG to conduct perimeter and clearance operations in support of USCP. SECARMY to provide public notification of support.
- 1640: SECARMY phone call with Governor of Maryland. Governor to send Maryland NG troops to D.C., expected to arrive on January 7, 2021.
- 1702: Departure of 154 DCNG from D.C. Armory in support of USCP. Arrive at Capitol at 1740, swear in with USCP, and begin support operations.
- 1745: A/SD signs formal authorization for out-of-State NG to muster and gives voice approval for deployment in support of USCP.
- 1814: USCP, MPD, and DCNG successfully establish perimeter on the west side of the U.S. Capitol.
- 1936: A/SD provides vocal approval to lease fences in support of the USCP for security of the Capitol building.
- 2000: USCP declares Capitol building secure.

Note: This document has been updated to more appropriately reflect the characterization of events at the U.S. Capitol on January 6th.

**REMARKS**
-----**Remarks by President Trump Before Air Force One
Departure | Joint Base Andrews, MD**Issued on: **January 12, 2021**

Joint Base Andrews
Prince George's County, Maryland

10:27 A.M. EST

THE PRESIDENT: I think that big tech is doing a horrible thing for our country and to our country. And I believe it's going to be a catastrophic mistake for them. They're dividing and divisive, and they're showing something that I've been predicting for a long time. I've been predicting it for a long time, and people didn't act on it.

But I think big tech has made a terrible mistake, and very, very bad for our country. And that's leading others to do the same thing, and it causes a lot of problems and a lot of danger. Big mistake. They shouldn't be doing it. But there's always a counter move when they do that. I've never seen such anger as I see right now, and that's a terrible thing. Terrible thing.

And you have to always avoid violence. And we have — we have tremendous support.

Q What is your role, sir?

THE PRESIDENT: We have support probably like nobody has ever seen before. Always have to avoid violence.

1/17/2021

Remarks by President Trump Before Air Force One Departure | Joint Base Andrews, MD | The White House

Q Mr. President, what is your role in what happened at the Capitol? What is your personal responsibility?

THE PRESIDENT: So if you read my speech — and many people have done it, and I've seen it both in the papers and in the media, on television — it's been analyzed, and people thought that what I said was totally appropriate.

And if you look at what other people have said — politicians at a high level — about the riots during the summer, the horrible riots in Portland and Seattle, in various other — other places, that was a real problem — what they said.

But they've analyzed my speech and words and my final paragraph, my final sentence, and everybody, to the T, thought it was totally appropriate.

Okay, thank you. Thank you.

END

10:29 A.M. EST

**REMARKS****Remarks by President Trump at the 45th Mile of
New Border Wall | Reynosa-McAllen, TX****— IMMIGRATION**Issued on: **January 12, 2021**

Mexico-United States Border
Reynosa-McAllen, Texas

2:10 P.M. CST

THE PRESIDENT: Thank you very much. Thank you, everybody. Great honor to be here. We worked long and hard. Please sit down. We've worked long and hard to get this done. They said it couldn't be done, and we got it done. One of the largest infrastructure projects in the history of our country.

I'm honored to be here in the Rio Grande Valley with the courageous men and women of Customs and Border Patrol. These people are incredible. They're really incredible. I've gotten to know you very well over the last four years. Many of you are friends from all of the work we did in designing the wall. We got it exactly as you wanted it — everything — including your protective plate on top. I'd say, "Why did we put that?" And they said, "We need it for extra protection." Climb plate. And we have everything you want. It's steel. It's concrete inside the steel. And then it's rebar — a lot of heavy rebar inside the concrete. And it's as strong as you're going to get and strong as you can have. But we gave you 100 percent of what you wanted. So now you have no excuses. I didn't want you to have any excuses. (Laughter.)

And you set records. And we can't let the next administration even think about taking it down, if you can believe that. I don't think that will happen. I think when you see what it does and how it's so important for our country, nobody is going to be touching it. And you are very proud of it, and you're proud of the work you did, because we really designed it together.

We're joined together to celebrate a great achievement: the extraordinarily successful building of the wall on the southern border.

Before we begin, I'd like to say that free speech is under assault like never before. The 25th Amendment is of zero risk to me but will come back to haunt Joe Biden and the Biden administration. As the expression goes: Be careful what you wish for. The impeachment hoax is a continuation of the greatest and most vicious witch hunt in the history of our country, and it is causing tremendous anger and division and pain — far greater than most people will ever understand, which is very dangerous for the USA, especially at this very tender time.

And now I'd like to briefly address the events of last week. Millions of our citizens watched on Wednesday as a mob stormed the Capitol and trashed the halls of government. As I have consistently said throughout my administration, we believe in respecting America's history and traditions, not tearing them down. We believe in the rule of law, not in violence or rioting.

Because of the pandemic — horrible, horrible invisible enemy — and despite our tremendous success developing a vaccine years before it was thought even remotely possible. Nobody thought it was going to be possible. They said would take five years. "Sir, it will take seven years." All of our scientists were saying — our advisors, "It will take 7 years, 5 years, 10 years maybe." Well, we did it just like I said we would. And we had it out years and years before they thought it was possible. And we're now delivering it to states, including your state, where your governor and government are doing a terrific job in getting it administered in Texas. And Florida is doing great. Some of them are doing great. Some aren't doing as well, but they have all they can handle. And we get it to them as fast as they need it, and even faster.

But they're calling it a "medical miracle." And this has been a difficult year and a very difficult election. The pandemic has made it a very, very difficult year for our country and virtually every country all over the world.

Now is the time for our nation to heal, and it's time for peace and for calm. Respect for law enforcement and the great people within law enforcement — so many are here — is the foundation of the MAGA agenda. And we're a nation of law, and we're a nation of order. That is why we're here today, to talk about what we must do to uphold the rule of law in America and how we must continue to support our law enforcement heroes, which is exactly what you are. Do you feel like a hero? Yeah, I think you do. Right? (Applause.) You do and you are.

I want to thank Customs and Border Patrol Commissioner Mark Morgan, who's been incredible. Where is Mark? Mark? Stand up, Mark. Great job. Fantastic. (Applause.)

Chief Patrol Agent Brian Hastings. Brian, thank you very much. Great job. (Applause.) He's so happy with it. He said, "Sir, this really works."

And most importantly, the brave law enforcement officers who risk their lives every day to protect our families and our country.

I also want to thank a tremendous gentleman, a friend of mine, Tom Homan. He's a great American patriot, and he was with us right from the beginning. (Applause.) Right, Tom? You knew exactly — he said, "We need a wall," when they were saying, "No, no, we need drones. We need drones." I said, "Why? So you can watch the people pour into our country illegally?" And I want to thank you very much, Tom. What a — what a professional job you've done.

All of you people, incredible. Everyone here today is part of an incredible success story. This is a real success story.

When I took office, we inherited a broken, dysfunctional, and open border. Everybody was pouring in at will.

Working alongside the heroes in this great outdoor space, looking at our wall, we reformed our immigration system and achieved the most secure southern border in U.S. history. It is at a level that it's never been before.

We took on the cartels, the coyotes, and the special interests, and we restored the rule of law. For years, politicians ran for office promising to secure the border, only to get elected and to do the absolute exact opposite. They even promised a wall. If you remember, about 10 years ago, they

promised a wall but they couldn't get it built. It wasn't easy getting it built. Getting it financed was tough. Getting it built was even tougher. All the different chains of title and all the different things we had to go through — very, very complex and very difficult, but we got it done. But they had it years ago. You remember that better than anybody. Right? And they never got it done. They never, ever completed the task. And then, ultimately, the money was sent back to the federal government. Spent, but no wall was built.

But unlike those who came before me, I kept my promises. And today we celebrate an extraordinary milestone: the completion of the promised 450 miles of border wall. Four hundred and fifty miles. Nobody realizes how big that is. (Applause.)

I remember when I first came down, about a year and a half ago: We're under construction, and I started walking, and I'm looking at the wall, and I'm walking and walking. And I'm used to, like, a development project where you could walk a wall. You know, 10 acres, 5 acres, 2 acres, 1 acre. Then I realized that's a long time; that's a big walk. A lot of it — a lot of the wall you have is incredibly natural. It's — you have the mountains. You have the rivers. You have some very powerful water areas. You have some areas that are virtually impossible to get by. So we didn't need walls everywhere, but where we needed them — because it's been so successful that we've added nearly 300 miles. And that's currently under construction. This was our original wish: to get these areas done where it was such trouble. And now we have it. It's either in construction or pre-construction — an additional 300 miles.

In every region that we've built the wall, illegal crossings and drug smuggling have plummeted. Absolutely plummeted. In the Rio Grande Valley, crossings have dropped nearly 80 percent. In Yuma, Arizona, illegal entries have been slashed by 90 percent. Nationwide, ICE and Border Patrol have seized over 2 million pounds of fentanyl, heroin, meth, and other deadly narcotics, saving thousands and thousands of lives.

We've arrested nearly 500,000 illegal aliens with criminal records — some with very serious criminal records of the type you don't want to know about, like murder.

We removed nearly 20,000 gang members from the United States, including 4,500 members of MS-13 — probably the worst gang of them all. Through the landmark reforms we've put into place, we have ended the immigration chaos and reestablished American sovereignty. Our most important reform was ending catch and release — not easy to do; you're dealing with Congress; it's very, very

difficult — which is the functional equivalent of open borders, but even worse: It's catch and release them. It means release into our country, not into another country.

This policy was exploited by vicious criminal organizations, who understood the laws better than our people understood them for years, to spread misery and suffering and drugs all across the hemisphere.

Now, instead of “catch and release,” we have “detain and remove.” It's called “detain and remove.” Doesn't that sound better? One of the biggest loopholes we closed was asylum fraud. Under the old, broken system, if you merely requested asylum, you were released into the country. The most ridiculous thing anyone has ever seen. And we were taking in some people that you didn't want to have in your country.

We instituted a series of historic policy changes to shut down asylum fraud, and that's what we did. This includes the groundbreaking agreement with Mexico known as the “Migrant Protection Protocols,” or MPP.

Under this agreement, if an illegal alien requests asylum, they have to wait in Mexico until their case is heard. They used to wait here. And when they were waiting, they would say “bye-bye,” and they'd disappear somewhere into our country, and essentially we'd never find them again, would never see them again.

This one measure alone ended a humanitarian crisis and saved countless lives, and especially, I have to say, lives from crime.

I want to thank the great President of Mexico. He is a great gentleman, a friend of mine. And President Obrador — he is a man who really knows what's happening. And he loves his country, and he also loves the United States. But I want to thank for his friendship and his professional working relationship.

We actually had 27,000 Mexican soldiers guarding our borders over the last two years. Nobody thought that was possible. And they made it very, very difficult, and that's why the numbers were able to plunge, even during the construction of the wall.

And, by the way, one of the big elements of the wall that make it so successful is we can have far fewer people working. Now, they can be working on other things — other things related to crime and drug prevention and a lot of other elements they're working on, because we saved massive numbers of people. And included here we have the most sophisticated camera systems and most sophisticated electronic systems anywhere in the world.

We implemented three historic agreements with the Northern Triangle; that's Guatemala, Honduras, and El Salvador. Under these critical asylum cooperation agreements, the burden of illegal immigration is now shared all across the region. Now, when an illegal immigrant is arrested at our border, they can be sent to a neighboring country instead of into a U.S. community.

Prior to my getting here, countries wouldn't accept them. They would say, "No, no, no." I said, "Well, you got to take them." First month — I'll never forget — these gentlemen, right here, came to me. They said, "They won't take them back."

They came. They may be murderers. They may be cartel heads. They may be some really vicious people. The countries didn't want them back. And I stopped all payments to those countries. I stopped everything going to those countries. And after it was stopped for about a month — you remember? — after it was stopped for about a month, they called. They said, "We'd love to have them back." And I never gave them as much money as they were getting, by the way, but they got some. (Applause.) It was amazing.

And you people know better than anyone: They wouldn't take them back. We'd have planes flying over, loaded up with people that we didn't want here. And they'd say, "Don't ever even think about landing that plane." And they'd take them by boat, and they'd take them by bus, and they wouldn't let them into their countries. And all of a sudden, they say, "Welcome back. We love having you."

So it was a great thing. And now they do take them back. And the relationship with those countries — the Triangle — the relationship is a much better one than it was before.

In addition to our agreements with Mexico, Guatemala, Honduras, and El Salvador, we have systematically reformed the regulatory code to return asylum to its original legal meaning and purpose — not a free ticket for entry.

1/17/2021

Remarks by President Trump at the 45th Mile of New Border Wall | Reynosa-McAllen, TX | The White House

A recent comprehensive report by the Department of Homeland Security and Justice show how effective our reforms have been and how disastrous their removal would be. It would be a disaster for our country. I know they're thinking about removing them. I hope they don't do that. I hope they don't do that. It'll be an absolute travesty for our country.

The report conclusively proves, once and for all, that aliens released at the border remain at large in the country and do not return home. They won't go home. And you rarely find them. It's very tough to find them.

So we have aliens released in our country, many of whom are serious criminals. And we've stopped that. Don't ever start that process again. By contrast, under our policies, 98 percent of aliens that remain in DHS custody are removed. Simply put, if you enter the United States illegally, you are apprehended and immediately safely removed from our country. Without this core principle, there is no border, there is no law, there is no order.

My administration also instituted vital public health measures on the border. In response to the China virus, under Title 42 of the U.S. Code, illegal immigrants are being promptly removed to protect the health of border agents, other migrants, and local communities, and the public at large. Removing these protections would invite a public health catastrophe of epic proportions.

As you probably know, in Tijuana, various parts of Mexico, the COVID — it's got about 24 names I can call it, from "COVID" to "China virus." I can call it the "plague." I call it the "China plague." A lot of different names. But we always call it the "invisible enemy." But the invisible enemy has been very tough on Mexico, and we have areas along the border where we're in great shape because right there, because of that, that we're in great shape. But on the other side, in Mexico, they're suffering greatly with the virus. It's been incredible what we've achieved. And we didn't do the wall because of COVID; we did the wall because of security and drugs and other things. But it turned out that, in the middle of it all, along came this horrible plague.

We inherited a dangerously lawless border. The people that work here are unbelievably brave. I've seen what they have to endure, what they have to go through. They're tough, they're strong, and they're great patriots, great Americans.

We fixed it and we secured it. We empowered our wonderful ICE and Border Patrol to fulfill their oaths and sworn officers. They became sworn officers of the law. And they love their job. It's a

tough job. It's a nasty job. They're not paid what they should be paid, to be honest, but we got you up. We got you up. But these are incredibly talented people that could probably do a lot better, in terms of economics, than they do here. But they love what they do, and they love their country.

We also put into place vital measures to protect American workers, keep out terrorists, and stop the abuse of our welfare system — where they'd come up, go on our welfare system, and live for years on American welfare without ever having a job.

We also have, and we had — but we have them all the time — we have terrorists from the Middle East coming into our country through the southern border. That was before what you see right here, because it was easier to come into our country through the southern border than it was through airports or any other means. So they'd land in South America, and they'd work their way up, and they'd come into our country. And these are not people from the countries that you would suspect. These are people from some very seriously dangerous places in the Middle East. And the numbers are far greater than anybody would understand. Really far greater.

Removing any of these measures would hamstring our workers, endanger our country, and cost taxpayers hundreds of billions of dollars a year.

No matter our party, we should all agree on the need to protect our workers, our families, and our citizens of all backgrounds, no matter who they are. In particular, if our border security measures are reversed, it will trigger a tidal wave of illegal immigration — a wave like you've never seen before. And I can tell you that, already, waves are starting to come up from 2,000 and 1,000 and 500 miles away. We see what's coming.

And they're coming because they think that it's gravy train at the end; it's going to be a gravy train. Change the name from the "caravans," which I think we came up with, to the "gravy train," because that's what they're looking for — looking for the gravy.

This will be an unmitigated calamity for national security, public safety, and public health. It would destroy millions and millions of jobs and claim thousands of innocent lives. The policies I put into place are uniformly and strongly supported by the men and women of ICE and Border Patrol. We worked on them together, just like we did on the wall. We worked on the policies together because nobody knows this whole world better than the incredible people right in front of me. To terminate

1/17/2021

Remarks by President Trump at the 45th Mile of New Border Wall | Reynosa-McAllen, TX | The White House

those policies is knowingly to put America in really serious danger and to override the great career experts that have worked so hard — those from DHS.

At this very moment, smugglers and coyotes are preparing to surge the border if our policies are loosened or removed. I mean, they're literally waiting — big, big groups of people. Some of them very unsavory, I might add.

This is an entirely preventable tragedy. It's waiting to happen. The safety of our nation must come before politics. We have many disagreements in the country, but we should all agree: the urgent need to secure our borders, protect our homeland, and allow law enforcement to fulfill its mission without political interference.

ICE and Border Patrol agents swore a sacred oath to uphold the law, and no political appointee should ever order them to violate that oath. These are real experts. They really get it.

And I'll tell you who else gets it: The Hispanic population of our country gets it. Because not only did I win Texas in historic numbers, but I won border towns, which are largely Hispanic, and people were amazed to see that. And the numbers, they say, were — the Governor of Texas called — Greg — great guy, great governor — called. He said, "You had numbers that nobody has had since Reconstruction. "Reconstruction" means "Civil War." And largely Hispanic. They understand it better than anybody, and they want law enforcement to help them — help them live safe lives.

The laws that Congress passed must be upheld. To the men and women of ICE, Customs and Border Protection, and all across DHS, law enforcement in general: You have earned the everlasting gratitude of our nation. You have no idea how much our nation loves you and respects you. I don't think you do have an idea, but it's true. I only hope and pray that your voice will be heard, honored, heeded, and respected long into the future.

God bless you. God bless law enforcement. And God bless America. Thank you very much. Thank you. Great job. (Applause.)

END 2:31 P.M. CST

President Donald Trump Farewell Address Speech Transcript

 rev.com/blog/transcripts/president-donald-trump-farewell-address-speech-transcript

President Donald Trump: (00:00)

My fellow Americans, four years ago we launched a great national effort to rebuild our country, to renew its spirit, and to restore the allegiance of this government to its citizens. In short, we embarked on a mission to make America great again for all Americans. As I conclude my term as the 45th President of the United States, I stand before you truly proud of what we have achieved together. We did what we came here to do, and so much more. This week we inaugurate a new administration and pray for its success in keeping America safe and prosperous. We extend our best wishes, and we also want them to have luck, a very important word.

President Donald Trump: (00:55)

I'd like to begin by thanking just a few of the amazing people who made our remarkable journey possible. First, let me express my overwhelming gratitude for the love and support of our spectacular First Lady Melania. Let me also share my deepest appreciation to my daughter, Ivanka, my son-in-law Jared, and to Baron, Don, Eric, Tiffany, and Lara. You fill my world with light and with joy. I also want to thank Vice President Mike Pence, his wonderful wife, Karen, and the entire Pence family. Thank you as well to my chief of staff, Mark Meadows, the dedicated members of the White House staff, and the cabinet, and all of the incredible people across our administration who poured out their heart and soul to fight for America.

President Donald Trump: (01:48)

I also want to take a moment to thank a truly exceptional group of people, the United States Secret Service. My family and I will forever be in your debt. My profound gratitude as well to everyone in the White House military office, the teams of Marine One and Air Force One, every member of the armed forces, and state and local law enforcement all across our country. Most of all, I want to thank the American people. To serve as your president has been an honor beyond description. Thank you for this extraordinary privilege. And that's what it is, a great privilege and a great honor. We must never forget that while Americans will always have our disagreements, we are a nation of incredible, decent, faithful, and peace-loving citizens who all want our country to thrive and flourish and be very, very successful and good. We are a truly magnificent nation.

President Donald Trump: (02:50)

All Americans were horrified by the assault on our capital. Political violence is an attack on everything we cherish as Americans. It can never be tolerated. Now more than ever, we must unify around our shared values and rise above the partisan rancor and forge our common

destiny. Four years ago, I came to Washington as the only true outsider ever to win the presidency. I had not spent my career as a politician, but as a builder looking at open skylines and imagining infinite possibilities. I ran for president because I knew there were towering new summits for America just waiting to be scaled. I knew the potential for our nation was boundless as long as we put America first. So I left behind my former life and stepped into a very difficult arena, but an arena, nevertheless, with all sorts of potential if properly done.

President Donald Trump: (03:51)

America had given me so much and I wanted to give something back. Together with millions of hardworking Patriots across this land, we built the greatest political movement in the history of our country. We also built the greatest economy in the history of the world. It was about America first because we all wanted to make America great again. We restored the principle that a nation exists to serve its citizens. Our agenda was not about right or left. It wasn't about Republican or Democrat, but about the good of a nation, and that means the whole nation. With the support and prayers of the American people, we achieved more than anyone thought possible. Nobody thought we could even come close. We passed the largest package of tax cuts and reforms in American history. We slashed more job-killing regulations than any administration had ever done before.

President Donald Trump: (04:51)

We fix our broken trade deals, withdrew from the horrible Trans-Pacific Partnership and the impossible Paris Climate Accord, renegotiated the one-sided South Korea deal. And we replaced NAFTA with the groundbreaking USMCA, that's Mexico and Canada, a deal that's worked out very, very well. Also and very importantly, we imposed historic and monumental tariffs on China, made a great new deal with China. But before the ink was even dry, we and the whole world got hit with the China virus.

President Donald Trump: (05:31)

Our trade relationship was rapidly changing. Billions and billions of dollars were pouring into the US but the virus forced us to go in a different direction. The whole world suffered, but America outperformed other countries economically because of our incredible economy and the economy that we built. Without the foundations and footings, it wouldn't have worked out this way. We wouldn't have some of the best numbers we've ever had. We also unlocked our energy resources and became the world's number one producer of oil and natural gas by far. Powered by these policies, we built the greatest economy in the history of the world. We reignited America's job creation and achieved record-low unemployment for African-Americans, Hispanic Americans, Asian Americans, women, almost everyone. Income soared, wages boomed. The American dream was restored and millions were lifted from poverty in just a few short years. It was a miracle.

President Donald Trump: (06:42)

The stock market set one record after another, with 148 stock market highs during the short period of time, and boosted the retirements and pensions of hardworking citizens all across

our nation. 401(k)s are at a level they've never been at before. We've never seen numbers like we've seen, and that's before the pandemic and after the pandemic. We rebuilt the American manufacturing base, opened up thousands of new factories, and brought back the beautiful phrase Made in the USA. To make life better for working families, we doubled the child tax credit and signed the largest-ever expansion of funding for childcare and development. We joined with the private sector to secure commitments to train more than 16 million American workers for the jobs of tomorrow.

President Donald Trump: (07:40)

When our nation was hit with the terrible pandemic, we produced not one, but two vaccines with record-breaking speed and more will quickly follow. They said it couldn't be done, but we did it. They called it a medical miracle. And that's what they're calling it right now, a medical miracle. Another administration would have taken three, four, five, maybe even up to 10 years to develop a vaccine. We did it in nine months. We grieve for every life lost and we pledge in their memory to wipe out this horrible pandemic once and for all.

President Donald Trump: (08:20)

When the virus took its brutal toll on the world's economy, we launched the fastest economic recovery our country has ever seen. We passed nearly \$4 trillion in economic relief, saved or supported over 50 million jobs, and slashed the unemployment rate in half. These are numbers that our country has never seen before. We created choice and transparency in healthcare, stood up to big pharma in so many ways, but especially in our effort to get favored nations clauses added, which will give us the lowest prescription drug prices anywhere in the world. We passed VA Choice, VA Accountability, Right to Try, and landmark criminal justice reform.

President Donald Trump: (09:07)

We confirmed three new justices of the United States Supreme Court. We appointed nearly 300 federal judges to interpret our Constitution as written. For years, the American people pleaded with Washington to finally secure the nation's borders. I am pleased to say, we answered that plea and achieved the most secure border in US history. We have given our brave border agents and heroic ICE officers the tools they need to do their jobs better than they have ever done before and to enforce our laws and keep America safe. We proudly leave the next administration with the strongest and most robust border security measures ever put into place. This includes historic agreements with Mexico, Guatemala, Honduras, and El Salvador, along with more than 450 miles of powerful new wall.

President Donald Trump: (10:05)

We restored American strength at home and American leadership abroad. The world respects us again. Please don't lose that respect. We reclaimed our sovereignty by standing up for America at the United Nations and withdrawing from the one-sided global deals that

never served our interests. And NATO countries are now paying hundreds of billions of dollars more than when I arrived just a few years ago. It was very unfair. We were paying the cost for the world. Now the world is helping us.

President Donald Trump: (10:43)

And perhaps most importantly of all, with nearly \$3 trillion, we fully rebuilt the American military, all made in the USA. We launched the first new branch of the United States Armed Forces in 75 years, the Space Force. And last spring, I stood at Kennedy Space Center in Florida and watched as American astronauts returned to space on American rockets for the first time in many, many years.

President Donald Trump: (11:13)

We revitalize our alliances and rallied the nations of the world to stand up to China like never before. We obliterated the ISIS caliphate and ended the wretched life of its founder and leader al-Baghdadi. We stood up to the oppressive Iranian regime and killed the world's top terrorist, Iranian butcher, Qassem Soleimani. We recognize Jerusalem as the capital of Israel and recognized Israeli sovereignty over the Golan Heights. As a result of our bold diplomacy and principled realism, we achieved a series of historic peace deals in the Middle East. Nobody believed it could happen. The Abraham Accords opened the doors to a future of peace and harmony, not violence and bloodshed. It is the dawn of a new Middle East, and we are bringing our soldiers home. I am especially proud to be the first president in decades who has started no new wars.

President Donald Trump: (12:13)

Above all, we have reasserted the sacred idea that in America the government answers to the people. Our guiding light, our North star, our unwavering conviction has been that we are here to serve the noble everyday citizens of America. Our allegiance is not to the special interests corporations or global entities, it's to our children, our citizens, and to our nation itself. As president my top priority, my constant concern has always been the best interests of American workers and American families. I did not seek the easiest course. By far, it was actually the most difficult. I did not seek the path that would get the least criticism. I took on the tough battles, the hardest fights, the most difficult choices because that's what you elected me to do. Your needs were my first and last unyielding focus. This, I hope, will be our greatest legacy.

President Donald Trump: (13:16)

Together, we put the American people back in charge of our country. We restored self-government. We restored the idea that in America no one is forgotten because everyone matters and everyone has a voice. We fought for the principle that every citizen is entitled to equal dignity, equal treatment, and equal rights because we are all made equal by God. Everyone is entitled to be treated with respect, to have their voice heard, and to have the government listen. You are loyal to your country and my administration was always loyal to you.

President Donald Trump: (13:54)

We worked to build a country in which every citizen could find a great job and support their wonderful families. We fought for the communities where every American could be safe and schools where every child could learn. We promoted a culture where our laws would be upheld, our heroes honored, our history preserved, and law-abiding citizens are never taken for granted. Americans should take tremendous satisfaction in all that we have achieved together. It's incredible.

President Donald Trump: (14:26)

Now, as I leave the white house, I have been reflecting on the dangers that threaten the priceless inheritance we all share. As the world's most powerful nation, America faces constant threats and challenges from abroad. But the greatest danger we face is a loss of confidence in ourselves, a loss of confidence in our national greatness. A nation is only as strong as its spirit. We are only as dynamic as our pride. We are only as vibrant as the faith that beats in the hearts of our people. No nation can long thrive that loses faith in its own values, history, and heroes for these are the very sources of our unity and our vitality.

President Donald Trump: (15:12)

What has always allowed America to prevail and triumph over the great challenges of the past has been an unyielding and unashamed conviction in the nobility of our country and its unique purpose in history. We must never lose this conviction. We must never forsake our belief in America. The key to national greatness lies in sustaining and instilling our shared national identity. That means focusing on what we have in common, the heritage that we all share. At the center of this heritage is also a robust belief in free expression, free speech, and open debate. Only if we forget who we are and how we got here could we ever allow political censorship and blacklisting to take place in America. It's not even thinkable. Shutting down free and open debate violates our core values and most enduring traditions.

President Donald Trump: (16:13)

In America, we don't insist on absolute conformity or enforce rigid orthodoxies and punitive speech codes. We just don't do that. America is not a timid nation of tame souls who need to be sheltered and protected from those with whom we disagree. That's not who we are. It will never be who we are. For nearly 250 years in the face of every challenge, Americans have always summoned our unmatched courage, confidence, and fierce independence. These are the miraculous traits that once led millions of everyday citizens to set out across a wild continent and carve out a new life in the great West. It was the same profound love of our God-given freedom that willed our soldiers into battle and our astronauts into space.

President Donald Trump: (17:08)

As I think back on the past four years, one image rises in my mind above all others. Whenever I traveled all along the motorcade route, there were thousands and thousands of people. They came out with their families so that they could stand as we passed and proudly wave our great American flag. It never failed to deeply move me. I knew that they did not just

come out to show their support of me. They came out to show me their support and love for our country. This is a republic of proud citizens who are united by our common conviction, that America is the greatest nation in all of history.

President Donald Trump: (17:48)

We are and must always be a land of hope, of light, and of glory to all the world. This is the precious inheritance that we must safeguard at every single turn. For the past four years, I have worked to do just that. From a great hall of Muslim leaders in Riyadh to a great square of Polish people in Warsaw, from the floor of the Korean Assembly to the podium at the United Nations General Assembly, and from the forbidden city in Beijing to the shadow of Mount Rushmore, I fought for you. I fought for your family. I fought for our country. Above all, I fought for America and all it stands for, and that is safe, strong, proud, and free.

President Donald Trump: (18:39)

Now, as I prepare to hand power over to a new administration at noon on Wednesday, I want you to know that the movement we started is only just beginning. There's never been anything like it. The belief that a nation must serve its citizens will not dwindle, but instead, only grows stronger by the day. As long as the American people hold in their hearts, deep and devoted love of country, then there is nothing that this nation can not achieve. Our communities will flourish. Our people will be prosperous. Our traditions will be cherished. Our faith will be strong and our future will be brighter than ever before. I go from this majestic place with a loyal and joyful heart, an optimistic spirit, and a supreme confidence that for our country and for our children, the best is yet to come. Thank you and farewell. God bless you. God bless the United States of America.

PRESIDENT DONALD TRUMP IS INTERVIEWED BY FOX'S BRIAN KILMEADE AT THE ARMY-NAVY FOOTBALL GAME

**PRESIDENT DONALD TRUMP IS INTERVIEWED BY FOX'S BRIAN KILMEADE
AT THE ARMY-NAVY FOOTBALL GAME**

Political Transcript Wire

December 14, 2020 Monday

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Body

FULL TEXT

PRESIDENT DONALD TRUMP IS INTERVIEWED BY FOX'S BRIAN KILMEADE AT THE ARMY-NAVY FOOTBALL GAME

DECEMBER 14, 2020

SPEAKERS: PRESIDENT DONALD TRUMP

BRIAN KILMEADE, FOX NEWS HOST

[*] (BEGIN VIDEOTAPE)

KILMEADE: So let's -- let's look at this. Let's play this out. If they continue to not have success in the courts, and the six that get certified and transmitted and the Vice-President, your Mike Pence, certifies it. Would you encourage the Republican lawmakers to stand up and protest then?

TRUMP: Look, I just left Washington to go to the Army-Navy game. There are thousands and thousands of people out there. I had nothing to do with it. I didn't know -- really know they were forming -- they're forming.

KILMEADE: Oh no, I'm talking about Congressional leaders.

(CROSSTALK)

TRUMP: Oh, no, no, I'm just saying the spirit, the liveliness --

KILMEADE: Right.

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FOOTBALL GAME

TRUMP: -- the whole thing, even the fundraising, the money that's pouring in to fight this. It's one thing to say, you know, you ran a great race. Congratulations. I'm OK with that. But they didn't. They didn't run a good race.

They ran a horrible race from the basement. They ran a race where he didn't even run. But what they did is, they cheated. They cheated like nobody's ever cheated before that we know of.

KILMEADE: Right.

TRUMP: Now, if you look at it it's not even four or five states. It's five cities. Milwaukee, right? Detroit, Philadelphia, Atlanta -

KILMEADE: Right.

TRUMP: -- take those -- Pittsburgh you could add. So it's five cities. It's four cities. It's even three cities because I don't need five.

KILMEADE: But -

TRUMP: Just one second, they cheated like nobody's ever cheated before. And they got caught. Just like the spying on my campaign --

KILMEADE: Right.

TRUMP: -- campaign got caught. They cheated like nobody's cheated before. And they got caught. So nobody can go in and say oh, congratulations on running a good race. They didn't run a good race. They cheated. They dropped hundreds of thousands of ballots.

KILMEADE: Right.

TRUMP: They did things that nobody's ever seen.

KILMEADE: True.

TRUMP: And we caught them.

KILMEADE: But you -- but you guys have been unable to prove it as of now. If something happens --

TRUMP: Excuse me. Excuse me. We've proven it. But no judge has had the courage including the Supreme Court. I am so disappointed in them. No judge including the Supreme Court of the United States has had the courage to allow it to be heard.

The Supreme Court, all they did was say we don't have standing. So they're saying essentially that the president of the United States and Texas and these other states, great states, they don't have standing. They didn't go into the evidence. If you would look at the evidence, thousands of pages of evidence, we have over 1,000 affidavits --

KILMEADE: Right.

TRUMP: -- from people that saw tens of thousands of ballots --

KILMEADE: Got you.

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TRUMP: -- no but here's the point. They're trying -- they're winning these things on little technicalities like a thing called standing. They're saying the President of the United States does not have standing.

KILMEADE: Right. So that was decided last night. So would you show up at the inauguration? Will you --

TRUMP: I don't want to talk about that. I want to talk about this. We've done a great job. I got more votes than any president in the history of our country -- in the history of our country, right? Not even close, 75 million far more than Obama, far more than anybody. And they say we lost an election. We didn't lose. If I got 10 million fewer votes, they say I couldn't have lost.

KILMEADE: This is --

TRUMP: -- just so you understand, they stuffed -- in a sense, it's a modern-day version of stuffing the ballot box.

KILMEADE: This has also been a historic week. Number one, the vaccine's going to start rolling. What is going to be going through your mind as FedEx, UPS, those flights go to 600 separate sites in all 50 states, a vaccine rolling in? What's going to be going through your mind?

TRUMP: If I wasn't president, according to almost everybody, even the enemy. If I wasn't president you wouldn't have a vaccine for five years, OK? I pushed the FDA and companies and everybody else involved like nobody's ever been pushed before. And now you have it rolling out.

And frankly, they could have done it last week. They could have even done a week sooner had they heard from me. But, this has been a great -- a really medical -- they call it a medical miracle.

And it's going to have a tremendous impact, 95 percent effective. We have Moderna coming out next week, very soon. We have Johnson & Johnson, a one-shot vaccine coming out. All great companies.

KILMEADE: What about an aid package for the -- the American people? What could you do to get the \$900 billion out from Nancy Pelosi and Mitch McConnell?

(CROSSTALK)

TRUMP: It's moving along. Well, I want to do it - I'm pushing it very hard. And to be honest with you, if the Democrats really wanted to do the deal, they'd do the deal. They should do it right now. I want to see checks going for more money than they're talking about going to people.

KILMEADE: Hunter Biden this week has confirmed two investigations on him. One on Jim Biden. Do you feel that the word is you're disappointed that William Barr knew about this in the Spring?

TRUMP: Everybody is. Who isn't disappointed?

KILMEADE: Right.

TRUMP: Joe Biden lied on the debate stage. He said there's nothing happening, nothing happening and Bill Barr should have stepped up. I'll tell you what, say what you want about Robert Mueller. When BuzzFeed put out a phony article -- I think it was BuzzFeed -- but BuzzFeed put out a phony article, Bob Mueller stepped out, and he said that article was a phony.

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And then there was ultimately proven there was no collusion. No -- after two years, no collusion. But Bob Mueller stood up and he -- he interjected that this article was false. Bill Barr should have done the same thing.

KILMEADE: Jonathan Turley said that he had no choice, that he would have been like -- he would have been like James Comey again.

TRUMP: All he had to do is say an investigation's going on. And by the way, I don't want to see anything bad happen to Hunter Biden. Whatever it is, it is the facts. But I don't want to see anything bad to Hunter Biden.

And I purposely stay out of it. But when you affect an election, Bill Barr frankly did the wrong thing. When they are saying things, making statements and the press is purposely not reporting it, Bill Barr, I believe, not believe, I know, had an obligation to set the record straight, just like Robert Mueller set the record straight.

You know, he set it straight. A very bad thing was said and it was false article, a false statement which you know, usually they are with the -- with the media. But this was a false statement. And Robert Mueller stood up and he said that is a false statement. And that was a great thing. I'm going to go.

KILMEADE: Go get them.

TRUMP: Thank you.

(END VIDEOTAPE)

END

Load-Date: December 15, 2020

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REMARKS

Remarks by President Trump on the Election

Issued on: November 5, 2020



James S. Brady Press Briefing Room

6:48 P.M. EST

THE PRESIDENT: Good evening. I'd like to provide the American people with an update on our efforts to protect the integrity of our very important 2020 election. If you count the legal votes, I easily win. If you count the illegal votes, they can try to steal the election from us. If you count the votes that came in late — we're looking at them very strongly. But a lot of votes came in late.

I've already decisively won many critical states, including massive victories in Florida, Iowa, Indiana, Ohio, to name just a few. We won these and many other victories despite historic election interference from big media, big money, and big tech.

As everybody saw, we won by historic numbers. And the pollsters got it knowingly wrong. They got it knowingly wrong. We had polls that were so ridiculous, and everybody knew that at the time. There was no blue wave that they predicted. They thought there was going to be a big blue wave; that was false. That was done for suppression reasons. But instead, there was a big red wave.

And it's been properly acknowledged, actually, by the media. They were, I think, very impressed, but that was after the fact. That doesn't do us any good.

We kept the Senate, despite having twice as many seats to defend as Democrats. And in a really — much more competitive states, we've — we did a fantastic job with the Senate, and I think we're

very proud of what's happened there. We had many more seats to defend.

They spent almost \$200 million on Senate races in South Carolina and Kentucky alone — two races — and hundreds of millions of dollars overall against us. At the national level, our opponents' major donors were Wall Street bankers and special interests. Our major donors were police officers, farmers, everyday citizens. Yet for the first time ever, we lost zero races in the House. I was talking to Kevin McCarthy today. He said he couldn't believe it: zero races. Very unusual thing. Zero. And actually won many new seats with, I think, many more on the way.

This was also the year of the Republican woman. More Republican women were elected to Congress than ever before. That's a great achievement. I won the largest share of non-white voters of any Republican in 60 years, including historic numbers of Latino, African American, Asian American, and Native American voters — the largest ever in our history. We grew our party by 4 million voters, the greatest turnout in Republican Party history.

Democrats are the party of the big donors, the big media, the big tech, it seems. And Republicans have become the party of the American worker, and that's what's happened. And we're also, I believe, the party of inclusion.

As everyone now recognizes, media polling was election interference, in the truest sense of that word, by powerful special interests. These really phony polls — I have to call them phony polls, fake polls — were designed to keep our voters at home, create the illusion of momentum for Mr. Biden, and diminish Republicans' ability to raise funds. They were what's called "suppression polls." Everyone knows that now. And it's never been used to the extent that it's been used on this last election.

To highlight just a few examples: The day before election, Quinnipiac — which was wrong on every occasion that I know of — had Joe Biden up by 5 points in Florida, and they were off by 8.4 points. And I won Florida easily. Easily. So, they had me losing Florida by a lot, and I ended up winning Florida by a lot. Other than that, they were very accurate. They had him up 4 points in Ohio, and they were off by 12.2 points. And I also won Ohio — the great state of Ohio — very easily.

The Washington Post had Biden up 17 points in Wisconsin, and it was basically even. They were off by about 17 points, and they knew that. They're not stupid people. They knew that. Suppression.

There are now only a few states yet to be decided in the presidential race. The voting apparatus of those states are run, in all cases, by Democrats.

We were winning in all the key locations by a lot, actually. And then our number started miraculously getting whittled away in secret, and they wouldn't allow legally permissible observers. We went to court, in a couple of instances, and we were able to get the observers put in. And when the observers got there, they wanted them 60, 70 feet away, 80 feet, 100 feet away — or outside the building to observe people inside the building.

And we won a case — a big case. And we have others happening. There are a lot of — lots of litigation. Even beyond our litigation, there's tremendous amount of litigation generally because of how unfair this process was, and I predicted that. I've been talking about mail-in voting for a long time. It's — it's really destroyed our system.

It's a corrupt system. And it makes people corrupt even if they aren't by nature, but they become corrupt; it's too easy. They want to find out how many votes they need, and then they seem to be able to find them. They wait and wait, and then they find them.

And you see that on Election Night. We were ahead in votes in North Carolina by a lot — tremendous number of votes. And we're still ahead by a lot, but not as many because they're finding ballots all of a sudden. "Oh, we have some mail-in ballots."

It's amazing how those mail-in ballots are so one-sided, too. I know that it's supposed to be to the advantage of the Democrats, but in all cases, they're so one-sided.

We were up by nearly 700,000 votes in Pennsylvania. I won Pennsylvania by a lot, and that gets whittled down to — I think they said now we're up by 90,000 votes. And they'll keep coming and coming and coming. They find them all over. And they don't want us to have any observers, although we won a court case. The judge said you have to have observers.

Likewise, in Geor- — and they're appealing. Actually, they're appealing. We won a case that we want people to watch and we want observers, and they're actually appealing, which is sort of interesting. I wonder why they'd appeal — that all we want to do is have people watch as they do the vote tabulations.

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Remarks by President Trump on the Election | The White House

Likewise, in Georgia, I won by a lot — a lot — with a lead of over — getting close to 300,000 votes on Election Night in Georgia. And, by the way, got whittled down, and now it's getting to be to a point where I'll go from winning by a lot to perhaps being even down a little bit.

In Georgia, a pipe burst in a faraway location, totally unrelated to the location of what was happening, and they stopped counting for four hours, and a lot of things happened. The election apparatus in Georgia is run by Democrats.

We also had margins of 300,000 in Michigan. We were way up in Michigan; won the state. And in Wisconsin, we did likewise fantastically well. And that got whittled down. Every — in every case, they got whittled down.

Today, we're on track to win Arizona. We only need to carry, I guess, 55 percent of the remaining vote — 55 percent margins. And that's a margin that we've significantly exceeded. So we'll see what happens with that, but we're on track to do okay in Arizona.

Our goal is to defend the integrity of the election. We'll not allow the corruption to steal such an important election or any election, for that matter. And we can't allow silence — anybody to silence our voters and manufacture results.

I've never had — I've been doing a lot of public things for a long time; I've never had anything that's been as inspirational by people — calling, talking, sending things to us. I've never seen such — such love and such affection and such spirit as I've seen for this. People know what's happening, and they see what's happening, and it's before their eyes.

And there are many instances which will be reported very shortly. There's tremendous litigation going on. And this is a case where they're trying to steal an election, they're trying to rig an election, and we can't let that happen. Detroit and Philadelphia — known as two of the most corrupt political places anywhere in our country, easily — cannot be responsible for engineering the outcome of a presidential race — a very important presidential race.

In Pennsylvania, Democrats have gone to the State Supreme Court to try and ban our election observers, and very strongly. Now, we won the case, but they're — they're going forward. They don't want anybody in there. They don't want anybody watching them as they count the ballots, and I can't imagine why. There's absolutely no legitimate reason why they would not want to have

people watching this process, because if it's straight, they would be — they should be proud of it. Instead, they're trying, obviously, to commit fraud. There's no question about that.

In Philadelphia, observers have been kept far away — very far away — so far that people are using binoculars to try and see, and there's been tremendous problems caused. They put paper on all of the windows so you can't see in, and the people that are banned are very unhappy and become somewhat violent.

The 11th Circuit ruled that, in Georgia, the votes have been in by Election Day — that they should be in by Election Day, and they weren't. Votes are coming in after Election Day. And they had a ruling already that you have to have the votes in by Election Day. To the best of my knowledge, votes should be in by Election Day, and they didn't do that.

Democrat officials never believed they could win this election honestly. I really believe that. That's why they did the mail-in ballots, where there's tremendous corruption and fraud going on. That's why they mailed out tens of millions of unsolicited ballots without any verification measures whatsoever. And I've told everybody that these things would happen, because I've seen it happen. I watched a lot of different elections before they decided to go with this big, massive election with tens of millions of ballots going out to everybody — in many cases, totally unsolicited.

This was unprecedented in American history. This was by design. Despite years of claiming to care about the election security, they refuse to include any requirement to verify signatures, identities, or even determine whether they're eligible or ineligible to vote. People are walking in that they have no idea; they're just taking numbers. They're writing down things — the workers — and doing a lot of bad things. And we have a lot of information coming and litigation that you'll see that will shake even you people up, and you've seen it all.

The officials overseeing the counting in Pennsylvania and other key states are all part of a corrupt Democrat machine that you've written about — and, for a long time, you've been writing about the corrupt Democrat machine. I went to school there, and I know a lot about it. It hasn't changed. It's a long time ago, and it hasn't changed. It's gotten worse.

In Pennsylvania, partisan Democrats have allowed ballots in the state to be received three days after the election, and we think much more than that. And they are counting those without even postmarks or any identification whatsoever. So you don't have postmarks; you don't have

identification. There have been a number of disturbing irregularities across the nation. Our campaign has been denied access to observe any counting in Detroit. Detroit is another place.

So you don't have postmarks; you don't have identification. There have been a number of disturbing irregularities across the nation. Our campaign has been denied access to observe any counting in Detroit. Detroit is another place — and I wouldn't say has the best reputation for election integrity.

Poll workers in Michigan were duplicating ballots. But when our observers attempted to challenge the activity, those poll workers jumped in front of the volunteers to block their view so that they couldn't see what they were doing, and it became a little bit dangerous.

One major hub for counting ballots in Detroit covered up the windows, again, with large pieces of cardboard. And so they wanted to protect and block the counting area. They didn't want anybody seeing the counting, even though these were observers who are legal observers that were supposed to be there.

In Detroit, there were hours of unexplained delay in delivering many of the votes for counting. The final batch did not arrive until four in the morning and — even though the polls closed at eight o'clock. So they brought it in, and the batches came in, and nobody knew where they came from. We've also been denied access to observe in critical places in Georgia.

In multiple swing states, counting was halted for hours and hours on Election Night, with results withheld from major Democrat-run locations, only to appear later. And they certainly appeared, and they all had the name "Biden" on them, or just about all — I think almost all. They all had the name "Biden" on them, which is a little strange.

I challenge Joe and every Democrat to clarify that they only want legal votes. Because they talk about votes, and I think they should use the word "legal" — "legal votes." "We want every legal vote counted." And I want every legal vote counted. We want openness and transparency — no secret count rooms, no mystery ballots, no illegal votes being cast after Election Day.

You have Election Day, and the laws are very strong on that. You have an Election Day. And they don't want votes cast after Election Day, and they want the process to be an honest one. It's so

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important. We want an honest election, and we want an honest count, and we want honest people working back there because it's a very important job.

So that's the way this country is going to win. That's the way the United States will win. And we think we will win the election very easily. We think there's going to be a lot of litigation because we have so much evidence, so much proof. And it's going to end up, perhaps, at the highest court in the land. We'll see. But we think there'll be a lot of litigation because we can't have an election stolen by — like this.

And I — I tell you, I would — I have been talking about this for many months with all of you. And I've said very strongly that mail-in ballots are going to end up being a disaster. Small elections were a disaster. Small, very easy-to-handle elections were disastrous.

This is a large-scale version, and it's getting worse and worse every day. We're hearing stories that are horror stories — absolute horror stories. And we can't let that happen to the United States of America. It's not a question of who wins — Republican, Democrat; Joe, myself. We can't let that happen to our country. We can't be disgraced by having something like this happen.

So it will be hopefully cleared up, maybe soon; I hope soon. But it'll probably go through a process — a legal process. And, as you know, I've claimed certain states and he's claiming states. So we can both claim the states, but ultimately I have a feeling judges are going to have to rule. But there's been a lot of shenanigans, and we can't stand for that in our country.

Thank you very much.

END

7:04 P.M. EST

**REMARKS**

Remarks by President Trump During Thanksgiving Video Teleconference with Members of the Military

Issued on: November 27, 2020



Diplomatic Reception Room

November 26, 2020

4:59 P.M. EST

THE PRESIDENT: Well, I'm thrilled to be online with heroic members of the United States Military. Incredible people. I want to wish you all a very happy Thanksgiving. We're going to have a great year. We have a year coming up — the foundations are ready for one of the best years we've ever had.

We have with us six units deployed all across the world, representing every branch of the armed forces. Many of you are very far from home, but today we hope you know that millions of American families are praying in gratitude for the sacrifices you make and the incredible — absolutely incredible job you do.

As President, I want to personally express my profound thanks to each and every one of you for your devoted service to our nation. Our nation is doing very well. It's the highest honor of my life to serve as your Commander-in-Chief.

Representing the Army today, I want to recognize Lieutenant Colonel Timothy Redhair and the United States Army 36th Infantry Division. Tremendous people. From your base in Kuwait, you support our fight against radical Islamic terrorism and help combat Iranian aggression. We salute

you. Thank you very much. And you'll say perhaps a few words in a little while. We appreciate it very much, Timothy.

From the Marines, we have Special Purpose Marine Air-Ground Task Force based in Kuwait, which conducts Crisis Response throughout the Middle East. Colonel Andrew Priddy, your warriors bring the fight straight to the enemy so that American families can sleep soundly at home.

We've been building up our military. We spent \$2.5 trillion in the last three and a half years. And we've never had anything like it, in terms of equipment and all of the elements that we put together.

Space Force, we're very proud of. Brand new. Nobody thought that could happen.

So we've spent two and a half — think of that — two and a half trillion dollars. All new tanks and missiles and rockets. And everything is tippy top. Nobody thought we could ever get there.

We've done it quickly. Most of the equipment is there; much of it is there. Most of it is coming. The rest of it is coming in over the next, I would say, six months to twelve months. All made in the USA, which is very good.

But every American owes you a debt of thanks, and we appreciate it.

Also with us are men and women of the U.S. Navy aboard the USS Winston Churchill — it's a beauty — led by Commander Timothy Shanley. You're deployed in the Red Sea, where you deter terrorists, defend freedom of navigation, and escort ships through the Strait of Hormuz. Your magnificent ship is a powerful symbol of peace through strength. And that's what we have now is peace through strength. You look at what's going on: no wars. They're saying, "Wow." A President — four years, no wars. We stopped wars. And we won, as you know, 100 percent of the ISIS caliphate in Syria and Iraq. We've done a job.

Welcome, as well, to everyone at Ali Al Salem Airbase in Kuwait, including Major Tommy Rutherford and the 386th Expeditionary Logistics Readiness Squadron. Thank you very much, Tommy. Your missions support our soldiers on the ground and deliver precious cargo where it needs to go, including transporting 18 tons of medical equipment during the China virus pandemic. Keep up the outstanding work. Great job you've done. I hear all about it. It's amazing work you do.

From the United States Space — and this is a very important thing to me — the Space Force — because it's 75 years since the Air Force. This is the first one. New branch. The United States Space Force. We're joined by Lieutenant Colonel Matthew Lohmeier and the 11th Space Warning Squadron — that sounds great — at Buckley Air Force Base in Colorado. You keep watch around the world to detect missile launches, space launches, and nuclear detonations while providing critical intelligence. All of you are pioneers in the newest branch of our armed forces.

And again, it's very special to me, that new branch, because that was something that I felt was necessary. And I never said it during the campaign; I said it after I became President. I saw what was happening with China and Russia and others. And it's really something, so we're very proud of it.

Finally, we have with us members of the U.S. Coast Guard Port Security Unit 308 under Captain Gennaro Ruocco. You're joined with us from Guantanamo Bay, where you secure our coastal waters, combat drug traffickers, escort vessels, and protect our forces in the region.

On American shores and beyond, the Coast Guard has always made America proud. I want to tell you, I was here two years ago in Texas; you saved thousands and thousands of people. That was incredible, the job the Coast Guard has done. And now we have all new ships coming to the Coast Guard. You had old ships, and they were as good as they could be, but they were very old. And now you have brand new Coast Guard ships, and it's my honor to have gotten them for you.

Today, I send you the love, gratitude, respect, and prayers of our entire nation. Once again, I wish you a very happy Thanksgiving. You're doing an incredible job, and your country is doing well. We just set a record in the stock market: over 30,000 in the Dow Jones Industrial Average. Over 30,000 — think of that. Nobody ever thought we were going to hit that during a pandemic.

The whole world is suffering this tremendous pandemic, not just us — the world. And it doesn't — you wouldn't know that to listen to the news reports, but the whole world is suffering. And we're — we are rounding the curve. The vaccines are being delivered literally — it'll start next week and the week after. And it will hit the frontline workers and seniors and doctors, nurses — a lot of people are going to start, and we're going very quickly.

Two companies already announced a third one coming up and a fourth and fifth one coming up soon also. So it's — some people have called it a medical mir- — really, a miracle. It could have

taken four or five years to do this. Normally, it probably would have taken four or five years, just getting it through the FDA. We pushed it very hard.

But I want to thank you all. I want to wish you a happy Thanksgiving. And let's — maybe, if we could start. Anybody would like to raise their hand. Go ahead. We'll start with you.

LIEUTENANT COLONEL TIMOTHY REDHAIR: Sir, good evening, Mr. President. On behalf of Task Force Spartan, 36th Infantry Division Command Team, Major General Pat Hamilton, (inaudible), I'd like to take this opportunity to say thank you for sticking with all of us, and happy Thanksgiving to you and yours as well.

THE PRESIDENT: Thank you very much.

LIEUTENANT COLONEL TIMOTHY REDHAIR: If you don't mind, I'd like — go ahead, sir.

THE PRESIDENT: Yes, go ahead, please. Please.

LIEUTENANT COLONEL TIMOTHY REDHAIR: I was just going to take a couple minutes out to introduce some of the folks sitting around me that are here in Kuwait. Specialist Greene, to my right, she's from Baton Rouge, Louisiana. PFC (inaudible) directly behind me is from Sabine, Texas. Again, one of the most important people as an (inaudible) commander is my Command Sergeant Major Daniel Castro directly behind me. And then I've gotten Specialist Carr and Specialist (inaudible), and these soldiers are doing an outstanding job, sir.

THE PRESIDENT: That's fantastic. And how is Kuwait doing?

LIEUTENANT COLONEL TIMOTHY REDHAIR: It's doing well, sir. It's doing quite well. We just recently got here, and we're looking forward to continuing our mission.

THE PRESIDENT: That's great. Well, you're doing a fantastic job and we appreciate it. And thank you very much, Colonel. Tremendous to be with you. Happy Thanksgiving. Say hello and a happy Thanksgiving to everybody, and we'll see you soon. Thank you for the job you do. Appreciate it.

LIEUTENANT COLONEL TIMOTHY REDHAIR: Absolutely, sir. Thank you.

THE PRESIDENT: Thank you.

Colonel, go ahead, please. Marine Corps. Thank you. Andrew, go ahead, please. You're ready. Does he hear me? Maybe not. Oh, there he is. Is that Andrew? Marine Corps.

COLONEL ANDREW PRIDY: Good afternoon, Mr. President, and happy Thanksgiving from Kuwait. As you said, (inaudible) the Special Purpose Marine Air-Ground Task Force deployed here from (inaudible). I've been here since May and (inaudible) in February. We have Marines in nine countries (inaudible) at CENTCOM, and it's truly an honor to serve. And I really wanted to take a quick moment to recognize Sergeant Romero Vasquez, who is sitting to my left. He's from Los Angeles, California, and a great Marine serving here in the MAGTF.

THE PRESIDENT: Sergeant, go ahead, please.

SERGEANT VASQUEZ: It's an honor to meet you, Mr. President. Just talking to you in person, it's a really great honor. And it's a great place here in Kuwait. You know, I love what I do. I love serving my country.

THE PRESIDENT: Thank you very much. Great job. We appreciate it very much.

SERGEANT VASQUEZ: Sir, thank you very much.

THE PRESIDENT: Well, thank you very much. And good luck with everything. Happy Thanksgiving to everybody, please. Thank you. Thank you very much.

The Navy. Tim, go ahead.

COMMANDER SHANLEY: Hey, good evening, Mr. President. This is Commander Tim Shanley, CO of the USS Winston Churchill, currently patrolling the waters of the Middle East. On behalf of the 352 sailors that are assigned to our ship, I'd like to wish you a happy Thanksgiving, sir.

We've been underway since this — you know, we deployed earlier this summer, and we've got underway — we've travelled over 30,000 miles so far, through the Atlantic, the Mediterranean, Red Sea, all the way to the Arabian Gulf and back. So we've — we've sustained some solid operations out here, conducting escort operations, overwatch, counter-piracy, counter-illicit trafficking.

And one of the things I wanted to highlight, sir, was the Visit, Board, Search, and Seizure Team that's right behind me. We've got Lieutenant (inaudible), OS2 Robinson, GM2 (inaudible), GM2 Larkin, GM2 Ciprian, GM2 Menina, ICC Cordell, and we have RS3 Coleman. Directly to my right is my executive officer, Commander Brian Anthony. And to my left is Command Master Chief Juan Navarro.

It's our honor to be on this VTC, sir. I wish you a happy Thanksgiving, and it's great to be here, sir.

THE PRESIDENT: Well, I want to thank you very much. Is that the engines I hear behind you? That sounds like a powerful group. It sounds like waves crashing into the ship. But it's a beautiful sound. That's a beautiful sound.

Are you enjoying what you're doing, Tim?

COMMANDER SHANLEY: Absolutely. Yes, sir, Mr. President. It's a — it's so fulfilling being out here. I have, you know — people say other things are America's Team, but I am in command of America's Team out here, sir.

THE PRESIDENT: Yeah. Great. And your equipment is getting newer and newer, better and better. We're building a lot of ships right now, as you know, and you'll have them very soon. And I just want to congratulate you — everybody. But I want to congratulate you. Great job with the Navy. We appreciate it very much, Tim. Thank you.

So, the Air Force.

COMMANDER SHANLEY: Thank you, Mr. President.

THE PRESIDENT: We'll do the Air Force. Please, please, Tommy.

MAJOR RUTHERFORD: All right. Good afternoon, Mr. President. It's truly an honor to (inaudible) this afternoon. I was glad to hear you knew so much about our unit, so I won't talk too much about us. But I will tell you that also in this room today, we were able to invite up one of our sister units here, which is the VA6 Expeditionary Security Forces. So we got some folks here that represent 240 defenders here on the ground that protect 650- — sorry, 100 joint coalition and contractor personnel here in Kuwait.

Also super proud to be able to, obviously, represent American interests out here, and super excited to talk to you today as well.

Two folks I wanted to highlight who could not be here with us today: These two units lost individuals during this rotation, which was Sergeant Ouellette and Senior Airman Phan. Great Americans. One from each of the units that's represented here. And your conversation with us is a great morale boost, so much appreciated for you doing that, sir.

THE PRESIDENT: Well, I appreciate it. I love doing it, actually. And I'm very proud of it because we've spent so much. You know, when we took over, our military was very depleted. You know that very well. You know it probably better than most with the Air Force, because the planes were old. They were tired. And now you have all brand new F35s coming and others. And your tankers, your bombers — the whole thing. They're all coming. Hopefully we never have to use it for war, but we're better prepared than we ever have been.

When I came in four years ago — hard to believe, almost four years ago — we were in sad shape. And now we're in phenomenal shape. Have you seen the difference in the equipment over the last couple of years?

MAJOR RUTHERFORD: Absolutely, sir. Definitely.

THE PRESIDENT: Yeah. We went from old planes to brand new planes; from — from planes that were very visible to stealth, where you can't see them. Stealth helps. Do you agree with that?

MAJOR RUTHERFORD: Yes, sir. If you can't see it, you can't hit it.

THE PRESIDENT: It's very — no, I don't know much about what you do, but I know if you can see it, I like it better. Anyway, thank you very much.

And, Tommy, thank you for doing a great job. We appreciate it very much. Thank you.

MAJOR RUTHERFORD: Thank you, sir.

THE PRESIDENT: So now we're going to a special place in my heart: Space Force. Because nobody even thought about Space Force. And I looked at it, and I said — I said, "We're going to have to

come up — we're going to have to do something." Because I looked at what China was doing and Russia was doing and others are thinking about doing.

And I want — I want to just thank you very much. Is Matt there? Matt?

LIEUTENANT COLONEL MATTHEW LOHMEIER: Mr. President, good afternoon and happy Thanksgiving. This is Lieutenant Colonel Matt Lohmeier, Commander of the 11th Space Warning Squadron. You can't see everyone in the room, but we've got a number of others here. Grateful for the opportunity to wish you and the First Lady a happy Thanksgiving.

THE PRESIDENT: Thank you.

LIEUTENANT COLONEL MATTHEW LOHMEIER: And also want to thank you — you've already said what we do, which is provide strategic and theater missile warning for the nation and our allies — but want to thank you personally for your advocacy for an independent Space Force so that that could become a reality while we serve. We're very grateful for that. We're making great progress that I don't think we were able to necessarily make while we were — while we belonged to the Air Force. But having our own independent service has — we've made great progress already in the first year.

So thank you for your advocacy for that. And on behalf of all of the missile warning operators here at the 11th Space Warning Squadron, we say, "Happy Thanksgiving."

THE PRESIDENT: That's good. Thank you very much, and you too. And I know the coordination with you and Air Force has been stellar. You're getting along great, and you're doing well together. And it really does work well together, but I thought that you should have separate.

And as years go by and as decades go by, people will see the importance of Space Force. There's no question about it. So thank you very much. I appreciate it.

And Coast Guard, please.

CAPTAIN RUOCCO: Good afternoon, Mr. President. Just wanted to wish you and the First Lady and your entire family a happy Thanksgiving. I hope you're able to spend some quality time with them today and enjoy one another's company.

I just want to highlight a situation we went through during our pre-deployment workups in Mississippi, where we experienced a little outbreak of the coronavirus right around the Fourth of July timeframe. You know, we had a healthy respect of the virus and how it could affect our ability to train and meet our operational commitments. But as a unit, we had a greater confidence in the — in the patriotism and professionalism of the wardrooms, chiefs, mess, and crew of PSU 308 right behind me, sir.

We were steadfast in our resolve to meet our operational commitments and relieve our sister unit on time and on schedule, sir. We did not back down, but rather we did not let fear or uncertainty dictate our actions.

Mr. President, the men and women at PSU 308 are proud and honored to stand the watch this Thanksgiving in defense of our freedoms.

From our unit, I want to wish — I want to wish you and the rest of the Trump family a merry Christmas, happy holidays, a safe and prosperous New Year; keep hitting them straight on the golf course, Mr. President; and semper paratus.

THE PRESIDENT: (Laughs.) Straight and long. That's right. Thank you very much. That's great. That's really great. Are you a golfer? Do you play golf? You love it, right? That's good. It's pretty good. Thank you very much. The only form of exercise. Thank you very much. I appreciate it. And really, everybody, just congratulations.

And, you know, I have to say, on the Army, we just made a tremendous purchase of equipment, as you know. I think Tim probably saw that, and you — you have a lot of equipment coming into the Army, in particular. We really went — we went for top of the line, Tim. I guess you saw that. And you see it pouring in, and that's good. So it's an honor. We want to thank you very much, Tim. And thank you.

I will say this: The Coast Guard — nothing and no stock has gone up higher than Coast Guard — the stock in the Coast Guard, the reputation of the Coast Guard — the job you've done on the hurricanes. And I think people didn't appreciate it as much as they do now, I can tell you that. It's gone very high. What you've done in Texas and in Florida, in particular; in Puerto Rico — the job you did in Puerto Rico. And you go out there in those monster waves and — you know, are dangerous has can be. Even with the new boats and the new ships, nothing is meant for the kind of

waves we saw, especially in Texas. And you went out there and you did your job and you saved thousands of lives, as I said.

And I really am very proud of the Coast Guard, so I want to really call it out. Thank you very much. Very proud of you. Thank you.

Thank you all. Have a great Thanksgiving, and don't eat too much Turkey. Thank you. (Laughs.) Thank you very much. (Applause.) Thank you. Thank you very much. Thanksgiving.

Q Mr. President, do you have any big plans for your last Thanksgiving at the White House?

THE PRESIDENT: Well, we don't know what is last, if you look at what's going on. You have to really take a look at what's going on. They're finding tremendous discrepancies in the votes. Nobody believes those numbers. Those numbers are incorrect numbers. A lot of numbers have already been reported that's incorrect.

You're going to see things happening over the next week or two that are going to be shocking to people — if you look at the numbers in Michigan, if you look at the numbers in Pennsylvania, if you look at fraudulent voting and fraudulent votes. So I can't say what's first and what's last, in terms of is this the last one or is this the first one of a second term. We'll see what happens.

Nobody wants to see the kind of fraud that this election has — has really come to represent. We are looking at things that are so bad in Georgia. They don't want to show us signatures. The reason they don't want to show us signatures is very simple: because we will find thousands and thou- — it's a very close race; it's hair-thin — but we'll find thousands and thousands of discrepancies, fraud.

Why they aren't wanting to show those signatures is amazing. They're doing recounts. And even in the recount, they found thousands of votes that were off. But now we want to look at the signatures. And you will find tens of thousands of false ballots, fraud- — forged ballots. You'll see it all over. You're going to see a lot of it.

And you go to Pennsylvania. You saw the meeting we had yesterday with Pennsylvania. You saw people come up — how they went to vote, and they said, "No, you can't vote. Somebody else already sent in a ballot." And a woman — but this is happening tens of thousands of times.

Q But —

THE PRESIDENT: I think it was six hundred-and-some-odd thousand — 687,000 fraudulent votes cast in Pennsylvania. And I will tell you, the — if you look at the state house now — the Republican state house — they're starting to see what's going on there. But they've really known it for a long time.

Then you go to Michigan, and you look at what happened in Wayne County, in Detroit. I went through a list. I won almost every county, and you see it. Almost every — by 78 percent, 72 percent, 68 percent — going through the list. Then you get to Wayne, and something happened. Tremendous numbers.

You saw the canvassers. They refused to sign their — their document because they said, "We can't sign a fraudulent document." Horrible things went on. That's in Wayne County, Detroit.

But you look at the votes that were just tabulated, and they were left today. Look at all the counties. I won almost all of them, except Detroit. It was so egregious. It was phony.

Look at what's going on in Wisconsin. Wisconsin, they're finding tremendous discrepancy. You just take a look at that. Tremendous discrepancy. And elsewhere.

So we're going to see what happens, but you can't have somebody assume office, and already they want to get rid of "America First." I mean, they want to get rid of "America First." They don't want "America First." You know why? Because China doesn't want it. China expressed their wish: "Please get rid of 'America First.'" And the Biden Administration said, "Oh, that's okay. We'll get rid of 'America First.'"

No, we don't want to get rid of "America First." We want to put America first. And other countries should put themselves first too, and I tell them that all the time. But we don't want to get rid of it.

So I don't know what is going to happen. I know one thing: Joe Biden did not get 80 million votes. And I got 74 million, but there were many ballots thrown away, so I got much more than that. But I got 74 million. Seventy-four million is eleven million more than I got last time. It's millions more than Ronald Reagan got when he won all — he won 49 states, I guess. He won 49 states. Yes. And it's — it's millions more — millions more than Hillary Clinton got.

Joe Biden did not get — and, by the way, Joe Biden did not beat Barack Obama with the black vote. He didn't beat him, okay? But they have him as beating him. And if you look at the numbers, the numbers are false. The numbers are corrupt. It was a rigged election — 100 percent — and people know it. That's why you have people marching all over the United States right now: They know was a rigged election.

And look at what's happening in Georgia. A lot of things are being found in Georgia. And they are absolutely against showing — I mean, it's a sad thing. They don't want to show signatures. It can be solved if you show signatures.

But you're going to find out the people that signed aren't the people that are supposed to be signing. You're going to find that the people that signed those envelopes — they didn't do the ballots. Envelopes. And then somebody said, "Maybe the envelopes were thrown out."

There's tremendous fraud here.

Q But —

THE PRESIDENT: If you look at — wait, just one second. If you look at 10 o'clock in the evening, you saw what happened. Then you had these massive dumps. Nobody has ever seen anything like it.

You have Dominion, which is very, very suspect to start off with. Nobody knows the ownership. People say the votes are counted in foreign countries. No, no — and much worse than that, by the way, with Dominion.

So, you know, Dominion is also partially based in Canada, but it's based in other countries too. And nobody knows where the votes — but, you know, Canada refuses to use Dominion. Canada uses paper ballots.

So think of it: They're based in Canada, and Canada refuses to use them. They're smart. They use paper ballots because paper ballots are the only thing — frankly, the only thing that really you're going to get an accurate tab on because those machines are fixed. They're rigged. You can press "Trump," and the vote goes to Biden. All you have to do is play with a chip, and it's down — it's shown all the time. All you have to do is play with a chip. And they played with a chip, especially in Wayne County, in Detroit. You take a look.

In Philadelphia, you take a look. We've had excellent meetings with senators from Pennsylvania — Republican senators and others. And they're saying things — they knew it was dishonest, but they didn't know it was this dishonest. No, and you'll see it all. You'll see it all. So, we'll see.

Speaking of Georgia, I'll be going there.

Q When?

THE PRESIDENT: I spoke with the two great senators. They're great senators: Kelly and David. I'll probably be going on Saturday. We're looking for a site. We're going to have a tremendous turnout, and we seem to always have a good turnout.

The people are very disappointed that we were robbed. We were robbed. I won that by hundreds of thousands of votes. Everybody knows it. You go down the streets; there are Trump-Pence signs all over the place. And we won that by hundreds of thousands — Georgia. So they're disappointed.

I don't want them to be disappointed. That'll solve itself. We're finding the votes. Once we get to the signatures, we'll take over 100 percent. Once we get the signatures, 100 percent, we will take over Georgia, and we will get Georgia. But they have to show us the signatures.

Stacey Abrams pulled the wool over the Secretary of State. I don't know who he is. But the Secretary of State —

Q He said he donated to you.

THE PRESIDENT: It doesn't matter. I mean, you know, he says that too, but I don't know him. I never met him. I have no idea who he is. All I know is that's the ultimate — you know, he — "I donated to Trump. I respect Trump. I love Trump. I think Trump is great." By the way, we're giving nothing. This guy got played like I've never seen anybody played.

Tell him if he donated to Trump, if he likes Trump, let us see the signatures. Why is he not letting us see? There's only one reason you can't see the signatures. That's because there's fraud all over the place.

And even without looking at signatures, as you know, we found thousands of wrong votes. And, by the way, always against me. It was not like 50/50; it was always against me.

The other thing: Take a look at Michigan. Take a look at what they did with respect to counties. Every county — 78 percent, 72 percent, 76 percent, 59 percent — the whole thing, one after another, after another. And then you get to Detroit, and it's like more votes than people. Dead people voting all over the place.

But, anyway, going back to Georgia, just for a second: So I'll be going there on Saturday night, and maybe I'll go twice. It's very important that we win those races. These are two great people. I know them both very well. They're both great people.

And I think the two people — you know, I beat — the one gentleman, he ran against a congressional candidate who was an excellent person, frankly. And he didn't even live in the right community, and that's how we won. So now I have to beat him again. He lost as a congressman. He was going for Congress, as you remember. And now — against Karen. And now — and now he's running against David. He doesn't deserve to be there. He's a lightweight.

And the other one is either a communist or socialist; I can't figure that one out yet. But he's either a communist or a socialist. Probably a communist. This is not for Georgia.

And I just want to tell my people: Don't be disappointed yet because this race is far from over. But I'm going on Saturday night. I'll be in Georgia. We're going to have a tremendous crowd. They're looking for the right site. Probably — we'd love to take one of the big stadiums, but you can't because of the COVID. So we'll have an outdoor form of — probably an airport. Most likely, it's an airport. They're looking for the biggest space. And we'll have, you know, tens of thousands of people show up. But I think it's very important.

And then I may go a second time. Depending on how they're doing, I may go a second time. But they're two —

Q Mr. President —

THE PRESIDENT: They're two really good people.

Q Mr. President —

THE PRESIDENT: Yeah. Yeah, please go ahead.

Q Mr. President, if the Electoral College votes for Joe Biden on December 14th, will you concede the election?

THE PRESIDENT: I — it's going to be a very hard thing to concede because we know there was massive fraud.

Q But will you —

THE PRESIDENT: So, as to whether or not I can get this apparatus moving this quickly — because time isn't on our side. Everything else is on our side. Facts are on our side.

This was a massive fraud. This should never take place in this country. We're like a third-world country. We have machines that nobody knows what the hell they're looking at. I mean, you take a look at all the mistakes they made. Look at even Georgia. Look at all the mistakes they made. And that — all that was is a simple — you press a button.

Look at — look at Georgia. All the — all the votes they found just by going — and I said they shouldn't even do it because it doesn't mean anything. They're doing a recount right now in Georgia that is meaningless. The only recount that matters in Georgia is to look at the signatures on the envelope, and you will find that those signatures do not match the people that were — many of them — hundreds of thousands of them, hundreds of thousands. And I only lost by 12,000 votes.

I didn't lose. I didn't even like to say I lose. I only — I guess we're eleven or twelve thousand votes short. That's out of millions and millions of votes. They just got it over the line.

And one of the things that happened: I did so well — and I was told this in two other states — that they didn't know what to do. They panicked. Take a look at their drops at 3:00 and 3:42 in the morning on certain states. They did drops where you're going along like this, and then you have a spike that goes up to the ceiling and down. It's disgraceful. We can't let that happen.

And I will tell you, in Philadelphia, the Republicans that — state house Republicans are very, very upset. And it's sort of appropriate because Philadelphia has become very activist, if you look at what's going on. They don't want that to happen to Pennsylvania, to the state of Pennsylvania. And it was a — I don't — I don't even like to use — it was a rigged election.

Q But, sir, just to be clear: If the Electoral College votes for Joe Biden, will you concede?

THE PRESIDENT: Well, if they do, they've made a mistake because this election —

Q But will you concede?

THE PRESIDENT: — was a fraud. Just so you understand, this election was a fraud.

I mean, they have Biden beating Obama — Obama's vote in areas that mattered in terms of the election, in swing states. And yet, he's losing to Obama all over the place, but he's beating Obama in swing states, which are the states that mattered for purposes of the election.

So, no, I can't say that at all. I think it's a —

Q You won't concede?

THE PRESIDENT: — it's a possibility they're trying to — look, between you people —

Q Just answer the question about concession.

THE PRESIDENT: Don't ans- — don't talk to me that way.

Q I'm sorry, sir, I'm just asking you to —

THE PRESIDENT: You're just a — you're just a lightweight.

Q — answer the question about concession.

THE PRESIDENT: Don't talk to me that — don't talk to — I'm the President of the United States. Don't ever talk to the President that way.

1/18/2021

Remarks by President Trump During Thanksgiving Video Teleconference with Members of the Military | The White House

Q Sir, I'm just asking you to answer the question about concession.

THE PRESIDENT: All right. I'm going to go with another question.

Go ahead.

Q So, if the Electoral College does elect President-Elect Joe Biden, are you not going to leave this building?

THE PRESIDENT: Just so you — certainly, I will. Certainly, I will. And you know that. But I think that there will be a lot of things happening between now and the 20th of January. A lot of things.

Massive fraud has been found. We're like a third-world country. We're using computer equipment that can be hacked. They talk about glitches: How many glitches did they find? So a glitch — “Oh, gee. We had a glitch: 5,000 votes.”

In all cases — right? In all cases, the votes went from Trump to Biden. They didn't go from Biden — the glitches were never from Biden to Trump.

So they had many glitches. And they said, “Oh, we had a glitch.” That — a glitch is like, “The equipment is a little broken. We'll fix it up.” No. A glitch is, in this case, we caught them cheating. We caught them stealing. We caught a fraudulent effort to get votes. And they said, “Oh, yes, it's true. It — there was, but...” And there were many of them.

But — but here's the problem: There were probably 10, 20, 30 times that didn't get caught. We just got lucky and caught numerous of them. But what that is, is very simple. If you look at the glitch, the glitch means — right? It means, “Oh, we got caught. We got caught with the votes, and now let's just call it a 'glitch.'”

It wasn't the machinery. And, by the way, the machinery, if you look — just take a look anywhere on the Internet; you will see many, many people where they're experimenting with this stupid machinery — where, if you set it a certain way, the votes go from Trump to Biden.

If you look at these counties — if you look at Arizona, where I was going to win very easily. I've had the biggest politicians in Arizona say there was no way you lost Arizona. There's no way I lost

Pennsylvania, with his anti-fuel and with his anti-fracking and all of the things that they stand against. There was no way.

Now, Texas — you all said that I was going to lose Texas by a lot: four points. I won Texas by eight or nine points, right? I won it very easily. In Wisconsin, you all said I was going to lose — or the polls said — certain polls: Washington Post, ABC — said I was going to lose by 17 points. Think of how dishonest. I thought I was going to win it. And essentially, I did win it. It's very, very close. It's very, very close. And we're going to win because they found —

By the way, in Wisconsin, they have found massive discrepancy, just so you understand. Massive discrepancy. But they said I was going to lose by 17 points. And I won the state, okay? But it's very close. It shows very close. Whether you say win or lose, it shows very close.

But when you look at the massive discrepancy that we'll be revealing — that's already been revealed. Everybody knows it. They just don't want to (inaudible). Between big tech and the fake news media, you just put out — like this little railroad train.

No, I think it's not right that he's trying to pick a Cabinet. But I can't imagine — whether it's courts or legislatures, if you're going to catch hundreds of thousands of false ballots — and I'm talking in each state.

And just so you understand: many, many more votes that we're talking about that we need. You understand. I'm not saying we caught 23 dead people, but we're — we're short 20,000 votes. No, no. We have tens of thousands votes more than we need in all cases. Okay? In all cases.

So I think you're going to see something. I mean, I think it's going to be a very big story.

Yeah, please.

Q Yes, Mr. — yes, Mr. President —

THE PRESIDENT: It's going to be not only a big story, it's the most important story of our time.

Yes.

1/18/2021

Remarks by President Trump During Thanksgiving Video Teleconference with Members of the Military | The White House

Q Yes. Mr. President, if Joe Biden takes over the White House on January 21st, will you announce a candidacy for 2024?

THE PRESIDENT: Well, no, I don't want to talk about 2024 yet.

Q Will you run again in —

THE PRESIDENT: Because this — this is far from being —

Q If and when Joe Biden takes over —

THE PRESIDENT: Look, look, look —

Q — will you announce a candidacy in 2024?

THE PRESIDENT: I and the people that work on this are very professional, and all of this stuff is coming. It's — a lot of it came out — if you look at the Philadelphia meeting, if you look at the Pennsylvania meeting yesterday, a lot of it came out.

This has a long way to go. This has a long way to go. You're going to find tremendous fraud. You're going to find fraud of hundreds of thousands of votes per state. You're going to find fraud of many, many times the votes that I need.

Again, we're not talking about less votes, where — you know, 20 votes, but it doesn't turn the election. No, we're talking about thousands and thousands of votes beyond what we need to turn a state.

When you see that, I think it's very hard even for the media to say that, you know, Biden should win the state.

Q (Inaudible.)

THE PRESIDENT: And there's no way that Biden got 80 million votes. By the way, the only way he got 80 million votes is through a massive fraud. There's no way that he got 80 million votes.

Q Can you give us a timeline on when you're going to present this evidence of voter fraud you talk about?

THE PRESIDENT: Well, it's happening now.

Q But when can we actually see —

THE PRESIDENT: I mean, we're — we're in courts. We're in courts, but we're also in front of legislatures, and we're doing very well in front of the states.

Q If you have the evidence, why not present it now?

Q Mr. President, if you don't think that the presidential election was legitimate, and if you think that it was stolen, what confidence do you expect voters in Georgia to have when they go to the polls to vote for, say, Loeffler or Perdue?

THE PRESIDENT: Well, I told them today, "I think you're dealing in a very fraudulent system." I think — I'm very worried about that. They are tremendous people. Kelly Loeffler, David Perdue are tremendous people. They should be in the United States Senate. They're desperately needed.

But I told them today, I said, "Listen, you have a fraudulent system. You have a system where the flick of a switch or the putting in of a new chip can change the course of history, and you have to be very careful."

I read this morning where Stacey Abrams has 850,000 ballots accumulated. Now, that's called "harvesting." You're not allowed to harvest, but I understand the Secretary of State, who is really — he's an enemy of the people, the Secretary of State. And whether he's Republican or not, this man — what he's done. Supposedly, he made a deal — and you'll have to check this — where she's allowed to harvest but, in other areas, they're not allowed. What kind of a deal is that? They're not allowed to harvest during the presidential.

But how can she say she has 850,000 ballots? That would mean that she's got 850,000 ballots for her. That's not supposed to be happening. That's not an election. You know, an election should be a one-day deal: You walk in and you vote. And if you can't do it — if, for some reason, you're not feeling well or there's a problem —

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Remarks by President Trump During Thanksgiving Video Teleconference with Members of the Military | The White House

But what they did is they use COVID in order to defraud the people of this country. And the whole world is watching and the whole world is laughing at our electoral process. The whole world is watching. And it's a very sad thing. A very sad thing.

Q But then —

THE PRESIDENT: And you know what? I've done a lot of things that you just saw — Space Force. And you've seen the tax cuts and the — the regulation cuts and the way we've taken care of the vets and what we've done with ANWR and Alaska and all the different things we've done. More than just about anybody's done in — even though it's four years.

There are those that say what I'm doing right now is the single-most important thing I've ever done. And I think it may be true. It may be true.

The vaccines — and, by the way, don't let Joe Biden take credit for the vaccines. If Joe Biden — you know, Joe Biden failed with the swine flu, H1N1. Totally failed with the swine flu. Don't let him take credit for the vaccines because the vaccines were me, and I pushed people harder than they've ever been pushed before.

And we got that approved and through, and nobody has ever seen anything like it. And you got a big resistance in the FDA from years and years of people working there — for years and years, different administrations. But the vaccines are — there are those that say it's one of the greatest things. It's a medical miracle. Don't let anyone try and take credit for it.

But with all of the things I've done, this could be the most important because there's been voter fraud going on, but never at this scale. Tens of millions of ballots have been sent out to people that didn't even want them. Many people — and I know you've heard — many people have received two, three, and four ballots. And many people have taken those two, three, and four ballots, and they voted them.

This election was a fraud. This — it was a rigged election. I mean, I hate to say it, but this was a rigged — at the highest level, it was a rigged election. So we have to figure it out.

And, yes, I think it's very dangerous for the two people that are running against two totally unqualified people. And I think it's very dangerous for our nation.

And I'll go a step further. I said today: Other than the fact that you have all of the eyes and ears — but the media doesn't cover it properly because the media would — if they saw something wrong, I'm convinced the media would not report it because, you know, you have many things that you know are wrong and you don't report.

But if the media was honest in this country — which, you know, for the most part, they're not — this would never have happened. This has taken place — this fraud has taken place. If the media were honest, this would never ever have happened.

But you have a big election coming up. You have a woman or somebody announced 850,000 absentee ballots have already been collected — 850. And I told David Perdue today and I told Kelly yesterday, I said, "They're talking about having collected already 800,000 ballots against you." You can't do that. You can't do that. What kind of a race is that? You can't allow that to happen.

And I'm serious: If the media were honest and if big tech were honest, which it's totally not — it's a terrible thing. That whole Section 230 is a disgrace that they even have it. But big tech is totally dishonest. If the media were honest and big tech was fair, this wouldn't even be a contest, and I would have won by a tremendous amount, a tremendous amount. And I did win by a tremendous amount, but it hasn't been reported yet.

But people understand what's happened. They know what happened.

Yes, please. Go ahead.

Q As you know, of course, it is tradition for —

THE PRESIDENT: Say it.

Q You know that it's tradition for previous Presidents to go to the next President's inauguration. So will you attend Joe Biden's —

THE PRESIDENT: I don't want to say that yet.

Q But he is —

THE PRESIDENT: I mean, I know the answer. I'll be honest, I know the answer —

Q Is it “yes”?

THE PRESIDENT: — but I just don't want to say it yet. Look, a thing like this possibly has never happened before, but maybe people just didn't catch it. But we've caught it. We've caught —

Q But why have your attorneys —

THE PRESIDENT: We've caught — we've caught hundreds of thousands of votes.

Q If I may, sir —

THE PRESIDENT: Listen, excuse me. Excuse me.

Q If I may —

THE PRESIDENT: When they don't allow a poll watcher, which is a sacred person in our country. People don't know what a poll watcher is. A poll watcher is — it's considered sacred in our country. When they throw them out of rooms —

Q But that's not true. They didn't do that.

THE PRESIDENT: Sure, it is.

Q Your attorneys —

THE PRESIDENT: And when they put them in pens —

Q Your attorneys admitted they were in the room —

THE PRESIDENT: Excuse me. No, they didn't. My attorneys did not admit anything. And it's all different places.

But where they throw them out of counting rooms; where they put them in what's called "pens," and they're 20, 30, 40 feet away, and, in some cases, 200 feet away; when things like that happen — when a woman walks in on November 3rd to vote — a proud woman — and this is by the thousands, tens of thousands — and she said, "I'm here to vote." And they said, "You've already voted, ma'am. I'm sorry." "No, I didn't vote. I wanted to vote on November 3rd. I want to cast my vote in person." "I'm sorry, ma'am. You've already voted. You voted by ballot." And then they leave. This is a horrible thing. And we have tens of thousands of that happening. This is a horrible thing.

They gave Biden a lot of votes that he would never have gotten. This is not a candidate that could get 80 — 80 million votes. This is just not a candidate. This is not a candidate that beat Barack Hussein Obama with the black voter, okay? This is not a candidate that beat Obama with the black voter. This is not a candidate that beat Hillary Clinton to a pulp. It just doesn't work that way.

But when you look at the number, when you look at the data, and when you look at the things we have, we have affidavits from hundreds and hundreds of people. This election was a rigged election.

Thank you very much, everybody. Thank you.

END

5:43 P.M. EST

**REMARKS**

Remarks by President Trump in a Meeting with Governor Hutchinson of Arkansas and Governor Kelly of Kansas

HEALTHCARE

Issued on: May 20, 2020



Cabinet Room

4:32 P.M. EDT

THE PRESIDENT: Well, thank you very much. It's an honor to have Asa Hutchinson, the Governor of Arkansas — we all know Asa, and he's been doing a tremendous job — and likewise, Governor Laura Kelly of Kansas, a terrific state, terrific people, hard workers. That's for sure, right? Hard workers.

And we're going to be discussing various things. I guess everything you can imagine. And we've been doing some of these meetings with governors. Our relationship with the governors has been very strong. We've sent them everything they've needed, and we'll continue.

I just spoke with Gretchen Whitmer. We'll be going to Michigan at the appropriate time. They have a big problem with dams breaking. You saw that. That's a big, big problem. And so we've sent the — FEMA and the Army Corps of Engineers out. And they're very good at dams. They're probably better at dams than anybody you can think of, right? The Army Corps of Engineers, they're done a fantastic job all over. And I'll be going to Michigan at some point in the not-too-distant future.

I'm also actually going to Ford tomorrow, come to think of it. And I think they called the governor, invited the governor. So we'll be heading out. Maybe we'll do them both at the same time. I don't want to get in the way of the fix-up though, because there's a lot of water out there. It was a bad break. So we'll be taking care of that in Michigan.

And Michigan — these are great people and great survivors — right? — when you get right down to it, Larry. They've been through a lot over the years. And now we have a lot of auto factories being built there. And a lot of good things are happening.

States are opening up — some rapidly, safely. And we look forward to that. And I think we're going to get back. We're going to have some very good numbers, I project. I think that we will have a great transition period, which is third quarter. I think you're going to have a very good fourth quarter. I think you're going to have an incredible year. You may have something to say about that, Larry, because you just got some numbers that are quite important.

MR. KUDLOW: Yeah.

THE PRESIDENT: Go ahead.

MR. KUDLOW: The Congressional Budget Office has just redone its estimates. And after a rough — a predictably rough pandemic contraction in the second quarter, they're looking for a 21 and a half percent growth rate, sir, in the third quarter.

THE PRESIDENT: Wow. That's great.

MR. KUDLOW: Which would actually, if it came true, would be the biggest growth quarter in American history, or since the data were compiled.

THE PRESIDENT: I could see that happening.

MR. KUDLOW: And in the fourth quarter, over 10 percent. And actually, they're showing 2021 now at 4.2 percent. So they've lifted their estimates. That would be a wonderful thing. It really would.

THE PRESIDENT: Well, those are big numbers. That's — that'll be incredible. That tells you what's happening. And that's why the stock market is as good as it is —

MR. KUDLOW: Yes.

THE PRESIDENT: — because a lot of smart people that are projecting some very good results for this country.

Laura, would you like to say something? We have these wonderful people right here, and they'd love to hear from you.

Governor, please.

GOVERNOR KELLY: I do. Thank you, Mr. President.

THE PRESIDENT: Thank you.

GOVERNOR KELLY: I appreciate the invitation here today. And I appreciate what your team has done for us —

THE PRESIDENT: Thank you.

GOVERNOR KELLY: — as we have been working our way through this pandemic and the recovery.

You know, I think one of the most significant things that has happened was when we put out a cry for help with our meatpacking plants —

THE PRESIDENT: Yes.

GOVERNOR KELLY: — you sent in a CDC SWAT team that came into southwest Kansas, where we have multiple meatpacking plants, and really helped us set up the kind of system that we needed to have in place to ensure that those plants could stay in production.

And I'm very proud to say that Kansas is one of the few, if not the only state, that did not have to actually shut down —

THE PRESIDENT: That's right.

GOVERNOR KELLY: — our packing plants.

THE PRESIDENT: That's right.

GOVERNOR KELLY: We were able to create an environment that was safe. And we were also able to provide, with your assistance and our own agencies, non-congregate living so that — because a lot of the folks who work in these meatpacking plants live with a lot of other people, and so we were able to work with our community colleges and hotels in that area —

THE PRESIDENT: Right.

GOVERNOR KELLY: — to provide quarantine space for folks. And that's worked out really well.

THE PRESIDENT: And our people work very well together, I have to say. Your representatives and my representatives really worked well together. They did a good job together.

GOVERNOR KELLY: Well, and I — I want to give a little shout-out to Senator Pat Roberts —

THE PRESIDENT: Absolutely.

GOVERNOR KELLY: — who, I think, was instrumental in elevating our cry for help.

THE PRESIDENT: Right. That's true. That's true. Thank you very much. Good job.

GOVERNOR KELLY: Thank you.

THE PRESIDENT: Asa? Go ahead.

GOVERNOR HUTCHINSON: Well, thank you, Mr. President. And thanks for this opportunity to be here. I've enjoyed visiting with Dr. Birx before and Larry Kudlow about the economy, but also the health side of this.

And I want to tell you, thank you for your leadership in the food production for our country. Arkansas has 60 meat processors here in this — in the state of Arkansas. All of them are active; none

of them are shut down. They're producing because we know the country depends upon that production. But your support of that industry has been critical.

And I also want to thank you for your leadership on the economy. The message that you have that we need to get back to work and get back to business is critical, in terms of shaping the direction of our country.

In Arkansas, we're back to work today. All of our retail stores are open.

THE PRESIDENT: Right.

GOVERNOR HUTCHINSON: All of our retail establishments totally are open, our gyms are open, our barbers are open, our restaurants are open. Now, sure, they have some restrictions: one-third occupancy —

THE PRESIDENT: Right. Sure.

GOVERNOR HUTCHINSON: — and things like that. And we're emphasizing the social distancing, but we're at work. And the result of that is that we were projecting a 10 percent loss of our sales tax revenue year over year: 10 percent reduction. We're getting the numbers in, and we're going to be at 5 percent. It's going to be about 5 percent.

THE PRESIDENT: That's great. That's big news.

GOVERNOR HUTCHINSON: And so, obviously, there's a loss there we expected, but we're beating all of those projections, including our payroll.

And so we're a — we want to work and we really appreciate the — what you've done for small businesses and the Payroll Protection Plan that our — that we'll be speaking about through the course of this —

THE PRESIDENT: Right.

GOVERNOR HUTCHINSON: Lorrie Trogden is here.

THE PRESIDENT: Sure.

GOVERNOR HUTCHINSON: But also in terms of testing, just to give you a flavor of Arkansas, we have fewer than 100 hospitalized in Arkansas. We have right about 5,000 cases, all told, cumulative.

THE PRESIDENT: Right.

GOVERNOR HUTCHINSON: The active cases are much less than that. But we ramped up our testing because last month you all said you could have 90,000 tests — kits. Because of that, we're able to test this month 2 percent of our population —

THE PRESIDENT: Great.

GOVERNOR HUTCHINSON: — which was our goal. We're going to do 60,000 in May. And then, we made a pledge that next month, in June, we will test all of our nursing home residents and their workers. And so that's our goal for June that will really help the safety of those in nursing home, as well as the staff that's there.

So — but while we're growing the economy in Arkansas, it has to be a national effort because we're not going to really boom in Arkansas until New York is strong again and until Kansas and all of our neigh- — and you mentioned the automobile industry. We're in the supply chain, so we can't really produce until they're in operation.

But we've got a lot of exciting things happening in the state that it couldn't have been done without the support and partnership that we have with your federal agencies that have been very responsive and given us what we needed.

THE PRESIDENT: Thank you very much, Asa. And you've done a great job. You both have done a really great job, and it's been an honor to work with both of you. Thank you very much. That was really terrific.

Any questions, please?

Q Mr. President, what is it that you think that's happening in Michigan that's illegal?

THE PRESIDENT: Well, I think if we're talking about the mail-in ballots — if people mail in ballots, there's a lot of illegality. They send in ballots that — they harvest ballots. You know all about harvesting. And they do lots of bad things. Ideally, people go out and they vote.

Now, if you need a mail-in ballot, if you need a specific — like, as an example, I'm in the White House and I have to send a ballot to Florida. That makes sense. So if you need it for some reason or if somebody is not well, that's one thing.

But when you send out 7.7 million mail-in ballots, there's forgeries, there's, frankly, duplication where they print ballots on the same kind of paper with the same kind of machinery and you can't tell the difference. And they send in thousands and thousands of fake ballots. And I'll tell you what: This nation can't be going down that path because it's a very dangerous path to go down.

Now, we just won a big election. You probably heard about this one in California. California-25. Mike Garcia — he just won a very big election. And that was ballots. And it was a very — sort of, the opposite. They won the case for ballots. He was doing very well, because they're ballots — you see, he was way ahead in an area that, frankly, was not expected to go Republican. The first time in 22 years that it's happened. They flipped from Democrat to Republican. In California, the first time in 22 years that it happened.

And they actually put machines in there in the last three days because they thought — meaning, the Democrats — because they thought that might happen, but it didn't. But that was a case — that was a positive case. But mail-in ballots are very dangerous. There's tremendous fraud involved and tremendous illegality.

Q But there are many Republicans — secretaries of state — that are also moving to mail-in ballots because of the pandemic and people are scared to go vote.

THE PRESIDENT: Well, we're going to see how it all works out. But they had 7.7 million applications sent out. They have — in the state of Nevada, they have tremendous — they have a tremendous drive-in where you just mail in your ballots. You can't do that. You got to go and vote. People have to check you. They have to see that it's you. They're supposed to look at you and check you and make sure that — I mean, when you get thousands of ballots and they put them in a bag and they just bring them in and people start count- — who knows where they come from. It's so obvious. I mean, frankly, they should have voter ID. That's what they should have.

If you really want to know what the country wants, the country wants voter ID. Otherwise, there's going to be — it's going to be subject to tremendous illegality and fraud.

Q Mr. President, what funding, sir, are you considering withdrawing from Michigan?

THE PRESIDENT: From?

Q From Michigan. You've threatened to keep funding away from the state of Michigan. Which funding are you referring to?

THE PRESIDENT: Yeah, well, I have very specific funding. I just spoke with the governor. We didn't discuss that. We really discussed more the topic at hand, plus the dams breaking.

So we didn't — but we'll let you know if it's necessary. You'll be finding out. They'll be finding out very soon if it's necessary. I don't think it's going to be necessary — because mail-in ballots are a very dangerous thing. They're subject to massive fraud.

And, by the way, you know, I don't want to put anybody on the spot, if you have anything to say about it, Asa or Laura, but how can you do that? You have people signing ballots. Who knows who's signing these ballots? They have a ballot. They pick the ballot. They take them out of mailboxes. They go around and accumulate them. They harvest them. I guess, the word is "harvest" them. And it was especially prevalent in California, and it's just not a fair situation.

Do you have any comment on that?

GOVERNOR HUTCHINSON: Well, I do. Of course, Arkansas supported a voter ID law.

THE PRESIDENT: Good.

GOVERNOR HUTCHINSON: But in terms of the election in November, there's a lot of discussion about how we can make the vote accessible. And if there is continued worried from a health standpoint and we want to be able to use no excuse absently — no excuse absentee voting as a way to do it, but it's still a person-to-person identification of the individual —

THE PRESIDENT: Right. Sure.

GOVERNOR HUTCHINSON: — versus the mail-in variety that, as you said, can be manipulated. So we're looking at that. But we believe in the identification of the voter.

THE PRESIDENT: I think just common sense would tell you that it's massive manipulation can take place. Massive.

They — and you do; you have cases of fraudulent ballots, where they actually print them and they give them to people sign. Maybe the same person signs them with different writing, different pens. I don't know. It's — a lot of things can happen.

No, if you can, you should go and vote. Voting is an honor. It shouldn't be something where they send you a pile of stuff and you send it back.

Another thing that happens: A lot of people in certain districts — this is historically — a lot of people in certain districts don't ever get their ballot. They keep going, "Where is my vote? Where is my ballot?" Then Election Day passes and they forget about it. And that can happen in the thousands. I'm not saying it does, but it can and probably has.

Q Just to follow up on that, sir, are you concerned about the message that you're sending of saying you may withhold funding from Michigan when it's also going through these issues with the water and dams that you referred to?

THE PRESIDENT: No, I'm not. I'm — no, I'm not concerned at all. We're going to help Michigan. Michigan is a great state. I've gotten tremendous business to go to Michigan. Michigan is one of the reasons I ran. I was honored in Michigan long before I thought about — I was honored as the Man of the Year in Michigan at a big event.

And I got up — and I remember so well. I spoke — probably just five, six years before I even thought about running for President. And I got up and I spoke and I said, "Why are you allowing them to steal your car business?" You know, we lost 32 percent of our car business to Mexico, and a lot of it came out of Michigan. And I said, "Why did you allow that to happen?" And I posed many questions to Michigan that night, and I think it think made quite an impression. And now we have those same car factories, they're coming back, except in a brand-newer and bigger form. So I think we're going to do very well in Michigan.

I guess we just got a poll that's very good, right here. A very good poll about how we're doing in Michigan and other swing states, and just generally in the election. But I won't show you; I'm sure you can get it. I won't flip this over. Everyone saying, "Could you flip it over?"

But, no, I think we're doing well in Michigan. Very great place.

And I'll be there tomorrow. And I guess it's tomorrow, but I'll be there tomorrow at the Ford plant. And I'm maybe going to do the double stop or I'll go back on the dams. But we have to take care of that problem.

Q Mr. President, with 4 percent of the world's population and 30 percent of the — of the outbreak, what would you have done differently facing this crisis?

THE PRESIDENT: Well, nothing. If you take New York and New Jersey — which were very hard hit — we were very, very low. And in terms of morbidity and in terms of — if you look at the death, relatively speaking, we're at the lowest level along with Germany. Germany, us, there could have been some smaller countries too, perhaps.

I'd like to ask you maybe about that, if I could, Deborah. We've done, you know, amazingly well. I think — I think the biggest thing we did is stopping the inflow from China into our country. And Deborah was a big — a big supporter of that — I mean, in terms of how important it turned out to be. And so was Tony Fauci. They were very, very — Tony said we saved thousands and thousands of lives. That was a great decision that was made, and that was made very early.

Please, Deborah.

DR.BIRX: Yeah, I think it's always confusing — and particularly confusing to the American people when we don't emphasize the size of our country. We're the third largest country in the world. But every country has a different experience with this virus. And so you have to adjust everything to population size.

And so when you look at Spain and Italy, our attack rates to this virus are identical to other countries that have experienced the type of epidemic that we have experienced. And so every country is different. That's why you really need to always report data normalized for population.

And then you look at the mortality by population, and it's true: We have, compared to our European colleagues, some of the lowest mortality — about half of Italy and Spain.

And so I think it's really important that — and then these two states represent what we've been asking states to do. In Kansas, they found 50 percent of their clusters were in specific meatpacking, nursing homes.

THE PRESIDENT: Right. Good job.

DR. BIRX: They identified their clusters. They found their clusters. They took care of those clusters. And that was 50 percent of all of their cases.

In Arkansas, 80 percent of their — of the Arkansas individuals have recovered, with less than a 2 percent mortality.

And so these are the — it's really important: We're a big country, but each state is different. But as a country, we're different than other countries around the world.

We'll be asking questions later about, you know, why were certain countries completely spared? And I think that's — that's always a question that we have. Epidemiology is like that. But if your country has never had significant infections, you can't compare it to a global number. There's multiple countries in Africa where there's really almost no outbreak and then South Africa has a very different outbreak.

So each of these outbreaks are different, and that's why it has to be really granular to understand it and to respond to it.

And you can see these two states have done exactly what we asked them to do: find cases, contact trace, contain outbreaks, and ensure that their citizens do as well as possible. And that's what these states illustrate.

THE PRESIDENT: And just to finish your question, though — I mean, so we're in that category along with Germany, as the lowest. And I think that's a great — it's a great honor. And that's including New York and New Jersey, which have had a very — they had a very high number. So if you include New

York, New Jersey, do everything — if you don't include New York and New Jersey, we're just about in a class by ourselves.

Now, with all of —

Q What about China? I'm sorry.

THE PRESIDENT: Well, China — you tell me about it. Do you think they have right numbers? Do you think China is giving the right number? I don't think so. I don't think so. Take a look at the —

Q Or India or Indonesia.

THE PRESIDENT: — numbers. They gave numbers that were so low. I mean, I saw more problem on television than they were reporting, just by looking at a picture. So I'm not including China in any numbers because those numbers weren't correct, obviously. And that's been easily shown and easily proven.

But, no, our people have done a fantastic job. Deborah, I always talk about the fact that our testing is so far advanced that we're close to 14 million in testing. Fourteen million. And would you say China is at — not China — if you would say Germany would be at maybe three or four —

DR. BIRX: Two. Yeah, two. I can —

THE PRESIDENT: Three?

DR. BIRX: Well, I can tell you, sir, right away. (Laughs.)

THE PRESIDENT: And in South — South Korea is at a number. You tell us what that number is.

DR. BIRX: Well, we're way — we've been way ahead of South Korea for a long time.

THE PRESIDENT: Way ahead of everybody.

DR. BIRX: Germany has done 3 million tests. Italy, 3 million tests. UK, about 2.7 million.

THE PRESIDENT: Sure.

DR. BIRX: Spain, 3 million. And I think, to us, it's not just the number of tests, it's how those tests are utilized.

THE PRESIDENT: Quality.

DR. BIRX: And I think in both of these states you can see they've focused testing where they knew the outbreaks were. And now they're proactively testing at nursing homes where they think the outbreaks are — could go next, and finding the asymptomatic cases. I think we've just — we've only learned in the last couple of months how many asymptomatic cases there are.

And I think a lot of people at the beginning wanted to approach this like flu. And, you know, most of the people who get flu are symptomatic. So, really, I think our thoughts have evolved. Our understanding has evolved. And the states have evolved with us, really working in partnership to really change how we look for cases. And I think that's really remarkable. We're not waiting for people to get sick to find cases now.

And, you know, what you're doing with testing and what you're doing with testing in a proactive way is the way we're moving as a — as a country. And because we can do nearly 14 million tests, we have the luxury to be able to be proactive in our testing now.

THE PRESIDENT: But when you do 14 million tests, you're going to find more cases. If instead of 14 million tests we did 3 million — like, Germany is at about 3 million; South Korea is at 3 million, and they've done a very good job. It's not a knock, but we're at almost 14 million. We're going to be passing 14 million very soon.

So you're going to have more tests. If we do 3 million, everyone would say, "Oh, we're doing great," you know, in terms of cases. We're going to have more cases. If we did 3 million — maybe that's what we should've done. I said — if I would've done 3 million, they'd say, "Oh, they have very few cases. United States is doing well."

We're finding a lot of people. By doing testing, you're finding people. So we're doing 14, Germany is doing 3, South Korea doing 3, and I think they're number two and three. So we're way ahead of everybody. But when you do that, you have more cases. So a lot of times, the fake news media will

say, “You know, there are a lot of cases in the United States.” Well, if we didn’t do testing at a level that nobody has ever dreamt possible, you wouldn’t have very many cases.

So we’re finding a lot of cases, and we’re doing a great job once we find them.

Okay, thank you very much.

Q (Inaudible) follow up. How does it compare to a per capita basis? Obviously, the United States is much larger than a lot of these European countries.

THE PRESIDENT: Yeah.

Q How does our testing compare per capita —

THE PRESIDENT: Sure.

Q — to those nations?

THE PRESIDENT: You want to do that, Deborah?

DR. BIRX: Yeah.

THE PRESIDENT: Per capita.

DR. BIRX: Yeah, our — you know, our testing now, we’re almost up to 4 percent. So some of the state — some of the European countries are at 4 to 5 percent. And I think our goal is to ensure that we can find the asymptomatics. And I think that’s really our focus right now, working with every state to really help them identify where these clusters came from historically, and then proactively going for those clusters, identifying them early, and finding the asymptomatic individuals before. And no one is intending to spread the virus. I always want to be very clear about that. Asymptomatic patient — people don’t know they’re infected. And so, together, we’re really working to find them.

And I think it’s a — it’s a unique challenge, and I think together we’re really making progress.

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Remarks by President Trump in a Meeting with Governor Hutchinson of Arkansas and Governor Kelly of Kansas | The White House

THE PRESIDENT: And, you know, when you say “per capita,” there’s many per capitas. It’s, like, per capita relative to what? But you can look at just about any category, and we’re really at the top, meaning positive on a per capita basis, too. They’ve done a great job.

Please, Kaitlan.

Q How come yesterday, at the Republican lunch, that you were complaining about the CDC and the delayed rollout of testing, do you think that —

THE PRESIDENT: No, I wasn’t complai- — I don’t know who gave you that. It’s fake news.

Q Do you think Robert Redfield is doing a good job leading the CDC?

THE PRESIDENT: Yeah, I do. I do. It’s fake news, Kaitlan. Fake news. Therefore, you can report it on CNN.

Q But you didn’t com- — you didn’t complain —

THE PRESIDENT: It’s perfect for CNN.

Q You didn’t complain about the CDC —

THE PRESIDENT: No. Not at all.

Q — and the test —

THE PRESIDENT: No, no, no, no.

Q Do you think they did a good job with testing at the beginning?

THE PRESIDENT: Well, you know, you’re asking me a wise-guy question. At the beginning — and again, I didn’t put CDC there. CDC has been there long before the Trump administration came in. But they had a test that was — was — something happened to it. It was soiled. It was —

Q Contaminated

THE PRESIDENT: It was soiled and/or foiled, but it was a problem — a short-term problem. It lasted for about a week, and then they got that solved. And, frankly, the end result is — and this was done outside of CDC. This was done by private companies and people that we got involved. And we've done — you know, you look at the numbers. I bet you don't like to talk about the numbers and what we've done.

But, yeah, for the first week, they had a problem — CDC — because something went wrong with one of the tests, and that can happen. I'm not blaming the CDC for it.

No, I think he's done a very good job. I think — I think that my whole team has done a very good job. I think the whole — and it's not really my team. They were there. CDC has been there for a long time. There's some great talent in CDC. I deal with them. So now what you're saying is, "Okay, we've done 14 million tests, so we can't hit the President on that. So let's go back to the first week."

CDC has done a — I think a really good job. No, and I didn't say anything bad about CDC at the meeting. We actually had a very good meeting — the Republican Party, the senators. I think virtually every one was there. I think you had 53 there. And we had a great meeting. We're looking to do great things for the country. We're helping people with stimulus. We're getting peo- — money to people. They need it.

And we're going to open up very big. We're going to open up. I call it "transition to greatness." That's what it is. It's a transition to greatness. And when Larry Kudlow tells you the numbers, those are really surprisingly good numbers this early in. I mean, we're doing very well.

I think it's going to be something special. These are two governors that we invited. They've both done a fantastic job. One happens to be a Democrat; one happens to be Republican. But I think I've worked out — you've been on most of those calls, Laura. I think we can say the Democrats have been as nice about what we've done as the Republicans. I mean, it's been terrific.

And, you know, Laura — I know she will speak her mind and so will some of the others. And if she was unhappy, she'd be letting you know it.

No, we've done a really great job. We've gotten along great with Democrats — the Democrat governors — and we've gotten along great with the Republicans. It's been — it's been a tremendous

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thing to witness. And we are — we're doing a fantastic job with — and you have been fantastic, Deborah, I have to say. You've been working 24 hours a day, and I hope people appreciate what you're doing, but I do. I do.

Thank you very much.

Q Are you — are you done with hydroxychloroquine?

THE PRESIDENT: Thank you very much.

Q Are you done with the hydroxychloroquine? Are you done with the hydroxychloroquine? Did you finish the hydroxychloroquine?

THE PRESIDENT: I think the regimen finishes in a day or two. Yeah.

Q Okay.

THE PRESIDENT: About a — I think it's two days. Two days.

Q Okay, thank you.

END

4:59 P.M. EDT



The White House



President Donald J. Trump

Vice President Mike Pence

First Lady Melania Trump

Mrs. Karen Pence

The Cabinet

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Remarks by President Trump in Listening Session with African American Leaders | Ypsilanti, MI

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Remarks

Healthcare

Issued on: May 21, 2020

Ford Motor Company
Rawsonville Components Plant

Ypsilanti, Michigan
2:59 P.M. EDT

THE PRESIDENT: Well, thank you very much, and I'm honored to be here in the Detroit area with so many incredible, dedicated African American leaders. We just said hello to a lot of my good friends outside.

We're joined today by Secretary Ben Carson and Scott Turner of the White House Opportunity Revitalization Council. Thank you very much, Scott. Ben, thank you very much. It's very exciting being here.

Before we begin, let me say that my administration is working closely with state and local officials, following the terrible flooding in Midland County. Our prayers are with those and all of the family members affected. And we're working very hard. We have the Army Corps of Engineers already galvanized. They're all there. We have top leadership there. The dam breaks were very bad, very severe. They were old. And perhaps there was a mistake made somewhere along the line, but it's a lot of water coming in. And there is nobody better to handle — there's nobody anywhere in the world better to handle the situation than the Army Corps of Engineers. So we have them at the top. They're here and they're ready to start moving.

As our nation battles the invisible enemy, African American communities have been hit very hard, including in Detroit. As you know, it's been a very, very difficult time for certain areas of this country. Detroit happens to be one of them. My administration is working relentlessly to rush supplies and resources to these communities and to protect the health, safety, and economic opportunity of all African Americans and all Americans.

We have done a tremendous job in the state of Michigan not only in terms of bringing autos back and auto productions back, but also in terms of fighting the virus. We're fighting it, and we're fighting it very, very hard. It came from China. We're not happy about it. We just signed a trade deal. The ink wasn't dry and, all of a sudden, this floated in. We are not going to take it lightly.

The federal government has sent 11 million pieces of personal protective equipment to Michigan and 1,720 hospital beds built right here in Detroit. Incredible job. That was done largely by FEMA, but also the Army Corps of Engineers. We delivered over \$2 billion of community health centers, including \$6 million for eight health centers in Detroit. And people from Detroit and friends from the area have said it's incredible, the job that we've done. We've made a lot of governors look very good.

Working with the private sector, over 400 community testing sites are open nationwide. We're the number-one tester for this virus in the entire world. There's nobody close. We did almost 14 million tests. Number two is Germany at 3 million. South Kor- — I think South Korea — probably at about almost 3 million. And it goes down the list. We're at 14 million tests — very close to that number. Seventy percent are in socially vulnerable areas with the testing. And with 1,000 more sites opening by the end of May, we'll have a record number of sites. Many of the sites are open in Detroit and all across Michigan.

In some cases — as an example, Florida and — I guess I've heard from about six governors where they have far more testing than they have people that need the test, so that's something. Nobody has done the job on testing like we have. Nobody has done the job on ventilators like we have. You're going to see that in a little while at the Ford plant where they're making thousands and thousands of ventilators. And nobody that's needed a ventilator in this entire country has not gotten one. And very importantly, all over the world now they're calling us for help on ventilators. They're very hard to make and they're calling for help on ventilators.

On Tuesday, we announced \$315 million in federal funding for Michigan to increase testing and contact tracing and disease surveillance. So we're going all out. We want to make sure everything is absolutely perfect.

A lot of people are looking into other things like, as an example, vaccines and therapeutics. You know, therapeutically, we're doing some things that are, I think, going to be released pretty soon that are amazing — and for the cure, ultimately for the cure. And I think the cure, the therapeutics, and the vaccines that are happening right now, I think you're going to be very impressed over the next number of weeks. Today, they had an announcement that was a very important announcement. Ben, I think you saw that.

I signed legislation providing over \$600 billion in massive relief for workers and small businesses, including at least \$60 billion for smaller financial institutions, including those that serve minority communities. One of the beautiful things that Scott Turner has done — and he's a real leader. He's led so well. From his days at the NFL where he was known as being fast — but maybe even more than speed, being tough. He was a tough guy. And people told me that that had to tackle him and had to — had to go against him. They weren't thrilled. I mentioned your name; they weren't happy. (Laughter.)

But Scott has done an incredible job with Opportunity Zones. He worked with me and with Senator Tim Scott. I have to tell you, what a great guy from South Carolina. He was — he had an idea, and it was an idea that we took and we made it work. And I want to thank you for the great job you're doing, Scott.

MR. TURNER: Thank you, sir.

THE PRESIDENT: Before the virus, African American unemployment reached its lowest level in history and African American poverty reached its lowest level in history. We never had more people from the African American community working in this country. It was almost — in terms of total, almost 160 million people. And African Americans set a new record out of that 160 — African American unemployment and employment was the best. They were the best numbers that we've ever had. That goes for many others also — Asian Americans. You know that. We set records with Asian Americans and Hispanic Americans.

And then, we had the plague flow in from China. And now we're doing it again. And you're going to see some incredible numbers. Starting in June, July, you're going to see some incredible numbers because it's coming back and it's coming back fast.

I spoke to CDC today about churches. We've got to get our churches open. We've got to get our country open. These governors have to start doing what they're supposed to be doing.

Together, we passed also criminal justice reform, which was a big deal. And that's something that could not be passed without us. And I will tell you, I have a very good friend of mine — what? Did you come in from Cleveland?

PASTOR SCOTT: Yeah.

THE PRESIDENT: What, to be here? I'm very impressed with you.

PASTOR SCOTT: My buddy is here. I had to come.

THE PRESIDENT: Thank you. Well, your buddy is here, I'll tell you that. (Laughs.)

PASTOR SCOTT: My President.

THE PRESIDENT: But we did. We did pass — we did pass criminal justice reform. You were one of my advisors.

PASTOR SCOTT: Yes, sir. Prison reform, as well.

THE PRESIDENT: Prison reform. A lot of things that nobody else would've done, and nobody else could've done. And the Democrats — I don't even know if they tried, but if they did, they couldn't get it done. So we got it done. Thank you very much.

We delivered record funding for HBCUs and made the funding permanent. So, every year, I would have people come from the black colleges — small, large, all sizes — and they would come in — colleges and universities — and they'd asked me for money. After the third year, I said — Ben, I said, "What's going on over here? What's happening? Why do you keep coming every year?" They hadn't — they needed it every single year.

One man said to me, "We feel like beggars. We keep coming to the White House every year." I said, "Why don't we make it permanent or make it long-term?" And I got it approved. So now your historically black colleges and universities — small and large, great schools — they have long-term funding. They don't have — the only thing is, and I said, some of them became friends of mine. The leaders of these colleges. I said, "I won't be seeing you anymore." So — and they didn't mind that, actually, because now they can have a life of making their schools great and making their colleges great.

But we did that and I think most people don't even know about that. But every year — three years — I got to see the same people. And we'd come in. There'd be 36, 38, 40 in the Oval Office. We'd take a picture. I'd say, "How come you keep — how come you keep coming back?" And they said, "Because it's a year-to-year deal." I said, "That's unbelievable." For many years: year to year. So they'd have to come in and beg. He said, "We feel like beggars." I said, "Not going to happen anymore." We got it done permanently. Pretty good, right?

Will anybody write about it? No, but that's okay. I think the people know. As long as the people know, Scott. You got to get the word out. My pastor has to get the word out. How are you? Nice to see you.

We created nearly 9,000 Opportunity Zones, including 94 right here in Detroit. And we're opening, and we're rebuilding, and we're doing a job. And you're going to see the numbers start coming in. The projections came in. Yesterday, Larry Kudlow was telling me the projections are looking really good.

So we built the greatest economy in the world. Greatest economy in the history of the world. Better than China by a lot. China had the worst year they had in 67 years before the — before the virus came in. They were not — they were doing — look, I want everybody to do well. But we were doing better than anybody, and it wasn't even close. There wasn't anybody even close to us. And now I'm going to do it again. We had to shut it off. They came in and we did the right thing. We would have lost millions of lives. We did the right thing, but now we're opening up again.

And we're going to open our churches again. I think CDC is going to put something out very soon. I spoke to them today; I think they're going to put something out very soon. We've got to open our churches. People want to go in. I saw a scene today where people are trying to break into a church to go into the church — not to break in and steal something, to break in — they want to be in their church. I said, "You better put it out." And they're doing it and they're going to be issuing something today or tomorrow on churches. We got to get our churches open.

So, with that, I'd just like to thank everybody for being here. You're friends. You're great people and supporters, but forget the word "supporter." I don't care. I want to take care of everybody. And a man who has done an incredible job for me is Ben Carson. Ben, please say a few words.

SECRETARY CARSON: Well, thank you, Mr. President. And thank you all for being here today and for welcoming us here and for your tremendous resilience that we've seen in this area.

It's said that crisis reveals character. And the COVID-19 national emergency has revealed the indomitable spirit of the people of Michigan and the men and women of the automobile industry.

As the Secretary of HUD, in conjunction with this President, I've directed our department to do everything within our power to help the American workers and their families remain in their homes, prevent dislocation, and receive the critical services from the federal government. That includes allocating more than \$12 billion under the CARES Act, which is — the CARES Act is the single-biggest economic relief package in American history.

And, as a member of the White House Coronavirus Task Force, I've also had the privilege of working with some of our leaders, not only to respond to COVID-19, but to set America back on a path of reopening. And, as we're seeing here at Ford today, the path to putting Americans back in business is already well underway, and we appreciate those efforts.

As the President said, before this virus came along, we were humming along; making, really, records, in terms of African American, Hispanic American, Asian American unemployment. Women — it was the best employment numbers in 71 years. This is really a historic period. And what we need to recognize is that the economic infrastructure that created that economic renaissance is still there. We have to make sure that it's not destroyed. And the way to do that, obviously, is to get people back to work again.

And that's why the emphasis is on that, while, at the same time, maintaining a strong emphasis on making sure that our pat— — that our people are healthy. And I think it's become part of the American DNA now. We've learned about sanitizing everything, including our hands; being careful about the kinds of things that we touch that are being touched by multiple people; social distancing; wearing masks when we can't social distance. You'll notice that, at this table, we are social distancing.

And, you know, President Trump and this administration have organized the largest national mobilization since World War Two, providing PPE, providing ventilators. You know, Detroit, which was once the most prosperous city in the nation, because of its industrial infrastructure, now is showing what it can do and other portions of Michigan what it can do in the manufacturing arena. Real superstars.

And we've also been renewing and expanding our focus on — on helping the communities that have been hit the hardest. Three and a half weeks ago, the President asked us in the Opportunity and Revitalization Committee to focus on those individuals who are underserved, who had been hit the hardest in our economy. And we're looking at it. We're looking at their physical health. We're also looking at their economic health. And we're looking at the things that really caused them to have more problems than the general population.

Yes, there may be more hypertension, there may be more diabetes, there may be more obesity and asthma, but we also have to ask ourself: Why are there more of those things? And we have to address those issues. And that's why all the different agencies in the government have combined to put together a kind of program that will address these things on a sustainable basis.

And we need to just remember that we have to bridge the gap. Because we have a very strong economy, we just have to bridge the gap until we get beyond this coronavirus.

As President mentioned, there's tremendous progress being made in terms of therapeutics, in terms of vaccines. And if there is a second wave — and it's not clear whether there will be — but if there is, believe me, we're going to be ready for it. But we're also going to be ready to recapture the spirit that created the most powerful and dynamic economy the world has ever known. It is just around the corner, and I believe that we're going to make it.

And, you know, we've learned that, in times of plenty, the incredible blessings of the Lord are with us. And when times are not so good, we also know that this too will pass. We will learn from this, and we will be stronger than ever.

THE PRESIDENT: Thank you very much, Ben. Appreciate it. A young man who has got a tremendous future, he's going to be a senator hopefully soon. He's representing a state that has already fallen in love with him. I saw him a few years ago; I watched him on television. I said, "Who is that guy?" And I found out his name was John James, and I said, "He's going to be fantastic." And he ran a great race. And now he's running a race that's incredible. He loves the people. He wants to help the people. He's running for the United States Senate — everybody knows that — in this great state of Michigan.

John, would you say a few words, please?

MR. JAMES: Yes, Mr. President. And Mr. President, thank you for coming.

THE PRESIDENT: Thank you.

MR. JAMES: I'm tremendously honored to have the opportunity to speak, on behalf of the state and communities who have extraordinary needs, to the President United States of America.

We're one of the hardest-hit states for COVID, and now devastation has struck Central Michigan, where more than 10,000 have been evacuated. Our hearts and minds and prayers are with them.

Small businesses continue to need support, our food banks have capacity needs, and shelters need funds, which is why we've repurposed our campaign funds, in large part, giving back a nickel for every dollar we raise to help feed the hungry, to help clothe the naked, to help heal

the sick, and take care of our veterans. Recently, we've given \$200,000 to — to a medical facility in Detroit, in-person testing Detroiters in the toughest-hit area in the country. And working with my friend, Representative Whitsett, distributing hundreds of thousands of meals. I'm not going to steal her thunder. She's doing great work.

THE PRESIDENT: (Laughs.)

MR. JAMES: At our logistics company — an automotive company headquartered in Detroit — we were able to — able to help her there. We actually process and ship material made in this plant, sir, and we sell them abroad. We keep American jobs here —

THE PRESIDENT: Great.

MR. JAMES: — by making people buy our American goods. We ship American goods, not American jobs.

So, I've said for a long time, sir: You don't need to go to Venezuela to see the effects of socialism. You can go right down — right down the highway in Detroit.

And I recently penned an Op-Ed in the Michigan Chronicle about how 40 percent of Michigan COVID deaths were African Americans. And when you look at the 14 percent of us this made up, it gets to Secretary Carson — Dr. Carson's comment about maybe having a more sustainable path.

Mr. President, I believe and agree with you that the 21st century prosperity agenda that focuses on economic security, health and wellness, and having leaders with a personal stake in addressing generational poverty among blacks in Michigan and around the country is something that you've agreed with and you've set your mind to. Because, as we all know, both natural and manmade disasters always have a way of unmasking generations of disinvestment and exploitation of African Americans.

I think that a great start is something that you've already done, Mr. President. This is the Motor City. This is the arsenal of democracy. And when called upon, Michigan Detroiters stood up. We're making ventilators right past this pipe and drape because you called, the President called, the nation called, and Michigan stood up.

I believe that you know us for cars and trucks. I think in the future you can know us for planes and rockets. Mr. President, you're moving jobs back from overseas. You're moving chip manufacturers to Arizona. You're bringing pharmaceutical manufacturers to Virginia. I think we have an opportunity to bring aerospace and rockets back to Michigan.

Now, you signed an order, Mr. President, Executive Order 13806 — way back before this crisis came — Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency of the United States. You know when you signed that, Mr.

President? You signed that in July 2017. I don't think that you've have been President at that time for what? Eight months —

THE PRESIDENT: Yeah.

MR. JAMES: — at that point, or it was seven months at that point? And you were already thinking about our supply chain and sustainability and repatriation of jobs and our economic strength.

I want to thank you for that foresight, Mr. President. I think we can build on that by expanding the national emergency declaration to encompass the economic threat of our national security — our economic health.

I think that Michigan once again can stand up, when called by its President, and looking at additional opportunities for F-35 and looking at launch initiatives with Oscoda-Wurtsmith for a space and polar orbit, but also TACOM expansion.

Sir, we have the workforce here, but we need data, we need training, and we need jobs in order to emerge from this with a more sustainable path that Dr. Carson laid out, and like you have been laying out for the better part of the past four years. Mr. President, things made here are better, and I trust the people of the state of Michigan and the United States of America.

So I'm looking forward to working with you and anybody else who wants to protect American jobs and protect American health.

So thank you for being here, Mr. President.

THE PRESIDENT: Well, Thank you, John. And you're doing a fantastic job. I'm getting all sorts of reports — glowing reports. And if you do come to Washington, you have my ear.

And your gentleman that you're opposing — I'll tell you, nobody even knows who he is. Nobody knows who he is. Nobody ever heard of him, and he's a senator. So go out and do the job. Finish the job. And you're going to bring a lot of wealth back to this state, because it deserves it. Okay?

MR. JAMES: Thank you, Mr. President.

THE PRESIDENT: Thank you very much, John.

MR. JAMES: Thank you, Mr. President.

THE PRESIDENT: Really great job.

I want to just call out Ja’Ron Smith. He’s been here for — with me, like, from the beginning. We never call him out. We never — he works so hard. I say, “I want to call him out.” He doesn’t want to be. (Laughter.) I don’t know. He’s not a shy man, but he’s a very capable man, and you’ve been right from the beginning. And I want to thank you.

If you’d like to say something, you can. He never wants to even bother, but this is one tough, smart cookie.

Go ahead, Ja’Ron.

MR. SMITH: Well, I’ll say, first of all, Mr. President, thank you so much for your leadership. A lot of the challenges that are in the African American community are historic in nature. Of course, the COVID pandemic has shined a bright light on some of those historic disparities, whether it’s access to capital or if it’s access to healthcare or, you know, the environments that people grow up in.

What we’ve established through the White House Opportunity and Revitalization Council that you set up two years ago — set off to take upon that challenge, to change it, when you ran and wanted to make the country great — it was making it the land of opportunity again, opportunity for all Americans, whether you’re African American in Detroit, or you’re from Appalachia, you know, or a Hispanic American living in San Antonio. Everyone should be about — get a chance to be a part of the American Dream.

And since we had that infrastructure in place, the White House Revitalization Council, it made it easy for us to renew that focus and help with the recovery of underserved communities. And through that council, we’re developing even more muscle with partners — partners here at this table to help us really change the way we’ve ever done things for these vulnerable populations.

And I believe that through your leadership, we’re going to rise out of the ashes of this like a phoenix, stronger than ever. And so thank you so much. And we look forward to continuing to work with you.

THE PRESIDENT: Well, I just want to thank you for being an incredible talent in the White House, and a friend of Jared and a friend of the administration. You’ve done a fantastic job.

MR. SMITH: Thank you, Mr. President.

THE PRESIDENT: Thank you very much, Ja’Ron. Appreciate it.

Representative Karen Whitsett, a highly respected person. Loved in the Detroit area. She only wanted one thing: She wants to take care of people. She doesn’t care if they’re Republicans, Democrats. She couldn’t care less.

And I saw her story on television and it's an incredible story. But she's an incredible woman. And — and I don't care if she's a Democrat or a Republican; I just think it's very important that we keep her here and healthy. And she — she will take care of whoever she has to take care of.

And it's an honor to see you. And I really appreciate — if you'd like to say a couple of words, Karen. Please.

STATE REPRESENTATIVE WHITSETT: Well, thank you, Mr. President. It is just an honor and a pleasure to be here and that you wanted to include me in this wonderful conversation. I am truly honored and humbled to be before you right now to be able to discuss some of the issues that have transpired in my community.

I thank Dr. Carson for pointing out some of the most troubling things that we do have going on in the community. But you have started working on these things long before now. And I do, Mr. President, give you a lot of credit for that. And I thank you for it.

THE PRESIDENT: Thank you.

STATE REPRESENTATIVE WHITSETT: We — we, as a community, have been struggling. And, as you know, our poverty level is extremely high in the area. And everyone is not meant to go to college. So one of the things I would like to point out is that training is a necessity and a need, as John has mentioned. That is something that is imperative for the community. If we have proper training, then we can change our renters into homeowners. We can change the dynamic of my community that I have been in since 1969.

And my husband and I, we grew up on the same street. We've been there since, like I said, 1969. And my in-laws still live a few doors down from me. And I know how great our community —

THE PRESIDENT: Do you get along with them still?

STATE REPRESENTATIVE WHITSETT: Yes, I still do. (Laughs.) I love my mother-in-law.

THE PRESIDENT: You're one of the few. One of the few.

STATE REPRESENTATIVE WHITSETT: (Laughs.) As I was saying, that it's imperative that I — that I know that our community can change. I know what it can go back to. I know how wonderful it was before, and I know what it can grow back into being.

If we can turn renters into homeowners, if we can put the dollar back into the community, if we can change the lives of single mothers that are struggling to make ends meet — which we have been doing with, you know, food distribution, but food distribution is not the end all.

We don't want to stay where people are asking for things constantly. We want people to be able to stand on their own two feet and be resilient within their own community and take pride in that.

As well as being able to — you know, as you addressed about the historical black colleges, I would love to see a historical black college in the city of Detroit. I think that would be amazing. And I think you're just the President to be able to make that happen.

THE PRESIDENT: It's an interesting idea actually.

STATE REPRESENTATIVE WHITSETT: I think that you can make that happen.

THE PRESIDENT: And they've got a lot of money now.

STATE REPRESENTATIVE WHITSETT: I think you —

THE PRESIDENT: They're all set. So I don't know, maybe we can work something out.

STATE REPRESENTATIVE WHITSETT: I think you can make that happen.

THE PRESIDENT: We'll talk about that.

STATE REPRESENTATIVE WHITSETT: I would love to talk about that.

THE PRESIDENT: We'll talk about that. Thanks, Karen.

STATE REPRESENTATIVE WHITSETT: Also, funding for home repairs for our seniors. Our seniors are really struggling, and everyone does not have children, everyone does not have a spouse, and they don't have family they can count on. So our seniors are suffering because they do not have money for repairs for their roofs, for ramps, and for their porches. And that's something extremely important to them and to be able to maintain. As you know, to be able to maintain seniors in their homes is life changing.

I mean, we have programs that assist, but we don't have programs that address — directly address this within a community to be able to empower seniors to stay in their homes. And I think we can make a whole world of difference by doing that.

And you've considered everything else that I wanted to talk about.

THE PRESIDENT: No, but I think your idea about historically black colleges, universities coming here — one real good one —

STATE REPRESENTATIVE WHITSETT: Yes.

THE PRESIDENT: — I think it's a great idea.

STATE REPRESENTATIVE WHITSETT: Thank you.

THE PRESIDENT: With all you said, that really — I remember everything you said word for word, but you know what? That was an idea I hadn't heard of. I don't know if anyone has ever thought of that. But, John, you want to start working on that, please?

MR. JAMES: Absolutely.

THE PRESIDENT: Isn't that a good idea?

MR. JAMES: That's a great idea.

THE PRESIDENT: Okay, so —

MR. JAMES: And I have a couple ideas of exactly where to put it, Karen.

STATE REPRESENTATIVE WHITSETT: Thank you.

THE PRESIDENT: I don't know, that might have been a filler for you. It might have been just a filler, but it wasn't a filler up here. That's —

STATE REPRESENTATIVE WHITSETT: No, it's not a — it's not a filler.

THE PRESIDENT: That's a great — well, we're going to have John James work on it. If John works on it, I'll bet you it happens. Okay?

STATE REPRESENTATIVE WHITSETT: Oh, I know it'll happen. I mean, John James is the man to make that happen. We've been working really great together.

THE PRESIDENT: Good.

STATE REPRESENTATIVE WHITSETT: And I'm looking forward to continue working with you and the White House —

THE PRESIDENT: Good.

STATE REPRESENTATIVE WHITSETT: — to be able to continue. And Ja'Ron has been awesome to work with.

THE PRESIDENT: And say hello to your —

STATE REPRESENTATIVE WHITSETT: And so I thank you.

THE PRESIDENT: Say hello to your husband.

STATE REPRESENTATIVE WHITSETT: I will. He's actually in the car. (Laughs.)

THE PRESIDENT: Oh, he's in the car? Can we bring him in please? Is he all right? I mean, why is he in the car?

STATE REPRESENTATIVE WHITSETT: (Laughs.) Because the —

THE PRESIDENT: He can't make it, Scott? You mean he doesn't qualify?

Would you do me a favor? Could you have somebody go out and find him? Take his car. Let him come in. He only saved your life, right?

STATE REPRESENTATIVE WHITSETT: He only saved my life.

THE PRESIDENT: She was not feeling too well one night and she said, "Would you do me a favor? Go down to the store and get a particular thing." And that was a big — that was a big evening. No, he does not deserve to be sitting in a car. Let's bring him in. Okay?

STATE REPRESENTATIVE WHITSETT: No, and I also took a note from you, and so I actually filed a lawsuit to the governor, today, as well.

THE PRESIDENT: Okay, good.

STATE REPRESENTATIVE WHITSETT: So I thought that you would like to know that.

THE PRESIDENT: That sounds very good. You got my note. Right?

STATE REPRESENTATIVE WHITSETT: Yes, I did.

THE PRESIDENT: Good.

STATE REPRESENTATIVE WHITSETT: Thank you.

THE PRESIDENT: Thank you very much. Great job.

Scott, could you say a few words, please? Outstanding guy.

MR. TURNER: Yes, sir. Thank you, Mr. President. And I'm so humbled to be here with you, sir. And thank you for your leadership, but really your heart for America and the heartbeat of America. And thank you all for being here. Servant leaders at this table this afternoon. And so I'm honored to sit with you.

You know, Detroit, as I wrote down — and, you know, Secretary Carson having roots here — I wrote down, you know, Detroit is the epitome of hard work and ingenuity and innovativeness. And I think that same spirit and resolve is still here in Detroit and in Michigan.

So I'm — I'm grateful to be here. And Ja'Ron talked about the White House Opportunity and Revitalization Council and how the spirit of that council is economic development and also community development and social impact, to see those inside of the communities in which we serve to thrive and to benefit and for long-term sustainability.

And I just want to encourage everyone here that our vision and our spirit is still the same. We are not unaware. We are not, you know, oblivious to the severity of the COVID, but our mission remains. Our face is set like flint. You know, we are steadfast, and we're not going to be moved by this.

The President has refocused and repurposed the council with a broader vision, and that's why we're here today: to hear from you, to share with you, to create partnerships as we — as Ja'Ron talked about, and coalitions.

But, Mr. President, we are in the right place at the right time. And I believe that Detroit can be a shining example, through the recovery, during the COVID and after the COVID. And that America could see — you know, Americans want to go to work. We are working people. And small business drives America. And we're in a great place today, you know.

And to not just to take a tour, but to have a meeting, but a great example of what hard work can do in this country and career and technical centers. You know, education is not a one size fit all, Representative. So career and technical centers and HBCUs and, you know, educating our young people for generations to come is so important to us. And that's why we're here: because long after all of us have gone, what we talk about here today and beyond today will affect those that come behind us. And that's my heart for being here.

So when those that come behind us will benefit from what we do today — and we are about outcomes in this administration and results for all Americans, because that's our team, the United States of America.

So, Mr. President, thank you —

THE PRESIDENT: Thank you very much.

MR. TURNER: — for bringing — really, it's just a great honor to serve with you.

THE PRESIDENT: And thanks for doing a great job. You're really doing a great job.

So a man called me and he said, "You got to open the churches. You got to open them." And he's somebody I respect a lot. And I watched him defending me a long time ago, long before I even did this. And he was so tough, he was so brutal. The last thing I thought he was was a pastor. (Laughter.)

And then I found out he was a pastor, and he's a great pastor. And he's loved in his community. And I'd like to ask my friend, Pastor Darrell Scott, to say a few words. You are terrific.

PASTOR SCOTT: Thank you, Mr. President. Listen, we are attempting to navigate. We are — when I say “we,” I’m speaking of you as our leader in this administration. We’re attempting to navigate our way through uncharted waters right now. We are going through a crisis that has been — it’s unprecedented in modern history.

And so, you know, we’re learning more about this challenge every day. Information is being updated every day, but information is also being outdated every day. Things we thought three months ago, we don’t think today. So we’re navigating our way through this, and we have to all be on one accord in this.

Thank you, Mr. President, for your bold leadership.

THE PRESIDENT: Thank you.

PASTOR SCOTT: I really believe that the effects of this pandemic would have been much more severe if it had not been for measures that you enacted and that this administration has enacted in conjunction with the state governments to try to contain and curtail the spread as much as possible.

This President has pledged to give assistance to underserved communities that are impacted by this COVID-19 virus. He has pledged to give us assistance in those areas, which will actually coincide with the President’s already-existing initiatives in the urban communities throughout this country. This assistance that he provides regarding this COVID-19 virus will be another layer. It will add another layer to the President’s already-existing urban revitalization efforts.

This President is providing PPP loans that are focused in and on minority and urban and underserved and disadvantaged and distressed communities. You’ve already stated how you’re providing unprecedented funding for HBCUs. He’s provided billions for entities that are staples in the black community, childcare centers, and so they can remain open during this time.

You’re also providing underserved communities with testing and healthcare resources so that no — that no one is reje- — or no one is denied access to vital equipment and vital testing. You’ve committed to discovering and addressing the reasons why some communities, particularly the black community, seems to be affected more so than others, and you’re making sure that the federal government is also going to cover health costs for those that are uninsured or underinsured. We thank you for this.

Our country has been placed on pause, but pause is not “stop.” We’ve been on pause, but we’re about to press “go” and get back going again. I said it before unashamedly and I say it again: This President has been — I’ve lived under 12 presidential administrations. I was born during the Eisenhower’s administration. This President has been the most pro-black President in my lifetime. But when I say “pro,” I’m saying pro in the sense of being proactive. He’s been proactive, rather than reactive, to issues concerning minority, underserved, and disadvantaged communities than any other President in my lifetime.

I really believe history is going to be kinder to you, Mr. President, than the fake news media is today.

THE PRESIDENT: Can’t be any worse. (Laughter.) I mean — thank you.

PASTOR SCOTT: And, you know, you tried to initiate action to restrict travel from other countries, and, you know, we’re seeing that you were a visionary in that area. And I know you’re doing your very best. I know you have the heart of this country in your heart. And I know you’re doing your very best to preserve this great union.

As far as I’m concerned, myself, my business partner Kareem Lanier, and the company that we have, we have raised a billion dollars in liquidity to help provide PPP loans to businesses that are in need of, in conjunction with the CARES Act.

And I thank you that you have directed the White House Opportunity and Revitalization Council — I couldn’t think of anyone more capable than Dr. Carson and Scott Turner here — to engage with and focus on our communities that have been impacted by this. And they are — they have been interacting with a number of coalitions. They’re doing a great job.

So we thank you. And, Mr. President, we have your back.

THE PRESIDENT: Thank you, Darrell. I know you do.

PASTOR SCOTT: Because we know you have our back as well.

THE PRESIDENT: I do.

PASTOR SCOTT: So God bless you.

THE PRESIDENT: Thank you very much, Darrell.

Now, I’m going to be making a tour of the factory with the head of Ford and some other people, and I’d love you all to join me if you could.

Would anyone like to say anything? Yes, please.

DR. GREGORY: Hi. I'm Dr. Audrey Gregory. I am a nurse and I'm also the chief executive officer of Detroit Medical Center. Yes.

So when we talk about the impact of COVID-19, I lived it, I staffed it, and we went through it together. From the beginning of the pandemic, we've always had the focus of making sure that our patients were cared for and our staff were cared for.

And so we began rapid testing. And talking about partnerships, we were able to do this with Wayne State University. And, by the way, just as a note off my script, we do have medical students from Meharry at Detroit Medical Center —

THE PRESIDENT: Oh, good.

DR. GREGORY: — which is an HBCU.

THE PRESIDENT: Very good.

DR. GREGORY: So we have done many things. We have partnered with the city. We have partnered with the states — state. And I think many of the steps we have taken have got — has gotten us to the point where I'm proud to say that we're starting to see a decline in the state of Michigan.

I will pause here, though, Mr. President, to say thank you. I am filled with pride and actually humbled by the fact that the President of the United States has taken time out of his day just to stop and listen to what I have to say. So thank you.

THE PRESIDENT: It's very nice. That's very nice. Thank you very much.

DR. GREGORY: So, where healthcare is concerned, since I am representing the healthcare organizations, we're at — we're now at the point — and Dr. Carson certainly alluded to some of the chronic underlying issues that the black community faces — and so we're at the point now in our journey where we're encouraging people to return to hospitals, return to the emergency rooms, because we want to make sure that your chronic — the chronic issues are addressed.

I would be remiss if I did not pause to say thank you to the incredible frontline workers that have just given heart, soul, muscle, and sweat to make this a possibility, even for us — not just at the Detroit Medical Center, but throughout our city.

The strength and their commitment and their dedication has been humbling and also inspiring. And I believe with all my heart that they're the reason, along with all our community members who have taken on this fight, that we're winning this battle.

So, some of the highlights, is the fact — and Ja’Ron and I have talked. We’ve certainly worked through strategies for the black communities, so thank you. One of the things, to his point, is that the pandemic has certainly just brought to light some of the disparities that have already existed. And I will say that I’m honored to be appointed to our state’s coronavirus task force. And it’s through that, the goal of the task force is really to address some of the inequities and figure out, in the long run: What do we need to do differently?

And so, we need help to continue this fight, Mr. President. As you know, hospitals were significantly impacted. Our inability to do any kind of — some for our scheduled work — that certainly impacted us.

So, I do want to pause though and say thank you. We have received incredible support from your administration, and not just — not just the formal things. And so I actually left a letter for you, signed by myself —

THE PRESIDENT: Thank you.

DR. GREGORY: — and the Michigan Hospital Association, just to not only thank you, but to ask to continue the work that you’re already doing, which is relief efforts across the country for healthcare organization. And so we look forward to continuing to work with you.

But I want to add just my personal experience, both as a nurse, a mom, and a hospital administrator. I’m home, it was a weekend afternoon, and my phone rang. And I picked it up and someone said, “This is Rear Admiral John P. You won’t get my last name, but this is who I am. I’m calling on behalf of the administration. Dr. Gregory, what do you need? My job is to help you to get what you need.” (Applause.)

THE PRESIDENT: Polowczyk. That’s Polowczyk. (Applause.)

DR. GREGORY: Once I recovered, I knew it wasn’t a spam call. (Laughter.) It was a great relationship, not just for me, but for the hospitals in Detroit. And I think the moment that wowed me — because I’m so big on follow-through — is that a few days later, the Rear Admiral called me, and said, “Dr. Gregory, did you get what you need?”

And so, there is my script and then there is my personal story of engagement and what it takes to get us there. So, the hospital community, on their behalf, I want to thank the state and the federal government for swift financial support. The federal government, what — all that you’ve distributed so far, we thank you. This has helped our hospitals to remotely stay somewhat liquid, but there’s a lot more work to do. And I want to thank Ford, who has worked with us. Some of our PPE have been from Ford. And then thank you for signing legislation to support healthcare facilities.

Now, the ongoing support for Detroit is vital. And Michigan hospitals need help to continue to ensure financial viability. But I just wanted to pause to say thank you for being with us in this fight.

THE PRESIDENT: Thank you very much. Very nice. I appreciate that very much.

Alphonso, if you could. And I guess we're going to be a little bit late. We have the head of Ford waiting for us right now. We're going to walk through the plant. So we'll go, perhaps, quickly. And I think we have Robin going to speak, too. Right?

MS. BARNES: Yes.

THE PRESIDENT: So why don't we go quickly, and maybe we'll take a couple of questions from the fake news, and then we'll go and tour the plant.

MR. WALLACE: Yes, Mr. President.

THE PRESIDENT: Okay? Thank you.

MR. WALLACE: It's an honor to be here. And it's an honor to be invited out. As a developer working with several communities in the state of Michigan, I believe that the Opportunity Zone has been a great opportunity. Ja'Ron and his staff, his team has done a great job, and we appreciate you having the foresight put them on the ground here.

THE PRESIDENT: Thank you. Yeah.

MR. WALLACE: In fact, they're doing such a great job, I receive calls asking for Mr. Smith's address. They think they're going to go to his office and talk to him because he's (inaudible)

—

THE PRESIDENT: He's the big power.

MR. WALLACE: Yeah. He's doing a great job.

So, as a developer, talking with several mayors that welcomed you in Wayne County, they said you're more than welcome to come to the cities whenever you want, or the Vice President. I would just like to say thank you. And the Opportunity Zone — and what it brings to the communities is very good and we have some projects that are actually shovel-ready now that the pandemic is still — it's slowing, and it's allowing us to get back to our daily routine. And we're looking forward to getting the shovels in the ground.

THE PRESIDENT: Thank you very much. Thanks, Alphonso. I appreciate it. I heard you're doing really well, too.

MR. WALLACE: Thank you.

THE PRESIDENT: That's great. Robin?

MS. BARNES: Hello. Hi, Mr. President. How are you? Such an honor to meet you.

THE PRESIDENT: Thank you. It's my honor. Thank you.

MS. BARNES: Thank you so much. I want to first tell you thank you so much. I am COVID-19 survivor, and I got diagnosed probably about a month, a month and a half ago as positive. And just sitting at home and, you know, watching TV and heard you talk about hydrochloroquine [sic], and talked to my doctor. We took it. And within five days, I'm here to say I'm good to go.

THE PRESIDENT: A lot of people have said that.

MS. BARNES: Yes. And so I want to first —

THE PRESIDENT: I go off it tomorrow, I think.

MS. BARNES: Oh, really?

THE PRESIDENT: It took a while, but I was exposed to a couple of people, and I said, "Let's give it a shot." The doctor said he recommends it. But I looked at the story of Karen and many others, and I said — I said, "What do we have to lose?" (Laughter.) That's what I said. Anyway, so you had a good experience?

MS. BARNES: I had an excellent experience.

THE PRESIDENT: A lot of people do.

MS. BARNES: Yeah, I had it. It was — you know, I hadn't — I'm a bronchitis — I used to have bronchitis as a child. And so to have that breathing interaction going on again from — I'm telling my age — (laughs) — from about 30 or 40 years later, it's just like, "Whoa, what's going on here?"

So to be able to get that particular prescription and be able to take it and to be able to breathe again in and — within hours — was just amazing. So, and I'll be honest —

THE PRESIDENT: So, if you had the bronchitis — if you had the bronchitis problem, you're a prime target of this invisible enemy.

MS. BARNES: Right. Yeah. I had — actually, I thought I grew out of it; you know how they say you grow out of things. And so I haven't had an actual episode since I was 13 years old.

THE PRESIDENT: Right.

MS. BARNES: So to have one when I'm now 50, which I might as well tell it now — (laughs) — is just like, “Okay, wow. Where did this come from?” So, it was — it was quite a little scary thing. But, I must admit, it was, like I said, within hours —

THE PRESIDENT: How bad — how bad did it get?

MS. BARNES: I had to really calm myself down and kind of go through it. I was blessed to have doctors —

THE PRESIDENT: But the disease itself, was it a rough bout or —

MS. BARNES: Yes. Oh, yeah. All those —

THE PRESIDENT: — it was made much easier?

MS. BARNES: Night sweats, the whole nine yards. Fever, coughing — a little weird cough. The cough wasn't the same as a normal cough. It was kind of —

THE PRESIDENT: Right. I understand.

MS. BARNES: — a weird type of cough. But, yeah. I went through the whole gamut of it. But, thank God, I was able to stay at home and I did recover.

THE PRESIDENT: Great.

MS. BARNES: And you hear a lot of different stories, especially with Karen. I met Karen a couple of times. I know Alphonso from doing, you know, the Opportunity Zones, development — things like that, in real estate. But that was something that was a little bit scary.

So I do — actually, just from watching you on TV and hearing you talk about it, I was able to call my doctor and say, “Listen, hey, let's try this, because, you know, this must be what's going on. And then I need to get tested on top of that.” So, at that time, we had to have prescriptions to get tested. And so he wrote the script, we got it done, and I was positive. And we got the hydrochloroquine [sic] — actually called a cocktail, with the azithromycin —

THE PRESIDENT: Right. Sure.

MS. BARNES: — and the zinc. And, like I said, I took it at about 8:30, 9:00 — 9:30 that morning — 9:30 in the morning. By 4:00 or 5:00, I was breathing good. So it works.

THE PRESIDENT: There are many people with that experience, they just don't want to write about it. It's too bad. It's too bad.

MS. BARNES: Mm-hmm. So I first want to thank you for that —

THE PRESIDENT: Many, many people.

MS. BARNES: Thank you for that information, because information is key. And when you're in real estate, you realize: The more information that you know, the more things you can get done. And I'm very thankful for that.

And, like I said, we're working in our Opportunity Zones — we thank you for that — in Detroit. Our property values and everything in Detroit is moving up. We have a lot of heavy players that are doing a lot of things in those zones —

THE PRESIDENT: Right.

MS. BARNES: — to bring those properties' values back up for our residents. And that's amazing. So I thank you a lot for that.

THE PRESIDENT: Thank you. That's a great story. Thank you very much.

MS. BARNES: Yes, sir.

THE PRESIDENT: Appreciate it. Do you have any questions, real fast, folks? And any questions for anybody in the room?

Q Mr. President?

THE PRESIDENT: John?

Q Mr. President, I'll remove this. I had a negative test this morning, so I should be good.

THE PRESIDENT: Good.

Q We've heard from a number of people over the last few weeks, Mr. President — as the numbers have started to go down, the number of deaths have started to go down, hospital capacity has increased — who say that the goal of mitigation was to ensure that the hospitals did not become overwhelmed. We appear, for the most part, to be at that point. So why not just reopen the country on a more rapid basis than we are now? What are your thoughts on that?

THE PRESIDENT: Well, we want them to reopen, John. The numbers are going down very substantially, without question. I mean, very powerfully going down. You look at Florida, you look at Georgia, you look at many other states — the numbers are going down and they've been open and — or very substantially open and pretty much completely open, in some cases. And we want them to reopen.

I mean, literally, I just got off the phone with CDC and I talked about churches. I said I want the churches to open, and the people want the churches to open. And I think you'll have something come down very soon from CDC. We want to get our churches back. It's — our country is coming back. We did the right thing. I think you'd agree. I think we would have had, you know, well over a million — could have been a million and a half to two and a half million people dead. And so we did the right thing. It's — it would have been a horrible — can you imagine if you saw what we have now and multiply that times 15 or 20 times? So we did the right thing, but we now want to get going.

And we also learned a lot about the disease during this time — nobody knew. We learned about the tremendous contagion and the problems. We learned a lot of — a lot of very important facts.

But now it's time for our country to open again. And I think you'll start with churches. I think you'll start with some other states that have been very resistant.

You have a lot of — unfortunately, in this case, Democrat governors — I think they think it's good politics to keep it closed. But what are they doing? They're hurting themselves. I don't think it is good politics. They're hurting themselves, they're hurting their state, and it's not good.

So I think you're going to see — pretty much, people are going to — I think they're being forced to open, frankly. The people want to get out. You'll break the country if you don't. And I think they look at it as a possible November question; it's not a November question. It happens to be very bad for them. So, you're going to see that happening, John — I think, John.

I think that your third quarter is going to be that transition quarter. We're almost there. It's going to be the transition quarter and it's going to be really good. But the fourth quarter is going to be big, and next year is going to be a big year for this country.

Q How close are we to, in your words, "breaking the country" unless we start the reopening process more quickly?

THE PRESIDENT: Well, I think we're very close to opening up the rest. I think there's a lot of pressure put on certain governors that should be further along. They should be further along than they are. And they really — they should not be doing what they're doing.

So we'll see what happens, but the country is going to be in a very good place. A very good place. And we have a lot of ammunition left. You know what that means. There's a lot of ammunition left in the country, in terms of the Fed and the Treasury and all the people that are working on it. We have a lot of ammunition left. Unlimited ammunition, if we need it. But we won't need it.

Okay? Thank you.

Q Mr. President, are you are you prioritizing the reopening of churches over other establishments?

THE PRESIDENT: No, not at all.

Q And what makes churches more important?

THE PRESIDENT: But I think churches, to me, they're so important, in terms of the psyche of our country. Beyond — I mean, to me, they use the word "essential." I think churches are essential. They're so important. People want to be in their churches. It's wonderful to sit home and watch something on a laptop, but it can never be the same as being in a church and being with your friends. And they want to have it open, and I think that's going to be happening every shortly — very, very shortly. So that will be put out maybe tomorrow, maybe today. Okay? Thank you.

Q Mr. President, you had said yesterday in a tweet that you might withdraw funding from Michigan. Later in the afternoon, you seemed to say that wasn't necessary. Is that threat still on the table, sir?

THE PRESIDENT: I didn't say it wasn't necessary. I said that I might have to do that. Yeah, we're not going to go to voting by mail. Voting by mail is wrought with fraud and abuse, and people don't get their ballots that happen to be in a certain district, whether it's Republican or Democrat.

Thousands of ballots are sent out, but they don't happen to get them, so people are calling, "Where is my ballot?" They call in a panic, "Where is it? Where is it? The election is coming." And all of a sudden, the election comes, it goes, and they say, "Hey, I never got a ballot, but wow that didn't affect..." — but it did affect, because thousands of people that happens to.

You go and you vote, and ideally, you vote with voter ID, and then you really have an election.

But this country — you know, you go out and you buy things and you have your picture on the — you want to vote; the most important thing you can do is vote, and they don't want to go voter ID. So, ideally, that would be the ideal. There are many places that have that, many places don't.

But, no, I don't — we don't want to have vote by mail. We want people to vote.

Now, if you're President of the United States and if you vote in Florida, and you can't be there, you should be able to send in a ballot. If you're not well — you're feeling terrible, you're sick — you have a reasonable excuse, just a reasonable excuse, you should be able to

vote by — by mail-in. You vote by mail-in.

But when they send — in the case of case of Nevada, where they want to send out thousands and thousands of ballots, and then they're going to send them back, who knows who signed the ballot. Is anybody standing there acknowledging, "Oh, that was Mr. Smith. That was Pastor Darrell Scott. That was Scott Turner. That was John James" — the great John James, who better win, because you would be missing something, Michigan, if you don't vote for this guy.

But, you know, who says — who — who are these people that are voting? They get it. It comes by mail, maybe. Maybe it doesn't come. A lot of the problem is they're not shipped to certain areas. You know, if you have an all-Democrat area — now, I have to tell you, the abuse tended to be on a certain side rather than another side. We won't get into that.

And, frankly, the Republicans won a very big event on Tuesday, where we have a man named Mike Garcia as a congressman, in a Democrat area. It was not expected to happen, and he won a lot of votes. You know about that, John. That was a big — that was a big decision. That was an incredible victory. The first time in 22 years — 22. So something is happening.

But that was a vote by mail. They mailed it in. And actually, the Democrats saw they were losing and, all of a sudden, they threw voter booths up in certain Democrat areas. I wouldn't say that was so good, right? But it didn't have any — it didn't have much of an impact. So Mike Garcia won and we won in Wisconsin.

But we can't — we can't do that. To vote — to really vote, and without fraud, you have to go and you have to vote at the polling place. People have to check you in.

Go ahead, John.

Q But can you just clarify, sir, what federal funding you're considering removing from Michigan?

THE PRESIDENT: Oh, I'm not going to discuss that. There are so many forms of funding. And we're not going to discuss that. What we want is we want good, straight, honest voting. Okay? Honest voting. And, by the way, if that could be honest, which obviously it can't be — you get a ballot, you're sitting in your bedroom signing it — who knows who's signing it? Who knows that it ever gets to your house? Who knows that they don't pirate? You know, they — they pirate these applications, they print new voting forms, and then they send them around, people sign them, or one person signs them with different pens and a different signature every time.

It's — it's — obviously there's going to be fraud. We're not babies. There's tremendous fraud. You have all of the harvesting. You have all of the things. They walk in at the end of a race — we had a lot of them in California — they walk in, Ben, at the end of a race and they

dump thousand — you think the race is over, you think somebody won, and then all of a sudden, out of the blue come thousands of votes at the very end. “Oh, what happened?” “Harvesting.” Wonderful thing: harvesting. They just happened to find thousands of ballots just at the end. So somebody that thought he or she was going to win the race, all of a sudden gets clipped. We can’t have that.

John, go ahead.

Q Mr. President, in the midst of this coronavirus crisis, the Chinese government is considering a new national security law they would give it the authority to clamp down to a greater degree on Hong Kong. Do you have a message for the Chinese government about changing the relationship with Hong Kong?

THE PRESIDENT: Well, we’ll have to see what happens. I haven’t seen it yet. I’ve gotten a little briefing, but I’ll — I’ll have a statement to make at the appropriate time, okay? Hong Kong has been through a lot.

Q Mr. President, we’ve seen this historic flooding. We’ve seen this historic flooding in — here in Michigan, and we have seen forecasts that we could see a really severe hurricane season. Is FEMA and the federal government prepared to meet the needs of some of these potential disasters?

THE PRESIDENT: You’re saying FEMA and the federal government? Yeah, they’re here right now. FEMA is here right now. They did a fantastic job on the coronavirus. A fantastic job in Michigan. They did a fantastic job everywhere, frankly. You know, you have ventilators — you’re going to see them now, because this is one of the plants where we make thousands of ventilators.

But FEMA was involved and we also, as a — have — you know — you know that the Army Corps of Engineers, at the highest level, is right now in Michigan working on the fact that you had some dams breaking that shouldn’t have broken, and they were probably — maybe not maintained properly. Something happened to them. Could have been human error, from what I understand, but it was certainly a physical error too. They were old.

But you have the best in the world to fix them and to get that water stopped. And we have FEMA here. And we have the Army Corps of Engineers here; they’ll be able to take care of it.

Let’s go take a tour. And you’re all invited to join me if you want. And we’ll take a look at a great assembly line making ventilators.

Thank you. Thank you very much.

END

3:56 P.M. EDT

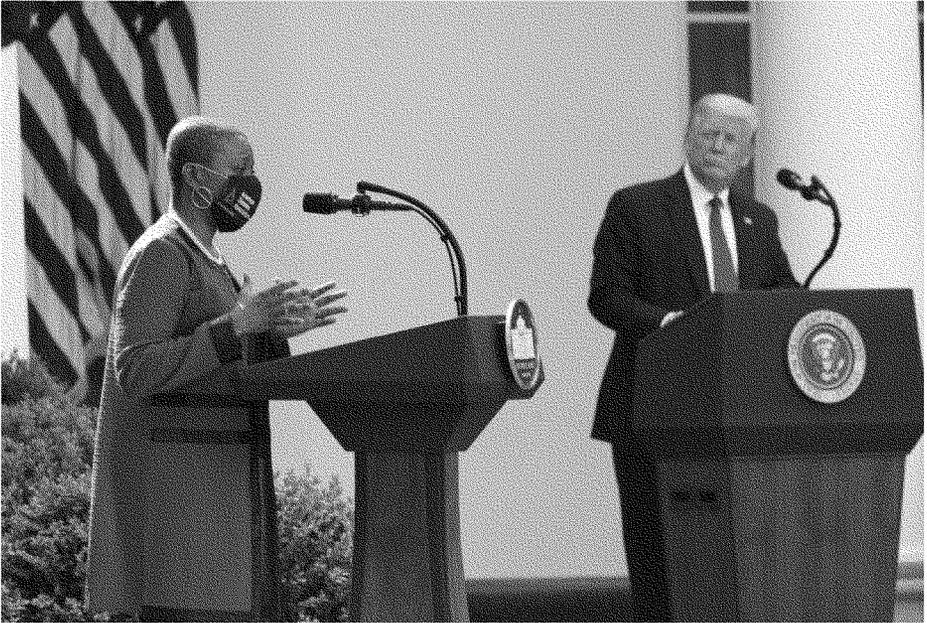
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Remarks by President Trump on Protecting Seniors with Diabetes

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Remarks

Healthcare

Issued on: May 26, 2020

Rose Garden

4:30 P.M. EDT

THE PRESIDENT: You definitely have plenty of distancing. I've never seen distancing like that. That's really — that's really very impressive.

And welcome to the Rose Garden as we take powerful action to lower healthcare costs for America's seniors. Today, I'm proud to announce that we have reached a breakthrough agreement to dramatically slash the out-of-pocket cost of insulin. You know what's happened to insulin over the years, right? Through the roof. Insulin — so many people, so necessary.

For hundreds and thousands of seniors enrolled in Medicare — that's a big deal — participating plans will cap cost at just \$35 a month per type of insulin, and some plans may offer it free. So for everybody that was getting ripped off and paying tremendous prices — senior citizens — and, Seema, I want to thank you because you brought this to my attention a long time ago, and you worked very hard on this day. And the press won't even cover it, but they'll cover things that are unimportant.

But this is a big day for seniors. This is a tremendous saving. And it allows people that — you know, if you don't take insulin — I just wrote this down — go blind, stroke, amputation, kidney failure, and other things. So we're getting it down — \$35 per month. And it would be anywhere from \$50 to \$150 to over \$200 a month. So it's a massive cut — I guess, 60, 70 percent. Nobody has seen anything like this for a long time.

Sleepy Joe can't do this — that, I can tell you. In fact, it was his problem with Obamacare that caused part of your problem. This will save impacted Americans an average of minimum \$446, just on insulin costs a year.

We're pleased to be joined by Vice President Mike Pence and Surgeon General Jerome Adams. I also want to thank Seema again. Thank you very much for the job you've done helping achieve the incredible victory for Medicare patients nationwide.

In the past, Obamacare prevented insurance providers from competing to offer lower costs for seniors. There was no competition, there was no anything, and they ran away with what took place, and the seniors were horribly hurt. Many people couldn't take insulin; they couldn't even think about it.

As a result, Medicare beneficiaries with prescription drug coverage paid an average of \$675 for a year's supply of insulin, and sometimes as high as \$1,500. Harmful laws also meant that seniors often paid a different amount almost every single month. They had no idea what they were paying — they were billed. Every month, they were billed a different amount, and it was a massive amount.

One in every three seniors on Medicare has diabetes, and over 3.3 million beneficiaries use at least one type of insulin. Over the past 10 years, these seniors have seen their out-of-pocket costs for this lifesaving treatment almost double.

I don't use insulin. Should I be? Huh? I never thought about it. But I know a lot of people are very — very badly affected, right? Unbelievable.

That's why my administration acted decisively. We slashed Obamacare's crippling requirements and opened up competition like they've never seen before. They've never seen competition like this. Between transparency and all of the other things we're doing, nobody has ever had a competitive — competitive situation created like we've done it. And the prices, you will see very soon, they're going to come tumbling down.

Then we brought all the parties to the table — insurers, manufacturers, and other key players — and reached an agreement to deliver insulin at stable and drastically lower out-of-pocket costs for our seniors.

I hope the seniors are going to remember it, because Biden is the one that put us into the jam because they didn't know what they were doing. They were incompetent.

Soon, nearly half of all eligible Part D and Medicare Advantage prescription drug plans will offer this low-cost option — and when you say "low-cost," you're really talking low cost — giving seniors the freedom and choice to pick the plan that's right for them.

Nothing will ever stop me from fulfilling my solemn duty to America's seniors. I'll use every power at my disposal to lower drug prices, and my administration will always protect Medicare and Social Security — and, by the way, preexisting conditions.

And we got rid of the individual mandate, which is a disaster. The worst part of Obamacare was the individual mandate. When we got rid of the individual mandate, essentially we got rid of Obamacare, if you want to know the truth. You can say that in the truest form. But we got rid of a horrible, horrible condition called the "individual mandate." But we'll always protect you on preexisting conditions, much more so than the Democrats.

Here with us today is Bruce Broussard, president and C- — CEO of a big, powerful healthcare company: Humana. And I'd like to have Bruce come up and say a few words, please. Bruce? Thank you. That's a big company. You — look how young he is, too. That's very young to be running such a big company, huh?

MR. BROUSSARD: Well, thank you very much, Mr. President.

THE PRESIDENT: Thank you, Bruce.

MR. BROUSSARD: Well, we are — I speak on behalf of our 50,000 teammates that work at Humana that we are thankful of being here and honored.

The demo that you were describing just recently is an example of the strength of public-private partnerships in dealing with large issues, such as the affordability of prescription drugs. And insulin is, by far, the one that is used the most.

Another great example of that is the response to the COVID and the crisis. And I think about one of our customers, Gwen, that just recently we served — was blind, did not have access to food. No one could support her because no one was in the vicinity to help her, and in addition, didn't have access to her prescriptions. And through a strong private-public partnership, we were able to offer her food and prescriptions delivered to her home.

So I want to thank the administration for continuing to pick on large issues like this and bringing in the private enterprise to assist in that. So thank you, Seema, and all — everybody — everything you've done. So, thank you.

THE PRESIDENT: What a job you've done, too. Really an amazing job.

MR. BROUSSARD: Well, thank you.

THE PRESIDENT: And you're also in the right business, right?

MR. BROUSSARD: Well, if we can help any senior, we're always in the right business.

THE PRESIDENT: That's good. That's good. You've really helped, and we appreciate it very much.

MR. BROUSSARD: Thank you.

THE PRESIDENT: Thank you, Bruce.

We're also joined by Tracey Brown, the CEO of American Diabetes Association. And a lot of bad things can happen without insulin, in terms of diabetes and other things.

Please, Tracey. Thank you very much. Hi, Tracey.

MS. BROWN: Thank you, Mr. President; thank you, Administrator Verma, for making this afternoon one that we can focus on the 34 million Americans, like myself, who's living with diabetes, 7 million of which need insulin to live. Twenty-five percent of these individuals have told us that they ration or skip doses of their medicine because they simply cannot afford it.

And so, this effort — ~~CMI-MMI~~ [CMMI] demonstration project — that brings together the government, industry, and public health advocacy from the American Diabetes Association is the right thing to do, and we're thrilled to take this challenge head on.

Today, together, we are helping millions of seniors access insulin affordably. This is a very big deal. The American Diabetes Association is the nation's leading organization that fights for people living with diabetes. And we are committed to continue to partner to make sure every American, and especially our seniors, have access to the medicine that they need to live.

So thank you, Mr. President. And thank you, Administrator Verma.

THE PRESIDENT: So, Tracey, are you surprised at how much we've gotten the price down — to what extent and to the level that we brought it down to?

MS. BROWN: This is a very exciting day for people living with diabetes. And so, any step to bring this lower is a good — good news. We know that we need to do more, but I'm so confident that together we are going to be able to help all people living with diabetes thrive.

THE PRESIDENT: Good. Thank you very much.

MS. BROWN: Thank you.

THE PRESIDENT: Appreciate it, Tracey.

I'd like to also invite up David Ricks, chairman and CEO of Eli Lilly and Company — a very big and a very great company.

Please. This is another young guy.

MR. RICKS: Thank you, Mr. President.

THE PRESIDENT: Thank you very much, David.

MR. RICKS: A pleasure to be here. Really, an honor to be a part of this announcement to improve the lives of so many patients who live with diabetes in our Part D program.

For several years, Lilly has worked hard to improve insulin affordability, and this has been a missing piece that's now been filled in by the great collaboration from our plan; companies like Bruce's, who are here; Seema Verma, your administration. Vice President Pence, President Trump, thank you for your leadership to make this happen. This is the kind of collaboration that solves real problems for people with serious issues like diabetes.

Today, if you take Lilly insulin, you will not pay more than \$35, except for in the Part D program. And we're pleased to add this missing part to that equation, so that, starting next year, seniors will benefit from that same savings level — just a little bit more than a dollar a day for insulin.

That same spirit of collaboration is also being applied to collaboration around COVID-19. And I think everyone is aware that there's thousands of scientists working in our industry, along with NIH and other experts, to speed around the clock new therapies for patients suffering from COVID-19 and to arrest and extinguish this pandemic. I've never been more proud to be a part of that effort as well. And the same spirit of collaboration is being applied in that incredibly important crisis as well.

Together, by working together, I think we proved today we can solve long-term problems, and I hope I can come back someday and show that we've solved the immediate problem of COVID-19, working as an industry along with government.

So thanks for having me here today. I appreciate it.

THE PRESIDENT: Good. And I think we will. Thank you very much. Thanks, David. Appreciate it. Really good job.

I also want to thank the companies with us today for rising to the occasion in our fight against the invisible enemy. Humana and other insurers have agreed to waive co-pays, which is a very great thing to do. That's a big — that's a big deal. Thank you very much.

Co-insurance, deductibles, coronavirus treatments for most enrollees — I mean, what they did is really — you know, people that aren't in the business or even in business, period, they wouldn't realize how big a thing that is, but it's a very big thing and we appreciate it very much.

Coronavirus treatment for our most enrollees has been — we've been moving along and we're doing well. We're going to be reporting on it in just a second.

Sanofi is working at breakneck speed to create a vaccine. Eli Lilly has been developing therapeutics for coronavirus and expanding free drive-through testing operations. And thank you all for the work. It's been great. We're battling the virus on every front, speeding relief to our workers and pursuing therapies and vaccines at record speed.

We have many companies right now, I think we can say, very far down the line on vaccines and therapeutics and cures, frankly. I think cures are going to be in there very shortly. Manufacturing vast quality — quantities and medical equipment, supplies, all of the different things that you need.

We've energized our military. Our military is ready, logistically, to go out and distribute whatever it is we come up with. And I think we're going to come up with a lot. I think we're going to have therapeutic remedies, and I think we're going to have vaccines very shortly. I've been saying it — very shortly. I think I'll be proven correct. If I'm not, I'm sure the media will let us know about it.

We're safely reopening our country while aggressively protecting the vulnerable, especially our seniors. We're telling our seniors to stay back a little bit. Stay back. Let this thing pass.

We're not only keeping older Americans safe from the virus, we're also ensuring that they have the best medical care on Earth at a price that they can afford. That's what happened with insulin. Nobody can believe it when they hear the price for the insulin. It's been an

amazing difference, and Seema is going to be talking about that. That's not just like a 10 percent drop or a 5 percent drop, which, by itself, would be good; that's a big — that's a big drop. That's a really big drop.

We approved a record number of generics and reversed the trend of soaring drug prices for the first time in over 50 years. First time we've ever had prices go down.

Average basic Part D premiums dropped 13.5 percent — the lowest level in seven years. And we're going down very substantially from that level. It's going down very, very substantially, unless you have a new administration, in which case it'll go up very substantially — that, I can guarantee you. They've been doing it to you for years.

Average Medicare Advantage premiums have plummeted 28 percent to the lowest level in over a decade — and that's despite everything that's been happening, which would normally make things go up. And we have more than, let's see, 1,200 more Medicare Advantage plans today than we did — think of that — two years ago. So we have 1,200 more Medicare Advantage plans than we did two years ago. That's something.

I signed an executive order to crack down on fraud in Medicare and to give beneficiary faster access to the latest medical devices and therapies and to take all of the fraud money — and we're finding a lot of it — all of that money that we're finding in fraud to reduce prices.

We provided nearly \$1 billion in grants to support home-delivered meals and in-home care for elderly patients and disabled people during the pandemic.

We expanded telehealth, which has really turned out to be a very hot subject, right? People that never thought about it, people that didn't like the idea — right, Tracey? — they're loving telehealth. It's speedy and it's a lot less expensive.

We expanded telehealth for Medicare beneficiaries, and the number of patients using it has increased from roughly 11,000 a week to nearly 1.3 million. So we went from 11,000 people to 1.3 million people a week. But very big.

We're — you'll be seeing it — price transparency. Some people think it's bet- — it's bigger than healthcare, when you look at it. It's going to be bigger than healthcare: price transparency. It was signed approximately nine months ago. It's going through the process, and it'll be here by the first of the year. So I hope you're going to remember me just in case the unthinkable happens.

But nobody else would have gotten it but this administration: price transparency. It's a tremendous — it's going to cut your costs tremendously. And that — literally, one of the biggest people in the field said transparency — it's going to be a bigger thing, price transparency — bigger than healthcare, in a true sense.

The cost of healthcare is going to come down very, very substantially. We're always working on preexisting conditions and saving your preexisting conditions. And as long as I'm President, you'll always be protected on preexisting conditions.

And surprise medical billing is something where people are surprised, never in a positive sense. And we've written that out, and that's going to be very quickly ended, so you're not going to be surprised, meaning badly surprised, very negatively surprised. It's a big thing. People go in and they go for an operation, and they end up literally losing all of their money, losing everything over something that should not happen. Surprise medical billing.

We're using every tool at our disposal to protect our nursing homes from outbreaks. You saw the disaster of how badly some of the governors handled nursing homes. It's a disgrace what they've done. What the governors — what some of the governors have done is a disgrace.

We've provided states more resources to step up inspections, added shipments of personal protective equipment to all 15,400 Medicaid- and Medicare-certified nursing homes, and issued a strict new guideline that every nursing home resident and staffer be tested immediately, and that all staff be tested weekly. So we're making it very, very tough.

Every day of my administration, we're fighting for our seniors like never before. Our seniors are very special people. All of our citizens are special, but our seniors — we have to take care of our seniors.

Our senior citizens have spent their entire lives working hard, supporting their communities and families, and paying into the system. We will not rest until they get the kind of care and support that they have earned and that they deserve.

Now, I'd like to ask Vice President Mike Pence to come up and say a few words, followed by Administrator Verma. And I would just like to thank you again for the great job you've done.

So we'll have Mike speak, and then you'll speak. And thank you very much.

Go ahead, Mike. Thank you.

THE VICE PRESIDENT: Thank you, Mr. President. And — and let me say what a — what a privilege it is to be here with business leaders and activists who have been standing with you, standing with the White House Coronavirus Task Force from the very beginning.

It truly has been a public-private partnership that's marshaled not just a whole-of-government approach, but a whole-of-America approach. And we see that evident today in this historic step for America's seniors. And let me join the President in expressing our profound gratitude to the servant heart that each one of you have brought and all of your employees have brought.

The importance of today's announcement cannot be overstated, Mr. President. As you observed early on, we recognized that the coronavirus represented a particular threat to seniors with underlying health conditions, and diabetes being among them. And today's step ensures that as we continue to work to safely reopen our country, we're going to make sure that our seniors have access to affordable healthcare, to insulin, and treatment to be able to meet that moment along with us.

Mr. President, we gather today with the news that more than 98,000 of our countrymen have succumbed to the coronavirus. And their families are in our prayers and in our hearts. But because of the cooperation and the compassion of the American people who have heeded your guidelines for America, who have listened and continue to listen to state and local authorities, we know that there are tens of thousands of American families that have been spared that heartbreak and loss.

And we — we will express our gratitude to the American people for your incredible cooperation, the social distancing, the steps that you have embraced, the way you have been willing to forfeit aspects of your personal freedom to put the health of others first.

But the good news is, Mr. President, that because of the steps the American people have taken, heeding your leadership and the guidance of state and local officials, we're getting there. And we're starting to reopen America, as we speak, in a safe and responsible way.

In fact, Mr. President, every state in the nation has now taken at least some steps to reopen their economies. Fifty-two states and territories have opened retail curbside to go, with reduced capacity. Forty-four states, we're glad to note, have opened up elective medical procedures in hospitals and clinics around the state. Thirty-eight states and territories have reopened personal care under strict hygiene protocols. Thirty-seven states have reopened restaurants. Thirty-four states have reopened non-essential businesses. And the list goes on.

And I think most meaningful to you, Mr. President, is, so far, 30 states and territories have reopened houses of worship under guidance of reduced capacity while allowing people to come back together in fellowship —

THE PRESIDENT: Good.

THE VICE PRESIDENT: — and prayer.

This has all been made possible because of the whole-of-government, the whole-of-America approach, Mr. President, that you initiated when you launched the White House Coronavirus Task Force back in January.

And before I step down, let me at least share a few encouraging words that we shared with America's governors today about the progress that we all have been making, because to continue to safely reopen, we believe it's absolutely essential that we increase visibility by

expanding testing across the country so that we can ensure that — that we can identify outbreaks where they occur.

It's interesting, as you watch the daily numbers, new cases are declining around the country, and even more dramatically when you realize that a significant portion of new cases every day are actually in outbreaks in specific businesses or, as we've discussed today, in nursing homes or in meatpacking plants.

But I'm proud to report, Mr. President, because of the partnership that you've forged with commercial laboratories around the country, 14.1 million tests have been performed. And I heard again today from governors across America how they have been, in many cases, exceeding the demand in the testing that they've made available.

In fact, Governor Phil Murphy of New Jersey informed me that he had promised the people of New Jersey that he would be doing 20,000 tests a day. But in partnership with the federal government, as we've been providing testing supplies and accessing resources, he told me that they actually cleared 30,000 tests a day in New Jersey.

And most importantly in that state where, at one point, nearly 40 percent of those tested had tested positive for the coronavirus, and now the Governor of New Jersey informed us that they're less than 5 percent.

But they're hardly alone, Mr. President. Forty-two states are now testing at less than 10 percent positive rate, and 20 states are testing at less than 5 percent positive rate.

The reality is that now all 50 states — with the support that we've been providing, sending swabs and test tubes and medium on a weekly basis, at your direction — now all 50 states have tested more than 2 percent of their population, giving us a much greater capacity to identify outbreaks as they occur and protect our citizens.

And the progress in evidence is clear. All across America, we see hospitalizations continuing to decline. New hospitalizations have declined steadily, in the chart that you see before you, from April until today.

And most importantly, while the President often says that one loss is too many, we do — we welcome word that fatalities are declining precipitously all across the country.

In fact, yesterday in America, there were just 505 Americans who succumbed to the coronavirus. And that number had not — we hadn't seen that number in daily losses since March.

And the reality is, because of the cooperation and the compassion of the American people, we're getting there. We're getting there, America.

And, Mr. President, at your direction, we're going to continue to work closely with states around the country to expand testing and resources. We're going to continue to make sure personal protective equipment flows.

But finally, what we're going to continue to do is focus on the most vulnerable. Even as we begin to see evidence that we are starting to put this coronavirus epidemic in the past, all the more, we are going to continue to — to surge the resources and surge the kind of testing and partnership with states and healthcare providers to ensure that our seniors and anyone with an underlying immune deficiency — anyone that's vulnerable to the coronavirus — is immediately identified and protected by every measure that's possible.

So, Mr. President, I thank you for the opportunity. We heard great enthusiasm from governors all across the country in both political parties today. We're making great progress and I truly do believe that with the continued partnership that we have forged with state and local governments, with the tremendous efforts of our healthcare workers around America, and with God's help, we will reopen America and we will continue to reopen our country safely and protect our most vulnerable, as we do.

So thank you, Mr. President.

THE PRESIDENT: Thank you, Mike, very much. And I think I'll just add on to what Mike said: If we didn't act quickly and smartly, we would have had, in my opinion and in the opinion of others, anywhere from 10 to 20 and maybe even 25 times the number of deaths.

We closed the border to China, meaning we put it on the ban — people coming in from China. That was a very big moment. As Dr. Fauci said, we saved thousands and thousands of lives when we did that. And that's true, but I think we would have had anywhere from 10 to 20 or 25 times the number of deaths if we didn't act the way we did and also if we didn't act swiftly. So we're very proud of our team and our task force and Mike. Great job.

Seema, please.

ADMINISTRATOR VERMA: Good afternoon. I want to start with thanking the one person that's responsible for today's announcement, and that's President Trump. He's been steadfast in his commitment to lowering the cost of drugs and protecting the Medicare program and making sure it works best for seniors.

The President also knows that it's the free market that leverages competition and negotiation — that that is what can lower cost and improve quality for the American patient. And because of that, we've been working to slash Medicare's anti-competitive regulations, and it's worked.

In the Medicare Part D program, as the President said, we are seeing low premiums — a seven-year low. And in the Medicare Advantage program, we're seeing a 13-year low in premiums.

So we're putting money back in the pockets of seniors. And that means \$3 billion in savings for patients and \$6 billion in savings for taxpayers. In an absence of a congressional solution, we applied those same principles to lowering the cost of insulin. We are waiving Obamacare laws that dis-incentivize plans from lowering cost sharing for Medicare beneficiaries.

And this is important because we know that beneficiaries struggle to pay their insulin costs. It's patients like Cindy from Rochester, New York. She told us that the high cost of insulin has impacted her health and that she's been forced to ration her insulin. She said, "I know that it's not good at all for my health, and I'm sure that I've affected some organs negatively because of that lack of money to purchase insulin."

But no longer. Thanks to the President's leadership, Medicare seniors will pay no more than \$35 for their insulin — and that's per month and that's for all forms of insulin through all phases of the Medicare Part D program. I also will say that some plans are free to even go below the \$35, and so they could even see lower premiums as well.

I'm also proud to say that we have over 88 health plans that are participating in this model, and that represents over 1,750 plans that will offer this low-cost insulin. These plans will be available during this year's open enrollment, which starts in October.

And I want to thank the manufacturers and the health plans for stepping up to the plate, for coming together to negotiate this great Senior Savings Model. It's going to make such a difference to the lives of many seniors across the country. And I am optimistic that this could be a model to lower the costs of many other drugs in the Medicare program.

And thank you, again, President Trump for bringing lower-cost priced insulin. Our seniors are going to be saving an average of 66 percent in their insulin costs, and this is nothing short of a godsend.

And with that, I think we're going to hear from one of our Medicare beneficiaries. Thank you.

THE PRESIDENT: Great. Thank you, Seema.

(A video clip is played.)

Hi, my name is Alan Hartfield (ph). I live in the Hudson Valley in New York. I'm 68 years old, and I rely on Medicare Part D. I've been a diabetic for over 10 years, and during that time, I've watched insulin prices rise dramatically. I pay \$400 a month now for insulin. I

appreciate President Trump putting a policy in place that will help people like myself for the future, as far as insulin products. Thank you.

(The video clip concludes.)

THE PRESIDENT: That's very nice. And many, many people feel the same way. They can't actually believe it — \$35 and less. And less. And they were being ripped off at a level that nobody has seen before. But that's true with a lot of other things, and we're taking care of them too.

So I want to thank everybody for being here, in particular these great executives. Thank you very much. Thank you very much. You were very impressive in your speech, by the way. Thank you very much.

John, please.

Q Mr. President, could you tell us what you plan to do regarding sanctions against China for its pending actions against Hong Kong? And do you also intend to put restrictions on F and J visas for students and researchers coming into the United States from China.

THE PRESIDENT: Okay. Your question is early — we're doing it now. We're doing something now. I think you'll find it very interesting, but I won't be talking about it today. I'll be talking about it over the next couple of days, John. Okay? But it's a very important question.

Yes, please. Anybody? Yeah, please.

Q Mr. President, two questions about a couple of things you've tweeted about in the last few days. Were you meaning to criticize Vice President Biden for wearing a mask yesterday? And can you explain why you've been tweeting about a conspiracy theory that has been proven to not be true?

THE PRESIDENT: No, Biden can wear a mask, but he was standing outside with his wife — perfect conditions, perfect weather. They're inside, and they don't wear masks. And so I thought it was very unusual that he had one on. But I thought that was fine. I wasn't criticizing him at all. Why would I ever do anything like that?

And your second question was? I couldn't hear you. Can you —

Q The second —

THE PRESIDENT: Can you take it off? Because I cannot hear you.

Q I'll — I'll just speak louder, sir. The —

THE PRESIDENT: Oh, okay, because you want to be politically correct. Go ahead.

Q No, sir. I just want to wear the mask.

THE PRESIDENT: Go ahead. Go ahead. Go ahead.

Q The second question was about your tweets, about the woman who died who you're suggesting that Joe Scarborough was responsible.

THE PRESIDENT: Yeah, a lot of people suggest that. And hopefully, someday, people are going to find out. It's certainly a very suspicious situation. Very sad. Very sad and very suspicious.

Question, please.

Q Her husband has asked you not to tweet about it anymore, sir.

THE PRESIDENT: Go ahead, please. Go.

Q Mr. President, though, have you seen the letter that was written by her husband, begging Twitter to — to delete your tweets, talking about how hard it's been for his family, for him to deal with that?

THE PRESIDENT: Yeah, I have. But I'm sure that, ultimately, they want to get to the bottom of it, and it's a very serious situation.

I also saw a clip with — with Joe and Imus where they were having a lot of fun at her expense, and I thought it was totally inappropriate.

No, it's a very suspicious thing, and I hope somebody gets to the bottom of it. It'll be a very good thing. As you know, there's no statute of limitations. So it would be a very good — very good thing to do.

Okay, who's next? Any questions on insulin?

Yeah, please.

Q Mr. President, there's a bill in Congress that would — that's related to the Uyghurs. It passed the Senate. It's going to be up in the House. Are you — are you willing to sign that?

THE PRESIDENT: We're taking a look at it very strongly. They're going to report this afternoon. I'll be looking at it this afternoon.

Q (Inaudible) something special that you mentioned on China, does that include sanctions or does that —

THE PRESIDENT: No, it's something you're going to be hearing about over the next — before the end of the week — very powerfully, I think.

Yeah, please.

Q Yes. Is there any reason why someone who does not have diabetes would take insulin? Is there any sort of medical reason for that?

THE PRESIDENT: I could ask that question to — anybody like to discuss that? Do you want to discuss it? Please, go ahead. Do you know the answer? Either one of you or both. Come on. Let's get these highly paid executives up here to give the answer. Seema?

Please, Jerome. We picked a good one. We got it right.

SURGEON GENERAL ADAMS: Well, thank you, Mr. President.

THE PRESIDENT: Thank you.

SURGEON GENERAL ADAMS: And I think it's important for everyone to know that, as Tracey Brown highlighted earlier, one in three Americans is actually either diabetic or pre-diabetic. And I would encourage folks to go to Diabetes.org/Risk — Risk-Test. So Diabetes.org/Risk-Test to find out if you are at risk for diabetes.

As far as insulin goes, we know that, again, 7 million people actually are dependent on insulin. We know that from a type 1 diabetes standpoint, 1.6 million Americans have type 1 diabetes, and most all of them are dependent on insulin.

Your body, Mr. President, actually makes insulin endogenously. And people such as you and I, we make our own insulin. So, yes, we do utilize insulin, but we make it ourselves.

THE PRESIDENT: Ah.

SURGEON GENERAL ADAMS: Other people who have diabetes oftentimes need exogenous insulin made by many of these great manufacturers here so that they can be healthy and live long and successful lives.

And make no mistake about it: If they can get affordable insulin, they can live a long and healthy life. And that's what we're here for today.

Today is a very important day. It is a monumental day because, Tracey, we've been working for years to try to address the price of insulin. For years. This is an important day and I want to thank you, Mr. President, and I want to thank all the people here for making that insulin affordable to more people.

THE PRESIDENT: Thank you very much.

And, Tracey, do you agree with that?

MS. BROWN: (Inaudible.) (Off-mic.)

THE PRESIDENT: And the question I found to be a very interesting one. But is that an unusual question or an unusual circumstance?

MS. BROWN: I'm not sure that it's an unusual question. There are many people who are not clear on what the cause of diabetes is —

THE PRESIDENT: Right.

MS. BROWN: — and what (inaudible).

THE PRESIDENT: Okay, good. I thought it was a very good question, actually.

Please, go ahead.

Q Thank you, Mr. President. We see in Europe — slowly from one country to the other — they are opening their borders and letting people going from — moving from one country to another. Are you considering — for the good of the U.S. economy, are you considering lifting the flight ban from Europe, in the next weeks?

THE PRESIDENT: Well, we're just putting a ban on, as you know — going on immediately, essentially; almost immediately — to Brazil and from Brazil into our country. So from Brazil to the United States. They're having a very hard time in Brazil.

We'll be doing certain announcements on other countries, including Europe, as we move along. And where they're making progress, we'll start to open it up, but only when they're making progress. They're making some good progress.

I think we're making very good progress. We're making very good progress on the economy. The numbers are better than anybody would have anticipated. And certainly, I think that's been reflected in the stock market, which had a very big day. And it's over 25,000. And when you think — 25,000 is a very high number — when you think that it was at 29,000 and now it's at 25, that's a very big day. It's up very substantially over the last six months. So we had a very big day.

But people are seeing what's happening. They're seeing there is a pent-up demand, as I was predicting. And you're going to see it more and more. We call it the "transition to greatness," and it really is. We're going to have a third quarter that's going to be good. We're going to have a fourth quarter that has the potential to be really good. And we're going to have the best year — one of the best years we've ever had next year. That's what we see.

Yeah, John, go ahead.

Q Mr. President, is it your intention to bring American forces home from Afghanistan by Thanksgiving Day? And is the Pentagon drawing up plans to that effect?

THE PRESIDENT: Well, I think everyone knows we're down to less than 8,000 troops. We're — with leadership in many different fields and in many different parts of that country, we're with — we're dealing with the Taliban. We're dealing with the president. And the president now has gotten themselves straightened out with the two presidents. But we're dealing with — because they had — as you know, they had competing factors — and factions.

Yeah, I think we want to get — we're there 19 years. We're really not acting as soldiers; we're acting as police. And we're not sent over there to be policemen. But we're there 19 years. And, yeah, I think that's enough. And they understand.

We're having very positive talks. We want to bring our soldiers back home. We want to bring them back home. And we're not only talking about there, we're talking about other countries also. We bring our soldiers back home. We can always go back if we have to. If we have to go back, we'll go back and we'll go back raging. And there, we'll go back as warriors, fighters. But right now, we're policing. And we're not meant to be a police force; we're meant to be a fighting force.

Q So is Thanksgiving Day the target?

THE PRESIDENT: No, I have no target. But as soon as reasonable. Over a period of time, but as soon as reasonable.

We're down to 7,000-some-odd soldiers right now. And in Iraq, we're down to 4,000 soldiers. So we're making a lot of progress.

In Syria, you remember, John, on the border, when I took the soldiers out of the border, everyone said, "Oh that's so terrible." Well, I spoke to President Erdoğan yesterday, of Turkey. The border has been fine without us. They've been policing their border for 2,000 years. All of a sudden, we had thousands of soldiers there doing their work, for what? Guarding Syria and Turkey on a border — a very long border?

No, we want our troops back home. We took them out. That was a year ago. I was criticized. Nothing happened, except they're watching their own borders now. We kept the oil, but at some point, we'll take care of the Kurds, with respect to the oil, and get out.

Yeah, please. Go ahead.

Q Mr. President, quickly, on your meeting with Governor Cuomo tomorrow —

THE PRESIDENT: Yeah, he's coming in.

Q — can you say what you're going to be discussing? Do you have a particular agenda? Do you think he'll discuss the Gateway Project that the — the Hudson River tunnel project?

THE PRESIDENT: I would imagine we would, but he — he asked for the meeting. So we'll see what he wants. But he asked for the meeting — Governor Cuomo — and will be coming in sometime tomorrow.

Yeah. Please, go ahead.

Q What can you tell us about the documents reportedly declassified by Ric Grenell, just before he stepped down as DNI? Are you prepared to release the transcripts of the Flynn-Kislyak conversations?

THE PRESIDENT: Yeah, I'd like to hear it too. I mean, I'd like to hear it. The FBI, as you know, said that he didn't lie. And certainly, the conversation, almost regardless — it was a good conversation. He was allowed to do it.

And the Mueller people who are — have been proven — they're very bad. Very bad things they did. Very bad things. A lot of bad things are being found out about the hoax. Greatest hoax in the — in history of our country. And it was an illegal hoax and a very dangerous hoax. And a lot of bad things have been found out about Mueller and the gang.

So I would like to hear that conversation. Yeah, I would like to hear it, personally. So whatever they want me to do, I'll do.

I think Ric Grenell has done an incredible job. And things are happening now that — I always knew this was the answer. This was a — a — an attempted coup by a bunch of dirty cops and others. These are dirty cops, dishonest slime bags.

All right, yeah. Question? Go ahead, Jeff.

Q Thank you, sir. Mr. President, on Friday, you announced that you wanted governors to reopen churches and synagogues and mosques. And you said you would overrule them if they — if they declined to do so. Can you explain what authority you had in mind when you said that you would do that?

THE PRESIDENT: I can absolutely do it if I want to. And I don't think I'm going to have to, because it's starting to open up. We need our churches and our synagogues and our mosques. We want them open: churches, synagogues, mosques and other. We want them open, and we want them open as soon as possible.

Now, I can tell you, I know a lot of pastors, a lot of rabbis, imams, and they want to take care of their people. They want to take care. They don't want anyone getting hurt or sick, and they're going to take care of their people. We need — we need these people. We need — we need people that are going to be leading us in faith. And we're opening them up.

And if I have to, I will override any governor that wants to play games. If they want to play games, that's okay, but we will win. And we have many different ways where I can override them. And if I have to, I'll do that. But we want our churches and our synagogues and our mosques, et cetera — we want them open.

Now, there may be some areas, by the way, where the pastor, or whoever, may feel that it's not quite ready. And that's okay. That's okay. But let that be the choice of the congregation and the pastor.

John, go ahead.

Q Mr. President, how long will you give North Carolina Governor Roy Cooper to provide you with the information that you and the RNC are asking for before you decide to look elsewhere for a venue for the RNC convention in August?

THE PRESIDENT: Well, as you know, we don't have much time because we have to know that if we're going to spend millions of dollars on an arena — we want to be in North Carolina. I love North Carolina. I won North Carolina. We just had a big — two races that we won recently for Congress in North Carolina. Two very big races that the press didn't want to report on. If we would have lost them, it would have been the biggest story in political history.

But we just won two races. It's a very important place to me. I love North Carolina. In fact, my son, Eric, and Laura named their baby "Carolina" and came from, I think, both. But she was born in North Carolina, as you know — Laura. So, it's a very important place to me.

But at the same time — and I think that people understand this — we have a governor that doesn't want to open up the state. And we have a date of August — at the end of August — and we have to know before we spend millions and millions of dollars on an arena to make it magnificent for the convention. And we have tremendous people. I mean, the economic development consequences are tremendous for the state. We have to know that when the people come down, they're going to have the doors open.

Now, if the governor can't tell us very soon, unfortunately, we'll have no choice. This has nothing to do with us; this is between the governor and North Carolina and the people of North Carolina.

But the people want it, and we'll have to see whether or not the governor — now, he's a Democrat, and a lot of the Democrats, for political reasons, don't want to open up their states. So we'll see if that works, but I don't think it will. I'd love to have it in North Carolina; that was why I chose it — Charlotte. But we're going to see. We're going to see. And at the end, we need a fast decision from the governor. He's going to have to — because he's — he's been acting very, very slowly and very suspiciously. But we'll find out.

All right? Question, please.

Q So in terms of “soon,” are we talking a week, two weeks, a month?

THE PRESIDENT: Well, we need — yeah. I mean, we can’t take — we’re talking about a very short period of time. It’s a massive expenditure, and we have to know. Yeah, I would say within a week that certainly we have to know.

Now, if he can’t do it, if he feels that he’s not going to do it, all he has to do is tell us, and then we’ll have to pick another location. And I will tell you, a lot of locations want it. But I picked North Carolina because I do love that state, and it would’ve been a perfect place for it and it still would be.

But he’s got to say that, you know, when thousands of people come to the arena, that they’ll be able to get in. Does that make sense? I mean, you know, we’ll spend millions and millions of dollars on this magnificent design. But in the end, they have to be able to get in. I don’t want to have it where we get there and then they announce, after all the money was spent, all the work was done, all the people traveling — guess what? — you can’t put anybody in the arena, or you can put a tiny number of people in the arena. We can’t do that, John.

Yeah. Please, go ahead.

Q There are now more than — still more than a dozen states in this country where case numbers are rising. So why is it suspicious if a governor says, “Look, we don’t want to move that quickly. We still think we need to shut down”?

THE PRESIDENT: Oh, I think it’s fine. They have to do it. Look, the governors, in certain ways, they have to do what they want to do, but they have to tell me what they’re doing. And when it comes to churches, et cetera, they will be overridden by me. When it comes to other things and, you know, many other things, they won’t. If I think something is being done incorrectly or wrong, I’m going to do it. But you have different governors, and they have very different views on where they are and where they’re going. So we’ll see what happens.

Please, go ahead.

Q I’m sure you saw the images from over the weekend of people out on Memorial Day Weekend. They were crowding pools, crowding boardwalks. Do you have any message for these people?

THE PRESIDENT: Yeah. Always be safe. You want to be safe. We’re opening up, but you want to be safe.

Go ahead, please.

Q Thank you. About mail-in voting, you've been speaking out against a lot — against that a lot.

THE PRESIDENT: You mean, mail-in voting, not ballot?

Q Yeah. You've been speaking a lot about that.

THE PRESIDENT: Yeah.

Q Why should somebody who is afraid of getting coronavirus — going to public places, standing in a line, et cetera — why should they not —

THE PRESIDENT: First of all —

Q Why should they not be allowed to do mail-in?

THE PRESIDENT: Well, that's going to be in a long time from now, number one. You know, it's quite a ways away, number one.

But when you do all mail-in voting, ballots, you're asking for fraud. People steal them out of mailboxes. People print them and then they sign them, and they give them in. The people don't even know where they're double counted. People take them where they force people to vote. They harvest. You know what harvesting is. They take many, many ballots and they put them all together, and then they just dump them, and nobody has any idea whether they're crooked or not.

Look, if you do mail-in voting — now it's another thing to do absentee voting or if somebody has a medical condition where they go through a process and they get an absentee ballot — that's okay; that's different.

But in California, the governor sent, I hear — or is sending — millions of ballots all over the state. Millions. To anybody. To anybody. People that aren't citizens, illegals. Anybody that walks in California is going to get a ballot.

We're not going to destroy this country by allowing things like that to happen. We're not destroying our country. This has more to do with fairness and honesty and, really, our country itself. Because when that starts happening, you don't have a fair — you have a rigged system. You have a rigged system, and that's what would happen.

So mail-in ballots — and the governor of California did better than any — that I could ever do in terms of explaining. When he sent out or will send out — and I don't know, I think it's maybe partially already done — millions and millions of ballots to anybody in California that's walking or breathing, many of those people don't have the right to vote. Well, they'll be voting. And you know what? We're not going to let it happen, because you're subverting our process and you're making our country a joke.

And the Democrats are doing it because, in theory, it's good for them. Although, last week, we won two big races. We won in Wisconsin and won in California. California-25. We won a tremendous race in California. That was — that was interesting, because at the end of the race, they brought in the Democrat — the Democrat governor, same governor; he brought in voting booths — not mail-in — voting booths, because they were losing. They saw that through the ballots.

But, no, you can't do that. You can't do the mail-in ballots because you're going to have tremendous fraud. And remember what I said: They'll be grabbing them from mailboxes. They'll even be printing them. They'll use the same paper, the same machines, and they'll be printing ballots illegally. And they'll be sending them in by the hundreds of thousands, and nobody is going to know the difference. We can't do that. You want to vote? You really have to.

Absentee is okay: You're sick. You're away. As an example, I have to do an absentee because I'm voting in Florida, and I happen to be President. I live in that very beautiful house over there that's painted white. So that's okay. And it's okay for people that are sick and they can't get up. Something. You know, something.

But voting is a great honor. It's a great honor. And people love to go out and vote, and I want to keep it that way. And if we don't keep it that way, we'll have nothing but a rigged system in this country, and we can't do that.

Thank you very much, everybody. Thank you.

END

5:22 P.M. EDT

Menu



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**STATEMENTS & RELEASES****Remarks by President Trump in Press Briefing****HEALTHCARE**Issued on: **September 23, 2020**

James S. Brady Press Briefing Room

6:16 P.M. EDT

THE PRESIDENT: Hello. Thank you very much. Thank you. Today, Johnson & Johnson announced that their vaccine candidate has reached the final stage of clinical trials. This is record time. This is the fourth vaccine candidate in the United States to reach the final stage of trial. So we have four candidates already at a very late date. “Late” being a very positive word, in this case.

Earlier this year, Johnson & Johnson anticipated that they would reach phase one trials by September. But due to our support under Operation Warp Speed, and to some of the incredible scientists involved, they’ve reached phase three trials by September — far ahead of schedule. We encourage Americans to enroll in the vaccine trial. It’s not only interesting; it’ll be a terrific thing for our country. We encourage everybody to enroll, as many people as we can.

Today, my administration announced that we are awarding \$200 million of CARES Act funding to all 50 states to prepare to distribute the vaccine to high-risk residents, and we want to do that the instant it is approved — not the following day, but the following moment. And so we’re going to be doing that, and we’ll be distributing, getting it ready, because we have some great vaccines going to be coming out.

Through Operation Warp Speed, we also continue to accelerate lifesaving therapies. We're seeing promising results that our monoclonal antibody treatments — which help the immune system fight the virus and help very significantly — we're finding can reduce hospitalizations now by more than 70 percent.

By cutting the red tape and unleashing America's medical genius, we've reduced the fatality rate 85 percent since April. For individuals under 50, they've — they have a 99.98 percent rate of survival from the China virus. That's a number that's been really increasing substantially with time.

As children go back to school, we're encouraged that early research shows only a small degree of spread. Brown University conducted a study of more than 550 schools across 46 states and found that only 0.076 percent of students had confirmed cases of the virus — that's a tiny percentage — and 0.15 percent of teachers had confirmed cases.

Patients coming to the emergency room due to the virus is down to only 1.6 percent of all emergency room visits — the lowest since the pandemic began. 1.6 percent emergency room visits.

As far as protecting the vulnerable is concerned, we provided over \$21 billion to our nursing homes, and we are really focused on the nursing homes. Everybody, including our governors — we have governors who are working very closely with the task force and with the Vice President and everybody involved. We've sent rapid-testing devices to nearly 14,000 certified nursing homes in the country.

This week, we're sending hundreds of thousands of additional rapid tests to nursing homes to ensure they can test staff regularly. And the staff now is being tested on a very, very powerful and on a regular basis, but very strongly at the finest level, the highest level, and the best tests.

We're encouraged that the number of Americans getting the flu vaccine is increasing by roughly 50 percent compared to last year. It's substantially up. The flu, when it's mixed with COVID, or China virus, is going to be very interesting to see what happens. But that can drive numbers. And we just don't know what that will be yet, but you'll have flu numbers and you'll have some COVID numbers.

I think we're rounding the turn very much. You see what's happening in Europe, however. They have a very big spike. Countries that we thought were doing well aren't doing well. They had some very big spikes. Very — a very big surge.

1/18/2021

Remarks by President Trump in Press Briefing | The White House

Months ago, we increased our nation's procurement of the flu vaccine by 66 percent, and we ask Americans to go get their annual flu shot as early as possible. It's possible, I would imagine, Scott, that the flu can get mixed up with the virus, and people can think it's the virus when actually it's another flu season coming on. I don't know, it's — I hope they can keep them separate. Can they keep them separate?

DR. ATLAS: We hope so.

THE PRESIDENT: Huh? I doubt they will. It's going to be a very interesting time.

But we have a flu season coming up. We've had some flu seasons, which are really massive over the years — over many years. And we have some that are much less so. But it's still significant, so I hope they can separate them, because it's — it's pretty close.

In the past four months, we've created 10.6 million jobs. We cut unemployment rate nearly in half. The unemployment rate is cut nearly in half. Larry Kudlow is here. He'll be discussing that in a little while. Retail sales are up 121 percent; that's far above what we thought. Manufacturing is up 61 percent; that's above — also above our schedule, and our schedule is a heavy schedule. Automobile production is up six-fold. Homebuilder sentiment is at the highest level in history. That's an amazing statement, Larry: the highest level in history. That means people are thinking good thoughts.

Home sales are at the highest level in nearly 15 years. Small-business optimism is higher than any time under the last administration, substantially higher. Small-business optimism — higher than at any time over the last — more than the last administration.

Today, I was proud to award nine companies and organizations with the first-ever Pledge to America's Workers Presidential Award. This award recognizes outstanding training programs that are giving Americans the skills to hone a trade and earn a great living. They're great people. Over fi- — 400 companies have competed and committed to 16 million training opportunities for the American worker, and it's really been amazing.

We've created the fastest economic recovery in American history. You are witnessing it. You are a part of it.

Our approach is pro-science. Biden's approach is anti-science. If you look, it's — I don't think they know what their approach is, although a lot of it's copied from what we've done.

Biden opposed the China travel ban and the Europe travel ban. And the strategy that they have was just never-ending lockdowns. We're not locking down. We're actually growing at a rate that we've never experienced before. But they're talking about — if you have a question, just lock it down. We're not doing that, and you can't do that.

Our plan will crush the virus. And actually, Biden's plan will crush America, if you think about it. You can't lock down. Again, we're growing at levels that nobody has ever seen before. Our plan is unleashing a rapid recovery. Our opponent's plan would hurt America very badly. It would send us into a depression.

And with all of that being said, we are going to be having a very exciting Saturday at five o'clock in the Rose Garden, where I'll be putting forth my nominee for Supreme Court Justice. And I think it will be a great nominee, a brilliant nominee. As you know, it's a woman. We brought it down to five women. It's time for a woman to — to be chosen, with everything that's happened and with Justice Ginsburg's passing.

We are going to go sometime tomorrow morning, as I understand it, to pay our respects. And we'll be over there, and I guess they probably put that announcement out. But that'll be done tomorrow morning. The Vice President was there today.

And so, if you have any questions, we'll take a few questions. Yeah.

Q Mr. President, real quickly: Win, lose, or draw in this election, will you commit here, today, for a peaceful transfer of power after the election? And there has been rioting in Louisville. There's been rioting in many cities across this country — red and — your so-called red and blue states. Will you commit to making sure that there is a peaceful transfer of power after the election?

THE PRESIDENT: Well, we're going to have to see what happens. You know that. I've been complaining very strongly about the ballots. And the ballots are a disaster. And — and —

Q I understand that, but people are rioting. Do you commit to making sure that —

THE PRESIDENT: Oh, I know. I know. Yeah, no, we want —

Q — there's a peaceful transfer of power?

THE PRESIDENT: We want to have — get rid of the ballots and you'll have a very trans- — we'll have a very peaceful — there won't be a transfer, frankly; there'll be a continuation.

The ballots are out of control. You know it. And you know who knows it better than —

Q No, sir. I don't know that.

THE PRESIDENT: — anybody else? The Democrats know it better than anybody else.

Go ahead.

Q No, sir. Mr. President, the second question is, will you also —

Q Thank you. Will you —

THE PRESIDENT: Please, go ahead. Please, go ahead.

Q Why won't you commit — why won't you —

THE PRESIDENT: You asked a question.

Go ahead, please.

Q Mr. President, why won't you —

Q Mr. President, do you plan to —

THE PRESIDENT: Say it.

Q Mr. President, do you plan to meet with Barbara Lagoa at the White House?

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Remarks by President Trump in Press Briefing | The White House

THE PRESIDENT: Can you — you — I cannot hear you through your mask.

Q I'm sorry. Do you plan to meet with Barbara Lagoa in Washington? And is she still on your shortlist?

THE PRESIDENT: She is on my list. I don't have a meeting planned, but she is on my list.

Q Do you — do you have a —

THE PRESIDENT: But I don't really talk about the meetings planned. I — I speak to people. I talk to people. But I don't have a meeting planned. No.

Q Do you have a response to the governor of Missouri testing positive for coronavirus?

THE PRESIDENT: I didn't know that. No.

Yeah, John, please.

Q Mr. President, we asked you earlier today about the Breonna Taylor case.

THE PRESIDENT: Yes.

Q Could you comment now? I assume you've been briefed on the —

THE PRESIDENT: I have.

Q — charges in the Breonna Taylor case?

THE PRESIDENT: Well, I thought it was really brilliant. Kentucky Attorney General Daniel Cameron is doing a fantastic job. I think he's a star. And he made a statement that I'll just read:

“Justice is not — justice is not often easy. It does not fit the mold of public opinion and it does not conform to shifting standards. It answers only to the facts and to the law. If we simply act on emotion or outrage there is no justice. Mob justice is not justice. Justice sought by violence is not justice — it just becomes revenge.”

1/18/2021

Remarks by President Trump in Press Briefing | The White House

I mean, I heard that, I said, "Write that down for me, please." Because I think it's — it was a terrific statement. He's handling it very well. You know who he is, right? You — you — I think you know. I think everyone now knows who he is.

I will be speaking to the governor. And we have a call scheduled to make very shortly with the governor. I understand he's called up the National Guard, which is a good thing. I think it's a very positive thing. And it'll all work out.

Q And could I — can I just — following on your Supreme Court nomination? It's highly unlikely that any Democrats will vote for your nominee if and when it comes to a vote in the Senate.

THE PRESIDENT: Well, we don't know that. I mean —

Q Given the — well, given the —

THE PRESIDENT: — it's an awfully good —

Q Given the posture, I think —

THE PRESIDENT: — awfully good candidate.

Q — that's a pretty safe assumption. But, on that point, would you want to nominate someone who, in their confirmation to the appellate court, received broad bipartisan support? Or would you be more inclined to put forward somebody whose confirmation fell along party lines?

THE PRESIDENT: I can't tell you what's going to happen with the Democrats. I can say this: The person that I will be putting up — and I won't say that I've even chosen that person yet; I could say any one of the five. They're outstanding women.

But the person I'll be putting up is highly qualified, totally brilliant, top-of-the-line academic student, the highest credentials. All of them have that, but the highest credentials. And you'll see on Saturday who that is.

I can't imagine why a Democrat wouldn't vote for this person, but you may be right. Frankly, I'd bet on you. I'd probably bet on you.

Yeah, please, go ahead.

Q Thank you very much.

THE PRESIDENT: No, I didn't — not you. Right here.

Q Okay.

Q Thank you, Mr. President. Prince Harry and Meghan Markle chimed in on the U.S. election and essentially encouraged people to vote for Joe Biden. I wanted to get your reaction to that.

THE PRESIDENT: I'm not a fan of hers. And I would say this — and she has probably has heard that — but, I wish a lot of luck to Harry because he's going to need it.

Yeah, please. Go ahead.

Q Mr. President, the FDA is reportedly considering stricter guidelines for the emergency authorization of a COVID vaccine. Are you okay with that?

THE PRESIDENT: Well, I'll tell you what, we're looking at that, and that has to be approved by the White House. We may or may not approve it. That sounds like a political move, because when you have Pfizer, Johnson & Johnson, Moderna, these great companies coming up with these — the vaccines, and they've done testing and everything else, I'm saying, "Why would they have to be, you know, adding great length to the process?"

We want to have people not get sick. The vaccine is very important. It's the final step. I believe it's going to be the final step. And no, we're looking at that, but I think it's — I think that was a political move more than anything else.

Q One follow-up on that, sir. It's designed to improve trust in the vaccine. Do you think that's not needed?

THE PRESIDENT: Well, I have tremendous trust in these massive companies that are so brilliantly organized, in terms of what they've been doing with the tests. I mean, I don't know that a

government, as big as we are, could do tests like this. We've made it possible for them to do the tests in rapid fashion.

But when they come back, and they say that we have something that works and absolutely works, and they're coming back with great numbers and statistics and tests and everything else that they have to come back with, I don't see any reason why it should be delayed further. Because if they del- — delay it a week or two weeks or three weeks, you know, that's a lot of lives you're talking about.

Scott, would you agree with that or how do you feel about that? Please, Scott.

DR. ATLAS: Yeah, thanks. Yeah, I mean there is no — I think that people don't understand what's going on with Operation Warp Speed. It's unprecedented what's happened here.

A typical vaccine takes roughly four years or so, and now we're going to have a vaccine — highly likely — in far less than one year, but without cutting any safety corners because the President has done things concomitant to the development of the vaccine — that is, the manufacturing and the logistics. Everything is being done at the same time, and that's never been done before.

But there is zero cutting of safety concerns. There is — there should be no hesitation about the safety. You shouldn't be punished by doing something faster than other people could have done or thought; it's the opposite. We have a pandemic. The urgency is the pandemic, not politics.

Q Are you amending —

THE PRESIDENT: It sounded to me — it sounded extremely political. Why would they do this when we come back with these great results? And I think you will have those great results, because why would we —

Q Well, when do you expect this vaccine?

THE PRESIDENT: Why would we be delaying it? But we're going to look at it. We're going to take a look at it. And ultimately, the White House has to approve it. And maybe we will, and maybe we won't. But we'll be taking —

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Look, I have to leave for an emergency phone call. I'm going to let Scott and Larry finish up. Larry is going to talk about the economy.

Q Mr. President, just one more question on Breonna Taylor, if I can?

Q What's the emergency phone call about?

THE PRESIDENT: So I'll be — I'll be back. I will see you tomorrow. A big day.

Q Mr. President, if you can, just one more question on Breonna Taylor.

THE PRESIDENT: Excuse me. Excuse me.

Q We're at a time right now where Americans —

Q Who's the call?

Q — feel like we are on this carousel —

THE PRESIDENT: Say it?

Q Who's the call?

THE PRESIDENT: I have a — a big call. A very big call.

Q Mr. President, just one more question, if I can, on Breonna Taylor?

THE PRESIDENT: So I'll let you take over.

Q People are protesting in the streets. What is your message to them? People feel like we are on this carousel where another black life is being taken.

MS. MCENANY: So, here we have Dr. Scott Atlas and Larry Kudlow. I encourage you all to be respectful and show a little bit of decorum here as they take your questions.

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Q Dr. Atlas —

DR. ATLAS: Yes. Please go ahead.

Q Can you clarify for us your views on the impact of the virus spreading in the community? There's been some reporting that maybe you've favored or have talked about or looked at some sort of herd immunity strategy.

You said to Fox in July that "When younger, healthier people get the disease, they don't have a problem with the disease"; "Low-risk groups getting infections is not a problem. In fact, it's a positive." Can you say what you meant by that?

DR. ATLAS: Sure.

Q Does that indicate that you're okay with it spreading, sort of, among younger folks who are less susceptible?

DR. ATLAS: No, I think I've answered this multiple times, but I have never advocated a herd immunity strategy. There's never been a desire to have cases spread through the community. That's a false story. I've denied that multiple times. And I just don't — that false story doesn't seem to die. But that's a fact.

And the description of immunity coming when people get an infection is not something I'm inventing. That — but that has never been a policy that I have advocated. There has never been a policy recommendation to pursue that to the President, and that is not the President's policy.

Q We had 60,000 cases yesterday. Do you have any sense or does the task force have any sense of what is driving that? That's the highest level in six weeks. Why are we still seeing cases at this level?

DR. ATLAS: Yeah. Well, I mean, there are several things to look at, but the case metric is not the most important metric.

The most important metric are the following: Hospitalizations per day are coming down. Deaths per day are coming down. Number of people in the hospital is 47 percent lower than it was since its

peak. The number of people sick with COVID illness coming to the emergency room is 1.6 percent — as the President said, the lowest number since the pandemic began. All of these trends are positive.

The cases, per se, are defined by tests. If I tested a million people, I would see more cases. The only thing that counts are the problems with the cases. So when we see that hospitalizations per day are coming down, people are not dying as much — these are all very positive trends, and that's exactly what we want to see.

(Crosstalk.)

Go ahead.

Q Dr. Atlas, is there any bad blood between you and Dr. Deborah Birx?

DR. ATLAS: No. I saw the story — and, really, a super journalism story. Dr. Birx speaks for herself, but that's a completely false story, and she denied it today. So, I mean, it's completely false.

Q It's been seven — it's been seven weeks since we've heard from her in a press briefing.

Q When do you expect a vaccine?

DR. ATLAS: Yeah. So this is a very important question. The vaccine is proceeding at an extremely rapid pace, as we know. Everything is being done simultaneously so that the logistics and the technology in place to deliver it is ready to go, as everyone knows.

And it depends on the data, okay? The data is being monitored by an external group of experts called the data- — data safety monitoring board. And when we have enough cases, the — when they see enough cases that have shown a statistically significant difference, they will tell the company and then the company will say — look at it, and say, "Yes, we have it." And we think that that has a good chance of happening in October.

Q Just a quick follow — you did say that last week, in this room — pretty much the same thing. But you said it could be —

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DR. ATLAS: Because it's the truth. That's why.

Q Yeah, I understand. But I want to clear it up because you said it could be as late as January, it could be after the election — that there's no clear-cut time, and that's what I want to make sure that — that you're saying that now.

DR. ATLAS: This is the current thinking that I have been told. I'm not in charge of the vaccine development; I'm relaying information. And what I've been told is exactly what I said, and there will be 100 million-plus doses available by the end of this year, it is highly likely we will have a vaccine before the end of the year, and it is also likely that we will say, "The data is good; we have the vaccine." And then it will be submitted, of course, for approval and authorization sometime in October.

But it depends on the — on the data. No one can really say with certainty when it's coming. That's just impossible. I don't see the data until the data happens.

Q Dr. Atlas —

DR. ATLAS: Yes.

Q Dr. Redfield today said that more than 90 percent of the population remains susceptible to coronavirus. Do you agree with that assessment?

DR. ATLAS: Yeah, I think that Dr. Redfield misstated something there. And the rea—

Q So he misstated last time and today?

DR. ATLAS: I'm going to answer your question if you'll let me finish.

Q Okay, please.

DR. ATLAS: The data on the susceptible that he was talking about was his surveillance data that showed that roughly 9 percent of the country has antibodies. But when you look at the CDC data state by state, much of that data is old. Some of it goes back to March or April, before many of these states had the cases. That's point number one.

Point number two is that the immunity to the infection is not solely determined by the percent of people who have antibodies. If you look at the research — and there's been about 24 papers at least on the immunity from T-cells — that's a different type of immunity than antibodies. And without being boring, the reality is that — according to the papers from Sweden, Singapore, and elsewhere — there is cross-immunity, highly likely from other infections, and there is also T-cell immunity. And the combination of those makes the antibodies a small fraction of the people that have immunity.

So the answer is no, it is not 90 percent of people that are susceptible to the infection.

Q So I guess my question is for — I'm not a doctor; I defer to your expertise on this and to his. But so, Americans hear one thing from the CDC Director and another thing from you. Who are we to believe?

DR. ATLAS: You're supposed to believe the science, and I'm telling you the science.

Q So he's not telling us science?

DR. ATLAS: I'm telling you the science, and that's the answer. And if you want to look up all the data, you're free to. You can also talk to the following epidemiologists —

Q I guess, why is he still going out before Congress and speaking if you say he's misstated it today and the President said he misstated last time? Americans are looking for the best information right now.

DR. ATLAS: Yeah. And I'm giving you the best information, and it's confirmed by people like Martin Kulldorff, who's a Harvard epidemiologist at Harvard Medical School —

Q So should we now —

DR. ATLAS: Let me finish, please.

Q Please. Please.

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DR. ATLAS: Jay Bhattacharya and John Ioannides, both epidemiologists at Stanford; Professor Gupta, University of Oxford. These are people who know the latest data on the immunology and what's happening. And I just recited it to you.

(Crosstalk.)

MR. KUDLOW: I'm going to give — I'm going to give Scott a little time off. I'm just going to give Scott a little time off.

I want to reinforce some of the things that President Trump said about the economy because that's very much a key part of this story. We've got some new numbers out late last week and this week, and I wanted to underscore that.

If we can get the charts back up, I want to show you some more examples of the "V"-shaped recovery. I — actually, I can jump in here.

This is from the Census Bureau Report: change in the number of people living in poverty. During President Trump's first three years, pre-pandemic, 6.6 million fewer people — 6.6 million fewer people are living in poverty.

Q What's the number post-pandemic?

MR. KUDLOW: And the —

Q What's the number post-pandemic?

MR. KUDLOW: Well, we'll have to wait and see on that. We're just beginning —

Q Well, wouldn't that be more accurate — wouldn't that be a more accurate chart?

MR. KUDLOW: Let me go to the — under the Obama years, 787,000 people moved into poverty, so that's a problem.

And we have the second chart —

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Q Isn't that an old chart, though?

MR. KUDLOW: — if we get — no, this a brand-new — this stuff just came out late last week.

Q But when you look —

Q It says through 2019.

MR. KUDLOW: If I — if I may, okay?

Q I just like accurate information.

MR. KUDLOW: This is the accurate information. This is —

Q It's not 2020.

Q Doesn't it say through 2019, Larry?

MR. KUDLOW: This is from the Census Bureau, and it just —

Q It's not 2020. It's like right now.

MR. KUDLOW: — came back.

Well, let me just go back into this. Three years into President Trump's presidency, under his policies, real family income — this is probably the best measure of living standards there is — real median household income grew by \$6,000 — over \$6,000. That is five times the rate of the eight years of the Obama administration.

I hear people ask me — legitimate questions, I respect that — that this is some kind of — has been a “K”-shaped recovery, where only the wealthy did well, and the bottom did not do well.

In fact, this is the middle: real family income. And I will add to that — not only was this five times higher, but the biggest gains came in the lower-income levels, significantly higher than top 1 percent or the top 10 percent.

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Now, let me hit another chart — put this up, see where it — sort of doing this by feel. Go ahead. More charts. There we go. Back to the “V”-shaped recovery.

You’ve heard me speak about this and I just want to underscore: We got new production numbers this week. This is a “V”-shaped recovery in automobiles, a key sector of the economy. And we have additional numbers on housing that I’d like to show, confirming the “V”-shaped recovery. Housing, housing — there we go. We’re at an all-time high in homebuilder sentiment. All right? That’s a very important — leading indicator — to a clear, “V”-shaped recovery. And if anything, it’s strengthening.

And finally, I think the last chart is on existing home sales. Here it is. Their highest reading in 14 years.

So I just want to say, we have more work to do with respect to the — to the recovery and return to economic health. We have more work to do. There is still hardship, and there is still heartbreak.

Q Do you know how many Americans —

MR. KUDLOW: But the numbers coming in —

Q Do you know how many Americans are living in poverty, right now, today?

MR. KUDLOW: The numbers — actually, that won’t be reported —

Q Do you know the answer to that question?

MR. KUDLOW: That won’t be reported —

Q Do you know the answer to that question?

MR. KUDLOW: I can only wait until the Census Bureau — I don’t know if you cover this beat or not.

Q The most recent number of the — number of Americans living in poverty right now — do you happen to know that answer?

MR. KUDLOW: No.

Q Because we're getting a — you don't know that?

MR. KUDLOW: I will wait —

Q You're an economic adviser and you don't know that?

MR. KUDLOW: Yes, right. If you'll just stop nitpicking, and let me explain to you.

Q It's not nitpicking.

MR. KUDLOW: These numbers —

Q I don't want a history lesson; I want to know what's happening today.

MR. KUDLOW: Well, you should have a history lesson, too. It would help you understand.

Q (Inaudible.)

MR. KUDLOW: But I'm going to say to you: These are Census Bureau numbers. The most accurate, comprehensive — they are not out yet. So I'm giving you the ones that were released late last week; they are the most up-to-date numbers.

And under the President's policies of lower taxes and regulations and energy independence and better trade deals, we've had a phenomenal increase in living standards — five times what the prior administration had for eight years — and we're proud of that. And this is a topic that will come up again and again.

The second point I want to make is while living standards went up, poverty went down and inequality went down. So the notion that, under President Trump, only the top end benefit is simply not true. These are facts from the Census Bureau, and they are backed up by many other facts that we've talked about, as I've discussed with those of you.

And then finally, the “V”-shaped recovery — we’ve got more work to do on unemployment and employment. No question about that. I think this is a self-sustaining recovery, as I’ve said. We would welcome some additional assistance in targeted areas, particularly getting back to school and working on COVID-related safety precautions and health precautions. We’d love to see an extension of the small-business loans, the PPP program. But the recovery itself continues to move ahead nicely. We’re in the right direction, and this is no time to change policies.

Yes, ma’am. Go ahead, please.

Q Could you comment on a pending stock deal that’s going to be taking place — an IPO in the Hong Kong Stock Exchange? It’s Ant Technology Group. It could raise as much as \$40 billion, potentially the largest IPO in history. There have been a lot of security — national security concerns, a lot of human rights concerns about the technology used potentially to suppress the Uyghur people. What is the administration’s position on the Ant Technology Group IPO?

MR. KUDLOW: I’m going to reserve comment on the deal itself. But I will add, to your question, we are examining all these deals and publicly held companies — China-based companies — that may list on our exchanges. We are examining them with respect to transparency, possible fraudulent accounting. This comes from a Financial Working Group report. And we’ve given them one year to shape up and get their books in order, including their backdrop books — their supporting papers — to prove to the Public Accounting Board and the SEC that they are safe for American investors. I withhold comment on that particular deal.

Yes, sir.

Q Today, in California, the governor issued an executive order designed to move the state to the point where there will be no gas-powered vehicles sold by 2035. What do you make of this move that’s taking place in California? Do you expect it to spread around the country? What are the poli- — the economic ramifications?

MR. KUDLOW: I don’t expect it to spread, with respect to Governor Newsom, whom I know. It just seems like a very extreme position. I don’t know how you get there.

I’ll have a look at the proposal. If there’s more detail and meat on the bones. I don’t see this happening elsewhere. I don’t think we should be taking any steps to get rid of fossil fuels, for

example. And, by the way, there should be consumer choice for all automobiles, and that includes electric automobiles.

But I'd have to look at the governor's proposal. It just sounds very extreme to me. I don't know how you do it.

Yes.

Q Larry, do you think that the fight now over the Supreme Court nominee is going to have a major impact on the possibility to get PPP extended? And what impact will that have on the economy, if, for example, aid for airlines does not get extended in October?

MR. KUDLOW: You know, it doesn't have to interfere. I mean, you can walk and chew gum at the same time. They operate on different lanes, legislatively. So, I guess that's my take.

We would like very much to help the airlines. We've told them that. You can't run a healthy economy without the airline channel, and we'll see what has to be done there with respect to possible legislation or even possibly with respect to executive administrative action. We will take a look on that.

Again, you've heard me say: I don't think this recovery right now is dependent on an additional assistance package, but there are a number of targeted areas in that package, including airlines — most particularly, small-business loans and getting back to school — that I think would be a big help.

And I just don't see, if you can have agreement on four or five or six measures, which is what's been happening, even though you don't get the whole deal, why not do it? It'll help Americans move ahead in terms of the recovery.

Last one. Yes, sir.

Q Do you think that we need another broad stimulus package? Or do you think —

MR. KUDLOW: Do I think that what?

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Q Do we think — do you think the U.S. needs another broad stimulus package? Or do you favor, sort of, à la carte-type measures — like on airlines, for instance?

MR. KUDLOW: Yeah, I — I would say to you: sensible, efficient, targeted measures might be very helpful. I don't think we need another gigantic, multi-trillion-dollar package.

And as I say, you know, the latest numbers coming in are looking very good — the “V”-shaped recovery. I mean, the Atlanta Fed GDPNow model is showing over 30 percent growth in the third quarter. The Blue Chip forecasters are well over 20 percent. Our view has been 20 percent-plus. We'll see. We'll get that number in due course.

I'm just saying: Let's be smart about some of these assistance measures. Thank you very much.

END 6:49 P.M. EDT

Donald Trump Rose Garden Press Conference Transcript July 14

rev.com/blog/transcripts/donald-trump-rose-garden-press-conference-transcript-july-14



Donald Trump: (00:00)

Too hot, but it's pretty warm. Thank you. So we've had a big day in the stock market. Things are coming back and they're coming back very rapidly. A lot sooner than people thought. People are feeling good about our country. People are feeling good about therapeutics and possible vaccines, but we're going to go over quite a bit and maybe at the end, we'll take some questions if we have time, it's not too hot. Today, I signed legislation and an executive order to hold China accountable for its oppressive actions against the people of Hong Kong. The Hong Kong Autonomy Act, which I signed this afternoon, passed unanimously through Congress.

Donald Trump: (00:53)

This law gives my administration powerful new tools to hold responsible the individuals and the entities involved in extinguishing Hong Kong's freedom. We've all watched what happened, not a good situation. Their freedom has been taken away. Their rights have been taken away and with it goes Hong Kong, in my opinion, because it will no longer be able to compete with free markets. A lot of people will be leaving Hong Kong, I suspect. And we're going to do a lot more business because of it because we just lost one competitor. It's the way it is. We lost a very, very serious competitor. A competitor that we incentivized to take a lot of

business and do well and we gave them a lot of business by doing what we did. We gave them things that nobody else had the right to do, and that gave them a big edge over other markets.

Donald Trump: (01:43)

And because of that edge, they've done really historic business, tremendous business, far bigger than anybody would have thought years ago when we did this gift. It was really a gift to freedom. Today, I also signed an executive order ending US preferential treatment for Hong Kong. Hong Kong will now be treated the same as Mainland China, no special privileges, no special economic treatment and no export of sensitive technologies. In addition to that, as you know, we're placing massive tariffs and have placed very large tariffs on China. First time that's ever happened to China. Billions of dollars have been paid to the United States of which I've given quite a bit to the farmers and ranchers of our country because they were targeted. And that's been going on for three years. It's the first time anybody's ever done anything like that. And prior to the plague pouring in from China, they were having the worst year as you know, in 67 years.

Donald Trump: (02:50)

And I don't want them to have a bad year. I want them to have a good year, but they were taking advantage of the United States for many, many years, and that's stopping. But then the virus came in and the world is a different place, but we're now getting back and one of the reasons the market's doing... so it's almost at the point that it was at prior to the plague. Almost, we're getting very close. It's a great thing. It's an amazing thing what our people have done and what they've endured. No administration has been tougher on China than this administration. We imposed historic tariffs. We stood up to China's intellectual property theft at a level that nobody's ever come close. We confronted untrustworthy Chinese technology and telecom providers. We convinced many countries, many countries, and I did this myself for the most part, not to use Huawei because we think it's an unsafe security risk.

Donald Trump: (03:52)

It's a big security risk. I talked many countries out of using it. If they want to do business with us, they can't use it. Just today, I believe that UK announced that they're not going to be using it. And that was up in the air for a long time but they've decided. And you look at Italy, you look at many other countries. We withdrew from the Chinese dominated, WHO and we fully rebuilt the United States military. The WHO, World Health Organization, we were paying close to \$500 million a year. China was paying \$39 million a year. And China had too much say, they worked it very hard, which is a bad thing done by our past administrations. But we were tough and we were saying, I was asking, I said, "Why are we paying so much more than China?" China has 1.4 billion people. We have 325, probably 325 million approximately, nobody can give the exact count.

Donald Trump: (04:59)

We're trying to get an exact count, but you have over the years, many illegals who have come into the country. So it depends on how you want to count it. But you could say 325 to 350 million people, as opposed to 1.4 billion people. And the World Trade is terrible, that deal is terrible. The World Health is terrible deal. We've been very tough on the World Trade Organization and we've been, I guess, as tough as you can get on World Health. We withdrew our money. We told them we're getting out. It doesn't mean that someday we won't go back in. Maybe we will when it's correctly run, but they made a lot of bad predictions and they said a lot of bad things about what to do and how to do it and they turned out to be wrong. And they were really a puppet of China.

Donald Trump: (05:49)

And make no mistake, we hold China fully responsible for concealing the virus and unleashing it upon the world. Could have stopped it, they should have stopped. It would have been very easy to do at the source when it happened. In contrast, Joe Biden's entire career has been a gift to the Chinese Communist Party and to the calamity of errors that they've made. They made so many errors and it's been devastating for the American worker. China has taken out hundreds of billions of dollars a year from our country. And we rebuilt China. I give them all the credit in the world. I don't give the credit for the people that used to stand here because they allowed this to happen where hundreds of billions of dollars were taken out of the United States Treasury in order to rebuild China. There's no company and no country in the world, no country in the world has ever ripped off the United States like the incredible job that they did on this country and the people that ran it.

Donald Trump: (07:03)

Possibly, it's one of the reasons, certainly it's one of the very big reasons trade and things related to trade that I got elected in the first place. I've been talking about it for a long time, along with many other subjects, frankly. Joe Biden supported China's entry into the World Trade Organization. One of the greatest geopolitical and economic disasters in world history. If you look at China, you look at the moment they joined the World Trade, they were flatlining for years and years and years and decades. And then all of a sudden they joined the World Trade Organization and they went like a rocket ship. They were given all sorts of advantages. They were considered a developing country. As a developing country they got tremendous advantages over the United States and other countries, and they took advantage of those advantages and then some. Biden personally led the effort to give China permanent, most favored nation status, which is a tremendous advantage for a country to have. Few countries have it. But the United States doesn't have it. Never did, probably never even asked for it because they didn't know what they were doing. As Vice President Biden was a leading advocate of the Paris Climate Accord, which was unbelievably expensive to our country. Would have crushed American manufacturers while allowing China to pollute the atmosphere with impunity yet one more gift from Biden to the Chinese Communist Party. They took all of the advantage away from us. They took everything away. They don't have oil.

We would have had to close up a tremendous amounts of our energy to qualify, eventually, not too far into the future. We would have had to do things that would have been unbelievably destructive to our country, including the possible closing of 25% of our businesses, think of that.

Donald Trump: (09:10)

And it was going to cost us hundreds and hundreds of millions of dollars for the privilege of being involved in the Paris Climate Accord. And you just have to look at what took place this year in Paris and France, where money was being sent to countries all over the world and the people of France didn't want to take it. And they didn't. And they did a lot of rioting. They had their taxes raised. We would have had to raise our taxes and it was a disaster. I've been given a lot of credit for what I did there. Took a certain amount of courage, I guess, because it sounds so nice, the Paris Climate Accord. But it wasn't good for us at all. America lost nearly 10,000 factories while Joe Biden was Vice President, think of that. 10,000 factories. He wrote something today and he made a statement today that I wrote down. It's pretty accurate.

Donald Trump: (10:13)

So Biden was here for 47 years. Eight years, the last eight years, not long ago as Vice President he said, "One in five miles of our highways are still in poor condition." Well, we're doing a good job on highways, but why didn't he fix them three years ago? Why didn't he fix them? Tens of thousands of bridges are in disrepair and on the verge of collapse. Well, that's probably not a right number, but we have bridges that should have been fixed. Why didn't he fix him? He was here for eight years with President Obama. Why didn't they fix them? Tens of thousands of bridges. This is what he wrote. High speed broadband. We want high speed... well, why didn't they get it? Three years ago is not a long time and he didn't do any of the things, but now he says he's going to be president and as president, he's going to do all the things that he didn't do.

Donald Trump: (11:10)

He never did anything except make very bad decisions, especially on foreign policy. So Joe Biden and President Obama freely allowed China to pillage our factories, plunder our communities and steal our most precious secrets. And I've stopped it, largely, but I've stopped it and it wasn't easy because you talk about a certain power of the telephone and the calls where they would call and say, "No, we don't want to do that." And other countries would call on behalf of China, but I did it. I did what has to be done. And you just take a look at what's gone on and take a look at the numbers where they devalued their currency in order to pay the tariffs. Now, the Democrat party is calling for defunding of our military, think of that.

Donald Trump: (12:02)

Defunding, they want to defund our military when China is building a massive military. They're building a massive military and Biden wants to defund our military and the world

needs American strength right now, more than ever. And we've got it. We've got now, soon as all this equipment comes in, all made in the USA, we've got the newest, most incredible weapons anywhere in the world. We have the best tanks, the best ships, the best missiles, rockets. We have the best of everything. We have the best fighter jets, the F-35, the F-18. All of these assets are being built, tankers, incredible tankers, bombers. Hope we don't have to use them, but we have the most incredible military. When I came in the military was totally depleted. It was at a level that was just absolutely incredible. You know the statements, I made the statements before. I told you what generals told me about our military and I'll make them again.

Donald Trump: (13:13)

If somebody needs them, we'll give them to you. Very well documented. As Vice President Biden opposed tariffs, and he was standing up for China. He didn't want to do anything to disrupt the relationship with China even though China was taking us to the cleaners. He opposed my very strict travel ban on Chinese nationals to stop the spread of the China virus. He was totally against it. Xenophobic, he called me. Xenophobic. A month later, he admitted I was right. We would have had thousands of people additionally die if we let people come in from heavily infected China, but we stopped it. We did a travel ban in January. Nancy Pelosi was dancing in the streets of Chinatown in San Francisco a month later and even later than that and others too. They all thought what I did was a terrible mistake. We would have lost... in fact, Dr. Fauci said we would have lost thousands of additional people if President Trump had to do that. And I was a crowd of one, because even experts didn't want to do it. They thought it was a mistake.

Donald Trump: (14:25)

And then I did Europe. When I started seeing what was going on in Italy and Spain and France and other countries in Europe I did a ban on people coming in from Europe. That would have been disastrous for our country also. And we saved tens of thousands of lives, but we actually saved millions of lives. By closing up, we saved millions, potentially, millions of lives. Could be, a number that we're actually working on, but it could be 2 to 3 million lives. So we're at 135,000, which is terrible. One is too much, but we would have had millions of people dead from this curse that came at us, but we did what we had to do. And now we'll put out the flames as it happens. We have to get the schools open. We have to get everything open. A lot of people don't want to do that for political reasons, not for other reasons.

Donald Trump: (15:23)

But if we had listened to Joe Biden, hundreds of thousands of additional lives would have been lost. And if you look at the job he did on swine flu, I looked at a poll. They have polls on everything nowadays and they got very bad marks on the job they did on the swine flu. H1N1, he calls it N1H1. H1N1 got very poor marks from Gallup on the job they did on swine flu. And they stopped very early on, testing. They totally stopped it. They just said stop. And frankly, if we didn't test, you wouldn't have all the headlines because we're showing cases.

Donald Trump: (16:03)

And frankly, if we didn't test, you wouldn't have all the headlines because we're showing cases. And we have just about the lowest mortality rate. But if we did... Think of this, if we didn't do testing, instead of testing over 40 million people, if we did half the testing, we would have half the cases. If we did another... You cut that in half, we'd have yet again, half of that, but the headlines are always testing. Now the testing is a good thing, but at the same time, it's fodder for the fake news to report cases. So we're doing 40 million plus, going to be very close to 45 million people. And when I turned on the news, I see cases, cases, cases. They don't talk about deaths being cut down to a level that actually tenfold they use. I got that from one of the very respected media outlets, tenfold, cut tenfold, yes, but they don't talk about that.

Donald Trump: (17:01)

They talk about cases and the cases are created because of the fact that we do tremendous testing. We're the best testing in the world. We now make ventilators for the world. We had very few ventilators. There wasn't one person in any hospital anywhere in this country that needed a ventilator that didn't get it. And that was because we mobilized to a level, using the Purchasing Act in some cases, we mobilized to a level that nobody thought possible. Nothing's happened like that since World War II. Our task force has done a great job. Mike Pence works so hard, gets so little credit. Sad to see that actually, but he works so hard, gets so little credit. The governors would tell us, we'd be on the phone with 50 different governors, they'd all tell us what a great job, great job. And then they'll go to the media and say, "Well, they didn't do such a good job." Well, we did a great job. We made a lot of governors look fantastic.

Donald Trump: (17:57)

We did in New York, what we did in New York was one of the most incredible things, 2,800 bed in Javits Center, but the governor used very few of them unfortunately. Then we moved in our great hospital ship, one of our two great... We move one also to Los Angeles. And we could have used that for our senior citizens. We could have used it for other people. They could have used it instead of sending our seniors back into nursing homes that were infected where you lost thousands of people. Thousands of people in New York died because of poor management by the governor. And it's a very sad thing to see and very sad to watch and very sad to look at those statistics.

Donald Trump: (18:38)

But we have an incredible Javits Center that we built with thousands of beds. I think it was 2,800 all ready to go and they could have sent people there, or they could have sent senior citizens there instead of sending them into the nursing homes. And after all of that work and getting it done, the Army Corps of Engineers, I mean, the job they did was incredible. They built it in a matter of days. When it was all completed, FEMA, everybody was there, doctors. We ended up getting doctors. They said, "We can't man it." I said, "So we'll man it and

woman it.” And that’s what we did. We brought in doctors, nurses, everything, we’re all set. We said, “Where are the people?” They didn’t send the people. Very few people came in. They could have sent them into the Javits Center. They could have sent him to the hospital ship, which was virtually unused. But we were there.

Donald Trump: (19:34)

By contrast, my administration acted very early to ban travel from China, from Europe, saving all of these lives, incredible. And I want everyone to know, I want every citizen now that we’re using the full power of the Federal government to fight the China virus and to keep our people safe. Through Operation Warp Speed, we will deliver a vaccine in record breaking time. We’re doing very well on the vaccines. We have many, many different vaccines being studied right now, many of which are looking really good. And we’re ready to distribute the vaccine when we get it. We’re all set, taking a risk, an economic risk of preparing for delivery because we feel very certain it’s going to be there, but logistically we have our military ready to go. We have generals that that’s all they do is distribute things and they’re going to be distributing hopefully a vaccine or a therapeutic, and it’s coming out really well.

Donald Trump: (20:35)

And I think you’re going to have some good news very, very quickly having to do with the vaccines. We’re also working with many other countries on the vaccine. Many countries are working with us. We’re unleashing our nation’s scientific genius to kill the virus. Joe Biden didn’t just side with China on the virus, he did. He called me again, xenophobic. That’s what he said. You all heard it many times. He described the rise of China as “a very positive development”. It’s not a positive development. Not for us it’s not. He said that the idea that China is our competition is really bizarre. He’s really bizarre. He said, “China is not a problem.” No, nobody’s ripped us off more than China over the last 25, 30 years, nobody close. And he says China is not a problem. Now he takes it all back. Now he wants to be Mr. Tough Guy.

Donald Trump: (21:32)

But for years, 47 years, he never came out against China, never say anything bad. Just the opposite. His son walked out with \$1.5 billion of money to invest where he’ll make hundreds of thousands of dollars, maybe millions of dollars a year, walked out with \$1.5 billion. I asked one of the biggest people on Wall Street, maybe the biggest, “Is that possible?” He said, “No,” he’s never seen it. They don’t do that. But Hunter, where’s Hunter, where is Hunter by the way? Hunter Biden walked out with \$1.5 billion. In Ukraine he got \$83,000 a month and I guess an upfront payment of \$3 million. So he went from not having job to getting \$83,000 a month with a lot of money paid up front to work for Burisma. And you all know about Burisma, but nothing happens, nobody cares. And he was unemployed as you know, he was unfortunately forced to leave the military. He was forced to leave. Didn’t have a job and all of a sudden he’s making a fortune, but nobody talks about that. Indeed Biden expressed more fawning praise about China on an ordinary day than about America. On the 4th of July, the

last Independence Day, Biden attacked the United States and said we had, “never lived up to the ideals of our fathers, our forefathers, or our founding fathers, those founding ideals.” And yet he enthusiastically stated that China is a great nation and we should hope for its continued expansion. Well, we all wish well to China, but what China has unleashed on the world, it’s hard to even fathom. I see people now, friends of mine, they walk up, they want to say hello, and they have to keep their distance and they’re all covered up like you’re all covered up with face masks. It’s a different world, but we’re coming out on top.

Donald Trump: (23:40)

Biden sides with China over America time and time again. And he said on the 4th of July, “American history is no fairytale.” And yet blindly celebrates China saying few nations in history have come so far so fast. He’s so proud of them. He’s so proud of them. Now, Joe Biden is pushing a platform that would demolish the U.S. economy, totally demolish it. So we built the greatest economy in the history of our country, greatest in the history of the world. That was a few months ago. Best unemployment numbers ever, best for African American, Asian American, Hispanic American, best for women, best for everybody, best for young people that didn’t have a high school diploma, didn’t have a college diploma. They had a diploma, they were really in good shape.

Donald Trump: (24:39)

We built the greatest ever stock market, highest ever in history. We had 143 days of all time stock market highs in just less than three and a half years. And we had to close it down because we did the right thing by doing that. As I said, we saved millions of lives, but China was saying this is incredible what’s going on. China was for the first time respecting the United States and now they want to do something that’s much different, Joe Biden.

Donald Trump: (25:12)

So I’ve watched this and I’ve watched it with great interest. We’re building our economy again. I guess the stock market went up almost 500 points today or something thereabouts, you’ll check. But it was up a lot when I left. And our economy is coming back. We’re almost at a level where even though it’s long before the very important, maybe the most important ever, election of November 3rd. We’re long before that, but we’re close to record stock markets again. And NASDAQ hit an all time high for the 16th time. Think of that, for the 16th time over the last month or so, for the 16th time. So one of our markets already hit an all time high. Today Joe Biden gave a speech in which he said that the core of his economic agenda is a hard left crusade against American energy. He wants to kill American energy. He wants to reenter the unfair one sided Paris Climate Accord, which will destroy us at the expense of many other nations who benefit. It was actually drawn in my opinion, to take advantage of the United States, just like so many other deals that are done to take advantage of the fools running the United States. But this would do nothing for the environment, but would cripple American industry while greatly helping China. He wants to impose massive energy taxes

and job crushing mandates to eliminate carbon from the United States economy. Let him define the word carbon because he won't be able to. Obliterating American oil, clean coal, natural gas, and the natural energy resources that supply countless American jobs.

Donald Trump: (27:06)

Joe Biden put AOC, a young woman not talented in many ways, in charge of his energy plan and the environment essentially. Her and Bernie Sanders who ran a lot of times for president, never made it. Good base, but that's about it. In other words, he wants to impose the Green New Deal on our country. When I first saw the Green New Deal, I thought it was a joke. I said, "This will never go anywhere." Now they're trying to impose it. This will destroy our country and make us non-competitive with other countries. Don't forget, we're in competition with China and with many other countries throughout the world. We're in tremendous economic competition, including Europe, which has never treated us well.

Donald Trump: (27:59)

The European union was formed in order to take advantage of the United States. They formed and they take advantage of the United States. And I know that, they know I know that, but other presidents had no idea. Last week, Joe Biden released his unity platform developed with socialist Bernie Sanders, describing what he would do if elected president. The Biden Sanders agenda is the most extreme platform of any major party nominee by far in American history. I think it's worse than actually Bernie's platform. It's gone so far, right? And he's doing that because he's begging for that vote. But one of the things I just asked my people to do is just draw up for me just quickly some of the things that we've been hearing about over the last couple of weeks. And these are actual key elements of the Biden Sanders unity platform.

Donald Trump: (28:58)

Abolish immigration detention, no more detention. You come in here illegally, no more detention. Stop all deportations. So if we get a MS-13 gang member, which we've taken out of our country by the thousands, brought them back to Honduras, Guatemala, can't do that anymore. El Salvador, can't do that anymore. Stop all deportations. In other words, we'll take all of these people, many of whom are in prison for rape, murder, lots of other things. End prosecution of illegal border crossers. Oh, okay. They come in illegally and we have to stop the whole process. Support the deadly sanctuary cities where many of these people are protected better than the American citizen is protected. Incentivize illegal alien child smuggling. Give it an incentive because if you look at what they're saying, that's exactly what they do. Incentivize illegal alien child smuggling. They're incentivized by what this plan calls for.

Donald Trump: (30:05)

Expand asylum for all new illegal aliens. How about that one? All new illegal aliens, expand asylum. Cancel all asylum cooperation agreements in the Western hemisphere. Well, we have agreements with Honduras, Guatemala, with El Salvador, we have great agreements where

when Biden and Obama used to bring killers out, they would say, “Don’t bring them back to our country. We don’t want them.” Well, we have to, we don’t want them. They wouldn’t take them. Now with us, they take them. Someday I’ll tell you why. Someday I’ll tell you why, but they take them and they take them very gladly. They used to bring them out and they wouldn’t even let the airplanes land if they brought them back by airplanes. They wouldn’t let the buses into their country. They said, “We don’t want them.” They said no, but they entered our country illegally. And they’re murderers, they’re killers in some cases. And they said, “Nope, we don’t want them.” They turned the bus around. They turned the plane around that land in the United States and who knows what happened to him, but it wasn’t good.

Donald Trump: (31:15)

Taxpayer-funded lawyers will be given to all illegal aliens. So we’re going to pay now for the lawyer’s lobby and we’re going to give all illegal aliens taxpayer-funded lawyers. How does that sound? Pretty good. In other words, come in here illegally, we’re going to give you free legal advice. We’ll take you up to the Supreme Court as much as possible. Abolish immigration enforcement against illegal workers. Think of that, abolish immigration enforcement. They’re going to abolish immigration enforcement. Well, basically, as you know, what they’re going to do is they’re going to rip down the wall. They’re taking it down. They want to take down the wall, which we fought hard for up to 259 miles right now of great powerful wall that’s really working because if you look at the numbers, in addition to the fact...

Donald Trump: (32:03)

Wall that’s really working because if you look at the numbers, in addition to the fact that Mexico, for various reasons, has 27,000 soldiers on our southern border to keep people out of our country. And I appreciate it. We had a great meeting last week with the President of Mexico. Great guy, friend of mine, become a friend of mine. A lot of people thought that couldn’t happen because we’re very opposite in terms of our views, maybe even in terms of our temperament, but he’s a great guy, and he’s a friend of mine, and they’ve been terrific. Mexico has been terrific. 27,000 soldiers on our border, Mexican soldiers, and we have great, great numbers. We got rid of so many different things.

Donald Trump: (32:45)

Catch and release is gone. So many different things have taken place. We used to catch them, take their name, and release them into our country. We don’t do that anymore. We now release them back where they came from. Sometimes we’ll bring them back to their country. Grant work permits for illegal aliens, so if you come in illegally, you get a work permit. People that live here don’t get work permits, many cases. Provide taxpayer subsidies and welfare for illegal aliens and new immigrants. So we want to provide taxpayer subsidies and welfare for people that come into our country illegally, illegal immigrants. They want government healthcare for all illegal aliens. This is part of their plan. I’m not making this up. This is all down in their plan from last week.

Donald Trump: (33:37)

And this is good compared to what I heard today. Federal student aid and free community college for illegal aliens. What do you think about that? Federal student aid and free community college. We're going to have every person in the world pouring into our country from all over the world. And by the way, the wall was so timely because it stopped people coming in from heavily infected areas of Mexico. If we had that, we would be in trouble like you wouldn't believe. You wouldn't believe. And remember, cases is different than deaths. And cases, we give you because our testing is the best in the world.

Donald Trump: (34:19)

And by the way, by far the most, find out which country tested 45 million people. If China, if Russia, if India tested 45 million people, or if they did tests like we did, check out how many cases they'd have. But it's still, we've done a great job. Get no credit for it. And I don't want the credit. I want the people that have done this great job. The people that have done such an incredible job when building the ventilators, and doing the testing, and building a testing platform that's been amazing. We have many platforms. Many companies have come up with different forms of tests. When we started there was no such thing.

Donald Trump: (34:58)

Sign new immigrants up for welfare immediately. This is Joe Biden. So they walk off and they come in and they put a foot into our land, and we sign up new immigrants up for welfare. We sign them up immediately. They get welfare benefits. United States citizens. Don't get what they're looking to give illegal immigrants. Think of that. Sign up. It's hard to believe I'm even reading that, new immigrants for welfare immediately. Not to mention the cost of this which is incalculable. The cost of this is so crazy.

Donald Trump: (35:39)

End requirement for immigrant self-sufficiency and maximize their welfare. Now, this is us writing this. Who's not coming to the United States? Every person from South America is going to pour in. Every person from other countries, they're going to be pouring in. End requirement, think of that, for immigrant self-sufficiency and remember to maximize welfare. So we give it a maximum. Then we have massively expand immigration during a global pandemic, taking jobs from unemployed Americans. End all travel bans including from Jihadist regions. So now we have travel bans. A lot of you said I didn't get the travel ban and you were wrong. We got the travel ban. We lost in the Ninth Circuit. We lost again in the Ninth Circuit. And then we won in the Supreme Court. We have a very strong travel ban, and we don't want people that are going to come in and blow up our cities, do things.

Donald Trump: (36:49)

And frankly, with the liberal Democrats running the cities that we do have where they do have problems, maybe they wouldn't mind, but I would mind, and the people of this country mind. So listen to this. End all travel bans. He's talking about the ban that I won that everybody said I didn't win. They said I didn't win because in the Lower Court we lost, that

we lost in the Appellate Division and then we won in the Supreme Court. So they said, “He lost,” and they’re right at the Lower Level. But in the meantime, we won in the Supreme Court. So it’s in effect, but they didn’t say that. They said he lost, which again is fake news, but that’s the way they do it. So end all travel bans including from Jihadist regions, they specify that.

Donald Trump: (37:32)

Grant mass amnesty. Everybody gets amnesty, mass amnesty. Think of that. And this has created a roadmap to citizenship for massive, massive numbers. And we’re not talking about DACA because I’m going to take care of DACA much better than the Democrats did. The Democrats had their chance and they blew it. But we’re going to take care of DACA because I’m going to be doing, in the not too distant future, pretty soon I’m going to be signing a new immigration action, very, very big merit based immigration action. That based on the DACA decision, I’ll be able to do. Vastly expand low-skilled immigration to the United States. So they want a lot of people come in with low skills. I like merit. Think of that. Vastly expand low-skilled immigration to the United States. These are the things that are in the plan. This is Biden. Biden’s gone radical left.

Donald Trump: (38:36)

Increase refugee admissions by 700%. Huh? That’s a lot, by 700%. Nobody’s ever heard of such a thing. Increase refugee admissions by 700%. Abolish law enforcement as we know it. I think the police do an incredible job in this country. And you’re going to have a rogue, terrible cop on occasion, like you do doing any industry, in any business, in any profession. But I think they do an incredible job. Abolish law enforcement as we know it. End cash bail, no bail. Just, we let you right out. Look at what’s happened to New York. Crime is up. Shootings are up at numbers that nobody’s ever seen before. Look at Chicago. What a disaster. And we’re waiting for them to call us because we’re all set to go. We have the FBI. We have Homeland Security. We have everybody ready to go. We have the National Guard. They’re all ready to go. End cash bail, releasing dangerous criminals onto our streets, cash bail. New York just did that. Other places have done it. They haven’t turned out too good.

Donald Trump: (39:53)

Abolish completely the death penalty. And I know there’s a lot of debate on the death penalty and that has been for a long time, but sometimes you use the death penalty depending on the crime. You know what happened today with regard to the death penalty. Appoint social justice prosecutors in order to free violent criminals. So they want to appoint social justice prosecutors to free violent criminals. End mandatory minimums. And that’s by empowering judges to determine appropriate sentences by fighting to repeal mandatory minimums at the federal level and give states incentives to repeal their mandatory minimums. We could go on for days.

Donald Trump: (40:48)

Incentivize prison closure. So they want to close our prisons. They want to abolish our police departments. They want to abolish our prisons, I guess. Incentivize jail and prison closures as populations decline. Ensure the resources saved are invested directly into those communities. So they want to close them rather than have them for some very bad people, people that are not going to behave when they get out. You see that in New York. They allowed a lot of criminals out and those criminals are causing havoc. And then they got rid of their incredible and legendary crime squad and bad things are happening in New York. Bad things are happening. I love New York. I hate to see what's going on.

Donald Trump: (41:41)

End solitary confinement. Free federal housing for former inmates. So federal housing now can go to inmates, former inmates. Rejoined Paris climate accord, and seek an even higher level of restrictions. Oh, I didn't notice that. Oh, I see. So they want to rejoin the Paris climate accord and they want to seek an even higher level of [inaudible 00:42:09]. In other words, make it worse than it was. Mandate net zero carbon emissions for homes, offices, and all new buildings by 2030, that basically means no windows, no nothing. It's very hard to do. I tell people when they want to go into some of these buildings, "How are your eyes? Because they won't be good in five years."

Donald Trump: (42:35)

And I hope you don't mind cold office space in the winter and warm office space in the summer, because your air conditioning is not the same as the good old days. Mandate zero carbon emissions from power plants by 2035. Zero, we're talking about zero. Nothing can go in the air. Mandate net zero carbon emissions by 2050. And I believe he's changing that. He's bringing it down. He wants no petroleum product. He wants no oil or gas. I don't think Texas is going to do too well. They're going to get rid of about 7 million jobs if you go by the Biden plan. I don't think that Oklahoma, North Dakota, Pennsylvania, you're going to be too happy with that, and many other states, Ohio.

Donald Trump: (43:25)

Mandate all 500,000 school buses and all three million government vehicles be changed to zero emission vehicles within five years. I've heard of worse than that. Install 500,000 taxpayer funded charging stations nationwide. Here's a bad one, really bad one. End school choice. There is nothing that the African American community wants more than school choice, and mothers and fathers are going to be very happy to see him be defeated just on that alone. End school choice. So Joe Biden wants to end school choice. End tax credit scholarship serving disadvantaged students in 26 states. Oppose 14 million Americans with education savings accounts and get rid of school choice, having to do with school choice. Eliminate school choice in Washington, D.C. You know what they've done in Washington. They have some incredible example right here, example. I know of one example. I think they

have a number of them, but one is incredible. Abolish all charter schools. Charter schools are doing great. Ban funding for charter schools in poor neighborhoods. We don't want charter schools in poor neighborhoods.

Donald Trump: (44:53)

Well, that's not fair. Abolish educational standards. Abolish, in the suburbs, you're going to abolish the suburbs with this, and force Obama/Biden's radical AFFH, that's the AFFH regulation that threatens to strip localities of federal affordable housing funds or less unless they changed their zoning laws to fit the federal government's demands. So what you have, I mean, I've been watching this for years in Westchester, coming from New York. They want a low income housing built in a neighborhood. Well, I'm ending that rule. I'm taking it out. So I had spoke with Ben Carson the other day. We're going to be taking it out. I've watched that whole thing go, and now they want to make it twice as bad in the suburbs, in the suburbs. Mothers aren't happy about that. Fathers aren't happy about that. They worked hard to buy a house and now they're going to watch the housing values drop like a rock. And that has happened. Drop like a rock. So we're not going to do that. We're going to do the exact opposite.

Donald Trump: (46:04)

Probably there has never been a time, and this is just a few. It's much worse than that. We did this very quickly. There's probably never been a time when candidates are so different. We want law and order. They don't want law and order. We want strong, closed borders with people able to come in through merit, through a legal process. They don't want to have any borders at all. They're going to rip down the wall. It was hard to get that built. And now it's almost completed. It'll be completed by a little after the end of the year. They want to rip it down and it's had such an impact. It's incredible. It stops trafficking, human trafficking of women and children, but women mostly. Human trafficking, one of the worst things ever, all at a time that it's never been at because of the internet. You think of it as an ancient statement. You wouldn't think that's possible today, but it's human trafficking of women and children. And they want to let that continue. The wall has stopped it so much because they will go over to a section where there aren't people, not an entry point, and they'll make a left into the United States and they're on their way. They can't do that anymore. We have a 30 foot wall that goes six feet into the ground, stops a lot of the tunneling, because they're pretty good at tunnels. But we watch the tunnels and we have equipment for that. You can't make a left anymore and come into the United States loaded up with human traffic. So they want to take down the wall. They want to have open borders. Think of open borders today though with the pandemic. I mean, the timing is sort of interesting, but with the pandemic.

Donald Trump: (47:49)

So there's never been a time when two candidates were so different. I mean, I've seen races where it's like the same exact platforms. I'm even talking about essentially Democrat Republic-

Donald Trump: (48:03)

... exact platforms. I'm even talking about essentially Democrat, Republican, there's not that much difference. There's a little difference, but there's not much. You choose one because you like the way they look, you like the way they sound. You like the way they talk. You like something about one, and you don't like the other, but there have never been a difference. Here's one of the greatest ever.

Donald Trump: (48:21)

This is without question the single biggest difference. If you want law and order, for instance, I enacted recently when I saw what was going on with federal monuments, we don't have the right to do states, although we're trying to find it. But with the monuments, where they wanted to rip down Andrew Jackson. They wanted to rip down George Washington. They were actually heading over to the Jefferson Memorial, if you can believe that. But this has been going on, and I found an act that we've used and we have many, many people in jail right now. Many, many people in jail, all over the country, because they tried to destroy or in some cases got it down, a federal statue or monument.

Donald Trump: (49:09)

We haven't had anybody making a move since I enacted this. I signed an executive order a couple of weeks ago, and it says very simply, "10 years in jail. You do it, 10 years in jail." The amazing part is we're able to catch everybody, because thanks to all of you on television, we appreciate it. But we have their pictures, they have the man standing on Andrew Jackson's horse. We have the man standing by General George Washington. We have everybody standing... and oh, they were going to go for the Emancipation Proclamation, Abraham Lincoln, standing with a young man who is being freed. And we said, "We're going to do something. We can't let this happen."

Donald Trump: (50:04)

Now, it could be removed at some point. You go through a process, a legal process, go through Congress, whatever. I understand that. At the same time, some people like these statues and monuments, but it can be removed, but you have to go through a legal process. So they were going to have 20-25,000 people that night, nobody showed up. Nobody. You know that, because you were disappointed to see that. The next night, I believe 22 people showed up. They said, "We're going to make it Friday night instead," and 22 people showed up. Four were actually arrested, because we have pictures of them knocking down other statues, so they're in jail now.

Donald Trump: (50:45)

So there has never been an election where we've had this kind of difference. We want strong borders, without borders, you've heard me say it a thousand times. Without borders, you don't have a country. They don't want to have borders. They want to have open borders. It's radical left and it'll destroy our country. 20 years ago, Venezuela was a very rich country, one

of the richest. One of the richest anywhere, per capita one of the richest. Tremendous oil reserves. Now they don't have water, they don't have food, they don't have medicine. We do everything we can to take care of the people, but they have nothing.

Donald Trump: (51:29)

And that's exactly the ideology that you have going over here. If I wasn't there to stop it, if I wasn't here to say, "No way, that's not going to happen," we'd be in some mess. We'd be in some mess, and Pelosi and Schumer and Bernie and Joe, they'll never stop it. They don't have the power, the strength to stop it. It's beyond them, but we do. So there's never been a time like this, where you've had an election of people so different. Okay, couple of questions? Yeah, please. Go ahead.

Speaker 1: (52:11)

Sir, you just spent the better part of an hour explaining why Americans should choose you and not your opponent. Yesterday, you said on Twitter, "Be careful what you wish for." I guess the question is, do you see yourself as the underdog in this race? Do you see yourself losing in the fall?

Donald Trump: (52:23)

No, I don't. I think we have really good poll numbers. They're not suppression polls, they're real polls. You look at the intercostal in Florida, you look at the Lakes, you see thousands of boats with Trump signs, American signs, you've got the Trump Pence sign all over. You look at what's going on, you look at bikers for miles and miles riding up highways proudly with their signs. We won a race where it was the same thing, 2016. We had polls that were fake. They turned out to be fake. Not all, a couple of them got it right. Three of them, to be exact. Three of them. One of them was unsuspecting, but they got it right. They were very proud of it.

Donald Trump: (53:09)

But we had in 2016 something even more so, but we got in and we had 306 to I guess, 223, which was a tremendous margin of difference. You remember, they all said, "He cannot get to 270." I went to Maine a number of times, where we just freed up lobster fishing and fishing. They took away 5,000 square miles from Maine. I just opened it up and I just got rid of tariffs in China. And we're working on European Union, which charge our fishermen tariffs, and I said, "You're not going to do that." So we freed it up for Maine, but if you take a look, we went up there recently. There were crowds; thousands of people lined up going over to a factory where we were opening up for... We're making swabs. A beautiful big, new factory making swabs.

Donald Trump: (53:59)

I think that the enthusiasm now is greater and maybe far greater than it was in 2016. I think a lot of people don't want to talk about it. I think they're not going to say, "Hey, I'm for Trump, I'm for Trump," they don't want to go through the process. And I fully understand

that, because the process is not fair. The media doesn't treat us fairly. They never have, and perhaps they never will. But maybe they will when we turn this around for a second term, and it's going to happen very quickly.

Donald Trump: (54:27)

When we turn it around for a second time, maybe they will. I think we're doing very well in the polls, and I think you have a silent majority the likes of which this country has never seen before. This is a very important election. We've done a great job. We had to turn it off, as I said. Turn it off, and now we've started it again. As you know, they announced two weeks ago record job numbers, almost five million people. And that beat the last month, which was also a record, 2.8 million people. Nobody's ever done what we've done, and now we're doing it twice. I think by election day, you're going to see some incredible numbers. The third quarter is going to be really good. Fourth quarter's going to be great, but next year's going to be one of the best economic years. So, hopefully I'll be able to be the President where we say, "Look at the great job I did."

Speaker 2: (55:22)

[inaudible 00:55:22] This point?

Donald Trump: (55:23)

I think great. I think we have a great chance. I think we're going to have a lot of people show up. I'm very worried about mail-in voting because I think it's subject to tremendous fraud and being rigged. Do you see that Paterson, New Jersey, where I believe it was 20% of the vote was fraudulent? It was all sorts of things happened. I understand a mailman was recently indicted someplace for playing games with the mail-in ballots.

Donald Trump: (55:48)

You'll have tremendous fraud if you do these mail-in ballots. Now, absentee ballots are okay, because absentee ballots, you have to get applications. You have to go through a process. If I'm here, and I vote in Florida, you get an absentee ballot. But you have to go through a process. Absentee ballots are great, but mail-in voting, where a governor mails millions of ballots to people all over the state. California, millions and millions of ballots, as an [inaudible 00:56:15]... and then they come back, they don't come back. Who got them? Did you forget to send them to a Republican area or a Democrat area, I guess you could say? But if you take a look at all of the unbelievable fraud that's been involved with mail-in voting over the last even short period of a while, but look at Paterson, New Jersey.

Donald Trump: (56:35)

It was a massive error and a massive miscalculation and there was incredible fraud. Look at the city council, what's happened to it. This is one place, but you have many places and they're all over. Yes, please?

Speaker 3: (56:53)

Thank you, sir. I wanted to know, when's the last time you spoke with President Xi of China, and do you plan to speak with him in the near future?

Donald Trump: (57:00)

No, I haven't spoken to him. No, I don't. I have no plan to speak to him. Yeah, please. Go.

Speaker 3: (57:04)

Sir, a follow [crosstalk 00:57:05]-

Speaker 4: (57:06)

Do you want to do a follow up?

Speaker 3: (57:06)

Yeah, if you don't mind.

Speaker 4: (57:08)

Okay. Yeah. Is it okay?

Donald Trump: (57:08)

Yeah, go ahead.

Speaker 3: (57:11)

I just wanted to know, Ruth Bader Ginsburg was hospitalized today with an infection. Wanted to know if you had any reaction to that news?

Donald Trump: (57:17)

No, I wish her the best. I hope she's better. I didn't hear that, actually. She was just hospitalized? No, that's too bad. No, I wish her the best.

Speaker 4: (57:26)

[crosstalk 00:57:26]-

Donald Trump: (57:26)

She's actually giving me some good rulings. Okay? So, you know that, right? People are surprised. No, I wish her the absolute best. Please.

Speaker 4: (57:36)

Thank you, Mr. President. So, you had mentioned the travel bans, and I wondered when do you plan to review that because the European continent is... Their situation is under control, much a better place than the US and there is no [inaudible 00:57:49] for other hot spots like Russia and India. So what will be the criteria to change that? And another question-

Donald Trump: (57:55)

We banned for Europe, and at some point, that'll come off. And we're dealing with them all the time. The relationship's very good, they just don't treat us very well on trade. They have been very unfair to us over many, many decades. We're doing that. It's very easy to solve. I was all set to solve it, actually, and then we got hit with the plague. But we have a travel ban on various countries, and that travel ban remains until such time as we say it doesn't remain.

Speaker 4: (58:21)

And [crosstalk 00:58:22]-

Donald Trump: (58:22)

We want our country safe. Unlike Biden, we don't want to have criminals pouring into our country. We don't want to have open borders. We're not going to have that, and we want to take care of our police. We want to actually fund our police, not defund them. We're not going to abolish our police and we're not going to make our military small and weak because probably or at least at top of the level, we need our military right now. Yeah, go ahead please.

Speaker 4: (58:50)

So, how do you think an America First policy can work during a pandemic? Aren't you concerned that this could actually damage the US and make China more influence around the world?

Donald Trump: (59:02)

Okay, look, my policy's America First. We've lost hundreds of billions of dollars a year with China and many other countries. What we're doing is just handing everybody everything. It's just sad. I've watched it, I've looked at it. We did the US Mexico, you saw that? USMCA? We made a very fair deal on trade. We had the worst deal ever. Right, you know that? We had the worst deal ever, and it replaced that. It replaced that horrible NAFTA deal that was one of the worst trade deals ever made.

Donald Trump: (59:35)

I'll tell you, the only deal that might be worse is the WTO, World Trade Organization. Maybe worse. OAN, please?

OANN Reporter: (59:43)

Thank you, Mr. President. Your administration has taken tangible steps to ensure that Chinese companies are not taking advantage of our US stock markets-

Donald Trump: (59:54)

It's true.

OANN Reporter: (59:54)

... our trade. Last week, your administration sent a letter to the Railroad Retirement Board, asking them to reconsider investments in Chinese defense firms.

Donald Trump: (01:00:06)

Meaning, not to invest?

OANN Reporter: (01:00:08)

Correct.

Donald Trump: (01:00:08)

That's correct.

OANN Reporter: (01:00:08)

So, where is that request now? And are you taking tangible actions to ensure that US investments don't continue to fund-

Donald Trump: (01:00:16)

Yes.

OANN Reporter: (01:00:16)

... defense firms in China?

Donald Trump: (01:00:18)

Yes, and you'll see more coming. This was a very important bill that we signed, but you're going to see more coming over the next short period of time. But yes, we don't want them investing in Chinese military companies, okay?

OANN Reporter: (01:00:30)

What [crosstalk 01:00:30], I mean, what actions can be taken to ensure that that does not happen?

Donald Trump: (01:00:33)

Well, you got a lot of actions we can take, including the increase. Right now, people don't know, China's paying a lot of tariffs. We made a China deal, and they bought just I think the third highest amount of corn ever in world history, they just bought from us. The highest amount, which is great for our farmers, but I view it differently than I did before I made the deal. When I made the deal, I thought this was a great deal. After what happened to us, what happened to the world coming from China, I view it much differently. But we can impose massive tariffs on China if we want, and other countries, if we want.

Donald Trump: (01:01:12)

And we'll see. We just want to be treated fairly. We want a level playing field. Our farmers were never treated properly by anybody, and they were targeted by China. I paid our farmers \$28 billion over a two-year period, because they were targeted to that amount of money, to that exact amount of money. \$28. They were \$16 billion, and it was \$12 billion, \$28 over a two-year period, and we gave \$28 billion to our farmers. That's why they're all here, and now they're doing very well. Our farmers are doing very well, because we made really great trade

deals. USMCA just kicked in. The China deal, they're buying a lot. They are buying a lot, we'll say that. They're buying a lot. A lot of people ask, "How are they doing on the trade deal?" They're buying a lot.

Donald Trump: (01:01:54)

So I want to thank everybody, and we'll be having these conferences. Again, we're going to be signing an immigration act very soon. It's going to be based on merit. It's going to be very strong. We're going to work on DACA, because we want to make people happy. And I'll tell you, even conservative Republicans want to see something happen with DACA. The Democrats had their chance for three years to do something with DACA, and they always turned it down. They always turned it down. They used it as politics. I'm using it to get something done, but we'll be signing a very powerful immigration act. It'll be great. It'll be merit-based.

Donald Trump: (01:02:32)

The country's tried to get it for 25 or 30 years. It'll be strong on the border, but you'll come in legally and you'll be able to come in legally, and very importantly, we'll be taking care of people from DACA in a very Republican way. Republicans, I've spoken to many Republicans, and some would like to leave it out. But really, they understand that it's the right thing to do, so we're going to be taking care of DACA. We will be doing for DACA what the Democrats had a chance to do and they never did it. Okay? Thank you all very much.

Press: (01:03:03)

[crosstalk 01:03:03] Florida, sir? What's your advice to Governor DeSantis [crosstalk 01:03:17]-

Press: (01:03:17)

[crosstalk 01:03:17], Sir?

Press: (01:03:29)

Mr. President, a record number of deaths today in Florida. What are you advising Governor DeSantis to do? [crosstalk 01:03:29].



REMARKS

Remarks by President Trump on the Rebuilding of America's Infrastructure: Faster, Better, Stronger | Atlanta, GA

INFRASTRUCTURE & TECHNOLOGY

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*Council on Environmental Quality*

UPS Hapeville Airport Hub
Atlanta, Georgia

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THE PRESIDENT: Thank you very much, everybody. Thank you. Thank you. Great honor. Please. Thank you. Sit down, please.

It's great to be with you. Great company and wonderful location. Quick flight. It's in and out, but we have some big things to say.

Carol, I want to thank you also for doing such an incredible job at this company. I look at your numbers and I'm very jealous. A lot of people are very jealous.

But I'm delighted to be back in Atlanta, Georgia — a special place. (Applause.) The hometown of one of the most amazing companies on Earth, UPS. They never fail. (Applause.) The dedicated men and women of UPS are an inspiration to us all.

In the face of every challenge, you always come through for your fellow citizens. Would you say that's correct? I say it's correct. (Applause.) Let me start by expressing my gratitude to every driver, worker, and employee who has contributed to this great success and continue to deliver for America throughout our battle against the China virus. It goes by many different names — about 21 that I can figure. We maybe will use a different one every time we hit it. But whatever it is, it was a terrible thing and it could have been stopped and it should have been stopped right where it started, in China.

Together we will defeat this virus and emerge stronger than ever before. We're here today — (applause) — to celebrate a historic breakthrough that will transform the lives of workers and families all across our nation.

For decades, the single biggest obstacle to building a modern transportation system has been the mountains and mountains of bureaucratic red tape in Washington, D.C. Before I took office, reviews for highways ballooned to an average of nearly 750 pages in length. And they were the good ones; they were the short ones.

And I know because I was in business for a long time, and I had to go through a process that was so ridiculous. It was so ridiculous. We went through a process for building buildings, usually. It would take forever. By the time you'd start building, the market changed. You said, "You know, the market was good when we started; now the market is lousy." So you'd say, "The hell with it. We won't build." Sometimes you'd start building and you'd say, "That was a mistake."

But we went through years and years of litigation and tumult, and it was just not good. But you go through it to an even greater extent.

The maze-like approval process represented lobbyists that were very rich; they were making a lot of money. I remember I'd go up to Albany, New York, and I'd see my lobbyists up there. I said, "What are you doing here?" I knew what they were doing. They were trying to make it more difficult. So you had to hire them for more and more work, spend millions and millions of dollars for nothing.

But too often, they caused massive delays, on top of everything else. And that way, they got their fees over a longer period of time. It's one of the reasons why, for example, the average Atlanta driver spends an incredible 77 hours in traffic during a short period of time.

But all of that ends today. We're doing something very dramatic. (Applause.) We just completed an unprecedented — and I don't want to say it's absolutely unprecedented — top-to-bottom overhaul — should have been done years ago — of the infrastructure approval process; this approval process that has cost trillions of dollars over the years for our country and delays like you wouldn't believe.

This is a truly historic breakthrough, which means better roads, bridges, tunnels, and highways for every UPS driver and every citizen all across our land. Together, we're reclaiming America's proud heritage as a nation of builders and a nation that can get things done, because with these horrible roadblocks that were put in front of us, you couldn't get it done. No matter how good you were, you couldn't get it done. You'd wait and wait. You'd go to the next step. You'd say, "You can't start the next step until you finish the first."

Joining us for the special occasion are: Council of Environmental Quality Chairman Mary Neumayr. Where's Mary? Mary. Thank you, Mary. Thank you. (Applause.) Thank you. Thank you, Mary. Good.

Secretary of Transportation — a very special woman, a great woman; somebody that has done an incredible job: Elaine Chao. Elaine. (Applause.) And she was very much instrumental in getting this done. And when Elaine speaks, we all listen. But she was very much instrumental.

Secretary of Agriculture, a man who's done a fantastic job for our farmers and ranchers: Sonny Perdue. Sonny. (Applause.) And I learned more about farming from Sonny Perdue than all of these consultants that came in. I learned more in a half an hour from that man right there. We had a great call today with the farmers too. A great call. They're doing very well. A lot of good things have happened. Right, Sonny? A lot of things have happened. They were targeted by China. They were targeted by others.

We just signed the USMCA, which is phenomenal for our country and our farmers. (Applause.) Got rid of one of the worst trade deals in history, NAFTA. One of the worst trade deals ever. How anybody could have signed it, but worse, how anybody could have let it run for 25 years or

whatever it was. They just took advantage of us. We had 60,000 empty plants and factories in our country by the time that mess got finished. So we just signed a great deal, USMCA. It's the largest trade deal ever made — Mexico, Canada. The largest ever made. (Applause.)

I know Sonny would like me to thank the UPS, all of the drivers and workers, for all of the help in delivering nearly 30 million meals to rural children throughout the country through our Meals-to-You program. Meals-to-You. You know what that is? Meals-to-You. You do, right?

We're also pleased to be joined by a great senator, somebody that's done a phenomenal job. And I can tell you — look, he's a friend of mine, so I'm a little prejudiced, but he's a man that's respected by everybody on both sides of the U.S. Senate. He works hard. He loves your state. And I always say, "Does David get the kind of recognition that he deserves?" Because he is a very, very special man. David Perdue. Where's David? (Applause.) David. Thank you.

And a woman who has come in and done a great job, and she's been so supportive of me and the agenda and a good person, a good woman with a husband who's a terrific man, Senator Kelly Loeffler. Thank you very much. (Applause.) Thank you, Kelly. Great job, Kelly.

And warriors. These are warriors. These people fought for us through thick and thin, through very, very unfair territory. We were treated terribly, and they came in and they turned out to be tougher than the other side, by a lot.

And I just want to introduce Representatives Rick Allen — Rick. Thanks, Rick. (Applause.) The great Buddy Carter. Buddy. (Applause.) An incredible spokesman, an incredible man and friend, Doug Collins. Doug. Thank you, Doug. (Applause.) Great job, Doug. Drew Ferguson. Drew. Thank you very much, Drew. (Applause.) Jody Hice. Jody. Thank you, Jody. Great job, Jody. (Applause.) And Barry Loudermilk. (Applause.) Larry, thank you very much.

And also, two people, friends of mine — they'll be there soon, in my opinion, because they have to be because we need all the help we can get in Washington: Karen Handel. Karen. (Applause.) Thank you very much, Karen. Thank you, Karen. And Rich McCormick. Rich. Thank you. (Applause.) They'll be there soon, I hope. I hope. We need them. We need them. Get them in there.

Thank you as well to a man who I became very good friends with, a man who was running against somebody that was unbeatable, running against a superstar. I said, "Oh, she's a superstar. Wow." Can you beat superstars? I don't think so. But he figured out how to beat a superstar. And, I don't know, is she still a superstar, Brian? I'm not sure. I'm not sure. I don't think so. (Laughter.) I don't know. Superstars don't lose, do they? Governor Brian Kemp. (Applause.) I'll tell you, what a — what a warrior he is. He is tough. He's tough. And he's done a great job, and you've done a great job in every aspect of running this incredible state. And I've always been there for you. He was saying when we met at the plane, "Everything we've needed in Georgia, you've been there for." And that's right. That's right. (Applause.)

Perhaps more important than Brian, however — right? — far more important is Georgia First Lady, Marty Kemp. Thank you very much, Marty. (Applause.)

And watch, please, those mail-in ballots. You're going to watch that for me because, you know, they have a lot of problems all over the country. They just had Paterson, New Jersey, where massive percentages of the vote was a fraud. Mail-in ballots. Be careful. Be careful. They would understand, because they deliver. In fact, I'm going to have to be very nice to UPS. (Laughter.) UPS — I love you, Carol. Wherever you are, Carol. I love you, Carol.

No, it's very bad what's going on with mail-in ballots — okay? — as differentiated from absentee ballots, where you have to go and you go through a process because you can't be there for some reason. But the mail-in ballots is going to be — they're going to be rigged. They're going to be a terrible situation. And you have to be careful in Georgia, but you have to be careful everywhere where they're doing it.

You know, we went through a First World War and a Second World War and people went to vote. Now they're saying, "Let's use this as a chance not to vote." And there's been tremendous corruption — tremendous corruption — on mail-in ballots. So absentee ballot: Great. Mail-in ballot: Absolutely no good. It makes no sense. A governor sends out millions of ballots all over the place; they don't know where they're going. They're going to wherever.

I have a friend who got one for his daughter, another one for his daughter, and then a second one for the first daughter. They didn't know what to do with them. I had another friend — a really wonderful guy — who lost his son seven years ago: Robert. His son Robert. And his son was sent a

mail-in ballot. He called me. He said, "What do I do? I just got a mail-in ballot for Robert." Robert died seven years ago.

So it's — it's a terrible situation if they decide to use it. And we'll see what happens. There's a lot of litigation. A lot of court cases right now. And it makes sense. Just think of it: millions of ballots. In California, they're sending out millions of ballots. They don't even know who. Maybe they know too well who they're sending them to, and maybe it's the people that don't get it. Maybe it's an area of Republicans or Democrats that don't happen to get any ballots.

We've had a lot of problems. Just take a look at what's gone on over the last month, and take a look at Paterson, New Jersey, a small city in New Jersey. I think they said something like 20 percent of the ballots were corrupted or something happened with them. Twenty percent.

And even in the 2016 election, 1 percent are in question. But I don't want to talk about that one because I won, so I don't want anyone going back and looking. All right? (Laughter.) I'm not going to talk about 2016. That was the greatest election. And now we have to do something very important. We have to keep it going, or this country will be in big, big trouble. (Applause.)

I want to thank also for being here, Georgia Attorney General, Chris Carr. (Applause.) You're the one, Chris. Watch that, Chris, will you? You're going to watch that Chris, please? Okay? You got to speak to the man that handles it. You know what I'm talking about. Got to do it. Thank you, Chris. It's in good hands. Superintendent Richard Woods. Richard, thank you very much. (Applause.) Thank you. And members of the Georgia Public Service Commission and the State Senate and House Transportation Committee. Got a lot of politicians in this room. And, really, good luck to Karen and to Rich. Go out and go get them. You're great people.

Today's action is part of my administration's fierce commitment to slashing the web of needless bureaucracy that is holding back our citizens. I've been wanting to do this from day one. And we started it on day one — literally, on day one — but it takes a long time. You have statutory requirements; you have a lot of different roadblocks even to changing it. But the change you'll be hearing about in a minute. And it's one of the biggest things we can be doing for our country.

The last administration increased the Federal Register by 16,000 pages of job-killing regulations. Under my administration, we have cut the Federal Register by nearly 25,000 pages, more than any President in history, whether it's four years, eight years, or in one case, more. And we, frankly —

this, I would think, is maybe the biggest of all. We did the U.S. Waters — you saw that. The U.S. Waters Act. That was a big one. That was a big one. (Applause.)

I thought I was going to take a lot of heat when I did that, and instead it was just the opposite. People came up — grown men that had never cried, even when they were a baby — they were standing behind me when I signed that bill at the White House, and they were crying. They were crying — because we gave their life back to them. That took their life away. It took their livelihood away. It was a big, big moment.

But this is a big moment today too — probably, possibly equally as big. Today's action completely modernizes the environmental review process under the National Environmental Policy Act of 1969. We are cutting the federal permitting timeline from a staggering 10 years, 15 years, 18 years, 21 years — you know the story; you've seen it — projects that start out. A young guy heads the project. By the time it gets approved or disapproved — in many cases, disapproved; usually disapproved — he's getting ready to retire.

"So what did you do for your life?" "I worked on one project. We didn't get it through in the end." No, we won't get certain projects through for environmental reasons; they have to be environmentally sound. But you know what? We're going to know in a year. We're going to know in a year and a half. We're not going to know in 20 years. (Applause.)

So we're cutting the federal permitting timeline for a major project from up to 20 years or more — hard to believe — down to two years or less. So we have it down to about two years right now, Elaine, and I think two years or less. And our goal is one year. And you may get disapproved. It may — they may vote, at the end, they didn't like something environmentally or safety-wise, and I'm all for that, but you're not going to devote a lifetime to doing a project that doesn't get approved or that gets approved.

And oftentimes, when it gets approved, it comes in at 10, 20, 30 times the cost. There's a highway in a certain state — a short road, not even a highway, I guess; more of a roadway. And they put in. It was a straight line from point to point. By the time they finished it, 18 years later, it was this. (Gestures a wavy line.) It cost tens of times. It cost many, many, many times more than the original. It's a dangerous roadway because there's turns. You got to be in good shape. You got to be wide awake to make those turns. You got to see those things. You have to see the guardrails.

Bom. They had a simple, straight roadway, and now they build it — they end up — it took 17 years

to get it approved. Ended up costing many, many times what the original estimates were, and it's no good. It's not good.

Under the last administration, a mere 7 percent of reviews for federal highways were processed within two years. Now what we're doing is the two years won't be the exception; it'll be the rule. So what we're doing is, we're going to have that coming down at a much steeper rate. This will reduce approval times for highways alone by at least 70 percent. But the 70 percent is a very unambitious number because the number is going to be actually much lower than that.

At the heart of the reforms is the One Federal Decision policy. It really spells it out when you hear that name: One Federal Decision. Before, applicants for infrastructure permits were forced to spend years and years navigating a labyrinth of federal agencies, and every single one had a power to stop a project. Anytime you went to an agency, they had a power to stop it. And it would stop the project — not only stop it; but right in its tracks it would stop it.

With our reforms, there will be one quick and fair decision. We're going to give every project a clear answer: Yes or no. Yes or no. The two-year process, where just to submit is two years, is not acceptable. It's going to be a very quick "yes" or "no," after study, but the studies are going to go quickly and they're going to go simultaneously.

So if you're in numerous agencies, you're all going at the same time. Instead of waiting for one, for two, for three — and oftentimes, you'd go through one, it would take you six months, and then you have to wait 90 days, and then you have a review period, and then you start the second one. And now you go for another four months, and then you wait 90 days, and you have a review period. And sometimes you had to go through 9, 10, 12 different agencies. So even if you did absolute rapid, it was many, many years before you could even think about starting it.

We have up here, by the way — that's a chart of the old system and the new system. And I think the new system is better. (Applause.) I think it's better not only in time; I think it's better in terms of the process, and I think it's better in terms of the importance from an environmental and a safety standpoint.

But take a look at that. This is what you had to go through. In fact, it was much more dramatic when I first came up with this about a year ago. We took that and we rolled it out. It was so dramatic. And it just kept going and going. So the difference is that. And many of those steps, you

had to wait before you could even think about going to the next one, and you had to get full approvals.

Any one of those colors, where there was a problem or a rejection, meant it was dead. And now you go through this very simple, but very comprehensive solution. And it's a beautiful thing, especially if you understand construction and building, and other things beyond building, like I do.

At the same time, we'll maintain America's gold standard environmental protections. The United States will continue to have among the very cleanest air and cleanest water on Earth — which we do now. We have the cleanest that we've ever had, meaning ever; meaning, I guess, in the last 40 years. I assume that 200 years ago, it was cleaner. I can imagine it was very clean a couple of hundred years ago, Brian, right? They'll say — that's why I'm very careful with the fake news media because if I say that — “We have the cleanest water we've ever had,” they say, “What about 200 years ago before anybody touched the lake, when the lake was a beautiful virgin, like nobody ever touched it?” They said — yeah, they got me on that one, don't they, huh? So now I become extremely careful.

So I always like — so I say, “probably.” They're talking about 35, 40 years — something like that. If it's any different from that, media, we will — look at all those people back there. Any different than that, we will report to you. We will make an amendment. We will — we'll never make a correction, because I don't like doing that.

One of the first projects accelerated by these reforms will be the planned expansion of I-75 right here in Georgia. That's in honor of your wife, in honor of Marty. (Applause.) Okay? That's in honor of Marty. They've been looking to do that for many years. Right? But the Governor is going to get it done. This expansion will add 77 new lane miles of [for] commercial vehicles, like those driven by UPS, saving drivers countless — hundreds of hours a year.

With us today is Julian Paulk, a Teamster — I know the Teamsters very well — at UPS, who drives this route often. Julian, please come up and tell your story, please. Thank you. (Applause.)

MR. PAULK: Good afternoon. Hi, my name is Julian Paulk. It's a great honor to be in front. (Applause.) I'm especially grateful for my wife being here with me today of 14 years. (Applause.)

I spent the first 16 years of my career driving a package car, going from house to house. But in my last three years, I've been in the big rigs, mostly on 75. And throughout 75, we have approximately 765 trucks in metro Atlanta; 64 of those travel from McDonough to Macon, Georgia, which is about 100 miles roundtrip. So with the congestion and all of that, it kind of makes it to where it's hard to get there and create all the time commits.

So every time I've loaded my truck — whether it was medical equipment, a gift to someone — you know, a loved one — that time in transit was very important.

So with this infrastructure, it's very important to me and all of my fellow UPSers because the investment in our roads and bridges help reduce congestion and open up the bottlenecks, which makes it easier to get the packages where they need to go. More importantly, safer drivers, like myself — because we all know the most important stop of the day is when I get back home to her and my two beautiful kids. (Applause.) So — thank you.

Fourteen years ago, at my local hub in Forest Park, with the support of my management team, I started the corporate Health and Safety Process. And throughout that team, we were able to lower the accidents and injuries, which we know accidents on the road slows down time in transit. So we able to — since then, we've stopped all of that, or most of it.

So I'd like to close by saying thank you to my wife for being here; to everyone that has supported me, especially my division manager, Tom Rossolillo — he has supported me in my career — and for the grateful opportunity to be here today. (Applause.)

THE PRESIDENT: Fantastic job. Fantastic job. Thank you, Julian. But, Julian, it looks like you're attributing a lot of your success to your wife. Is that a correct statement?

MR. PAULK: Absolutely.

THE PRESIDENT: Huh?

MR. PAULK: Absolutely.

THE PRESIDENT: Would you please stand up? So lovely. (Applause.) Thank you. That's great. Great job. You're proud of the job he just did, I think, huh? Pretty good. He'll be running for office

next week. Watch. (Laughter.) Great job, Julian. Thank you.

I'd like to invite UPS's Vice President of Corporate Transportation Bill Taylor up to say a few words. Please, Bill. (Applause.) Thank you, Bill. Thank you very much.

MR. TAYLOR: Good afternoon. Thank you for visiting the UPS Gateway, President Trump. Thank you very much. You know, I am so proud to be a 37-year veteran of this great company.

I started my UPS career as a part-time hourly employee when I was still in school, back in 1983. When I graduated from college, I went into management. And throughout my career, I've had the opportunity to work in our airline, in our freight transportation operations, and also in our package delivery operations throughout the United States. I'm now preparing to retire.

When I think about UPS — you know, all of us at UPS — and Julian is a great example — all of us at UPS work through some very tough times through our careers, whether it's hurricanes and natural disasters or some type of national event like 9/11 and now COVID-19. But all of us at UPS also look at that as a great opportunity to serve this great country and help bring the country through and remedy those tough situations.

You look at Project Airbridge under the Trump administration and working directly with FEMA — another great example. From a UPS standpoint, we are all tremendously proud to help deliver lifesaving supplies wherever and whenever they are needed. From an infrastructure standpoint, I know firsthand that improvements in our infrastructure will be a tremendous benefit to not only our customers, but also the communities that we serve.

But when I think about UPS, I know how strong our technology is, I know how strong our flexible multimodal transportation network is. And I know all UPSers are dedicated to making a difference and helping bring America forward.

So as I think about ending my career, I am very grateful to retire with a strong pension plan. I hope the same for all essential workers who have a pension plan currently hung up — that they can enjoy the same when their work is over.

So thank you, UPS, for a wonderful career and the great opportunity to work with so many wonderful people through the years to help make a difference.

Thank you. (Applause.)

THE PRESIDENT: Thank you very much, Bill, and good luck. Carol, I don't think I'd let him retire. He looks — he's got about 30 years left in him at UPS. Can't believe you're retiring. That's terrible. Do you want to retire or do you want to stay? Because they'll renew you for 25 more years? You've got it. (Laughter.) You've done a fantastic job. Thank you very much. Thank you, Bill. (Applause.) Really great job.

Here as well is the Commissioner of Georgia Department of Transportation, Russell McMurry. Russell, please come up and say a few words. Thank you. (Applause.)

MR. MCMURRY: Thank you, Mr. President. Mr. President, it was an honor for me to meet with you in Washington, D.C. at the USDOT with Secretary Elaine Chao and some other state DOT commissioners from around the nation for us to share with you this long, burdensome, often bureaucratic process. And you sat and listened to us with great detail that day.

And today — at the end of that meeting too, I might add, the President told us, the DOT commissioners there in the room, that he was going to streamline the environmental process, cut the red tape, and make sure that the environment is protected, number one.

So today is a full circle day for me, Mr. President — that here we are today with the President and the Trump administration rolling out yet another — not the first, but another environmental process improvement that will make life much easier for people like us at the departments of transportation across the nation to deliver infrastructure projects like the I-75 commercial vehicle lanes, to move that freight out of Savannah to Atlanta and beyond, while providing a safe corridor for the many families that travel on I-75.

Now, I certainly want to acknowledge someone else that is laser-focused on streamlining government and cutting red tape, and that's our governor, Brian Kemp. (Applause.) Governor, I appreciate your focus to transportation and infrastructure. It certainly makes my life a lot easier. So, thank you.

Now, finally, I'd just like to recognize somebody else — and the President acknowledged her earlier — but the leadership exemplified by Secretary Elaine Chao at the USDOT is exceptional. We have

never experienced the kind of cooperation — (applause) — we, at the Georgia DOT, has never experienced this type of cooperation from your administration, Mr. President, that we enjoy today.

So thank you for your leadership. And thank you for the partnership you share, not only with Georgia but all the states. Mr. President, thank you for making this happen. Thank you. (Applause.)

THE PRESIDENT: And Russell said that so well because there have been many steps that we've made over the course of the last three years that allowed us to get to this big giant step. This is a big deal. And this is front page all over this country. And, frankly, nobody realizes what it means other than the people that are in this room and others that do what you do.

But the fact is this is something that nobody thought was possible. But it was all those little steps, Russell, that allowed us to get to this step bureaucratically and in every other way. So thank you very much. And you've done a great job. Appreciate it. (Applause.)

We're also joined by Janelle King, a small-business owner here in Atlanta. Janelle, please come up and say a few words, please. (Applause.) Thank you. Thank you very much.

MS. KING: Thank you, Mr. President. Thank you, Governor Kemp. And thank you, UPS, for delivering all my shoes on time. (Laughs.) (Applause.)

I am Janelle King. Together, my husband Kelvin King and I — he's the one that really goes through all of this — I serve as VP of External Affairs with Osprey Management, which is such an honor. We have 10 employees that are — by which one of them received their United States citizenship this morning. So that's awesome. (Applause.)

We have over 150 subcontractors. We have — and we have a number of projects that are taking place throughout the state. And our ability to harness opportunities and supply our clients with on-time projects promptly is extremely important. Several have proposed fantastic ideas of aid to developing new forms of commuting. Red tape and restrictions in place have hindered these ideas, and have extensive — due to extensive permitting and impact studies that increase timelines.

But, Mr. President, you have shown what leadership can do when you reform the old way of doing things. Infrastructure reform and building new roads faster will not only help our company to

achieve our project goals, but they will help the entire state, both economically and socially.

So I would like to personally thank you for placing the needs of the constituents in the forefront of your list and addressing our infrastructure concerns; and our governor and first lady for are working along with you, and so we can get this done; and to our senators — Senator David Perdue and Senator Kelly Loeffler — for always being available as well.

Thank you so much. (Applause.)

THE PRESIDENT: Thank you very much. Great job. Good job. And look how proud your husband is of you. He had that camera up. That camera wasn't moving down. I'll tell you. He captured every word. That's great. Beautiful family. Thank you very much.

One of the things I'll tell you that — the Governor and I are working on a couple of projects that are going to be big surprises for you — big ones, big projects that you've been talking about for 20 years, I guess, in one case. So we'll get them done. I'm sure we'll get them done.

And I want to thank you all. Great presentations. Thank you all very much.

My administration is also moving full speed ahead on improving the Port of Savannah, which is now the largest agriculture exporting port in the entire United States. (Applause.) Largest in the country. As many of you know, this project faced 20 years of unnecessary delays. This has been going on for years. And when they came to me, and the Governor said, "Can you help us with this?" — I said, "We'll help you with it. What's the story?"

It's been going on for years and years. They've been talking about it; nothing ever happened. It was also eight years of additional bureaucratic reviews. Just reviews. This isn't like, "Oh, gee, let's start digging." This is paperwork. People made a lot of money. It's a terrible thing. It just gets caught up like so many other places. But it's all ending now.

Bureaucratic reviews under the Obama-Biden administration have been a disaster, and they got worse. But I'm proud to report that for three straight years under my administration, we've delivered full funding for the Port of Savannah. And we're on track to complete the project in a very short period of time. It's going to be completed, right? — okay? — (applause) — in honor of the

governor. In honor of the governor and Marty. Good. Congratulations. That was a great job. They've been fighting for that one for a long time. You got it done.

We want a governor that gets it done. Even though he calls me all the time, "Can we get it done? Can we..." I wish you wouldn't call so much. (Laughter.) But, you know, that's the sign of a good governor, right? When you think, right? Stand up, please. That's a sign of a governor. (Applause.)

I like the ones that don't call, Brian, where they just leave me alone. But their project never happens. (Laughter.) Great job you do. Great job.

We want the United States to compete and win in the 21st century. And that means we will not allow our nation to be hamstrung by wasteful Washington regulations.

We're the nation that built the Golden Gate Bridge in four years, the Hoover Dam in five years, and a lot of people don't understand this, but it's so true: We built the Empire State Building in less than a year. Can you imagine that?

The Biden administration, our past Vice President, opposes — think of this — all of our permitting reforms, and wants to increase the length of the permitting process. Think of this. This is in his Bernie Sanders deal.

Biden is happy to tie up projects in red tape, and we want to get things built. But they want to increase the length. So they want to increase it from that to much longer. Unbelievable.

Biden wants to massively re-regulate the energy economy, rejoin the Paris Climate Accord, which would kill our energy totally. And you'd have to close 25 percent of your businesses and kill oil and gas development. They still haven't explained what they're going to do to power our great plants and factories, but at some point, I'm sure they will. We'll learn that from AOC, who's in charge of energy. (Laughter.) She's in charge, along with Bernie. It's AOC and Bernie are in charge of energy. I don't think Texas is too happy about that. What do you think? You think we'll call up the governor, Governor Abbott. Great governor. We'll ask, "How do you like that, Governor?" I don't think — I didn't want to waste a phone call because I would know how he felt.

And Biden wants to hold hostage billions in federal Surface Transportation Grants for states and localities, unless the states and local suburban communities abolish single-family zoning rules. So

they want low-income housing to be built in communities that, frankly, they don't want it. They don't want it. Hasn't worked out. And we're terminating that, as you know. I announced it two weeks ago. We're going to be eliminating that rule. It's a crazy rule and it's very unfair to a lot of people. A lot of people are very unhappy.

It should not take 10 years or more just to get approval for a simple stretch of road. Special interests in Washington will never begin — they will never begin to let you breathe. They will never — that's not their business. Their business is the opposite. And we will do vetoes wherever necessary in order to make sure everything happens, and happens quickly. We're not giving a veto for one thing: America's future. There will never be a veto for America's future. (Applause.)

So my goal, my mission, and my commitment to each of you is very simple: America's infrastructure will be the envy of the entire world, as it was many, many years ago.

We built the Interstate Highway System during the Eisenhower administration — a long time ago. And since then, it's gotten worse and worse and worse, and more bureaucratic and more bureaucratic. And now we're freeing up and we're going back probably to around 1952. We're going back to a long time ago.

And again, you have to get permits. We want safety. We want to be totally involved with the environment. We want our environment to be better than it would be the other way — the long way. But you're going to get your answers quickly. One way or the other, you're going to get those answers very quickly. And if the answer is a big, beautiful "yes," you're going to start construction immediately. You're not going to wait around for 10, 12, and 20 years.

Our bridges, tunnels, freeways, and airports will no longer be the sight of shame, but they'll be a source of pride. From coast to coast, town to town, we're constructing new roads, railways, runways, and waterways.

You know, we had a — in many cases where they'll get federal funding to build a highway, then it'll take them forever to get the approval. And by the time they have it approved, they need 10 times more money. They come back to the federal government, and the government would usually turn them down. They'd say, "That wasn't the deal." But sometimes they'd just pay 10 times more. We're not going to do that anymore.

We're linking our cities with gleaming highways and blazing-fast ~~broadband~~ ~~networks~~ [networks]. And if you think, when you look at the farmers of this country, what they've gone through with the broadband — broadband is so bad in the middle section — that beautiful middle section of our country. Our farmers, our ranchers are hurt very badly.

So we're getting fast broadband networks, and we're carving them out and towering beautiful new monuments to American greatness. And that's what they will be. But our farmers have to be thought of also. Nobody thought of our farmers. Our farmers are incredible, and they're doing an incredible job. (Applause.) Doing an incredible job.

So for the farmers out there: Broadband, here we come. Broadband — they've been trying to get it for a long time. Many years. (Applause.)

Together, we're building our incredible future with American hands, American heart, and American steel. As your President, I am more determined than ever that America's infrastructure will be second to none.

And in Georgia, you're going to have an infrastructure and you're going to have some projects announced that almost all of the people in this room do not know about. Most people have given up on them, Brian, I think. They've given up. They gave up with the rest of them. But we have some things planned in Georgia that'll be really incredible. And everybody is going to want it, both Democrat, by the way, and Republican.

The problem is nobody was able to get it done. We get it done. One thing I know: I know how to get things done. Because under this administration — (applause) — and under this administration, we will always put America first. We were putting other countries first; now we're putting America first.

So I want to thank everybody for being here. I want to thank and congratulate UPS on having a great run — many years, but a great run recently. You've done a fantastic job, whether it's the SkyBridge or anything else that we've done with you. You've been fantastic. I want to appreciate — I really appreciate it.

But especially, I appreciate a state called Georgia. It's a special place. It's a great place. (Applause.) And it's an honor to be with you, and it's an honor — this is where I'm announcing. This

is good for the whole country, not only Georgia. This is for the whole country. But I'm announcing it in Georgia because we have some great things planned for you. You are special people.

Mr. Governor, thank you very much. Marty, thank you very much. Everybody, thank you. Thank you, everybody. (Applause.) Thank you very much, everybody. Have a good time. Thank you.

END

4:23 P.M. EDT



The White House



President Donald J. Trump

Vice President Mike Pence

First Lady Melania Trump

Mrs. Karen Pence

The Cabinet

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REMARKS

Remarks by President Trump in a Meeting with the National Association of Police Organizations Leadership

— LAW & JUSTICE

Issued on: July 31, 2020



Cabinet Room

11:54 A.M. EDT

THE PRESIDENT: I'm pleased to welcome the leaders and friends of mine, in many cases, of the National Association of Police Organizations. We have some of the great, great police representatives in the country here. Maybe the best, I would say, Pat. What do you think?

MR. LYNCH: I'd have to agree, Mr. President.

THE PRESIDENT: Representing more than 240,000 of our nation's courageous police officers.

I want to thank the Association president, a friend of mine, Mick McHale —

MR. MCHALE: Thank you, Mr. President.

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THE PRESIDENT: — Mick McHale, who was — has been tremendous, who I call on occasionally to say, “What the hell is happening” in a certain location. And he gives me the advice. And I was very honored to receive the endorsement. That was a great endorsement, and we very much appreciate it, Mick.

The entire leadership team is here today representing large portions. What would you say the percentage of police in the country are represented in this room? A big portion?

MR. MCHALE: Yes. Yeah.

THE PRESIDENT: We have a big — a very big portion. And I appreciate it.

Also, I want to thank our Vice President, Mike Pence. He’s been very involved in a lot of issues. But this issue is one of his very important ones, I think we can say, Mike. Right?

THE VICE PRESIDENT: Thank you, Mr. President.

THE PRESIDENT: We’re here to discuss the unwavering support of our nation’s courageous police officers and our determination to defend the safety of all Americans. I just spoke on Portland. I just spoke with Chad Wolf, who’s doing a fantastic job at Homeland. And the courthouse is totally secure; it has been, ever since we’ve been there. We had to move in about a week and a half ago because they were going to take down the federal courthouse. This is not even believable. You know, you tell these stories, and it’s not even believable.

Homeland Security moved a team of very talented people — strong, tough people. And the courthouse has been in very good shape. They’re not an offensive team; they’re a defensive team. They’re not allowed to be offensive, unfortunately. And you had radical anarchists. You had horrible people. You had agitators. They weren’t protesters. They might have been protesters, but the ones that were the problem were absolute anarchists and, in many cases, professionals.

So a lot of people have been arrested, and we’ve told — we’ve told the mayor and the we told the governor, “You better get in there and do your thing.” And they finally, after — they should have done this 60 days ago. A lot of people have been hurt. A lot of law enforcement people have been hurt. And they should’ve done this 60 days ago. So now they freed up the park, cleaned out the

park, and they're moving their way. And if they have any other problems, we're going to take very strong offensive force.

Nothing started because the federal government was there. In fact, if we weren't there, you would not have a courthouse right now. You know, they — the media, some of the media — not all of it, but some of it, they are saying that because the federal government walked in, they became worse. No, because the federal government walked in, we saved the U.S. courthouse, the federal courthouse, which is a — was a magnificent — it will be shortly, but, you know, there's graffiti all over it and everything else. That's why we moved in, because the local police were not protecting federal property.

So Homeland Security has done a fantastic job. I appreciate it. Chad Wolf and the entire team have been fantastic. And it seems to be cleaning up. And if it doesn't clean up, we're going to do something very, very powerful, because we have no choice. Not that I want to do it; I don't want to do it. But we have no choice.

In recent weeks, law enforcement has become the target of a dangerous assault by the radical left. The leftwing extremists have spread mayhem throughout the streets of different cities, in particular, Portland. If you look, Portland is one. Seattle, really, would be another.

And we were getting ready to go into Seattle. We would have solved that problem very quickly. When they heard that we were going in, they went in. And by that time, the anarchists were exhausted and they just raised their hand. They were exhausted and tired, and they had a lot of drugs and a lot of alcohol, and they just gave up. They just raised their hands. They were sleeping there long enough. They took over, actually, a piece of Seattle, if you can believe that — Seattle being a major city. And they took over a piece.

So we were ready to go into Seattle; everyone knows that. We were going to go in with force, and we didn't have to because, the day before, we were going in — and we let them know. The day before we were going in, this is what happens: They went in, and the anarchists and agitators gave up, and they gave it back.

Joe Biden has pledged to cut police funding — and you do know about that, Mick, I assume. Right?

MR. MCHALE: I do, sir. Yes.

THE PRESIDENT: You've heard that little rumor?

This guy has been dragged so far left. Biden has been taken further left than Bernie ever was. Bernie was never this. I mean, totally open borders, and the sanctuary city stuff that — he's approving things that Bernie never thought of. It was supposed to be, they were going to take him right. They took Biden way left of where Bernie was because they have the manifesto. I don't know, have you seen the manifesto they've got?

MR. MCHALE: Yes, sir.

THE PRESIDENT: Now I understand they can't get any police in Milwaukee because you're not allowed to use pepper spray or tear gas because — if you have crowds. But I don't think there's any other way other than obvious way, which would be horrible. And that's shooting itself, which would be horrible. But I don't know how you can control a crowd if the crowd if — if that crowd is anything like what you have at Portland, there's no way you could possibly do it without tear gas and pepper spray.

Pat, would you say that's a correct statement?

MR. LYNCH: I agree. You have to control the streets. You have to do it fairly, but you have to do it.

THE PRESIDENT: It's pretty amazing, right? So you have no police that want to go to Portland because they know they can't do their job. You have to give them the equipment to do their job. It's incredible. They're not going to go to Milwaukee.

So what's going to happen in Milwaukee, Mick? What do you think?

MR. MCHALE: Well, I think that they're going to have the mass exodus that we're seeing in other parts of the country. And, again, sir, it's the exposure of these men and women who continue to suit up and provide the safety that they took an oath to. And we want to, as an association — but we speak for all law enforcement — in thanking you personally for your executive order, which allowed us to surplus equipment. That equipment is saving our lives, literally, sir. And we thank you. We thank you from — from all of us.

THE PRESIDENT: Thank you, Mick. No, that was very controversial, and the previous administration didn't want to do that.

We had hundreds of millions of dollars' worth of equipment — really good military equipment, good stuff. And a lot of it was protective. It was defensive equipment, where — like, vehicles that are very strong in terms of defense capability, where you wouldn't get hurt; where the windows are, you know, shatterproof, et cetera, and bulletproof.

And we gave that out to our police departments. It was sitting there gaining dust. That was the only thing it was gaining, was dust. And we gave that out to all of our police departments all over the country. And you have no idea: Every place — every time I go someplace, the police thank me for that.

MR. MCHALE: Yes, sir.

THE PRESIDENT: This is stuff that was just getting less and less valuable. Much of it was brand new, but getting less and less valuable, sitting in warehouses. Probably the government was paying a lot of rent to the warehouses. And, yeah, it's — it's been a great — it's been a great thing.

So as a result of the outrageous attacks on law enforcement, violent crime has surged in certain Democrat-run cities. Many of them. I mean, you look at New York: It's up 348 percent. Who ever heard of a number like that? Because you have a radical-left mayor who doesn't know what he's doing. He doesn't know what he's doing. I don't understand even how the police could allow it to happen. That's the only thing. We talk about that.

But you look at Chicago: In Chicago, more than 2,200 people have been shot. Okay? Think of that: shot. Now, that's far worse than Afghanistan. We are leaving Afghanistan fairly shortly. But we see things that — in Chicago and other places that you don't see in Afghanistan. It's unbelievable.

Forty percent increase from 2019. And the hard thing is that crime is down nationwide. So I'm taking all of these Democrat-run cities and we're putting them in with the well-run cities and Republican — largely Republican-run cities and states. And with all of this shooting that you see in Chicago and New York and — well, Minneapolis had a bad period, but we sent in the National Guard. The National Guard did a fantastic job, and they stopped it.

That place would've burned down. Minneapolis would've burned down if I didn't force the National Guard into that. And you saw them form, right? It's a beautiful thing. All of a sudden, you see a line of people. They walked through it like a knife through butter. And that was the end of the problem in Minneapolis. So, you know, we have to do that.

But in New York City, nearly 300 people have been shot in the last month alone. Murders are up 32 percent in Philadelphia and 80 percent in Minneapolis, compared to last year. Minneapolis, great place too. And Philadelphia, think of it — I went to school in Philadelphia. Look at — if you look at these numbers.

In cities across the nation, we've also seen police officers assaulted with bricks, rocks, bats, Molotov cocktails, frozen bottles of water. Somebody said last night, one of the protesters — I saw it — he said, "It's only water. How can water hurt you?" Yeah, they don't say it's frozen, in a bottle the size of a football. And they throw it at the police. It's unbelievable. "It's water."

And then they have cans of soup. Soup. And they throw the cans of soup. That's better than a brick because you can't throw a brick; it's too heavy. But a can of soup, you can really put some power into that, right?

MR. MCHALE: Yes, sir.

THE PRESIDENT: And then, when they get caught, they say, "No, this is soup for my family." They're so innocent. "This is soup for my family." It's incredible. And you have people coming over with bags of soup — big bags of soup. And they lay it on the ground, and the anarchists take it and they start throwing it at our cops, at our police. And if it hits you, that's worse than a brick because that's got force. It's the perfect size. It's, like, made perfect.

And when they get caught, they say, "No, this is just soup for my family." And then the media says, "This is just soup. These people are very, very innocent. They're innocent people. These are just protesters. Isn't it wonderful to allow protesting?" No, there's — and, by the way, the media knows it better than we do. They know what's going on. I don't know what's wrong with them. They're doing our country a tremendous disservice — I'll say that.

But in cities all across our nation, we've seen our police officers so badly assaulted. In Portland and the other cities, my administration is vigorously defending federal property from anarchists and

criminals. We've also launched Operation LeGend, surging federal law enforcement to communities plagued by violent crime.

And we're willing to help Chicago. We're willing to help New York. We're willing to help Philadelphia. Any — any city you want. But, by law, unless we go a special route — which we have the right to do, but it's very rarely done — we have to be asked by the local government, by the mayors and by the governors. And they don't want to do it, I think, for two reasons. Number one, they're embarrassed to do it. And number two, I actually think they're afraid of these people, if you want to know the truth. I actually think these are radical-left maniacs.

And I actually think, Pat — I think they're afraid of these people. I think they're afraid of those people that I see in Portland and, to a lesser extent, that I've seen in Seattle. I mean, the Portland is a tougher group. You know, they've been doing that for years to Portland. They've been doing it for years and years to Portland. And then the police stepped down, and — I don't believe it's the police's fault; they're not allowed to do it. They're good police but — and they can do it. Let's see how they do tonight, over the next — last night, that was a big step. But let's see how they do.

So it's an honor to have the associations here. We have been with them. I've had endorsements from so many — so many police. And I don't even say "thank you" anymore. I say, "What's your choice?" Your choice is me or somebody that has no clue what they're doing. And I say that kiddingly, but I sort of mean it. Right? I sort of mean it.

So our relationship with law enforcement has been outstanding — and with firefighters. I mean, you have firefighters that go to put out a fire, and people are shooting at them. They're literally shooting at them as they're putting out the fire. Guys are going up on ladders, and people shoot at them. But we have great support from firefighters. Usually just the top one or two people don't support us, you know, because they're used to something else. But every — everybody in there, we have tremendous support from the police, the firefighters, and almost — almost every group of people that are associated with the things that we're doing. We're doing really well.

But I want to thank you all very much. From the bottom of my heart, I appreciate those endorsements. We really do. It's really great. And you will never be let down with me. I have tremendous respect for what you do. It's dangerous. It — it pays not as well as they could do elsewhere. Many of the people — but they're discouraged. Many of the people, they do it, they love it. Right? They love it. Nothing they'd rather do. This is what they want to do. But it's a very

dangerous profession. And we are going to toughen it up a lot because the mayors and the governors aren't allowing you to do your job. And you got to be allowed to do your job.

When you see the things that we've seen in St. Louis — and, by the way, if you look at the last administration, with Ferguson and all of the problems they've had — I mean, they had some problems that are doozies. You know, people said, "Oh, the last administration..." They had — that's what started a lot of this. If you look at some of the things that they had, I could name 10 of them right now.

But we have to strengthen up because you're being told to do things that you know can't happen. In Seattle, they're being — they're reducing the force by massive numbers. In Portland, they're reducing their force. Can you imagine that? In Portland, they're reducing their force by massive numbers. But then the governor, like in Oregon — the governor said things that are just unbelievable. She doesn't want it to get better. The mayor of Seattle, the things that she said: "We're going to have a summer of love." There's something going on that is crazy.

Remember this, though: Most of our cities are doing really, really well. And despite the pandemic — and we're doing a good job on that. We have vaccines that are really getting close. We have therapeutics that are really getting close. But despite all of that, these cities are doing very well. And law enforcement is at an all-time good. So most of it is good. We only talk about the bad, but most of it is good.

Pat, would you like to say something in representing our New York's Finest? And we'll go around the room a little bit.

MR. LYNCH: We sure do. You know, in our city, we're going through a difficult time. We have a progressive mayor that's anti-police; the city council that's anti-police; and the statehouse is anti-police. So they're changing the law where it's becoming impossible to do our job.

And remember what our job is: to keep folks safe. You do that by helping the good people, going after the bad people. You do that by helping the good people and going after the bad people. They're stopping us from doing that.

So we come down here —

THE PRESIDENT: So if a mayor tells you you can't do that, you cannot — your job is to keep people safe, right?

MR. LYNCH: That's absolutely correct.

THE PRESIDENT: So is that a higher calling than listening to a mayor?

MR. LYNCH: Well, you know what? They're the boss in our town, so we have to go by the rules they set. The problem is, the rules they are setting, the laws they are passing are making it impossible, because what happens then: We are criminally charged.

So we come here today, Mr. President, to ask for help, to have a discussion on what we need.

THE PRESIDENT: Do they actually charge you criminally?

MR. LYNCH: Yeah, they can charge us criminally. Yes, sir. It's disgraceful. It's like they reversed the world. It's the upside-down world right now. And I have 36 years in the job. I've never seen it this bad, sir.

THE PRESIDENT: Never been anything like it. Hey, look, I lived in New York, and we never had a problem in New York. New York was — once Rudy — Rudy did a great job as a mayor, in all fairness, because before that — but I think this is worse than the Dinkins era now.

How do you compare this to the Dinkins era?

MR. LYNCH: It's worse. You know, we had disturbances back during Mayor Dinkins's time, but we had it in one neighborhood, possibly two. We had disturbances recently in three boroughs, sir. You know, we have neighborhoods where your father started that — where it's going back to be crime-ridden. Into Manhattan, where you did so much building, it's starting to go back to crime-ridden, where they looted in Midtown. So, obviously, there's a problem.

THE PRESIDENT: And with Dinkins, if you go back to that period, everybody respected the police, and the police were allowed to do their job, in all fairness. It was never like we're going to cut our police force. It was always, "We're going to get more police," in all fairness. And then Rudy came in and did a great job. So, you know, it's one of those things.

I think you have to do what you have to do. I mean, you have to keep people safe. You have to keep people safe.

Go ahead, please.

MR. HOVSEPIAN: Mr. President, just, you know, the level of attacks that are going at us, going after our qualified immunity, going after our due process rights, it's a complete assault on the people who are paid to protect the citizens. And if we can't do our job — in Massachusetts, they want to file bills that will — we will not be able to put our hands on somebody unless we're arresting them. So if we're dealing with disorderly people, intoxicated people, people with mental health issues, trying to get them into an ambulance, get them to a hospital, we could be sued.

THE PRESIDENT: And you could be sued individually or as a force?

MR. HOVSEPIAN: Individually.

THE PRESIDENT: So are they taking immunity away from you?

MR. HOVSEPIAN: They're trying to, very hard, Mr. President.

THE PRESIDENT: Yeah, that's the next move. You know, they want to take immunity away from police so that if you do what you have to do, and you do it right, you can get sued. I mean, the whole thing is just crazy.

So you're having a hard time in Massachusetts?

MR. HOVSEPIAN: Yes, Mr. President. We're working very hard. The unions are sticking together, working very hard. And hopefully, we can curb some of this.

THE PRESIDENT: Is the governor trying to help?

MR. HOVSEPIAN: It hasn't gotten to his desk yet, Mr. President, but we're hoping that we've made some very solid arguments on all these issues where he can slow the process down. That's the problem.

THE PRESIDENT: You guys have to stick together. You got to do what you're doing. I mean, you can't let it happen. You know exactly — for instance, when you have a problem in Massachusetts, are you allowed to use pepper spray?

MR. HOVSEPIAN: Yes, Mr. President.

THE PRESIDENT: You are. Do you think they're going to end that? Are they thinking about that?

MR. HOVSEPIAN: That is one thing that have not gone after, Mr. President. But they are going after — they are going after our K-9s. They are going after the tear gas. And our K-9 officers —

THE PRESIDENT: How are the K-9s? Very effective, I would imagine.

MR. HOVSEPIAN: Yes, Mr. President. In multiple areas.

THE PRESIDENT: Yeah. Right. And they're going to stop with the K-9s?

MR. HOVSEPIAN: They are trying to limit their use, Mr. President.

THE PRESIDENT: And how about you, my friend?

MR. COLLIGAN: We represent almost 33,000 law enforcement officers in the state of New Jersey. And, you know, I was talking this morning with these guys, and I said that the "Defund the Police" is already — the experiment is already proving how poorly it is throughout the country. In New Jersey, they're talking about the new use of force policy with proportional force.

And my response is, if you want to see a fair fight, go to a wrestling match where 185, you know, fights 185. We — we want to end these — these resisting cases as quickly as possible. There's nothing pretty about somebody resisting arrest. And if you're going to use proportional force, it's going to — that's going to — you —

THE PRESIDENT: So what does that mean? That means you — you can't put two on one? You can't put three on one? What does that all mean? You mean, you have to have — you have to give the criminal a chance? Is that what that means?

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MR. COLLIGAN: We have to fight fair, I think, to mit- — to place them under arrest. We have a nation-
—

THE PRESIDENT: That's on — that's one I've never even heard of.

Have you heard of that one, John? That's one —

MR. FLYNN: No, sir. (Laughter.)

MR. COLLIGAN: But, nationwide, you know, it's — it's proportional. It's a use-of-force continuum. You can always extend, you can always go up in one level. And in New Jersey, the now — the discussion now is the proportional use of force, which, to me, is going to make us look worse on the street when (inaudible).

THE PRESIDENT: You know, what people don't understand is that the people, the voters, are with you guys 100 percent. I'll bet you if you looked, it would be really — I don't want to say a number, because then they'll say, "Oh, he was wrong on the number. The number is, you know, two points lower." It would be tremendously — it's a tremendous number. The people of our country love you guys. The people of our country want protection and they want safety. And what they're doing is they're just stripping. This radical-left movement is stripping you of everything. And we're not going to let that happen.

How about you?

MS. EDMISTON: Well, I work for the National Association, so I work for all these gentlemen and all their issues.

THE PRESIDENT: So you see it all, right?

MS. EDMISTON: Yes. And I just want to say thank you for giving us a seat at the table.

THE PRESIDENT: Okay, here's a question for you — so, you work for all: What do you think is the worst? Where is — where are they treated the worst? The police. Where are they treated the worst and where is the biggest onus of problem? In other words, who here at this table — and this is just a small group of what we have — what area is treated the worst? Is it New York? Is it Massachusetts?

You just said — you just said something. Although, what I heard from New Jersey — I'm shocked, because I know those great troopers on the highway. They pulled me over on occasion for speeding. (Laughter.)

No, for speeding, I haven't got one of them recently. (Laughter.) I'd get pulled over and I'd look at those guys, I'd say, "That guy, I'm not going to mess with that guy." (Laughter.)

But who do you think is — what area is treated the worst, meaning they've taken their power away?

MS. EDMISTON: Well, I don't think there's just one area. We've been hearing from our membership across the country about various attempts to handcuff cops and their ability to do their job. I just think it depends on the area and what policies people are trying to push. I think cops across the country are having a very difficult time doing their job with very little public support. Obviously, the — most of Americans —

THE PRESIDENT: Well, you have really the public support, but it's sort of —

MS. EDMISTON: Right.

THE PRESIDENT: — a silent majority that we're talk- —

MS. EDMISTON: Yes.

THE PRESIDENT: But it's not a silent majority, it's a massive majority. It's not anything about —

MS. EDMISTON: Right.

THE PRESIDENT: The word "majority" is not a good enough word. You have tremendous public support. And these people feel they have to do this — the politicians — in order to stay relevant in this far-left movement.

John, what would you say about that? What — who would you say is treated the worst in terms of areas?

MR. KAZANJIAN: I'd say him.

THE PRESIDENT: New York?

MR. KAZANJIAN: Yes. Yeah, listening to Pat yesterday, he had —

THE PRESIDENT: One of — one of the worst, Pat. It can't be much more than that.

MR. LYNCH: Yeah, it's — it's getting worse by the day. Each morning, you wake up; first, you get a text on the number of shootings and deaths you had the night before. Sir, you remember when you were building in Manhattan and crime was out of control. We're back to 1993 numbers. Who thought we'd be back there? In South Jamaica, the numbers have gone crazy. When we turned the city around — now it's starting to slide back. I'm worried about the slide, sir. But the slide is going to continue.

THE PRESIDENT: And you could solve that rather quickly if they gave you your power back, right?

MR. LYNCH: We've proved it. We've done it. We want to do it again.

THE PRESIDENT: Yeah, no, it's easy. It's a very — it's very — I mean, for you guys — that's what you want to do.

MR. LYNCH: Absolutely, that's our job. And remember —

THE PRESIDENT: This is hard; what you're doing now is hard.

MR. LYNCH: This is hard. And what folks in our city hall forget that, you know, we're police officers — we have a shield on our chest — but we're also citizens. We're also in the church, synagogue, or mosque. We're also at the same street corner dropping our children off, going to the same schools. We're in the cham- — same shopping malls, the same grocery stores. So we're a part of the community, and they're trying to cut us out.

THE PRESIDENT: But I remember two years ago, three years ago, when the police didn't respect the mayor — that never changed, in all fairness — but they would literally turn their back on the mayor. And he was really working hard to get them on his side. And now it's almost though — as though it's just the opposite. And why is that?

MR. LYNCH: You know what? It takes more than words. You can read from a script that your actions — you can say you support police, but then pass laws that hurt us, so we know it's not true.

If you remember, when we turned our back on — on the mayor at the time, we had just had two police officers assassinated. What folks don't understand is we went to city hall and begged that they stop the rhetoric. We said, "Someone is going to get hurt." You know what happened? It was worse. They got killed: Ramos and Liu were assassinated in our favorite borough of Brooklyn. You know, so, it was a serious time, but it's gotten more serious since then, sir.

THE PRESIDENT: And do you see it turning around? Do you see it going back where —

MR. LYNCH: I —

THE PRESIDENT: — the politicians are going to get smart, because —

MR. LYNCH: I think —

THE PRESIDENT: — the numbers will get bad. And —

MR. LYNCH: Yeah, so the communities have to realize that it's not just rhetoric; it's really their blood on the streets that's happening. And, as I said, the numbers are going back to 1990s in shootings. So I think that's when — when it visits your kitchen table —

THE PRESIDENT: But the communities like the police. The communities want protection.

MR. LYNCH: They love the police. In our most difficult neighborhoods, the community — the person sitting on the stoop, the person owning the bodega, is the one that's giving us the information we need to do our job. It's city hall that is stopping us, sir.

THE PRESIDENT: Incredible. John, go ahead, please.

MR. KAZANJIAN: So, sir, I'm president of the Florida Police Benevolent Association. And Mick and I — Mick's the senior vice president with Florida.

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And recently, he and I have met with the incoming senate president, Wil Simpson, and the incoming house speaker, Chris Sprowls. And they have assured us that they have our back. So — and I know the governor, DeSantis, has our back.

THE PRESIDENT: He's got your back.

MR. KAZANJIAN: He does. He does. However, there are some cities in Florida that want to defund; they want to create these civilian review boards. So we got to stay on top of it.

THE PRESIDENT: Yeah.

MR. KAZANJIAN: Pat's got a problem, and whatever he needs from us, he's — we got his back.

THE PRESIDENT: I think the cops in New York have to get tough again.

MR. LYNCH: We want to. We have the — we have the skill and the tools.

THE PRESIDENT: They got to get tough. They got a big voice. You know, you got a lot people. A lot of — it's a great force. And they have to get tough again.

MR. LYNCH: Absolutely correct, sir.

THE PRESIDENT: They're going to have to take it and just — they're going to have to — you just said, they have to protect — you're sworn to protect the people. You know, there's a point at which you have to — that's also an order coming down: Protect the people.

And I think Florida is going to be in great shape with your governor and everything else, but you got to always watch it, John.

MR. KAZANJIAN: No, we do. We really do. And listen, we're out there working it. And like I said, we represent over 30,000, and we get a lot of retirees from New York and New Jersey.

MR. COLLIGAN: You're welcome.

MR. KAZANJIAN: Thank you. (Laughter.)

THE PRESIDENT: Do they come into the force?

MR. KAZANJIAN: They — well, some of them do.

THE PRESIDENT: We train them in New York, they leave after 20 years —

MR. KAZANJIAN: They do.

THE PRESIDENT: — and they go to Florida —

MR. KAZANJIAN: They go to (inaudible).

THE PRESIDENT: — and they become police. (Laughter.) They have a good — they have a good life. Right?

MR. MCHALE: Yes, sir.

THE PRESIDENT: You want to say something, Mick?

MR. MCHALE: Yes, sir. I think what's important, and what radiates through our membership, sir, is your support that we're entitled to due process. And I don't think enough of the public realizes that. But your message — getting behind our profession and simply saying, "We have due process as part of our state constitutions." And obviously, we have a national due process that we're entitled to. That's all we ask for.

Again, they're going each and every day under attack, but they — they raise their hand, they took an oath, and they're not going to give up. And it's your message, but it's your administration. The Attorney General has been to many of our cities, many of our functions, and he delivers the same message — and it's always from you, sir — "We got your back." That's the most important aspect we could ever seek in our profession, to know somebody has our back.

THE PRESIDENT: But what do you do —

MR. MCHALE: In the military, they say "covering your six."

THE PRESIDENT: Right.

MR. MCHALE: Sir, you're covering our six, and we thank you.

THE PRESIDENT: I am covering you. But what do you do when you have a radical-left, crazy mayor, and they're giving you orders that you know will lead to tremendous death and crime? Are you allowed to do your job or are you going to have to listen to this crazy man that got appointed? Is there something you can do? Because I'll tell you, if you don't do your job, you going to have certain cities in this country that are going to end up like Portland.

MR. MCHALE: Yes, sir.

THE PRESIDENT: The mayor goes into the crowd the other night — and I watched very carefully, and I saw exactly what happened. He was excoriated. He was — they went after him. It was incredible, right?

MR. MCHALE: Yes, sir.

THE PRESIDENT: And shouting at him, "Resign. Get out of here. We don't want you." Horrible.

And yet I watched on NBC News, Lester Holt — on your news, Peter — if you watch that news, that newscast, it was no — it was a big, beautiful thing that he went in with the people. They didn't show the shouting and the "Get out of here." And they were rough. They would have ripped them apart. Peter, he had five bodyguards. Five bodyguards. If he didn't have those bodyguards, you'd be talking about a funeral right now, because they were looking to do a bad thing on him. And he got out with his life.

And yet, I watched NBC — I was watching, for some reason, NBC Nightly News — not even MSDNC. I'm watching "NBC Nightly News," and if you watched that, it looked like he was a man of the people — the mayor. They would've ripped him apart. It just shows you, you know, you need some help from the media. You need a little fair help.

What would you say, John?

MR. FLYNN: I agree, Mr. President. I'm from New York City also, with Patty. And I cover the south to (inaudible), Manhattan south.

The old show, "Baretta" — remember? —

THE PRESIDENT: Yeah.

MR. FLYNN: — their theme song was, "Don't do the crime if you can't do the time." They're not doing time anymore. And the police want to do their job, and they're out there doing their job. It's not even a revolving door anymore. It's an open door where it comes right back out.

There are riots — the same people looting. We arrested three nights in a row. They were back out the next day with their teams. The police want to do their jobs, they want to protect the communities. They love their communities.

THE PRESIDENT: And yet they go after General Flynn, who did nothing wrong.

MR. FLYNN: No relation. (Laughter.)

THE PRESIDENT: They go after General Flynn — (laughter) — I know. I was going to say, you look like his brother. (Laughter.) Maybe a little bit different. Slightly different, John. But they'll go after General Flynn and these people that did nothing wrong.

MR. FLYNN: They desecrated St. Patrick's Cathedral — whether it's a cathedral, a mosque, a synagogue.

There's a gentleman who painted a blue line in Staten Island down the street, and he's getting letters of threat from the city to cease and desist the painting of a line. The buildings in all lower Manhattan are scribbled with anti-police messages and other things, and nothing happens. But you paint one blue line down the street, and they want to summons you and possibly arrest you.

THE PRESIDENT: It's a good point. It's true. It's true. They can do whatever they want. You do one blue line and they make it like it's a mortal sin. Right?

MR. FLYNN: It's true.

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THE PRESIDENT: It's terrible. You ever think you'd see that?

MR. FLYNN: No, sir.

THE PRESIDENT: And this has been happening now for a long time.

MR. FLYNN: I would never — never thought they'd be torching police vehicles in Manhattan, lighting them on fire and —

THE PRESIDENT: And you could stop it instantaneously if you had the orders, right?

MR. FLYNN: Yes, sir.

THE PRESIDENT: Instantaneously. I saw that — jumping on top, hitting them with sledgehammers. And —

MR. FLYNN: And the cops want to stop it.

THE PRESIDENT: And they want to stop it. Yeah. Oh, they'd stop very easily.

Please, go ahead.

MR. HARRISON: Greetings from the great state of Texas.

THE PRESIDENT: Right.

MR. HARRISON: I'm the President of the —

THE PRESIDENT: Well, you're in pretty good shape in Texas, right?

MR. HARRISON: Some places I'm —

THE PRESIDENT: A couple of places are a little shaky, right?

MR. HARRISON: I actually serve in the state capitol, in Austin. (Inaudible.) The rhetoric that's being pushed by certain segments of the population, they don't understand: Everyone that goes to work and takes a job as a police officer, or the vast, vast majority, are there to make a difference and protect their communities and to serve.

You're going to get to a point in America, if this continues, where you're not going to be able to find people that are willing to take this job. We don't make the laws.

THE PRESIDENT: And it's a big problem.

MR. HARRISON: (Inaudible.)

THE PRESIDENT: Who's going to want to take a job where you don't have the backing of — of the people running the city, the — the elected people running the city? It's becoming a problem.

MR. HARRISON: Yes, sir. It is. It's becoming a major problem all across the nation. We don't — we don't —

THE PRESIDENT: In New York, excuse me —

MR. HARRISON: — write laws, we just enforce the laws that politicians write.

THE PRESIDENT: Yeah, in New York, they fired some of the best policemen in the world — your crime fighters — and they let them go. How many was that? What group?

MR. LYNCH: You know, it's — so we're losing huge numbers, and we have a problem on both ends, sir. We're losing members that are deciding to retire, upwards of 1,000. We — they're canceling classes of our young women and men that want to come on the job and serve, so they're not even bothering hiring them. And then, of course, that's going to drop too, because who would want to go into this profession at this time, on this day? It's a problem, sir.

THE PRESIDENT: We're going to get it changed.

MR. FLYNN: Sir, I think you're talking about the anti-crime unit. The anti-crime unit in New York.

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THE PRESIDENT: Yeah.

MR. FLYNN: That — that unit.

THE PRESIDENT: The anti-crime.

MR. FLYNN: That's what I did before I became (inaudible).

THE PRESIDENT: Were you on the unit?

MR. FLYNN: Yes, sir. And patrols out there every day, but they answer the radio. They're in uniform and they respond from call to call, and the calls are getting so much more increased. Those guys in plainclothes, they went out and they looked for the bad guys, and they took the guns off the street.

And they really, you know — did they have more shootings? Of course. Because they're the ones going head to head with the guys with the guns. As soon as they canceled that unit, that weekend, that's when the shootings rose incredibly.

THE PRESIDENT: And the bad ones knew it too.

MR. FLYNN: Oh, yeah.

THE PRESIDENT: Because they know the guys and they say, "Hey, we're not going to mess around with these guys." And now, all of a sudden, they heard they were fired. "Oh, boy, we have a free rein." That's what happened, right?

MR. FLYNN: Yes, sir. They went back to patrol.

THE PRESIDENT: So simple to understand. It's so simple. If the media would be — the media is part of the problem, because they don't report the news the way it is. They don't report it. They make it look like these are wonderful people. I watched New York. I watched them burning storefronts and going crazy.

I watched — in Minneapolis, we have this guy from CNN with his camera. The — the city was burning behind him. And he's talking about, "What a lovely group of protesters." It's — it's really —

it's really disgraceful. It's — the media is a big — I call it the “opposition party.” The media is a big part of the problem. They're — really, the fake news. It's a big part. They don't report it. Because it's common sense. It's so simple to understand.

Hopefully, Texas will be in great shape. Okay?

How about — how about you, down here? How are you?

MR. JOHNSON: Mr. President, thank you very much. I'm Bill Johnson. I'm the executive director for NAPO, and I have a similar perspective to Andrea in terms of — nationally, all the problems that we've got — big city, small towns.

THE PRESIDENT: Okay, so I'll ask you the same question:
So where are you having the worst time?

MR. JOHNSON: I think, obviously the violence that's going on in cities like New York City and Portland, Oregon, is horrible.

THE PRESIDENT: What about Wisconsin, where they take the pepper spray and the tear gas away?
What — what about that?

MR. JOHNSON: Those — those are difficult also. And there's also another problem where you have cities like Minneapolis, for example, where the violence has been quelled, but now you've got the city council voting to defund the entire — or disband the entire police department. That's a whole other kind of stress. It's bad for the officers, their families.

THE PRESIDENT: No, no, they want to disband the whole whole police department.

THE VICE PRESIDENT: Dismantle.

THE PRESIDENT: So — yeah, they want to — they want to dismantle. Right? Dismantle the whole police department.

MR. JOHNSON: Yes. Yes, Mr. President. Of course, the — the people who voted for that to maintain their own private security; that's okay. But the shopkeepers — you know, the guy running the gas station, the person trying to take the trash out in the middle of night from the — from the McDonald's can't call the police.

THE PRESIDENT: So when you guys hear the term “abolish” — they use the word “abolish” the police, “abolish” the departments, some of these people are actually serious about that.

MR. JOHNSON: They are, Mr. President.

THE PRESIDENT: That's not just rhetoric.

MR. JOHNSON: No, they're — they're insane, but they're serious, Mr. President. And it's the cities and it's the men and women who are going to suffer. I mean, it's — it's elementary, but they don't seem to care.

THE PRESIDENT: And defunding, they're already doing. I mean, defunding they've started. They've started. New York took off a billion dollars, right?

MR. JOHNSON: Yes, Mr. President.

THE PRESIDENT: So “defund” and “abolish.” And that's — that's their favorite of all phrases: Defund and abolish.

MR. JOHNSON: Yes, Mr. President. And then, once they do that, who knows what their next steps are going to be.

THE PRESIDENT: Who's gone the furthest of the cities?

MR. JOHNSON: In terms of —

THE PRESIDENT: Fund and abolish.

MR. JOHNSON: I think — I think Minneapolis, as far as I know, where they actually had — I understand there was a unanimous vote by their own council to completely do away with it.

THE PRESIDENT: It's just — and yet, the leaders have armed police around their house, right?

MR. JOHNSON: Yes, Mr. President.

THE PRESIDENT: That's nice.

Go ahead, please.

MR. KOVAR: Mr. President, thank you so much for (inaudible) and Mr. Vice President. My name is Marc Kovar. I'm from New Jersey. I'm Pat's executive vice president. We're in trouble. Our governor turned a back on us about a year ago. Our attorney general has turned their back on us. Our — the legislature is pretty much is throwing crazy bills at us. But we're in a fight for our lives, and our members for our lives. Our guys and girls are really in trouble in New Jersey right now, and we really need your help.

THE PRESIDENT: So surprised to hear about New Jersey —

MR. KOVAR: They really turned their back on us.

THE PRESIDENT: — because I know the trooper so well. I know the whole group so well.

MR. KOVAR: The politicians turned their back on us overnight for — and if we had a problem, I'd be the first one to say, "You know, we have a problem here and we have to straighten it out." We are 47th in shootings, and we're a densely populated state. So there's not a problem in New Jersey. And if there was, I'd be the first one at the table to say, "We have a problem." But they're coming down with some crazy legislation, and they're coming out —

THE PRESIDENT: But those numbers will go up. Those numbers will change —

MR. KOVAR: Oh, absolutely.

THE PRESIDENT: — with time, if they do what you're saying.

MR. KOVAR: No, I'm talking about police shootings. We are 47th lowest.

THE PRESIDENT: Yeah. No, that's what I mean.

MR. KOVAR: And we're (inaudible).

THE PRESIDENT: That's what I mean.

MR. KOVAR: And another thing is they close the mental institutions in New Jersey. They put all the homeless and the mental people on the streets, and we're supposed to deal with them. We're not trained — we're not trained psychologists and psychiatrists.

THE PRESIDENT: When did they do that?

MR. KOVAR: So the — so they have — they just — about — it's been a year already. So now it's getting worse and worse. And every time you go to an emotionally disturbed house, we're not supposed to — when mom is calling, screaming and yelling that, "My son just stabbed me," and we walk into a house with a butcher knife full of blood, and you shoot the person, we're not supposed to know that he had problems and has emotional problems.

THE PRESIDENT: Yeah. Right.

MR. KOVAR: So we're supposed to deal with this in a matter of seconds and make that split decision?

It's — that's — on TV, it's great, but in reality, Mr. President, the scariest situations. And our guys go to jail for shooting somebody, for protecting their own lives and their families' lives.

THE PRESIDENT: That example is something that happens, too.

MR. KOVAR: And, Mr. President, I never understood what "fake news" was until you said it all the time, and I can't believe how bad fake news is, as you say all the time.

THE PRESIDENT: Yeah. No, I've said it. And I've learned — I — I thought it was fake before I got here, but not as bad as it is.

MR. KOVAR: Yes, sir.

THE PRESIDENT: It's really a — it's a tragedy what they — what they're able to report or not report. You know, what they don't report is, in many ways, even worse.

MR. KOVAR: Yes, sir.

THE PRESIDENT: Mike, please.

THE VICE PRESIDENT: Well, thank you, Mr. President. I'll — I'll be very brief.

I first just want to say thank you to the nearly 250,000 men and women who put on the uniform of law enforcement that are part of this association. You have a President and a Vice President and an administration who understand men and women who serve in law enforcement have no ordinary jobs. You put on a uniform, you kiss your family goodbye in the morning, and you count our lives more important than your own.

So please let them know that all of the passion that they hear from the President and this administration, the support that you have among the American people, which I believe, with the President, is the overwhelming majority of the American people — comes from a deep gratitude.

Secondly, thank you for the endorsement of the National Association of Police Organizations for this President. I joined him on this journey four years ago. I saw the connection that he had with law enforcement from the very first day. And I know that police officers across the country have supported this President each and every day because they know that he understands the job that you do and supports your work.

But I can tell you firsthand, serving alongside him every day, that when we see Joe Biden, the Democratic Party driven by radical Democrats to call for defunding the police, abolishing the police, dismantling local officials, dismantling — voting to dismantle local law enforcement agencies, we have leading politicians that have referred to police officers as “storm troopers” and use the most pejorative terms.

I want to say to you that it has only steeled this President and this administration's resolve to back the blue. And we're — we are not going to defund the police. We're going to support law enforcement every day, as the President said; through Operation LeGenD; through the COPS program — 4,000 police officers; through the President's executive action to give law enforcement agencies more tools to do better policing, even while we improve the quality of life for people all across our cities.

So I just want to be clear with you —

MR. MCHALE: Thank you.

THE VICE PRESIDENT: — right next to him each and every day: I can tell you that everything you have heard from him four years ago, when he first ran for President, his devotion to the men and women of law enforcement has only been steeled by the rise of the radical left and the attacks on law enforcement, and we're going to be with you every step of the way. This President and this administration will always back the blue.

THE PRESIDENT: And we're working on additional support, because you need that. We're the opposite of defund.

MR. MCHALE: Yes, sir.

THE PRESIDENT: And you're talking about peanuts, by comparison, to what they do and the damage they do and the lives that they destroy. You're talking about a very small amount of money.

So we're with you all the way, 1,000 percent. And I want to thank you all for being here. I really appreciate your support. We'll never let you down. I'm for you — I mean, just by nature, by — it's natural. Its common sense. And you know what? If I thought you were doing a bad job, I'd let you know. You know that, Mick.

MR. MCHALE: Yes, sir.

THE PRESIDENT: You know that, Pat. I'd let you know.

MR. LYNCH: Yes, sir.

THE PRESIDENT: But you're not allowed to do your job; that's the problem. You're not allowed, and you're dying to do your job. You could've stopped that New York stuff the first night.

MR. LYNCH: Without a doubt.

THE PRESIDENT: In 10 minutes, you could have stopped it, and you would have saved a lot of lives and a lot of anger and a lot of hardship — and a lot of COVID, by the way.

You would have stopped it. Because I saw them marching on top of each other. You would have saved a lot. And you wanted to do it, and they wouldn't let you do it. I saw that. You — they wouldn't let you do it. They — they were going actually the opposite way. Turn your back, and then people start getting hurt that had nothing to do with it. They were getting hurt. They just don't let you do your job.

All right, well, I want to thank — Jennifer, go ahead. Go ahead.

Q Mr. President, on the — on the negotiations with Congress —

THE PRESIDENT: Yeah.

Q — I think the Democrats are hoping to hear directly from you on what you support. Would you be willing to (inaudible)?

THE PRESIDENT: I think the Democrats don't care about the people of our country. I really don't. I tell my people: The Democrats do not care about the people of our country. They don't want to do what you should be doing for the people of our country, whether it's unemployment or anything else.

And all they care about is the election, and they're going to lose the election. You see what's going on with the polls right now. Guess we just got one over 50 percent; Rasmussen just came out. You see what's going on.

Because the people get it: The Democrats are playing for November 3rd, and we're playing for the good of the people. It is a disgrace that they're not negotiating. But they're only looking to play a political game. I happen to think it's a bad political game. I think it hurts them.

Q I know that they look at you and what you say publicly — different from what they hear from Mnuchin and Meadows. Are you willing to spell out exactly what you want right now?

THE PRESIDENT: They know what I want. And what I want is I want our people to be able to live and live well, because it wasn't their fault that China brought in this pandemic, that China brought in this plague. It's China's fault. You want to know the truth? China should be paying for it, and maybe they will. Maybe they will. You'll watch. You'll watch. What else?

Q Mr. President, if we could ask you, specifically: We heard yesterday you were — your frustrations about how long it'll take to count the ballots here. Then why aren't you spending more energy to get the resources and the funding for the states that they want to be able to secure this election for all Americans?

THE PRESIDENT: Peter, you know nothing about my energy. Okay?

Q What are you doing, specifically?

THE PRESIDENT: You know nothing about what I'm doing.

Q What are you doing?

THE PRESIDENT: Listen, you know nothing about what I do.

Q The Americans are listening: What are you doing?

THE PRESIDENT: So, on NBC — I just told you about the false report that NBC put out the other night about the mayor of Portland. And this is the kind of stuff you get.

You'll see what happens. And it's common sense. Everyone knows mail-in ballots are a disaster. You just have to take a look at the last recent — take a look at New York City. Look at New York, they're still counting your ballots, Pat.

MR. LYNCH: Yeah.

THE PRESIDENT: Do you know that?

Mr. LYNCH: That's right.

THE PRESIDENT: They had a race, a small race, by comparison — by comparison, tiny. It's so messed up; they have no idea. There are ballots missing — thousands and thousands of ballots are missing. They think they're going to send hundreds of millions of ballots all over the United States, and it's going to come out. You won't know the election result for weeks, months, maybe years after. Maybe you'll never know the election result, and that's what I'm concerned with. It'll be fixed. It'll be rigged. People ought to get smart. And I just hope our Republican voters, the people that are for you, are going to do what they have to do.

Absentee ballots are great, because absentee ballots — you have to go through a process to get them and it's — it's actually a great thing. Absentee ballots. I'm going to be voting absentee. An absentee ballot is one thing. A universal mail-in ballot is a disaster. These governors are going to send out millions of ballots. They don't even know where they're sending them. I already have friends that got ballots for a son who died seven years ago. When they get — you don't even want to talk about it.

But the media knows this. Actually, the Washington Post wrote a great article — of all groups. A week ago, the Washington Post wrote a great article that this is a disaster. This is going to be the greatest election disaster in history.

And, by the way, you guys like to talk about Russia and China and other places? They'll be able to forge ballots. They'll forge them. They'll do whatever they have to do. People should go and they should vote or do an absentee ballot.

Q So what are you doing to secure it?

Q The military predominantly votes —

THE PRESIDENT: Say it. Say it.

Q The military predominantly votes by mail or absentee.

THE PRESIDENT: Absentee.

Q And so —

THE PRESIDENT: You didn't understand me. I said absentee ballots are actually a very good thing.

Q They're the same.

THE PRESIDENT: Absentee ballots are secure, and they're very good. But universal mail-in are a disaster. You're going to see an election that — and we're going to do very well in the election. Nobody wants that date more than me. I wish we would move it up. Okay? Move it up. But you're not prepared for what they're doing.

And they're using COVID. You know, they're using the China virus. China must be very happy about it, because they hit us with a virus, and now they screw up an election like you — you will never see. You watch what happens. I don't think you'll ever give me any statement, "I guess Trump was right." But the people know I'm right. Watch what happens.

New York City has a little election — we just talked — you go see. Do you know how far — they're going to — they're never going to have the result in that election. Never the correct result. They'll probably announce something at some point. But when did that take place — like five, six weeks ago.

Absentee ballots: great. Going to the polls: great. If you do universal mail-ins with millions and millions of ballots, you're never going to know what the real — the real result of an election is. It's going to be a very, very sad day for our country.

Go ahead.

Q Sir, if — if the system is a disaster, as you say, why not commit to putting in resources to fix it?

THE PRESIDENT: Oh, we're doing — we're putting in all the resources you can. But as a couple of the radical-left people said, you know — who actually agree with me — they said, "No matter what you do, we're not prepared for this." They're not prepared for an onslaught of millions of ballots pouring in. They're not prepared. They're not prepared.

You watch. They're not going to announce anything on November 3rd. They're not going to announce it on the 4th or the 5th or the 6th. It'll go on forever.

People should go — you know, they voted, Mick, during World War One. They voted during World War Two. They went to the polls; they voted. They went to their booth, and they voted proudly. But now, with COVID, they don't want to vote.

It's not they don't want to vote, it — this will be catastrophic for our nation. And you'll see it. I'm always right about things like this. I guess I must be or I wouldn't be sitting here.

But yes, Jennifer, go ahead. You want something? Jennifer, did you want —

Q No, that's all right.

THE PRESIDENT: Yeah, please, in the back.

Q Mr. President, what is your decision to delay the — the decision to delay the election in Hong Kong? What is your — or is your opinion or what do you think about that?

THE PRESIDENT: I want to — I want to right now focus on this election. I'll have a statement about that soon. I heard that, that they did the delay in Hong Kong. And we'll have a statement about that, but I want to focus on this.

Okay, thank you very much everybody. Thank you very much.

END

12:43 P.M. EDT



REMARKS

Remarks by President Trump in a Meeting with Governor Ducey of Arizona

HEALTHCARE

Issued on: August 5, 2020



Oval Office

3:16 P.M. EDT

THE PRESIDENT: Well, thank you very much. It's an honor to be with the governor of a fabulous state, Arizona. It's Doug Ducey, and we know him well. And we've had a tremendous relationship. He had a tremendous, big, very big election victory. And he has done an incredible job on COVID, or COVID-19, or about 19 other names we can call it. It's got probably more names than anything else you can think of. And he was hit very hard, and he's — and he hit back even harder.

And I'd like to have Doug explain it a little bit. And you — perhaps you both want to explain it, but you've done a fantastic job. We're very proud of you. We love the people of Arizona, and they are very proud of the job you've done also, Doug.

So maybe you can — and this is some of the things that we've provided, which is a lot. When Doug would call, I'd take his call, and he was always asking for a lot for Arizona, and that's the way a good governor should be.

So, Doug, please.

GOVERNOR DUCEY: Well, I want to say thank you, Mr. President. This has really been a partnership between Arizona and your administration. I want to thank Dr. Deborah Birx, who actually came to Arizona and sat with leaders. The — the COVID-19 crisis didn't hit Arizona until later.

THE PRESIDENT: Right.

GOVERNOR DUCEY: We had a very difficult June. We've had a much better July. We sat down with Dr. Birx and the Coronavirus Task Force and talked about mitigation steps — things like wearing masks. And we've got masks in over 90 percent of our states right now. And then the simple things like physical distancing —

THE PRESIDENT: Right.

GOVERNOR DUCEY: — washing your hands, staying home if you're sick.

And we did take some further steps. We were in the unhappy but responsible position of dispersing large crowds. So bars and nightclubs and gyms all closed temporarily. But upon putting those steps out there, we've seen improvement every week, week over week, for four weeks.

We're going to keep our guard up. We're going to stay vigilant, but there's a real path forward and a commonsense approach that we can apply in Arizona not only around saving lives, but also safely and successfully getting our kids back to school at the appropriate time.

THE PRESIDENT: And what are you down — because the percentage down is incredible. What — how much did you go down, percentage-wise?

GOVERNOR DUCEY: Well, we saw our positivity get as high as 21.

THE PRESIDENT: Right.

GOVERNOR DUCEY: Now, upon reopening — and we were part of the White House "Slow the Spread" —

THE PRESIDENT: Right.

GOVERNOR DUCEY: — for four weeks. We extended it for two more weeks. We had our positivity as low as 4 percent. Just yesterday, it was 10 percent. The week before, it was 11. So it's on a downward trajectory.

THE PRESIDENT: Yeah. Right. Right.

GOVERNOR DUCEY: And I think with the steps that we're having, the good decisions that Arizonans are making — the face — the face masks and physical distancing, and the fact that people are embracing it.

And I also want to say, our private sector folks have been terrific.

THE PRESIDENT: That's great.

GOVERNOR DUCEY: All of the businesses — if you want to participate in any good or service in Arizona, you're going to wear a mask before you go in there, and that's been a positive.

THE PRESIDENT: That's really great. Great job.

Deborah, you said something really great about Arizona before. What would it be?

DR. BIRX: Yeah. I said they just really did a great job putting these pieces together and really creating that path forward.

Arizona was the first state — obviously, we've been writing your governors report for six weeks. We went to Arizona. We had a model that showed if you did these five commonsense things, you could drive what we call the "replication rate," the R1, under one and really decrease cases, hospitalizations, and critically, mortality.

Governor Ducey walked that with us, and we've demonstrated now that you can keep a state open and retail open if you do these five commonsense pieces. And it's created a safe — saved the hospitals and saved a lot of Arizonans.

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Remarks by President Trump in a Meeting with Governor Ducey of Arizona | The White House

And we've taken that model, sir, all the way across the South and up into Tennessee and Kentucky and Ohio and Indiana. And we'll be going to six states in the Heartland next week because we think this is a way to really decrease cases, decrease hospitalizations, decrease mortality while still keeping things safe through this commonsense approach.

THE PRESIDENT: So you're proud of the governor, you said before.

DR. BIRX: Very proud of the governor. He was our — he was willing to be the first example of how to move forward together.

THE PRESIDENT: Yeah. No, you really did.

GOVERNOR DUCEY: Well, we listened to your team. I mean, and Dr. Birx came and spent a lot of time — drove to Arizona from Texas, through New Mexico; gave me a tutorial on the R0. I've been talking about it in my press conferences. We've been under 1 — the day we talked about this, and you said this would be the equivalent of a stay-at-home order —

DR. BIRX: Yeah.

GOVERNOR DUCEY: — if we were able to wear masks and shut down these large gatherings. We were at 1.18 on the R0. We got as low as any state in the country — 0.9. It stays —

THE PRESIDENT: Right. It's amazing.

GOVERNOR DUCEY: — under 1, to date.

So, like I said, no celebration, no victory lap. We're going to stay the course and stay vigilant and keep our guard up. But we have a path forward in Arizona, and we're going to keep pressing.

THE PRESIDENT: And you had a great representative over here, and you taught us a lot. You really came up with some —

GOVERNOR DUCEY: I've got a great advisor here in Gretchen Conger. She's been with us since the first year of the administration, and she sits in on all these meetings. And, yes, her, along with Dr. Cara Christ and General Mick McGuire have been top-tier, in terms of advising.

MS. CONGER: Thank you, Governor.

THE PRESIDENT: Would you like to say something in front of all of these wonderful people?

MS. CONGER: Sure. Mr. President, I would just like to say that the partnership that we have with your administration is the best that we could ask for. You always pick up the phone. What we need, we've gotten — the remdesivir treatments. We can't say enough about how grateful we are for everything that you sent.

THE PRESIDENT: How is that working, the remdesivir? How is it going?

MS. CONGER: It's working well, thankfully.

THE PRESIDENT: That's what I'm hearing.

MS. CONGER: Yeah. With the Coronavirus Task Force, you guys have really been able to dig into where they're needed most with the daily reports that we send out. And so we've been able to really target it to the folks who need it most.

GOVERNOR DUCEY: And in addition to the remdesivir, the resources for Navajo Nation and the tribal nations in excess of \$1.1 billion, along with the surge testing sites that have happened in Maryvale and South Phoenix —

THE PRESIDENT: Right.

GOVERNOR DUCEY: — some of our areas where many of the free- and reduced-lunch kids are, they needed this testing. Five thousand tests, twelve days in a row with good turnaround time.

THE PRESIDENT: That's fantastic. Huh? Wow. Proud of you. That's a great — that's a great success.

GOVERNOR DUCEY: More to do, but thank you.

THE PRESIDENT: Yeah, more to do, but that's a really —

DR. BIRX: Stay the course.

GOVERNOR DUCEY: Yeah, stay the course.

DR. BIRX: Keep those cases coming down.

GOVERNOR DUCEY: We like the trajectory, and we're going to keep pressing, Doctor.

THE PRESIDENT: Fantas- — really, a fantastic job in Arizona. We appreciate it.

Does anybody have any question for the governor? And we're going to have a news conference at 5:30, so you can ask a little bit there.

Please.

Q Mr. President, in your estimation, is mail-in voting safe in Arizona as it is, as you say, in Florida?

THE PRESIDENT: Well, I haven't discussed it with the Governor. I can tell you: In Florida, they've done a very good job with it. In Nevada, it would be a disaster. In New York, it's been a disaster. In many other places, it's been a total catastrophe.

You know what's going on in New York with the Carolyn Maloney. I think they have to have a new election. They've — you have no idea. That fraud, all sorts of many ballots. Paterson, New Jersey, I guess it's 25 percent or 20 percent of the vote is tainted.

You can't have that. You can't have that. So it's okay — absentee voting: Great. But this mail-in voting where they mail, indiscriminately, millions and millions of ballots to people, you're never going to know who won the election. You can't have that.

And Nevada is a big state. It's an important state. It's a very political state, and the governor happens to be a Democrat. And I don't believe the Post Office can be set up. They were given no notice. I mean, you're talking about millions of votes. No, it'll be a — it's a catastrophe waiting to happen.

Again, all you have to do is look at the vote that took place on a simple congressional district, in an area that should be able to do it very easily, in Manhattan. It's a total — it's a total — what's happened, it's a nightmare. Nobody has ever seen anything like it.

Look at Paterson, New Jersey, and look at other locations. We can't have that. You'll never know who the winner is, but the winner is going to be me.

So we'll see you at 5:30, and we can talk about it a little bit more.

I just want to finish by saying: We're very proud of the Governor and we are very proud of Arizona, because, in addition, the people had to help you, and they did. They're really great people.

GOVERNOR DUCEY: They did.

Q I have a question for Governor Ducey. Governor Ducey, you vote mostly by mail in your state. Are you proud of your mail-in system in the state?

GOVERNOR DUCEY: In Arizona, we're going to do it right. It will be free and fair. It will be difficult, if not impossible, to cheat. And it will be easy to vote. Seventy-eight percent of the citizens already vote by mail in Arizona. But we've been doing this since 1992. So over the course of decades, we've established a system that works and can be trusted. We're 90 days before the election.

In Arizona, early ballots are going to be mailed in 60 days. This is no time to experiment. This is a time to go with the tried and true, and in Arizona, our system works very well.

Q Are you sharing with the President what are some of the best practices in your state so that he can apply to — he can look at it in terms of other states?

GOVERNOR DUCEY: Well, our state has been a model for this type of voting, for providing options and choice to our citizens. We're not going to disenfranchise anyone. We've actually allocated an additional \$9 million to make certain that Election Day voters can go safely in proper sanitized places that are well staffed on Election Day. We want to make sure that everyone that wants to vote can vote, and they will in Arizona.

THE PRESIDENT: And don't forget, if you look at what they're doing in Nevada: no signature. You take a look at the signature, and there's no verification of signature allowed. I don't know if you do that —

GOVERNOR DUCEY: We do.

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Remarks by President Trump in a Meeting with Governor Ducey of Arizona | The White House

THE PRESIDENT: — but there's no verification of signatures. So they don't even know who's going to sign this. They have literally a clause that you don't have to verify the signatures — that they don't have to do it.

So right there, it's no good; it's defective. Two — two votes in an envelope — in a single envelope. It — this is a thing that will be a disaster like never before. So we'll see what the court has to say about it.

Arizona has been doing this for a long time, and it's been refined. Even if — if Nevada wanted to do it well, they wouldn't have enough time. I'm sure the Post Office doesn't have enough time. Millions of ballots, all of a sudden, coming out of nowhere. You know, voting starts in a very short period of time.

So, in Florida, they've done a good job. In Arizona, they've done a good job, but they've been doing this thing and refining it for years. This is something that's put in — but think of this: no verification of the signature. Well, who's going to sign it? They don't even verify who's going to sign it.

So it's — I'm sure the courts will treat it very fairly. Let's see what happens. Thank you all very much. I'll see you in a little while.

Q Mr. President, if governors delay school —

THE PRESIDENT: I'll see you later. I'll be talking 5:30. Thank you. Thank you very much.

END

3:28 P.M. EDT

**REMARKS**

Remarks by President Trump in Press Briefing | Bedminster, NJ

Issued on: August 8, 2020



Trump National Golf Club
Bedminster, New Jersey

August 7, 2020
7:34 P.M. EDT

THE PRESIDENT: Well, thank you very much. And it's a great honor to have everybody here. And I know the press was not quite expecting this, so I appreciate your being able to attend. We have a terrific number of things, and some very positive things to tell you tonight.

I want to begin by giving an update on the economy. Economic health is vital to public health. That's why our strategy to kill the China virus has focused on protecting those at greatest risk while allowing younger and healthy Americans to safely return to work and safely return to school. Very important.

We added 1.8 million new jobs in July, exceeding predictions for the third month in a row, and adding a total of over 9.3 million jobs since May. And I will say that the job growth that we've seen over the last three months — 9.3 million — is the single greatest three-month period of job creation in American history. That's big stuff. That's big news and great news.

Over the past three months, the United States has surpassed market expectations by a total of 12 million new jobs. Over the last three months, the United States has added 623,000 manufacturing jobs. Remember “You’d need a magic wand to get manufacturing jobs”? And we’re getting them even in a pandemic — which is disappearing; it’s going to disappear.

And 639,000 brand-new construction jobs. Over half of the new jobs are fulltime jobs, and wages are up by 4.8 percent, which is terrific. Unemployment has fallen by nearly 30 percent since April. Think of that: 30 percent since April.

Hispanic American unemployment has decreased by nearly 32 percent. Jobs held by African Americans, which were hit especially hard by the shutdowns — incredibly hard — increased by nearly 1 million over the past three months, and that’s also a record. That’s a job record: African American, 1 million. It’s job record.

We must ensure that the progress continues. My administration has enacted over \$3 trillion in historic relief since China allowed the virus to infect the world. So we’ve contributed \$3 trillion.

My administration continues to work in good faith to reach an agreement with Democrats in Congress that will extend unemployment benefits; provide protections against evictions — the terrible thing happens with evictions. Not fair. It wasn’t their fault that we were infected with this disease from China. And get relief to American families.

Yet, tragically, Nancy Pelosi and Chuck Schumer continue to insist on radical leftwing policies that have nothing to do with the China virus. Nothing to do with it at all. So you have a virus that comes in, and you have people in Congress that don’t want to help our people.

If Democrats continue to hold this critical relief hostage, I will act, under my authority as President, to get Americans the relief they need. And what we’re talking about is deferring the payroll tax for a period of months until the end of the year. And I can extend it at a certain period. Hopefully, I will be here to do the job. We’re going to do the job; we’ve been doing the job like nobody could. Nobody would, actually. And so, we’re going to have the payroll tax go until the end of the year, and it’ll be retroactive to July 1st. So we’re going to go back to July 1st, and it’ll go to the end of the year — payroll tax. At the end of the year, it may be extended.

1/20/2021

Remarks by President Trump in Press Briefing | Bedminster, NJ | The White House

We're going to enhance unemployment benefits through the end of the year. So unemployment benefits will be — that's a big one — will be brought out to the end of the year.

And defer student loan payments and forgive interest until further notice — so students who are paying student loans and, in many cases, they're not even allowed to go back into their colleges.

Extend the eviction moratorium — we will be extending that so people aren't evicted. Not their fault.

We had a lengthy discussion this morning with President Macron of France, concerning numerous subjects, but in particular, the catastrophic event which took place in Beirut, Lebanon. Horrible, horrible event.

At 3 p.m. this afternoon, I spoke with President Aoun of Lebanon to inform him that three large aircraft on the — are on the way, and they're fully loaded — fully loaded with medical supplies, food, water, and many other things, lots of emergency equipment. Also first responders, technicians, doctors, and nurses are on their way. This was an event like the world has not seen for a long time. A horrible event.

We'll be having a conference call on Sunday with President Macron, leaders of Lebanon, and leaders from various parts of the world. Everyone wants to help. We spoke to a lot of people; they all want to help.

The United States is with authorities on the ground right now in Lebanon to identify further health and humanitarian needs, and we will provide further assistance in the period to come. We're working very closely with their government and with their leaders.

And on behalf of the United States, I want to extend our condolences to all of the families — a much larger number of families than anybody would have thought and than anybody at first thought — but all of those families who lost loved ones, relatives, friends in this horrible tragedy. We stand firmly with the people of Lebanon and will continue to offer our full support through this very difficult time. We have not seen anything like this in a long time.

As you know, earlier this week I met with American workers at the Tennessee Valley Authority who have been laid off by the leadership at the Tennessee Valley Authority. As you know, this is a form of

utility. It's been around for a long time, since FDR.

And the head person — not controlled by government, but it's sort of semi-public, in a sense — gets paid the highest salary in the world of government. He gets \$8 million a year. That's not a bad amount of money. It's \$8 million a year. And we are not accepting that. Even though we're not the ones that appoint him or her — but, in this case, him — we're not accepting somebody getting paid \$8 million a year. This has been going on for many years. And we will do something about that, and we're already in negotiations right now, including possible termination.

They and hundreds of their fellow American tech workers — the workers at TVA — were being terminated from their positions on top of all of this, and on top of the \$8 million salary, and a chief of staff who makes much more than a million dollars a year. But, on top of all that, they were being terminated from their positions — these incredible people — in order to train the lower-cost foreign workers imported to replace them. How's that for a law? And this was set up, originally, to create jobs and economic development, and now they're getting fired, and they're supposed to train people for a much lower — who get a much lower salary. It's crazy.

This was a grave injustice. I fired the chairman of the board in response. On Friday, I fired the chairman of the board, along with one other board member. That's the one thing we have; we have the right to fire board members. And I made it clear that if they did not swiftly reverse course, I would continue with these firings of the board members. And we just were informed that they have agreed to change course, totally.

And today, I'm proud to announce that a major victory for the workers of Tennessee and Kentucky and other areas that are covered — great states, great states — that the leadership of the TVA has canceled all of the layoffs and given hundreds of American workers their jobs back. They're being rehired as we speak.

In this administration, we live by two rules: Buy American and hire American. You can't do that; you can't fire all our workers and hire people back from other faraway parts of the world at lower prices, especially when they have to train the people. And they can never train them as good as what you have, because they've been there for many years. They've done a fantastic job, and they love the TVA.

We had a lot of people in the office the other day — a lot of the media was covering it. They love the Tennessee Valley Authority. So — and they're so proud to work for it. But this happened and it was a terrible thing, so now they're going to get their jobs back — they're all going to be getting their jobs back.

Nearly every nation on Earth continues to combat the virus. A number of countries are seeing a surge in new cases, including Japan, the Philippines, major parts of Europe. Cases continue to surge in Latin America. That's, right now, the most infected place anywhere in the world. They have more than doubled in recent days. Latin America is doing very little testing. They're not really equipped to do that. It's tough.

In the United States, more than 80 percent of jurisdictions report decline in cases. We're doing very well. You don't hear that too often from the media, but we're doing very well. We have a very large country — a very complex country, in a sense. More than half of America's counties report fewer than 20 cases last week. So, if you look at that, more than half of America's counties report fewer than 20 cases last week. But we have to remain vigilant. We're doing very well, but we have to remain vigilant.

Nationally, the percentage of emergency room visits with the coronavirus symptoms is down to almost half what it was in July. The southern states that were very strong hotspots not long ago — Arizona, Texas, Florida — continue to show significant improvement, including increased availability of hos- — hospital beds.

Arizona now has the smallest number of coronavirus in-patients. Since mid-June, it's gone — the governor was up, and we had a great meeting — Governor Ducey. And the meeting was terrific. But since mid-June — so they're doing well, and it's going down — heading down very rapidly, actually.

Texas is stabilizing and improving rapidly with some progress in the Rio Grande Valley, and other communities along the border with Mexico that had shown the biggest increases in hospitalizations and deaths.

Florida is also stabilizing, and statewide positive test rate continues to decrease — from 13 percent on July 23rd, to 8 percent this week. Florida has done very well. It's going down; it's heading down, actually, quite rapidly. And even Miami, which was the hottest spot in Florida, is heading downward. But Florida has done very well.

Texas has done very well, and rapidly. And Arizona has done incredibly well. So it — Arizona has really been a very rapid drop.

New Jersey and New York remain stable with less than 1 percent of emergency room visits due to the China virus — the illness. It took a devastating toll on both states, as you know. While both states really took the brunt of the infection earlier this year, thankfully we have not seen a resurgence. They've been doing a good job. Everybody is working very hard. Both governors are working very, very hard. We're in touch with them. We're supplying them with a lot of supplies as needed, if needed. But they're needing very little right now. They're in very good shape. We will continue to monitor the new cases.

Throughout this crisis, my administration has provided extraordinary support of people, equipment, medical supplies to the people of New Jersey, the people of New York, and to the people of every state — all of our states.

We're carefully monitoring California's Central Valley, as well as San Diego, Los Angeles, Sacramento, and San Francisco, which are starting to stabilize and go down.

We're carefully watching regions from increasing cases, including Boston and Chicago, as well as the Midwest. We're watching them all very carefully. It's vital that all Americans work together to protect the vulnerable.

For this reason, we've delivered vast amounts of protective equipment and testing supplies to nursing homes all across America. We're focused very much on the elderly, especially the elderly where they have heart problems or diabetes problems. Diabetes is a big problem. Approximately half of all deaths have occurred in nursing homes and long-term care facilities. That's an incredible number, when you hear half of the deaths have been in nursing homes and long-term care facilities.

And I will tell you that I met with owners and representatives of nursing homes, and they are very, very vigilant. They're doing a very good job now. They've really done something that I think is special. They're doing very well, in terms of the virus. They're working very hard. And a lot of things happen — a lot of forces came together and hit the nursing homes very hard. But the representatives of nursing homes — in some cases, the ownership of nursing homes — they're working very hard.

The federal government and the private sector have delivered more than 9 million N95 masks, 27 million surgical masks, 3 million face shields, 20 million gowns, and 668 million gloves to New Jersey alone. Think of that. We provided \$3.4 billion to the state of New Jersey in emergency relief funding. So we happen to be in New Jersey right now, so those are great numbers. The governor is working very hard; Governor Murphy is doing a good job. We're working very closely with him. We've also provided nearly \$5 billion to New Jersey hospitals and healthcare facilities.

And through the Paycheck Protection Program that you all know so well, we provided \$23 billion to support more than 250,000 New Jersey small businesses. A lot of the small businesses that you see that are opening now and going to do well, they're there because of what we did with Paycheck Protection.

On therapeutics and vaccine updates: Three vaccine candidates have now moved into phase three trials. This would be years ahead of schedule. We have done wonders with the FDA. I want to thank the FDA and all of the great people there and Dr. Hahn. But we have phase three trials already going on, which is, most people would have said, impossible to even think about.

Today, Pfizer announced that it will manufacture Gilead's drug, remdesivir — where we've had tremendous success.

Last week alone, my administration procured and distributed over 120,000 vials of remdesivir, enough to treat more than 19,000 patients. Plasma treatments continue to show incredibly encouraging results, really incredible what's going on. And if you can go to a blood bank — if you've had this disease and — and beat it — and there are a lot of people that have — if you could go to a blood bank and donate, that would be a tremendous help.

The United States is only 5 percent of the world's population, but we have conducted over 25 percent of the world's testing. Think of that: 5 percent and we've given 25 percent of the world's testing. Any proper global analysis of confirmed cases must really take this into account, because we're constantly showing cases — cases, cases, cases are up. Well, the reason cases are up, because we're doing — one of the reasons — we're doing a lot of testing.

We're doing much more testing than anyone else. Close to 65 million tests, where other countries have done very little testing. They'll test people if they get sick. They'll test people if they go into

the hospital. They'll test certain people. We're doing tremendous testing. And we're especially doing big testing at the nursing homes.

Over the last week, the testing turnaround times have declined significantly as our major commercial labs have begun pooling samples. And we've also been able to send out many more of the tests, which are the 5-minute to 15-minute-result tests. Testing samples from multiple patients in one batch is also something that we're very focused on and doing. But in the not-too-distant future, we'll have so many tests where it's a quick test — they call it a “quick test” — 5 minutes to 15 minutes. So we won't even have to worry too much about the process of sending and receiving. Because if you figure it takes a day to send and a day to receive and, let's say, a day at the laboratory — that's three days right there. And the other tests, you can have them in 5 to 15 minutes.

Over the next two weeks, I'll be pursuing a major executive order requiring health insurance companies to cover all pre-existing conditions for all customers. That's a big thing. I've always been very strongly in favor — we have to cover pre-existing conditions. So we will be pursuing a major executive order, requiring health insurance companies to cover all pre-existing conditions for all of its customers.

This has never been done before, but it's time the people of our country are properly represented and properly taken care of.

This follows a series of executive orders to lower drug prices and lower prescription drug prices — and significantly. We had the only year, which was last year, where drug prices went down in 51 years. But we're talking about going down at a level that nobody has even thought possible now, even though the drug companies are running very big ads on me, but that's usually a reason — they're not happy. They can't be too thrilled. But they've made a lot of money over the years, and prices just go up. Not fair.

This includes a landmark executive order requiring drug companies to charge Americans — and charge Americans no more than they charge to foreign countries. So they have to charge Americans no more than they charge to foreign countries. That means our country can't be charged more.

So if Germany gets drugs at a very small or low price, and we're paying many times that price in the United States — because we pay for all of the research, the development, the promotion, and other

things — we will get what's called a “favored-nations clause.” We're going to have — and I signed a favored-nations clause so that the United States — which is the number-one purchaser of drugs by far in the world — biggest purchaser in the world, not even close. You have other countries that are bigger, if you look at India, China, et cetera. Not too many. But we have countries that are bigger, but not even close, in terms of ordering drugs. We're the number-one country in the world.

But we have a favored-nation — so if somebody has a — a drug — in many cases, it comes from a plant — the same plant. It comes from — it's the same pill; it's the same medicine or medication. Whatever the lowest country charges — so if Germany charges 10 cents for a pill, and we charge \$2 — and I only use Germany as an example — then we get that — we get that for 10 cents. So what's going to happen is that's going to go up a little bit, and ours is going to come down a whole lot. So it's the favored nations.

And I will tell you that big pharma is not happy. For too long, we've been forced to subsidize cheaper drug prices in foreign countries. We've subsidized them to a level that nobody can believe. Nobody talked about it. Everybody wondered, “How come every President that runs for office says they're going to lower drug prices, and they never do? They go through the right — roof.” Over the last administration they went up, like, skyrocketing — skyrocketing. That's Biden. Biden is not going to be able to be able to do it. He has no clue.

So what's happening is: We are going to be working to get rid of all the subsidy to foreign lands. And we're going to give, essentially, all of the benefit that, frankly, they have as great negotiators — those benefits are going to go to our people. So it's called a “favored-nations clause,” and you can look it up, and you can see. And nobody has had the courage to institute it, to call it because it's a very big — it's a very big step. But it's something that is going to drive drug prices down 50, 60, maybe even 70 percent. We're talking about numbers that are unbelievable.

I also signed an executive order stopping middlemen from taking advantage of Medicare patients by charging higher prices to them and pocketing the discounts for themselves. These are some of the richest people in the world. Everyone talked about middlemen. I've heard about them for years, on prescription drug prices — middlemen. I guess you'd have to say to be politically correct, “middlemen and women.” But you never heard the “middlewomen” before; you heard “middlemen.” That's the term.

And, you know, say what you want about the drug companies, but at least the drug companies produce a product. They produce the pill. They produce the medicine — the medication. But these people make billions and billions of dollars. I don't know who they are, but they're very rich. But they won't be so rich anymore.

This executive order requires these \$30 billion in discounts to go straight to the American patients. So the middleman is going to be knocked out, and I'm going to lose a lot of friends, even though I have no idea who these people are.

AUDIENCE: (Laughter.)

THE PRESIDENT: On opioids, I'm pleased to announce that my administration invested an additional \$100 million to fight the opioid crisis in rural America. In the midst of the China virus pandemic, we also keep fighting to end the opioid epidemic. And we've done very well. We've done — it was prior to the virus — we were down 18, 19, and 20 percent. But when you think about it, that means that you have 80 percent, and that's not acceptable.

The wall is going up. We have 276 miles of wall. It's having a tremendous impact on drugs coming into our country already. It'll be finished toward the end of the year. And it's had a very, very big impact.

On Portland: Finally, I'd like to address that situation. Portland is a disaster. It's been a disaster for many, many years. Brave federal law enforcement officers singlehandedly — the officers, they singlehandedly saved the federal courthouse in Portland from lawless rioters and agitators and anarchists — and that's what they are. You know, when you find Molotov cocktails in somebody's knapsack, and they say, "No, I'm just here to have a good time." (Laughter.) These are really sick, disturbed people.

The disgraced mayor of the city has ordered the police to stand down in the face of rioters, leaving his citizens at the mercy of this mob. He was at the mercy of the mob, too. If you saw him go out there the other day, it was terrible. He went out there and they wanted to rip him apart. But, fortunately, he had five people with him called "security."

Mayor Wheeler has abdicated his duty and surrendered his city to the mob. As a result, the mob descended upon a police precinct and tried to burn it down, tear it down, rip it down — an act of

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attempted murder. Leftwing, violent extremism poses an increasing threat to our country, and we stop it. You have no idea how much we stop, but it's an ideology we have to stop.

"When you commit arson..." — this is a quote from the mayor; he's come a long way. He just made this quote. "When you commit arson with an accelerant in [the] attempt to burn down a building that is occupied by people who...have intentionally [been] trapped inside, you are not a demonstrator — or "you're not demonstrating," said, Mayor 2722, "You are attempting to commit murder." That's come a long way; he's come a long way when he made that statement.

What you're seeing in Portland is the radical left's agenda in action. Portland is their roadmap for America. If the radical left gets in — and they treat Joe Biden as a puppet; he's merely a puppet. But if the radical left gets in, they look at Portland as a thing that they want. That's what they want. Why? Who knows? Doesn't matter. It's a different thinking, but it's a mess.

And I want to thank Homeland Security. They've done a fantastic job. We had our people go in. They stopped any intrusion into the courthouse, and the courthouse was saved, and other federal buildings were saved. And we would like to be asked by the mayor and the governor — we will go in and stop the problems in Portland in 24 hours, just like we did in Minneapolis after they really hurt that city. But the National Guard went in, did a phenomenal job.

It was over in three hours. After watching six days of horror, it ended in three hours. You all saw the scene of them walking right down the street, just to — it was actually an unfortunate view, but an incredible view of how to do things.

So we would be able to solve the Portland situation immediately, but we are supposed to be asked. If we're not asked and if it continues, we'll have to make a decision. But it's a very easy thing for us to do. We could stop it very quickly. It's been going on now for 76 days. But our buildings are very secure.

If the Democrats controlled in Washington — the Democrats' control of Washington — they'd pass — with all of the things they do — legislation gutting every single police department in America. They truly do; many of these people want to defund the police department. At a minimum, they're to stop money from going to the police department, but in many cases they actually wanted to defund, completely, the police department.

No city, no town, and no suburb would be safe. Your suburbs would be a disaster. Your cities, your towns would be a disaster. They want every city to be a Portland or to be a Chicago, which is totally out of control, and we're waiting for the mayor. We've sent people in to help them from an intelligence standpoint, but we're waiting for them to call — the governor, the mayor. We could do a very good job in Chicago. Nobody's ever seen anything like that — this country.

And yet, nationwide numbers are good, despite the Chicagos and the Portlands — and, frankly, the New Yorks, when you look at what's happened in New York. Three hundred and forty-eight percent increase in the last number of months. Nobody has seen anything like that. It's so sad. To me, it's so sad because I love New York. And it's so sad. And it — all it is, is horrible, horrible incompetent management by politicians that truly don't know what they're doing.

So just like we saved the courthouse, we will save the United States of America. And a vast majority of people agree with me. A vast majority. Most people. They don't speak up as much as they could, but we know they're there, and everybody else knows they're there, too.

So, with that, I'll take a few questions from the media. They've been here for a long time, and they've been waiting outside for a long time. And they wait for these moments. So it was a lot of fun. (Laughter.)

Please, go ahead.

Q Mr. President —

THE PRESIDENT: No. You, go ahead.

Q Me? Oh, thank you, Mr. President. I have a couple of questions on the negotiations with Capitol Hill and the —

THE PRESIDENT: Yeah.

Q — coronavirus legislation. These executive orders you mention, do you have a timeline on when you're going to sign them or —

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THE PRESIDENT: Yeah, it could be by the end of the week. They're being drawn by the lawyers right now. They work very nicely. It would be nice to be able to do it with the Democrats, but they're really just interested in one thing, and that's protecting people that have not done a good job in managing cities and states. And nothing to do with COVID, nothing to do with — or little to do. They want to be able to make up for many, many years — in some cases, decades — of bad management. We can't do that.

So that's what they want. They want to do that, and we don't want to do that.

Q Are you concerned that — about the legality of these executive orders?

THE PRESIDENT: No, not at all.

Q Because there are questions they may be found illegal.

THE PRESIDENT: No. If somebody — well, you always get sued. I mean, everything you do you get sued. I was sued on the travel ban, and we won. I was sued on a lot of things, and we won. So we'll see. Yeah, probably we get sued, but people feel that we can do it.

Jeff, go ahead.

Q Thank you, sir. Mr. President, the intelligence agencies today said that Russia is already meddling in this year's election to hurt Joe Biden, and that China is considering meddling to hurt you. Do you believe that intelligence? And what do you plan to do about it?

THE PRESIDENT: It could be. I mean, it could be — very much. I think that the last person Russia wants to see in office is Donald Trump because nobody has been tougher on Russia than I have, ever.

Q That's not what the intelligence is showing, though.

THE PRESIDENT: Well, I don't care what anybody says. Nobody — nobody with any common sense would say, do — look at what we've done with our military. Look at what we've done in exposing the pipeline with billions of dollars going to Russia. Look at all of the things we've done with NATO, where I've raised \$130 billion a year from countries that were delinquent, and now they're paying

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all of this money. And the 130, by the way — \$130 billion — not “million,” “billion” — goes to \$400 billion over a few years. And that’s all money to protect against Russia.

China would love us to have an election where Donald Trump lost to Sleepy Joe Biden. They would dream — they would own our country. If Joe Biden was President, China would own our country. And you said another country? What was the third country?

Q No, just those two. And do you —

THE PRESIDENT: No, no. You didn’t — you didn’t say then the report. The report said Iran, also. But you didn’t say that.

Q I didn’t say that.

THE PRESIDENT: Iran would love to see me — Iran would love to see me not be President. And I’ll make the statement: If and when we win, we will make deals with Iran very quickly. We’ll make deals with North Korea very quickly.

And whatever happened to the word “North Korea”? You haven’t seen that, have you? If I didn’t win the election in 2016, our country would now be — maybe it would be over by now, but in war with North Korea. Everybody said, “Oh, Trump will get us in war.” No, just the opposite.

And we actually have a relationship with North Korea, which is something that — it was never established by the previous administration. You would have been in war with North Korea, and it would have been a very bad war.

So North Korea — whether you look at Iran — every one of them will make a deal with us very quickly. Iran is dying to make a deal, but they want to see because they’d much rather make a deal with Biden. Because if they make a deal with the United States, if China makes a deal with the United States with Biden in charge, they would own our country.

Look what I’ve done. I’ve taken billions — tens of billions of dollars from China. China was having the worst year they’ve had in 67 years, and we were having the best year we’ve ever had — with big tax cuts, with big regulation cuts. We’ve rebuilt our military. We became independent, in terms of energy. We’re the energy leader of the world. We were having the best year we’ve ever had.

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By the way, African American, Asian American, Hispanic American unemployment numbers — the best in the history of our country. All things — and many other groups, too — including women; including high school diploma, no high school diploma, college diploma. Everybody was doing better.

The last thing that Russia wants and China wants and Iran wants would be for Donald Trump to win.

Yes, please. Go ahead.

Q Just to follow up, what do you plan to do about that interference, sir?

THE PRESIDENT: Well, we're going to look at it very closely. You're telling me that this came out a little while ago, and I've heard that it came out. It came out just a little while ago, and we're going to look at that very closely.

But you started off with Russia.

Q Russia on —

THE PRESIDENT: Why don't you start off with China? Do you think China is may be a bigger threat? I mean, I think maybe it is. I mean, you'll have to figure it out. But we're going to watch all of them. We have to be very careful.

The biggest risk that we have is mail-in ballots because with the mail-in ballots — it's called "universal mail-in ballots" — it's much — it is a much easier thing for a foreign power, whether it's Russia, China, Iran, North Korea, many others, people — countries you wouldn't expect — it's much easier for them to forge ballots and send them in. It's much easier for them to cheat with universal mail-in ballots.

So I think one of the things we'll have to look at is exactly that, but that's a big problem. That's a big problem. You saw, in New York, they called a winner, but they have no idea what the vote is.

Please, go ahead.

Q Mr. President, we've watched these negotiations go on for weeks. Do you think if you had been more directly involved, we would be in a different position than we are today?

THE PRESIDENT: No, I'm totally involved. No, I — they call me all the time. They they tell me how they're doing with Nancy and Chuck. But in my opinion, they're just using it as an excuse to try and — you know, Chuck Schumer came out with a strong statement today that you have to get back into school because it's good for the economy, but he has — he doesn't do it. He doesn't practice what he preaches.

No, my people — Steve Mnuchin and our wonderful Chief of Staff, Mark Meadows — they're constantly on the phone with me. I'm totally involved with it. And we are going to do it in a way that's just much easier. We gave them their chance, but they view it as an election enhancement.

You know, you talk about foreign countries cheating on the election. Well, the Democrats are cheating on the election because that's exactly what they're doing. If you look at what they're doing, even with these negotiations, that's an influence and an unfair influence on an election. But we're going to win anyway.

Yeah. Please go ahead.

Q Mr. President, when was the last time you spoke to Speaker Pelosi, though? We're at this historic moment. Why haven't you spoken to her?

THE PRESIDENT: Well, we'll see. We'll see what happens, but right now they're not ready. And they're not ready because, frankly, I don't think they care about people. I think they care about their politicians that have done a terrible job running the cities and states — Democrat cities and states that are bleeding money, that have been so badly run.

You take a look at Baltimore and you take a look at so many different cities, including the ones I've already mentioned. Take a look at what's going on. And they want lots of money to keep — keep it going. For many years, they've been bad.

So all I'm doing is we're having it out. We're finally having it out.

Yeah, please.

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Q Mr. President, if you go ahead on your own on unemployment insurance, I'm wondering both where you're going to get the money to pay for that without Congress and will people still get \$600 a week?

THE PRESIDENT: Yeah, we have the money. We have the money. Yeah.

Q They'll still get \$600 a week, in addition?

THE PRESIDENT: I won't say that yet. You'll see that when it happens, but we have the money.

Q Will you say what number they would —

THE PRESIDENT: We have it, Justin. We have plenty of money.

Yeah. Please go ahead.

Q Thank you, Mr. President. You said that the pandemic is disappearing, but we lost 6,000 Americans this week. And just in this room, you have dozens of people are not following the guidelines in New Jersey which say you should not have more than 25 people —

THE PRESIDENT: No, they don't have to. This is a political activity.

Q So why are you setting a — why are you setting such a bad example, Mr. President, for the country?

AUDIENCE: Booo —

THE PRESIDENT: Yeah. You're wrong on that because it's a political activity. They have exceptions. Political activity.

Q (Inaudible.)

THE PRESIDENT: And it's also a peaceful protest. So when you have an — and as you know —

AUDIENCE: (Applause.)

THE PRESIDENT: It's a peaceful protest. They asked if they could be here.

You know, they — a number of — and, to me, they look like they all have — pretty much all have masks on. But, you know, you have an exclusion in the law. It says “peaceful protest” or “political activity,” right? In fact, specifically — yeah. It says — exactly — “political activity” or “peaceful protests.”

And you can call it “political activity,” but I'd — I'd call it “peaceful protests” because they heard you were coming up. And they know the news is fake. They understand it better than anybody.

AUDIENCE: (Applause.)

THE PRESIDENT: They asked whether or not — they asked whether or not they could be here. Like the question about Russia. He doesn't mention Iran was in the report. He doesn't mention — or he mentions very late that China was in the report —

AUDIENCE MEMBER: China wants Biden!

THE PRESIDENT: — because that's the way they are. They're not —

If the press in this country were honest, if it wasn't corrupt, if it wasn't fake, our country would be so much further ahead. But we're doing really great.

AUDIENCE: (Applause.)

THE PRESIDENT: Thank you all very much. Thank you.

END

8:14 P.M. EDT



STATEMENTS & RELEASES

Remarks by President Trump in Press Briefing

HEALTHCARE

Issued on: September 23, 2020



James S. Brady Press Briefing Room

6:16 P.M. EDT

THE PRESIDENT: Hello. Thank you very much. Thank you. Today, Johnson & Johnson announced that their vaccine candidate has reached the final stage of clinical trials. This is record time. This is the fourth vaccine candidate in the United States to reach the final stage of trial. So we have four candidates already at a very late date. “Late” being a very positive word, in this case.

Earlier this year, Johnson & Johnson anticipated that they would reach phase one trials by September. But due to our support under Operation Warp Speed, and to some of the incredible scientists involved, they’ve reached phase three trials by September — far ahead of schedule. We encourage Americans to enroll in the vaccine trial. It’s not only interesting; it’ll be a terrific thing for our country. We encourage everybody to enroll, as many people as we can.

Today, my administration announced that we are awarding \$200 million of CARES Act funding to all 50 states to prepare to distribute the vaccine to high-risk residents, and we want to do that the instant it is approved — not the following day, but the following moment. And so we’re going to be doing that, and we’ll be distributing, getting it ready, because we have some great vaccines going to be coming out.

Through Operation Warp Speed, we also continue to accelerate lifesaving therapies. We're seeing promising results that our monoclonal antibody treatments — which help the immune system fight the virus and help very significantly — we're finding can reduce hospitalizations now by more than 70 percent.

By cutting the red tape and unleashing America's medical genius, we've reduced the fatality rate 85 percent since April. For individuals under 50, they've — they have a 99.98 percent rate of survival from the China virus. That's a number that's been really increasing substantially with time.

As children go back to school, we're encouraged that early research shows only a small degree of spread. Brown University conducted a study of more than 550 schools across 46 states and found that only 0.076 percent of students had confirmed cases of the virus — that's a tiny percentage — and 0.15 percent of teachers had confirmed cases.

Patients coming to the emergency room due to the virus is down to only 1.6 percent of all emergency room visits — the lowest since the pandemic began. 1.6 percent emergency room visits.

As far as protecting the vulnerable is concerned, we provided over \$21 billion to our nursing homes, and we are really focused on the nursing homes. Everybody, including our governors — we have governors who are working very closely with the task force and with the Vice President and everybody involved. We've sent rapid-testing devices to nearly 14,000 certified nursing homes in the country.

This week, we're sending hundreds of thousands of additional rapid tests to nursing homes to ensure they can test staff regularly. And the staff now is being tested on a very, very powerful and on a regular basis, but very strongly at the finest level, the highest level, and the best tests.

We're encouraged that the number of Americans getting the flu vaccine is increasing by roughly 50 percent compared to last year. It's substantially up. The flu, when it's mixed with COVID, or China virus, is going to be very interesting to see what happens. But that can drive numbers. And we just don't know what that will be yet, but you'll have flu numbers and you'll have some COVID numbers.

I think we're rounding the turn very much. You see what's happening in Europe, however. They have a very big spike. Countries that we thought were doing well aren't doing well. They had some very big spikes. Very — a very big surge.

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Months ago, we increased our nation's procurement of the flu vaccine by 66 percent, and we ask Americans to go get their annual flu shot as early as possible. It's possible, I would imagine, Scott, that the flu can get mixed up with the virus, and people can think it's the virus when actually it's another flu season coming on. I don't know, it's — I hope they can keep them separate. Can they keep them separate?

DR. ATLAS: We hope so.

THE PRESIDENT: Huh? I doubt they will. It's going to be a very interesting time.

But we have a flu season coming up. We've had some flu seasons, which are really massive over the years — over many years. And we have some that are much less so. But it's still significant, so I hope they can separate them, because it's — it's pretty close.

In the past four months, we've created 10.6 million jobs. We cut unemployment rate nearly in half. The unemployment rate is cut nearly in half. Larry Kudlow is here. He'll be discussing that in a little while. Retail sales are up 121 percent; that's far above what we thought. Manufacturing is up 61 percent; that's above — also above our schedule, and our schedule is a heavy schedule. Automobile production is up six-fold. Homebuilder sentiment is at the highest level in history. That's an amazing statement, Larry: the highest level in history. That means people are thinking good thoughts.

Home sales are at the highest level in nearly 15 years. Small-business optimism is higher than any time under the last administration, substantially higher. Small-business optimism — higher than at any time over the last — more than the last administration.

Today, I was proud to award nine companies and organizations with the first-ever Pledge to America's Workers Presidential Award. This award recognizes outstanding training programs that are giving Americans the skills to hone a trade and earn a great living. They're great people. Over 400 companies have competed and committed to 16 million training opportunities for the American worker, and it's really been amazing.

We've created the fastest economic recovery in American history. You are witnessing it. You are a part of it.

Our approach is pro-science. Biden's approach is anti-science. If you look, it's — I don't think they know what their approach is, although a lot of it's copied from what we've done.

Biden opposed the China travel ban and the Europe travel ban. And the strategy that they have was just never-ending lockdowns. We're not locking down. We're actually growing at a rate that we've never experienced before. But they're talking about — if you have a question, just lock it down. We're not doing that, and you can't do that.

Our plan will crush the virus. And actually, Biden's plan will crush America, if you think about it. You can't lock down. Again, we're growing at levels that nobody has ever seen before. Our plan is unleashing a rapid recovery. Our opponent's plan would hurt America very badly. It would send us into a depression.

And with all of that being said, we are going to be having a very exciting Saturday at five o'clock in the Rose Garden, where I'll be putting forth my nominee for Supreme Court Justice. And I think it will be a great nominee, a brilliant nominee. As you know, it's a woman. We brought it down to five women. It's time for a woman to — to be chosen, with everything that's happened and with Justice Ginsburg's passing.

We are going to go sometime tomorrow morning, as I understand it, to pay our respects. And we'll be over there, and I guess they probably put that announcement out. But that'll be done tomorrow morning. The Vice President was there today.

And so, if you have any questions, we'll take a few questions. Yeah.

Q Mr. President, real quickly: Win, lose, or draw in this election, will you commit here, today, for a peaceful transfer of power after the election? And there has been rioting in Louisville. There's been rioting in many cities across this country — red and — your so-called red and blue states. Will you commit to making sure that there is a peaceful transfer of power after the election?

THE PRESIDENT: Well, we're going to have to see what happens. You know that. I've been complaining very strongly about the ballots. And the ballots are a disaster. And — and —

Q I understand that, but people are rioting. Do you commit to making sure that —

THE PRESIDENT: Oh, I know. I know. Yeah, no, we want —

Q — there's a peaceful transfer of power?

THE PRESIDENT: We want to have — get rid of the ballots and you'll have a very trans- — we'll have a very peaceful — there won't be a transfer, frankly; there'll be a continuation.

The ballots are out of control. You know it. And you know who knows it better than —

Q No, sir. I don't know that.

THE PRESIDENT: — anybody else? The Democrats know it better than anybody else.

Go ahead.

Q No, sir. Mr. President, the second question is, will you also —

Q Thank you. Will you —

THE PRESIDENT: Please, go ahead. Please, go ahead.

Q Why won't you commit — why won't you —

THE PRESIDENT: You asked a question.

Go ahead, please.

Q Mr. President, why won't you —

Q Mr. President, do you plan to —

THE PRESIDENT: Say it.

Q Mr. President, do you plan to meet with Barbara Lagoa at the White House?

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THE PRESIDENT: Can you — you — I cannot hear you through your mask.

Q I'm sorry. Do you plan to meet with Barbara Lagoa in Washington? And is she still on your shortlist?

THE PRESIDENT: She is on my list. I don't have a meeting planned, but she is on my list.

Q Do you — do you have a —

THE PRESIDENT: But I don't really talk about the meetings planned. I — I speak to people. I talk to people. But I don't have a meeting planned. No.

Q Do you have a response to the governor of Missouri testing positive for coronavirus?

THE PRESIDENT: I didn't know that. No.

Yeah, John, please.

Q Mr. President, we asked you earlier today about the Breonna Taylor case.

THE PRESIDENT: Yes.

Q Could you comment now? I assume you've been briefed on the —

THE PRESIDENT: I have.

Q — charges in the Breonna Taylor case?

THE PRESIDENT: Well, I thought it was really brilliant. Kentucky Attorney General Daniel Cameron is doing a fantastic job. I think he's a star. And he made a statement that I'll just read:

“Justice is not — justice is not often easy. It does not fit the mold of public opinion and it does not conform to shifting standards. It answers only to the facts and to the law. If we simply act on emotion or outrage there is no justice. Mob justice is not justice. Justice sought by violence is not justice — it just becomes revenge.”

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I mean, I heard that, I said, “Write that down for me, please.” Because I think it’s — it was a terrific statement. He’s handling it very well. You know who he is, right? You — you — I think you know. I think everyone now knows who he is.

I will be speaking to the governor. And we have a call scheduled to make very shortly with the governor. I understand he’s called up the National Guard, which is a good thing. I think it’s a very positive thing. And it’ll all work out.

Q And could I — can I just — following on your Supreme Court nomination? It’s highly unlikely that any Democrats will vote for your nominee if and when it comes to a vote in the Senate.

THE PRESIDENT: Well, we don’t know that. I mean —

Q Given the — well, given the —

THE PRESIDENT: — it’s an awfully good —

Q Given the posture, I think —

THE PRESIDENT: — awfully good candidate.

Q — that’s a pretty safe assumption. But, on that point, would you want to nominate someone who, in their confirmation to the appellate court, received broad bipartisan support? Or would you be more inclined to put forward somebody whose confirmation fell along party lines?

THE PRESIDENT: I can’t tell you what’s going to happen with the Democrats. I can say this: The person that I will be putting up — and I won’t say that I’ve even chosen that person yet; I could say any one of the five. They’re outstanding women.

But the person I’ll be putting up is highly qualified, totally brilliant, top-of-the-line academic student, the highest credentials. All of them have that, but the highest credentials. And you’ll see on Saturday who that is.

I can’t imagine why a Democrat wouldn’t vote for this person, but you may be right. Frankly, I’d bet on you. I’d probably bet on you.

Yeah, please, go ahead.

Q Thank you very much.

THE PRESIDENT: No, I didn't — not you. Right here.

Q Okay.

Q Thank you, Mr. President. Prince Harry and Meghan Markle chimed in on the U.S. election and essentially encouraged people to vote for Joe Biden. I wanted to get your reaction to that.

THE PRESIDENT: I'm not a fan of hers. And I would say this — and she has probably has heard that — but, I wish a lot of luck to Harry because he's going to need it.

Yeah, please. Go ahead.

Q Mr. President, the FDA is reportedly considering stricter guidelines for the emergency authorization of a COVID vaccine. Are you okay with that?

THE PRESIDENT: Well, I'll tell you what, we're looking at that, and that has to be approved by the White House. We may or may not approve it. That sounds like a political move, because when you have Pfizer, Johnson & Johnson, Moderna, these great companies coming up with these — the vaccines, and they've done testing and everything else, I'm saying, "Why would they have to be, you know, adding great length to the process?"

We want to have people not get sick. The vaccine is very important. It's the final step. I believe it's going to be the final step. And no, we're looking at that, but I think it's — I think that was a political move more than anything else.

Q One follow-up on that, sir. It's designed to improve trust in the vaccine. Do you think that's not needed?

THE PRESIDENT: Well, I have tremendous trust in these massive companies that are so brilliantly organized, in terms of what they've been doing with the tests. I mean, I don't know that a

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government, as big as we are, could do tests like this. We've made it possible for them to do the tests in rapid fashion.

But when they come back, and they say that we have something that works and absolutely works, and they're coming back with great numbers and statistics and tests and everything else that they have to come back with, I don't see any reason why it should be delayed further. Because if they del- — delay it a week or two weeks or three weeks, you know, that's a lot of lives you're talking about.

Scott, would you agree with that or how do you feel about that? Please, Scott.

DR. ATLAS: Yeah, thanks. Yeah, I mean there is no — I think that people don't understand what's going on with Operation Warp Speed. It's unprecedented what's happened here.

A typical vaccine takes roughly four years or so, and now we're going to have a vaccine — highly likely — in far less than one year, but without cutting any safety corners because the President has done things concomitant to the development of the vaccine — that is, the manufacturing and the logistics. Everything is being done at the same time, and that's never been done before.

But there is zero cutting of safety concerns. There is — there should be no hesitation about the safety. You shouldn't be punished by doing something faster than other people could have done or thought; it's the opposite. We have a pandemic. The urgency is the pandemic, not politics.

Q Are you amending —

THE PRESIDENT: It sounded to me — it sounded extremely political. Why would they do this when we come back with these great results? And I think you will have those great results, because why would we —

Q Well, when do you expect this vaccine?

THE PRESIDENT: Why would we be delaying it? But we're going to look at it. We're going to take a look at it. And ultimately, the White House has to approve it. And maybe we will, and maybe we won't. But we'll be taking —

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Look, I have to leave for an emergency phone call. I'm going to let Scott and Larry finish up. Larry is going to talk about the economy.

Q Mr. President, just one more question on Breonna Taylor, if I can?

Q What's the emergency phone call about?

THE PRESIDENT: So I'll be — I'll be back. I will see you tomorrow. A big day.

Q Mr. President, if you can, just one more question on Breonna Taylor.

THE PRESIDENT: Excuse me. Excuse me.

Q We're at a time right now where Americans —

Q Who's the call?

Q — feel like we are on this carousel —

THE PRESIDENT: Say it?

Q Who's the call?

THE PRESIDENT: I have a — a big call. A very big call.

Q Mr. President, just one more question, if I can, on Breonna Taylor?

THE PRESIDENT: So I'll let you take over.

Q People are protesting in the streets. What is your message to them? People feel like we are on this carousel where another black life is being taken.

MS. MCENANY: So, here we have Dr. Scott Atlas and Larry Kudlow. I encourage you all to be respectful and show a little bit of decorum here as they take your questions.

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Q Dr. Atlas —

DR. ATLAS: Yes. Please go ahead.

Q Can you clarify for us your views on the impact of the virus spreading in the community? There's been some reporting that maybe you've favored or have talked about or looked at some sort of herd immunity strategy.

You said to Fox in July that "When younger, healthier people get the disease, they don't have a problem with the disease"; "Low-risk groups getting infections is not a problem. In fact, it's a positive." Can you say what you meant by that?

DR. ATLAS: Sure.

Q Does that indicate that you're okay with it spreading, sort of, among younger folks who are less susceptible?

DR. ATLAS: No, I think I've answered this multiple times, but I have never advocated a herd immunity strategy. There's never been a desire to have cases spread through the community. That's a false story. I've denied that multiple times. And I just don't — that false story doesn't seem to die. But that's a fact.

And the description of immunity coming when people get an infection is not something I'm inventing. That — but that has never been a policy that I have advocated. There has never been a policy recommendation to pursue that to the President, and that is not the President's policy.

Q We had 60,000 cases yesterday. Do you have any sense or does the task force have any sense of what is driving that? That's the highest level in six weeks. Why are we still seeing cases at this level?

DR. ATLAS: Yeah. Well, I mean, there are several things to look at, but the case metric is not the most important metric.

The most important metric are the following: Hospitalizations per day are coming down. Deaths per day are coming down. Number of people in the hospital is 47 percent lower than it was since its

peak. The number of people sick with COVID illness coming to the emergency room is 1.6 percent — as the President said, the lowest number since the pandemic began. All of these trends are positive.

The cases, per se, are defined by tests. If I tested a million people, I would see more cases. The only thing that counts are the problems with the cases. So when we see that hospitalizations per day are coming down, people are not dying as much — these are all very positive trends, and that's exactly what we want to see.

(Crosstalk.)

Go ahead.

Q Dr. Atlas, is there any bad blood between you and Dr. Deborah Birx?

DR. ATLAS: No. I saw the story — and, really, a super journalism story. Dr. Birx speaks for herself, but that's a completely false story, and she denied it today. So, I mean, it's completely false.

Q It's been seven — it's been seven weeks since we've heard from her in a press briefing.

Q When do you expect a vaccine?

DR. ATLAS: Yeah. So this is a very important question. The vaccine is proceeding at an extremely rapid pace, as we know. Everything is being done simultaneously so that the logistics and the technology in place to deliver it is ready to go, as everyone knows.

And it depends on the data, okay? The data is being monitored by an external group of experts called the data- — data safety monitoring board. And when we have enough cases, the — when they see enough cases that have shown a statistically significant difference, they will tell the company and then the company will say — look at it, and say, "Yes, we have it." And we think that that has a good chance of happening in October.

Q Just a quick follow — you did say that last week, in this room — pretty much the same thing. But you said it could be —

DR. ATLAS: Because it's the truth. That's why.

Q Yeah, I understand. But I want to clear it up because you said it could be as late as January, it could be after the election — that there's no clear-cut time, and that's what I want to make sure that — that you're saying that now.

DR. ATLAS: This is the current thinking that I have been told. I'm not in charge of the vaccine development; I'm relaying information. And what I've been told is exactly what I said, and there will be 100 million-plus doses available by the end of this year, it is highly likely we will have a vaccine before the end of the year, and it is also likely that we will say, "The data is good; we have the vaccine." And then it will be submitted, of course, for approval and authorization sometime in October.

But it depends on the — on the data. No one can really say with certainty when it's coming. That's just impossible. I don't see the data until the data happens.

Q Dr. Atlas —

DR. ATLAS: Yes.

Q Dr. Redfield today said that more than 90 percent of the population remains susceptible to coronavirus. Do you agree with that assessment?

DR. ATLAS: Yeah, I think that Dr. Redfield misstated something there. And the rea—

Q So he misstated last time and today?

DR. ATLAS: I'm going to answer your question if you'll let me finish.

Q Okay, please.

DR. ATLAS: The data on the susceptible that he was talking about was his surveillance data that showed that roughly 9 percent of the country has antibodies. But when you look at the CDC data state by state, much of that data is old. Some of it goes back to March or April, before many of these states had the cases. That's point number one.

Point number two is that the immunity to the infection is not solely determined by the percent of people who have antibodies. If you look at the research — and there's been about 24 papers at least on the immunity from T-cells — that's a different type of immunity than antibodies. And without being boring, the reality is that — according to the papers from Sweden, Singapore, and elsewhere — there is cross-immunity, highly likely from other infections, and there is also T-cell immunity. And the combination of those makes the antibodies a small fraction of the people that have immunity.

So the answer is no, it is not 90 percent of people that are susceptible to the infection.

Q So I guess my question is for — I'm not a doctor; I defer to your expertise on this and to his. But so, Americans hear one thing from the CDC Director and another thing from you. Who are we to believe?

DR. ATLAS: You're supposed to believe the science, and I'm telling you the science.

Q So he's not telling us science?

DR. ATLAS: I'm telling you the science, and that's the answer. And if you want to look up all the data, you're free to. You can also talk to the following epidemiologists —

Q I guess, why is he still going out before Congress and speaking if you say he's misstated it today and the President said he misstated last time? Americans are looking for the best information right now.

DR. ATLAS: Yeah. And I'm giving you the best information, and it's confirmed by people like Martin Kulldorff, who's a Harvard epidemiologist at Harvard Medical School —

Q So should we now —

DR. ATLAS: Let me finish, please.

Q Please. Please.

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DR. ATLAS: Jay Bhattacharya and John Ioannides, both epidemiologists at Stanford; Professor Gupta, University of Oxford. These are people who know the latest data on the immunology and what's happening. And I just recited it to you.

(Crosstalk.)

MR. KUDLOW: I'm going to give — I'm going to give Scott a little time off. I'm just going to give Scott a little time off.

I want to reinforce some of the things that President Trump said about the economy because that's very much a key part of this story. We've got some new numbers out late last week and this week, and I wanted to underscore that.

If we can get the charts back up, I want to show you some more examples of the "V"-shaped recovery. I — actually, I can jump in here.

This is from the Census Bureau Report: change in the number of people living in poverty. During President Trump's first three years, pre-pandemic, 6.6 million fewer people — 6.6 million fewer people are living in poverty.

Q What's the number post-pandemic?

MR. KUDLOW: And the —

Q What's the number post-pandemic?

MR. KUDLOW: Well, we'll have to wait and see on that. We're just beginning —

Q Well, wouldn't that be more accurate — wouldn't that be a more accurate chart?

MR. KUDLOW: Let me go to the — under the Obama years, 787,000 people moved into poverty, so that's a problem.

And we have the second chart —

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Q Isn't that an old chart, though?

MR. KUDLOW: — if we get — no, this a brand-new — this stuff just came out late last week.

Q But when you look —

Q It says through 2019.

MR. KUDLOW: If I — if I may, okay?

Q I just like accurate information.

MR. KUDLOW: This is the accurate information. This is —

Q It's not 2020.

Q Doesn't it say through 2019, Larry?

MR. KUDLOW: This is from the Census Bureau, and it just —

Q It's not 2020. It's like right now.

MR. KUDLOW: — came back.

Well, let me just go back into this. Three years into President Trump's presidency, under his policies, real family income — this is probably the best measure of living standards there is — real median household income grew by \$6,000 — over \$6,000. That is five times the rate of the eight years of the Obama administration.

I hear people ask me — legitimate questions, I respect that — that this is some kind of — has been a "K"-shaped recovery, where only the wealthy did well, and the bottom did not do well.

In fact, this is the middle: real family income. And I will add to that — not only was this five times higher, but the biggest gains came in the lower-income levels, significantly higher than top 1 percent or the top 10 percent.

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Now, let me hit another chart — put this up, see where it — sort of doing this by feel. Go ahead. More charts. There we go. Back to the “V”-shaped recovery.

You’ve heard me speak about this and I just want to underscore: We got new production numbers this week. This is a “V”-shaped recovery in automobiles, a key sector of the economy. And we have additional numbers on housing that I’d like to show, confirming the “V”-shaped recovery. Housing, housing — there we go. We’re at an all-time high in homebuilder sentiment. All right? That’s a very important — leading indicator — to a clear, “V”-shaped recovery. And if anything, it’s strengthening.

And finally, I think the last chart is on existing home sales. Here it is. Their highest reading in 14 years.

So I just want to say, we have more work to do with respect to the — to the recovery and return to economic health. We have more work to do. There is still hardship, and there is still heartbreak.

Q Do you know how many Americans —

MR. KUDLOW: But the numbers coming in —

Q Do you know how many Americans are living in poverty, right now, today?

MR. KUDLOW: The numbers — actually, that won’t be reported —

Q Do you know the answer to that question?

MR. KUDLOW: That won’t be reported —

Q Do you know the answer to that question?

MR. KUDLOW: I can only wait until the Census Bureau — I don’t know if you cover this beat or not.

Q The most recent number of the — number of Americans living in poverty right now — do you happen to know that answer?

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MR. KUDLOW: No.

Q Because we're getting a — you don't know that?

MR. KUDLOW: I will wait —

Q You're an economic adviser and you don't know that?

MR. KUDLOW: Yes, right. If you'll just stop nitpicking, and let me explain to you.

Q It's not nitpicking.

MR. KUDLOW: These numbers —

Q I don't want a history lesson; I want to know what's happening today.

MR. KUDLOW: Well, you should have a history lesson, too. It would help you understand.

Q (Inaudible.)

MR. KUDLOW: But I'm going to say to you: These are Census Bureau numbers. The most accurate, comprehensive — they are not out yet. So I'm giving you the ones that were released late last week; they are the most up-to-date numbers.

And under the President's policies of lower taxes and regulations and energy independence and better trade deals, we've had a phenomenal increase in living standards — five times what the prior administration had for eight years — and we're proud of that. And this is a topic that will come up again and again.

The second point I want to make is while living standards went up, poverty went down and inequality went down. So the notion that, under President Trump, only the top end benefit is simply not true. These are facts from the Census Bureau, and they are backed up by many other facts that we've talked about, as I've discussed with those of you.

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And then finally, the “V”-shaped recovery — we’ve got more work to do on unemployment and employment. No question about that. I think this is a self-sustaining recovery, as I’ve said. We would welcome some additional assistance in targeted areas, particularly getting back to school and working on COVID-related safety precautions and health precautions. We’d love to see an extension of the small-business loans, the PPP program. But the recovery itself continues to move ahead nicely. We’re in the right direction, and this is no time to change policies.

Yes, ma’am. Go ahead, please.

Q Could you comment on a pending stock deal that’s going to be taking place — an IPO in the Hong Kong Stock Exchange? It’s Ant Technology Group. It could raise as much as \$40 billion, potentially the largest IPO in history. There have been a lot of security — national security concerns, a lot of human rights concerns about the technology used potentially to suppress the Uyghur people. What is the administration’s position on the Ant Technology Group IPO?

MR. KUDLOW: I’m going to reserve comment on the deal itself. But I will add, to your question, we are examining all these deals and publicly held companies — China-based companies — that may list on our exchanges. We are examining them with respect to transparency, possible fraudulent accounting. This comes from a Financial Working Group report. And we’ve given them one year to shape up and get their books in order, including their backdrop books — their supporting papers — to prove to the Public Accounting Board and the SEC that they are safe for American investors. I withhold comment on that particular deal.

Yes, sir.

Q Today, in California, the governor issued an executive order designed to move the state to the point where there will be no gas-powered vehicles sold by 2035. What do you make of this move that’s taking place in California? Do you expect it to spread around the country? What are the poli- — the economic ramifications?

MR. KUDLOW: I don’t expect it to spread, with respect to Governor Newsom, whom I know. It just seems like a very extreme position. I don’t know how you get there.

I’ll have a look at the proposal. If there’s more detail and meat on the bones. I don’t see this happening elsewhere. I don’t think we should be taking any steps to get rid of fossil fuels, for

example. And, by the way, there should be consumer choice for all automobiles, and that includes electric automobiles.

But I'd have to look at the governor's proposal. It just sounds very extreme to me. I don't know how you do it.

Yes.

Q Larry, do you think that the fight now over the Supreme Court nominee is going to have a major impact on the possibility to get PPP extended? And what impact will that have on the economy, if, for example, aid for airlines does not get extended in October?

MR. KUDLOW: You know, it doesn't have to interfere. I mean, you can walk and chew gum at the same time. They operate on different lanes, legislatively. So, I guess that's my take.

We would like very much to help the airlines. We've told them that. You can't run a healthy economy without the airline channel, and we'll see what has to be done there with respect to possible legislation or even possibly with respect to executive administrative action. We will take a look on that.

Again, you've heard me say: I don't think this recovery right now is dependent on an additional assistance package, but there are a number of targeted areas in that package, including airlines — most particularly, small-business loans and getting back to school — that I think would be a big help.

And I just don't see, if you can have agreement on four or five or six measures, which is what's been happening, even though you don't get the whole deal, why not do it? It'll help Americans move ahead in terms of the recovery.

Last one. Yes, sir.

Q Do you think that we need another broad stimulus package? Or do you think —

MR. KUDLOW: Do I think that what?

1/18/2021

Remarks by President Trump in Press Briefing | The White House

Q Do we think — do you think the U.S. needs another broad stimulus package? Or do you favor, sort of, à la carte-type measures — like on airlines, for instance?

MR. KUDLOW: Yeah, I — I would say to you: sensible, efficient, targeted measures might be very helpful. I don't think we need another gigantic, multi-trillion-dollar package.

And as I say, you know, the latest numbers coming in are looking very good — the “V”-shaped recovery. I mean, the Atlanta Fed GDPNow model is showing over 30 percent growth in the third quarter. The Blue Chip forecasters are well over 20 percent. Our view has been 20 percent-plus. We'll see. We'll get that number in due course.

I'm just saying: Let's be smart about some of these assistance measures. Thank you very much.

END 6:49 P.M. EDT

Donald Trump Phoenix, Arizona Speech Transcript – Turning Point USA

rev.com/blog/transcripts/donald-trump-phoenix-arizona-speech-transcript-turning-point-usa



Donald Trump: (02:04)

Thank you. Thank you very much. Ah, go ahead, sit down. We'll be here for a little while. Sit down. Thank you also, Lee Greenwood, thank you to Lee Greenwood. But I'm thrilled to be in Arizona with thousands of patriotic, young Americans who stand up tall for America and refuse to kneel to the radical left. That's true. That's true.

Donald Trump: (02:29)

There is something going on. You feel it right? You feel the spirit. The other night, a speech I made, on Saturday night, at a very good place. And we had a great evening and the ratings came out you saw that, on television. It was the number one show in Fox history for a Saturday night. Number one. Ratings. For them, it's all about the ratings. I know that the other folks back there, CNN, and MSDNC I know they're very happy. They're very happy to see that Fox said the number one show. This is the number one show in the history of Fox News. That's pretty good. Saturday night.

Donald Trump: (03:19)

Let us also show our appreciation to my good friend. Charlie. I'll tell you, Charlie is some piece of work. Who is mobilizing a new generation of pro-American student activists. That's what you are and really smart. And you'll be up here someday. Somebody in that audience,

maybe a few of you. You're going to be up here. Right here. Who are tough and smart and determined and truly unstoppable. You are. I want to thank also Kimberly and I want to thank my son. Boy, I watched my son. I got here. Wow. I said, "What's this all about?" He's good. And the people like him. People like him a lot. To everyone here today and watching live all across our country, Thank you for bravely defending our nation, our values and our great American heroes. You know what's going on, because you're on the front lines of a tremendous intellectual struggle for the future of our country. That's really what you're talking about. The future of our country. You see what's happening. It's a disgrace. It's a disgrace. If we weren't here, you could forget it. But we're going to be here and then you're going to be here and we're going to keep it going for a long time.

Donald Trump: (04:46)

November 3rd is a big day. Get out, get the parents, get the friends, get the husband, get the wife, get everybody. Now, the difference is they get everybody. Even if they're not registered, if they're not citizens, if they're here illegally, they get everybody. That's one of the little difficulties. And , you go through a whole nation and you see what's going on and they report zero illegality, check out California, sometime.

Donald Trump: (05:19)

No, check out the deal that they signed with Judicial Watch. I think Judicial Watch was 1 million, or 1.5 million people they settled. They agreed that that many people either voted illegally, shouldn't have been voting, a lot of things. They settled. And Judicial Watch said, "Look, we were so high. What difference did it make? What difference would it make?" No. But they play a very dirty game. You're fighting against an oppressive left wing ideology that is driven by hate and seeks to purge all dissent. And you understand that. Amazing at that age. You're young people, generally, a couple of oldsters out there, friends of mine.

Donald Trump: (06:03)

The radical left demands absolute conformity from every professor, researcher, reporter, journalist corporation, entertainer, politician, campus speaker, and private citizen. But we have Charlie and we have our people and our people is stronger. Our people are stronger And our people are smarter and we are the elite. We are the elite. If you haven't noticed, they said it two weeks ago. I was talking to somebody who says, "Well, you know, the elite." I said, "What are you talking about the elite? Who's the elite? They're the elite?" They're not the elite. You're the elite.

Donald Trump: (06:45)

You're smarter, you're better looking, have a better future, you know your way around to better. Believe it or not. There's only one thing they have. They're more vicious. They are vicious. They are vicious people. Anyone who dissents from their orthodoxy must be punished, canceled, or banished. That includes from television. You see it. But you will not be

silenced. And the bottom line, I get interviewed by people and I'm sitting there the other day in the Oval Office. And I didn't like the tone. And I said, "It's really nice because I'm here and you're not." The Oval Office.

Donald Trump: (07:40)

And I've said it before, you're the courageous warrior standing in the way of what they want to do and their goals and standing up for faith and family, God, country and freedom, freedom. Unbelievable spirit. I appreciate it. Thank you very much. But the radical left, they hate our history. They hate our values and they hate everything we prize as Americans, and we're right, because our country didn't grow great with them. It grew great with you and your thought process and your ideology.

Donald Trump: (08:51)

The left wing mob is trying to demolish our heritage so they can replace it with a new repressive regime that they alone control. They're tearing down statues, desecrating monuments, and purging dissenters. It's not the behavior of a peaceful political movement. It's the behavior of totalitarians and tyrants and people that don't love our country. They don't love our country. The left is not trying to promote justice, or equality, or lift up the downtrodden. They have one goal, the pursuit of their own political power, for whatever reason, but that's their goal. That really seems to be their goal. Their goal, or their sickness. And if you give power to people that demolish monuments and attack churches and seize city streets, and set fire to buildings, then nothing is sacred and no one is safe. We stopped them last night. Did you see that? Andrew Jackson. And brought some to jail and others are going to jail. The problem we have is states. They're weak. Many of the governors, many of the mayors, you see what's going on. And by the way, just so you understand, it's all liberal Democrat states. Could you imagine if sleepy Joe ever became president, this country would be a mess. They would rip down everything, everything. Sleepy Joe. And he wouldn't call the shots. He would have nothing to do with him. "Lock him in the Oval Office. Let's just do what we want to do." And today he's with Obama, President Obama. It only took him, how long, a year and a half to endorse him? What did it take, a year and a half to endorse him? Even after he won, he didn't endorse him for a long time.

Donald Trump: (11:04)

Then he's fighting. He's fighting for sleepy Joe. He really feels strongly about it, so strongly that he was fighting. He wanted everybody to win, but Joe. Joe won. But if you remember in my campaign, he fought harder than crooked Hillary. President Obama fought me harder. He said, "You cannot let him win. You cannot this..." He was all over the place. I said, "This guy's spending all of his time campaigning against me." Who won? That's right. And don't forget. Don't forget. I'm only here because of him and Biden. I'm only here because of them, because if they did a good job, we wouldn't have been here. There would have been no

reason. I'm only here because of President Obama and the job he did and sleepy Joe Biden and the job that he didn't do other than he did a good job for his son. He did a good job for son.

Donald Trump: (12:11)

No, but I'm only here because of them. Otherwise, I wouldn't be here. People were very unhappy. The fake news doesn't report it. They were very unhappy. There was tremendous dissent, tremendous anger. A lot of people in this audience, I can tell you. But we're here today to declare that we will never cave to the left wing and the left wing intolerance. We will never. We will never surrender to mob violence. And we will uphold American freedom, equality, and justice for every citizen of every background, very strong. That's who we are. That is what we believe. And that is why we must prevail on November 3rd. We have to prevail, get out there. We're honored to be joined by a great gentleman, a great governor of this state. He won by a lot of votes. And I said to him, "Governor, how am I doing?" He said, "You're doing really well." I said, "Good." Because he knows better than anybody, he really has done a tremendous job as governor. Arizona Governor Doug Ducey. Where is Doug? Thank you, Doug. Thank you. And somebody who we need to keep in the Senate. A woman who works very hard. I just got back from something you like, the border wall. Martha McSally. Thank you, Martha. Thank you. Thank you. Thank you, Martha. We got to get her in. And Mark Kelly, who she's running against is very weak on China and lots of other things. If between Biden and Kelly and these people they get in, China will own this country and they don't own us at all.

Donald Trump: (14:19)

We have done great. Before the plague set in, before the plague came over. It came over. We were doing the greatest, we had the greatest economy we ever had, the greatest job numbers we ever had, the greatest of everything. There wasn't a thing where we weren't number one. We were beating them and they were having a tough year. 67. It was one of the worst years they had in 67 years and we were doing great. And then they said, "there's a plague coming over from China. Here it comes." What a disgrace. What a disgrace. And now you saw last week, the jobs numbers, the biggest ever. You saw the retail sales numbers, the biggest ever. Number one. And we're going to have a very good third quarter. And interestingly, we're going to have a good third quarter. And right when those numbers are announced, you have your election, so that's hopefully a sign from up there. But I think we're going to do very well.

Donald Trump: (15:19)

And they are trying to do their best to keep the country shut down and closed, because they'd love those numbers not to be good. But there's not a lot they're going to be able to do about it. Not a lot. But we want to get Martha in, and I want to thank Martha for being here. Governor, I want to thank you for being here. I want to thank you for being such a great friend too, thank you.

Donald Trump: (15:44)

And we also have some of your warriors, great representatives. And they fought with me on the impeachment hoax. One of the great hoaxes, based on a telephone conversation. That was perfect. I'm the only one that got impeached in history. Hopefully will be the only one that got impeached over a perfect telephone call. Perfect, perfect. This was the perfect call. I said, "Wait a minute." I said, "We don't need lawyers. Just keep reading." Thank goodness we had it transcribed. It was very good that we had it... Because you remember Adam Schiff got up and he met up a phony story. He made up a phony story. That's what they're all about. I said it before. They're vicious.

Donald Trump: (16:27)

Paul Gosar. Stand up, Paul. Where's Paul? Paul, stand up. Paul. Great guy. There's a man, I spoke to him this morning, Andy Biggs. Andy. Great guy. Thank you, Andy. Freedom Caucus. Now that Mark Meadows is our great chief, he's our chief. Mark Meadows. By the way, Mark Meadows is here too. Let's have it for Mark Meadows. Where's Mark? Mark Meadows. But Andy took over and the Freedom Caucus is doing great. Thank you. Thank you, Andy.

Donald Trump: (17:07)

Somebody I got to know very well during the hoax. Debbie Lesko. She's great. Actually another one. Oh, there she is. She just stood out on television. It was like she popped. She did great. I said, "You're so lucky you know me, Debbie", because she really was one of the people, she stood out. Thank you, Deb. Thank you.

Donald Trump: (17:38)

Another warrior, David Schweikert. David. Thank you. Thank you, David. Thank you. And a man who's very understated. He just gets it done behind the scenes, never likes to go on television. Never likes talking a lot, but he's a great Congressman from one of my favorite states, Florida, Matt Gaetz. Matt Gaetz. He keeps it low-key and simple. No, actually he keeps it up and not simple, but he's great. And he does a fantastic job. Thank you Matt.

Donald Trump: (18:24)

Along with a lot of great people, Arizona Treasurer, Kimberly Yee. Kimberly, thank you. House Speaker, Rusty Bowers. Rusty. Rusty. Thank you rusty. Thank you, Senate President, wow, that's a big deal. Karen Fann. Thank you. Madam President, how am I doing in Arizona? Okay? She says, "Yes." She knows. She knows. And Navajo Nation Vice President, Myron Lizer, thank you. I also want to recognize a truly courageous woman. Angel Mom, is a friend of mine too, by the way, one of the first people I met when I announced that I was going to run.

Donald Trump: (19:20)

What she has gone through with illegal immigration, nobody will ever go through. Hopefully nobody ever has to go through. Unfortunately, people will have to do it. But she is one of the first people I met. And she lost a magnificent child to an illegal immigrant. And it's just a

horrible thing. And she's spent her life. She's spent the last long period of years fighting and fighting and fighting. And people have gotten to respect her greatly, Mary Ann Mendoza, wherever you might be. Lots of guts. She's got a lot of guts. And thank you, a very special thank you to Pastor Luke Barnett and the Dream City Church for hosting us. Where is the pastor? Is that the pastor? You're good looking. Where's the pastor? I want to see this guy. Oh, he's good.

Donald Trump: (20:40)

I'll be here. I'll get here someday. I'll be here some Sunday morning. Thank you. Thank you. Great job pastor. I hear great things. Thank you very much. We're also joined by a man who became such a superstar overnight. I put him there as a little bit of a filler, to be honest, he did a great job. He was the ambassador to Germany. And he was like, I needed somebody to sit warm out a chair. He wore out a chair. He didn't warm it. He wore it out. Matt Gaetz, he wore out the chair. Richard Grenell. What a guy. Where's Matt? No. Say hello. You are fantastic. I want a picture of him walking into the DOJ with a big satchel. And I realized what [inaudible 00:21:42] said. He goes to the store, and he's walking. And he had lots of gold in those satchels. Didn't he have?

Donald Trump: (21:51)

Because I'll tell ya. We caught him. Let's see what happens. But we caught him. Right? We caught him. And a friend of mine that did a great job as the NASA CFO. And you see we've totally rebuilt NASA. We're sending rockets up now for the first time in many years, Jeff DeWit, Jeff DeWit. Jeff, hi. Thank you, Jeff.

Donald Trump: (22:20)

Everyone in this room is bound together by a shared set of moral principles and enduring truths. We believe the United States of America is the greatest and most righteous nation that has ever existed, going to keep it that way. We believe that every citizen has the fundamental right to think, to speak, to live and pray, according to their own conscious. We believe that the beloved heroes of American history should not be torn down by militant mobs, but held up as an example to the world. Now, they're after George Washington. I said, "What did he do wrong? George Washington?" Thomas Jefferson. We stopped him. They were heading toward the Jefferson Memorial. They couldn't care less. I think half of them don't even know who Thomas Jefferson is. How about Ulysses S. Grant? They want the Confederate soldiers, but all of a sudden they go after Grant. But he's the one that defeated the Confederate soldiers. What's that all about? How about Gandhi? How about Churchill. You know Churchill, because this is going outside of our country. No, we'll stop it. Don't worry. Just don't worry about it. 10 years is a long to spend in prison.

Donald Trump: (23:47)

Our heroes are not a source of shame. They are an example and something that you can all look up to. A true example of greatness, a point of pride. And we will honor them and cherish them forever. We will cherish them and we have to cherish our past. We have to cherish

good, or bad. We have to understand our past. We have to understand our history, because if we don't know our history, it could all happen again. We have to know our history. We believe in law and order, we support the men and women of law enforcement. And we stand with the citizens in every city and every community and every part of our country, who wish to live in safety, security, dignity, and peace. And we know that American patriots don't bow down to foreign powers. We don't back down from left wing bullies, and the only...

Donald Trump: (25:03)

From left wing bullies, and the only authority we worship is our God. These are the values our country was built upon, these are the values that unite our citizens, and these are the values that powered our civilization to its towering Heights, lifting billions from poverty, healing disease, curing illness, and reaching new summits of scientific endeavor, artistic triumph, and human achievement. Guided by these timeless convictions, my administration has been delivering historic gains for the American people, like no one has ever done in the first three and a half years of a presidency, not even close, it's not even close.

Donald Trump: (26:09)

By the end of my first term, we will have close to 300 federal judges appointed and approved. 300. If you get 10, it's a lot. 300. An all time record, and very importantly, we confirm two great Supreme Court justices. And we have to win because obviously we need more justices on the Supreme Court. People don't realize how important that is. I've always heard it's the most important thing you can do. I always said defense, but that's right there. Supreme court justices and judges, and we are setting records.

Donald Trump: (27:01)

We've spent over \$2 trillion to completely rebuild the awesome power of the United States military. And I very proudly created the sixth branch of the United States Armed Forces, the Space Force. Big deal, that's a big deal. You think it's just that? If you did just that, that's like, "That's a good presidency." Think of that. That's one of many, many things, we'll go over a few of them, but many, many things. So the Air Force was the last one. That was 75 years ago. The Air Force, 75 years ago, we just created another branch. We're going to have a general, a nice general. We have right now on the joint chiefs of staff a full deal, and that's a great honor because space is going to be very important.

Donald Trump: (28:06)

At first, they smiled when I came up with the idea. I never talked about it in the campaign. I don't think I ever mentioned it once. It's just an idea that I learned as I was going through military and a really an amazing thing. Space is going to be so important, that will be one of our most important of all. And it's an honor. We're now doing a hydrosonic. I call it Super Dupers missile. It goes 17 times faster than the fastest missile right now. 17.

Donald Trump: (28:44)

We pass VA choice, a big deal. And VA accountability, a big deal. They've been trying for 50 years, almost 50 years on boat, accountability. They couldn't fire people that treated our vets badly. Now we can say you're fired. Oh, by the way, you had a big deal. That's right. That's right, you had a big deal in Arizona. I've been reading about it for years now. Doug, where they had somebody stealing in the VA, and they caught them cold, like 500,000. That's a lot. They stole 500,000. They couldn't fire them. They couldn't fire them. So between the unions, and civil service, and all of the things, they couldn't fire them. But we made it so that you can now say, "You're fired. Get out." And they'll give our veterans the care they so richly deserve.

Donald Trump: (29:35)

Choice is so big, instead of waiting for a week, two weeks, five weeks, you have no idea how bad it was. If they have to wait, and they have great doctors, we have great doctors in the VA. If you have to wait, if for any reason there's a delay, you go outside, you get a doctor, you get fixed up, we pay the bill. And it sounds expensive. It's cheap. We saved money. Most important, we save lives. People would get online, and they're okay, not feeling well. By the time they see a doctor, in some cases they are terminally ill, it would take weeks and weeks, and now we have VA choice, that's why you see good stories, 91% approval rating. 91% approval rating. VA choice. Nobody thought we were going to get that one done.

Donald Trump: (30:28)

We passed the largest package of tax cuts and tax reforms. And we passed the largest number of regulation cuts by a factor of many times, no other administration, even though in some cases, eight years, and in one case more, nobody has cut regulation like we've got regulation, not even close. And it's one of the reasons we did so well before the plague, and we're doing so well after the plague. It's going away. We eliminated Obamacare's unfair individual mandate, which punished young Americans like you for the privilege of not buying bad health insurance. That's really what it was. You had the privilege of not buying, and you had to pay for it. Not too good. So we got rid of it. That was a big deal. That was one of the most unpopular things anywhere, on any subject.

Donald Trump: (31:27)

We will always protect people with preexisting conditions, and you have Martha's pledge that she is going to do that also. So we're going to do that. And the Democrats can't make that pledge because they're going to raise your taxes like crazy. I never heard, all my life, I think Doug can maybe explain it, but Doug, all my life I'd watch, and the best politicians, they want to cut taxes, not raise taxes. All of a sudden we're in an age where things are very different, let's face it, ripping down statues. One of the things is the Democrats want to raise your taxes to a level that nobody can even believe. And it won't be nearly enough to pay for what they want to do. You talk about bad healthcare. It's just going to be a disaster. But they want to raise everybody's Texas. I always thought it was supposed to be the other way. But let's see how they do on November 3rd, I don't think they going to do to well.

Donald Trump: (32:26)

We passed Right To Try to give critically ill patients access to life saving cures, so they don't have to travel all around the world and see if they can find, and we've had tremendous success with that. Right To Try. Very proud of it. They've been trying to get that one done for 40 years. And I've just come from the Arizona border, Yuma, where we marked the completion of over 220 miles, a brand new, beautiful border wall. You know, you don't hear about that, they don't want to talk about the wall anymore, do you notice. Never has the Democrat Party fought so hard against something. And do you notice they never talk about the wall, because in the end they gave it up. They give up. We won. We're building fully funded.

Donald Trump: (33:48)

I could build numerous walls with all the money I have. Fully funded. But you know why they don't talk about it? Because it's a bad subject. Remember they used to say, it's obsolete. "We want drones." Oh great, the drones flying around. We're going to watch everyone pour into our country with a drone. Remember they said the wall's obsolete. And I said today, nobody heard it. I thought it was sort of... I think I said it, but I'm sure people have said it over the years. You're in an industry, and in many cases, you have a computer, in about two weeks it's old, it's obsolete. In technology, I said to some of the people, I meet them all, I say, "The problem with your business, it gets obsolete quick."

Donald Trump: (34:28)

Two things that will never be obsolete, a wheel and a wall. Never. And they said that wall is obsolete, with modern technology. No, no modern technology is like let's watch everybody pour in. Now we have a wall. So we've built 220 miles. We're going to have a... And it's every single element, I met with border patrol who are fantastic, by the way, every single element they wanted, you have to see through which makes sense. You have to do all of the different... We have cameras on it. We have sensors on it. It is just 20, 30 feet high. It's very hard. We have anti-climb provision on the top. We have the whole deal. And it's very powerful. And by the way, where that wall is, nobody's getting through. Nobody gets through. We put a chunk... California, off the record, California was saying, "Please, can we have the wall?" This is California. They didn't want the wall, they didn't want the wall. But they wanted the wall, because right next to San Diego is a wonderful town in Mexico. You know the town, I won't mention the name, but they're heavily infected with COVID... Did you ever notice notice.... I said the other night, did anybody see my speech the other night on Saturday night? But I said the other night, there's never been anything where they have so many names. I could give you 19 or 20 names for that. It's got all different names, Wuhan. Kawuhan was catching on. Coronavirus. Kung flu. COVID-19. I said what's the 19, COVID-19, some people can't explain what the 19, give me... COVID-19, I said, "That's an odd name." I could give you many, many names. Some people call it the Chinese flu, the China flu. They call it the China, as opposed to the China.

Donald Trump: (36:50)

I never said anything like it, but here's the story. We are going to be stronger than ever before, and going to be soon. I think you'll remember... Now Biden was going around like he's a tough guy. He doesn't know where the hell he is. Where? Where are you Joe? Joe, where are you Joe? Tell me where you are, Joe. But he's going around, I stood up for China. No, his son walked out with 1.5 billion to manage, and what he did... Where's Hunter? Remember? I said, "Where's Hunter?" They came out with this t-shirt and some guy made a fortune, Where's Hunter. By the way, Where is Hunter? He did well as Vice President, could you imagine how Hunter's going to do if this guy ever won, and the father could honestly say, "I have no idea what's going on." He could raise his hand.

Donald Trump: (37:48)

Is that Kayleigh? Where's Kayleigh? Where's Mc Kayleigh? What a job she's done, our press secretary. Everyone's doing well, our press secretary, [inaudible 00:38:20] press secretary. I mean, Sarah is going to be the governor of Arkansas pretty soon, I hope. Sean's got his own show, and this one here, she could run whatever the hell she wanted, but I said, "Don't run. Don't run, just stay here. We like the job do." Now we're doing great.

Donald Trump: (38:36)

I stood up to China like no other administration in history. For decades they've ripped us off. They ripped us off like nobody. And I charged them a little thing called the massive tariffs. We took in billions and billions of dollars. They devalued their currency, and they like to say our people paid. No, no, our people didn't pay. They devalued their currency in order to pay it, and they also put money out, otherwise they wouldn't have been able to sell that product. But what happened for many years, there's nobody ever that ripped off the United States like China. Nobody. So now we did a deal, but you know, the ink wasn't dry when the plague flew in. The ink, wasn't dry. The deal was great. Everybody was happy. I was thrilled. \$250 billion worth of purchases over a short period of time. All grate. But the ink wasn't dry, and we got hit by the plague. So I'm not too happy about that. But the long slow surrender is over because today and every day we are putting now America first. America comes from.

Donald Trump: (39:54)

We sparked a revolution in domestic energy production, and the United States is now the number one producer of oil and natural gas anywhere on planet earth. America, as of a couple of years ago is no longer energy dependent, we are now energy dominant. And because our energy use went down so much during this pandemic, it was a very, very bad period of time because we have 10 million jobs, energy jobs, and now we have the oil price up, where it should be, and yet people are paying very little for gasoline. That's like the perfect thing. That's the perfect thing to do.

Donald Trump: (40:41)

And I signed groundbreaking criminal justice reform, which nobody was able to get done. Very important. Very important. I secured record and permanent funding for historically

black colleges and universities. Nobody knows that. And we created opportunities zones along with Tim Scott, and since then, countless jobs in \$100 billion of new investment have poured into 9,000 of our most distressed neighborhoods in the country, 9,000. Opportunity Zones. So think of it. I did criminal justice reform. We did a lot of work on prison or prison reform. We did opportunity zones. Think of this. Think of all we've done, and we've taken care of the black colleges and universities, and nobody talks about it, but I have to talk about it. And you know what? Our black communities know it. And I think you're going to see something really great happened because they understand it. They really understand it.

Donald Trump: (42:00)

And I'll tell you what, whether it's any community you talk about, but if you take a look at those numbers from pre-virus, but you take a look at them in a year from now, you watch. And you're 401s right now, your 401k's, I don't think you want to have somebody else playing with them because you're just about at a record high, and you put the wrong person in, they will be obliterated. They will be obliterated. So we're fighting for school choice because we know that access to education is a civil rights. School choice. Could you ever see two parties so diametrically opposed to each other? Who can be opposed to that, but it's so important, but the Democrats will never, ever allow that to happen.

Donald Trump: (43:01)

Last month we returned American astronauts to space aboard American rockets for the first time in nearly a decade. And the United States will be the first nation to plant our beautiful American flag on planet Mars. And we destroyed 100% of the ISIS territorial caliphate, and the Savage terrorist monsters Al-Baghdadi and Kasseem Salamoni, they are both dead. A hundred percent. A hundred percent of the ISIS caliphate. When I took over that caliphate was gone like this. It was a mess, but we destroyed it.

Donald Trump: (44:04)

No administration has accomplished more in just three and a half years. It is. I could go after.... Those are just a few points. I could talk for an hour and a half, just reading the points off. You know that. Yet as you know, in recent months, America has face down that unseen enemy. The virus from the distant land, that spread across the globe, and invaded our shores, but invaded the shores of, think of it, 188 nations. I have a friend he's a very smart guy. He said, "I didn't know there were that many nations." I said, "Actually go over 200." But 188 nations that we know of.

Speaker 1: (44:45)

We love you.

Donald Trump: (44:45)

I love you too. Thank you darling. Thank you. And tomorrow the fake news will be said, "He said he loved somebody, he said he loved somebody." Terrible. I'll be in big trouble with the fake news. They are terrible people. Who are the people that stood up. I just want to see.

Stand up please. Who said I love you? Whoa. Sit down fast, please. Don't let them see you. That's a lot of press back there. Look at that. That's the problem, they cover all these speeches. I never have a speech done. I never have a speech where not like live television. Sometimes you'll have one where you can actually speak and you don't have to worry about like one little slip, one tiny little slip, one word. You can say 10 speeches, one little word, they'll say, "He's lost it." No. You know who's lost it? Sleepy Joe has lost.

Donald Trump: (46:17)

In response, we took swift and early action to ban travel from China, very, very early. Remember Nancy Pelosi and that crazy group. Nancy Pelosi, she wanted to dance in the streets of Chinatown and San Francisco, long after I ban China from coming here. We saved tens of thousands of lives with that early decision. And then we made an early decision on Europe. Yet liberal lawmakers and Democrat politicians condemned this policy to left rejected science in favor of their fanatical devotion to open borders. They want open borders, not just our Southern border. This is why the left is so dangerous. They always put their ideology before your safety. It's crazy what's going on. Defund and abolish the police. How's that a good idea?

Donald Trump: (47:24)

I passed a set, I was in the white house and there was this set, and it had them, think of it, defund and abolish. I said, "What are they going to defund?" No, I said, it says, Defund and abolish. I said, "What are they going to defund and abolish?" I thought it was going to be something. They said the police. I said, "Oh great. I just won the election. That's great." So in addition to issuing a series of aggressive travel bans, my administration launched the greatest national mobilization since World War II, we have done such a great job with this, between the ventilators and all of these things, including testing. We're testing so much. We're now up to 27.5 million tests. I thought it was 25, because it seemed like 25 million. 27, they just told me, 27.5 million tests. Now, when you have all those tests, you have more cases. So the news covers it, "They have more cases." Well, yeah, if you're going to do 20, and if let's say other countries do 1 million, 2 million, big countries, 3 million.

Donald Trump: (49:10)

Now four weeks ago, Germany was at 3 million tests. So I don't know what they are now, but I know they're not anywhere near where we are. So then they'll say we have more cases. Now look, we want to do testing, we want to do everything, but they use it to make us look bad. But because of it, our mortality rate is so low. It's so great what's happening. So we want to test. So we do all these tests, and we find pockets, and we find people, and we find cases and they say the cases have jumped. Instead of saying what a job we're doing with testing. But we did the job with testing. And we did ventilators. We came up with tests that nobody's... We have so many different types of tests. We have the five minutes test, the 10 minutes test. We have tests, you send them to a public lab, a privately. We have tests. It's a lot of tests.

Donald Trump: (50:02)

... privately. We have tests... It's a lot of tests and other countries that have done very well with testing they call us, they say, "There's nobody that's been able to do the job that you've done." Now, the only ones that can't get to say that are the fake news media people, they can say. Someday, it will be recognized by history, someday. But our actions and your selfless sacrifice. And that's what has saved hundreds of thousands of lives. We had to do it and we did the right thing. I'll tell you what we did the right thing. Now we open, we got to get it open because I said, I got to get it open. People need it. People get sick from the other also, it's not just from the virus that gets sick from all of the other things that happen. You know what I mean?

Donald Trump: (50:51)

We cut through red tape to accelerate breakthrough therapies and vaccines. We're going to have a vaccine very soon. We distributed 1.5 billion pieces of personal protective equipment. We unleashed the medical and logistical power of the United States military. And thanks to our efforts, not a single American who needed a ventilator has been denied a ventilator. That's impossible. That's impossible.

Donald Trump: (51:24)

Remember when the New York governor, governor Cuomo said he needs 40,000 ventilators and people said, "No, no, you need 4,000, maybe 5,000." Anyway, we got him what he thought was right. They never needed all of them. In fact, they gave some to other people, but he didn't need 40... 40,000 as opposed to 4,000 or 5,000, then it worked out great. Then he wanted a hospital built in the Javits Convention Center. We built it, but he didn't use it. He could have used it for the older people. It was brand new, not infected, no infection. Then he wanted the boat. He wanted the boat to come up. Beautiful, beautiful hospital ship. You know what that is called, right? And it came up. They could have used it for senior citizens. They didn't use it. It's a shame. It's a shame. It's a shame. We're now the chief ventilator producer, anywhere in the world.

Donald Trump: (52:18)

We're helping other countries with ventilators because ventilators are very hard to make. They're very complex. They are big and expensive and many countries are calling us, asking for help. They need ventilators and we're able to do it because we're making thousands of ventilators. Think of this thousands of ventilators a week. And to rescue the US economy, which is happening now. We pass over \$3 trillion in relief measures. We suspended student loan payments and interest for college students. And to protect jobs for young Americans, just like you, we took historic action to block the entry of foreign workers into our nation. We believe that companies should hire American workers and American students first. They have to hire. We got to go American. We got to go American. We were down to 3.4, 3.5% unemployment and that's one thing, but now we've got to get it back to those numbers. Then we can think, right? Then we can think about taking people in through merit, only through

merit or mostly through a merit. I better say mostly because they'll say that's a terrible thing. You can't make a little bit of a slip. They'll say, "He said only what about this? What about that?" Generally speaking, we like merit. Okay. We want American students to fill American jobs. That's the biggest difference between us and the left. We know that our first duty is to take care of our citizens, make America great again. So before the plague came in, we had the best of everything. We had the best interest rates. We had the best unemployment rates. We had the best job numbers ever. We had everything. Unemployment for African Americans, Hispanic Americans, Asian Americans had all reached the lowest rates ever recorded in the history of our country. It's amazing how many categories, young people, young people without a high school diploma, young people without a college diploma. We were number one on every list you can think of. Women 75 years, not as good, I'm sorry. But it was getting ready to hit the all time. Women it was the best in 75 years. So I have to apologize. Can you believe that we did the best in 75 years and I apologize to women. But we were ready to hit the old time. And then we got hit by something that should have never happened because they could've stopped it. Young people have seen their wages rise by more than 10%. They'd never seen anything like that.

Donald Trump: (55:29)

We built the strongest and most prosperous economy in the history of the world. And we will do it again very, very quickly. It's happening already. We've just added two and a half million jobs last month. Think of that. That's the largest increase in the history of our country, two and a half million jobs in one month. And just to add the topping, as I mentioned, the 18% in retail sales, the surge was the biggest jump ever recorded in this country. The stock market in the last 50 days is the best stock market in history. And it went up today again, by the way, think of that, think of that.

Donald Trump: (56:19)

Go back a week, 50 days, the strongest 50 days in stock market history. This is during hopefully the end of the pandemic, but as we fight to restore renew and rebuild our country, the hard left is trying to divide, denigrate, and destroy our country. The American people have watched in horror as left wing extremists have looted businesses, violently assaulted innocent civilians, and brutally injured hundreds and hundreds of police officers. Our great police officers. They even vandalized, that's right, the Lincoln Memorial. The Lincoln Memorial. The radical left thinks the future belongs to them. No, the future belongs to you. It belongs to people that love our country.

Donald Trump: (57:20)

So we're not going to take moral lectures from the same left wing ideologues who oppose school choice, who support deadly sanctuary cities, who want to defend our police to fund and abolish our police. Think of it, to fund and abolish is now their theme and who preside over the violence and mayhem of the 20 most dangerous cities in America, 20 for 20. 20, most dangerous run by Democrats and it'll happen to our country. If a guy like Joe Biden

gets in. Because Joe Biden has no control over what's happening. They won't even be talking to him. The murder rate in Detroit and Baltimore is higher than that of El Salvador, Guatemala, or Afghanistan. But the left launches no protests over these travesties. There are travesties. Because it doesn't serve their radical agenda. Think of that, tougher than Afghanistan, all run by Democrats while their movement is based on hate. Ours is based on love. Love of our family. Love of our nation and love of our fellow citizens.

Donald Trump: (58:55)

We embrace the noble vision of Reverend Martin Luther King jr. And believed that people should not be judged based on the color of their skin, but the content of their character. This is a choice of two futures. The left's vision of this unity and discord or our vision of equal opportunity and equal justice. Every American should take a long look at the bedlam in Seattle, because that's exactly what will come to every city near you, every suburb and community in America. If the radical left Democrats are put in charge. They want to abolish ICE. Do you have any idea how patriotic ICE people are? I know them. They are very tough. They're very tough. I agree. They like to fight. I agree.

Donald Trump: (01:00:09)

But you don't want to... I'm looking at some pretty tough guys right here. Look, you're not going to do. He's not going into an MS 13 ness, swinging, swinging. These guys are tough. They're smart. They getting them out by the thousands to take in MS 13, out of our country, by the thousands. They want to abolish ICE, get rid of ICE, abolish bail. There want no bail anymore. Just we put you in for murder. It's okay, come back, whenever you have a chance. You see what's going on in some places like Philadelphia, what's happening in Philadelphia. What's happening in other cities. Look at what's going on in Chicago. What's that all about? Chicago is a great city, but they want to abolish borders and abolish every police department in the country.

Donald Trump: (01:01:02)

The Democrats are also trying to rig the election by sending out tens of millions of mail in ballots, using the China virus, as the excuse for allowing people not to go to the polls. Hey, we have a virus coming, we have to send... Think of it, California. He's going to be sending out millions and millions of ballots. Well, where are they going? Where are these ballots going? Who's getting them? Who is not getting them? Little section that's Republican. Will they be stolen from mailboxes, as they get put in by the mailman? Will they be taken from the mailman and the mailwoman? Will they be forged? Who is signing them? Who's signing them. What are they signed at a kitchen table and sent in? Will they be counterfeited by groups inside our nation? Will they be counterfeited maybe by the millions by foreign powers who don't want to see Trump win? Because nobody has been tougher on trade or making our country great again. Nobody. No mail in ballots is a disaster for our country. It's going to end up in a big fight.

Donald Trump: (01:02:28)

Look just forget about all of this stuff. Forget about speeches and teleprompters and all of that. They send out millions of ballots. Who's getting them? How are they delivered? Who's not getting them? Think of it. It's going to be fraud all over the place. If you look right now, look at all of the disputes they're having on mail in ballots. A friend of mine who was a great guy, had a son who passed away seven years ago, seven years ago. He came to see me the other day. He said, "They just sent to my son Robert, a mail in ballot." He died seven years ago. There's no way they can control that. With mail in ballots, you introduce something in the middle of an election year and you have something where it's very complex. You have no time to fix this very complex process. It's very complex. This will be in my opinion, the most corrupt election in the history of our country and we cannot let this happen. They want it to happen so badly.

Donald Trump: (01:03:41)

We believe in the sacred principle of one person, one vote. And that's why we are fighting for the integrity of our elections. Absentee ballots are fine. Absentee ballots are fine. I live in the white house. If I can't get to Florida or you live wherever you live, you can't. But you have to go through a process. Some people just can't make it to a polling station and they have good reason, but they have to go through this process in order to verify their identity. People went to the polls and voted during World War I. They went to the polls and voted during World War II. We can safely go to the polls and vote during COVID-19.

Donald Trump: (01:04:48)

There's tremendous evidence of fraud, whenever you have mail in ballots. Frankly, if we are really going to protect our elections and some people don't want to hear this, we must have voter ID. So as long as I'm president, America will be a land of fair laws, swift justice, and safe communities. That's why when rioting and looting broke out in our nation's capital, I quickly deployed. I came in, I deployed the national guard very quickly. Mark Meadows was there. We had a lot of our people there. We stopped the violence. We saved that incredible statue you saw it last night. And restored peace and order to the streets. Although I will tell you, they did great damage to the cannons that were on the ground. They did great damage, but we'll get them fixed. We'll get them fixed, lock them up, lock them up.

Donald Trump: (01:06:06)

It's incredible how they can do it. Incredible. Well, they did damage. We lucky we just got there in time. You saw the ropes going up. We got that just... I'll tell you, law enforcement did a great job. They rushed in. They rushed in. These people fought back and the law enforcement was much tougher, much sharper, much better. They really had no trouble handling them. It was like handling a baby for them. It was just like a baby. A lot of spoiled people in that group. A lot of spoiled rich people saying, "What are you doing here?" I've also made clear that any rioters damaging federal property and defacing our monuments will face severe and lengthy criminal penalties, 10 years. Many of the young people here today have

had your own encounters with left wing extremists, such as Antifa. Joining us today are two students from North Carolina State University. Great place. Great state, Chris Thomas and Jack Bishop, please come on up fellas. Come on up.

Jack Bishop: (01:07:35)

How are you guys Phoenix? Awesome. Listen, thank you so much, Mr. President. It's great to be out here in Phoenix. The first I've ever been here. I've got to say it's been the experience of a lifetime. Now listen I'm going to keep this short and sweet. I just want to say that conservative censorship on campus is real and it's happening all across the country. All the time.

Jack Bishop: (01:08:09)

This past year at NC State, we were having a event. Our turning point chapter was for Charlie Kirk and Lara Trump at her Alma mater NC State. We were posting advertisements in our free expression tunnel, where you're allowed to paint whatever you want. We were making some advertisements and we had about 20 socialist thugs roll up from Antifa and from the young democratic socialists of America. Now for our trouble, of course, they roll up and attacked us. They started spraying all over the work that we had just done. And for my trouble of, I stood the line and tried my best to keep them from defacing our ads and for my trouble, I was spray painted in the eye.

Jack Bishop: (01:09:03)

Yeah. Yeah. And unsurprisingly, of course the school did nothing. There's a surprise. They let Antifa run rough shot over our event. They let them in the room with us, they were protesting, screaming so loud that you could barely hear the speakers the entire time. And of course, NC State like many administrations across the country does the will of the radical left. Meanwhile, conservatives across the country are punished and blacklisted merely for expressing our own opinions. We're ostracized and ousted with no support whatsoever from the administration. But let me tell you, when administrations across the country do the will of the left and cater to the mob. It's our duty as conservatives to stand up and to fight for our rights and to fight for our nation and to fight for our guy. And you know Mr. President, my dad, Congressman Dan Bishop, he likes to say that you like to say that he's not a choker.

Jack Bishop: (01:10:24)

And let me tell you, Mr. President, us college conservatives, we ain't chokers neither. We're going to win this election. We're going to take back the house. We're going to keep the Senate and we're going to get four more years of the best President in my lifetime, the presidency of Donald J. Trump. Thank you. God bless you. And God bless the United States of America.

Chris Thomas: (01:10:59)

Mr. President, thank you so much. It's an honor to be here with you today. Thank you for giving attention to our situation when the mainstream media back there wouldn't touch the story. Conservatives across this country are treated different every day by their professors

and other students on campus. I was mocked by a leftist on my campus, not for my conservative beliefs, but for a medical condition. I have the impacts, my hair growth and my ability to sweat. I'll learn that when these leftist ideas fail, they resort to personal attacks because they have no facts to back up their radical beliefs.

Chris Thomas: (01:11:42)

Imagine how much of a fit the mainstream media would have thrown if 15 to 20 kids in MAGA hats had come up and spray painted a kid in the eye and made someone else for a medical condition they have. Our school North Carolina State did not do anything about this. They didn't discipline them. And it was no coincidence that the Antifa logo showed up on the free expression tunnel the next day. We are blessed to have a president like you, that is devoted to protecting free speech on college campuses. And thank you, president Trump and students for Trump, let's keep America great.

Donald Trump: (01:12:38)

Great job fellows. Thank you. So I signed an executive order, as you know, and based on what I'm just hearing, you should maybe be talking to Charlie or somebody around here about defunding that school. You can't do that. Because that's exactly what the executive order was based on. So you talked to the people, maybe have your father call us. His father's a great Congressman, done a great job. So say hello to him. But you talk to them. That's exactly what it was for. We did something that was radical, but it wasn't radical to me. You have to be heard. And if you can't be heard, let's talk about it. Okay. As the radical left inflict violence on American streets, they're also waging war on timeless American values like freedom of speech, which is what we're just talking about.

Donald Trump: (01:13:36)

Anyone who dares to speak the truth is canceled, censored, deplatformed, fired, expelled, harassed, abused, boycotted deprived of a livelihood or even physically assaulted. Those times will be changing very soon. You can judge a movement by its behavior and the young patriots here today, don't destroy property. You don't burn buildings, you don't punish the centers, and you don't try to erase the people with whom you disagree. It's called civilized people. You're civilized people. And yet, remember I said this, you're civilized, but you're much tougher than the other side. You're much tougher, much tougher. You conduct yourselves with honor, integrity, and dignity because you know the truth, the facts, and the history all on your side. We're joined today by Reagan Escada a student at Northwestern State University of Louisiana. Reagan became a target of liberal cancel culture when she dared to stand up for Christian...

Donald Trump: (01:15:03)

... Cancel culture when she dared to stand up for her Christian values, instead of bowing to political correctness. Reagan, please come up and say a few words please.

Reagan Escudé: (01:15:24)

Well, thank you Mr. President for being here today with all of us, and for inviting me up here to tell of my experience with cancel culture. My name is Reagan Escudé, I graduated from Northwestern State University of Louisiana in 2019. I started my first job at a small private insurance company in Louisiana. A few weeks ago amidst all this chaos that we're seeing with the Black Lives Matter movement, I made a video on my Instagram, and I talked about how disappointed I am in the church's reaction to the Black Lives Matter movement. I've seen pastors call for white congregants to kneel and to apologize for the skin that God gave them. I addressed these evangelical pastors and leaders, and reminded them that racism is a problem in the heart. It is a sin problem that cannot be resolved by any law, protest or march. Of course my leftist followers didn't appreciate this message at all. I had my name blasted all over social media, and people told me, "I'm ashamed if I've ever called you my friend. I've lost all respect for you." I love y'all. An ex-coworker of mine made a post on Facebook about me calling me racist and homophobic. She listed my place of employment, and called for people to call my employer and have me fired. There were death threats made to the owners. There were threats to knock down the building, law enforcement had to get involved. Due to the crazy reaction from the leftist mob my employer told me that they came to the conclusion that they needed to terminate my employment. But here's the thing, losing my job is a small price to pay when God's name is being glorified. He will always make His name known.

Reagan Escudé: (01:17:56)

But I share this story with you, because what happened to me is just a small example of something that's happening on a much larger scale in our nation. Aunt Jemima was canceled. If you didn't know Nancy Green, the original first Aunt Jemima, she was a picture of the American dream. She was a freed slave who went on to be the face of the pancake syrup that we love and have in our pantries today. She fought for equality, and now the leftist mob is trying to erase her legacy. Might I mentioned how privileged we are as a nation if our biggest concern is a bottle of pancake syrup. More recently, we're seeing a call for statues of Jesus Christ to be torn down. Now I'm a little confused here because last week Jesus was a social justice warrior, and this week He's the face of white supremacy.

Reagan Escudé: (01:19:11)

Jimmy Kimmel has been calling our president racist for years, and it turns out he's the racist. There's governors that are getting away with wearing blackface that's just sliding under the radar. I want to encourage you all to stand firm in your beliefs. We need truth. We need hard cold facts and truth now more than we ever have before, and we are so blessed to have a president who stands on the front lines, walks through the fire every day to fight for our God-given American freedoms. Do not apologize to the mob, and thank you President Trump for never apologizing to the mob. For always standing firm, for being here for the American people, and for fighting for our best interests because you are the change that we need to see in America. Thank you.

Donald Trump: (01:20:36)

Thank you Reagan. That was beautiful. As your story reminds us Reagan, true courage is defying the left's orthodoxy, not submitting to it. We don't submit, nobody should be submitting because we're winning and we're going to win, but you don't submit to fake news progressive companies right there. They're right back there watching us. Other institutions merely towing the left wing line have sacrificed their intellectual credibility and professional integrity. They have very little integrity left. Some of them have none. You're the ones taking real risks. You're showing real guts and making a virtuous stand.

Donald Trump: (01:21:21)

With the rise of social media massive multinational tech companies have tried to clamp down on American democracy. That even means on me. As everyone knows, they're using their enormous power to silence conservative voices, you know that. It's not even close. I don't even think they're hiding it anymore. To protect our democracy I signed an executive order to remove legal protections for social media companies that unjustly censor American citizens. The radical left is also working to eliminate free speech on our college campuses. With us today is Nia Moore, a student at the University of St. Thomas in Minnesota, whose experience is persecution firsthand. Nia, please come up, please.

Nia Moore: (01:22:43)

First I just want to say thank you to Mr. President for having me on stage today. If you didn't know much about Minnesota about a month ago, I'm sure you've seen us in the headlines over the past few weeks. The DFL is successfully moving our state farther to the left more and more each day. Now that isn't because people aren't conservative in Minnesota, it's because they're hell-bent on demonizing us at every turn. I began my career working in politics with Turning Point USA. Unfortunately, due to the leftist culture of my campus at North Hennepin, we were shut down almost immediately and were refused official recognition. I was told by the faculty that political groups were not welcome on campus. However, they had multiple leftist groups that supported the Black Lives Matter movement. They were pro-abortion, and they've advocated for Bernie Sanders.

Nia Moore: (01:23:56)

Our governor, the mayor, sorry. Our governor, the mayor of Minneapolis, and the representative of the 5th Congressional District in Minnesota are all Democrats, but for whatever reason, the Republicans and the president take the blame for what has taken place. Unfortunately, the murder of George Floyd has created absolute chaos in my state of Minnesota. They have... Sorry I lost my place. Ever since the murder of George Floyd, I have not seen as much division, deceit and destruction in my life. Black Lives Matter only makes a scene during election years. How convenient that they made the biggest scene of all during the year of the most important election of our time? Black Lives Matter is only about police brutality once every four years. In between, they're heavily funding a push for leftist and LGBTQ plus agendas.

Nia Moore: (01:25:19)

The black community's culture is naturally very conservative, so they mask their hidden agendas and play on the community's biggest fear. If Black Lives Matter truly cared about black lives, they would not have allowed the riots to destroy black businesses and black communities. If they cared about black lives, they would defund Planned Parenthood. If Black Lives Matter cared about black lives, they would adjust the astronomically high numbers of black on black crime in inner cities. They try to paint us as the bad guys for not supporting the organization, but it's not the saying black lives matter. I think there's very few conservatives that believe black lives don't matter. We do believe black lives matter, we just believe they all matter, not just the lives the left chooses to exploit.

Nia Moore: (01:26:46)

I am a field director for Ilhan Omar's challenger, Lacy Johnson. He's the first Republican in Minnesota to have Black Lives Matter activists and lifelong Democrats want to hear what he has to say. Because of that, they've tried to silence us at every turn. People are fed up and they're getting nervous. They will stop at nothing to keep their hold on us, even if that means lying to the very people they're supposed to represent. Mr. President, I just want to say thank you for being a great example of a big-tent Republican. The president has never needed the black vote to win, but he's still done incredible work with prison reform, lowering black unemployment, funding HBCUs, and stimulating the black community with Opportunities Zones. All without pandering. Once upon a time, the president asked the black community what we had to lose. We didn't have anything, but now we do. Thank you Mr. President.

Donald Trump: (01:28:26)

Thank you. Thank you Nia. Well Nia I want to just tell you, first of all thank you very much, and so heartfelt. I could see that. I also issued a historical executive order defending free speech and all of this is on college campuses. I will tell you that it's something that's being used by people like Charlie and used very well. It's opening up a whole new voice, and it's my honor to have done it under my order. Any college that refuses to let you speak stands to lose billions of dollars in terms of the [inaudible 01:29:15]. We've done a lot. We've really gone very far. We've taken it to a level that nobody's ever taken it, and it's my honor to have done it. It's people like you that I do it for. When you think about it, it's people like you. You're going to be the ones, you're going to be the ones that are at the crossroads of history. That's where you are right now, you're at a crossroads.

Donald Trump: (01:29:37)

Everything our forefathers built, everything generations past, they shed their blood to defend the very survival of our freedoms, our rights and our republic. They're all at stake. This is a very big time in our country. It's a time like perhaps no other. But standing here before you today I have never been more confident that America will rise to new heights of greatness and glory. Because your generation is proving that your hearts are filled with the fire and the fervor of true American patriots. The great spirit of righteous defiance stirs deep within you I

see that. It's the same spirit that drove America's founders and frontiersmen, people that built our nation. People that succeeded, people that worked hard, people that failed, people that failed. Some people failed and then they made it bigger than anyone would have ever believed possible. To defend all of your liberties, to secure your independence and establish this noble fortress of freedom.

Donald Trump: (01:30:57)

It's the same spirit that compels each of you to stand strong against the dull, mindless, soul-crushing conformity mandated by far left pundits, professors and liberal politicians. They're taking our country in the wrong direction. It's the same fierce and untamed American spirit that will lead the young patriotic Americans of this generation to serve our country, and you will serve it well, you will serve it so well. Together we will restore our economy quickly. We will rebuild our nation. We will revitalize our cities. We will take back our universities and colleges, and we will preserve the America we love for you and for your children.

Donald Trump: (01:31:52)

We will defend our values, our voices, our faith, our heritage, our borders, our rights, and our God-given freedoms. Calling on the boldness and bravery of your generation, we will unite citizens of every race and color, religion and creed as one people, one family, and one extraordinary nation under God. With your help, this moment will be a turning point in American history that will be remembered and celebrated for generations to come for our young people, for our economy, for our communities and for our beloved country. The best is yet to come. Thank you. God bless you and God bless America. Thank you very much. Thank you.

Donald Trump Georgia Rally Transcript Before Senate Runoff Elections December 5

rev.com/blog/transcripts/donald-trump-georgia-rally-transcript-before-senate-runoff-elections-december-5



Melania Trump: (01:30)

Hello, Georgia.

Audience: (01:31)

USA. USA. USA. USA.

Melania Trump: (02:55)

It is wonderful to be here with you tonight. Thank you for coming out and supporting us. President Trump continues to fight for you every single day. Do not let your voices be silenced. We must keep our seats in the Senate. It is more important than ever that you exercise your rights as an American citizen and vote. Under my husband's leadership, our borders are safer, global terrorists have been destroyed, and historic peace deals in the Middle East have been made. Our nation is respected again and our allies are now doing their fair share globally. President Trump has brought jobs back to the American people. And opportunities for women have expanded in our workforce. Our economy has soared and unemployment has shrunk. When a global pandemic hit the United States last January, my husband put the American people first. And now under this administration and because of our amazing medical capabilities and resources, we are closer than ever to vaccinate that will save millions of lives. Let your voices be heard, Georgia.

Melania Trump: (04:54)

Get out and vote for Senator Loeffler and Senator Perdue. Thank you. And God bless you and your families. It is now my pleasure to welcome the President of the United States, Donald J. Trump.

Donald Trump: (05:35)

Thank you.

Audience: (05:35)

Four more years. Four more years. Four more years. Four more years. Four more years.

Donald Trump: (05:35)

Thank you. A very popular First Lady, I have to admit. Thank you very much and thank you, Melania. And I want to say, hello, Georgia. We did a great job. You know we won Georgia, just so you understand. And we won Florida and we won a lot of places.

Audience: (06:06)

We love you. We love you. We love you.

Donald Trump: (06:08)

Thank you. Thank you. Thank you very much. Thank you.

Audience: (06:24)

We love you. We love you. We love you.

Donald Trump: (06:24)

Thank you.

Audience: (06:24)

We love you. We love you. We love you. We love you.

Donald Trump: (06:24)

Well, thank you very much. Thank you. No, we won a lot of places. We won Florida. We won Ohio. Big, big. We won them big. Remember we were going to lose Florida they said. We were five down in Florida. We won by a lot. We were way down in Ohio and we won by a lot. I think they say that if you win Florida and if you win Ohio in history, you've never lost an election. This has got to be a first time. But the truth is they were right, we've never lost that election. We're winning this election. And I will say, we're fighting very hard for this state. When you look at all of the corruption and all of the problems having to do with this election, all I can do is campaign and then I wait for the numbers. But when the numbers come out of ceilings and come out of leather bags, you start to say, "What's going on?" But I want to just tell you that I love this state. I love the people in this state and I'm thrilled to be back in magnificent Georgia with thousands of proud, hardworking American patriots.

Donald Trump: (Q7:33)

Let me begin by wishing you all a very Merry Christmas. Remember the word. Remember. We started five years ago, and I said you're going to be saying Christmas again. And we say it proudly again, although there'll be trying to take that word again out of the vocabulary. We're not going to let them do that. I also want to express our profound condolences to the family of Harrison Deal, a young and brilliant campaign staffer for Senator Loeffler, who tragically died in a terrible car accident yesterday. You know about it. He was an incredible magnificent young man. And I just want to say our prayers are with his friends and loved ones and we will keep his memory in our hearts. And he's looking down right now and he's very proud of Kelly and David. He's very proud of all of us. So I just want to express my best wishes to the family and everybody. Thank you. Thank you, Kelly. And let me also express our warmest best wishes and love to all of those people and families suffering from the COVID pandemic. Vaccines are on their way at a level that nobody ever thought possible. It would have taken another administration five years. It took us seven months and they're starting next week and we're going to start vaccinating. And a lot of people already are vaccinated. It's called you have ... You caught it and you're immune. I hope it's true. They say that before I had it, they said if you catch it, you're immune for life. Once I got it, they said, if you catch it, you're immune for four months. Right.

Donald Trump: (Q9:13)

But they're on their way, the vaccines and they're great vaccines and safe, and brilliant actually to think of it, what we've done in such a short period of time. Nobody thought. They call it, even some of the enemies call it a medical miracle what we've done. And we also have great therapeutics and they're already here and I can testify to that fact. I'll tell you what, some incredible work has been done over the last seven months. And we should always get credit for that. Don't let anyone ever take it away from us.

Donald Trump: (Q9:45)

We're gathered here tonight to ensure ... A very important word, ensure because these are two great, great people that I know so well and respected by everybody in Washington and beyond, that David Perdue and Kelly Loeffler win the most important congressional runoff, probably in American history. I really believe that. I think it's in American ... There's never been a time like this, where you have two at one time, at least you have two beauties. And you know what, you also have two beauties running against them, but beauty in a different way, there are two beauties.

Donald Trump: (10:21)

But there's never been a case where a state has had this prominence on Senate races because they're never together. And this is something that's very important and you have to get out and you have to vote. You have to make sure you have every vote counted. Every one has to count. You got to make sure they don't throw away any ballots. You got to make sure that when they collect the ballots and they start bragging about how many ballots they already have, you got to make sure your secretary of state knows what the hell he's doing. And you

got to make sure your governor gets a lot tougher than he's been. He's got to get a lot tougher. Because at stake in this election is control of the US Senate and that really means control of this country. The voters of Georgia will determine which party runs every committee, writes every piece of legislation, controls every single taxpayer dollar.

Donald Trump: (11:18)

Very simply, you will decide whether your children will grow up in a socialist country or whether they will grow up in a free country. And I will tell you this, socialist is just the beginning for these people. These people want to go further than socialism. They want to go into a communistic form of government. I have no doubt about it. Somehow that doesn't suit Georgia too well. That doesn't work too well I think, Kelly, in Georgia, does it?

Donald Trump: (11:49)

David and Kelly are running against radical Jon Ossoff and Raphael Warnock. Ossoff and Warnock are the two most extreme, far-left liberal Senate candidates in the history of our country, and you got them both at one time. How did that happen? I think you both got lucky, but we'll see, right? We'll see. You must go vote and vote early starting December 14th. You have to do it. They cheated and they rigged our presidential election, but we will still win it. We will still win it. We'll still win it. And they're going to try and rig this election too.

Audience: (12:31)

Stop the steal. Stop the steal.

Donald Trump: (12:54)

No, we continue to fight. We've had some great moments. We just need somebody with courage to do what they have to do because everyone knows it's wrong. We need somebody with courage, somebody that makes decisions, then we'll be going up to the Supreme Court very shortly. And we really, if we have-

Audience: (13:10)

Fight. Fight. Fight.

Donald Trump: (13:17)

If we have courage and wisdom, I think, you know what the answer's going to be because you can't let people get away with what they got away with. Think of it, with over 74 million votes, over, think of that, more than ... I got more votes than any sitting president in history. 11 million more votes than we got in 2016. And we thought that if we could get 68 million, 67 million that would be the end. All of our great, brilliant geniuses said you'd win if you get 67 or 68. It's over. We got 74 million-plus and they're trying to convince us that we lost. We didn't lose. They found a lot of ballots to be nice about it. And they got rid of some too. The 74, let me tell you, the 74 could have been even higher.

Donald Trump: (14:10)

As the great pollster, John McLaughlin, who was really a great pollster, one of the most highly respected, he said, "There's no way this could have happened other than the obvious cheating or a rigged election. There's no way it could have happened." It's interesting, I wrote this out and I had just a few of the facts, which I think ... Because I want to get onto the presidentials. I want to stay on presidential, but I got to get to these two because they're incredible. But listen to this. These are the facts. And each fact is irrefutable and it means win. President Trump received, done by one of the most brilliant political people, President Trump received more votes than any previous incumbent president in history. And we lost. And we lost. So, we received more votes than anybody in history, any incumbent in history, and we lost, supposedly. We didn't lose. You're going to see that. No incumbent who received 75% of the total primary vote lost reelection in the history of our country. President Trump received 94, not 74. 94, which is one of the highest in history.

Donald Trump: (15:21)

In fact, President Trump is the only one of five incumbents since 1912 to receive more than 90% of the primary vote. And again, anybody received over 75%, they won. We got 94%. President Trump set a record for the most primary votes ever received by an incumbent, ever. And nobody that's received all of the primary votes, nobody's received at a much lesser level than what we, they always won. But we didn't according to what they say. It's rigged. It's a fixed deal. Nationally, initial numbers show that 26% of President Trump's voting share came from nonwhite voters. The highest percentage for a GOP presidential candidate since 1960. That's a long time ago. President Trump won ... Think of this one. President Trump won 18 of 19 bellwether counties. You know what a bellwether county is, it's a big deal. So I won 18 of 19, a record, never happened. That between 1980 and 2016 voted for the eventual president in every single election, and before that, it was almost every election. And we won a record 18 of 19. Never lost. Nobody's ever lost with anything like that.

Donald Trump: (16:48)

Biden did not demonstrate coattails for the downballot races, had no coattails. I'm shocked to hear that. In fact, he got 80 million votes. But what he made a Thanksgiving day speech on the internet, they say he had less than a thousand people. How do you have 80 million votes and you have a thousand people? Now how do you have 80 million votes and you have less than a thousand people?

Donald Trump: (17:12)

With Republicans maintaining control ... So here's what happened. So Biden didn't demonstrate coattails downballot races, but with Republicans maintaining control, first time this has ever happened, control of the Senate, winning all 27 toss-up races in the House. Kevin McCarthy, great job. Mitch, great job. Winning all 27 toss-up races. And now, think of it. We didn't lose a seat in the House. Think of this. The first time that anybody, I think in history, we didn't lose one seat. Normally, you lose two, three, five, and you replay. We lost nobody sitting in Congress. I worked hard in the House, with Kevin McCarthy, not losing a

single legislative chamber and making big gains at the state level and holding onto the Senate. I mean, look at what's happened. We better hold onto the Senate, you two. And there's never been numbers like that where a president even came close to losing, but they say we lost. The only way is they stuffed the ballot boxes.

Donald Trump: (18:14)

President Trump won. President Trump won as we said both in Florida and then Ohio. And by the way, won by a lot. Remember the fake polls where they said he's down by four in Florida, and I won by a lot. He's down by two in Ohio, and we won. I think we got eight or nine or something, up. But nobody's ever done that. Those two very powerful, big, important states. And the beauty is that we also won Georgia, and that was good. We won South Carolina and we won Iowa. Remember, we're not going to win an Iowa they said. We're not going to win. I think the farmers like Trump a lot, right? Well, we want an Iowa by a lot. We won in Iowa by close to record numbers. I think I have the record. And we won all over the place.

Donald Trump: (19:06)

And many of these swing states, it's a very interesting statistic. President Obama beat Biden all over the country, except in some of the swing states where Biden beat him badly. How does that work? And they say it's statistically impossible. He beat crooked Hillary. Think of this. He beat crooked Hillary in the swing states, but she beat him everywhere else. Let me tell you, this election was rigged and we can't let it happen to two of the greatest, most respected people in Washington. We can't let it happen again. Can't let it happen.

Audience: (19:48)

Stop the steal. Stop the steal.

Donald Trump: (19:48)

Can't let it happen. Can't let it happen.

Audience: (19:50)

Stop the steal. Stop the steal.

Donald Trump: (19:58)

Your governor could stop it very easily if he knew what the hell he was doing. He could stop it very easily. Hundreds of thousands of illegal votes were cast in each state. Far from ... I mean, if you look at this, hundreds of thousands more than we needed were cast in every state we're talking about, not only here, but Michigan, Pennsylvania. How about Pennsylvania where they throw the poll Watchers out? They threw them out. They literally threw them out. And they did it here too, by the way. But we caught them cold and have numerous cases pending. And so far we haven't been able to find the people with the courage to do the right thing. And that is true in Georgia, certainly. But we're going to hit those people and they're going to go down in history as great people. They're going to go down because everyone knows what took place.

Donald Trump: (20:47)

But we're going to talk about the presidential election a little bit later because we have a big senatorial race going on in Georgia and we are watching Democrats very, very closely. And remember this, we had this massive race all over the country, so they could cheat in Georgia and people aren't really watching it like they should. And again, all I can do is say I'm running, win, and then do a good job as president. That's all. I don't run the elections. I don't run to see if people are walking in with suitcases and putting them under a table with a black robe around it. I don't do that. That's up to your government here. And for whatever reason, your secretary of state and your governor are afraid of Stacey Abrams. They're afraid of her.

Donald Trump: (21:37)

So we know the Democrats are planning to cheat and we can't let them do it again. And we're going to pull ours out one way or the other. But we have to be vigilant because I don't want these two to work like that I ... I thought we were going to easily win. And then maybe for the first time in a long time, I'd go take a nice little vacation for about two days and then we'd go back. And instead, I probably worked harder in the last three weeks than I've ever worked in my life doing this.

Donald Trump: (22:12)

And I've become friendly with legislators that I didn't know four weeks ago and actually, they're great people. In fact, in my pocket right here, we have a couple of them right here. Where's Burt Jones. Where's Burt Jones? Burt. Burt, boy, you're a young guy. I thought you were young, but not that young. Burt Jones, I want to thank you, Burt, for being here. You're friendly with a man next to you, right? He's a man of courage. Thank you very much, Burt. I appreciate everything you're doing and so does this big crowd. And this is a big ... This is a lot of people. Also, Brandon Beach, Senator Brandon Beach. Brandon, thank you for everything. We appreciate it. William Liggins. William. Where's William? Why are you so far away, William, from them? Oh, I like that group better actually. I agree. And Greg Dolezal, where's Greg? Greg, thank you very much, Greg. We appreciate it. Really do. We appreciate it. Great people.

Donald Trump: (23:09)

And we said, have this brought back into your legislature, governor, have it brought back. Let these people make it. Keep it open, keep it transparent, and let us have a signature verification. What's wrong with that? They keep counting the same votes. I said, "Don't count votes, look at the signature. You're going to find the signatures aren't what they were two years ago, four years ago, six years ago." But are two great Senate opponents, and these are the two people that fight and they're going to fight like ... I don't know if you know this, but one of the people that you're fighting, I went against him, Ossoff, four years ago. He was against a very fine woman, Karen, who was a great woman, and he was leading by quite a bit and we ended up beating him. He didn't even live in the district. He was running for Congress. He didn't even live in the district. So we're going to have the same thing.

Donald Trump: (24:04)

But Ossoff and Warnock will be total pawns of Chuck Schumer, Crying Chuck. I only see him cry when the cameras are on. But he said, he did say this, maybe I'm hurting you when I say, he did say this, "If we get in we're going to absolutely make Donald Trump's life miserable." Can you believe that? That's Chuck Schumer. He made the statement. "We're going to investigate him." Oh, those investigations, we'll go on and on. Well, they've been investigating me since the day we came down on the escalator, which what turned out to be our great First Lady, we came down to the escalator, right? Okay. And a spider in our campaign and lots of other things. But Nancy Pelosi, AOC, Bernie Sanders, and the lunatic radical left, that's what you're going to have.

Donald Trump: (24:56)

As Chuck Schumer said rather infamously, "First we take Georgia, then we take America." But they don't mean to take America in a good sense. They mean bring it over to things that the people of Georgia don't want. You're not going to like it when they want to take over your farm. "Gee, we own this farm too. We were here also. We own this farm." Here's exactly how they will change America forever. The radical Democrats, if they get power, they will immediately abolish the Senate filibuster, allowing them to pass any bill they want and giving them free rein to ram through the most extreme left-wing agenda ever conceived while at the same time, destroying our military through a lack of funding.

Donald Trump: (25:44)

And by the way, tell our senators end Section 230. End Section 230. Put it in. We put it in. I want it in the defense bill. Put it in because it's a national security problem. It's a big national security. So hopefully, Mitch and the senators will put it in. But it's the one chance we have to bring big tech, who are vicious and violent and untruthful, to bring big tech ... It's the only thing they fear is that we're going to end Section 230. So hopefully, we will do it. It happens to be a politically very popular thing to do, by the way.

Donald Trump: (26:23)

If these people get control, their draconian, military cuts will devastate Fort Benning, Fort Gordon, and the military families all across Georgia. We would also like to save the names of the forts if you don't mind everybody. They have the right. They put in the Elizabeth Pocahontas Warren clause, where they have the right to take all the names of our past warriors heroes in some cases, many cases, some turned out to be heroes in disguise, perhaps, but they want to take the names off and they have the right to desecrate, to take down, to destroy, to demolish places in our national parks that we don't want demolished. So we have to be very careful of that. We can't let that happen. They want to put it in our military bill. Of all people, Elizabeth Warren puts that clause in the military bill.

Donald Trump: (27:15)

They will impose total open borders so that people can pour into our country and they will give them free healthcare, free welfare, and the right to vote in your elections. You won't ever win another election as a Republic. They even want to take down the wall. The wall, I won on

the wall too. We won on a lot of things. "Take down the wall," I heard him say it the other day. "We will take down the wall." We have the strongest border we've ever had now. We're almost finished with the wall. Strongest border, right, Sonny? And we built it despite ... It's incredible, the effect it's having. We built it despite, everybody said no chance. I mean, we had a whole very powerful Democrat party oppose me. And yesterday, I don't know if you saw it, the court-

Donald Trump: (28:03)

Oppose me. And yesterday, I don't know if you saw it, the court just ruled that the money I took was taken legally. So at least we have a legal wall. The appeals court. So we took it and we built the wall and we'll be finished with it very soon, but it's had a tremendous impact on illegal immigrants coming into the country. And by the way, we want people to come into our country, you see that by the vote I got, but we want people to come in legally and through merit. Through merit, where they can help us. The radical Democrats will implement nationwide catch and release. You know that is? You catch a killer, you catch a rapist and you say, "Oh, thank you very much. Please give us your name. Oh, come back in three years. We're going to put you on trial. Oh, Good." You never see them by the way. Remember I had that debate with Joe Biden? He said, "No, they come back." Yeah, they don't come back. They don't come back. No. They don't come back. Like, never. Maybe 1%, but I doubt it. That's the end of them. You let them loose in our country. I got rid of it. You think that was easy?

Donald Trump: (29:02)

And install sanctuary cities all across the country, that's what they want, freeing criminal aliens and MS-13 gang members, the most vicious people. They don't like guns because it's not painful enough. They like using knives. It's true. They don't like guns, they'd rather cut somebody up. To wreak havoc and terror upon innocent families. We've moved thousands and thousands of MS-13s the hell out of our country. We moved them back to where they came from. And some, we put in prison because they're too dangerous to move back because they'll try and figure away. They're not stupid. They're vicious, but they're not stupid, sort of like the Democrats if you think about.

Donald Trump: (29:43)

They'll confiscate privately owned firearms and share... What they will do, they will share everything with themselves, only dangerous equipment. And they will totally cut up a thing called your second amendment rights. They'll Make Washington DC a State and many other places guaranteeing two, four, or six additional left wing senators. They want to make numerous places States, this way you have a lot more... Louie, you're going to have a lot more company in Congress. You'll have lots of... You'll have another 30, 40 congressional people from places you've never even heard of. You've never even heard of. Louie Gohmert. The great Louie Gohmert.

Donald Trump: (30:29)

And there'll be voting against Georgia every time, completely canceling out your voice in Washington forever like David Perdue. I'll never forget it. You got hit by a piece of a

hurricane. Remember that? The farmers got hit so hard. And I went with Sonny and with David or some other great people from Georgia. And I said, "Is there a way we can pay these people?" They never asked for anything, and their orchards were wiped out. One of the men said, "This was going to be the best crop I ever had. I was a week and a half away from finally, after 10, 12 years making some money." And a week and a half early, he gets hit by the remnants of that big hurricane from Florida. Great state, great place. But you got hit. And David, we took 100% care of those people, right? We took 100% care, yeah, with the help of Sonny Purdue, Secretary of Agriculture. And I felt so good.

Donald Trump: (31:24)

But I met them. There were 33 of them standing and they were all in the line. "What do you do?" "I have this?" "What?" It was a tragic... And nobody wanted anything. They didn't even want it. They said, "If we could borrow it, if we could..." They didn't want it. These are incredible people. They don't want anything. They just want a level playing field, but we took care of them. They'd never forgot it either. It's very interesting. I still hear from some of those people.

Donald Trump: (31:47)

The extreme left will pack the Supreme Court with 24 radical Justices. That's the last number I heard. I used to hear it was 16, now it's up to 24. Pretty soon, you'll have another Congress. Twenty-four radical justice is instead of nine justices that we have right now. And they want them to revolve up and down the court system so that Supreme Court Justices can spend time in other locations, down the totem pole. They want to hurt the Supreme Court and they want to hurt it very badly. And if these two don't get in, or if I don't get in and these don't, we got to get... The best would be all three. Nothing will happen. All three.

Donald Trump: (32:30)

But they want to destroy the sanctity of the Supreme Court, the importance of the Supreme Court, the majesty of the Supreme Court. They'll terminate religious liberty, cancel free speech, and force you to fund extreme late-term abortion. And there will be nothing to stop them. If they don't get in, there's going to be nothing to stop them. You have no idea how bad it will be. There will be nothing. I used to argue with certain people about the filibuster. I said, look, I don't like it either, but I do it because I know they are going to do it. Everybody said, "Oh, they'll never do it." They're doing it. They've already announced they're going to do it. That means they can do anything they want.

Donald Trump: (33:16)

And the Republicans, they play a different game. I don't know, maybe they love the country more. But they said, "No, no, they'll never do it." And I said, "Well Schumer, he'll do it the first day he gets in, he'll do it." And that's exactly what's happening and he'll do it. And he will do that to the Supreme Court, there's no question. But they look forward to it because you know why? We put on three... Think of this, three great Justices and we'll be over 300 federal judges in the United States, which will be a record. Three hundred, 300. And they don't want to wait, they want to do it very quickly. "Let's just vote and we'll take it." This takes years and

years and years to slowly change a court and perhaps I got a little bit lucky to get three. A lot of presidents have had none. They've never had... They stay on for a long time, they're young when they go on and they're old when they come off.

Donald Trump: (34:15)

But the fact is a lot of presidents, good presidents, great presidents... They say you can't be a great president unless you've put in Supreme Court Justice. They say it's the single most important thing a president can do. And I'm not sure that's right, I think military defense, military offense, frankly, is the most important thing. But it's certainly one of the most important things you can do. And the fact that I have more than... I will have by the end, more than 300... First term, think of it. And if we do a second term, which I hope we do, we could have close to 540.

Donald Trump: (34:55)

But the fact that I had three Supreme Court Justices in the first term is not making them feel too good. They will unilaterally surrender to China. They're already doing it. They're already doing it. And Hunter made a lot of money in China. What's he going to do? Sending our factories and our jobs overseas. They will raise your taxes. We lowered your taxes. We gave you the greatest tax decrease, tax cut, in the history of our country and they want to get rid of that and raise your taxes, and raise your regulations. We cut more regulations than any president in the history of our country. That's one of the reasons our business came back.

Donald Trump: (35:37)

With the pandemic, as bad as it is, it's horrible. Should have never happened. China allowed this to happen. Should have never happened. But we went down less. A lot of people don't like to talk... Our economy. We went down less and we went up more than any other country in the world. We went down less because we had a good foundation. And yesterday again... So now I thought it was 48, it's actually 128 times... Can you believe it? We set a new stock market record, but this one was great because the Dow Jones industrial average over... Think of this. Over 30,000 for the first time ever over the last couple of weeks. And yesterday it was 30,200. Can you believe this? And this is during hopefully what will be... We're rounding the turn, we're rounding the corner of the pandemic. But this is during a pandemic. We broke 30,000. A number that was unthinkable when I first came.

Donald Trump: (36:34)

When I first came in at around 16,000, the concept of hitting a 30,000 Dow was not even possible. And we not only hit we... Can you imagine if we didn't get hit by this is freak? This total freak that came into our country, could you imagine if we didn't get hit? And I of this before, David, in a way we did this sort of twice. We took it from the time I came in to the time we got hit and nobody's blaming us for... Every country, 188 got hit. Some were totally devastated. I don't know if they ever recover. But if you think about it, we had two. We did it the first time, we went up from where I took it over. Way up, then it went down. Then we had a second. So we really had two.

Donald Trump: (37:21)

And now we're going to get money because we want the money. First of all, these States and cities should open up. They should open up. And we're working hard against the Democrats, but we're working hard to get some money out to the people because they need it. It's not their fault that they got hit with something from China. And you notice the way the Democrats like to say it came from Italy? No, it came from China. And that's okay to say it. They like to say it came from Europe. "No, actually, well specifically came from Italy." Italy saying, "What did we do?"

Donald Trump: (37:58)

They'll wage war on American energy. Absolutely decimating Georgia's middle-class. Your bills will go up. Not a huge energy producer, but Texas.... Remember they said, "Trump will lose Texas by a lot." I said, "Wait a minute. I'm in favor of energy. I'm the one that built... We have the greatest energy we've ever had. And it all happened this period of time. So you're telling me, you're telling me that I'm going to lose Texas to a guy that's against fracking, against energy, against religion, and against guns." You tell me that, I end up winning Texas by so much. Somebody said, "We don't even know how much." And we knew that before, but it's fake news.

Donald Trump: (38:38)

They said Wisconsin. A poll came out. Washington Post, ABC, just before the election, I'm going to lose Wisconsin by 17 points. I said, "No, I'm going to win Wisconsin." Well, actually I won Wisconsin. They're trying to say he's a little down. But I actually won. But that's called suppression. That's called a suppression poll. That's a poll that's so devastating, when I asked one of the pollsters, I said, "Why did they go so far? Why don't they just say four or five?" "Because in four years they're going to lose all respect. They don't care. They'll do anything to win. They'll do anything to beat you. They don't care." These people are sick. Seventeen points. And we actually won.

Donald Trump: (39:16)

Remember so many of the States? I won every one of them. Every one of these States. And by the way, the swing States that we're all fighting over now, I won them all by a lot. I won them all by a lot. And I have to say, if I lost I'd be a very gracious loser. If I lost, I would say I lost and I'd go to Florida, and I'd take it easy, and I'd go around and I'd say, "I did a good job." But you can't ever accept when they steal and rig and rob. You can't accept it.

Crowd Chants: (39:54)

Stop the steal.

Donald Trump: (40:09)

Well, the Democrats did try to steal the presidency. They're trying like hell. Do you ever notice the fake news? "Today he's appointing his this, his that." Sonny, his Secretary of Agriculture. Sonny. I liked Sonny. We want Sonny. He was a great governor here for eight

years. Right? You would have solved this problem in about two hours, Sonny. He would have said, "Let the legislature open. Let the vote... Let us be transparent on signatures." I think that's okay.

Donald Trump: (40:44)

But we're working hard to ensure that it doesn't happen. And now they're trying to steal these two important Senate seats from Georgia. These seats are the last line of defense to save America and protect all that we have accomplished. And we've accomplished things that no other president has accomplished, no other administration. And I did it with these two people. I didn't know Kelly. When Kelly came in, I didn't really know what to think. There is nobody that fought harder for me. And I have to tell you this... Do you mind if I tell you here publicly, is that okay? There is nobody... David understands this too. She fought. What a trooper. She was so tough and smart. She even went against Mitt Romney. She didn't like Mitt Romney too much. I won't say what she said, but it was tough. But she is... We call him Kryptonite. Anything he touches, they lose. But you were so great. And I'll not forget it. And David's been my friend for a long time, for a long, long time. And there's nobody in Washington that's more respected than David Perdue. There's nobody. There's nobody. So we have to keep them.

Donald Trump: (41:58)

If the other side manages to steal both elections, we will have total, one party, socialist control and everything you care about will be gone. Your whole philosophy is going to be gone. Joe Biden, Kamala... Kamala [inaudible 00:14:13]. Crying Chuck Schumer and Nancy Pelosi, they want to take away your guns. I never got it. I never got it. That's one of the reasons I knew. How can you win? No oil, no guns. No God. Oh, they won. I don't think so. Okay. I don't think. We knew that a long time ago. They want to take away your jobs, take away your borders, take away your freedom, take away your religion. And they even want to take away your beautiful Christmas that we just got back.

Donald Trump: (42:49)

I have to be very careful. When I imitate that, right? You remember I was saying suburban women. I say, "Suburban women, love me. Please love me. I've been so good to you. I've been so good to you." I got rid of the worst regulation of the history of suburbia. I got rid of that regulation. So now you can actually have a house without a building going up next to it that you're not going to be happy about, without crime increasing by tenfold and this and that. So I said, "But suburban women, please, please love me." And CNN put me on. "Donald Trump. Donald Trump is begging. He's begging and crying for the vote of suburban women, [inaudible 00:15:31]"

Donald Trump: (43:32)

These people are sick. So you have to be very careful when you're sarcastic. Sarcasm doesn't work. Sarcasm doesn't work with... Wow, that is a big group of people back there. Look at that. The fake news. Whoa. That's a big group. That is a lot of fake news. Well, now we call it the fake news and suppression news. I use the word suppression because now they got a new

thing going. This happened since Hunter, because we were killing them on Hunter, stealing money from every country. He was a human vacuum cleaner and it was hurting them badly. So all of a sudden big tech, together with their partner the Democrats, and their partner the fake news media, they decide under no circumstances will we ever talk about it again. So you have 95% of the media. You could have him be Jesse James and walk into the bank with a gun, hold them up, give me all your money, and they won't talk about it. And it's hard to have a scandal if they don't talk about it.

Donald Trump: (44:42)

Other than the New York Post and people like Sean Hannity and people like Laura, and Tucker is doing good. I like Tucker lately. And our friends in the morning. And I tell you, we have some great new people. OAN. NewsMax. And Judge Jeanine, she's on right? She's on tonight. And Jesse Waters is great. And Pete Hexa. And I'm in trouble because I don't mention everybody, but we have great people. We have a great voice, but the fact is most of the press was suppressed, so that no matter what they wouldn't talk and it was incredible. And I have to give a lot of credit to Col Alan in the New York Post for what they did because they went out and they fought him and they fought them hard. Oldest paper in America, fourth or fifth biggest, and they should be very proud of themselves.

Donald Trump: (45:44)

But we're doing the same thing. These two incredible people are doing the same thing. We fight. If you don't get out and vote, they are going to win. Now, a lot of people, friends of mine say, "Let's not vote. We're not going to vote because we're angry about the presidential..." And they're friends of mine. There are people that are great people. They're real friends. And more than just two, there are numerous people. And it's almost like a protest. But if you do that, the radical left wins. Okay? It was sort of an instinct of mind. You're angry because so many votes were stolen. It was taken away. And you say, "Well, we're not going to do it." We can't do that. We have to actually do just the opposite. We can't do that. We can't do that. We have to do just the opposite.

Donald Trump: (46:26)

If you don't vote, the socialists and the communists win. They win. Georgia Patriots must show up and vote for these two incredible people. And I'm telling you, they're two of the finest people you'll ever meet. We can fight for the presidency and fight to elect our two great senators and we can do it at the same time. We'll do it at the same time, it's all right. The election is about David Purdue, one of the greats. Kelly Leffler, a person who is just unbelievable. How she picked it up. There's natural talent. As an athlete, I'd always say, "Would you rather practice or have natural talent?" I said, "The best is both right?" But she's got a great natural talent, a great natural talent. Just very [inaudible 00:47:12]. But they believe, both of them, in America, and they believe in our values and all that we stand for. And they understand this state. They love your state. If they didn't, I wouldn't be here because I love you stay too, by the way.

Donald Trump: (47:25)

This election is about the radical left movement that hates America and wants to erase our history and wipe away everything that we hold dear. They want to rip down our statues. I signed a bill. I took an old bill because we could never get it today in the house headed by crazy Nancy. I took an old bill that said, "Ten years in prison." They used the word prison, not jail. "Ten years in prison if you take down a statue." I haven't seen it happen lately. Do you notice? Everyone said you can't use that. I'll never forget. I heard they were going to... They did destruction around... And all in radical left, Democrat-run cities, by the way, and we're not supposed to go in. If I had it to do again, I think I would have said the military in, if you want to know the truth. But we're not supposed to. They're supposed to be able to handle their own affairs. I don't know.

Donald Trump: (48:16)

But all over, they said, "Sir, you can't do this bill. This is too tough." I said, "Really, they're going to tear down a statue of Abraham Lincoln, George Washington, Thomas Jefferson. Desecrate the most beautiful pieces of art... And they represent our country. And now they want to do it again. They want to put it in. I told you, we can't let it happen."

Donald Trump: (48:37)

Over the last four years, David Purdue has been one of the toughest fighters for our America First, America First agenda in Washington. And David saw this. Did you see last week? China said... China doesn't like me too much. They pay us billions and billions. That never happened. Billions and billions of dollars in tariffs and they pay it, they devalued their currency. They paid a lot of money. They don't like me. The happiest people in the world right now are the leaders of China, the second happiest or the leaders of Iran. What we would have done in the next four years, we would have been on a footing like nobody's ever. And now we're giving it all away. But China said, "We will not deal with you unless you get rid of the America First policy." And you know what the Democrats said? They said, "Yes, we will do that." Can you believe this?

Donald Trump: (49:35)

And that's what I realized what a brilliant name that is. We come up with some good ones, but that's a good one. We came up with plenty of good ones, haven't we? Some of them I won't use because some of those people are now friends of mine, but we came up with some good ones. But America First and I looked at Melania a week ago and I said, "Can you believe it? They are saying that they don't agree with America First." How do you say that? I mean, how do you say it? "We don't agree with America first. We agree with China. Yes. We will get rid of America First policy." I think David, you don't like that too much. Right?

Donald Trump: (50:09)

And if they're here, it won't happen because nothing's going to be able to get past that's not going to be reasonable. He fought to pass the largest package, David, of tax cuts and reforms in American history. He helped lead the effort to repeal a record number of job killing regulations, the likes of which you've never seen, including the unfair Waters of the United

States Rule that crippled work for our farmers and our builders. It's such a beautiful name, but it was destroying people and I'll never... Waters of the United... How beautiful is that? Waters of the United States. And I said, "I got to get rid of it. I got to do it, but I'm going to get killed." Because the only thing good about it was the title. Waters. "What are you doing today?" "I'm terminating waters of the United States."

Donald Trump: (50:57)

Well it was a little bit like the Paris Environmental Accord, right? The Paris Environmental Accord. I said, "I'm going to get killed in this one." But we would have paid trillions and trillions of dollars. Russia has a big advantage of us. They go back to old days when the air was very dirty, that was their standard. China doesn't kick in until 2030. We kick in immediately. And the money that would have cost us... And if we adhere to it, we would have had to close up 20% of our factories. And now the first thing they want to do... John Kerry, great negotiator. The first thing they want to do is, number one, they want to bring back the Paris Environmental Accord, which will cost us.

Donald Trump: (51:39)

That was designed to destroy the United States. The second thing they want to do is, let's give Iran billions of dollars. Oh, they're so happy. Iran would have been in my office in the first hour after we won the election to make a deal. But perhaps they still will. He said they still will.

Donald Trump: (51:59)

After hurricane Michael devastated our farmers in Southwest Georgia, as I said, no one worked harder to get them relief than David Perdue. He would call me all the time. He actually called me more than Sonny and Sonny's at Agriculture. What the hell's going on, Sonny? Sonny, what happened to you, Sonny? It's true, David would call all the time. And remember how tough the Democrats meant. They didn't want to give them anything. But we got it. We got them more than they even thought possible.

Donald Trump: (52:24)

Senator Purdue helped pass the unprecedented \$2.5 trillion investment in our United States Military delivering the largest pay raises, in addition to everything else, for our warriors in a decade. And we now have the greatest, most modern military in the history of our country. We have brand new fighter jets, brand new bombers, brand new missiles and rockets, hypersonic missiles. We have hypersonic and hydro-sonic. You know what hydro-sonic is? Water. We have them all. We have missiles that go seven times faster than any missile in the world.

Crowd Chants: (53:06)

USA.

Donald Trump: (53:10)

And when we took over, our military was decimated, our military was tired, our military was in big trouble. And you remember and I've said it a lot. One of the world's most overrated generals came to see me. He said, "Sir, we have no ammunition." We had a little problem with a certain country. And he said, "Sir, we have no ammunition." I said, "Tell me, you're not saying that." We didn't have ammunition. Think of it. We had very little ammunition and I'll never forget that statement. I said, "That should never happen to a president of the United States again nor should being spied on ever happened to a president of the United States again."

Donald Trump: (53:45)

Senator Perdue has been a tremendous leader on pro-American immigration reform. Like nobody else. He voted very powerfully when I was going through hell on the wall. They would have given me anything. They gave me the money for the military. They just didn't want to give me money for the wall. So I took it out of the military. What the hell could I do? That was rather good. It's good to be a developer. Everyone said it was. That was the one where the judges ruled yesterday. So they said it was fine because I called it natural security. So we took it out of the... They didn't figure that one out. Now they do. But you know what? They don't have to be careful because it's turned out to be very popular, very successful.

Donald Trump: (54:20)

Shut down sanctuary cities. End chain migration and protect American jobs, David did. He voted to confirm nearly 300 of the judges that I talked about. The federal judges that interpret the constitution is written. And when the Democrat mob came for judge Kavanaugh, David Purdue stood strong. And I'm just thinking, they both stood strong when they impeached your president for making a perfect phone call too. I'm the only president ever will never... That got impeached for making a perfect phone call. But those two were among the best.

Donald Trump: (55:02)

Senator Purdue is an outsider, a businessman, a great businessman, and a true American Patriot. You need him fighting for you and your family and your values because the United States Senate cannot be the same without him. So that's why I'm here. I don't do these things for other people. In fact, I was curious, I didn't know if anyone was going to show up. I said, "I'm doing it for other people." This is a hell of a crowd lift. As far as the eye can see. As far as the eye can see. I don't like doing it for other people. I said, "David and Kelly called, would you do a rally?" I said, "Not really. I did 56 of them in a little tiny period of time." I said, "Let me have..." And I said, when they asked I... It was really not. But I don't do them for other people. It's a lot of work to do a rally. A lot of work. People don't realize. When you do... I did five a day, the last four or five days. One day I did six. Six. And the smallest one... Think of it, the smallest one.

Donald Trump: (56:03)

And the smallest one, think of it, the smallest one at 25,000 people, you think that's fun? In some of them it's 75 degrees and another it's 20 degrees below zero and you're doing them both. I'm saying, "How's the weather out there?" "Sir, it's about 20 degrees below zero." That's good. Then I land the next step, "How are we doing?" "Sir, it's 82." David's opponent Jon Ossoff is a radical left wing zealot who is very proud to be endorsed by Bernie Sanders, crazy Bernie. Ossoff supports defunding the police, supports the crazy Green New Deal, that's another beauty. Don't forget, the Green New Deal is really \$100 trillion, okay? It's \$100 trillion. They don't say that, Louis, do they? Talk about 3 trillion? They got down to 3 trillion, no, it's \$100 trillion is what they wanted. That's more money, if our economy was going unbelievable gangbusters for 100 years, no recession, no anything we couldn't come close to making 100 trillion.

Donald Trump: (57:04)

They want to rip down buildings and rebuild them with no windows. I like windows, I like big, beautiful windows. He wants to do a total government takeover of healthcare that will destroy your doctor's offices and rural hospitals. So if you are sick, if you have a cold go to a hospital, wait on line for about three days and hope you get a decent doctor. Ossoff also supports a crippling nationwide lockdown. He wants you to lock your home nice and tight after you're inside of it and he passes legislation to let hardened criminals go free, get them out of jail, get them out of jail. Ossoff will be a complete tool for the radical left donors who are trying to buy Georgia Senate seats.

Donald Trump: (57:51)

You see the money these people have raised? I mean, well, of course I just raised \$250 million and I should say. I didn't raise it's just... I said, how are we doing on that front? Because we didn't get great publicity, boy, they were so happy these guys. You might not be happy in a few weeks, you might not. They were so happy. I said, "How's fundraising going?" They said, "Sir, about 250 million." I said, "250 million what?" "Dollars." How the hell did that happen? Because people believe in what we're doing, that's why. They believe in what we're doing. But that's why Ossoff's donations come from Silicon Valley, San Francisco and the other liberal places and they don't come from Georgia. This is not your fault... I know you. You're with me, I'm with you, we've always had wins from primers to two elections. We won two elections, believe it or not. I think I won the second one by more than I won the first one, I do, right? I won the second one by more.

Donald Trump: (59:03)

On January 5th you also need to vote for your incredible Republican Senator Kelly Loeffler. Kelly has been an exceptional champion for Georgia's workers and families. And I know what they fight for. If I could tell you about David, I could tell you about Kelly, she fights for you every single day, loves you state. When our nation was hit with the China virus, Senator

Loeffler helped rescue the U.S. economy by voting to pass a historic \$3 trillion bill relief for American workers and families that a lot of people were against it and turned out to be a great thing. Kelly, thank you.

Donald Trump: (59:44)

A lot of people said, "Oh, it's too much." I said, "It's not their fault that I want to get them more money now." And I like the higher number rather than the lower number, we'll make it back. With our help we secured \$15 billion for 175,000 Georgia small businesses and saved 1.5 million Georgia jobs, that was both of them really, both of them. Kelly is a relentless advocate for Georgia farmers and she is for tirelessly to get them relief in this pandemic. And by the way her husband is a fine man who's one of the most respected men in the country, I want to tell you that. I want to tell you that. He's a great man, he's a great gentleman.

Donald Trump: (01:00:28)

If you're successful that it's supposed to be a bad thing. No, I think it means you're smart sometimes, right? He's a smart guy but he's a great guy, he's a great man. At the urging of Kelly and David my administration took historic action to protect growers of Georgia blueberries, peppers, squash and cucumbers. Who does cucumbers around here? Because I like cucumbers. I'm the only one, I like cucumbers.

Donald Trump: (01:00:54)

When our law enforcement heroes were under attack Senator Loeffler stood up to the Marxists and introduced legislation to protect our brave men and women in blue and she was threatened all over the place. That threat meant nothing. That was a wasted number of phone calls or however the hell they threatened you, that was a waste of time. She also introduced legislation to prevent Democrat gun grabbers like Beto O'Rourke. Remember Beto? Beto.

Donald Trump: (01:01:23)

There's a guy, here's another one. He wants to take your guns away. Oh, by the way, Trump is going to lose Texas but Beto O'Rourke who's a big factor of that all thing wants to take. Remember when Beto was running he was riding high and then Ted Cruz has done a great job, beat Beto O'Rourke. But Beto was riding high for a while. I remember he was on the cover of a certain really bad magazine, I won't mention the name it's failing. It won't be in business for another six months, I don't think, I hope. But he was on the cover and he said, "I was born to do this." And I said, "Anybody that says they were born to do this they're going to be losing very quickly." And you know what? Within about two months he was a stone cold loser. And just weeks ago Senator Loeffler her vote to confirm our newest Supreme Court Justice, Amy Coney Barrett. They both did by the way, they both did. I can't leave David out of that one.

Donald Trump: (01:02:24)

Kelly's opponent, Raphael Warnock is a dangerous extremist who is radically opposed to your values. He said he believes that, "Nobody can serve God and the military." Oh, really? An appalling statement that dishonors the memory and generations of American heroes who fought for God and for our country. Raphael Warnock has openly declared his support for

socialism and he is even praised Marxists all over the world. He once hosted the barbaric communist dictator, Fidel Castro. He likes Castro, he thinks he was a good man. "He was a good guy," he said. He falsely slandered patriotic Americans as racist. He called police officers gangsters, thugs, and bullies.

Donald Trump: (01:03:15)

He supports abolishing cash bail. Look at what happened to New York with their cash bail, no cash bail. Don't bail, don't worry about it. You killed somebody, don't worry about it you're on the honor code. And he's declared, "Open up the jails." Free the violent criminals and prey on Georgia families, children. Now you can't do that. This is not for Georgia, yeah, I'm telling you. It might be for some places that I tell you that too, this is not for Georgia. I think Raphael has to move to another state.

Audience: (01:03:45)

Warnock.

Donald Trump: (01:03:46)

Try it again. Warnock is strongly anti-Israel and Warnock's own writings make clear that he believes America is a sinister nation that must be punished. Don't just take my word for it. We did something, I shouldn't be doing this for them, of course it's too much money but we'll do it anyway. We have a little video to play, please.

Speaker 1: (01:04:09)

We, Senator Sanders, Senator Warren and myself are all on the same team. What are you willing to sacrifice to make sure that's over-funding police departments is stopped? There is no middle road on the climate crisis. I not only support a Green New Deal, I don't think it goes far enough. I'm all for a Green New Deal. This is part of what gun registration is about, we want to track where the guns are. We need to cut the defense budget. Bye-bye for Chick-Fil-A.

Speaker 3: (01:04:36)

Are you in favor of expanding the court or perhaps an age limit in place instead of a lifetime appointment?

Speaker 1: (01:04:45)

Well, I've said everything is on the table.

Speaker 2: (01:04:49)

But if we win the majority everything is on the table.

Speaker 4: (01:04:52)

Now we take Georgia and then we change America. Change is coming to America.

Speaker 5: (01:04:58)

The blue wave is comprised of those who are documented and undocumented.

Speaker 6: (01:05:02)

We'll win these races in Georgia so that we don't have to negotiate.

Speaker 7: (01:05:08)

That's their goal, total radical control to bring horrific change to America. Only Georgians can stop them.

Raphael Warnock: (01:05:16)

Nobody can serve God and the military.

Speaker 7: (01:05:19)

Raphael Warnock attacks our military.

Raphael Warnock: (01:05:21)

Police power, the kind of gangster and thug mentality.

Speaker 7: (01:05:26)

Warnock attacks our police.

Raphael Warnock: (01:05:29)

Somebody's got to open up the jails.

Speaker 7: (01:05:31)

Raphael Warnock is dangerous, no wonder he defended this.

Raphael Warnock: (01:05:36)

Not God Bless America, not (beep) America. Now my hope is that in early January Democrats will pick up two more seats in the Georgia runoffs and that will make our life a lot easier. We need to send a message this year. We need to send a message that if you indulge this kind of politics, you're not just going to get beaten. You're going to get beaten so bad you can never run or show your face again in public. [crosstalk 01:06:09]. Because we have had enough, absolutely enough of what we are getting from Donald Trump and his fellow travelers right now. [crosstalk 01:06:23].

Audience: (01:06:25)

Listen.

Raphael Warnock: (01:06:28)

You're not going to get beaten, you're going to get beaten so bad you can never run again or show your face in public.

Donald Trump: (01:06:42)

So we had, I just looked at that one scene because it was in Washington and we had about a month ago incredible crowds of people. They were angry as hell at the election and they showed up and it was incredible, there were hundreds of thousands of people, people

couldn't believe. Now, of course some of the fake news said, "Hundreds of people." Again, no, no, tens of thousands of people. And Antifa, Antifa showed up. Not the right but the left showed up and they looked at some of these people and they wanted to attack the crowd. They looked and they said, "No, thank you," and they left. No problem. They looked at some of these people they said, "No, thank you."

Donald Trump: (01:07:24)

Then it broke up about three o'clock, everyone went home very peacefully, it was a beautiful day, actually. They all went home peacefully. And that night they came back and there were a few families that stayed around with young children and there were some elderly people that were having dinner in Washington, very elderly people. And they got attacked, those people got attacked viciously by the scum from Antifa. We can't let this happen, we can't let this happen.

Donald Trump: (01:07:51)

But what they didn't play, what the fake news didn't play is during the day they walked in and they wanted to do some damage and they took a look and they said, "No, thank you, we won't do it. We'll wait. We'll wait till we get the people with the children. We'll wait till we get the elderly people that want to stay in Washington and really just have a good time." And it was disgusting to watch. On January 5th, you must defeat Ossoff and Warnock and send two great people, David Perdue and Kelly Loeffler back to the Senate. And if you don't mind I'd like to ask David and Kelly to come up and say a few words, please.

Kelly Loeffler: (01:08:54)

Thank you, Georgia, thank you Mr. President. President Trump, you made America great again because you put America first, thank you. President Trump created the strongest economy because he put the American worker first. He stood up, that's right, he stood up to the cancel culture, China, big tech, the fake news. We are standing strong for President Trump because he's fought for us every single day, every day. Georgia, we need you to vote January 5th. If you're our voice on January 5th we'll be your voice for years. We have to make sure that we keep America strong. Thank you. Well, you know what? My colleague David Perdue, my good friend was to make sure that you vote. We are going to vote because if we don't vote we will lose the country. If we vote, we will win.

David Perdue: (01:10:06)

Hey guys, I want to take literally just one second. I want to say something personal to President Trump. Hey guys, I want to say something for President Trump personally. Yes, I want to say something personal for President Trump. God bless you, we love you, Mr. President. We love the first lady and we're going to fight to win those two seats and make sure you get a fair square deal in the State of Georgia. God bless you, Mr. President.

Donald Trump: (01:10:40)

Thank you very much. Thank you. Well, thank you very much. Thank you both. Thank you, thank you. We're fighting, we're going to fight like you never saw before, thank you. We can't

let what happened three weeks ago, we can't let it happen. Note, it's beyond me. We can't let it happen. And somewhere there's going to be a champion, you're a champion, somewhere there's going to be a champion that's going to do what's right. Because this has been going on for a long time, but never like it's happened recently. And they've used the pandemic and the phony fake ballots, the mail-in ballots, they used that to sabotage our country. We're not going to let it happen.

Donald Trump: (01:11:38)

As you know a major issue in this state is voter fraud, it's been a big issue for a long time but never like this. We sent out tens of thousands, millions and millions of ballots. Nobody knew where they came from, where they are, people were getting two, three, four ballots. They were signing them, sending them in, what a mess. And I said it a year ago and I said it every month and I even said, "Let's postpone the election," and they said, "Oh, he's not an American." They knew what they were doing. They knew what they were doing.

Donald Trump: (01:12:09)

We're all deeply disturbed and upset by the lying, cheating, robbing, stealing that's gone on with our elections. We know the Democrats will have dead people voting and you got to watch it, dead people. You wouldn't believe how many illegal aliens from out of the state and they'll be filing out and filling out ballots for people who don't even exist. They put up names, they have people signing their own name over and over. They have people signing names with the same pen, with the same signature. They don't even change because they know once they get it in it'll never be looked at, it'll never be looked at again because of people like your secretary of state and your governor.

Donald Trump: (01:12:57)

So we want signature verification but the answer... And we're going to be very careful, we're going to watch every ballot, David and Kelly, we can't let this happen again. And again we have more light shining here because of what happened and because of the fact it's pinpointed. The answer to the Democrat fraud is not stay at home, that's what Nancy Pelosi and Schumer, that's what they want you to do, stay at home, just stay at home. If you want to do something to them, I don't want to use the word revenge, but it is a certain revenge to the Democrats. You show up and vote in record numbers, that's what you have to do.

Donald Trump: (01:13:41)

They can only win if they cheat, they can't win this state unless they cheat and they cheat better than anybody. When you think it the Republicans are much nicer. They're not nearly as vicious, maybe a few of us. "Republicans are too nice," she said. You're right. That's a very good.. Thank you very much, I like that. But they are, they're too nice. They don't go after these criminals, they got to go after them. We're talking to people, "Go after them," they don't go after them. They're afraid they'll hurt their reputation when they get out, I don't know, they don't go after them. But we're watching this so closely, we have everybody watching. You got to get out and vote.

Donald Trump: (01:14:22)

Let them steal Georgia again you'll never be able to look yourself in the mirror. We have to hold the line and you have two of the greatest people in earth so we have to hold the line. Make sure that you and everyone else know that you have to register to vote before this Monday, December 7th, is that right? Monday, December 7th, you have to register to vote. Of course, you'll probably be allowed to if you're a Democrat, they don't have any time limit. Did you see where Stacey is allowed to harvest but other people can't harvest. How is that constitutional? How is that constitutional? Has anybody looked at that?

Donald Trump: (01:15:05)

Go to georgia.gov and register immediately then request your absentee ballot before December 31st. Don't delay, watch it closely. Do it today, do it tomorrow and return your ballot the same day you get it. So they can't say, "Gee, it didn't come in on time." You know what they did it in one of the states? Ballots were coming in late, very, very late so they backdated the ballots. We have all the information, we have so much evidence. And then you go to a court, "Oh, they don't have enough evidence." We have hundreds and hundreds and even thousands of affidavits. And they say, "Oh, he doesn't have the evidence." We have so much evidence we don't know what to do with it. I'm saying, "Do we put all of this into a file?" Again it's like with wheelbarrows.

Donald Trump: (01:15:50)

If you aren't planning to vote by mail, vote early in person or vote on election day. Whatever you do I need each of you, every one of you, your friends, your family to go and vote. And after we win we need to pass landmark election reform including voter ID, is that so bad? Residency verification, like we live in the country, we live in this state. Citizenship confirmation. They want to say, "Oh, he doesn't have to be a citizen." You got to see what's voting... They're not citizens. "You're a citizen?" "No, I'm not citizen." "You speak English?" No, no English. I speak, no English." "Oh, you're voting?" "Yeah." This is the craziest thing.

Donald Trump: (01:16:40)

The Democrat National Committee had their convention. And they had a picture, you couldn't get in unless you had a picture, you had a photo ID. But when it comes to the most important thing voting they don't want to do it. And they know, they know exactly. We just can't let that happen. I've only been doing this for short time. Believe me this is something we're going to do because we can't allow it to happen. And complete overhaul of our election security systems because right now Dominion is a joke, okay? Not a very funny joke.

Donald Trump: (01:17:15)

It's a disgrace that in 2020 no state in America even makes any real attempt to verify that those who cast ballots by mail are eligible and lawfully registered voters. The evidence of fraud is overwhelming and again, I'm going to ask you to look up at that very, very powerful and very expensive screen. I do this for a few people, let's go.

Pearson Sharp: (01:17:39)

We certainly want transparency. What he saw is what we revealed to you last night on this program what appears to be Atlanta, Georgia ballot counters being told to leave the counting room, then a short time later with no observers, with no media, hidden cases of possible ballots are rolled out from under a table. Four people under a cloud of suspicion begin what looks an awful lot like ballot stuffing.

Richard Barron: (01:18:09)

And the media did pack up and leave at 11:15, but there weren't observers there at that time and there was no announcement made for anyone to leave.

Pearson Sharp: (01:18:21)

Now, wait a second here, that is disheveled Fulton County Elections Chief Richard Barron, but he doesn't have the facts right, video proves it. At 10:40 PM, not 11:15, 10:40, the media is packing up a half hour before he thinks they'll leave, you can see them putting on their jackets there. And by 10:56, they are long gone. And the Trump team has sworn witness testimony claiming an announcement was most certainly made. In fact, even CNN reported the counting was being shut down due to a water main break that even election administrators now acknowledge was a leaky toilet so someone had to tell those people to leave.

Pearson Sharp: (01:19:05)

And if you look at this table there are ballots in boxes open and ready for counting. Now, watch as they get packed up. Why would you need to secure them and then ultimately take out the mysterious ballots from under the table to start counting? It just doesn't add up. Elections board member, Dr. Kathleen Ruth shows her skepticism in that Zoom call this morning with the elections chief.

Dr. Kathleen Ruth: (01:19:33)

It is interesting that these ballots were under a table versus being in the open.

Richard Barron: (01:19:42)

Well, I think there's this... I don't know that there... I think those ballot boxes get heavy. I don't think they want to be lifting those things up and putting them back down.

Pearson Sharp: (01:19:59)

It makes no sense. The guy is scratching his head, he just looks nervous. The guy does not inspire confidence. There were already ballots out, but even almost 24 hours since I posted what could be "smoking gun video of election fraud," a video now with 2.5 million views as of right now on my Twitter feed, the head of elections whose ballot counters are now being accused of ballot stuffing declares this.

Richard Barron: (01:20:30)

I'll have to review. I need to review the video, I have not seen the video.

Speaker 8: (01:20:34)

Now, please do.

Pearson Sharp: (01:20:38)

Points to life. He hasn't watched the video that could upend the presidential election, and the guy in charge of the very people in the room admits he didn't watch the video before updating board members this morning? That's insanity. And yet Fulton County still certified the election. But you know who did watch our video? Our viewers, Stinchfield army. One directed me to this moment in the video. The woman in purple after putting ballots in to be scanned it appears to take the same batch of ballots out, straighten them, and then, look what she does with them. She re-inserts them back into the ballot counting machine again, the same set of ballots. Now, there may or may not be an explanation for this, but it certainly needs to be investigated by law enforcement as the greatest political heist in election history may have just been caught on camera.

Pearson Sharp: (01:21:43)

Evidence of election fraud mounts as the mainstream media and Democrats loudly insist Joe Biden is still the 2020 winner. However, numerous whistleblowers are coming forward with credible information that hundreds of thousands of votes for President Trump mysteriously disappeared on election night. On Tuesday, Jesse Morgan, a worker for the U.S. Postal Service revealed that his trailer full of ballots simply went missing after he dropped them off. The worker drove his truck from Bethpage, New York, all the way to Lancaster, Pennsylvania and says he was carrying some 288,000 completed mail-in ballots.

Pearson Sharp: (01:22:18)

Phil Kline, the director of the legal group, Thomas More Society Amistad Project says they have many more testimonies from whistleblowers with similar stories. The project is working to discover flaws and even expose cases of voting fraud in the 2020 election and has already uncovered serious examples of voting irregularities. Backing out President Trump's warnings, Kline explains that the Post Office was rife with fraud and that many Postal Service workers were taking part in widespread illegal efforts to undermine the election.

Pearson Sharp: (01:22:49)

While the missing truck full of ballots is bad enough, other whistleblowers say they drove thousands of prefilled ballots right over state lines, which is a federal crime. A subcontractor for the Post Office, Nathan Pease, said that he was told by two separate postal workers that the Post Office in Wisconsin had collected and backdated over 100,000 ballots on the morning after the election. Unsurprisingly others also claimed the integrity of Dominion voting machines has been compromised and cannot be trusted.

Pearson Sharp: (01:23:20)

During a press conference in Arlington, Virginia on Tuesday, the Project explained that election officials in blue jurisdictions have failed to maintain the ballot chain of custody which leaves the door wide open for voting fraud. The Project said it has photographic

evidence of people improperly accessing voting machines and eye witness accounts on how the seals on ballot hard drives were illegally tampered with and broken. Kline says that in total there are over 300,000 fraudulent ballots in Arizona, 548,000 in Michigan, 204,000 in Georgia, and 121,000 in Pennsylvania. Based on this evidence the FBI has reportedly requested to look at the Project's data on voting integrity...

Pearson Sharp: (01:24:03)

... has reportedly requested to look at the project's data on voting integrity and potential election fraud. Pearson Sharp, One America News.

Donald Trump: (01:24:13)

So if you just take the crime of what those Democrat workers were doing, and by the way, there was no water main break. You know they said... there was no water main break.

Donald Trump: (01:24:25)

That's 10 times more than I need to win this state, 10 times more. It's 10 times maybe more than that, but it's 10 times more because we lost by a very close number. 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, all extremely skewed to Biden. Like, Biden would get 10,000 votes and Trump would get three in a Trump area. Oh. For, example, at 6:31 AM in Michigan, reported 141,238 votes for Joe Biden and 5,900 votes for Donald Trump.

Audience: (01:25:13)

Boo.

Donald Trump: (01:25:14)

96% for Biden, 4% for Trump in an area where I should be doing quite well. You know, I won almost every county in Michigan, almost every district, except for one. And they actually had more people, if you look at the ballots, they had ballots all over. They had more ballots than they had people voting. How do you do that? So they had people and they're voting, and then as you know, two of the canvassers were very brave. They didn't vote, and they got the hell knocked out of them from the standpoint of what they went through. All the cameras went off and then they raised their hand, but then they couldn't sign it ultimately, but more ballots than they had voters. Now, how simple is that?

Donald Trump: (01:25:56)

A similar vote dump occurred in Wisconsin at 3:42 AM. This is 3:42 in the morning. In fact, when I went to bed that night, everybody was calling, "Congratulations. You're up 600,000 votes in Pennsylvania." Across all of the key swing states, there were impossibly low rejection rates, you saw that, for mail-in ballots, drastically less than the historic norm. In Georgia 0.5% of the mail-in ballots were rejected in 2020 compared to 5.77%. That's a difference of 11

times more. It's hundreds of thousands of votes. In Pennsylvania, 0.03% were rejected in 2020 compared to a much, much higher percentage in 2016. This issue alone is enough to change the election results in many states.

Donald Trump: (01:26:51)

Whistleblowers. And that's the smallest of the issues, whistleblowers in multiple states have testified to witnessing postal workers and election workers illegally backdating thousands and thousands of ballots, fixing ballots, filling out false birthdays, registering ineligible voters, and much, much more. We're talking about hundreds of thousands of votes in each state. In Arizona, a sample of 100 ballots reviewed by a judge found that a very small percentage of these ballots, very small, but when you look at it, it was turned out to be very large, it was tens of thousands of votes, more than we would have needed to win Arizona. 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.

Donald Trump: (01:27:43)

In one Michigan county, and by the way, when Laura Ingram interviewed your governor, he said he was an offensive lineman. I said, "That's strange. He doesn't look like an offensive lineman to me." In one Michigan county using Dominion voting systems, nearly 6,000 votes were discovered that were wrongly switched from Trump to Biden. They called it a glitch. You know a glitch? Just like the machine broke. Numerous times we found glitches, and every single time, the glitch went a hundred percent to Biden and no percent to Trump. The same systems are used in 30 states.

Donald Trump: (01:28:20)

The left lies, they cheat and they steal. They are ruthless and they are hellbent on getting power and control by any means necessary. They investigate you and they prosecute you. The moment you question them, they try and intimidate you. They call you a poor American. You're not a good American. You don't love our country. They don't love our country. They beat you down, shut you up and make you retreat. That's what they do. That's what they've done to your governor. They've done that to your governor. Your governor should be ashamed of himself. That's what they want to do right here in Georgia. They want you to be quiet. They want you to go away, but we don't go away. We don't go.

Donald Trump: (01:29:09)

It's the biggest open secret in America that Democrats cheat in elections, this year by sending out 65 million mail-in ballots. They perpetrated the largest fraud in the history of our country. Democrat officials and politicians in every swing state, systematically weakened every measure to combat election fraud. They ensured that there were no identity checks, no signature checks. "I want to check a signature, please." "I'm sorry. We don't let you do that." No eligibility checks, no nothing.

Donald Trump: (01:29:44)

Every single one of you know that if these ballots are properly audited, if the signatures and envelopes were examined, if the envelopes were correlated to the votes, because you'll find there are far more ballots than there are envelopes, all you have to do is count them up. How many ballots do you have? How many envelopes do you have? And if the voter rolls are studied, in other words, studied to check the signature. "Ms. Smith. Oh, it's a totally different signature from 2 years ago, from 6 years ago, from 10 years ago. What's that all about?" We will find that hundreds of thousands of ballots were illegally cast in your state and all over the country, by the way, more than enough to give us a total historic victory.

Donald Trump: (01:30:35)

This is our country that they are... and you know this and you see it, but they're trying to take it from us through rigging, fraud, deception, and deceit. That's what we saw in the election. That's what's going on, and it's happening right now in our country. We will do something about it, and we're going to do something about it quickly. We're going to be watching on January 5th, we're going to be watching every element of what they do. This fraud that they perpetrated on our country, we're going to be watching it more closely than any election has ever been watched. Hopefully, our legislatures and the United States Supreme Court will step forward and save our country.

Donald Trump: (01:31:23)

I used to say, "Without borders, we don't have a country." I can say also without an honest voting system, without an electoral process that works and that's honest and fair, we don't have a country either. We need to check every single signature in the presidential and senatorial elections. Right now, we have to get out to vote for David Perdue and Kelly Loeffler to show the radical left that we will never surrender, we will only win. We're going to win. We always win. Somehow we find a way to win.

Donald Trump: (01:31:54)

Now, is not the time to retreat. Now is the time to fight harder than ever before. So don't listen to my friends. Just go out, just go out. And you know what they're saying? They're saying, "We want you to fix the system." We're going to fix the system, but the system will be fixed when these people get in. They'll get in and we'll fix this system because we're all victims. Everybody here, all these thousands of people here tonight, they're all victims, every one of you.

Donald Trump: (01:32:24)

The next great victory for our movement begins right here on January 5th. Then we are going to win back the White House. We're going to win it back. We're going to take back the house in 2022, and then in 2024. And hopefully I won't have to be a candidate, we're going to win back the White House again. A friend of mine said, "Oh, don't worry about it, sir. You're way up in the polls. You'll win in 2024." I said, "I don't want to wait until 2024. I want to go back three weeks."

Donald Trump: (01:33:07)

We're thrilled to be joined tonight by some real friends of all of ours, Representatives Doug Collins. It was fantastic, and by the way, I've got to tell you. As you know, he and Kelly had a great primary, a very strong primary. They both did fantastically well, and he is on board and he is one of the greatest advocates I've ever met in Washington. I want to thank Doug Collins. Where's Doug? Thank you, Doug. What a job he does. Thank you, Doug, you want to run for governor in two years [inaudible 01:33:45]? Yeah. Good-looking governor.

Donald Trump: (01:33:55)

A friend of mine, one of the toughest guys you'll ever see, Louie Gohmert of Texas. Louie. Thank you Louie. Thank you, Louie. And a young up-and-comer who's taken Washington by storm, Dan Crenshaw. Where's Dan? Where's Dan? Where is Dan? I didn't see you, Dan. The first time that's ever happened to me. Yeah, because you do stand out in many ways. Thank you very much, San.

Donald Trump: (01:34:27)

The next Senator from Tennessee just got elected. Did my endorsement help? Ah? Better believe it. We love Tennessee. Bill Haggerty. He's going to be a great Senator. He's going to be a great senator for a long time. You're a former eight-year governor. He only left because of a thing called term limits. If I would've known, I would've tried to end those term limits, but he went to the Department of Agriculture as his head.

Donald Trump: (01:34:55)

He's done a tremendous job. We've handed out \$28 billion to farmers, 28 billion. I said, how badly have we been targeted by China? And Sonny produced that over a two-year period, sir. \$28 billion. That's when I put the tariffs on China, took the money and gave it out to the farmers. And we had a lot of money left over and we put that into the U.S. treasury, right Sonny? You've done a fantastic job. He knows more about farms than any human being.

Donald Trump: (01:35:24)

State representative. A friend of mine, and great gentleman. He saw what was happening. He happens to be a Democrat, but we love him. I'm trying to talk him into joining our party. Vernon Jones. [inaudible 01:35:36]. Thank you Vernon. What a great guy.

Donald Trump: (01:35:44)

Agriculture commissioner, Gary Black. Gary, good job you're doing. Boy, what a good reputation. Thank you very much, Gary. Your Public Service Commission's Tricia Pridemore, Jason Shaw and a great man. Great, great man who's also on the ballot next month. Bubba McDonald. I like that name. Where's Bubba? [inaudible 01:36:06].

Audience: (01:36:06)

Go Bubba. Yes.

Donald Trump: (01:36:10)

Great, great job. Great job. That's great. Thanks a lot, Bubba. And I introduce you to Bert Jones. Bert's going to be a very important man, I think, over the next coming with William and Brandon and the folks and I appreciate it. And Greg, thank you very much for being here. We appreciate it very much. Very important. Georgia Republican Party Chairman, David Shafer. David. Hi David, how are we doing, David? We'll fire you so fast if we don't. Now, David's done a great, great job, and he works very closely with RMC chairwoman. This is how we won. We won a great state. We won a great state known as Michigan when she was there. And I said, "Let's bring her to Washington." Ronna McDaniel. Thank you, Ronna. Thank you. Thank you, Rona.

Donald Trump: (01:37:06)

Over the last four years, we've built the greatest political movement in the history of our country. Already, we've achieved more than anyone thought possible and we're just getting started and we don't want other people to rip it apart. We must reelect Kelly and David to keep it going for decades. Our politicians spent trillions and trillions of dollars rebuilding other foreign nations, fighting foreign wars and defending foreign borders. We want to defend our border if it's okay. And we're now finally protecting our nation, rebuilding our cities, and we are bringing our jobs, our factories, and our troops back home to the USA where they belong, thank you.

Donald Trump: (01:37:51)

Bringing them home. Not easy to bring them home. I bring them home, and they say, "Well, Sir, we got to keep them there, sir. We got to keep spending money." We got to keep giving money to these countries that can't stand us, that nobody ever heard of-

Audience: (01:38:06)

Boo.

Donald Trump: (01:38:06)

In everything we do, we are putting America first. We ended the war on American energy and the United States is now the number one producer of oil and natural gas anywhere on earth.

Donald Trump: (01:38:21)

We achieved the most secure border in U.S. history, and we built our wall, as I say. Very important for you because you're a big military between the equipment we build and VA choice and VA accountability, right? You ever notice the vets? We used to always have... On television, you'd have the fake news, they'd always be... Well in that case, it wasn't fake, but for years, you'd always see vets how badly treated they were, how badly treated. I shouldn't say this because they'll find one somewhere in the country, but you don't see that. You don't see that anymore. You don't see the stories on the evening news about vets that are being treated horribly. And accountability was a big factor. We fired 9,000 horrible people that

took advantage of our vets, and they're gone. Now if our vets don't get good service, they go out, they see a doctor. We pay the bill, they get better. They don't wait in line for weeks and months.

Donald Trump: (01:39:20)

We destroyed 100% of the ISIS caliphate in Iraq and Syria. We killed the leader of ISIS, al-Baghdadi and we eliminated the world's top terrorist, Soleimani is dead. I withdrew from the last administration's disastrous Iran nuclear deal, and I think they want to start it up again. Can you believe this?

Audience: (01:39:44)

Boo.

Donald Trump: (01:39:46)

I wonder if they'll give him 150 billion. No, they'll give him 250. They were ready to rock. They were ready to do whatever we wanted. Now they're going to... they're salivating. I recognized the true capital of Israel and opened the American embassy in Jerusalem, and also recognized Israeli sovereignty over the Golan Heights. Instead of endless war, we are forging peace all over the world.

Donald Trump: (01:40:13)

And you know, we have the greatest military ever. We have the greatest equipment, all made in the USA. A lot of it made in Georgia, but you know what? I'm the only one in many, many decades that hasn't started a war. Everyone thought that with my personality, I'd be in war the first week. They were all saying war, and we developed relationships. Let's see how he would do with Kim Jong-un of North Korea. I don't think too well, but whatever happened to that? Remember I came in, it was going to be war with North Korea. It was going to be war with everybody.

Donald Trump: (01:40:46)

Now, we built the greatest military in the world and the better it is, the less likely it is that we're going to have to use it. But everything that we've achieved together is on the line on June 5th. And this election, you can send a message to the fake news media, and there's a lot of them right back there.

Audience: (01:41:03)

Boo.

Donald Trump: (01:41:08)

They'll find something wrong with this evening. I don't know what it is, but they'll find something wrong. Maybe it was the person that shouted love. They'll say I was a horrible protester. They'll find something. Kelly and David, they're going to find something. They're looking and having a hard time. It's been a love fest. This is a love fest for these two people. But they all want the Silicon Valley sensors and the corrupt Democrat political machine.

They're partners. You must vote for David Perdue and Kelly Leffler. Go out and vote. With your help, we are going to continue our mission to save America. We will defend the right to life, religious liberty, free speech and the right to keep and bear arms. They're going to take your guns away.

Donald Trump: (01:41:57)

We will always support the heroes of law enforcement. We will maintain America's unrivaled military might, and we will preserve peace through strength. We will protect social security and Medicare, and we will always protect patients with pre-existing conditions.

Donald Trump: (01:42:18)

We will stop the radical indoctrination of our students and children, and restore a patriotic education to our schools. We will teach our children to love our country, honor our history and always respect our great American flag. We will live by the words of our national motto, In God We Trust.

Donald Trump: (01:42:47)

From Atlanta to Augusta, from Savannah to Columbus and from Athens to right here, right here, this is a nice place. It's a nice place, Valdosta. We inherit the legacy of generations of American patriots who gave their blood, sweat, and tears to defend our country and our freedom. We stand on the shoulders of American heroes who crossed the oceans, settled the continent, tamed the wilderness, laid down the railroads, raised up the great skyscrapers, won two world wars, defeated fascism and communism, and made America into the single greatest nation in the history of the world.

Donald Trump: (01:43:32)

And if they get in, and add me into the group, if you don't mind, we will be greater than ever before without question. The best is yet to come.

Donald Trump: (01:43:46)

Proud citizens like you helped build this country, and together we are taking back our country. Our fight to drain the Washington swamp and reclaim America's destiny has just begun. We will not bend. We will not break. We will not yield. We will never give in. We will never give up and we will never back down. We will never, ever surrender because we are Americans and our hearts bleed red, white, and blue.

Audience: (01:44:20)

U.S.A. U. S.A.

Donald Trump: (01:44:39)

We are one movement, one people, one family, and one glorious nation under God. And together with the incredible people of Georgia, we have made America powerful again.

They've done it. We have made America wealthy again. We have made America strong again. We have made America proud again. We have made America safe again, and we will make America great again. Thank you, Georgia. Get out and vote, get out and vote.



38:41


1x
Speed

Donald Trump 00:00

(singing).

Donald Trump 04:15

Wow. Thank you very much. Thank you. I feel so guilty you're waiting out here in the rain. They gave me a hat. I said, "You know, they've been waiting out here for hours. I shouldn't put on a hat," right? They even said, "Sir, we have the car, it's going to take you from the beautiful Air Force One," isn't that a beauty? But, "They're going to take you from Air Force One." I said, "I got to walk it." I mean, these people are tough. They're from Lansing, they're from Michigan, I got to walk it. I got to walk it. Don't give me the umbrella, I'm soaking wet already.

Donald Trump 04:55

But hello Lansing. Hello, Michigan. This was the scene of a great victory. Remember that? Four years ago, "Donald Trump has won the state of Michigan." That was big. It hadn't been done in decades, but I don't know if you saw the poll that just came out, we're up three in Michigan. I think we're up a lot more, you know, they give you the fake polls. I think we're up a lot more. We're going to have a great red wave people that want to go out and vote. They want to go out and they want to touch. They want to vote. It's a great red wave. It's happening in Florida. We're up in Florida, up four, up four.

Donald Trump 05:44

I'm watching these guys, they way talk, "The poll, oh," they're down 25 in Michigan. I said, "No, we're going to win Michigan." No. No, I kid when I say 25, but they put numbers, they're called suppression, suppression polls. They make you like, feel badly, so you said to your wife, or you said your husband, "Darling, let's go out to dinner and then we'll come back. We love our president, but you know, the polls say he can win." Well, right now we're leading in almost everywhere. The real ... We're leading almost everywhere

Donald Trump 06:20

Donald Trump Rally Speech Transcript Dalton, Georgia: Senate Runoff Election

rev.com/blog/transcripts/donald-trump-rally-speech-transcript-dalton-georgia-senate-runoff-election



Crowd: (00:00)
(singing).

Crowd: (00:00)
USA! USA! USA! USA! USA! USA! USA! USA!

Donald Trump: (02:11)

Well, I want to thank you very much. Hello, Georgia, by the way. There's no way we lost Georgia. There's no way. That was a rigged election, but we're still fighting it and you'll see what's going to happen. We'll talk about it. I just want to thank you. This is some crowd. Biden was here today, also. They had 14 people in three cars. No, there was no way. I just want to thank you. I've had two elections. I won both of them. It's amazing. I actually did much better on the second one. It's great to be back in this incredible state, the home of hardworking patriots who believe in God, family and country. Tomorrow, each of you is going to vote in one of the most important runoff elections of the history of our country. Frankly, forget about runoff. One of the most important elections, really. It's really not runoff. It's elections because it's a biggie. Our country's depending on you. The whole world is watching the people of Georgia tomorrow. You've got to swamp them because everything's so crooked around. I mean, and not here.

Donald Trump: (03:26)

They were saying, "Oh, he's complaining about Georgia." No, no. I'm complaining about eight different states, and I think we're going to win them all. You're going to get everyone you know. You're going to show up at the polls in record numbers. You got to swamp them and together we're going to defeat the Democratic streamers and deliver a thundering victory to David Perdue. Where's David? David, David. We love our David. I know David so well. He's respected and loved by everyone. And someone that has really been a star in Washington, Kelly Loeffler. Where is Kelly? Where is our Kelly? What a job you've done. Thank you. I will tell you about Kelly.

Crowd: (04:29)

Fight for Trump! Fight for Trump! Fight for Trump! Fight for Trump! Fight for Trump!

Donald Trump: (04:30)

Kelly fights for me. David fights for me, that I can tell you. I will also say the Republicans, you have to understand, for the people that don't fight, not for me, fighting for us because we have a lot of corrupt things that happen when they don't fight. One thing I've learned about Republicans, they have some difficulties, but you know a difficulty that they don't have? They never forget. They never forget. People are going to find that out because we have to go and we have to go all the way and that's what's happening. You watch what happens over the next couple of weeks. You watch what's going to come out. Watch what's going to be revealed. You watch.

Donald Trump: (05:17)

I have to tell you that the stakes of this election could not be higher. You vote tomorrow. You want to go out tomorrow. People want to go out. They don't want to do the ballot thing. Don't want to do it unless it's the other side, in which case they just print them out. They don't want to do it. They want to go and vote and make sure your vote is counted. Make sure they don't let you say, "I'm sorry. Somebody else has already voted for you." Your vote tomorrow will decide which party controls the United States Senate. The radical Democrats are trying to capture Georgia's Senate seats so they can wield unchecked, unrestrained, absolute power over every aspect of your lives. If the liberal Democrats take the Senate and the White House... And they're not taking this White House. We're going to fight like hell, I'll tell you right now.

Donald Trump: (06:14)

I was telling Kelly before, you can lose and that's acceptable. You lose, you lose. You go, and you go wherever you're going and you go and say, "Maybe I'll do it again sometime, or maybe I won't or I'll get back to life." But when you win in a landslide and they steal it and it's rigged, it's not acceptable. Not acceptable. Then you have a country that would be run, if these two don't win, and if we don't take the presidency, you have a country that would be run by Schumer, Pelosi, and Biden. The people of Georgia will be at the mercy of the left wing, socialist, communist, Marxists. That's where it's going. We don't like to use the word communist.

Donald Trump: (07:04)

How about the press? Look at them back there. Look at all of them. How about the press? That's a lot of press. Oh, boy. That's a lot of press. But they've gone silent now. They have a new thing. They used to fight me left, right. I'd go, they'd go. You'd fight. I'd win. They'd win. Who knows who wins? But people would hear. Now they don't want to talk about it. Unless they can say something bad about you, they don't want to talk about it. So if we talk about certain subjects, as you've been watching over the last six months, all of a sudden they were getting clobbered so they went stone cold silent. Big tech, the fake news media, they go silent anymore. They don't talk about it, and that is the beginning of communism. That's exactly what happens.

Donald Trump: (07:53)

Because I think they hate our country and they despise Georgia values. I think a lot of you despise them as you know there's nothing the radical Democrats will not do to get power that they so desperately crave. Even the outright stealing of elections, like they're trying to do with us. We're not going to let it happen over the pass, and I hope Mike Pence comes through for us, I have to tell you. I hope that 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. No, Mike is a great guy. He's a wonderful man and a smart man and a man that I like a lot, but he's going to have a lot to say about it. One thing with him, you're going to get straight shots. He's going to call it straight. Over the past few weeks, we've demonstrated that we won the election in a landslide. Almost 75 million people voted for me, the most of any incumbent president in the history of our country.

Donald Trump: (09:09)

We won over 11 million, close to 12 million, more votes than 2016. One of the largest, actually, the single largest increase in the history of our country. No person that won went to a second term or went through an election where he got nearly 12 million votes. Nope. It never happened before. Never happened before. We made historic gains among African Americans, Hispanic Americans, Asian Americans, and we won the largest share of non-white vote of any Republican president in 60 years. We also won 18 out of 19 bellwether counties. Now, when you win just a few bellwether counties, you always win the election. We won 18 out of 19. That's a record, and they said we didn't win. We won 25 of 26 toss-up House races. I think we have one that we're waiting for, right? Did you see the one in... Hello, Mike. How are you, Mike?

Donald Trump: (10:14)

Did you see the one in New York where Claudia, good woman... They keep finding votes. They keep finding votes. "She's up by 18. Oh, we just found 19 votes." That's the same kind of stuff. Democrats were projected to gain 15 House seats and instead... And Kevin McCarthy gives us the credit. Good man. Very good man. My coattails, we swept our Republican House candidates to victory and we have a couple of great ones with us tonight, and the Democrats lost 14 seats. It was supposed to be the other way around. When that happens, no president

loses unless they play games. You don't lose. They play games. The fact is we won the presidential election. We won it big and we're going to win tomorrow. We're going to win it really big.

Donald Trump: (11:08)

We have to. We have to. People have no idea how important that is. Tonight, our mission here in Georgia is to make sure the radical left cannot rob you of your voice and your votes in Washington. You can't lose these two people. I really know them well. They're the most respected people. They're great people and they really do have a voice and they love their state and they love their country. The Democrats are trying to steal the White House. You can not let them. You just can't let them steal the U.S. Senate. You can't let it happen. You can't let it happen. David and Kelly are running against the most extreme liberal candidates in the history of your state, probably in the history of our country, Jon Ossoff and Raphael Warnock. Well, I beat Ossoff once running against a very fine woman, Karen, who you know, and he was at 57 and I got involved and we drove him down to 49 and then he ended up in a runoff and she ended up winning. Now I have to beat him a second time. This is going to be, hopefully, easy because when you know what he stands for, when you know what Warnock stands for, it really should be easy. Cast deciding votes to rubber stamp the agenda of AOC and Bernie Sanders. Crazy Bernie. Stacey Abrams. What's with this Stacey Abrams? Your governor and your secretary of state, they're petrified of Stacey Abrams. What's that all about? Did you see this consent decree they signed with signature verification? You can forget about it. What they have done to your state. I think most people have no idea what they've done to your state. That consent decree or these two people. I don't know. They say they're Republicans. I really don't think they are. They can't be.

Donald Trump: (13:19)

If we want to have a special session, because your legislature's excellent, they want to have a... Why wouldn't they let us have a special session? If they want to check signatures in Fulton County, not in Cobb County. We didn't ask for Cobb County. They said, "We'll do Cobb first and then we'll do Fulton." They do Cobb. Then they never get to Fulton. Why wouldn't they do that? Why wouldn't they do that? That's a positive thing. Anyway, the Democrats want to turn America. I'll be here in about a year and a half campaigning against your governor, I guarantee you that. I shouldn't say this. I shouldn't say this because I just don't want you to tell anybody outside of this room, other than the millions of people now, but I endorsed him. He was in last place and I endorsed him. He went to first place immediately, and then he won the primary, and then I gave him a couple of rallies, which I don't like doing for other people. I was telling Kelly, "do rallies for other people. I do them for me, right?" Not that easy, a crowd like this. They say over 25,000 people. Over what? Over a couple of days notice. Is everybody glad you're here, right? I think so. There is no place like a Trump rally, but you know what? This is a Kelly rally and a David rally. I wouldn't do it unless I loved them both. I wouldn't do it. But I'm going to be here in a year and a half and I'm going to be campaigning against your governor and your crazy secretary of state, that I can tell you.

Donald Trump: (15:04)

You have great candidates. They want to turn, the Democrats do, America into Venezuela with no jobs, no prosperity, no rights, no freedom, no future for you and your family. Here is exactly what the radical left will do if they win this runoff election, which we can't let them do tomorrow. Tomorrow's a big day. I guess we have to get over a million votes tomorrow, right, Kelly? Over a million. All right. That's a lot of votes, Kelly, but we'll do it. The one thing I know, if they win I'll get no credit, and if they lose they're going to blame Trump, these people. Kelly won't let that happen. Please win tomorrow. You're going to win so big, it's going to be great story. It's a great story, a very important story for our country, long beyond Georgia for our country. It's such a big story. They'll massively raise your taxes on the middle class to pay for socialism. The U.S. military, which we rebuilt. We've totally rebuilt the U.S. military, much of it coming right out of Georgia.

Donald Trump: (16:17)

We built it right out of Georgia, a lot of it. You have incredible contractors in Georgia, military contractors, and they got plenty of our money. Spent \$2.5 trillion. When I took over the military, it was absolutely a mess. It was depleted. Now it's the opposite of depleted. The U.S. military will be gutted and military families across the street and all over the state will be betrayed. Their benefits and opportunities will be slashed. Fort Benning, Fort Gordon and other Georgia military institutions will be the first on the chopping block. By the way, there'll be forced to change the names of the bases where generations of American patriots trained to win two World Wars. I don't know. Fort Benning. Let's see. Give me a couple of names. I could give you some. I don't want to give them the credit, but you'll name them.

Donald Trump: (17:09)

You'll name them after other people. Fort Trump. Yeah. How about that? I like that. Yeah, let's change the name. Let's change it. Kelly, let's change it. If they name it Trump, let's change it. No. Now they're going to go back and say, "He wants to have Fort Benning changed to Trump." Watch, they'll say, "He's asking, he's begging for Fort Benning to be changed to Trump." No, no. I don't want that. The Democrats will surrender the entire U.S. manufacturing industry to China. You notice they never criticize China, right? They never... It's Russia, Russia, Russia. I saw it today again. Russia, Russia. Oh, Russia. Here we go. That was another great scam. I've been involved in the two greatest scams in American history, the Russian hoax, and now they are trying to steal an election from us. We won not by a little bit. We won in numbers like nobody's seen before.

Donald Trump: (18:08)

If Ossoff and Warnock are elected, they will immediately [inaudible 00:18:12] and you know what's going to happen. They'll throw open American borders and allow tens of millions of illegal immigrants to pour into our country from every corner of the globe. Your schools, your hospitals and your communities will be overwhelmed. And the wall, the wall, the wall. Remember, we'll build a wall. We're going to build a wall. And that's right, Mexico is paying for the wall. If I were here, they would be, because we were going to charge them a nice fee,

right at the entry points. They were paying for the wall. They paid for 28,000 troops along the wall and along the border, which we don't need so much anymore, but we built almost 500 miles of wall and they want to rip down the wall. They want to rip down.

Donald Trump: (18:57)

It's why the numbers have been so great. But now everyone's coming back up because they think this guy's going to win. If he wins, it's going to be everything that they could dream for, dream of. We want to help other people, but we can't afford to do it. We can't afford to do it. So, they're coming up now, the caravans. Remember the caravans? The caravans are starting to form. Here they come. But let's keep this thing going. We have great support in Congress. We have good support in the Senate. I wouldn't say great. Could be better. But people will remember the people that don't support us. If they win this race, Democrats will implement nationwide catch and release. You know what that is? You catch a criminal and you take his name. You say, "You're released into our country." I ended it.

Donald Trump: (19:49)

You're released. Come back in four years. We're going to take you to court. So far nobody's ever shown up. I mean, literally they almost don't show up. That's when I had the big debate with Biden. They come back for court. I said, "No, they don't." I turned out to be right. Did they apologize? I don't think so. And turn our entire country into one giant sanctuary for criminal aliens, setting loose tens of thousands of dangerous offenders and putting MS13 gang members straight into your children's schools. We've removed thousands and thousands of MS13 gang members. I want to thank ICE and I want to thank Border Patrol, and I want to thank our great law enforcement. Incredible people. They're incredible.

Donald Trump: (20:39)

The people that understand those values are Kelly and David. They understand those values. You're with our law enforcement, right? A hundred percent. I don't have to ask her that. They'll allow heroin, cocaine, fentanyl, and other deadly drugs to flood across our borders again, and poison our youth. They'll take away your healthcare. They'll eliminate private insurance. We have 180 million people that love their private insurance. You can forget about it. You'll lose your doctor. Remember President Obama said, "You can keep your doctor. You can keep your plan." Guess what? He said it 28 times. That was a lie. That was a lie. That turned out to be a big, great scam lie. Remember, I got rid of the individual mandate, the most unpopular thing in Obamacare, fighting a lot of different fronts, which really doesn't make it Obamacare anymore, by the way. They'll resume the war on Christians and attack Catholic organizations like Little Sisters of the Poor. They will ban voter ID. We want voter ID. Is that so much to ask? And institute universal, unsolicited mail-in balloting in every state.

Donald Trump: (21:54)

They will never be... I'll tell you this. If we don't do something fast, there will never be another fair election in America. We're known for elections and now we're being laughed out all over the world about this last election. You've got to swarm it tomorrow. Now, the good

thing about tomorrow, it's one state so you have a lot of eyeballs watching. It's tougher than when you have 50 states and they do it to various states. I've never seen anything like it. I was leading in Pennsylvania by hundreds of thousands of votes. All of a sudden I was tied. I said, "What happened?" They'll make Washington DC and other liberal places the 51st, 52nd, 53rd States of the Union guaranteeing the radical left a permanent majority of the U.S. Senate and the House and the electoral college. It will make it, really, a one party country, and the party will be the wrong party. They will pack the Supreme Court with crazed extremists and I'm not happy with the Supreme Court. They are not...

Donald Trump: (23:03)

Extremists. And I'm not happy with the Supreme Court. They are not stepping up to the plate. They're not stepping up. How about that? Look at the Supreme Court, President of the United States. I want to file suit. I want to do... And they say, "Sir, you can't, you really can't do that." Why? So they have legal reasons, complex legal reasons. It's wrong. If you're the President of the United States, and you get defrauded out of an election, you should be able to file a suit, but we can't do that. They say, "Sir, you don't have standing." How about that? I'm the president, seven states, You know, I was winning by a lot. And then all of a sudden I was losing by a little, tiny bit, just a little, they can only go so far. They had no idea we were going to do the kind of numbers. So that printing press was really moving.

Donald Trump: (23:57)

And they say, I don't have standing to bring a suit. What kind of a legal system is that? But the Supreme Court has led us down so far. Who knows? Maybe they'll come back. Maybe they'll come back. They'll pack the Supreme Court with crazed extremists. Then there'll be saying, "You know, I should have done something about this." When they start having 24, 25, 26 justices, and they want to have the justices rotate to the lowest courts. So they'll rotate. These nine justices will have a great time rotating, but they're bent on destroying our constitution and overthrowing America's founding.

Donald Trump: (24:37)

If the left wins these Senate seats, they will abolish the Senate. You know this. The filibuster, they will knock it out. I've been saying, to be honest with you for a long time, they're going to do that, at some point, they're going to do that. And why don't we do it first? I said it. If they're going to do it, you might as well do it first. And now everybody said, "You were right." But you know what? I want to be wrong, because I want these two to win. Because if they win, we don't want to do it. It's a bad thing for our country. But that would give them the power to ram through every diluted piece of left-wing legislation that they've ever wanted, that they've ever dreamt up. Your religious liberty will be gone. Your second amendment will be gone. Your borders and great new world will be gone. Your police departments will be gone as we know them, and your life savings will be gone. We'll be like a large scale version of so many other countries that you look at. That are poverty.

Donald Trump: (25:36)

America as you know it will be over. And it will never, I believe, be able to come back again. It will be too far gone. Your vote tomorrow could lose, and it could be your last chance to save the America that we love. That's why I'm here. I don't want to do rallies for other people. I told you. I'm here because of that. Because of David and Kelly, the far left wants to destroy our country, demolish our history, and erase everything that we hold dear. This could be the most important vote you will ever cast for the rest of your life. It really could be. This is so important. I mean, think of it. It's so important. It's amazing actually, that in one state you have two races simultaneously. I don't think a thing like that's ever happened before. If you don't show up, the radical Democrats will win. A lot of people say, "Oh, well, Trump, maybe he wants it that way." No. You know what I want? I want a great country. I want these two very special people to be elected.

Donald Trump: (26:40)

And I want to be clear. If those of you that know how badly screwed we got, I want to be clear that we can't let that happen again. We can't let that happen again. We're going to come back, and I really believe we're going to take what they did to us in November 3rd. We're going to take it back. But these two people, they can't go through this. They can't go through it. If you don't go and vote, the socialists, the Marxists, will be in charge of our country. If you don't fight to save your country with everything you have, you're not going to have a country left. I love this state. This state's been very good to me. We've had a lot of victories in this state, just had one on November 3rd actually. And I love the people of this state. We can't let that happen. The damage they do will be permanent, and will be irreversible. Can't let it happen.

Donald Trump: (27:42)

Nothing and no one will be able to stop them. These Senate seats are truly the last line of defense. Now I must preface that by saying, because they'll say, "He just conceded." No, no, I concede. So Kelly, if I might add, I think we're going to win, in which case we'll be the last line of defense, it's called veto, veto, veto. Veto. So tomorrow, you must get out and vote for David Perdue and Kelly Loeffler. Over the last four years, David Purdue has been one of our greatest allies and strongest defenders in Washington. He's a great gentlemen. David was a critical vote in the right to pass the largest package of tax cuts and reforms in American history. We did that together. We got it done, launching an incredible economic boom. The greatest tax cuts in the history of our country, think of it. And the greatest restrictions, we were so restricted we couldn't breathe in this country. That's one of the big, I think it might've been more important in many ways than the tax cuts. You would know that being one of the great businessmen of our world.

Donald Trump: (28:56)

I think it was maybe more important. When Georgia needed a strong voice in Washington after Hurricane Michael, remember Hurricane Michael? And I was down here with David, but David Purdue led the charge to get the workers and farmers of your state the relief you deserved. He said, "Sir, can we get a billion dollars?" And I said, "We're going to get it David.

And we got it very fast.” And there was no mechanism to get it. You got hit with a hurricane like you have never seen before, came in from a location that is just very unique. It was a horrible thing. I was here for a long time with David, and he worked and his kin, his kin, the great Sonny Perdue, our Department of Agriculture, our Secretary of Agriculture was fantastic also, but we worked very hard, and we got the farmers and the businesses the money that they had to have. And now they’re thriving. David has also been one of the most courageous advocates fighting for an immigration system that defends American workers, American wages, American families, and American jobs. He led the effort in Congress to build the wall. That’s right.

Donald Trump: (30:08)

And Kelly helped on that she’s a little bit newer to the Senate, but she helped a lot. Those last moments you were there, without you it wouldn’t have happened, actually. Cracked out on deadly sanctuary cities, and chain migration and institute on parallel protection for our great citizens. He fought to help us replaced NAFTA disaster with the brand new USMCA, they said it couldn’t be done. A giant victory for Georgia, for workers, and for farmers all over our country. NAFTA was the worst trade deal probably ever signed. And that maybe has to exclude some of the crazy deals and things they did with China. We voted to confirm nearly 300 federal judges. We have a record on federal judges, and three Supreme Court justices, which is a tremendous thing. We have almost 300 federal judges committed to interpreting our constitution as written. No one fights harder for the people of Georgia than David Purdue. David’s opponent, Jon Ossoff is an unhinged radical leftist. He’s not a senator. He’s not a senator. That’s not a Senator. Ossoff said that he’s very proud to be endorsed by socialist crazy Bernie Sanders.

Donald Trump: (31:28)

He’s weak on China. He promoted Chinese propaganda and then he failed to disclose his business ties to the Chinese communist party. Other than that, he’s a wonderful guy, right? Ossoff supports the largest tax hike in American history. If they get in, Warnock and Ossoff, if they get in, you’re going to have the largest tax increase that you’ve ever had. It’ll be the largest tax increase in the history of our country. For what? The Green New Deal, let’s rip down a building because its windows are too big. Let’s build a building with no windows. Among many other things. He supports the insane Green New Deal, which would crush middle-class parents trying to raise a family. He will support the socialist takeover of American healthcare, which will lead to rationing poverty and death. Ossoff also backed the radical left wing crusade to defund police. The last summer, he proudly joined the anti-police mob, he didn’t like the police. He doesn’t like our police. We love our police. Slandering our brave men and women in blue.

Donald Trump: (32:40)

If you vote for Jon Ossoff, he will attack our heroes. He will destroy our economy, and he will betray you and your family. And it’ll happen very quickly. That’s why you must vote. And really importantly, get out tomorrow. Vote for David Perdue. He’s a great gentleman. He

loves you. Georgia has another fantastic champion in Senator Kelly Loeffler. Kelly is a staunch defender of our incredible military. I'm so proud of our military. She supports the wall, and she always stands with the heroes of law enforcement, ICE and border patrol. I hated it, Kelly, when we got ballots in from the military with Trump all over it, and they got thrown into a river, you saw that. They threw ballots into a river from the military with my name all over it. We want Trump. Boom, goes into the river. That was just one of many instances of problem. Kelly is also a committed protector of your second amendment rights. With Kelly's vote, we confirmed our third new Supreme Court justice Amy Coney Barrett.

Donald Trump: (33:59)

Working with David, Kelly helped rescue the US economy from the China virus, passing nearly \$4 trillion in economic relief, saving over 1.5 million Georgia jobs, and rescuing countless small businesses all across your state. Businesses that now are doing really well, and we also came up with a vaccine. Nobody else would have done that. They would have done that in 10 years. Kelly and David also both strongly support my efforts to provide \$2,000 stimulus checks to hardworking Americans across Georgia, and across the nation. And my reasoning is simple. I mean, we're conservative with money, but my reasoning is simple. You didn't cause this problem, this problem was caused by China. Kelly is running against a hard left extremist named Raphael Warnock. Warnock is the most radical and dangerous left-wing candidate ever to seek this office, and certainly in the state of Georgia, and he does not have your values. Warnock has publicly declared his support for socialism, and he once welcomed the anti-American communist dictator, Fidel Castro to his church. He wanted him here. He liked Castro. Thought Castro was a nice guy.

Donald Trump: (35:13)

Warnock said that quote, nobody can serve both God and the military. A vicious smear against thousands of patriotic service members across the state of Georgia. He wants to abolish cash bail. You see how that's working in New York City, right? It's not working too well. He has called for quote, opening up the jails, and he slandered our police offices as gangsters, thugs, and bullies. The choice for the voters of Georgia could not be more clear. Jon Ossoff and Raphael Warnock, are fringe extremists, who would wreck everything Georgia patriots hold dear to their hearts. Kelly Loeffler and David Perdue share your values, and you know that. They share your values like nobody shares your values. I can tell you, they share your values. They want to defend your interest. And they will always put America first.

Donald Trump: (36:12)

Did you see the other day? What a great name, America First. They announced they don't want to do the America First policy. How crazy? Even if you're not going to do it, which is basically protect us. We come first. But even, and that includes financially in every other way. Even if you don't believe it, you don't say we're going to end America First. They want to end America First. Kelly, I'd love you to just come up and say a few words. Would that be okay? Kelly.

Kelly Loeffler: (36:39)

Hello, Georgia. Thank you Georgia. I have an announcement Georgia. On January 6th, I will object to the electoral college votes. That's right. That's right. Thank you. We're going to get this done. All right, Georgia. But I have a very important question for you. Are you ready to show America that Georgia's a red state? That's right. That's right. Look, this president fought for us, we're fighting for him. He put America first. He put the American worker first. Thank you, Mr. President. He stood with our men and women of law enforcement. He restored our military. My opponent, radical liberal Raphael Warnock, He attacked our police, our military. He spoke out against Israel, evangelicals, small businesses. Georgia, we have to hold the line. You have to get out and vote tomorrow. Georgia, we are the firewall to socialism. We have to get it done. I love you guys. Thank you. God bless you. God bless Georgia. Thank you.

Donald Trump: (38:38)

We love you. Thank you. Thank you Kelly. That was nice. I'm glad I invited her up. Kelly, I'm glad I invited you up. That was great. Thank you Kelly. That was so great.

Crowd: (38:52)

Fight for Trump. Fight for Trump.

Donald Trump: (39:01)

Thank you. Thank you. You know, it really is. It's fight for our country. It's really fight for our country, not fight for Trump. It's fight for our country, because that's why we're fighting for. Also joining us tonight are Georgia representatives, Marjorie Taylor Greene. I love Marjorie Taylor too. Where are you? Come up here. Kelly wants you to come up here. Don't mess with her. Don't mess with her.

Marjorie: (39:38)

Hello, Northwest Georgia. All right. Let me tell you something. I'm so fired up to hear Senator Kelly Loeffler. She's going to object on January 6th. This is why I believe in her. You see, when you have a strong Senator Kelly Loeffler from Georgia fighting for you, and fighting for your president, and protecting your vote, this is why you have to turn out tomorrow, right? Yes. We have to save our Senate seats. We have to save America and stop socialism. This is the last line. We aren't going to hand over our Senate seats to a pastor who preaches abortion from the pulpit. No. He's preaching murder of God's creation in the womb, holding a Bible in his hand.

Marjorie: (40:48)

If anything, go out there and vote for the unborn tomorrow. We've had enough. We're not going to let Georgia go to two radical socialists. No. I need you all to go out there and vote. Our district has to show up. We've got to stop this attack. Stop our senate seats from being hand over to these radicals. And we're going to fight for president Trump on January 6th. God bless Georgia, God bless America. Let's do this.

Crowd: (41:30)

USA, USA, USA, USA, USA, USA, USA, USA, USA, USA.

Donald Trump: (41:49)

I also want to introduce two great warriors, friends of mine, Andrew Clyde and Jody Hice. Jody, thank you. Thank you, Andrew. Thank you very much. Great job. We have another friend of ours, South Carolina Senator Lindsey Graham. And Mike Lee is here too, but I'm a little angry at him today. Where's Mike Lee, Where is he? I'm a little angry at you today, but that's... State representative Vernon Jones. What a great guy he is. A great man. And an early supporter of mine who's also on the ballot tomorrow. Public service commissioner Bubba McDonald. Bubba. You're going to do great.

Crowd: (42:43)

Bubba. Bubba. Bubba. Bubba. Bubba. Bubba. Bubba. Bubba.

Donald Trump: (42:43)

Great guy. Thank you, Bubba. Thank you. Good luck tomorrow. You'll do well. Georgia Republican party chairman David Schaefer, and he's fighting. He's out there. He is fighting. He is fighting. By the way, I also want to say hello to, Kelly's husband is one of the great entrepreneurs in our country. He's respected by everybody. He's a tough guy, but he is a sweetheart, and he loves your state. I just want to say hello. Do you mind? Okay. He doesn't want that. He doesn't want it, but I will tell, you he's respected as a businessman, respected by everybody, and gives tremendous amounts of money to charity and everything else. Thank you very much.

Donald Trump: (43:35)

Also a friend of mine, and I don't know what it is. I'm not so good with the bikes. I sort of say, maybe I stay away from it a little bit, but Chris Cox is Bikers for Trump. And he's the founder, and he had more people show up for me. Whenever I saw, I'd go to places, I'd have two, three, 4,000 bikes, and secret service would go crazy. I'd say, "No, I'm so happy." And they wouldn't do it for any other reason. They just wanted to protect their future president. This was before I won, they were with me for whatever reason, bikers like me. And I like them. Chris Cox, wherever you are Chris Cox. Where is Chris? I don't know why the bikers like me, Chris, but they do. But I like you guys a lot, and you're great. We go to speeches and we'd be packed, and we couldn't even get them, they didn't even want to be inside. They stood outside. And they were protecting their president when I became president, I never felt safer in my life. Thank you. That's true.

Donald Trump: (44:37)

Another man who's respected by everybody, a friend of mine. David McIntosh Club for Growth. David, David. Thank you, David. Respected by everybody. And I want to thank Don Jr. Did he do a good job tonight? I watched. Where is Don? Don is great. I love Don. They love our Don, but he's working hard, and I want to thank Don and Kimberly Guilfoyle, who is incredible. And I also came with somebody who people like a lot, people like her a lot. I don't

know. She doesn't really like the concept of running for office. She says, "What do I need it for, dad?" Ivanka. Where's Ivanka? Come on, come, come. Should we get Ivanka up yes, right? Come on up here honey.

Ivanka Trump: (46:03)

Hello Georgia. It is so incredible to be back here with so many amazing, hardworking Georgia families who are fighting for our children's future. Each one of you. And it's so great to be back in Georgia with this warrior, my father, the people's president. He is a tireless, a tireless champion for all of you, and he will never stop fighting. And by his side are two amazing senators that we have to send back to the Senate and send a resounding message that patriotism is alive and well in Georgia. And Georgia is going to keep freedom alive in America. Please vote. Thank you. God bless you. God bless Georgia and God bless America, and God bless our president.

Donald Trump: (47:35)

Thank you Ivanka. Thanks Don. Kimberly, everybody. Thank you all. Tomorrow our entire nation is counting on the people of Georgia in a way the world is counting on the people of Georgia. The fate of our country is at stake. It's in your hands. You must deliver a Republican victory so big that the Democrats can't steal it or cheat it away. We have all ... They'll be trying though, I'll tell you that. We have all seen what our opponents are capable of doing. I ran two elections. I won both of them. Second one, much more successful than the first, but we can't let this happen any longer. On election night, we were leading by so much. We're not going to have that tomorrow. We're not going to have that tomorrow night, where you're leading and then all of a sudden, boom, it's gone like magic. We won Florida and Ohio in record numbers.

Donald Trump: (48:32)

We won Iowa by 8.2%. Nobody's ever won those three States and lost. Never happened before. It's almost impossible unless people do a lot of ... Either get very lucky or they cheat. We're up 293,000 votes in Michigan, 112,000 votes in Washington. In Wisconsin we were way up, 356,000 votes. In Georgia, 356,000 and 700,000 votes in Pennsylvania. It was over. I should have run up to the podium and said, thank you very much for this wonderful victory. Then maybe they wouldn't have had time to close those booths, the counting rooms, and do what they did. But then it all started to disappear. I tell this story because we can't let this happen tomorrow, Kelly. So keep your eyes open. Since the election, we have put forth indisputable evidence documenting the rampant fraud, which will be announced on Wednesday as you know.

Donald Trump: (49:48)

And I want to thank Senator Josh Hawley and Ted Cruz and all of the incredible senators that have stepped up to fight, because they've seen what happens. They know it's a fraud and not just here. I watched some of the people on Fox. I had no choice. I had no choice. I had to. I didn't have enough channels. And they said, "Why is he fighting for Georgia? It's not enough." And I need three. I'm fighting in eight, actually, but six and we're going to win them

all. But they said, “Why?” So one of the people, a very fine woman actually, but she said, “Why is he fighting Georgia? It doesn’t get him there.” I said, “No, but Georgia and Pennsylvania and one other get me there. And we have six and maybe eight, if you look at them and we were leading all of them by a lot, until, like a miracle, it started to quickly disappear.”

Donald Trump: (50:45)

Right here in Georgia there were tens of thousands of illegal votes cast and counted. You know that. And here are just a few examples. Watch this for tomorrow. We were up 10,315 ballots were cast by individuals whose name and date of birth matches a Georgia resident who died in 2020 prior to the election. Then your wacky secretary of state said two people, two people. Now, I don’t know how many people are on that list, but it’s a lot of people. 2,506 ballots were cast by individuals whose name and date of birth matches an incarcerated felon in a Georgia prison. Maybe they aren’t all there, but they did a lot of work. They paid a lot of money to a lot of people. I can tell you that. 4,502 illegal ballots were cast by individuals who do not appear on the state’s voter rolls. Well, that’s sort of strange. 18,325 illegal ballots were cast by individuals who registered to vote using an address listed as vacant according to the postal service. At least 86,880 ballots were cast by people whose registrations were illegally backdated. Oh, I can’t believe that happened.

Donald Trump: (52:13)

66,000 votes ... You have to understand, we’re down by a little more than 11,000. So every one of these is determinative. 66,000 votes in Georgia were cast by people under the legal voting age. At least 15,000 ballots were cast by individuals who moved out of the state prior to the November 3rd election, or maybe they moved back in. I don’t know. I mean, I can’t tell. They moved out, ah, let’s go back. Usually takes a little time, right? We moved out. Let’s go back, darling. Georgia’s absentee ballot rejection rate went from an average of 3% in 2016, and then went down very low to almost zero now. Think of it, almost zero. If you multiply that out. And this is with many, many more ballots pouring in. Went to almost zero. 48 out of 159 counties in Georgia rejected no ballots at all. These absentee ballot rejection rates prove that the tens of thousands of illegitimate ballots were counted. There were more absentee ballots in 2020 than ever before by [inaudible 00:53:36]. But magically far fewer ballots were rejected. This alone is more than enough to swing the election to us. This one thing. I’m going over individual. In all of the swing States. Now they’ll check this out and that’s fine, but you take a look at it. Officials, egregiously violated state laws in order to solicit, facilitate and promote cheating and theft on a scale never seen before. These crooked and incompetent official suspended signature verification. I said, I want you to go to Fulton County to check the signatures, because hundreds of thousands of ballots came in. I want you to check the signature to see if it compares to somebody that lived there two years, four years or six years ago. They don’t want to do it. The secretary of state and your incompetent governor. Although he thinks I’ve been a great president. They illegally flooded their States with absentee ballots and they deployed hundreds of illicit ballot drop boxes and corrupt Democrat run cities, among many other flagrant violations of law.

Donald Trump: (54:52)

They put these drop boxes there. And in a number of they'd be gone for three days. They'd take them up and where are they? Where are they? They were gone. Georgia secretary of state agreed to a litigation settlement, which is something that nobody's ever seen one like this. I want to just tell you that Stacey Abrams took him to the cleaners. That drastically and illegally changed the states election procedures. They never got the mandated approval from your state legislature, who, by the way, you have some great people in your legislature. Some great, great people who agree with what we're saying and even more so.

Donald Trump: (55:35)

But think of it. They never got the approval. You have to, by law, under the constitution, you can't just do these deals and not get the approval and your secretary of state or whoever it was, made this horrible consent decree, horrible, which got rid of so much safety. It's a disgraceful thing. And it was only approved by your local politicians, him, and local judges. You can't do that. You have to have your state legislatures do it. That's true with all States. Tens of thousands of votes are missing. We go all over the world telling people how to run their elections and we don't even know how to run ours. The most unhappy person right now, anywhere in the United States is Hillary Clinton. Because she's asking the Democrat party, why the hell didn't you do this for me? True. Why didn't you do it for me? Why the hell didn't you? You notice how quiet she's been? I shouldn't have said that, not tonight Jill. But you notice how quiet ... she's furious, because she said, "Don't forget, I won Michigan by 10,000 votes." We did much better. As I said, this time. Much, much better, but I won Michigan from her by 10,000 votes. I won Wisconsin by a small ... I mean, they could have done that one and not get caught. We caught him, we caught him.

Donald Trump: (57:11)

And I say to people like Mike Lee, that here at Lindsey, I say, if they got approved and verified, they use the word verified, votes that are fraudulent. And then we find out after, because you can't do it that quickly. It doesn't go that quickly. It's a lot of work and a lot of votes and a lot of people. And then we find out that they were frauds like in one state where you had, let's say you lost by 25,000 votes. They verify it. And that's supposed to be the end. But shortly thereafter, we find out that we actually won the state by 250,000 votes. Does that mean that that state plus others adds up to being your president? I don't think it should. I don't think it should. I don't think that Kelly feels it should. I don't think that Marjorie feels it should. In Wisconsin over 90,000 ballots were illegally harvested. Can't do that. Not allowed to.

Donald Trump: (58:09)

Through so-called human drop boxes and over 500 illegal unmanned drop boxes were put out statewide. In addition, over 170,000 absentee votes were counted that are blatantly illegal under Wisconsin law and should never have been included in the tally. By the way, I lost the ... It was razor thin. There's 170,000 votes. The margin in Wisconsin is only 20,000

votes. So this issue alone would have won that state for us many times over, we were leading at 10 o'clock in the evening by a lot. In Pennsylvania, there were 205,000 more ballots cast than there were voters. How do you get around that one?

Donald Trump: (58:58)

Which remains completely unexplained. You have great senators and representatives there and nobody can explain it, but think of that. And in other places too, you had more ballots than you had voters. You had more votes, think of it, then you had voters by a lot. In addition, Democrats, state Supreme court judges and Democrat secretary of state effectively abolished the signature verification process right here. They counted ballots cast after deadlines and they allowed ballots to be illegally fixed in Democrat controlled areas. And I say this because you can't let this happen tomorrow. And I hope all the politicians are listening. There's an unexplained 400,000 vote discrepancy between the number of mail-in ballots in Pennsylvania sent out reported on November 2nd, 2020. And the number reported on November 4th. They can't explain it. 400,000 previously unreported mail-in ballots, magically appeared. They couldn't explain it. And all of a sudden they just happened to find 400,000. That's a lot of people.

Donald Trump: (01:00:14)

Amazing. And the Pennsylvania legislature is not happy. Pennsylvania also had an estimated 8,000 dead voters, 55,000 ballots received back before they were even sent. How about that? The ballots were received, but they weren't sent yet. Oh, get them out fast please. Many more with no mail date and 14,000 ballots illegally cast by out of state voters. Those are the numbers and those are the numbers we got from them. So they can't say, Oh, the numbers aren't so good. In Clark County, Nevada, over 130,000 ballots, this is far, just so you know, all these numbers, these are far more than we need, we're processed on machines where the signature matching threshold was intentionally lowered to a level that you could sign your name, Santa clause, and it wouldn't pick it up. Didn't pick up anything. More than 42,000 people in Nevada double voted. That's more than we needed, by far.

Donald Trump: (01:01:23)

In Arizona more than 36,000 votes were cast by non citizens. And there were 11,000 more ballots than there were voters. It seems to be a trait, doesn't it? This was like at the Super Bowl, where you have 15 cameras and they'd say camera number four, you're on. Camera number three, you're on. In Michigan, according to one analyst, over 35,000 ballots listed no address, over 13 ballots were cast by non-residents and an estimated 17,000 ballots were cast by dead people. Some dead people, by the way, also requested an application through. Those are the ones that really bothered me. They not only vote, but they request an application. That's a double. In addition, there is the highly troubling matter of Dominion voting machines.

Donald Trump: (01:02:22)

And I want you to watch this very carefully tomorrow everybody, you have to watch it carefully. I want to read you from a letter from Georgia state Senator William Ligon. You

know who he is, right? Highly respected guy. “Dear Mr president, as chairman of the Georgia Senate judiciary committee on elections. I request that you immediately send an outside team of cyber experts to investigate potential hacking and other irregularities associated with Dominion voting systems, scanners, ballot marking devices, ballots, polling pads used in the 2020 general election in Georgia.” You don’t hear this from your secretary of state and you don’t hear this from your governor and you do have a great legislature. I have to tell you, but the governor won’t let him hold the session to decertify. On December 30th, 2020, the committee held a hearing investigating potential fraud and other irregularities during Georgia’s 2020 general election.

Donald Trump: (01:03:26)

The committee first unanimously approved a report dated December 17th, 2020, discussing a myriad of voting irregularities and potential fraud in Georgia 2020 general election, disgusted in an earlier hearing held on December 3rd. Notably the committee stated in the executive summary that the November 3rd 2020 general election was chaotic and reported results must be viewed as untrustworthy. They are untrustworthy, despite the line of crap that you hear from these people that represent you. I don’t know where they come from. The committee then heard, and this is from one of your most highly respected political representatives, the committee then heard additional testimony concerning voting irregularities during the 2020 general election, including testimony and a real time test demonstrating serious irregularities with Dominion’s voting machines. Three events discussed at this hearing standout and require a forensic auditor of the Dominion voting machines in Georgia to be immediately conducted.

Donald Trump: (01:04:36)

The governor will not let us do it. We’ve been asking them now since November 4th, the day after the election, he won’t let us do it. Why won’t he let us do it? There’s only one reason I can think of. First the Dominion voting machines employed in Fulton County. That’s the home of Stacey. Had an astounding 93.67 error rate. 93.67 error rate in the scanning of ballots requiring a review panel to adjudicate or determine the voters intent. So they’re going to a voter intent. What did the voter mean by this vote? Somebody votes for Trump. I think that voter meant something other. He doesn’t want Trump. Let’s just switch it around.

Donald Trump: (01:05:23)

Think of that. They’re trying to determine the voters intent in over 106,000 ballots out of a total of 113,000 ballots. This is from your representative, highly respected. The national average for such an error rate is far less than 1.2%. So, that was 93%. The source of this astronomical error rate must be identified to determine if these machines were set up were designated to allow for a third party to disregard the actual ballot cast by the registered voter. This is what I have. There was no way. Look at this crowd we have here. Biden came here. He had nobody.

Donald Trump: (01:06:08)

Gallup, Gallup. You know, the Gallup poll. They did a ... I don't say this braggingly, the most admired man in the world or the country. I don't say it. I say it for a different reason. So, I came in first. Obama came in second and Biden came in way low. Then I say, and they say, and people have said, how is it possible that a guy who got 80 million votes can't get any votes for the most admired man. You know why? Because he didn't come in first. That's why.

Donald Trump: (01:06:47)

Second, again from this very respected political leader, second, there is clear evidence that tens of thousands of votes were switched from president Trump to former vice president Biden in several counties throughout Georgia. For example, in Bibb County, anybody live in Bibb County? Bibb, Bibb, B-I-B-B. President Trump was reported to a 29,391 votes at 9:11 PM, while simultaneously former vice-president Joe Biden was reported to have 17,000 to 18. Minutes later at the next update these vote numbers switched with president Trump now having 17,000. And Biden now having 29,391. That was a switch of over 12,000 votes. It was like a miracle. Third, during this hearing, a presenter demonstrated that a Dominion Poll could be hacked into in real time because it was connected to the internet. Now, anything connected to the internet, that's not good, but this demonstration proved that these machines could allow votes to be siphoned off or added during the voting process because they're connected to the internet.

Donald Trump: (01:08:14)

Cybersecurity experts agree that voting machines should not be connected to the internet at any time and in any way, shape or form. Did you see that during the hearing? This guy sitting there. Well, can you connect into the machines? Yes. How do you do that? Within about 25 seconds, he controlled the internet. Former vice-president Biden led Georgia by only 11,779 votes. Every one of the things I told you about almost is more votes than what we're talking about. The crime that was committed in this state is immeasurable and immediate forensic audit of an appropriate sampling of Dominion's voting machines and related equipment is critical to determine the level ...

Donald Trump: (01:09:03)

... Machines and related equipment is critical to determine the level of illegal fraudulent ballots, improperly counted in Georgia during the 2020 general election and during tomorrow's race. You've got to be very careful. And, let me also quickly read a letter from Mark Finchem, chairman of the Arizona House, a very respected man, Federal Relations Committee. "Dear Mr. President, subsequent to the election, members of the legislature were inundated with complaints from constituents relating to the intensity of the general election, and the integrity more important than anything else, and the accuracy of canvassed results." "In many instances, constituents reported that their earlier in-person ballots may not have been correctly processed, or tabulated in Maricopa County officials." "Members of the legislature have conducted two public hearings in recent weeks during which significant evidence of fraudulent and illegal voting in Arizona has been demonstrated through expert

and eyewitness testimony, for example, in Pima County and Maricopa County, it appears that 143,000 illegal votes were actually injected into the ballot system.” Think of that. No, but think of this.

Donald Trump: (01:10:25)

Also, the press won't report this, they probably turn it off, oh, we don't like this. They don't like this. They don't want to talk about numbers. They talked about my phone call. They don't like my phone call, everyone loved my phone call. They don't like talking about numbers, because nobody knew the numbers were so egregious. Also, an expert mathematician concluded that the only explanation for the actual voting results in Arizona is that 100%... Think of this, 130% of Democrats voted for candidate Biden, and a negative 30% voted for President Trump. Now, think of that. In order to get to the numbers 130% of the voters, that's a little tough to get, okay, had to vote for him, and minus 30 had to vote for me, and that gets you to a 100%. And, nobody has a 100% voting.

Donald Trump: (01:11:21)

For all of these people who think it's too late, does that mean that we're forced to approve a fraudulent election or an election with massive irregularities? I don't think so. [crosstalk 01:11:32] I don't think so. I want to thank those two great political leaders, but we have many other letters just like that. Same thing. Hundreds of thousands of votes are missing. The only way to combat the Democrat fraud is to flood your polling places with a historic tidal wave of Republican voters tomorrow.

Donald Trump: (01:11:56)

Because at a certain point, the machines are going to explode. They almost did with me, unfortunately they didn't quite get there, but we'll figure that out. And, I just want Mike Lee to listen to this when I'm talking, because you know what? We need his vote. This election is your chance to stand up to the corrupt Democrat machine, and show them that the American people are still in charge.

Crowd: (01:12:20)

Yeah.

Donald Trump: (01:12:23)

With your help over the last four years, we built the greatest political movement in the history of our country. There's never been anything like this. Kelly, when did I say, we'll do this, like two days ago, three days ago, right? And, look at this, and we love you all for being here, we really do. I'm glad the weathers good, we love you all. But, there's never been a movement like this. I say it all the time, and the politicians, the lame stream medias, I call them affectionately, if that weren't true they'd say, "That's wrong, there's never been a movement like this." I mean, you have people that won one state, and they become world famous for the rest of their lives.

Donald Trump: (01:13:02)

You have people that came in second in New Hampshire and their [inaudible 00:04:06], we won everything and we won it now a second time. Hate to bore you with that expression. But, we won it now a second time. And, I don't want to win it a third time, I really want to win it the second time, [inaudible 00:04:18]. Somebody came up to me today, Kelly, and they said, "Sir, you way up in four years, nobody can come close to me." I said, "I'm not interested in four years, I'm interested in like eight weeks ago."

Crowd: (01:13:34)

Yeah.

Donald Trump: (01:13:35)

Four years is a long time. It's actually two in two, we'll take back the house for [crosstalk 01:13:42] Kevin and Marjorie. Jodi, we'll bring back the house, right? We'll bring back the house.

Crowd: (01:13:48)

Four more years. Four more years, four more years, four more years.

Donald Trump: (01:14:00)

No, we didn't win, I'd be all upset. Of course, if I didn't win, you probably wouldn't want me, you know in all [inaudible 01:14:05].

Crowd: (01:14:05)

[crosstalk 01:14:06].

Donald Trump: (01:14:07)

A Big difference between losing and winning and having it stolen. No, but they talk about for years, sir, you haven't made, nobody can come closer and I say, "Nope, we go this way first." And, I think we're going to do it. I really believe, because there's no [crosstalk 01:14:23] way we could have won every single state, and for Fox, not one state, this is one of many. We win every state, and they're going to have this guy be president and he can't speak, he can't talk. Already, we've achieved more than anyone thought possible. And, we are just getting started.

Speaker 1: (01:14:43)

Thank you.

Donald Trump: (01:14:44)

And honestly, it's you, it's amazing what happened. I don't even know why the hell I say let's have a rally. We have a rally and thousands and thousands [inaudible 01:14:51] Honestly, I'll go out on the extreme, there's never been anything like this in the history of our country. And, the election is over, the presidential election, and we have a big one tomorrow, but there's never been anything like this in the history of our country. Our economy is coming back. It's roaring back. Our stock market is an all time high. Who would have thought that?

We're rounding the turn, because of what we did with the vaccines. And, nobody else would have done it, it would have taken so long. The economy boomed at 33.4% last quarter, that's the fastest rate ever recorded. And, we're talking about [crosstalk 01:15:37] pandemic during a pandemic. We've already slashed the unemployment rate in half. And for decades, our politicians spend trillions of dollars rebuilding foreign nations, fighting foreign wars and defending foreign borders. You know, we're bringing many of our great troops home. I mean, I hate to say it, but got to do it. We've been in Afghanistan for 19 years, I think that's enough. I think that's enough. We've got very few left and [crosstalk 01:16:09] very proud. Nothing worse than going to Dover and meeting the parents of our great warriors that have fallen, our great warriors coming home so badly wounded or dead. And, on countries that many of you have never even heard about. So, we bring our soldiers home. We've been incredible warriors, we can beat anybody. Nobody has our equipment, nobody has our military, nobody has our people-

Speaker 2: (01:16:36)
[inaudible 01:16:36].

Donald Trump: (01:16:37)

... but we aren't over there to be policemen. We're not over there to be policing, they're warriors, they're fighters, and that's what we want them for. That's what we have to have them for. But, we brought a lot of them home. We are finally protecting our nation, rebuilding our cities and we're bringing our jobs, our factories and our troops back to the USA where they belong.

Donald Trump: (01:17:07)

But everything that we've achieved together is on the line tomorrow. Our fight to take back our country from the big donors, the big media and the horrendous big tech giant that our politicians, not these two politicians, are afraid to attack. Section 230, we have to get rid of Section 230 politians-

Crowd: (01:17:26)
Yeah.

Donald Trump: (01:17:30)

... or you're not going to have a country very long, taken away all your rights. If you-

Speaker 3: (01:17:34)
[inaudible 01:17:34].

Donald Trump: (01:17:34)

... want to send a message to the powerful forces that are trying to control your country, you must get out and vote tomorrow for David Perdue and Kelly Loeffler.

Crowd: (01:17:47)
Yeah.

Donald Trump: (01:17:47)

With your help, we're going to continue our mission to save America, and we're going to continue our mission of America first. It's very simple.

Crowd: (01:17:59)

Yeah.

Donald Trump: (01:18:01)

Each of us here tonight is United by the same core vision, and the same timeless American values. We love our country. Together, we believe that faith and family, not government and bureaucracy are the center of American life.

Speaker 4: (01:18:15)

Yeah.

Speaker 5: (01:18:15)

Yeah.

Donald Trump: (01:18:16)

We will defend the right to life, [crosstalk 01:18:19] religious Liberty, free speech and the right to keep and bear arms, which they want to take away from you.

Crowd: (01:18:24)

Yeah.

Donald Trump: (01:18:27)

And, we will always support the heroes of law enforcement.

Crowd: (01:18:34)

Yeah.

Donald Trump: (01:18:35)

We will maintain America's unrivaled military might, and we will preserve peace through strength.

Crowd: (01:18:44)

Yeah.

Donald Trump: (01:18:44)

You know when I first got elected and before I got elected in 2015 and 2016, before they were in debates and everyone said, "Oh, he's going to cause Wars, he's going to cause wars." I think I'm the only president in many, many decades that didn't [crosstalk 01:19:00] get into a war, right.

Crowd: (01:19:01)

Yeah.

Donald Trump: (01:19:01)

[inaudible 00:10:04]. Remember North Korea was going to be a tremendous nuclear fight, and all this, what happened with that? I got along very well with Kim Jong-un. I don't think that Joe's going to be based on what I've heard, but I got along very well with him. And people say, "Whatever happened with North Korea, we got along well." But, they all said that, "With my personality, I'll be in a big war very soon within the first two weeks." What happened? And, they don't want to mess with us either, that [crosstalk 01:19:35] I can tell you.

Donald Trump: (01:19:36)

David and Kelly will protect Social Security and Medicare, and they will always protect patients with pre-existing conditions. We will stop the radical indoctrination of our students and restore patriotic education to our schools.

Crowd: (01:19:50)

Yeah.

Donald Trump: (01:19:54)

We will teach our children to love our country, honor our history and always respect our great American flag.

Crowd: (01:20:02)

Yeah.

Donald Trump: (01:20:05)

And, we will live by the words of our national motto, In God We Trust, and it will stay that way.

Crowd: (01:20:13)

Yeah.

Donald Trump: (01:20:16)

From Atlanta to Augusta, to Savannah, to Columbus, from Athens... And, I want to say hello to Herschel Walker, Athens.

Crowd: (01:20:26)

Yeah.

Donald Trump: (01:20:26)

Herschel [crosstalk 01:20:28], 10.2 yards of carry for a while, he made a lot of quarterbacks look very good. We love Hershel. To right here in Dalton, Georgia, we inherit the legacy of generations of American Patriots who gave their blood, sweat and tears to defend our country and to defend our freedom. We stand on the shoulders of American heroes who crossed the oceans, settle the continent, tamed the wilderness, laid down the railroads, raised up the great skyscrapers that won two world wars, defeated fascism and communism, and made America into the single greatest nation in the history of the world, and the best is yet to come.

Crowd: (01:21:16)

Yeah.

Donald Trump: (01:21:22)

And, proud citizens like you helped build this country. And, together we are taking back our country, our fight to drain the Washington swamp and reclaim America's destiny and dignity has only just begun. 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.

Crowd: (01:21:49)

Yeah.

Donald Trump: (01:21:54)

Because, we are Americans [crosstalk 01:21:56] and we are from Georgia-

Crowd: (01:22:00)

Yeah.

Donald Trump: (01:22:00)

... and our hearts bleed red, white and blue.

Crowd: (01:22:06)

Yeah.

Donald Trump: (01:22:06)

We are one movement, one people, one family, and one glorious nation under God. And, together with the incredible people of Georgia, we have made America powerful again, our military. We have made America wealthy again, our stock market. We have made America strong again, look at that arm, look at...

Donald Trump: (01:22:35)

We have made America proud again, we're proud of our country. We have made America safe again, and we will make America great again. Go get him, David, go get him, Kelly, go get them tomorrow.

Donald Trump Speech “Save America” Rally Transcript January 6

rev.com/blog/transcripts/donald-trump-speech-save-america-rally-transcript-january-6



Donald Trump: (02:44)

The media will not show the magnitude of this crowd. Even I, when I turned on today, I looked, and I saw thousands of people here, but you don't see hundreds of thousands of people behind you because they don't want to show that. We have hundreds of thousands of people here, and I just want them to be recognized by the fake news media. Turn your cameras please and show what's really happening out here because these people are not going to take it any longer. They're not going to take it any longer. Go ahead. Turn your cameras, please. Would you show? They came from all over the world, actually, but they came from all over our country. I just really want to see what they do. I just want to see how they covered. I've never seen anything like it. But it would be really great if we could be covered fairly by the media. The media is the biggest problem we have as far as I'm concerned, single biggest problem, the fake news and the big tech. Big tech is now coming into their own. We beat them four years ago. We surprised them. We took them by surprise and this year, they rigged an election. They rigged it like they've never rigged an election before. By the way, last night, they didn't do a bad job either, if you notice. I'm honest. I just, again, I want to thank you. It's just a great honor to have this kind of crowd and to be before you. Hundreds of thousands of American patriots are committed to the honesty of our elections and the integrity of our glorious Republic. All of us here today do not want to see

our election victory stolen by emboldened radical left Democrats, which is what they're doing and stolen by the fake news media. That's 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 when there's theft involved.

Donald Trump: (04:42)

Our country has had enough. We will not take it anymore and that's what this is all about. To use a favorite term that all of you people really came up with, we will stop the steal. Today I will lay out just some of the evidence proving that we won this election, and we won it by a landslide. This was not a close election. I say sometimes jokingly, but there's no joke about it, I've been in two elections. I won them both and the second one, I won much bigger than the first. Almost 75 million people voted for our campaign, the most of any incumbent president by far in the history of our country, 12 million more people than four years ago. I was told by the real pollsters, we do have real pollsters. They know that we were going to do well, and we were going to win. What I was told, if I went from 63 million, which we had four years ago to 66 million, there was no chance of losing. Well, we didn't go to 66. We went to 75 million and they say we lost. We didn't lose.

Donald Trump: (06:08)

By the way, does anybody believe that Joe had 80 million votes? Does anybody believe that? He had 80 million computer votes. It's a disgrace. There's never been anything like that. You could take third world countries. Just take a look, take third world countries. Their elections are more honest than what we've been going through in this country. It's a disgrace. It's a disgrace. Even when you look at last night, they're all running around like chickens with their heads cut off with boxes. Nobody knows what the hell is going on. There's never been anything like this. We will not let them silence your voices. We're not going to let it happen. Not going to let it happen.

Crowd: (07:11)

Fight for Trump! Fight for Trump! Fight for Trump!

Donald Trump: (07:11)

Thank you. I'd love to have, if those tens of thousands of people would be allowed, the military, the secret service, and we want to thank you, and the police law enforcement. Great. You're doing a great job, but I'd love it if they could be allowed to come up here with us. Is that possible? Can you just let them come up, please? 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. He fights, and I'll tell you. Thank you very much, John. Fantastic job. I watched. That's a tough act to follow, those two. John is one of the most brilliant lawyers in the country, and he looked at this and he said, "What an absolute disgrace, that this could be happening to our constitution." He looked at Mike Pence, and I hope Mike is going to do the right thing.

Donald Trump: (08:09)

I hope so. I hope so because if Mike Pence does the right thing, we win the election. All he has to do. This is from the number one or certainly one of the top constitutional lawyers in our country. He has the absolute right to do it. We're supposed to protect our country, support our country, support our constitution, and protect our constitution. States want to revote. The States got defrauded. They were given false information. They voted on it. Now they want to recertify. They want it back. 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.

Donald Trump: (09:08)

I just spoke to Mike. I said, "Mike, that doesn't take courage. What takes courage is to do nothing. That takes courage," and then we're stuck with a president who lost the election by a lot, and we have to live with that for four more years. We're just not going to let that happen. Many of you have traveled from all across the nation to be here, and I want to thank you for the extraordinary love. That's what it is. There's never been a movement like this ever, ever for the extraordinary love for this amazing country and this amazing movement. Thank you.

Crowd: (09:44)

We love Trump! We love Trump! We love Trump!

Donald Trump: (09:59)

By the way, this goes all the way back past the Washington monument. Do you believe this? Look at this. Unfortunately, they gave the press the prime seats. I can't stand that. No, but you look at that behind. I wish they'd flip those cameras and look behind you. That is the most amazing sight. When they make a mistake, you get to see it on television. Amazing, amazing, all the way back. Don't worry. We will not take the name off the Washington monument. We will not. Cancel culture. They wanted to get rid of the Jefferson Memorial, either take it down or just put somebody else in there. I don't think that's going to happen. It damn well better not. Although with this administration, if this happens, it could happen. You'll see some really bad things happen.

Donald Trump: (10:54)

They'll knock out Lincoln too, by the way. They've been taking his statue down, but then we signed a little law. You hurt our monuments, you hurt our heroes, you go to jail for 10 years and everything stopped. Did you notice that? It stopped. It all stopped. They could use Rudy back in New York City. Rudy, they could use you. Your city is going to hell. They want Rudy Giuliani back in New York. We'll get a little younger version of Rudy. Is that okay, Rudy?

Donald Trump: (11:25)

We're gathered together in the heart of our nation's Capitol for one very, very basic and simple reason, to save our democracy. Most candidates on election evening, and of course this thing goes on so long, they still don't have any idea what the votes are. We still have congressional seats under review. They have no idea. They've totally lost control. They've

used the pandemic as a way of defrauding the people in a proper election. But when you see this and when you see what's happening, number one, they all say, "Sir, we'll never let it happen again." I said, "That's good, but what about eight weeks ago?" They try and get you to go. They say, "Sir, in four years, you're guaranteed." I said, "I'm not interested right now. Do me a favor, go back eight weeks. I want to go back eight weeks. Let's go back eight week." We want to go back, and we want to get this right because we're going to have somebody in there that should not be in there and our country will be destroyed, and we're not going to stand for that.

Donald Trump: (12:34)

For years, Democrats have gotten away with election fraud and weak Republicans, and that's what they are. There's so many weak Republicans. We have great ones, Jim Jordan, and some of these guys. They're out there fighting the House. Guys are fighting, but it's incredible. Many of the Republicans, I helped them get in. I helped them get elected. I helped Mitch get elected. I could name 24 of them, let's say. I won't bore you with it, and then all of a sudden you have something like this. It's like, "Gee, maybe I'll talk to the president sometime later." No, it's amazing. The weak Republicans, they're pathetic Republicans and that's what happens. If this happened to the Democrats, there'd be hell all over the country going on. There'd be hell all over the country. But just remember this. You're stronger, you're smarter. You've got more going than anybody, and they try and demean everybody having to do with us, and you're the real people. You're the people that built this nation. You're not the people that tore down our nation.

Donald Trump: (13:45)

The weak Republicans, and that's it. I really believe it. I think I'm going to use the term, the weak Republicans. You got a lot of them, and you got a lot of great ones, but you got a lot of weak ones. They've turned a blind eye even as Democrats enacted policies that chipped away our jobs, weakened our military, threw open our borders and put America last. Did you see the other day where Joe Biden said, "I want to get rid of the America first policy." What's that all about, get rid of ...? How do you say, "I want to get rid of America first?" Even if you're going to do it, don't talk about it. Unbelievable, what we have to go through, what we have to go through and you have to get your people to fight. If they don't fight, we have to primary the hell out of the ones that don't fight. You primary them. We're going to let you know who they are. I can already tell you, frankly.

Donald Trump: (14:39)

But this year using the pretext of the China virus and the scam of mail-in ballots, Democrats attempted the most brazen and outrageous election theft. There's never been anything like this. It's a pure theft in American history, everybody knows it. That election, our election was over at 10:00 in the evening. We're leading Pennsylvania, Michigan, Georgia by hundreds of thousands of votes, and then late in the evening or early in the morning, boom, these explosions of and bullshit, and all of a sudden. All of a sudden it started to happen.

Crowd: (15:25)

[inaudible 00:15:25]

Donald Trump: (15:35)

Don't forget when Romney got beat. Romney. I wonder if he enjoyed his flight in last night? But when Romney got beaten, he stands up like you're more typical. Well, I'd like to congratulate the victor, the victor. Who was the victor, Mitt? I'd like to congratulate. They don't go and look at the facts. Now I don't know. He got slaughtered probably, maybe it was okay. Maybe it was that's what happened. But we look at the facts and our lecture was so corrupt that in the history of this country, we've never seen anything like it. You can go all the way back. America is blessed with elections all over the world. They talk about our elections. You know what the world says about us now? They said we don't have free and fair elections and you know what else? We don't have a free and fair press.

Donald Trump: (16:25)

Our media is not free. It's not fair. It suppresses thought. It suppresses speech, and it's become the enemy of the people. It's become the enemy of the people. It's the biggest problem we have in this country. No third world countries would even attempt to do what we caught them doing and you'll hear about that in just a few minutes. Republicans are constantly fighting like a boxer with his hands tied behind his back. It's like a boxer, and we want to be so nice. We want to be so respectful of everybody, including bad people. We're going to have to fight much harder and Mike Pence is going to have to come through for us. If he doesn't, that will be a sad day for our country because you're sworn to uphold our constitution. Now it is up to Congress to confront this egregious assault on our democracy. 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 walk down to the Capitol, and we're going to cheer on our brave senators, and congressmen and women. We're 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.

Donald Trump: (18:16)

We have come to demand that Congress do the right thing and only count the electors who have been lawfully slated, lawfully slated. I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard. Today we will see whether Republicans stand strong for integrity of our elections, but whether or not they stand strong for our country, our country. Our country has been under siege for a long time, far longer than this four-year period. We've set it on a much straighter course, a much ... I thought four more years. I thought it would be easy. We created-

Donald Trump: (19:03)

Four more years, I thought it would be easy. We created the greatest economy in history. We rebuilt our military. We get you the biggest tax cuts in history. We got you the biggest regulation cuts. There's no President, whether it's four years, eight years, or in one case

more, got anywhere near the regulation cuts. It used to take 20 years to get a highway approved. now we're down to two. I want to get it down to one, but we're down to two. And it may get rejected for environmental or safety reasons, but we got it down the safety. We created Space Force. Look at what we did. Our military has been totally rebuilt. So we create Space Force, which by in of itself is a major achievement for an administration. And with us, it's one of so many different things.

Donald Trump: (19:52)

Right to try. Everybody know about right to try. We did things that nobody ever thought possible. We took care of our vets. Our vets, the VA now has the highest rating, 91%, the highest rating that it's had from the beginning, 91% approval rating. Always you watch the VA, when it was on television. Every night people living in a horrible, horrible manner. We got that done. We got accountability done. We got it so that now in the VA, you don't have to wait for four weeks, six weeks, eight weeks, four months to see a doctor. If you can't get a doctor, you go outside you get the doctor, you have them taken care of. And we pay the doctor. And we've not only made life wonderful for so many people, we've saved tremendous amounts of money, far secondarily, but we've saved a lot of money.

Donald Trump: (20:49)

And now we have the right to fire bad people in the VA. We had 9000 people that treated our veterans horribly. In primetime, they would not have treated our veterans badly. But they treated our veterans horribly. And we have what's called the VA Accountability Act. And the accountability says if we see somebody in there that doesn't treat our vets well, or they steal, they rob, they do things badly. We say, "Joe, you're fired. Get out of here." Before you couldn't do that. You couldn't do that before.

Donald Trump: (21:24)

So we've taken care of things. We've done things like nobody's ever thought possible. And that's part of the reason that many people don't like us, because we've done too much, but we've done it quickly. And we were going to sit home and watch a big victory. And everybody had us down for a victory. It was going to be great. And now we're out here fighting. I said to somebody, I was going to take a few days and relax after our big electoral victory. Ten o'clock, it was over. But I was going to take a few days.

Donald Trump: (21:52)

And I can say this, since our election, I believe, which was a catastrophe when I watch and even these guys knew what happened, they know what happened. They're saying, "Wow, Pennsylvania's insurmountable. Wow, Wisconsin, look at the big leads we had." Even though the press said we were going to lose Wisconsin by 17 points. Even though the press said Ohio is going to be close, we set a record. Florida's going to be close, we set a record. Texas is going to be close. Texas is going to be close, we set a record. And we set a record with Hispanic, with the Black community. We set a record with everybody.

Donald Trump: (22:36)

Today, we see a very important event though, because right over there, right there, we see the event going to take place. And I'm going to be watching, because history is going to be made. We're 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'll 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. With only three of the seven states in question, we win the presidency of the United States.

Donald Trump: (23:21)

And by the way, it's much more important today than it was 24 hours ago. Because I spoke to David Perdue, what a great person, and Kelly Loeffler, two great people, but it was a setup. And I said, "We have no back line anymore." The only back line, the only line of demarcation, the only line that we have is the veto of the president of the United States. So this is now what we're doing, a far more important election than it was two days ago.

Donald Trump: (23:59)

I want to thank the more than 140 members of the House. Those are warriors. They're over there working like you've never seen before, studying, talking, actually going all the way back, studying the roots of the Constitution, because they know we have the right to send a bad vote that was illegally got, they gave these people bad things to vote for and they voted, because what did they know? And then when they found out a few weeks later... Again, it took them four years to devise history. And the only unhappy person in the United States, single most unhappy, is Hillary Clinton because she said, "Why didn't you do this for me four years ago? Why didn't you do this for me four years ago? Change the votes! 10,000 in Michigan. You could have changed the whole thing!" But she's not too happy. You notice you don't see her anymore. What happened? Where is Hillary? Where is she?

Donald Trump: (24:57)

But I want to thank all of those congressmen and women. I also want to thank our 13 most courageous members of the US Senate, Senator Ted Cruz, Senator Ron Johnson, Senator Shadowless, Kelly Loeffler. And Kelly Loeffler, I'll tell you, she's been so great. She works so hard. So let's give her and David a little special head, because it was rigged against them. Let's give her and David. Kelly Loeffler, David Perdue. They fought a good race. They never had a shot. That equipment should never have been allowed to be used, and I was telling these people don't let them use this stuff. Marsha Blackburn, terrific person. Mike Braun, Indiana. Disinvested, great guy. Bill Hagerty, John Kennedy, James Lankford, Cynthia Lummis. Tommy Tuberville, to the coach. And Roger Marshall. We want to thank them, senators that stepped up, we want to thank them.

Donald Trump: (26:04)

I actually think though it takes, again, more courage not to step up. And I think a lot of those people are going to find that out, and you better start looking at your leadership because the

leadership has led you down the tubes. “We don’t want to give \$2000 to people. We want to give them \$600.” Oh, great. How does that play politically? Pretty good? And this has nothing to do with politics. But how does it play politically? China destroyed these people. We didn’t destroy. China destroyed them, totally destroyed them. We want to give them \$600, and they just wouldn’t change. I said, “Give them \$2000. We’ll pay it back. We’ll pay it back fast. You already owe 26 trillion. Give them a couple of bucks. Let them live. Give them a couple of bucks!”

Donald Trump: (26:57)

And some of the people here disagree with me on that. But I just say, look, you got to let people live. And how does that play though? Okay, number one, it’s the right thing to do. But how does that play politically? I think it’s the primary reason, one of the primary reasons, the other was just pure cheating. That was the super primary reason. But you can’t do that. You got to use your head.

Donald Trump: (27:19)

As you know the media is constantly asserted the outrageous lie that there was no evidence of widespread fraud. You ever see these people? “While there is no evidence of fraud...” Oh, really? Well, I’m going to read you pages. I hope you don’t get bored listening to it. Promise? Don’t get bored listening to it, all those hundreds of thousands of people back there. Move them up, please. Yeah. All these people don’t get bored. Don’t get angry at me because you’re going to get bored because it’s so much. The American people do not believe the corrupt fake news anymore. They have ruined their reputation.

Donald Trump: (27:57)

But it used to be that they’d argue with me, I’d fight. So I’d fight, they’d fight. I’d fight, they’d fight. Boop-boop. You’d believe me, you’d believe them. Somebody comes out. They had their point of view, I had my point of view. But you’d have an argument. Now what they do is they go silent. It’s called suppression. And that’s what happens in a communist country. That’s what they do. They suppress. You don’t fight with them anymore, unless it’s a bad. They have a little bad story about me, they’ll make it 10 times worse and it’s a major headline. But Hunter Biden, they don’t talk about him. What happened to Hunter? Where’s Hunter? Where is Hunter? They don’t talk about him.

Donald Trump: (28:34)

Now watch all the sets will go off. Well, they can’t do that because they get good ratings. The ratings are too good. Now where is Hunter? And how come Joe was allowed to give a billion dollars of money to get rid of the prosecutor in Ukraine? How does that happen? I’d ask you that question. How does that happen? Can you imagine if I said that? If I said that it would be a whole different ball game. And how come Hunter gets three and a half million dollars from the Mayor of Moscow’s wife, and gets hundreds of thousands of dollars to sit on an

energy board even though he admits he has no knowledge of energy, and millions of dollars up front, and how come they go into China and they leave with billions of dollars to manage? “Have you managed money before?” “No, I haven’t.” “Oh, that’s good. Here’s about 3 billion.”

Donald Trump: (29:29)

No, they don’t talk about that. No, we have a corrupt media. They’ve gone silent. They’ve gone dead. I now realize how good it was if you go back 10 years. I realized how good, even though I didn’t necessarily love him, I realized how good it was like a cleansing motion. But we don’t have that anymore. We don’t have a fair media anymore. It’s suppression and you have to be very careful with that. And they’ve lost all credibility in this country. We will not be intimidated into accepting the hoaxes and the lies that we’ve been forced to believe over the past several weeks. We’ve amassed overwhelming evidence about a fake election. This is the presidential election. Last night was a little bit better because of the fact that we had a lot of eyes watching one specific state, but they cheated like hell anyway.

Donald Trump: (30:27)

You have one of the dumbest governors in the United States. And when I endorsed him, I didn’t know this guy. At the request of David Perdue. He said, “A friend of mine is running for Governor, what’s his name.” And you know the rest. He was in fourth place, fifth place. I don’t know. He was way... He was doing poorly. I endorsed him. He went like a rocket ship and he won. And then I had to beat Stacey Abrams with this guy, Brian Kemp. I had to beat Stacey Abrams and I had to beat Oprah, used to be a friend of mine. I was on her last show. Her last week she picked the five outstanding people. I don’t think she thinks that anymore. Once I ran for president, I didn’t notice there were too many calls coming in from Oprah. Believe it or not, she used to like me, but I was one of the five outstanding people.

Donald Trump: (31:17)

And I had a campaign against Michelle Obama and Barack Hussein Obama against Stacey. And I had Brian Kemp, he weighs 130 pounds. He said he played offensive line in football. I’m trying to figure that. I’m still trying to figure that out. He said that the other night, “I was an offensive lineman.” I’m saying, “Really? That must’ve been a really small team.” But I look at that and I look at what’s happened, and he turned out to be a disaster. This stuff happens.

Donald Trump: (31:50)

Look, I’m not happy with the Supreme Court. They love to rule against me. I picked three people. I fought like hell for them, one in particular I fought. They all said, “Sir, cut him loose. He’s killing us.” The senators, very loyal senators. They’re very loyal people. “Sir, cut him loose. He’s killing us, sir. Cut him loose, sir.” I must’ve gotten half of the senators. I said, “No, I can’t do that. It’s unfair to him. And it’s unfair to the family. He didn’t do anything wrong. They’re made up stories.” They were all made up stories. He didn’t do anything wrong. “Cut him loose, sir.” I said, “No, I won’t do that.” We got him through. And you know

what? They couldn't give a damn. They couldn't give a damn. Let them rule the right way, but it almost seems that they're all going out of their way to hurt all of us, and to hurt our country. To hurt our country.

Donald Trump: (32:40)

I read a story in one of the newspapers recently how I control the three Supreme Court justices. I control them. They're puppets. I read it about Bill Barr, that he's my personal attorney. That he'll do anything for me. And I said, "It really is genius," because what they do is that, and it makes it really impossible for them to ever give you a victory, because all of a sudden Bill Barr changed, if you hadn't noticed. I like Bill Barr, but he changed, because he didn't want to be considered my personal attorney. And the Supreme Court, they rule against me so much. You know why? Because the story is I haven't spoken to any of them, any of them, since virtually they got in. But the story is that they're my puppet. That they're puppets. And now that the only way they can get out of that, because they hate that, it's not good on the social circuit. And the only way they get out is to rule against Trump. So let's rule against Trump, and they do that. So I want to congratulate them.

Donald Trump: (33:41)

But it shows you the media's genius. In fact, probably, if I was the media, I'd do it the same way. I hate to say it. But we got to get them straightened out. Today, for the sake of our democracy, for the sake of our Constitution, and for the sake of our children, we lay out the case for the entire world to hear. You want to hear it?

Crowd: (34:04)

Yes!

Donald Trump: (34:06)

In every single swing state, local officials, state officials, almost all Democrats made illegal and unconstitutional changes to election procedures without the mandated approvals by the state legislatures, that these changes paved the way for fraud on a scale never seen before. And I think we'd go a long way outside of our country when I say that.

Donald Trump: (34:34)

So just in a nutshell, you can't make a change on voting for a federal election unless the state legislature approves it. No judge can do it. Nobody can do it, only a legislature. So as an example in Pennsylvania or whatever, you have a Republican legislature, you have a Democrat mayor, and you have a lot of Democrats all over the place. They go to the legislature, the legislature laughs at them. Says, "We're not going to do that." They say, "Thank you very much." And they go and make the changes themselves. They do it anyway. And that's totally illegal. That's totally illegal. You can't do that.

Donald Trump: (35:13)

In Pennsylvania, the Democrat Secretary of State and the Democrat State Supreme Court justices illegally abolished the signature verification requirements just 11 days prior to the election. So think of what they did. No longer is there signature verification. Oh, that's okay. We want voter ID by the way. But no longer is their signature verification, 11 days before the election! They say, "We don't want it." You know why they don't want it? Because they want to cheat. That's the only reason. Who would even think of that? We don't want to verify a signature? There were over 205,000 more ballots counted in Pennsylvania. Now think of this. You had 205,000 more ballots than you had voters. That means you had 200... Where did they come from? You know where they came from? Somebody's imagination. Whatever they needed. So in Pennsylvania you had 205,000 more votes than you had voters! And it's the number is actually much greater than that now. That was as of a week ago. And this is a mathematical impossibility, unless you want to say it's a total fraud. So Pennsylvania was defrauded.

Donald Trump: (36:35)

Over 8000 ballots in Pennsylvania were cast by people whose names and dates of birth match individuals who died in 2020 and prior to the election. Think of that. Dead people! Lots of dead people, thousands. And some dead people actually requested an application. That bothers me even more. Not only are they voting, they want an application to vote. One of them was 29 years ago died. It's incredible.

Donald Trump: (37:05)

Over 14,000 ballots were cast by out-of-state voters. So these are voters that don't live in the state. And by the way, these numbers are what they call outcome determinative. Meaning these numbers far surpass... I lost by a very little bit. These numbers are massive. Massive. More than 10,000 votes in Pennsylvania were illegally counted, even though they were received after Election Day. In other words, "They were received after Election Day, let's count them anyway!" And what they did in many cases is they did fraud. They took the date and they moved it back, so that it no longer is after Election Day. And more than 60,000 ballots in Pennsylvania were reported received back. They got back before they were ever supposedly mailed out. In other words, you got the ballot back before you mailed it!

Donald Trump: (38:03)

... they were supposedly mailed out, in other words, you got the ballot back before you mailed it, which is also logically and logistically impossible. Think of that one. You got the ballot back. Let's send the ballots. Oh, they've already been sent. But we got the ballot back before they were sent. I don't think that's too good.

Donald Trump: (38:23)

Twenty-five thousand ballots in Pennsylvania were requested by nursing home residents, all in a single giant batch, not legal. Indicating an enormous illegal ballot harvesting operation. You're not allowed to do it. It's against the law. The day before the election, the State of

Pennsylvania reported the number of absentee ballots that had been sent out. Yet this number was suddenly and drastically increased by 400,000 people. It was increased. Nobody knows where it came from by 400,000 ballots. One day after the election, it remains totally unexplained. They said, "Well, we can't figure that." Now that's many, many times what it would take to overthrow the state. Just that one element. 400,000 ballots appeared from nowhere, right after the election.

Donald Trump: (39:16)

By the way, Pennsylvania has now seen all of this. They didn't know because it was so quick. They had a vote, they voted, but now they see all this stuff. It's all come to light. Doesn't happen that fast. And they want to re certify their votes. They want to re certify. But the only way that can happen is if Mike Pence agrees to send it back.

Donald Trump: (39:43)

Mike Pence has to agree to send it back. And many people in Congress want it sent back, and take of what you're doing. Let's say you don't do it. Somebody says, "Well, we have to obey the constitution." And you are, because you're protecting our country and you're protecting the constitution, so you are. But think of what happens. Let's say they're stiffs and they're stupid people. And they say, "Well, we really have no choice." Even though Pennsylvania and other states want to redo their votes, they want to see the numbers. They already have the numbers. Go very quickly and they want to redo their legislature because many of these votes were taken as I said, because it wasn't approved by their legislature. That in itself is illegal and then you have the scam and that's all of the things that we're talking about. But think of this: if you don't do that, that means you will have a president of the United States for four years, with his wonderful son.

Donald Trump: (40:50)

You will have a president who lost all of these states, or you will have a president to put it another way, who was voted on by a bunch of stupid people who lost all of these things. You will have an illegitimate president, that's what you'll have. And we can't let that happen. These are the facts that you won't hear from the fake news media. It's all part of the suppression effort. They don't want to talk about it. They don't want to talk about it. In fact, when I started talking about that, I guarantee you a lot of the television sets and a lot of those cameras went off and that's how a lot of cameras back there. But a lot of them went off, but these are the things you don't hear about. You don't hear what you just heard. And I'm going to go over a few more states. But you don't hear it by the people who want to deceive you and demoralize you and control you, big tech, media.

Donald Trump: (41:48)

Just like the suppression polls that said, we're going to lose Wisconsin by 17 points, well we won Wisconsin. They don't have it that way because they lose just by a little sliver. But they had me down the day before Washington Post, ABC poll, down 17 points. I called up a real pollster. I said, "What is that?" "Sir, that's called a suppression poll. I think you're going to

win Wisconsin, sir.” I said, “But why do they make it four or five points?” “Because then people vote. But when you’re down 17, they say, ‘Hey, I’m not going to waste my time. I love the president, but there’s no way.’” Despite that, we won Wisconsin, you’ll see. But that’s called suppression because a lot of people, when they see that, it’s very interesting. This pollster said, “Sir, if you’re down three, four or five people vote. When you go down 17, they say, ‘Let’s save, let’s go and have dinner, and let’s watch the presidential defeat tonight on television darling.’”

Donald Trump: (42:49)

And just like the radical left tries to blacklist you on social media, every time I put out a tweet, even if it’s totally correct, totally correct. I get a flag. I get a flag. And they also don’t let you get out. On Twitter, it’s very hard to come on to my account. It’s very hard to get out a message. They don’t let the message get out nearly like they should, but I’ve had many people say, “I can’t get on your Twitter.” I don’t care about Twitter. Twitter is bad news. They’re all bad news. But you know what? If you want to get out of message. And if you want to go through big tech, social media, they are really, if you’re a conservative, if you’re a Republican, if you have a big voice, I guess they call it shadow ban. Shadow ban. They shadow ban you and it should be illegal. I’ve been telling these Republicans get rid of Section 230.

Donald Trump: (43:47)

And for some reason, Mitch and the group, they don’t want to put it in there. And they don’t realize that that’s going to be the end of the Republican party as we know it, but it’s never going to be the end of us, never. Let them get out. Let the weak ones get out. This is a time for strength. They also want to indoctrinate your children in school by teaching them things that aren’t so. They want to indoctrinate your children. It’s all part of the comprehensive assault on our democracy and the American people to finally standing up and saying, “No.” This crowd is again a testament to it. I did no advertising. I did nothing. You do have some groups that are big supporters. I want to thank that Amy and everybody, we have some incredible supporters, incredible, but we didn’t do anything. This just happened.

Donald Trump: (44:39)

Two months ago, we had a massive crowd come down to Washington. I said, “What are they there for.” “Sir, they’re there for you.” We have nothing to do with it. These groups, they’re forming all over the United States. And we got to remember, in a year from now, you’re going to start working on Congress. And we got to get rid of the weak congresspeople, the ones that aren’t any good, the Liz Cheney’s of the world, we got to get rid of them. We got to get rid of them. She never wants a soldier brought home. I’ve brought a lot of our soldiers home. I don’t know, some like it. They’re in countries that nobody even knows the name. Nobody knows where they are. They’re dying. They’re great, but they’re dying. They’re losing their arms, their legs, their face. I brought them back home, largely back home, Afghanistan, Iraq. Remember I used to say in the old days, “Don’t go into Iraq. But if you go in, keep the oil.” We didn’t keep the oil. So stupid. So stupid, these people. And Iraq has billions and billions

of dollars now in the bank. And what did we do? We get nothing. We never get. But we do actually, we kept the oil here. We did good. We got rid of the ISIS caliphate. We got rid of plenty of different things that everybody knows and the rebuilding of our military in three years, people said it couldn't be done. And it was all made in the USA, all made in the USA. Best equipment in the world. In Wisconsin, corrupt Democrat run cities deployed more than 500 illegal unmanned, unsecured drop boxes, which collected a minimum of 91,000 unlawful votes. It was razor thin the loss. This one thing alone is much more than we would need, but there are many things.

Donald Trump: (46:29)

They have these lockboxes and they pick them up and they disappear for two days. People would say, "Where's that box?" They disappeared. Nobody even knew where the hell it was. In addition, over 170,000 absentee votes were counted in Wisconsin without a valid absentee ballot application. So they had a vote, but they had no application. And that's illegal in Wisconsin. Meaning those votes were blatantly done in opposition to state law. And they came 100% from Democrat areas, such as Milwaukee and Madison, 100%. In Madison, 17,000 votes were deposited in so-called human drop boxes. You know what that is, right? Where operatives stuff thousands of unsecured ballots into duffel bags on park benches across the city in complete defiance of cease and desist letters from state legislature. The state legislature said, "Don't do it." They're the only ones that could approve it. They gave tens of thousands of votes.

Donald Trump: (47:37)

They came in in duffel bags. Where the hell did they come from? According to eyewitness testimony, postal service workers in Wisconsin were also instructed to illegally backdate approximately 100,000 ballots. The margin of difference in Wisconsin was less than 20,000 votes. Each one of these things alone wins us the state. Great state, we love the state, we won the state. In Georgia, your secretary of state, I can't believe this guy's a Republican. He loves recording telephone conversations. I thought it was a great conversation personally, so did a lot of other ... people love that conversation, because it says what's going on. These people are crooked. They're 100% in my opinion, one of the most corrupt. Between your governor and your secretary of state. And now you have it again last night, just take a look at what happened, what a mess and the Democrat party operatives entered into an illegal and unconstitutional settlement agreement that drastically weakened signature verification and other election security procedures.

Donald Trump: (48:53)

Stacey Abrams, she took them to lunch and I beat her two years ago with a bad candidate, Brian Kemp. But the Democrats, took the Republicans to lunch because the secretary of state had no clue what the hell was happening, unless he did have a clue. That's interesting. Maybe he was with the other side, but we've been trying to get verifications of signatures in Fulton County. They won't let us do it. The only reason they won't is because we'll find things in the

hundreds of thousands. Why wouldn't they let us verify signatures and Fulton County? Which is known for being very corrupt. They won't do it. They go to some other county where you would live. I said, "That's not the problem. The problem is Fulton County." Home of Stacey Abrams. She did a good job. I congratulate her, but it was done in such a way that we can't let this stuff happen.

Donald Trump: (49:53)

We won't have a country if it happens. As a result Georgia's absentee ballot rejection rate was more than 10 times lower than previous levels, because the criteria was so off, 48 counties in Georgia with thousands and thousands of votes rejected zero ballots. There wasn't one ballot. In other words, in a year in which more mail-in ballots were sent than ever before, and more people were voting by mail for the first time, the rejection rate was drastically lower than it had ever been before. The only way this can be explained is if tens of thousands of illegitimate votes were added to the tally, that's the only way you could explain it. By the way, you're talking about tens of thousands. If Georgia had merely rejected the same number of unlawful ballots, as in other years, there should have been approximately 45,000 ballots rejected, far more than what we needed to win, just over 11,000.

Donald Trump: (50:59)

They should find those votes. They should absolutely find that just over 11,000 votes, that's all we need. They defrauded us out of a win in Georgia, and we're not going to forget it. There's only one reason the Democrats could possibly want to eliminate signature matching, oppose voter ID and stop citizenship confirmation. Are you in citizenship? You're not allowed to ask that question. Because they want to steal the election. The radical left knows exactly what they're doing. They're ruthless and it's time that somebody did something about it. And Mike Pence, I hope you're going to stand up for the good of our constitution and for the good of our country. And if you're not, I'm going to be very disappointed in you. I will tell you right now. I'm not hearing good stories. In Fulton County, republican poll Watchers were rejected in some cases, physically from the room under the false pretense of a pipe burst.

Donald Trump: (52:03)

Water main burst, everybody leave. Which we now know was a total lie. Then election officials pull boxes, Democrats and suitcases of ballots out from under a table. You all saw it on television, totally fraudulent. And illegally scanned them for nearly two hours totally unsupervised. Tens of thousands of votes, as that coincided with a mysterious vote dump of up to 100,000 votes for Joe Biden, almost none for Trump. Oh, that sounds fair. That was at 1:34 AM. The Georgia secretary of state and pathetic governor of Georgia ... although he says, I'm a great president. I sort of maybe have to change. He said the other day, "Yes, I disagree with president, but he's been a great president." Oh, good. Thanks. Thank you very much. Because of him and others. Brian Kemp, vote him the hell out of office, please.

Donald Trump: (53:05)

Well, his rates are so low, his approval rating now, I think it just reached a record low. They've rejected five separate appeals for an independent and comprehensive audit of signatures in Fulton County. Even without an audit, the number of fraudulent ballots that we've identified across the state is staggering. Over 10,300 ballots in Georgia were cast by individuals whose names and dates of birth match Georgia residents who died in 2020 and prior to the election. More than 2,500 ballots were cast by individuals whose names and dates of birth match incarcerated felons in Georgia prison. People who are not allowed to vote. More than 4,500 illegal ballots were cast by individuals who do not appear on the state's own voter rolls. Over 18,000 illegal ballots were cast by individuals who registered to vote using an address listed as vacant, according to the postal service. At least 88,000 ballots in Georgia were cast by people whose registrations were illegally backdated.

Donald Trump: (54:18)

Each one of these is far more than we need. 66,000 votes in Georgia were cast by individuals under the legal voting age. And at least 15,000 ballots were cast by individuals who moved out of the state prior to November 3rd election. They say they moved right back. They move right back. Oh, they moved out. They moved right back. Okay. They miss Georgia that much. I do. I love Georgia, but it's a corrupt system. Despite all of this, the margin in Georgia is only 11,779 votes. Each and every one of these issues is enough to give us a victory in Georgia, a big, beautiful victory. Make no mistake, this selection stolen from you, from me and from the country. And not a single swing state has conducted a comprehensive audit to remove the illegal ballots. This should absolutely occur in every single contestant state before the election is certified.

Donald Trump: (55:21)

In the State of Arizona, over 36,000 ballots were illegally cast by non-citizens. 2000 ballots were returned with no address. More than 22,000 ballots were returned before they were ever supposedly mailed out. They returned, but we haven't mailed them yet. 11,600 more ballots and votes were counted more than there were actual voters. You see that? So you have more votes again than you have voters.

Donald Trump: (55:51)

150,000 people registered in Maya Copa County after the registration deadline. 103,000 ballots in the county were sent for electronic adjudication with no Republican observers. In Clark County, Nevada, the accuracy settings on signature verification machines were purposely lowered before they were used to count over 130,000 ballots. If you signed your name as Santa Claus, it would go through. There were also more than 42,000 double votes in Nevada. Over 150,000 people were hurt so badly by what took place. And 1500 ballots were cast by individuals whose names and dates of birth match Nevada residents who died in

2020, prior to November 3rd election. More than 8,000 votes were cast by individuals who had no address and probably didn't live there. The margin in Nevada is down at a very low number. Any of these things would have taken care of the situation. We would have won-

Donald Trump: (57:03)

Any of these things would have taken care of the situation. We would have won Nevada also. Every one of these we're going over, we win. In Michigan quickly, the secretary of state, a real great one, flooded the state with unsolicited mail-in ballot applications, sent to every person on the rolls, in direct violation of state law. More than 17,000 Michigan ballots were cast by individuals whose names and dates of birth matched people who were deceased. In Wayne County, that's a great one. That's Detroit. 174,000 ballots were counted without being tied to an actual registered voter. Nobody knows where they came from. Also in Wayne County, poll watches observed canvassers re-scanning batches of ballots over and over again, up to three or four or five times. In Detroit, turnout was 139% of registered voters. Think of that. So you had 139% of the people in Detroit voting. This is in Michigan, Detroit, Michigan.

Donald Trump: (58:08)

A career employee of the Detroit, City of Detroit, testified under penalty of perjury that she witnessed city workers coaching voters to vote straight Democrat, while accompanying them to watch who they voted for. When a Republican came in, they wouldn't talk to him. The same worker was instructed not to ask for any voter ID and not to attempt to validate any signatures if they were Democrats. She also told to illegally, and was told backdate ballots received after the deadline and reports that thousands and thousands of ballots were improperly backdated. That's Michigan. Four witnesses have testified under penalty of perjury that after officials in Detroit announced the last votes had been counted, tens of thousands of additional ballots arrived without required envelopes. Every single one was for a Democrat. I got no votes.

Donald Trump: (59:10)

At 6:31 AM, in the early morning hours after voting had ended, Michigan suddenly reported 147,000 votes. An astounding 94% went to Joe Biden, who campaigned brilliantly from his basement. Only a couple of percentage points went to Trump. Such gigantic and one-sided vote dumps were only observed in a few swing states and they were observed in the states where it was necessary. You know what's interesting, President Obama beat Biden in every state other than the swing states where Biden killed him. But the swing States were the ones that mattered. There were always just enough to push Joe Biden barely into the lead. We were ahead by a lot and within the number of hours we were losing by a little.

Donald Trump: (01:00:03)

In addition, there is the highly troubling matter of Dominion voting systems. In one Michigan County alone, 6,000 votes were switched from Trump to Biden and the same

systems are used in the majority of states in our country. Senator William Ligon, a great gentleman, chairman of Georgia Senate Judiciary Subcommittee, Senator Ligon, highly respected on elections has written a letter describing his concerns with Dominion in Georgia.

Donald Trump: (01:00:40)

He wrote, and I quote, "The Dominion voting machines employed in Fulton County had an astronomical and astounding 93.67% error rate." It's only wrong 93% of the time. "In the scanning of ballots requiring a review panel to adjudicate or determine the voter's interest, in over 106,000 ballots out of a total of 113,000." Think of it, you go in and you vote and then they tell people who you're supposed to be voting for. They make up whatever they want. Nobody's ever even heard. They adjudicate your vote. They say, "Well, we don't think Trump wants to vote for Trump. We think he wants to vote for Biden. Put it down for Biden." The national average for such an error rate is far less than 1% and yet you're at 93%." The source of this astronomical error rate must be identified to determine if these machines were set up or destroyed to allow for a third party to disregard the actual ballot cast by the registered voter."

Donald Trump: (01:01:44)

The letter continues, "There is clear evidence that tens of thousands of votes were switched from President Trump to former Vice President Biden in several counties in Georgia. For example, in Bibb County, President Trump was reported to have 29,391 votes at 9:11 PM Eastern time. While simultaneously Vice President Joe Biden was reported to have 17,213. Minutes later, just minutes, at the next update, these vote numbers switched with President Trump going way down to 17,000 and Biden going way up to 29,391." And that was very quick, a 12,000 vote switch, all in Mr. Biden's favor.

Donald Trump: (01:02:31)

So, I mean, I could go on and on about this fraud that took place in every state and all of these legislatures want this back. I don't want to do it to you because I love you and it's freezing out here, but I could just go on forever. I can tell you this...

Speaker 1: (01:02:52)

We love you. We love you.

Donald Trump: (01:03:03)

So when you hear, when you hear, "While there is no evidence to prove any wrongdoing," this is the most fraudulent thing anybody's... This is a criminal enterprise. This is a criminal enterprise and the press will say, and I'm sure they won't put any of that on there because that's no good, do you ever see, "While there is no evidence to back President Trump's assertion," I could go on for another hour reading this stuff to you and telling you about it. There's never been anything like it. Think about it, Detroit had more votes than it had voters.

Pennsylvania had 205,000 more votes than it had more, but you don't have to go any... Between that, I think that's almost better than dead people, if you think, right? More votes than they had voters, and many other States are also.

Donald Trump: (01:03:56)

It's a disgrace that the United States of America, tens of millions of people are allowed to go vote without so much as even showing identification. In no state is there any question or effort made to verify the identity, citizenship, residency, or eligibility of the votes cast. The Republicans have to get tougher. You're not going to have a Republican party if you don't get tougher. They want to play so straight, they want to play so, "Sir, yes, the United States, the constitution doesn't allow me to send them back to the States." Well, I say, "Yes, it does because the constitution says you have to protect our country and you have to protect our constitution and you can't vote on fraud," and fraud breaks up everything, doesn't it? When you catch somebody in a fraud, you're allowed to go by very different rules. So I hope Mike has the courage to do what he has to do. And I hope he doesn't listen to the RINOs and the stupid people that he's listening to. It is also widely understood that the voter rolls are crammed full of non-citizens, felons and people who have moved out of state and individuals who are otherwise ineligible to vote. Yet Democrats oppose every effort to clean up their voter rolls. They don't want to clean them up, they are loaded. And how many people here know other people that when the hundreds of thousands and then millions of ballots got sent out, got three, four, five, six, and I heard one who got seven ballots. And then they say, "You didn't quite make it, sir." We won. We won in a landslide. This was a landslide.

Donald Trump: (01:05:43)

They said, "It's not American to challenge the election." This is the most corrupt election in the history, maybe of the world. You know, you could go third world countries, but I don't think they had hundreds of thousands of votes and they don't have voters for them. I mean, no matter where you go, nobody would think this. In fact, it's so egregious, it's so bad, that a lot of people don't even believe it. It's so crazy that people don't even believe it. It can't be true. So they don't believe it. This is not just a matter of domestic politics, this is a matter of national security. So today, in addition to challenging the certification of the election, I'm calling on Congress and the state legislatures to quickly pass sweeping election reforms, and you better do it before we have no country left. Today is not the end. It's just the beginning.

Donald Trump: (01:06:37)

With your help over the last four years, we built the greatest political movement in the history of our country and nobody even challenges that. I say that over and over, and I never get challenged by the fake news, and they challenge almost everything we say. But our fight against the big donors, big media, big tech and others is just getting started. This is the greatest in history. There's never been a movement like that. You look back there all the way to the Washington Monument. It's hard to believe. We must stop the steal and then we must ensure that such outrageous election fraud never happens again, can never be allowed to

happen again, but we're going forward. We'll take care of going forward. We got to take care of going back. Don't let them talk, "Okay, well we promise," I've had a lot of people, "Sir, you're at 96% for four years." I said, "I'm not interested right now. I'm interested in right there."

Donald Trump: (01:07:33)

With your help we will finally pass powerful requirements for voter ID. You need an ID to cash your check. You need an ID to go to a bank, to buy alcohol, to drive a car. Every person should need to show an ID in order to cast your most important thing, a vote. We will also require proof of American citizenship in order to vote in American elections. We just had a good victory in court on that one, actually. We will ban ballot harvesting and prohibit the use of unsecured drop boxes to commit rampant fraud. These drop boxes are fraudulent. There for, they get... They disappear and then all of a sudden they show up. It's fraudulent. We will stop the practice of universal, unsolicited mail-in balloting. We will clean up the voter rolls that ensure that every single person who cast a vote is a citizen of our country, a resident of the state in which they vote and their vote is cast in a lawful and honest manner. We will restore the vital civic tradition of in-person voting on election day so that voters can be fully informed when they make their choice. We will finally hold big tech accountable and if these people had courage and guts, they would get rid of Section 230, something that no other company, no other person in America, in the world, has.

Donald Trump: (01:09:10)

All of these tech monopolies are going to abuse their power and interfere in our elections and it has to be stopped and the Republicans have to get a lot tougher and so should the Democrats. They should be regulated, investigated and brought to justice under the fullest extent of the law. They're totally breaking the law. Together we will drain the Washington swamp and we will clean up the corruption in our nation's capital. We have done a big job on it, but you think it's easy, it's a dirty business. It's a dirty business. You have a lot of bad people out there. Despite everything we've been through, looking out all over this country and seeing fantastic crowds, although this I think is our all time record. I think you have 250,000 people. 250,000.

Donald Trump: (01:10:05)

Looking out at all the amazing patriots here today, I have never been more confident in our nation's future. Well, I have to say we have to be a little bit careful. That's a nice statement, but we have to be a little careful with that statement. If we allow this group of people to illegally take over our country, because it's illegal when the votes are illegal, when the way they got there is illegal, when the States that vote are given false and fraudulent information. We are the greatest country on earth and we are headed, and were headed, in the right direction. You know, the wall is built, we're doing record numbers at the wall. Now they want to take down the wall. Let's let everyone flow in. Let's let everybody flow in.

Donald Trump: (01:10:52)

We did a great job in the wall. Remember the wall? They said it could never be done. One of the largest infrastructure projects we've ever had in this country and it's had a tremendous impact and we got rid of catch and release, we got rid of all of the stuff that we had to live with. But now the caravans, they think Biden's getting in, the caravans are forming again. They want to come in again and rip off our country. Can't let it happen. As this enormous crowd shows, we have truth and justice on our side. We have a deep and enduring love for America in our hearts. We love our country. We have overwhelming pride in this great country, and we have it deep in our souls. Together we are determined to defend and preserve government of the people, by the people and for the people.

Donald Trump: (01:11:44)

Our brightest days are before us, our greatest achievements still wait. I think one of our great achievements will be election security because nobody until I came along, had any idea how corrupt our elections were. And again, most people would stand there at 9:00 in the evening and say, "I want to thank you very much," and they go off to some other life, 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.

Donald Trump: (01:12:21)

Our exciting adventures and boldest endeavors have not yet begun. My fellow Americans for our movement, for our children and for our beloved country and I say this, despite all that's happened, the best is yet to come.

Donald Trump: (01:12:43)

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're going to try and give... The Democrats are hopeless. They're never voting for anything, not even one vote. But 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.

Donald Trump: (01:13:19)

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. Thank you.

Donald Trump Second Video Speech Condemning Capitol Violence: Transcript

 rev.com/blog/transcripts/donald-trump-second-video-speech-condemning-capitol-violence-transcript



Donald Trump: (00:00)

My fellow Americans, I want to speak to you tonight about the troubling events of the past week. As I have said, the incursion of the US Capitol struck at the very heart of our Republic. It angered and appalled millions of Americans across the political spectrum. I want to be very clear, I unequivocally condemn the violence that we saw last week. Violence and vandalism have absolutely no place in our country and no place in our movement.

Donald Trump: (00:35)

Making America Great Again has always been about defending the rule of law, supporting the men and women of law enforcement and upholding our nation's most sacred traditions and values. Mob violence goes against everything I believe in and everything our movement stands for. No true supporter of mine could ever endorse political violence. No true supporter of mine could ever disrespect law enforcement or our great American flag. No true supporter of mine could ever threaten or harass their fellow Americans. If you do any of these things, you are not supporting our movement, you are attacking it and you are attacking our country. We can not tolerate it.

Donald Trump: (01:26)

Tragically, over the course of the past year made so difficult because of COVID-19, we have seen political violence spiral out of control. We have seen too many riots, too many mobs, too many acts of intimidation and destruction. It must stop. Whether you are on the right or on the left, a Democrat or a Republican, there is never a justification for violence, no excuses, no exceptions. America is a nation of laws. Those who engaged in the attacks last week will be brought to justice.

Donald Trump: (02:12)

Now I am asking everyone who has ever believed in our agenda to be thinking of ways to ease tensions, calm tempers, and help to promote peace in our country. There has been reporting that additional demonstrations are being planned in the coming days, both here in Washington and across the country. I have been briefed by the US Secret Service on the potential threats. Every American deserves to have their voice heard in a respectful and peaceful way. That is your First Amendment Right. But I cannot emphasize that there must be no violence, no law breaking and no vandalism of any kind.

Donald Trump: (03:02)

Everyone must follow our laws and obey the instructions of law enforcement. I have directed federal agencies to use all necessary resources to maintain order. In Washington, D.C., We are bringing in thousands of National Guard members to secure the city and ensure that a transition can occur safely and without incident. Like all of you, I was shocked and deeply saddened by the calamity at the Capitol last week. I want to thank the hundreds of millions of incredible American citizens who have responded to this moment with calm, moderation and grace. We will get through this challenge just like we always do.

Donald Trump: (03:51)

I also want to say a few words about the unprecedented assault on free speech we have seen in recent days. These are tense and difficult times. The efforts to censor, cancel and blacklist our fellow citizens are wrong and they are dangerous. What is needed now is for us to listen to one another, not to silence one another. All of us can choose by our actions to rise above the ranker and find common ground and shared purpose. We must focus on advancing the interests of the whole nation, delivering the miracle vaccines, defeating the pandemic, rebuilding the economy, protecting our national security and upholding the rule of law.

Donald Trump: (04:49)

Today, I am calling on all Americans to overcome the passions of the moment and join together as one American people. Let us choose to move forward united for the good of our families, our communities, and our country. Thank you. God bless you and God bless America.

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

**PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING
FUTURES**

SEC Wire

November 29, 2020 Sunday

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Body

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

NOVEMBER 29, 2020

SPEAKERS: PRESIDENT DONALD TRUMP

MARIA BARTIROMO, FOX NEWS HOST

[*] BARTIROMO: All right, Senator, it's good to see you. We will be watching. Thank you so much for being here, Senator Kelly Loeffler, joining us in Georgia this morning.

And now the president of the United States, Donald J. Trump, on the telephone,

Mr. President thank you very much for being here.

TRUMP: Thank you, Maria. Thank you.

BARTIROMO: It is great to have you.

And I want to say that Americans today have a lot of questions this morning, Mr. President. We hope that you can be as precise as possible and we can get through as much as possible this morning.

Thank you for talking with us, in the first interview since Election Day.

Mr. President, you have said many times that this election was rigged, that there was much fraud, and the facts are on your side. Let's start there.

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Please go through the facts. Characterize what took place.

TRUMP: Well, first of all, I have to start by saying the whole world is watching, and nobody can believe what they're seeing.

And you have leaders of countries that call me, say, that's the most messed-up election we have ever seen. You start with these machines that have been suspect, not allowed to be used in Texas, the Dominion machines, where tremendous reports have been put out.

We have affidavits on -- from many people talking about what went on with machines. They had glitches. You know what a glitch is. That's -- a glitch is supposed to be when a machine breaks down.

Well, no, we had glitches where they moved thousands of votes from my account to Biden's account. And these are glitches. So, they're not glitches. They're theft. They're fraud, absolute fraud. And there were many of them, but, obviously, most of them tremendous amounts, got by without us catching.

We got lucky to catch them. I think we caught four or five glitches of about 5,000 votes each, and different states. And, again, they're not glitches. That was fraud. And they got caught.

But, for the most part, they got away with it. And what happened, if you watched the election, I was called by the biggest people, saying, congratulations, political people. Congratulations, sir. You just won the election. It was 10:00. And you looked at the numbers. And I'm sure you felt that way.

This election was over. And then they did dumps. They call them dumps, big, massive dumps, in Michigan, Pennsylvania, and all over. If you take a look at -- you just take a look at just about every state that we're talking about, every swing state that we're talking about.

And they did these massive dumps of votes. And, all of a sudden, I went from winning by a lot to losing by a little. And, in some cases, it took a period of time to do it. North Carolina, they couldn't do it. I won North Carolina. They couldn't -- somehow, they had a better system. But they couldn't do anything. I believe they tried. We have affidavits.

But they couldn't do anything with the -- really a great place, North Carolina. We appreciate the incredible work they put in. And we won.

But they did tens of thousands of -- tens of thousands of Biden votes. And, all of a sudden, I went from -- and I could tell you, the people that were calling me congratulating me are people that you know very well, friends of your show. They said, it's over.

I said, well, I hear bad things about the machines. I hear bad things about corruption.

One of your great pollsters, who actually got it right -- you know the gentleman I'm talking about -- he said, well, Trump is going to win Pennsylvania, but you have to allow at least 5 percent for cheating, because they cheat.

BARTIROMO: Right.

TRUMP: And that's in Philadelphia and various areas around Philadelphia. They cheat, and they cheat like crazy. So, we have him winning Pennsylvania, but you have to allow five points for cheating.

This is a terrible thing that's happened. The mail-in ballots were -- are a disaster. They sent millions and millions and millions of mail-in ballots. I'm sure you know people that got two, three, or four, because I do, where they said, you know, we got four ballots. They got one at a country home. Dead people were seeing ballots.

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But, even worse, dead people were applying to get a ballot. They were making application to get ballots, many. And, you know, we're not talking about 10 people. We're talking -- there are a lot of dead people that so-called voted in this election.

But dead people were, in some cases, in many, many cases, thousands of cases, voted, but, also, dead people made application to vote. They were dead 10 years, 15 years, and they actually made application.

This is total fraud. And how the FBI and Department of Justice -- I don't know. Maybe they are involved. But how people are allowed to get away from this stuff -- with this stuff is unbelievable.

This election was rigged. This election was a total fraud. And it continues to be, as they hide. And the problem we have, we go to judges, and people don't want to get involved. The media doesn't even want to cover it.

I mean, you're doing something. You're actually very brave, because you're doing something.

The media doesn't want to talk about it. They know how fraudulent this is. It's no different than Hunter. It's no different than Hunter. They don't want to talk about Hunter, so they totally closed it off, big tech and the media, other than The New York Post, as you remember, which took a lot of heat.

BARTIROMO: Yes.

TRUMP: It was terminated. It was terminated from...

BARTIROMO: Yes.

TRUMP: ... I guess, Twitter, maybe Facebook.

But it's a situation, the likes of which -- we don't have freedom of the press in this country. We have suppression by the press. They suppress. You can't have a scandal if nobody reports about it.

This is the greatest fraud in the history of our country, from an electoral standpoint. And I guess you could build it up bigger than an electoral stand -- what's bigger from an electoral standpoint? What is bigger than this?

This is the essence of our country. This is the whole ball game. And they cheated.

Joe Biden did not get 80 million votes. Now, we were -- we were planning -- we -- I got 63 million votes four years ago and won quite handily in the Electoral College, won quite handily. We did very well. I got 63.

We were hoping to get 68 or so. And we felt that was a path to an easy victory. I got 74 million votes...

BARTIROMO: Yes.

TRUMP: ... the largest in the history of a sitting president, so much more, many millions more than anyone thought -- you know, than we were even trying to get.

And everybody said, this is over. I'm telling you, at 10:00, everybody thought it was over.

BARTIROMO: Right.

TRUMP: And then the phony -- then the phony mail-ins started coming in, Maria.

But, just so you understand, I got 74 million votes. It was over. And then mail-in started happening.

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BARTIROMO: Yes.

TRUMP: Glitches started happening.

This election was rigged. This election is a total fraud.

BARTIROMO: Mr. President, these are obviously very serious charges.

And I want to walk through them and ask you how you will prove this in the courts, because, as you know, what I have been saying on the air is that elections are the reason that our young men and women go on battlefields across the world and, in some cases, lose their lives, because they believe that their vote, my vote matters just as much as your vote.

And if that is not true, this is a very serious turning point for America.

So, this is no longer about you, President Trump. This is about America. And many people agree with you. According to Reuters, 68 percent of Republicans and 28 percent of all Americans -- that includes Democrats -- believe there was fraud in this election.

So, let's go through some of the states, the six states that your team is challenging.

What specific strategy does your legal team take going forward?

Let's start with Pennsylvania. I know you said that you have a pile of affidavits. That's part of the evidence. What other evidence can you talk about that will enable you to prove this in court in the coming weeks, sir?

TRUMP: Well, we're trying to put the evidence in. And the judges won't allow us to do it.

We are trying. We have so much evidence. We -- you probably saw, on Wednesday of last week, we had a hearing in Gettysburg, Pennsylvania. It was an incredible hearing, unbelievable witnesses, highly respected people, that were truly aggrieved.

A woman came in, and she wanted to vote, and they said, no, I'm sorry you can't vote. You have already voted. Your ballot is in. And she said, no, no, I want to vote on November 3. I have been waiting for so long to vote. I'm so proud. I want to vote. They said, your ballot is in. I'm sorry. And that was the story. And she was aggrieved.

And you have many people like that, many, many people like that, at a level that nobody would even believe. And that's where it is, Maria. That's -- that's one story. By the way, that's one story out of so many different stories.

You know, the poll watchers -- and this is true with all of the states, just about, that you're talking about, I think all of them. They weren't allowed to have poll watchers. The Democrats and thugs, thugs -- I'm not talking about saying, could you please move over? They threw them out of the counting rooms. They weren't allowed to be in. They threw them outside in many cases.

You heard the story where the people, they went out and sent for binoculars, because they wouldn't allow them to watch. And during that period of time, a lot of bad things happened. Then they closed -- as you know, they closed up the voting, and then for -- unexpectedly. They closed up all of the counting.

Unexpectedly, new ballots came in. And it was all new numbers being added. We have pictures and we have evidence of new ballots being brought into counting rooms.

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Maria, there's never been anything like this in history. And it all started with the mail-in. But it also goes to Dominion. It goes to a lot of things. But the mail-in, millions and millions of ballots being shipped all over, and ballots -- as you know, there were a lot of ballots where it was just Biden on top. They didn't do anything else, because they were in a rush.

And from what everybody is saying, and from what -- I don't think we even have to prove this. They say that I was doing so much better than they thought that they panicked, and they started just doing ballot after ballot very quickly and just checking the Biden name on top. They didn't have time.

So, you have all these ballots with just one name checked. People don't vote that way. People don't vote that way. They want to vote against taxes, and they want to vote for judges, and they want to vote for a lot of other things that you have on the ballot, you know, different -- different races, including Congress. And they were just checked on top. Tremendous numbers of ballots like that. And that was done for the sake of speed.

We have stories that are unbelievable. But we're not allowed to put in our proof. They say, you don't have standing.

I said, I'd like to file -- to the lawyers, I would like to file one nice, big, beautiful lawsuit, talking about this and many other things, with tremendous proof. We have tremendous -- we have affidavits. We have hundreds and hundreds of affidavits, like the people that you saw the other day in Pennsylvania, willing to sign, under penalty of perjury -- you go to jail -- willing to sign, unlike Comey, who didn't go to jail for lying, by the way, and McCabe, who didn't go to jail for lying, which is an amazing thing to me.

We might as well bring it up.

But, under perjury, you go to jail. We have hundreds, getting to be thousands -- they are coming in all the time. And these are respected people. These are people that are putting their lives at risk. And they don't want to take the affidavits. Then they say we don't have proof.

I wanted to file one suit, Donald J. Trump, president of the United States, against -- and put everything into one simple suit. And they say, sir, you don't have standing. I say, I don't have standing? You mean, as president of the United States, I don't have standing?

What kind of a court system is this? And the judges stay away from it. There is out there, Maria, because everyone knows -- you gave numbers. I had a number. Seventy-nine percent -- it just came out. Seventy-nine percent of the Republicans think the election was a fraud.

And I hear 35, 40 percent of the Democrats. But they aren't going to put it down anyway, because they're not going to say, we think it...

BARTIROMO: Yes.

TRUMP: But they all -- I think most of them think it was a fraud.

I watched you with Kelly.

BARTIROMO: There's a lot of -- yes.

TRUMP: Look at the election -- look at the election you have coming up right now. You're using the same garbage machinery, Dominion.

And she's going around, Abrams, she's going around screaming that she's got 800,000 or 850,000 ballots.

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BARTIROMO: Right.

TRUMP: What kind of an election is it? She's going around collecting votes.

What kind of an election is this? What kind of a country are we living in now, where you can vote for months ahead of schedule? And then the other thing we have -- and Justice Alito, highly respected, a great man, Justice Alito seems to have big problems.

But the election ended, and they gave people an extension to vote. That's never happened before. In other words, the election ended, but we will give you more time, if you want to vote.

And what I understand is, they didn't think it was good either, so they backdated all these ballots that came in. They had people -- and we have affidavits on that too -- they had people backdating ballots, so that if a -- somebody came in the 4th or 5th or 6th, which was illegal because the legislature didn't approve it, which everything has to be approved the legislature.

And they had judges making deals. And they had electoral officials making deals, like this character in Georgia, who is a disaster. And the governor's done nothing. He's done absolutely nothing. I'm ashamed that I endorsed him.

But you -- I look at what's going on. It's so terrible. But what happened in this election, Maria, I can't imagine has ever happened before. They stuffed the ballot boxes.

You know, I have been hearing that expression for many years. You have too, stuffed the ballot -- they stuffed the ballot boxes. And they used COVID as a means to stuff the ballot boxes.

Joe Biden did not get 16 million more votes than Barack Hussein Obama. He didn't get it.

BARTIROMO: Well...

TRUMP: Joe Biden did not get 14 million more votes than Hillary Clinton.

And, by the way, he didn't beat Obama in the black communities. You go to some of these communities where Obama is very, very popular, and he beats him in some of these communities, but all throughout the rest of the United States, in a black community, he does -- he does, actually, poorly. He doesn't do very well.

BARTIROMO: Well...

TRUMP: But he beats Obama in swing states.

Now, think of that. He beat Obama in swing states. You know that didn't happen. They stuffed the ballot box. Everybody knows that.

BARTIROMO: This is -- these are some of the impossible statistics that we have found. And this is from the Federalist article. They call it Biden magic.

And they list a number of ways that Joe Biden magically outperformed election norms. They include 80 million votes, including a record black and Hispanic turnout for you, President Trump, winning despite losing most bellwether counties. Typically, when you win the bellwether counties, like you did, the president wins.

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Biden trailed Clinton, except in a select few cities. Biden won despite Democrat losses everywhere else in the House. Kevin McCarthy is still celebrating wins in the House of Representatives. Biden also overcame your commanding primary vote.

So, there are certainly statistic impossibilities, and The Federalist calls it magic, as you refer to.

Mr. President, will you be able to prove that the computers can circumvent the controls that are in place? A lot of people say, oh, no, we have controls in place. There are paper ballots. The computers cannot get through the controls that are in place.

Can you do that?

TRUMP: Yes.

BARTIROMO: And, secondly, in terms of Pennsylvania, your team got a blow on Friday, an appeals court rejecting the request to block the certification of Pennsylvania's election results.

Your attorneys have said they will appeal to the Supreme Court. Give us your timing on that. Will you get a different outcome in the next couple of days? Will we be hearing a victory in Pennsylvania in the next couple of days?

TRUMP: OK. Well, let me just talk about The Federalist paper just for a second, because you mentioned it.

There are five points. And it was written brilliantly, but sarcastically, because they were saying, he must be a great campaigner, because he lost here, he lost here, he lost here, and he won the election.

If a president -- this is over a long, many period -- hundreds of years, a hundred years or something. They went into all of the elections. If you win one of the five points -- I won all five -- if you win one of the five points, you become president. You automatically -- a sitting president gets reelected.

I won all five, and I still lost. There was only one reason for that: fraud, stuffing the ballot box, all of the things that they did. There's only one reason. And everybody knows it.

And your numbers are much different. It's -- this country, I cannot believe it. There's more spirit. I see more spirit right now. This country cannot have fake elections, like we have fake news, like we have all of the things happening with big tech.

It's -- I mean, there's a tremendous move on to repeal Section 230. Big tech has no liability. They can do whatever they want. It's ridiculous. But there's a big move to do that. I don't know if the politicians have the guts to do it, but they are hurting themselves very badly.

There are so many different things.

Yes, we will be appealing different cases, Maria. You know, it's not only our case. Mike Kelly, great congressman, as you know, from Pennsylvania, has a great case. He won -- well, he had a good decision. Then he went a step above, and they turned him down. I think that was in Pennsylvania.

I think he's got a great appeal to the United States Supreme Court, Act 77, where the legislature is supposed to approve all this stuff, and they had it approved by local officials or a judge. I think it's a great case. But I'm sure they will be appealing too. They have a fantastic case.

A lot of the cases that have been lost haven't been our cases. They're people that are aggrieved that went out and filed lawsuits because they saw things happening that they have never seen before.

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A poll watcher -- I have a lot of respect for Ken Starr. And I watched him on your show, actually.

And a poll watcher is like a sacred person in the world of politics. They watch. They watch. They call them partisan poll -- because they are, like, a Republican poll watcher, a Democrat poll watcher.

They watch the votes being counted. It's so important. It is, like, the most important. Otherwise, people will cheat, unfortunately. So, poll watchers are very important. Our poll watchers didn't just get set back, which they did. They got thrown out of buildings in different states.

They were thrown out of -- and this is a well-coordinated attack, because you don't do it with everybody. Maybe it would happen in Philadelphia, but it wouldn't happen in Detroit. Now, Detroit and Philadelphia, Milwaukee, these are among the most dishonest political places in use. Just look at the past history. I'm not being rude to anybody. These are highly corrupt locations politically.

But poll watchers were walked out by thugs out of the building. And you have it all over the news. We could give you everything you need. All you have to do is -- local news covers it, actually, much differently than national news. National news doesn't like covering anything that would be like that. They don't -- they don't -- they do not report the news.

That's why I call them fake news. But they have never been fake like they are now. Now they are a disgrace. But the news is the enemy. The -- our -- our newspapers, major newspapers and major networks are truly the enemy of the people in this country. They are very dangerous. And big tech is making them even more dangerous.

But they got rid of poll watchers.

BARTIROMO: I'm going to get back to -- yes.

TRUMP: Go ahead.

BARTIROMO: I'm going to get back to big tech, because this is a critical part of this story, Mr. President.

But if you take out the contested swing states' electoral votes, you're back down to President Trump having 232 electoral votes and Joe Biden having 227. That is if you strip out the six states with the legal challenges.

TRUMP: That's right.

BARTIROMO: So, is the thinking here that, because of the various ballot issues, that the Supreme Court will rule that the vote is tainted, and that will mean that they have to take votes away from Biden and not certify? Is that the thinking?

And, secondly, what's your timing on this, Mr. President?

TRUMP: That's right.

BARTIROMO: Because we have got some notable election dates here that I want to ask you what you believe you consider to be your drop-dead date in terms of proving this case.

TRUMP: Well, I...

BARTIROMO: Is it December 18...

TRUMP: Yes.

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BARTIROMO: ... when the states finalize elector appointments, or when electors cast votes in each state? Is it the vice president receiving electoral votes? Is it the House and Senate counting electoral votes? Or is it Inauguration Day, January 20? How do you see it?

TRUMP: Well, I don't want to give you an actual date.

A lot of people say the 18th, or they say the 14th, or they say January 20. I'm not going to say a date. But I will say, we have to move very fast. We have been moving fast.

And, look, when you say, is it tainted, everyone knows it's tainted. Everyone knows that the poll watchers were thrown out of buildings. Everyone knows that people were not allowed to vote when they walked in, so preciously, so beautifully, to vote.

An elderly woman -- we have her deposition -- was told -- who longed to vote, looked forward to the day of November 3, was told when she got in there, I'm sorry, you voted.

And then they give her another ballot to sign, which they don't use, because she already voted. That's how brazen they are. They will actually vote people, knowing that there's a good chance that those people will come. And there were thousands of those people.

And, by the way, just to set the record straight, because a couple of these cases were dismissed because they didn't have enough votes, enough bad tainted votes, so that you would overturn the state.

No. In all cases, we have many times. I don't even know where the judges would have gotten that information. We have thousands and thousands and tens of thousands of votes more than we need.

In other words, if I lost a state by 9,000 votes, or if I lost Georgia by, let's say, 12,000 votes, we have tens of thousands more votes than that. We don't have it where we found nine dead people, and, therefore, we want you to turn over the state and give us those electoral votes, in all cases. And yet judges are -- one judge was saying, we didn't have the votes to turn it over. Therefore, it's meaningless.

In other words, if you don't have the votes, I understand that, if you had far fewer votes than the amount.

Now, in one way, you could also say, it's so fraudulent, when they make up -- when they are voting for dead people, and when dead people are signing applications, meaning they're not, meaning somebody else is fraudulently signing, I mean, in the name of a dead person, well, that tells you a lot.

But we actually have thousands of votes, many -- in some cases, hundreds of thousands of votes more than we need in every swing state that we're talking about.

BARTIROMO: Mr. President, have you received from your chief of Cyber Command any briefing on electronic interference from either internal or external influences?

Have you received this briefing?

TRUMP: We're dealing with John Ratcliffe, who is fantastic. We're dealing with other people.

And we don't always get -- they have been there for a long time, Maria. It's a long story. It's a long story. We're disappointed that other people, more people didn't get involved, because this is a fraud. This is a fraud against the American people. It's a fraud against the United States of America. And we're disappointed that some people don't get more involved.

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Like, this character on "60 Minutes," they're putting him on. This guy -- we had so many things. He's talking about how honest the election is. Well, how come there are thousands of dead people voting? How come there are all these other people voting that shouldn't be voting? How come we find thousands of votes?

How come poll watchers -- every vote that went through an election area, a count -- what -- they call it a counting area, where our poll watchers were locked out of the building outside, standing outside, or standing so far away that you couldn't see, where they literally went out and sent for binoculars -- you're supposed to be right next to that vote.

Well, every one of them is a fraud. So, how can he say -- I mean, other than he's an anti-Trumper, how can this guy say that there was no fraud? "60 Minutes," by the way, never called us for comment. They do a piece on somebody, they don't call us for comment.

But when you don't have a poll watcher, and thousands of votes are passing that area, where you're supposed to have a poll watcher to see that everything is on the up-and-up, well, those are votes that count toward us. Those are -- and those are thousands of votes. And they were done in many of the states, swing states, that we're talking about.

BARTIROMO: Where is the DOJ and the FBI in all of this, Mr. President? You have laid out some serious charges here. Shouldn't this be something that the FBI is investigating? Are they?

TRUMP: Missing in action.

BARTIROMO: Is the DOJ investigating?

TRUMP: Missing in action. Can't tell you where they are. I ask, are they looking at it? Everyone says, yes, they're looking at it.

Look, where are they with Comey, McCabe, and all these other people? I said I will stay out of it. I wish I didn't make that statement. There's no reason, really, why I have to.

But where are they with Comey, with McCabe, with Brennan, with all these people? They lied to Congress. They lied. They leaked. They spied on our campaign. I see Carter Page is bringing a lawsuit. That's good news. Where are they with all of this stuff?

And what happened to Durham? Where's Durham? So, you're asking me a question. These people have been there a long time. And I know FBI. And FBI is great at the levels that we talk about.

But I just -- it's inconceivable. You would think, if you're in the FBI or Department of Justice, this is -- this is the biggest thing you could be looking at.

Where are they? I have not seen anything. I mean, I just -- they just keep moving along, and they go on to the next president. They have been there for a long time. People don't understand this. They have been there for a long time. Some of them have served a lot of different presidents.

BARTIROMO: Well...

TRUMP: And they have their own views.

All I can say is, I haven't heard -- with all of the fraud that's taken place, nobody has come to me and said, oh, the FBI has nabbed the people that are doing this game; the FBI is looking at Dominion, which nobody even knows where they're based, which nobody even knows where the votes are counted.

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You know, the votes in Dominion, they say, are counted in foreign countries, OK? Can you believe this?

BARTIROMO: I mean...

TRUMP: Now, Dominion is also based in a number of foreign countries.

One of them is Canada. And Canada refuses to use Dominion. And they're based there. They don't -- they won't get anywhere near it. Texas will not get anywhere near Dominion.

I spoke with the attorney general. I spoke with a lot of different people. Texas -- you should see the reports that Texas wrote on Dominion. They wouldn't use them. They wouldn't -- under any circumstance, they wouldn't use them. So, they -- as you probably have heard.

But Canada does paper votes. And the only way this is going to be safe is paper votes. Even the mailmen - - look, the mailmen are carrying thousands of ballots back and forth, back and forth. There are many mailmen that are in big trouble for selling ballots, getting rid of ballots.

This is the craziest thing you have ever seen.

BARTIROMO: Well, it seems to me...

TRUMP: But many ballots -- many ballots with the name Trump on were thrown out. You have read that. They found ballots in a river with the name Trump on from the military. They were signed. And they were floating in a river.

They found ballots under rocks that had the name Trump on. They were signed. They were signed with Trump.

We won the election easily. There's no way Joe Biden got 80 million votes. I just said, there's no way Joe Biden beat Barack Obama in the black communities of various cities, and then he did very badly compared to Obama in other cities throughout the United States.

There's no way it happened.

BARTIROMO: This...

TRUMP: This election was a fraud.

BARTIROMO: This is...

TRUMP: It was a rigged election.

BARTIROMO: This is disgusting. And we cannot allow America's election to be corrupted. We cannot.

So, you believe you can prove that the computers can circumvent any controls that are in place?

And before we leave the subject of Durham, I feel like something happened in September. I don't know what happened, but we were all expecting Durham to come out and A.G. Barr to be aggressive. He told me back in June that mail-in ballots open the floodgates of fraud.

Why wasn't anything done about it? Why weren't there surveillance cameras to shoot what we know now to be trucks backing up ballots, for example, in Michigan?

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And, finally, this question. Will you appoint a special counsel to investigate and to continue the investigating into what took place in the 2016 election? You mentioned Jim Comey and Andrew McCabe not facing accountability. Will you appoint a special counsel?

TRUMP: By the way, Comey and McCabe, that's the least of it.

You talk about the Logan Act. They used the Logan Act on General Flynn, who I was very proud to pardon. But they wanted to use and they did use the Logan Act on General Flynn. And you know where that started.

Look, this whole thing is a terrible situation. This should have never been allowed to happen. And, you know, it's an embarrassment to our country. All over the world, they're talking about it.

And, yes, I would consider a special prosecutor, because, you know, this is not a counsel. It sounds so nice. I went through three years of a special counsel, prosecutor. I call prosecutor, because it's a much more accurate term.

They spent \$48 million, Weissmann and all Trump haters. They spent \$48 million. That was the Mueller investigation. They went through taxes. They went through everything. For \$48 million, you look at everything. And they found no collusion, no nothing. They found nothing, after friends of mine said, you must be the cleanest guy in the world, because nobody could have gone through an examination like that.

And then they announced we have no collusion. There was none. And Marco Rubio said, President Trump, with the Senate Judiciary hearings, absolutely was totally uninvolved. He had nothing to do with Russia, OK?

It was a Russia, Russia hoax. It was just pure hoax. It was a pure hoax and a very -- a very sad thing for the country.

And as much as I have done -- and I think I have done more than virtually -- in four years more than any president in history, with Space Force and tax cuts, biggest regulation cuts in history, biggest tax cuts in history, the vets, the VA -- as much as I have done, I could have done more, except that I was under investigation for almost the entire -- from the day I came down the escalator, with what -- what turned out to be our future first lady, who is very popular, by the way.

But when I came down the escalator, from very shortly thereafter -- and you know this almost better than anybody else -- I was under investigation. Now, at the time, I didn't know it, but I was.

All they do is investigate. Then they send everything they have into New York, when I beat them in the federal. I beat them in federal. They send everything into New York. Oh, let them take a crack at it.

What's going on in this country is not to be believed. I could say some very strong words, where this country has gone over the last 10 or 15 years. But it's not to be believed.

And we were changing it. If I got in or get in, we will very quickly have deals with Iran. But now they are going to give the ship away. They will pay hundreds of billions of dollars to Iran.

China didn't want me in, because we were beating China so badly. And now they are going to go to -- China actually, actually stated -- you probably heard it -- two days ago, we want a deal with the United States, but we don't like America first. And now the Democrats are saying, oh, we won't use America first.

America first is exactly what it is, America first. We have to take care of ourselves first, and then we can help others. But we have to take care of ourselves first, or we won't have a country.

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

But that's where we are, Maria. It's a very sad thing.

Why isn't the FBI all over the place? They're not. They're not. It's an incredible thing. They're not. And it's an embarrassment to our country.

BARTIROMO: Mr. President, confirm that your cases will reach the Supreme Court in the next two weeks. Confirm that for us.

And, also, what do you want to say to people like -- businesspeople like, for example, Jamie Dimon, the CEO of J.P. Morgan, who said, it's time to move on and unify and accept the results, or Stephen Schwarzman, who is a supporter of you, who said, soon, we will have to move on?

And what about the ramifications of the Supreme Court agreeing with you? Are you worried that we could see riots and -- when you have people who don't agree with you, they think it's just fine to throw bricks through your window and force small businesses to board up.

Are you worried about unrest and rioting should the Supreme Court agree with you?

TRUMP: So, the people that we have and the people that are so committed to this like I have never seen, I think almost they have more spirit now than they do even before the election.

All of the people, these are not rioting types. But they are stronger. They are smarter. They are more successful. Antifa is bad news. Nobody wants to do anything with Antifa except me. If I wasn't here, Antifa would be running this country right now. They'd be running the country.

They always like to blame the radical right. It's not the radical right. It's the radical left. And it's largely Antifa and groups like this. And nobody even wants to talk about them. Nobody wants to talk about what they're doing in Portland and what they're doing in Chicago and what they're doing in New York.

And they club people over the heads when nobody is looking, and then nobody talks about it. It's a disgrace. It's absolutely a disgrace. And if I'm not here -- I'm sort of your wall. You know, we're completing the wall, like I said I would. Everyone said, you would never be able to do it.

I got -- that's another one I got built. And it's had a huge impact. We have the best numbers we have ever had on the Southern border. People come in, but they come in legally. But the wall is almost complete.

And, to be honest, we look, and we see all of the different problems, MS-13. We take care of it. We bring thousands of MS-13 back to where they came from. We don't want them here. We bring them back.

But Antifa is a real problem in this country. And nobody wants to take them on. It's disgraceful. It's disgraceful.

BARTIROMO: Which cases specifically will reach the Supreme Court, and when?

TRUMP: Well, the problem is, it's hard to get into the Supreme Court.

I have got the best Supreme Court advocates, lawyers, that want to argue the case, if it gets there. But they said it's very hard to get a case up there.

Can you imagine? Donald Trump, president of the United States, files a case, and I probably can't get a case, even with -- and we have tremendous proof. We have hundreds and hundreds of affidavits, sworn affidavits. And it's very hard to get a case to the Supreme Court. That's what everybody is fighting for.

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

I thought that Mike Kelly, congressman, I thought they had a great case, and it got thrown out the other day. Now, they will appeal it, I hope, to the Supreme Court. They have a great case, because the legislature didn't make the decision on this stuff. And they have a great case.

But you have to appeal it. The big thing is, can you get it? We could have a great case. We do have a great case. We have the greatest case ever. We have many different forms of fraud. It's not just one form. It's ballot fraud. It's -- it's many -- we have it all documented. And we have tremendous evidence.

So, we will say, we want to show you the evidence. And then the judge will say, they didn't show us the evidence.

That's what we want to do. We want to have hearings to show the evidence. The time people started seeing evidence was in Gettysburg, Pennsylvania, when people started showing it. You probably saw that. Great people came forward with affidavits, signed affidavits.

We have hundreds of people like that, hundreds and hundreds. They make it like we don't have evidence.

BARTIROMO: So...

TRUMP: We have evidence all over the place.

BARTIROMO: But...

TRUMP: And, by the way, you asked about the machines, Dominion.

BARTIROMO: Is there a path to victory?

TRUMP: Yes, I hope so, for the good of the country. It will take a brave judge or a brave legislature.

You know, we're -- Rudy Giuliani, he takes a lot of heat. Let me tell you, that guy is -- he has guts, because we have had lawyers that were afraid to go forward because they were threatened, viciously threatened. They -- we have lawyers, Maria, good lawyers, that had to leave the case in the middle because they were threatened, absolutely threatened, both psychologically and otherwise.

And they left the case, numerous, numerous firms, good firms doing a good job. And, all of a sudden, we end up having to scramble to get a case ready.

What's going on has never -- nobody has ever seen anything like this. It will take a brave judge or justice, or both, Supreme Court justice.

BARTIROMO: Well, it sounds like, if you can't -- if -- it sounds like, if you can't be heard by the Supreme Court, you lose.

Do you believe you will win this?

TRUMP: We should be heard by the Supreme Court. Something has to be able to get up there. Otherwise, what is the Supreme Court?

If election fraud at the highest level anyone has ever seen, with tremendous evidence, in a presidential election, if a man gets 80 million votes, and he's not even close to that number, Maria -- look, again, I don't want to bore you with this. He did not beat President Obama in areas where they said he beat President Obama.

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

In fact, the black community had very little enthusiasm for Joe Biden. You know that. You have been reporting on that, very little enthusiasm for Joe Biden. The Hispanic community has very little enthusiasm for Joe Biden. He didn't get those numbers.

And, by the way, I got the most -- I was the most successful with the Hispanic and the black communities. I was unbelievably successful. You saw that, record, record numbers.

BARTIROMO: Yes.

Oh, we have talked about that a lot.

TRUMP: So, how did Joe Biden get all these votes? How did he get up to 80 million? How did he get up to 80 million votes?

BARTIROMO: Yes.

TRUMP: And, again, I told you, we wanted to get 67, 68 votes, and we felt we had it made.

John McLaughlin couldn't believe it.

BARTIROMO: Mr...

TRUMP: John McLaughlin is a legitimate pollster, not one that says...

BARTIROMO: Yes.

TRUMP: ... I'm 17 points down in Wisconsin, and then end up really, effectively, winning.

They tried to take it away. We will see what happens with Wisconsin, but essentially winning. Seventeen points a couple of days before the election, and -- and I really won the state. They were 17 points off. Think of that, 17 points off.

This is...

BARTIROMO: Mr. President...

TRUMP: This is also -- by the way, this is also corruption, Maria. This is also corruption, because they're not that stupid.

BARTIROMO: I want to ask you two more questions before we wrap up.

I want to get your take on how much of an influence on this election was big tech and the media. We know that the media declared Joe Biden president-elect on November 7. They set the narrative that the election was over and discredited any challenges.

Big tech and the media have been censoring you, and getting more aggressive at it. The president of the United States and others being censored literally during a constitutional crisis, what can you do about it?

TRUMP: It's massively powerful. It's massively corrupt, the media and big tech.

Section 230 should be taken out, because that's their protection that was given artificially to them. But it's a massive form of corruption and silence and suppression.

Like, for instance, this conversation that we're having right now, they will only take it if there's something that was slightly off, like you or I had mispronounced a word, or you or I this -- that will be the story.

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

It is -- and yet they won't talk about Hunter Biden, never talk about Hunter Biden, stole millions and millions of dollars. And if you do talk about him, they take you off their platforms.

No, it's massively corrupt. I think what happened is, in 2016, where I won, I caught them by surprise. I got them by surprise. And they said, this is -- we're not going to let -- I don't know why, though, because business has never been better.

We got hit by a pandemic, but, prior to the pandemic, I had the highest numbers in history. And even now, the stock market just hit an all-time high during a pandemic. And what did I do? I came up with vaccines that people didn't think we'd have for five years. And we have them. They are going to be distributed in two weeks.

I mean, think of what we have done. And nobody's done it like this. And we're doing much better than Europe, by the way. You never hear about Europe. We're doing better than the rest of the world. We're doing better.

But we have two vaccines. We're coming up with another one. Johnson & Johnson is coming up with one. We will have four or five great vaccines four or five years ahead of schedule. People hardly talk about that.

And they will try and claim -- they will try and say that Biden came up with the vaccines.

But, actually, I watched -- I watched a few of the shows last night. I got to see a couple of them. And Mark Levin was fantastic last night. Mark was great, talking about the vaccines. His show was great. I guess they had it on, like, last night sometime. And he was great.

And so many others are great. Sean Hannity, he knows. He gets it. He gets it.

But Mark Levin...

BARTIROMO: Well, Mr. President...

TRUMP: Mark Levin -- Mark Levin said it very well last night.

But you have people that get it. But people are afraid to speak out.

So, it is the power of the media. There's no question about it. But, with all that power, we won the race. This was corruption, because we got far more votes than him. We got 74 million votes. He did not get anywhere near 80.

And that's 74 before they throw away -- you know, they threw away ballots. They threw away many Trump ballots. That's the easiest way they could cheat. But we got 74 million votes. He didn't get anywhere close to 80 million votes.

BARTIROMO: And you believe you will be able to prove this in the coming weeks?

TRUMP: Well, I'm going to use 125 percent of my energy to do it.

You need a judge that's willing to hear a case. You need a Supreme Court that's willing to make a real big decision, based on everything that -- it's not like you're going to change my mind.

In other words, my mind will not change in six months. There was tremendous cheating here. Boxes were brought in. The mail-in vote is a disaster.

PRESIDENT DONALD TRUMP IS INTERVIEWED ON SUNDAY MORNING FUTURES

And, by the way, if Republicans allow it to happen, you will never have another Republican elected in the history of this country at a Senate level or at a presidential level. You will never -- or at a House level. Mail-in voting is a total disaster.

One thing that did happen, very interesting, we won all the state houses. We won Congress, everything. And Kevin McCarthy gives me a massive amount of credit for what happened. Look what -- we were supposed to lose seats. We didn't lose one seat. And we gained many. And others -- we're leading in others.

And, by the way, you know why the votes aren't in yet; there are like five or six others? Because the mail-in voting is all screwed up on congressional races.

And we held the Senate, OK?

BARTIROMO: Yes.

TRUMP: And I'm the only one -- they say it's statistically impossible.

I led the charge. We won state houses, we won Congress, we won the Senate, and I lost.

They say it's statistically impossible for that to happen.

BARTIROMO: It's all quite extraordinary.

Mr. President, we want to thank you so much for joining me today. And thank you for your work on Operation Warp Speed. You told us we would have a vaccine by year-end.

TRUMP: Yes.

BARTIROMO: And now we have got three.

Thank you so much, President Donald Trump.

TRUMP: Thank you very much. Thank you very much, Maria. Bye.

BARTIROMO: Thank you, sir.

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Acting Secretary of Homeland Security Chad Wolf resigns; FEMA Administrator Pete Gaynor to take over

By Priscilla Alvarez and Geneva Sands, CNN
Updated 9:21 PM ET, Mon January 11, 2021

(CNN) — Chad Wolf is resigning as the acting secretary of Homeland Security, he said in a letter to the department Monday obtained by CNN.

Federal Emergency Management Agency Administrator Pete Gaynor will be the new acting secretary, taking over in the wake of the US Capitol attack and as the national security apparatus prepares for possible violence leading up to Inauguration Day.



"I am saddened to take this step, as it was my intention to serve the Department until the end of this Administration."

"Unfortunately, this action is warranted by recent events, including the ongoing and meritless court rulings regarding the validity of my authority as Acting Secretary. These events and concerns increasingly serve to divert attention and resources away from the important work of the Department in this critical time of a transition of power," Wolf added.

Related Article: READ: Acting Homeland Security Secretary Chad Wolf's resignation letter

Wolf was in the chief role at the department in an acting capacity for 14 months. His tenure has repeatedly come up in litigation against the Trump administration's immigration actions, most recently last week regarding asylum limits.

Wolf is the latest Cabinet secretary to resign in recent days, though his letter did not cite last week's riots. Betsy DeVos, who served as education secretary, and Elaine Chao, who was transportation secretary, have also resigned.

House Homeland Security Chairman Bennie Thompson called the timing of Wolf's resignation "questionable," citing the concerns about the legality of his appointment.

"He has chosen to resign during a time of national crisis and when domestic terrorists may be planning additional attacks on our government. Unlike others, he is apparently not leaving the Trump Administration on principle," the Mississippi Democrat said, adding that Wolf's number two, Ken Cuccinelli, should also resign over questions about his authority.

Related Article: Mayor urges people to avoid DC as Secret Service begins inauguration prep early

Heading into a week with the FBI warning of possible armed protests at all 50 state capitols and at the US Capitol, almost all the key national security agencies are being run by acting leaders, including the Department of Justice and Department of Defense. DHS will now have a new chief with only nine days until Inauguration Day.

1/15/2021

Chad Wolf resigns as acting secretary of Homeland Security - CNNPolitics

Before announcing he was stepping down Monday, Wolf said he had instructed the US Secret Service to begin National Special Security Event operations for the inauguration on Wednesday instead of January 19, citing in part "events of the past week and the evolving security landscape leading up to the inauguration."

Last week, Wolf urged President Donald Trump and all elected officials to condemn the violence on Capitol Hill in a sharply worded statement, while vowing to stay in his position until President-elect Joe Biden takes office.

"What transpired yesterday was tragic and sickening. While I have consistently condemned political violence on both sides of the aisle, specifically violence directed at law enforcement, we now see some supporters of the President using violence as a means to achieve political ends," Wolf said. "This is unacceptable."

Legal concerns about Wolf as acting secretary

On Thursday, it was revealed that the White House had withdrawn Wolf's official nomination to the secretary post, sparking concerns among DHS officials about whether Wolf could legally stay, according to a source familiar with the discussions.

Last Friday, DHS legal counsel spoke to the Office of Legal Counsel about the withdrawal and the legal implications



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Wolf's legitimacy has been a struggle for the department and has threatened to derail policies and other actions put in place during his tenure.

Former DHS General Counsel John Mitnick, who served in the Trump administration, wrote that the withdrawal of Wolf's nomination "raises the issue of whether he "can continue to perform the functions of the Secretary."

"Chaos to the last," Mitnick tweeted last week.

Wolf has been serving as chief of the Department of Homeland Security -- the third largest federal department -- since November 2019 after the resignation of his predecessor, Kevin McAleenan.

In late August, weeks into the unrest in Portland, Oregon, Trump announced his intention to nominate Wolf to serve as Homeland Security secretary -- a surprising maneuver given Trump's preference to have Cabinet officials serve as acting because, he says, it gives him "more flexibility." DHS has not had a Senate-confirmed secretary since April 2019.

The nomination came on the heels of a Government Accountability Office report that found the appointments of Wolf and his deputy Cuccinelli were invalid.

While the Senate Homeland Security Committee cleared the way for a Senate confirmation vote in the fall, it did not come for a floor vote, leaving Wolf to continue serving in an acting capacity.

His tenure has repeatedly come up in litigation against the administration's immigration actions. Wolf's appointment was notably cited in a challenge against new rules limiting the Deferred Action for Childhood Arrivals program.

In November, a federal judge found Wolf had not been legally serving as acting Homeland Security secretary when he signed rules limiting applications and renewals for DACA, which shields undocumented immigrants who came to the US as children from deportation, and said those rules are now invalid. The program -- which Trump pledged to terminate -- was later restored.

In a previous attempt to self-correct the succession order, DHS had Gaynor, who is the Senate-confirmed FEMA administrator, temporarily exercise the authority of Homeland Security secretary to try to alleviate concerns over Wolf's legitimacy as acting chief of the department. Under one interpretation, Gaynor would be the lawfully serving acting secretary based on the Federal Vacancies Reform Act.

1/15/2021

Chad Wolf resigns as acting secretary of Homeland Security - CNNPolitics

According to his FEMA bio, Gaynor, who was confirmed last January, has more than 11 years of experience in emergency management. Under his tenure, the agency juggled natural disasters as well as response to the coronavirus pandemic.

Gaynor told his workforce he will assume the role of acting Homeland Security secretary until January 20, when Biden is inaugurated, according to a message obtained by CNN.

FEMA Region 9 Administrator Bob Fenton will serve as the senior official performing the duties of the FEMA administrator, Gaynor said, until the next administrator is confirmed.

This story has been updated with additional information.

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New security bulletin says domestic extremists most likely threat to inauguration

 amp.cnn.com/cnn/2021/01/15/politics/security-bulletin-domestic-extremists-threat-inauguration/index.html



By Priscilla Alvarez, Manu Raju and Geneva Sands, CNN

Updated 12:33 PM EST, Fri January 15, 2021



(CNN) Domestic extremists pose the most likely threat to the presidential inauguration, particularly those who believe the incoming administration is illegitimate, according to a joint bulletin from the Department of Homeland Security, FBI and eight other agencies obtained by CNN.

The assessment, dated January 14, also notes that since the attack on the US Capitol, Russian, Iranian, and Chinese influence actors have "seized the opportunity to amplify narratives in furtherance of their policy interest amid the presidential transition," adding that there's a lack of specific, credible information indicating that they are seeking to commit violence.

What we know about potential armed protests ahead of Joe Biden's inauguration

The joint assessment provides a breakdown of additional concerns leading up to inauguration day, including possible violence and cautioning of use of unauthorized, unmanned aircraft system operations that could disrupt law enforcement operations.



"In light of the storming of the US Capitol on 6 January, planned events in Washington, DC, in the lead up to and day of Inauguration Day offer continued opportunities for violence targeting public officials, government buildings, and federal and local law enforcement," the assessment reads.

CNN previously reported that federal law enforcement officials are warning that domestic extremists are likely more emboldened to carry out attacks on President-elect Joe Biden's upcoming inauguration and throughout 2021 after seeing the success of last week's siege on the US Capitol.

The joint threat assessment obtained by CNN on the 59th Presidential Inauguration reiterates those warnings, maintaining that there are concerns about potential violence, and that acts of violence and criminal activity "can take place with little or no warning."

"We assess that acts of violence and criminal activity can take place with little or no warning and be directed toward law enforcement officers, public property, and bystanders around the White House and the National Mall," the bulletin reads.

It also notes that a confluence of events in 2020 and 2021 have fueled plotting and attacks, including Covid-19 related lockdown measures, grievances over policing and police brutality, as well as perceptions about the presidential election and its result, according to the bulletin: "We assess that these plots and attacks highlight the persistent and lethal threat DVEs pose to soft targets, government officials, and law enforcement."

DHS Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli said Friday that the Department of Homeland Security is monitoring online chatter, but that there are no specific, credible threats at this time.

"We certainly agree there's a good deal of online chatter. It isn't just about Washington, by the way. There's also conversations about state capitals but very unspecific," Cuccinelli told CNN's New Day, citing a briefing with state and local law enforcement earlier in the week along with FBI Director Chris Wray. "It's that higher level of tension that we focus on."

The joint bulletin nods to calls for violent action online and cites media reporting that violent planning has begun for Inauguration Day on various social media platforms.

Asked about CNN reporting that discussions were underway to raise the terrorism threat level, Cuccinelli said Friday, "At this point in time, the decision has been made not to raise that level."

"Again, we are, as we communicated with our state partners, we've prepared our own civilian law enforcement around the country to be ready to deploy to assist state and local allies to the extent they call on us to do so," Cuccinelli added. "We are pre-positioning people on alert statuses around the country."

This story has been updated with additional information.

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Barr: Trump committed ‘betrayal of his office’

 [politico.com/news/2021/01/07/barr-trump-committed-betrayal-of-his-office-455812](https://www.politico.com/news/2021/01/07/barr-trump-committed-betrayal-of-his-office-455812)

Former Attorney General William Barr accused President Donald Trump on Thursday of a “betrayal of his office” — the latest rebuke of the president by a former high-ranking administration official after pro-Trump rioters stormed the U.S. Capitol.

“Orchestrating a mob to pressure Congress is inexcusable,” Barr said in a statement obtained by POLITICO. “The President’s conduct yesterday was a betrayal of his office and supporters.”

Barr’s criticism on Thursday was not his first public comment on the chaos at the Capitol. As the president’s supporters breached the building on Wednesday afternoon, he released a statement through his spokesperson that did not refer to Trump by name.

“The violence at the Capitol Building is outrageous and despicable,” Barr said on Wednesday. “Federal agencies should move immediately to disperse it.”

Lawmakers were forced to shelter in place as both chambers of Congress went into lockdown amid the violence, which resulted in four deaths. The rioters sought to disrupt the certification of President-elect Joe Biden’s Electoral College victory after Trump had encouraged them to march on the Capitol earlier Wednesday.

“We’re going to walk down to the Capitol, and we’re going to cheer on our brave senators and congressmen and women, and we’re probably not going to be cheering so much for some of them,” Trump told his supporters at a rally outside the White House. “Because you’ll never take back our country with weakness. You have to show strength, and you have to be strong.”

In that same speech, the president launched fiery attacks on both his political rivals and longtime allies — including Barr, who stepped down from the Justice Department in December and had been criticized as overly loyal to Trump for much of his tenure.

“All of a sudden, Bill Barr changed. You hadn’t noticed,” Trump complained on Wednesday. “I like Bill Barr, but he changed. Because he didn’t want to be considered my personal attorney.”

Josh Gerstein contributed to this report.



Threats transform capital into military zone ahead of inaugur

BY REBECCA BEITSCH - 01/17/21 06:00 AM EST

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The U.S. Capitol and surrounding area has been transformed into a military zone ahead of President-elect Joe Biden's inaugurations, as police step up security after a pro-Trump mob overwhelming police to storm the building.

Seven-foot barriers have been staged around the Capitol, its office buildings, and the Supreme Court.

National Guard troops will number as much as 25,000, and many of them will be armed. Troops have been photographed sleeping in nearly every corner of the Capitol — an inauguration preparation not seen since President Lincoln was set to take office amid the Civil War.

It's like little that has been seen before in U.S. history.

"At a time when we need a celebration as best can be had under COVID; at a time when we need to unify; at time when we need to say to the world 'We are a beacon of democracy and a shining city on a hill,' our own hill, Capitol Hill is an armed fortress," said Barbara Perry, director of presidential studies at the University of Virginia's Miller Center.

"It's not like we haven't faced anything like this, but we haven't faced anything like this in the modern age, even since 9/11."

The Secret Service is coordinating the largest security presence in D.C. history, not just because of the attack, but because of the possibility of

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more mayhem. FBI Director Christopher Wray has noted “an extensive amount of concerning online chatter” ahead of the event.

Matthew Miller, the special agent in charge of the Secret Service Washington Field Office, said the increased manpower is a direct result of those threats.

“There's a great deal of very concerning chatter, and it's what you don't know that we're preparing for. So I don't know if anyone has raised their hand to say, 'We are coming. We will be there.' But we are preparing as if they are,” he said in a press conference Friday with D.C. Mayor Muriel Bowser.

Downtown Washington, D.C., has been overrun by barricades, roadblocks, fences and armored trucks. The metro system is closing 13 stations in the areas surrounding the National Mall.

U.S. Marshals will deputize as many as 4,000 officers from across the country who will come to the capital to aid D.C. police.

Suzanne Spaulding with the Center for Strategic and International Studies said the sheer number of officers on the ground acts as a deterrent.

“You want to send the unmistakable signal that anyone who may be able to get away with something will not exceed. It's much better to change their mind and alter their decision calculus so they don't attempt something you don't have a 100 percent chance of stopping,” she said.

In another unprecedented move, the Park Service has closed off the majority of the National Mall, turning a major gathering point for the public into an area largely deserted area.

“We're not asking people to come to D.C. for this is a major security threat, and we are working to mitigate those threats,” Washington, D.C., Police Chief Robert Contee said last week.

The security measures have not been limited to the government.

Airbnb shut down its rental service within D.C. in the days surrounding the Inauguration as it found “numerous individuals who are either associated with known hate groups or otherwise involved in the criminal activity at the Capitol Building” were making bookings through the site.

And numerous airlines will not allow passengers heading to Washington, D.C., to check any guns.

Carolyn Gallaher, a professor at American University who studies militia and white supremacy movements, said the preparations show government and business leaders are beginning to take those groups more seriously.

“Police forces have tended to discount and downplay the threat both by militias, far right extremists, white supremacists and white nationalists,” she said.

But she's also seen a shift in those group's philosophies as they've become more prominent and dangerous.

“What you see is this kind of shift in the militia movement from just being anti-government to just being pro-Trump and his government,” she said.

Despite failing to concede that he lost the election, Trump did issue a statement from the White House asking the public, though not specifically his supporters, to refrain from violence.

"In light of reports of more demonstrations, I urge that there must be no violence, no lawbreaking and no vandalism of any kind. That is not what I stand for, and it is not what America stands for. I call on all Americans to help ease tensions and calm tempers. Thank you," he said in the Wednesday video, which was released hours after the House voted to impeach him.

But Gallaher said even if the inauguration goes off without a hitch, Trump has already disrupted the notion of a peaceful transfer of power.

"A peaceful transfer of power normally happens because the two parties agree to the same rules," she said, adding that Trump dispelled that by with words inciting an insurrection at the Capitol as lawmakers were set to recognize the victory by Biden.

"It will probably be peaceful, but it will be a defended peace, defended in a way we've never had to before," Gallaher said.

Experts are hopeful the heightened law enforcement presence will dodge many of the same controversies seen over the Black Lives Matter protests during the summer, when, in addition to what many called an outsized and violent response by police, many law enforcement officers refused to identify themselves.

A provision added to the defense policy bill requires officers to identify which law enforcement agency they are with and wear some sort of personal identifier.

But those alarmed by the increased police presence in D.C. were warned not to expect a return to normal overnight.

"I think that we're going to go back to a new normal," Bowser said in a Friday press conference.

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"I think that our entire country has to deal with how our intelligence apparatus, security apparatus at every level, deal with a very real and present threat to our nation. We saw white extremists storm the Capitol Building who were trained and organized and seemingly with the intent to capture the vice president of the United States and perhaps harm other lawmakers," she said. "So, we all have to think about a new posture. We certainly have to think about a new posture in the city. So while we are focused on January the 20th, we're also focused on January the 21st and every day thereafter in the nation's capital."

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ELECTION 2020

Trump and His Allies Set the Stage for Riot Well Before January 6

President Trump and high-level supporters for weeks urged followers to rise up against the outcome of a national election they said was rigged

By [Rebecca Ballhaus](#), [Joe Palazzolo](#) and [Andrew Restuccia](#)

Jan. 8, 2021 8:38 pm ET



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11 minutes

It took just a few hours for [pro-Trump rioters to storm the U.S. Capitol](#) Wednesday. Before that were weeks of rhetoric and encouragement from the president and a circle of close allies, whose actions are certain to draw closer scrutiny.

In the weeks after the election, President Trump and a handful of key, high-level supporters urged in news conferences, speeches and social media posts that followers of the president should rise up against the outcome of a national election they said was rigged. In December, they started targeting Jan. 6, the day set by law to ratify the Electoral College vote in Congress, to air their grievances.

[Lawmakers in both parties have faulted](#) the rhetoric by the president and his allies, saying it helped set a course for the riot at the Capitol on Wednesday, which left five people dead.

Beginning hours after the polls closed on Nov. 3, the president, his family members and his personal lawyer, Rudy Giuliani, claimed the vote was marred by fake ballots and election fraud. They were joined by lawyers L. Lin Wood and Sidney Powell, who blamed Mr. Trump's loss on international conspiracies.

SHARE YOUR THOUGHTS

What do you believe caused the deadly U.S. Capitol riot? Join the conversation below.

No evidence of widespread election fraud has emerged. In subsequent weeks, more than 50 legal claims filed by the Trump campaign or its supporters alleging election fraud were dismissed before state and federal courts, as well as the U.S. Supreme Court.

But the messages became more urgent after December 14, when Joe Biden's Electoral College victory was formally sealed. "This Fake Election can no longer stand," Mr. Trump claimed in a tweet early the next day. "Get moving Republicans."

The president repeatedly touted a planned pro-Trump protest to his 88 million Twitter followers. "Big protest in D.C. on January 6th," Mr. Trump wrote on Dec. 19. "Be there, will be wild!"



Supporters of President Trump marching Wednesday in Washington.

PHOTO: WILL OLIVER/SHUTTERSTOCK

Mr. Trump's eldest son, Donald Trump Jr., warned those who didn't back the pro-Trump efforts during a speech at the rally Wednesday: "We're coming for you."

From Election Day through Wednesday, the president's family members, lawyers and a group of allies had posted more than 200 times about election fraud on Twitter, according to a Storyful analysis for The Wall Street Journal.

Those posts were retweeted nearly 3.5 million times and liked more than 9 million times, the analysis found. Ms. Powell sent the most tweets about election fraud—116—followed by Mr. Giuliani, who sent 32.

Twitter banned the president's account Friday "due to the risk of further incitement of violence." The company also suspended Ms. Powell and former national security adviser Michael Flynn from the platform Friday, part of a purge of accounts that promoted the

QAnon conspiracy theory, a Twitter spokesman said. Mr. Wood's account was banned Wednesday.

"I have never advocated violence or civil war," Mr. Wood said Friday.

"Encouraging patriots to stand up for truth, justice, free speech and to make their voices heard are why we have a First Amendment," Ms. Powell said.

The White House, Mr. Giuliani and a spokesman for Mr. Trump Jr. didn't respond to requests for comment. On Friday, Mr. Flynn said he has "never encouraged violence" and had simply sought to "encourage the American people to stand up for truth and justice."

In a video Thursday evening, the president condemned the violence but didn't address who was responsible. In a tweet Friday morning, he promised that his supporters wouldn't be "disrespected or treated unfairly in any way, shape or form!!!"

'Totally rigged'

Mr. Trump began laying the foundation for claims of voter fraud months ago. In July 2020, with polls showing him trailing Mr. Biden, the president tweeted: "The 2020 Election will be totally rigged if Mail-In Voting is allowed to take place, & everyone knows it."

The day after the presidential election, Mr. Wood, a well-known lawyer and Trump supporter, drew battle lines. "Country is on brink of civil war. Not North v. South but Truth v. Lies," he posted on the social media site Parler. "Freedom Loving Americans are on side of truth. Socialists/Communists/Globalists are on side of lies."



Rudy Giuliani, President Trump's personal attorney, at a Nov. 7 news conference in the parking lot of Four Seasons Total Landscaping. He claimed voter fraud accounted for Joe Biden's win in Pennsylvania.

PHOTO: CHRIS MCGRATH/GETTY IMAGES

As news outlets declared Mr. Biden the victor on Nov. 7, Mr. Giuliani blamed voter fraud for Mr. Biden's win in Pennsylvania during an appearance at Four Seasons Total Landscaping, one of several similar events Trump allies held in swing states that week.

In the following weeks, Mr. Wood kept up the war rhetoric, saying Trump supporters were fighting against local, state and federal government, as well as political parties infiltrated by China.

"Do you think our country is on the verge of an attempted coup/revolution in the disguise of a civil war or is it just me?" Mr. Wood wrote on Parler. "Don't mistake a coup/revolution for a civil war."

Mr. Flynn urged followers to defend America, using such hashtags as #fightlikeaflynn or #fightfortrump. "This is as serious a constitutional crisis as our nation has ever faced. We will only be the beacon of hope for the world if we are willing to stand with courage and integrity & defend our republic," he tweeted on Nov. 13.



Former national security adviser Michael Flynn during a speech last month in Washington.

PHOTO: TASOS KATOPODIS/GETTY IMAGES

The same day, Ms. Powell said in a Fox Business Network interview: “This is essentially a new American revolution. And anyone who wants this country to remain free needs to step up right now.”

Mr. Flynn tweeted a link to a news release from an Ohio-based conservative group that called on Mr. Trump to invoke “limited martial law” and hold a new election. Mr. Wood on Parler agreed Mr. Trump “should declare martial law.”

On Nov. 19, Mr. Giuliani called for the Justice Department to get involved, saying at a news conference at the Republican National Committee headquarters: “What do we have to do to get the FBI to wake up?”

At a “Stop the Steal” rally around this time in Alpharetta, Ga., Mr. Wood told the crowd: “We’re going to slay Goliath, the communists, the liberals, the phonies. Joe Biden will never set foot in the Oval Office of this country. It will not happen on our watch. Never gonna happen.”



Attorney L. Lin Wood holds up a Bible while speaking at a news conference last month in Alpharetta, Ga.

PHOTO: ELIJAH NOUVELAGE/REUTERS

In a Dec. 9 interview on a pro-Trump TV station called New Tang Dynasty Television, Mr. Wood said, “I believe there will be violence in our streets soon.”

Ms. Powell answered a Twitter user who asked, “How do we rise up?” She suggested, among other things, to “swarm the state capital, Congress.” Mr. Flynn retweeted her response.

Four days after Mr. Biden’s Electoral College victory was formally cemented on Dec. 14, Mr. Wood said in a podcast interview that Americans should keep extra provisions on hand in case of unrest.

The same day, Mr. Flynn, in an interview on Newsmax, said Mr. Trump could deploy the military to swing states and “basically re-run an election in each of those states.”

‘Trial by combat’

Mr. Trump began promoting the Jan. 6 pro-Trump protest in Washington last month. The day after Christmas, he tweeted: “Never give up. See everyone in D.C. on January 6th.”

On Dec. 30, Mr. Wood said in a Parler post: “Each citizen must now make a decision. Will you sit quietly & allow Communists & Globalists to control every aspect of your lives? Or will you stand tall & #FightBack for your freedom? The choice is yours to make. Choose wisely.”

Two days later, Mr. Trump retweeted a post from a supporter that said: “The calvary is coming, Mr. President! JANUARY 6th.”

On Jan. 2, Mr. Flynn again urged on his twitter followers: “We are not going away and #WeThePeople will continue to #FightForTrump.”

On the eve of Georgia’s Jan. 5 Senate runoff election, Mr. Trump held a rally in the state. Opening for his father, Mr. Trump Jr. told supporters as he urged them to vote: “We need to fight.”

In a speech that followed, the president said, “When you win in a landslide and they steal it and it’s rigged, it’s not acceptable. Not acceptable.” As he spoke, the crowd chanted “Fight for Trump!” The president responded: “They’re not taking this White House. We’re going to fight like hell.”

The day of the Georgia runoff, Eric Trump, the president’s middle son, tweeted: “Patriots —Who’s coming to Washington D.C tomorrow!!! Let’s #StopTheSteal.”

The president promoted the protest on Twitter, claiming the Georgia runoff was rigged. Early on Jan. 6, Mr. Trump tweeted, “The States want to redo their votes. They found out they voted on a FRAUD. Legislatures never approved. Let them do it. BE STRONG!”



Attorney Sidney Powell during a Nov. 19 news conference at the Republican National Committee headquarters in Washington.

PHOTO: JONATHAN ERNST/REUTERS

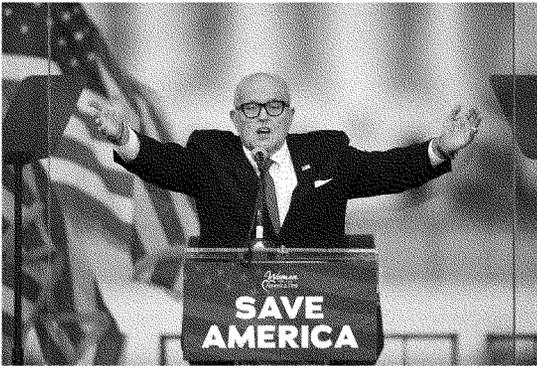
Mr. Wood joined the call for action. “The time has come Patriots. This is our time. Time to take back our country. Time to fight for our freedom. Pledge your lives, your fortunes, & your sacred honor...TODAY IS OUR DAY.”

Speaking to Trump supporters on the National Mall, Donald Trump Jr. said the rally should “be a message to all the Republicans who have not been willing to actually fight.” He added, “According to the media, when you have a large gathering of protesters, they’re supposed to burn it all down. See guys, we can do it right.”



Donald Trump Jr. addressing the crowd Wednesday outside the White House.

PHOTO: BRENDAN SMIALOWSKI/AGENCE FRANCE-PRESSE/GETTY IMAGES



Rudy Giuliani, Mr. Trump’s personal attorney, during his speech Wednesday to a crowd of Trump supporters in Washington. He called for “trial by combat.”

PHOTO: JIM BOURG/REUTERS

Mr. Giuliani took the microphone and pushed further. “If we are wrong, we will be made fools of. But if we’re right, a lot of them will go to jail. So let’s have trial by combat,” Mr. Giuliani told the crowd.

“I’ll be darned if they’re going to take our free and fair vote,” he continued. “We’re going to fight to the very end to make sure that doesn’t happen.”

As the president finished his remarks at the rally, in which he called on Vice President Mike Pence to “come through for us,” he instructed the crowd to march to the Capitol. “I’ll be there with you.” he said. He instead returned to the White House.

Shortly after rioters swarmed the Capitol grounds, Mr. Trump criticized Mr. Pence for declining to object to the certification of the election results. “Mike Pence didn’t have the courage to do what should have been done to protect our Country and our Constitution,” he tweeted at 2:24 p.m.

“Stay peaceful!” Mr. Trump tweeted at 2:38 p.m. At 3:13 p.m., he tweeted, “I am asking for everyone at the U.S. Capitol to remain peaceful. No violence! Remember, WE are the Party of Law & Order—respect the Law and our great men and women in Blue.”

Later that night, Mr. Trump struck an empathetic tone with rioters. “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,” he tweeted. “Go home with love & in peace. Remember this day forever!”



A sign at a pro-Trump rally Wednesday in Salt Lake City, Utah.

PHOTO: DANIEL CARDE/ZUMA PRESS

Write to Rebecca Ballhaus at Rebecca.Ballhaus@wsj.com, Joe Palazzolo at joe.palazzolo@wsj.com and Andrew Restuccia at Andrew.Restuccia@wsj.com

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1/11/2021

Noose appears near Capitol; protesters seen carrying Confederate flags

CONGRESS

Highlights and analysis: Trump commits to 'orderly transition' after mob storms Capitol

Lawmakers were evacuated during the counting of Electoral College votes after supporters descended on the Capitol at Trump's urging.



— District of Columbia National Guard stand outside the Capitol on Wednesday night. John Minchillo / AP

Updated Jan. 7, 2021, 11:45 AM EST

President Donald Trump early on Thursday committed to "an orderly transition" of power soon after Congress confirmed President-elect Joe Biden's election win, and following the storming of the Capitol by a mob of violent Trump supporters.

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Noose appears near Capitol; protesters seen carrying Confederate flags

In a statement released by the White House, the president again made false claims about the outcome of the election. Twitter suspended Trump's account for 12 hours Wednesday after he continued to push conspiracy theories about the election after the chaos at the Capitol.

Overnight, Congress reconvened and counted the electoral votes Biden's victory. After some objections, the count of Biden's 306 votes to President Donald Trump's 232 was finished in proceedings that lasted until 3:40 a.m.

This live coverage has ended. Continue reading about the aftermath of the rioting at the Capitol.

Read the highlights:

-The woman shot in the Capitol amid violent breach of the complex has died.

-Biden condemns "insurrection."

-Jon Ossoff defeats David Perdue in Georgia, handing control of the Senate to Democrats, NBC News projects.

-Defying Trump, Pence says he won't overturn the 2020 election.



Rebecca Shabad

5d ago / 5:14 PM EST

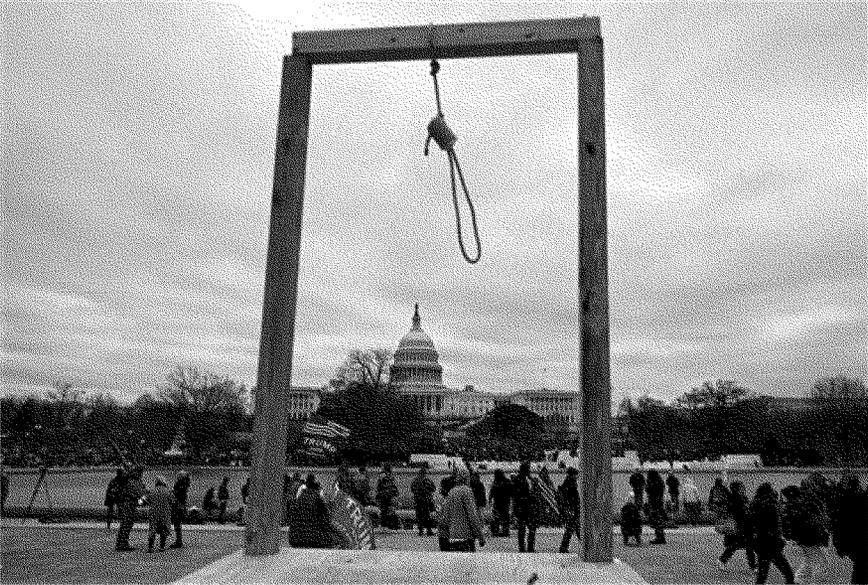
Noose appears near Capitol; protesters seen carrying Confederate flags

A noose was erected on the West Front of the U.S. Capitol Wednesday afternoon, attached to a wooden beam.

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— Supporters of President Donald Trump gather on the West side of the Capitol on Wednesday.

Andrew Caballero-Reynolds / AFP - Getty Images

It was seen as hundreds of pro-Trump demonstrators were crowding around the Capitol amid chaos that involved many of them breaching barricades and going inside the building.

Many were seen carrying Trump campaign flags inside, and some were also carrying Confederate flags.

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Ben Kessler

5d ago / 6:50 PM EST

Reps. Omar, Pressley call for Trump's impeachment

Democratic Reps. Ilhan Omar and Ayanna Pressley called for President Donald Trump's impeachment Wednesday.

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“We can’t allow him to remain in office, it’s a matter of preserving our Republic and we need to fulfill our oath,” Omar, of Minnesota, wrote on Twitter.

Pressley, of Massachusetts, said on Twitter that the president should be “immediately be impeached,” calling his behavior “dangerous and unacceptable.”

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Photos show protesters storming U.S. Capitol, Pelosi's office

1/11/2021

Noose appears near Capitol; protesters seen carrying Confederate flags

Supporters of President Donald Trump stormed the U.S. Capitol on Wednesday, wandering around the Senate floor and other areas.

One protester entered House Speaker Nancy Pelosi's office and kicked his feet up at a desk.

See the full gallery of photos here.

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Photo: Trump supporter carries Confederate flag in Capitol

— A Trump supporter carries a Confederate battle flag on the second floor of the Capitol near the entrance to the Senate on Jan. 6, 2021. Mike Theiler / Reuters

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5d ago / 5:46 PM EST

Twitter limits engagement on Trump tweets; YouTube, Facebook remove video

Twitter took the extraordinary step Wednesday of prohibiting one of President Donald Trump's tweets from being retweeted or replied to after he posted a video pushing conspiracy theories about election fraud while some of his supporters took over the U.S. Capitol building.

The tweet included a video in which Trump reiterated evidence-free claims that the election was "stolen" but also called for his supporters to "go home now."

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Noose appears near Capitol; protesters seen carrying Confederate flags

Twitter turned off retweets and replies to the tweet.

"In regard to the ongoing situation in Washington, D.C., we are working proactively to protect the health of the public conversation occurring on the service and will take action on any content that violates the Twitter Rules," Twitter's Safety team said in a statement.

"Threats of and calls to violence are against the Twitter Rules, and we are enforcing our policies accordingly," the safety team said. "In addition, we have been significantly restricting engagement with Tweets labeled under our Civic Integrity Policy due to the risk of violence. This means these labeled Tweets will not be able to be replied to, Retweeted, or liked."

The same video was removed from YouTube early Wednesday night. The company said in a statement that the video violated "policies regarding content that alleges widespread fraud or errors changed the outcome." Facebook also took it down.

The video was tweeted at 4:17 p.m., about three hours after Trump told his supporters to march on the Capitol. The Capitol building was eventually evacuated after protesters stormed the building, some taking pictures from the dais and Senate offices.

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5d ago / 5:31 PM EST

Rep. Cori Bush to introduce resolution to expel GOP House members who 'incited' violence

Freshman Democratic Rep. Cori Bush of Missouri said Wednesday that she will introduce a resolution to expel Republican members of Congress who "incited this domestic terror attack through their attempts to overturn the election," saying they "must face consequences."

"They have broken their sacred Oath of Office," Bush tweeted. "I will be introducing a resolution calling for their expulsion."

Bush, a progressive, ousted long-term incumbent Lacy Clay, who represented Missouri's 1st Congressional District for 10 terms, in the Democratic primary.

Congresswoman Cori Bush 



<https://www.nbcnews.com/politics/congress/live-blog/electoral-college-certification-updates-n1252864/ncrd1253129#blogHeader>

6/15

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@RepCori

I believe the Republican members of Congress who have incited this domestic terror attack through their attempts to overturn the election must face consequences. They have broken their sacred Oath of Office.

I will be introducing a resolution calling for their expulsion.



4:06 PM · Jan 6, 2021



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5d ago / 6:23 PM EST

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Trump tells mob at Capitol 'we love you' but 'go home'

President Donald Trump issued a short video to his Twitter account Wednesday urging his supporters to "go home" after a mob bypassed police to enter the Capitol building.

Trump continued to falsely assert that he won the presidential election by a "landslide" but told his supporters that they must leave. He also reiterated his baseless allegation that the election was "stolen."

He told his supporters that they are "very special" and that he loved them.

"It was a landslide election, everyone knows it ... but you have to go home now," Trump said. "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 anyone hurt."

Trump spoke to a large crowd of his supporters in front of the White House earlier Wednesday before the beginning of a joint session of Congress to count Electoral College votes, where he encouraged his followers to go to the Capitol. Trump also suggested that he would go himself.

Twitter added a flag to Trump's tweet saying that it cannot be retweeted, liked or replied to "due to a risk of violence."

The video was posted just moments after President-elect Joe Biden urged Trump to "step up" and called the chaos unfolding at the Capitol an "insurrection."

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Phil McCausland

5d ago / 5:36 PM EST

Georgia Secretary of State Raffensperger evacuated from state Capitol building

Georgia Secretary of State Brad Raffensperger was escorted out of the state Capitol building Wednesday in Atlanta, his office confirmed. About 150 protesters gathered outside the building, which remained largely empty.

The Legislature is not in session, and much of legislators' work is being done from home because of the pandemic.

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Raffensperger spoke with President Donald Trump on Saturday, during which Trump pressed him to "find 11,780 votes" to overturn the results of the presidential election in the state. Raffensperger said Monday that he never thought it appropriate to speak to Trump about the results.

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Henry Austin and Paul Goldman

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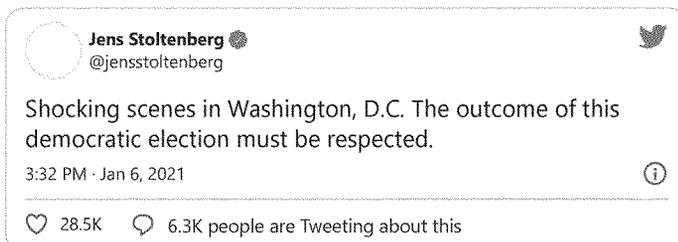
U.K.'s Boris Johnson calls scenes in Washington 'disgraceful'

British Prime Minister Boris Johnson called the images of hundreds of pro-Trump protesters swarming the Capitol "disgraceful."

"The United States stands for democracy around the world and it is now vital that there should be a peaceful and orderly transfer of power," Johnson, an ally of President Donald Trump, wrote Wednesday on Twitter.

The events in Washington caused shock and surprise across the world, where many are used to American lectures about orderly transitions of power, not frenzied scenes of chaos in the heart of the American establishment.

NATO Secretary General Jens Stoltenberg called for the outcome of the election to be respected after the Capitol descended into chaos.



Former Israeli Prime Minister Ehud Barak took to social media to call the events a "shaky coup attempt" by a "crowd incited by a defeated president who lost his temper."

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"But the lesson is clear: When those who are in charge are allowed to go wild and those who had to act are paralyzed by fear, even the impossible can happen," he added.

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CAPITOL INSURRECTION | JAN. 8, 2021

'It Was No Accident' Congresswoman Pramila Jayapal on surviving the siege.

By Rebecca Traister



Capitol Police direct Representative Pramila Jayapal to stand for arrest as she joined demonstrators calling for an end to family detention on Capitol Hill June 28, 2018. Photo: Jonathan Ernst/REUTERS

On Wednesday, January 6, Pramila Jayapal, a Democratic congresswoman from Washington State, was sitting in the gallery above the House chamber, watching the proceedings to count the Electoral College vote and certify the result of the

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service staff working inside. Jayapal, a longtime immigration activist who worked to negotiate Seattle's \$15 minimum wage before being elected to Washington's state senate in 2015, then to the U.S. Congress in 2017, heads the House Progressive Caucus. We spoke about Wednesday's siege, about the particular vulnerability of Black and brown women to violent incursion, and about how her party must now move forward, both in response to the attack and as the governing party moving into a new administration.

Rebecca Traister: What was your experience on Wednesday like?

Pramila Jayapal: There were a number of congresswomen up there in the gallery: Val Demings, Abigail Spanberger, Lisa Blunt Rochester, Sheila Jackson Lee, Terri Sewell ... And before anything had really happened — we noticed that there were very few women on the floor.

RT: Why was that?

PJ: The first challenge was going to be the Arizona electoral challenge. And of course the Speaker [Nancy Pelosi] was a woman, and she was presiding, and [California representative] Zoe Lofgren was one of the people managing the proceedings. Almost everyone in the Arizona delegation, and I guess everyone who was seated on the floor who was going to speak, were men.

We all were aware of the danger. Ten days ago, Maxine Waters had raised the issue of our security on a caucus call to the Speaker and asked what the plans would be. And 48 hours before, we had gotten instructions from Capitol police about all the threats: that we had to be on high alert, that we had to get to the Capitol by 9 a.m. before the protesters, that we couldn't plan on going out, that we should have overnight bags. It was very clear, and everyone understood what the threats were.

As we sat there, my husband texted me, "There's a big mob of protesters. Are you sure you're safe there, do you want to come back to the office?" And I said "No, this is the U.S. Capitol."

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Then we started getting alerts on our phone that security had been breached. And we began hearing the noises, perhaps even before people on the floor could hear them. We could hear the insurrectionists coming in. Then we saw the Speaker and the leadership being taken off the floor; there was a brief suspension of proceedings, but by then we were seeing all the social-media posts of what was happening outside. And the noise was getting louder and louder.

Before we knew it, everyone on the floor below us had been removed, and ... we were still there. And it didn't look like anyone was coming to get us.

The Capitol police with us seemed very confused about who had the key to the doors. They were closed, but we weren't sure if they were locked, and we were yelling, "Lock the doors! Lock the doors!" We heard shots being fired, presumably into the chamber.

They told us to take off our masks to put on the gas masks that were under our seats. I just got a knee replaced five weeks ago, and I had a cane. My concern was would I be able to get up and down quickly enough if we needed to get out. Capitol police had barricades up against the doors, and the police were in a half-circle around those barricades with their guns drawn. We were kind of waving and saying, "Hey, how about us? How do we get out of here?" I don't know how long it was, maybe an hour and a half, until we were finally ushered out and taken down the stairs to a secure location — which was another challenge with my knee. I basically had to hang on to Mikie Sherrill to get down six flights of stairs.

I'm quarantining now because I am convinced that where we ended up, in the secured room — where there were over 100 people and many were Republicans not wearing masks — was a superspreader event.

RT: What was going through your head while you were waiting to go to the secure location?

PJ: My biggest concern was honestly for people's safety. I think we all understand, but particularly as a woman of color and an immigrant woman of color, what happens when you have white nationalist, armed, violent individuals. The threat is extremely real. I just knew this

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think for people of color, the rising of the Confederacy in such vivid detail ... there was an added sense of what this meant for the country beyond what was happening on that day.

I also felt rage. I mean, I wrote that in my first tweet, and then I thought, *Maybe I shouldn't have said that*, because we always are aware of what happens to us as brown or Black women, or women generally, when we talk about our anger. But I felt it towards my Republican colleagues and Donald Trump for leading us down this path.

RT: I can't tell you what relief it is to hear you expressing rage. I understood the importance of going back to finish the vote — but I was also watching the resumption of work and thinking, *Where is the fury?*

PJ: That reminds me of my questioning of Bill Barr [in July, about the clearing of Lafayette Square during the George Floyd protests] when I said, "I'm beginning to lose my temper." That [exchange] was about the discrepancy between how the armed, violent, malicious individuals storming the Michigan State Capitol were treated versus the way Black Lives Matter protesters who were peaceful and protesting the murder of George Floyd were treated. I was just furious with him.

I got so many women in particular tweeting at me, emailing me, Facebook posting about how glad they were that I said I was losing my temper and how important it was for them to hear a woman with some power in Congress say that, and give voice to that, because it validated the *rage* that people have been feeling across the country.

I got an email from a wealthy, progressive, white male donor who was basically saying, "I don't think it's the right path to call for the 25th Amendment and impeachment. In fact, maybe Trump has done us favor with this," or some language along that line. This is a good person, so I'm not trying to throw shade. But no person of color, no woman of color, certainly, would say anything like that. The lack of awareness of the consequence of what has been happening in this country, and what it means to see a Confederate flag raised and a noose hung ... to see the most violent, destructive assault on the Capitol since the War of 1812 ... I mean, this is unprecedented. For people to want to say "We want to move on, and we can't focus on this" completely ignores the depth of the problem and the trauma associated with what we just

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Congresswoman Pramila Jayapal on Surviving the Siege

They came with guns. They were armed. They were clothed in bulletproof vests; they were shooting towards the chamber in the Capitol. They desecrated the Capitol, broke into offices, the office of the parliamentary. Had the Electoral College certification votes been there, they would've taken them. No question.



and police interact on January 6, 2021. Police fire tear gas at BLM protestors on June 1, 2020. Photo: NurPhoto/NurPhoto via Getty Images; es.

RT: This all happened within months of the failed plan to kidnap and kill Gretchen Whitmer, and some of the rioters on Wednesday were there with zip-ties.

PJ: Yes. And they had talked about hostages. This was all done in the open! They've been planning this *in the open*, and Donald Trump has been encouraging this in the open for days. Actually, he's been encouraging it pretty much for his whole presidency.

The lack of security at the Capitol is not an accident. It is very clear to me that there were breaches of our law-enforcement agencies. The fact that there were no barriers, that they were essentially allowed in. And again, the discrepancy of what would have happened if these had been peaceful Black Lives Matter protesters ... Believe me, they would not have been anywhere near that building. And there would have been a lot of arrests.

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PJ: [*Laughs*] Yes!

RT: And you were a sitting congresswoman at the time.

JP: Yes, I was. We were all peaceful. There were 500 women singing and refusing to leave. We were warned that if we didn't, we would be arrested, and we all agreed to be arrested because we wanted to draw attention to the travesty of thousands of children being separated from their parents.

Then there were 250 people arrested during the Kavanaugh hearings. And then, of course, we know what happened during the Black Lives Matter protests and the National Guard being called in. Yet on Wednesday, there were no barricades. The National Guard didn't show up until very late in the day. And Capitol police essentially allowed protesters to come in. We're a country that, to my great chagrin, spends \$750 billion on the military. And yet we can't protect our own U.S. Capitol? To me, that's no accident.

RT: So what does your party need to do, moving forward, in response to what happened?

PJ: I believe we have to reconvene immediately. I was proud of us for going back into the chamber and finishing the job because we had to make sure Joe Biden and Kamala Harris would be the next president and vice-president. But we're not done. So I've called for the vice-president to invoke the 25th Amendment. We're about to inaugurate a new president in 13 days. How can we be sure that we are secure to do that?

Those insurrectionists got on planes and are laughing all the way back to wherever they came from. Members of Congress ended up on those same planes, and I've been hearing reports, from women primarily, of how they were mocked and taunted by these people who see [Wednesday's events] as a great victory, the fact that they've got all these videos of them bashing windows and taking over Pelosi's desk, with no consequence. So we need to get this president out.

Then there are investigations that need to continue. We have a lot of work to do to address all the crises that face our country: the racial-justice crisis, the economic crisis, and the pandemic. But we have to hold this president and all the people who were part of this accountable, because otherwise what message does it send to the next person who comes in

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The other thing that we have to do is an immediate and thorough investigation into the security pieces of this. Why were there pictures of Capitol police taking selfies with these insurrectionists? Videos of barriers being open to let the crowd through? They said, “We were overpowered.” How could that be?

RT: You began by noting your extra awareness of vulnerability as a woman of color. Women, progressive women, Black women especially, members of the Squad — these are among those who have been particularly villainized by this faction. How much were you thinking about that as this was happening?

PJ: I know my friend Ilhan [Omar] has dealt with so much, in particular, because she is not only an immigrant, not only a woman, not only highly visible progressive, but also Muslim. One of the things I looked for immediately when this started was to see if any members of the Squad were on the floor, and I didn’t see any of them. And I was really relieved that they weren’t. I was just hoping that they were tightly locked away in their offices.

But I had another realization: One of my colleagues was talking about how she had instructed her staff to wear just regular casual clothes in case they needed to blend in with the crowd at any point, and she herself was wearing black pants and a black turtleneck because she wanted to fit in if she needed to. And when I saw that description, I thought to myself ... that’s not an option for me. That’s not an option ...

[Jayapal briefly chokes up]

RT: Would you prefer if I not include, when I write up this interview, that you just cried a bit?

PJ: As long it’s clear that I was able to control myself quickly.

RT: I think women often reflexively cry when we are angry.

PJ: Oh, totally. I like to say that it’s a good thing when we cry because policy-making is better when you have emotion about it. I think this whole myth that you have to be dispassionate, that you can’t feel things, was constructed by men in power and is an excuse for why we have bad policies. But when you feel the pain of a family not having health care or losing their home, or being in poverty or losing a child to police violence, you are more inclined to address

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RT: Speaking of good and bad policy: How do you want to help steer your party, heading into this next administration, where Democrats have the presidency and the House and now a limited Senate?

PJ: I feel like our job, as Democrats, broadly speaking, is to show people that we have their backs. That government is a force for opportunity, for addressing and alleviating crisis. Now that we have control of the Senate, as slight as it is, we have a real opportunity to get this done. That means immediate expansive COVID relief. That is everything from economic proposals that meet the scale of the crisis, that put money directly in people's pockets, that address homelessness as well as the immigration status of our frontline workers. You can't call somebody expendable and essential; that's just not possible. So we should give them all green cards to be here. It also includes canceling student debt, because the financial cliff that people are going to be at is enormous, and we can do this with budget reconciliation quickly.

It should include increasing the minimum wage for *at least* all federal employees, then we should figure out if we can get a \$15 minimum wage passed as well. A second very important area is around democracy reform: We have to not just fix and restore the Voting Rights Act; we have to expand it. We've got to give D.C. statehood and the power to vote. Honestly, what happened yesterday is even more argument for why D.C. needs to be a state. Not just so that people can vote but so that [leaders] have the power to control what happens in the city.

Then there's a whole set of things around putting people back to work. Green, renewable energy infrastructure but also our family infrastructure. We think about infrastructure as just being roads and bridges, but what about our child-care workers, our domestic workers, our long-term-care workers, paid family leave?

And, of course, the reckoning with race. Taking on structural racism and addressing it from every level, including a Reparations Study Commission and a Truth Commission, as well as justice and policing. Part of taking on race is immigration. We can address immigration in multiple places, but it has to be done because Trump has taken tools that were given to him and really used them to demonize and vilify immigrants. We need to take those tools away.

RT: So you're arguing that Democrats need to think big and aggressively.

PJ: Trump is both a problem in and of himself but also a symptom of all the things that the

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staying home. And we did a lot of work — Stacey Abrams, Latosha Brown, so many activists across the country in Arizona, Georgia, who built infrastructure — to convince people that they should give us one more shot to trust that the government will step in and do something that matters. We've got to deliver.

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Rep Tom Rice Votes to Impeach President Trump

 rice.house.gov/press-releases

January 13, 2021

WASHINGTON - Congressman Tom Rice (R-SC) released the following statement after the House votes on impeachment.

"Under the strict definition of the law, I don't know if the President's speech last Wednesday morning amounted to incitement of a riot, but any reasonable person could see the potential for violence."

"Once the violence began, when the Capitol was under siege, when the Capitol Police were being beaten and killed, and when the Vice President and the Congress were being locked down, the President was watching and tweeted about the Vice President's lack of courage."

"For hours while the riot continued, the President communicated only on Twitter and offered only weak requests for restraint."

"I was on the floor of the House of Representatives when the rioters were beating on the door with tear gas, zip tie restraints, and pipe bombs in their possession. It is only by the grace of God and the blood of the Capitol Police that the death toll was not much, much higher."

"It has been a week since so many were injured, the United States Capitol was ransacked, and six people were killed, including two police officers. Yet, the President has not addressed the nation to ask for calm. He has not visited the injured and grieving. He has not offered condolences. Yesterday in a press briefing at the border, he said his comments were 'perfectly appropriate.'"

"I have backed this President through thick and thin for four years. I campaigned for him and voted for him twice. But, this utter failure is inexcusable."

No 'direct evidence' of plot to kidnap or kill lawmakers in U.S. Capitol attack: Justice Department official

[reuters.com/article/us-usa-trump-capitol-plot/no-direct-evidence-of-plot-to-kidnap-or-kill-lawmakers-in-u-s-capitol-attack-justice-department-official-idUSKBN29K2FL](https://www.reuters.com/article/us-usa-trump-capitol-plot/no-direct-evidence-of-plot-to-kidnap-or-kill-lawmakers-in-u-s-capitol-attack-justice-department-official-idUSKBN29K2FL)



By Reuters Staff

1 Min Read

FILE PHOTO: Michael Sherwin, acting U.S. attorney for the District of Columbia, speaks during a news conference at the U.S. Department of Justice in Washington, D.C., U.S., January 12, 2021. The acting attorney for Washington and FBI provided an update on criminal charges related to the Jan. 6 siege at the U.S. Capitol. Sarah Silbiger/Pool via REUTERS/File Photo

WASHINGTON (Reuters) - A U.S. Justice Department official on Friday said there is currently no direct evidence of efforts to capture or assassinate lawmakers in the Jan. 6 attack on the U.S. Capitol.

"We don't have any direct evidence of kill capture teams," said Michael Sherwin, the U.S. attorney for the District of Columbia, in a press conference with reporters.

Reporting by Jan Wolfe and Sarah Lynch; Editing by Chris Reese

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REMARKS

Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing

HEALTHCARE

Issued on: April 3, 2020



James S. Brady Press Briefing Room

5:25 P.M. EDT

THE PRESIDENT: I just had a meeting with Kevin McCarthy, future Speaker of the House, I hope. And he's done a fantastic job for the people of California. And also, the people of California have done a fantastic job, when you look at the — at the bump. You take a look at the bump and how they're doing out there. So I congratulate everybody out there.

But I thought I'd have Kevin say a few words. So, Kevin, please.

LEADER MCCARTHY: Well, thank you, Mr. President. And I would like to thank you. On the basis of California, Governor Newsom says the work that you're doing together has been — you're working very closely — has been effective in California as well — the Vice President and the President.

You know, today, Mr. President, I want to thank you, especially for the work that Secretary Mnuchin has done, especially for small businesses. Just today alone, I saw Bank of America had more than 10,000 loans in two hours.

And for anybody who's in small business — My first small business was when I was 20 years old. You don't have income coming in right now, you get a loan, but for your rent, paying your employees, and paying your utilities is a grant. That's part of the CARES Act. And I think you're going to find that a lot of small businesses are going to hire people back, keep them afloat through the next two months, and get this economy moving again as we get through this virus. So I just want to thank you for all that work.

THE PRESIDENT: Thank you. Great job you're doing.

LEADER MCCARTHY: Thank you.

THE PRESIDENT: Thank you. You go ahead. I'll talk to you later.

Okay, thank you very much, everybody. And I want to start by saying that our hearts go out to the people of New York as they bear the brunt of the coronavirus pandemic in America. That seems to be the hotspot right now. But you have some others, as you know, that are very — very bad. Very bad. Louisiana is getting hit very hard. Parts of Michigan are getting hit very, very hard. New Jersey is — is —surprisingly, it's much greater than anybody would have thought. They're doing a really good job. The governor is doing a really good job out there.

New York's first responders, EMTs, doctors, nurses are showing incredible courage under pressure. They're the best in the world. We will take every action and we'll spare no resource — financial, medical, scientific. We will not spare anything. We'll get it back into shape.

The Empire State — the governor is doing an excellent job. They're all working very hard together. At the request of the governor, as you know, the Javits Center, we have 2,500 beds, and we're going to allow that to be a system where this horrible disease can be looked after, the patients can be looked after. That was going to be for regular medical problems such as accidents. And, you know, it's very interesting, the governor is telling me we don't have too many accidents and very few people driving.

So we're going to put that facility into play, which is a big facility. The ship will be staying the way it is, but we're putting that facility into play to help them.

And today, also, the CDC is announcing additional steps Americans can take to defend against the transmission of the virus. From recent studies, we know that the transmission from individuals without symptoms is playing a more significant role in the spread of the virus than previously understood. So you don't seem to have symptoms and it still gets transferred.

In light of these studies, the CDC is advising the use of non-medical cloth face covering as an additional voluntary public health measure. So it's voluntary; you don't have to do it. They suggested for a period of time. But this is voluntary. I don't think I'm going to be doing it.

But you have a lot of ways — you can look at it as follows: The CDC is recommending that Americans wear a basic cloth or a fabric mask that can be either purchased online or simply made at home. Probably material that you'd have at home. These face coverings can be easily washed or reused.

I want to emphasize that the CDC is not recommending the use of medical-grade or surgical-grade masks, and we want that to be used for our great medical people that are working so hard and doing some job. Medical protective gear must be reserved for the frontline healthcare workers who are performing those vital services.

The new mask guidelines also do not replace CDC's guidance on social distancing, including staying in your home when possible, standing at least six feet apart for a period of time. Again, we're going to all come back together here. We're going to all come back together. And practicing hand hygiene, which we should do anyway.

A lot of things, I think, are going to spill over. Shaking hands maybe will stay with our country for a long time beyond this. One of the — one of our great doctors was telling me that — as you know, we have flu every year, and the number of people killed by the flu is very substantial. And said that if they didn't shake hands, that number would be substantially lower. So maybe it'll stay. Maybe some of these things, long term, will be good. But those guidelines are still the best and the safest way to avoid the infection.

So with the masks, it's going to be, really, a voluntary thing. You can do it. You don't have to do it. I'm choosing not to do it, but some people may want to do it, and that's okay. It may be good. Probably will. They're making a recommendation. It's only a recommendation. It's voluntary.

We're also taking action to ensure the cost of no barrier to any American seeking testing or treatment of the coronavirus. The largest insurer nationwide, the BlueCross BlueShield System, has now announced that it will not require any co-pays — which is really something; that's a tremendous statement — from patients of the virus treatment for the next 60 days, similar to the commitments of Cigna, Humana, Anthem. Those are great companies, and they're all doing the same thing. So, co-pays. For them to do that is — it's a big statement. We appreciate it.

Today I can so proudly announce that hospitals and healthcare providers treating uninsured coronavirus patients will be reimbursed by the federal government using funds from the economic relief package Congress passed last month. So that was as per the question yesterday and actually the day before yesterday. This should alleviate any concern uninsured Americans may have about seeking the coronavirus treatment. So that's, I think, answers the question pretty well and very much in the favor of our great people.

I'm also signing a directive invoking the Defense Production Act to prohibit export of scarce health and medical supplies by unscrupulous actors and profiteers.

The security and Secretary — the Secretary of Homeland Security will work with FEMA to prevent the export of N95 respirators, surgical masks, gloves, and other personal protective equipment. We need these items immediately for domestic use. We have to have them. But we've done really well with the purchase of items, and you'll be hearing about that shortly.

We've already leveraged the DPA to stop the hoarding and price gouging of crucial supplies. Under that authority, this week, the Department of Health and Human Services, working with the Department of Justice, took custody of nearly 200,000 N95 respirators, 130,000 surgical masks, 600,000 gloves, as well as bottles — many, many, many bottles — and disinfectant sprays that were being hoarded. All of this material is now being given to healthcare workers. Most of it has already been given out. And we've given a lot to New York, a lot in New Jersey, a lot to other places.

In addition to ensure that healthcare workers in New York have the protective equipment they need, the federal government, in the name of the Department of Defense, is providing about 8.1 million N95 respirators. Department of Defense. And we've already given 200,000 of them to New York City. Mayor de Blasio needed them very badly, so we got them to Mayor de Blasio in New York City. And they were very grateful. 8.1 million. And we're going to be increasing that number from 8.1 million to more. That's a lot of N95 respirators.

Today, my team spoke with the CEO of Ochsner Health and the CEO of LCMC, the two largest health systems in New Orleans. They said they feel that they currently have enough ventilators — I think a lot of people are going to have enough ventilators — and masks, and appreciate what we did and all of the things we've been doing with them, working with them.

The CEO of Ochsner, Warner Thomas — who's really been fantastic, I have to say — indicated a need for 230,000 surgical gowns. And I instructed FEMA to deliver them tomorrow. So they'll have the 230,000. That's Louisiana — New Orleans. Two hundred and thirty thousand surgical gowns; they'll have them by tomorrow.

We're expanding the role of the armed forces in our response effort because no one is better prepared to win a war than the United States military. And we are in a war. The invisible enemy — remember.

Over 9,000 retired Army medical personnel have answered their nation's call and are now supporting field hospitals and medical facilities all across the country, like what I just told you, that Governor Cuomo requested we do something in Javits, where we take it over. And we're going to have that manned by the military, because it's very tough to get people — more people in the New York area. So we're going to have it manned by the military — Javits Center.

National Guard members have been activated to help states build new treatment centers and assist in the seamless distribution of medical supplies. That includes National Guard. The National Guard is assisting very strongly because the states were, in many cases, unable to have the delivery capability from warehouses and other places that we put the supplies. So I've given approval to use the National Guards — the various National Guards in the different states. And they're doing a fantastic job of not only protecting people but delivering material.

The Army Corps of Engineers has assessed more than 100 facilities in all 50 states and is rapidly building temporary hospitals and alternative care sites in many states: in New York, New Jersey, Michigan, Pennsylvania, Arizona, California, Colorado, Florida, Illinois, New Mexico, Oregon, Washington Wisconsin, Ohio. They're doing a lot of work in just those states, plus additional, that are being — will be announced probably tomorrow. But they're doing some job. The Army Corps of Engineers — what a job they're doing. And FEMA — what a job they're doing.

As we deploy the power of our military, we're also deploying the skill of our doctors, scientists, and medical researchers. We continue to study the effectiveness of hydroxychloroquine and other therapies, and the treatment and prevention of the virus. And we will keep the American people fully informed on our findings. Hydroxychloroquine — I don't know, it's looking like it's having some good results. I hope that — that would be a phenomenal thing.

But we have it right now in — approximately now, it's increased to 1,500 people. I spoke with Dr. Zucker in New York — terrific guy, by the way. He's — we're doing a good job. And I spoke to Governor Cuomo last evening and this morning about it. So it's been there for about three and a half days, but I think — and many other places it's being tested too. And we have a tremendous supply of it. We've ordered it in the case that it works. And it's — it could have some pretty big impacts. And we'll see what happens.

My administration is also working to get relief to American workers and businesses. On day one of the Paycheck Protection Program, as Kevin said, more than \$3.5 billion in guaranteed loans have been processed to help small businesses keep their workers employed during the unprecedented time — this unprecedented time.

And Bank of America has been incredible. Of the big banks, Bank of America has really stepped forward and done a great job. And then you have the community banks, your smaller banks. And we're already at \$3.5 billion going out to incredible people. But that's way ahead of schedule.

The SBA and the Treasury are working around the clock, and our banking partners are really incredible. And they're ensuring that the money gets to small businesses as quickly as possible, and then the small business, in turn, take care of employees that they would have had to let go, and now they'll keep them. And that's good. And then they're going to open for business and they're going to have their employees. And we'll try and get back to where we were. Eventually, we're going to supersede where we were.

The energy industry has been especially hard hit in the crisis. This afternoon, I met with Greg Garland of Phillips 66, Dave Hager of Devon Energy, Harold Hamm of Continental Resources, Jeff Hildebrand of Hilcorp Energy, Vicki Hollub of Occidental Petroleum, Mike Sommers of the American Petroleum Institute, Kelcy Warren of Energy Transfer Partners, Mike Wirth of Chevron, and Darren Woods of Exxon Mobil. I informed them that we will be making space available in the Strategic Petroleum Reserve to let American producers store surplus oil that can be sold at a later time.

There's a tremendous abundance of oil, primarily because of the virus. The virus has just stopped demand of everything, including oil. So we're working with our great energy companies. These are great companies. They employ tens of thousands, hundreds of thousands of people. And they've kept America really going for a long time. And no big price hikes, no big anything. I mean, they've just kept it going. And now they got hit. But with all the jobs and all of the good that they do, we're going to make sure that they stay in good shape.

America is engaged in a historic battle to safeguard the lives of our citizens, our future society. Our greatest weapon is the discipline and determination of every citizen to stay at home and stay healthy for a long time. And we want them to stay healthy for a long time. So stay at home. This is ending. This will end. You'll see some bad things and then you're going to see some really good things. And it's not going to be too long.

We will heal our citizens and we will care for our neighbors, and we will unleash the full might of the United States of America to vanquish the virus.

And with that, I'd like to ask Mike Pence to come up, Vice President, and say a few words. And we'll have a couple of other quick talks on a couple of subjects, and we'll take questions.

And it's a beautiful Friday in Washington, D.C., and our country is a great place, and we're getting better. We're getting better very quickly.

This was artificially induced. We just said — they said, "Close it down. You have to close it down." We closed it down and we're healing. We're going to get it better fast.

So, Mike, if you could come up say a few words. Please.

THE VICE PRESIDENT: Thank you, Mr. President. The President just outlined a number of the decisions that he made today on the unanimous recommendation to the White House Coronavirus Task Force.

In addition, some good news Dr. Deborah Birx will reflect on in a moment. And some of the areas across America where we see evidence that the mitigation efforts — the American people putting into practice the President's coronavirus guidelines — are having a positive effect.

In fact, today, California and Washington State, where the coronavirus first emerged in our country, remain — the cases remain at a steady but low rate. And we know, as Governor Newsom said yesterday, that they're not out of the woods yet. We continue to flow resources.

But we want to commend people in those states and all across the country who are putting into practice the social distancing and all the measures that state and local leaders are advising and that — and that the President has been advising in the coronavirus guidelines for America.

We're also continuing to track significant outbreaks in New York State, New Orleans, Detroit, Chicago, and Boston. And as the President indicated, we're prioritizing resources to support healthcare workers and to support those that are dealing with the coronavirus in those communities.

On the subject of testing, now more than 1.4 million tests have been performed across the country. And as you all are aware, some 266,000 Americans have tested positive for the coronavirus.

Abbott instruments, which now can perform a 15-minute test across the country, have literally 18,000 of their machines across the nation today. But at the President's direction, FEMA is acquiring over 1,200 more machines to distribute to every state public health lab in America and also to our Indian Healthcare Service.

And the big news, of course, over the last few days was that the FDA — once again, in near record time — has approved an antibody test developed by Cellex. And we're continuing on the White House Coronavirus Task Force to examine ways that we can scale up these rapid tests and these innovative new tests not just to meet this moment, but to lay a foundation for testing across the nation in the months ahead.

As the President mentioned, he met with energy executives today and continues to engage with leaders of businesses all across the nation.

We also have held a teleconference today with commercial retailers. On the President's behalf, we thanked them for the way that people that operate malls and shopping centers around the country have embraced and enacted the coronavirus guidelines for America. It's had enormous impact on their businesses and their industries. But I heard — I heard from them their — their patriotic

commitment to put the health of their associates and their customers first. And it was deeply inspiring.

On the subject of supplies, the President detailed our work in that space. It continues to this day. As part of our air bridge, we had a flight arrive from China today to Columbus, Ohio. We continue to work each and every day, watching the data about cases, to ensure that, in particular, not just the personal protective equipment is available for the healthcare workers that are on the frontlines, but also that ventilators are available as the — as this epidemic makes its way through regions and communities. We are literally working hour by hour, day by day to make sure that patients, families, and healthcare providers have the equipment and the support that they need.

As the President mentioned, we've seen over a billion and a half dollars in loans go out through the Paycheck Protection Program today.

We have available for questions the head of the CDC today to speak about the new guidance on cloth face coverings.

And Secretary Azar, in a few moments, will explain just how the President's decision to make sure that no American will ever have to worry about paying for testing or for coronavirus treatment.

I'm pleased to report, at the President's direction, Medicaid and Medicare already expanded to coronavirus treatment and testing early on.

And of course, the President just indicated how major insurance companies across the country are not just waiving co-pays on testing, but they're now waiving co-pays for at least 60 days on any coronavirus treatment.

But now, as Secretary Azar will enumerate, now we'll make sure that any American, even those that have no insurance, will be able to receive treatment in a hospital and never have to worry about the bill.

I'll just give a general reminder to every American: There is evidence across the country that you're putting into practice the coronavirus guidelines for America. Every American has a role to play. And I want to thank you on behalf of the President and all of the American people for the way that

you're stepping forward, you're engaging in the social distancing, and doing the things that will slow the spread.

We encourage you to keep on keeping on. And we will get through this, America. We will get through the coronavirus to that day of renewed health and renewed prosperity that the President always describes. But we'll get through there sooner and we'll get through there when we work together.

Dr. Birx?

DR. BIRX: Thank you Mr. Vice President, Mr. President. Thank you for your words of discipline and determination. I guess that really describes what we're asking every American to really be: disciplined about these guidelines and really determined to stay in that space of execution.

You know we are just in week three on — of this full guidance measure. We really do appreciate the work of the citizens of California and Washington State, because we do see that their curve is different. Their curve is different from New York, New Jersey, and Connecticut. And we really believe that the work that every citizen is doing in those states is making a difference and it will make a difference for the frontline healthcare providers.

We also are deeply grateful, despite the way their curve looks today, they continue to get ready for a different potential, so that they can ensure that patients, if they do get sick, have options and availability.

To all the frontline healthcare workers in the — what we have referred to as “hot zones” — areas where the number of cases are quite significant — the New Orleans; the New York City metro area, including New Jersey and Connecticut — the incredible work that the frontline healthcare workers are providing. We're really working now at a much more granular level, talking directly to hospitals to ensure that they have the supplies that they need in coordination with state and local governments.

And to work — I think we discussed it yesterday, but I think it was quite clear also — and reiterated by Governor Cuomo today — that we have to support one another as each of these different metro areas, and other areas, move through their peak of new infections.

When we talked about it at the beginning of this week, we talked about this week and next week being incredibly difficult. And we want to recognize the number of Americans who have lost their lives to this virus, and recognize the sacrifice that healthcare providers are making both in their care, but I think I'm very uplifted by hearing their messages to families and their compassion for others to provide that kind of support to the individuals in the hospital.

We continue to watch, in addition, the Chicago area, the Detroit area, and have some developing concerns around Colorado, the District of Columbia, and Pennsylvania. So as you can see, each of these will follow their own curves. We'll be getting more and more of those case, over time, information in a very granular way to each and every one of you so that we can follow these epidemiologic curves as each of these states, counties, and communities move through this together in solidarity, and really ensuring that we can move supplies creatively around the country to meet the needs of both the frontline healthcare providers but also every American who needs our support right now.

Thank you.

THE PRESIDENT: Thank you very much.

SECRETARY AZAR: Well, thank you, Mr. President, for your continued leadership as we battle the coronavirus. First, I want to thank all of the members of the HHS team and the frontline healthcare workers across America, including those who — those service workers who serve in our hospitals, at our healthcare facilities, those who clean, those who deliver, those who stock the shelves — all those who are going into battle every day against the virus. Your country has asked you to serve as never before, and you have responded heroically.

I'm going to provide a brief update on the administration's plans to cover the testing and treatment for the uninsured. Getting the uninsured access to the care they need is a top priority for President Trump. We are already rolling out the \$1 billion in funding from the Families First Coronavirus Response Act to cover providers' expenses for testing and diagnosing the uninsured.

The CARES Act, signed by the President, includes another \$100 billion for healthcare providers. Under the President's direction, we will use a portion of that funding to cover providers' costs of delivering COVID-19 care for the uninsured, sending the money to providers through the same mechanism used for testing.

As a condition of receiving funds under this program, providers will be forbidden from balance billing the uninsured for the cost of their care. Providers will be reimbursed at Medicare rates.

We will soon have more specifics on how the rest of the \$100 billion will go to providers. We're working to ensure that this funding is distributed in a way that is fast, fair, simple, and transparent.

I'd also like to remind people that if you've lost employer insurance coverage, you have insurance options that you should look into. You'd be eligible for a special enrollment period on the healthcare exchanges, and depending on your state, you may be eligible for Medicaid.

Just as President Trump is working to ensure that COVID-19 treatment is paid for, he's working to support new treatment options for patients. Thanks to the President's leadership, many providers are trying different experimental therapies, and we need as much data as we can collect as quickly as possible on how these treatments are working.

Today, Oracle has developed and is donating to the government and the American people a web portal and platform to gather crowd-sourced, real-time information from providers about how patients respond to potential therapeutics. While this doesn't replace the important work of clinical trials, it gives us data rapidly. If you are a doctor or a healthcare provider and you would like to help us, you can sign up today to begin reporting on your work. There's a special registration page for providers at COVID19.Oracle.com.

Thank you very much.

THE PRESIDENT: Thank you very much. Okay, let's go. Steve?

Q If we could draw you out a little bit more on the advice on face masks. What do — what would people gain from wearing a mask? And why are you opposed to wearing one yourself?

THE PRESIDENT: Well, I just don't want to wear one myself. It's a recommendation; they recommend it. I'm feeling good. I just don't want to be doing — I don't know, somehow sitting in the Oval Office behind that beautiful Resolute Desk — the great Resolute Desk — I think wearing a face mask as I greet presidents, prime ministers, dictators, kings, queens, I don't know. Somehow, I don't see it for myself. I just — I just don't. Maybe I'll change my mind, but this will pass and hopefully it'll pass very quickly.

Now, with that being said, if somebody wants to — I mean, most people can just make something out of a certain material. So it's very well designated, it's very simple to do. I won't be doing it personally. It's a recommendation. Okay?

And would you like to say something about that?

SURGEON GENERAL ADAMS: Sure. Absolutely.

THE PRESIDENT: Surgeon General, please.

SURGEON GENERAL ADAMS: Well, thank you, Mr. President, Mr. Vice President, Mr. Secretary, and CDC Director Redfield. I especially want to thank the folks at the CDC. And it's a great question that you ask; it's a fair question that you ask. I want to unpack the evolution of our guidance on masks because it has been confusing to the American people.

First of all, I want people to understand that the CDC, the World Health Organization, my office, and most public health and health organizations and professionals originally recommended against the general public wearing masks, because based on the best evidence available at the time, it was not deemed that that would have a significant impact on whether or not a healthy person wearing a mask would contract COVID-19.

We have always recommended that symptomatic people wear a mask, because if you're coughing, if you have a fever, if you're symptomatic, you could transmit disease to other people.

What has changed in our recommendation? Well, it's important to know that we now know from recent studies that a significant portion of individuals with coronavirus lack symptoms. They're what we call asymptomatic. And that even those who eventually become pre-symptomatic, meaning that they will develop symptoms in the future, can transmit the virus to others before they show symptoms. This means that the virus can spread between people interacting in close proximity: for example, coughing, speaking, or sneezing, even if those people were not exhibiting symptoms.

In light of this new evidence, CDC recommends and the task force recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain. These

include places like grocery stores and pharmacies. We especially recommend this in areas of significant community-based transmission. It is critical.

And the President mentioned this, the Vice President mentioned this: It's critical to emphasize that maintaining six feet of social distancing remains key to slowing the spread of the virus.

But CDC is additionally advising the use of simple cloth coverings to slow the spread of the virus and to help people who may have the virus and do not know it from transmitting it to others.

The cloth face coverings recommended are not surgical masks or N95 respirators. Those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders, as recommended by the current CDC guidance.

As the President also mentioned, cloth face coverings fashioned from household items or made at home from common materials at low cost can be used as an additional voluntary public health measure.

This recommendation complements and does not replace the President's Coronavirus Guidelines for America, "30 Days to Slow the Spread," which remains the cornerstone of our national effort to slow the spread of the virus.

CDC is always — always looking at the data. We told you that from the beginning — Dr. Birx says it every single press conference — we're looking at the data, we're evolving our recommendations, and new recommendations will come as the evidence dictates.

So, I want to say if you do choose to wear a face mask — very important — wash your hands first because you don't want to put on a face covering with a dirty hand. Do not touch your face while you are wearing the face covering because, again, you could take materials from the surface, germs from the surface and bring it to your face. If you choose to wear a face covering, please — please leave the N95 mask, the medical supplies for the medical professionals, healthcare workers, and frontline workers.

Know that this is not a substitute for social distancing. And remember, this is all about me protecting you, and you protecting me. This is about us coming together as communities. And if

people voluntarily choose to wear a face covering, they're wearing it to protect their neighbors from getting the coronavirus, because, again, they could have asymptomatic spread.

So, Mr. President, thank you very much for that.

THE PRESIDENT: Thank you. Thank you.

SURGEON GENERAL ADAMS: Appreciate the opportunity to update everyone.

THE PRESIDENT: Great job. Thank you.

Okay. Jon?

Q Mr. President, Dr. Fauci last night recommended — said that every state should have stay-at-home orders right now. Do you agree with that? Should every state in this country have the kind of stay-at-home orders that we now see in places like Washington and New York?

THE PRESIDENT: I leave it up to the governors. The governors know what they're doing. They've been doing a great job. I guess we're close to 90 percent anyway. And the states that we're talking about are not in jeopardy. No, I would leave it to the governors. I like — I like that from the standpoint of governing, and I like that from the standpoint of even our Constitution.

Please.

Q Mr. President, to address the shortage in the blood supply, the Food and Drug Administration announced yesterday —

THE PRESIDENT: Well, I pointed to him. Right?

Q Thanks, Mr. President.

THE PRESIDENT: I knew we (inaudible). I heard a different voice. I heard a different voice.

Go ahead. We'll get you later.

Q Going to the oil meeting previously —

THE PRESIDENT: Yeah.

Q — is the U.S. willing to cut domestic oil production? What came out of the meeting? What was the consensus?

THE PRESIDENT: Well, a lot of things came out. It's a great industry, it's an important industry, it's a tremendous job-producing industry. And it's just vital. And it was also very interesting because they all were given the test before they came into the room. So you have the head of Exxon Mobil, you have all these guys taking the test, and they all passed with flying colors. So that was good. They left happy, in that respect, at least.

There's just an overabundance of oil right now — oil and gas. Tremendous overabundance. And it was caused — they were doing a great job. They were producing a lot of energy. But then you have the virus come along and it knocked another 35 percent, maybe 40 percent, off of the market.

So there's too much oil. There's a glut. And these are great companies and they'll figure it out. It's free market. We'll figure it out.

Q You spoke to President Putin. I mean, what's on the table here with him —

THE PRESIDENT: And with the Crown Prince. Both.

Q Yeah.

THE PRESIDENT: They were having a competition. We'll see how it all works out. I think it's going to work out very well. It's going to take a long time to — to get rid of that. There's massive excess amount of oil and gas. Massive. Like probably there's never been.

So where that does work out well, I guess you could say, is for drivers. I think, in certain locations, it's down to 90 and 95 cents a gallon, right now, on the road.

But we have a tremendous industry, a great industry. A tremendously important industry from the standpoint of jobs. And we're energy independent. We have to make sure we keep it that way.

All right, please. Go ahead.

Q Mr. President, as I was saying, the Food and Drug Administration, to address the shortage of blood supply, announced yesterday it would ease the restrictions on certain donors, including gay men, who are now required to be abstinent for 3 months, as opposed to 12 months, to donate. Did you have a hand in that change?

THE PRESIDENT: No, I didn't know anything about that. That was done by the FDA — very capable people at the FDA.

Please, go ahead.

Q Yes, Mr. President. Both the government of Canada and 3M are pushing back on this DPA not to export N95 respirators.

THE PRESIDENT: Yeah.

Q 3M says —

THE PRESIDENT: I don't blame them. They can push back if they want.

Q Yeah, but they're saying —

THE PRESIDENT: We're not happy with 3M. We're not happy. And the people that dealt with it directly are not at all happy with 3M.

So we'll see whether or not we do. I heard what he had to say today. I don't know the gentleman. But we're not happy with 3M. Go ahead.

Q And where is Dr. Fauci?

THE PRESIDENT: I don't know. But every time you ask that question — whenever he's not here, you look, you say, "Where is he?" And you'll say, "Is there a problem?" No problem whatsoever. Every time he's not here — sometimes I'll ask him to come because that's the first question that you and

couple of others from the fake news establishment ask, is: “Where is Dr. Fauci?” We’re doing great together.

Q A different subject, if I may ask.

THE PRESIDENT: Except we’re covering a different subject today.

Go ahead.

Q A different subject, if I may ask.

THE PRESIDENT: Go ahead, Jim. Try another one.

Q Mr. President, you have you have said nobody could have seen this pandemic coming, but, in fact, Secretary Azar, at a biodefense summit in April of 2019, said, “Of course, the people” — “Of course, the thing that people ask, “What keeps you most up at night in the biodefense world? Pandemic flu, of course. I think everyone in this room probably shares that concern.” Your own Health and Human Services Secretary was aware that this had the potential of being a very big problem around the world, a pandemic of this nature. Who dropped the ball?

THE PRESIDENT: Well, I always knew that pandemics are one of the worst things that could happen. There’s been nothing like this since probably 1917. That was the big one in Europe. It started actually here and went to Europe. Probably. I’ve heard about —

Q You’ve also said nobody could see this coming.

THE PRESIDENT: Excuse me. Wait a minute. Let me finish. I’ve heard about this for a long time — pandemics. You don’t want pandemics. And I don’t think he was talking about a specific pandemic. He was talking about the threat of a pandemic could happen. And it could happen. Most people thought it wouldn’t and most people didn’t understand the severity of it. This is a very severe. What’s happened is very severe. But I’d let you answer that. I assume that he was talking about the concept of a pandemic.

SECRETARY AZAR: Thank you, Mr. President. Actually — absolutely, for 15 years now, this country has had a massive effort at the federal, state, and local level of preparedness for a pandemic. Now,

that largely has been, as I said in those remarks, about pandemic flu preparedness. We knew about SARS, we knew about MERS, which were earlier modifications or variants of the coronavirus. None of those achieved anything like what we're seeing today.

But that's why, for successive presidencies, including the leadership of President Trump, there has been a great focus on pandemic preparedness. In fact, it was just in November, I believe, that the President signed the Pandemic Flu Preparedness executive order that we have — and we have also updated the Pandemic Crisis Action Plan, which has been the playbook from which we've been working the Pandemic Flu Plan. Again, the action plan from which we have been working that coordinates the whole-of-government, whole-of-economy approach here.

So we've all been very focused on pandemic preparedness. That's what we do.

But this particular strain of pandemic, who would — who would have known this particular strain?

Q But, Secretary Azar, if you were preparing for a pandemic, if this government were preparing for a pandemic, why is it we don't have enough masks? Why is it we don't have enough medical equipment in this country?

THE PRESIDENT: Previous administrations gave us very little ammunition for the military and very little shelf space. Let me just tell you —

Q But you've been President —

THE PRESIDENT: You know it —

Q You've been President —

THE PRESIDENT: You know the answer.

Q — three or four years now.

THE PRESIDENT: The previous administration, the shelves were empty. The shelves were empty.

Q You had time to stock the shelves.

THE PRESIDENT: So what you should do is speak to the people from the previous administration, Jim, and ask them that question, because —

Q Mr. President, you've been in office —

THE PRESIDENT: — the shelves were empty.

Q — for almost four years.

THE PRESIDENT: And you know what else? The military shelves were also empty. We had no ammunition, literally. And that was said by one of your favorite generals. “We have — sir, we have no ammunition.” Guess what? We had very little medical supply also.

All right. Go ahead, please.

Q Isn't that a cop-out, though?

THE PRESIDENT: Go ahead.

Q Isn't that a cop-out?

THE PRESIDENT: We'll get it back. We'll get you back.

Q But, Mr. President —

THE PRESIDENT: We'll get you back, please.

Q But what about that question —

THE PRESIDENT: Jim, I said we'll get you back.

Please, go ahead.

Q So I want to ask about the DPA. So you said that there will be a ban on exporting of all — what does it cover? So, masks, gloves? What else is included in that order?

THE PRESIDENT: It covers everything.

Q And are you concerned —

THE PRESIDENT: But if somebody ordered — if Italy, if Spain, who has big problems — these have — these are countries with tremendous problems — France. If they ordered — if they have long-term orders and they're in in there and they want to get certain things, I've let them go out, in certain instances, because I think it's only fair. They have problems that are proportionately or relatively bigger than our problems. So if they ordered something and they're waiting for, as an example, masks made here and going to Italy, I'm not going to be stopping that. I think it would be very unfair.

And, by the way, speaking about being fair and unfair, two very big cruise liners, as you know, I allowed them to dock today. We worked with the governor of Florida, as you know, Ron DeSantis, and we worked on it and we had tremendous security.

And we took the sick people and we're working with them. We have doctors. We have great doctors, military doctors. And from a humane standpoint, not that we're in love with this — these are two massive ships — but we have to take care of people. We have to take care.

We sent many back to Canada. The Canada — the Canadians came and worked very closely with us, as did the UK. We had a lot of people from the UK. And we take — we took care of the Americans. We took care of the sick. We had some people very sick. I think we have three to four, maybe five people that had died on the boat. One of the boats, actually. And we had to take care of these people.

So we couldn't let them float aimlessly into the ocean, looking for port, as they've been doing for a long time. And I made the decision: We had to take them in. And Homeland Security and a lot of other people did a great job.

But we had to help people. These are people that were very, very sick. Some were dying. Some died.

Please.

Q Mr. President, on DPA — can I just finish, please?

THE PRESIDENT: Go ahead. Yeah. Go ahead.

Q Mr. President, your staff, they said that people in close proximity to you and the Vice President will get a coronavirus test. I'm wondering, are you concerned that the people you've been hanging around with may have the virus?

THE PRESIDENT: No, I'm not concerned. No. I had a test yesterday.

Q But what's the reason for the order for people who meet with you or talk to you? Why should they require coronavirus testing?

THE PRESIDENT: I don't know. I mean, I just — I heard from the oil executives. These are people — most of them had not had the test. And, frankly, I think they left the room feeling good about a lot of things. But they felt good about the test.

This was a test that took, I guess, 13 minutes to have it finalized. They took the test. I don't know. I didn't know they were doing that. Maybe they did it just for them. I don't know. But —

Q But they're always going to have to have a test?

THE PRESIDENT: — it seems that a lot of people — because now we have tests that really work well. Abbott, in this case. Abbott. We have other tests being developed right now that are also fantastic.

The original test — the ones we inherited, Jim, as an example, they were — they were broken. They were obsolete. They were not good tests. And that's what we got stuck with. We've developed some incredible tests. But this took 13 to 15 minutes. And they were all fine.

Q On the DPA, sir —

THE PRESIDENT: Go ahead. Finish — finish your question.

Q Thank you. Yeah. So the problem some people have raised is that if the U.S. stopped exporting, what you could have is other countries then deciding reciprocally that they are going to stop exporting —

THE PRESIDENT: Sure.

Q — and that the result of that then will be a net decrease in the amount of supplies that American doctors, American hospitals have. How do you address that?

THE PRESIDENT: Well, I address it in the following manner: We really are very well supplied. We are not the principal — it's the hospitals, the states, the cities. They're supposed to get everything they can and stock up in case something like this happens. But nobody could ever have assumed that something like this happened, so we started supplying.

We brought tremendous amounts to New York today and over the last few days. We brought them to Louisiana. We brought them to Michigan. We brought them to Los Angeles. A lot of equipment. You've read the amount of masks that we had. I think I said over 8 million masks. The N95 masks. The, you know, more expensive, more complicated, better, whatever masks — the ones they want to use in the hospitals.

We have millions of them now, and we've given them to a lot. We sent to Bellevue, in New York today — that was for Mayor de Blasio — 200,000 of them. But we have 8.1 million; we're going to have more than that. And we're getting them from various sources, including the military. We're rapidly then replacing them, because we have to replace them in case there's a — another emergency. I would be — gowns too. We have many gowns being delivered and have been delivered.

Our people have done an incredible job. Most people have said — now, and I said this yesterday — governors have said, "Thank you very much. Great job." If they're a Democrat governor — in some cases; not in all cases at all — if I said, "Here's 1,000 ventilators. How many do you want?" "We want 1,000." "Here's 1,000. You got 'em. But you know what we're going to do? We're going to add another 5,000. Is that good?" They said, "Wow, that's great." And then, if Jim Acosta goes and says, "Are you happy with the President?" "No, he should have given us 10,000." That's what's happening. You know why? Because that's a standard political answer. And that's a shame because we have done a job like nobody has ever done a job.

But we've just delivered a lot of masks. We've just delivered a lot of gowns and protective gear. But, you know, you're talking about a massive — you're talking about a massive number. But, as of this morning, people were very, very happy.

Steve?

Q Did oil executives ask you for a bailout of any sort?

THE PRESIDENT: No, they didn't ask for a bailout. No.

Q What did they ask for?

THE PRESIDENT: It was really more of a discussion than asking. We discu- — you know, we did discuss the concept of tariffs because, as you know, this was a dispute among a couple of countries that I think they want to be able to get it solved. They had a dispute. They had a competition. But they want to get it resolved.

Russia —

Q You mean tariffs — tariffs on —

THE PRESIDENT: — and Saudi Arabia, I think want to get it —

Q — Saudi and Russia?

THE PRESIDENT: Yeah. I think they want to get it resolved. I think they're working very hard. I mean, they told me they want to get it resolved. They're working very hard.

Go ahead.

Q President Trump, thank you. Yesterday, Jared Kushner said the notion of the federal stockpile was, it's supposed to be "our" stockpile. It's not supposed to be state stockpiles that they then use. What did he mean by "our"? And —

THE PRESIDENT: Well, why don't you ask him?

Q And even the fact that taxpayers from every state pays for it —

THE PRESIDENT: What's that? A "gotcha"? "I gotcha." You used the word "our."

Q No, it's not a "gotcha." What did he mean by it?

THE PRESIDENT: "Our" — you know, what "our" means? United States of America. That's what it means. It means —

Q So it means the states?

THE PRESIDENT: Our. Our. It means the United States of America. And then we take that "our" and we distribute it to the states.

Q So why did he say it's not supposed —

THE PRESIDENT: Not that we have to —

Q — to be state stockpiles that they then can use?

THE PRESIDENT: Because we need it for the government and we need it for the federal government.

Q To give to the states.

THE PRESIDENT: But when the states are in trouble — no, to also keep —

Q Then who are you giving to if it's not to the states?

THE PRESIDENT: To keep — to keep for our country, because the federal government needs it too, not just the states. But out of that, we oftentimes choose — as an example, we have almost 10,000 ventilators and we are ready to rock with those ventilators. We're going to bring them to various areas of the country that need them. But when he says "our," he's talking about our country. He's talking —

Q But he makes the distinction.

THE PRESIDENT: Excuse me.

Q And, sir —

THE PRESIDENT: He's talking about the federal government. I mean, it's such a basic, simple question, and you try and make it sound so bad.

Q It's not bad. I'm just trying to —

THE PRESIDENT: You ought to be — you ought to be ashamed of yourself.

Q — understand. No — by the way, Secretary Azar —

THE PRESIDENT: You know what? You ought to be ashamed. It's such a simple question. He said "our." And "our" means for the country and "our" means for the states —

Q But then he said it's not supposed to be state stockpiles.

THE PRESIDENT: — because the states are part of the country. Don't make it sound bad. Don't make it sound bad.

Go ahead, Steve. Go ahead, back here.

Q But, Mr. President, the HHS even changed the language on the website.

THE PRESIDENT: You just asked your question. You just asked your question in a very nasty tone.

Q I don't think it was nasty.

THE PRESIDENT: Let's go.

Q I think you didn't give me an answer.

THE PRESIDENT: Please.

Q Mr. President —

THE PRESIDENT: I gave you a perfect answer. You know it. Go ahead.

Q Well, just to follow up on that: When we have the federal stockpile — I mean, isn't that designed to be able to distribute to the states who need it?

THE PRESIDENT: Sure. But it's also needed for the federal government. We have a federal stockpile and they have state stockpiles. And, frankly, they were — many of the states were totally unprepared for this. So we had to go into the federal stockpile. But we're not an ordering clerk. They have to have for themselves.

Now, some of the states were in good shape. Some of the states were not in good shape. That's probably something you could expect. We have been helping states. We have been spending a tremendous amount of time, effort, and billions and billions of dollars on making sure that they have what they have.

I mean, take New York: We built them hospitals — I built them four hospitals — built them medical centers, sent a ship with 1,000 rooms and 12 operating rooms, and then on top of that, gave vast numbers of ventilators and vast numbers of surgical gowns, equipment, masks, everything else.

Now, they had a chance to order ventilators over the years. They had a chance to order a very big — but they didn't choose to do it. We were there and we helped them. And I think the governor of New York is very thankful for the help that we gave.

But we have a stockpile. It's a federal stockpile. We can use that for states, or we can use it for ourselves. We do use it for the federal government. We have a very big federal government.

Go ahead.

Q So have you decided not to use your powers to be essentially a traffic cop for all the essential medical supplies that are needed in this?

THE PRESIDENT: Well, we're not a traffic cop. We're a humanitarian cop. We help — it's like the ships. Do you think we wanted to take two big ships into our country that have obvious problems? And you know the problems I'm talking about. So I have a decision to make: Do I take them in or do I save lives? Okay? Do I take them in or do I save? I decided to take them in.

And we have tremendous protection. We have great doctors there to help the people. They had four or five people that died. That was as of last night. They died on the ships. We took care of it. And now the people are in the process of — and many are already back in Canada, they're back in the UK — United Kingdom. And many of them were American citizens. Some were very sick. We're taking care of the sick people. We're testing all of the others very, very carefully — very, very carefully. They are being tested like you wouldn't believe. And we solve a humanitarian catastrophe. You know why? Because nobody else would take the ships. Nobody else would take them. So we docked him in, I think, Fort Lauderdale.

Q I think some people are wondering why you don't say "We're the federal government and there's a shortage of masks and other things and —

THE PRESIDENT: We do say that.

Q — we're going to —

THE PRESIDENT: We do say that.

Q — sign off on every single shipment—

THE PRESIDENT: We say we're — we say and use the Act.

Q — that needs to go to places where it needs to go."

THE PRESIDENT: Excuse me, we do say that and we use the Act. And we've used it a number of times very powerfully. And a lot of times, we don't have to use it, because we say, "We're going to use it if you don't do this or that."

And then we also have companies that act incredibly well. We have plenty of them — mostly them. But we've used the Act very powerfully. And a lot of times, you don't have to exercise the Act; all

you have to do is tell them, “Look, if you don’t do this, we’re going to use the Act.”

And we’ve done a good job with it — maybe a great job.

Yeah.

Q Mr. President, there are news reports that you want to sign the stimulus checks that are going out here in several months. Is that right? Do you want to sign those checks?

THE PRESIDENT: No. Me sign? No. There’s millions of checks. I’m going to sign them? No. It’s a Trump administration initiative. But do I want to sign them? No.

The people are getting — the people are getting their money. There’s a lot of stimulus going in a lot of different ways. There’s also stimulus going for companies that would — if it weren’t our government, would not — and some companies that were very strong a month ago.

Again, we had the strongest economy in the world. We had our best ever. We had probably the best economy in the history of the world, bigger than China, bigger than anybody. And one day, we have to say, “Close it up. Stop. Everybody go home.” And you know what? That’s pretty tough to do that.

Q That’s another thing — that there are rumors that these checks may not go out for another four months, like if you don’t have a direct deposit.

THE PRESIDENT: I don’t know. All I can tell you is the small business today is — we’re way ahead of schedule. There is a problem where — and — which I pointed out; I said, “You shouldn’t do it this way” — with unemployment, where 40-year-old equipment by the states. We’re sending the money to the states. Once the money is sent to the states, then the states, whether they’re Republican or Democrat, have to get the money out to the people. Hopefully they’ll be able to do it.

But many of those states have 40-year-old computers. I don’t know that they’re equipped. I wanted to give them money direct, if that’s what you’re talking about. I wanted to give the money out direct. It would have been much easier. But the Democrats and some people, said, “No, let’s do it the complicated way.”

Q I'm talking more about the stimulus checks. The — like —

THE PRESIDENT: All right, well, I was talking about —

Q — when will people get their money?

THE PRESIDENT: Excuse me, I was talking about both.

Q Yeah. When will people get that money?

THE PRESIDENT: Yeah, they'll get it. They will.

Go ahead. Please.

Q Thank you, sir. I'd like to ask questions, both for myself and some of the other reporters who aren't in the room, social distancing.

THE PRESIDENT: Sure.

Q First of all — and this is for yourself and Dr. Birx: What percentage of the population do we suspect to be asymptomatic at this point? Is there a way to figure that out? It seems like the antibody test might be able to assist in determining that number.

THE PRESIDENT: Go ahead, Deborah.

DR. BIRX: Yeah, thank you. So while we're working diligently in the midst of the crisis to make sure that the healthcare workers and everyone who is sick gets provided for, at the same time, we're working on tests and assays that will be critical for surveillance, and at the same time, working on plans for what we need to do as this moves through the population and we get on the downside, where we're sort of — we're not there yet. And hopefully most of the states will — say, like California and Washington. And then what we need to do to be prepared for fall.

So all three of those things are happening simultaneously, and there's people working on each one of those work streams.

The antibody piece is critical, as you described, because at this time, we can't — if we have — let's say asymptomatic status is inversely — symptomatic status is inversely related to age, and so the younger you are, the more likely you are to be asymptomatic: We have to know that because we have to know how many people have actually become infected.

So when we talked, about five days ago — I think on Monday — I called on universities to work on an ELISA-based test to test for their health workers and really get through that.

At the same time, the private sector is working on tests. And what do we want those tests to be? We want those tests to be like what we use for HIV and malaria — finger prick onto a cassette. You get a line if you're positive and you get a control line. Negative, the line isn't there and there's the control line. That's what — that's our dream assay, because it's a finger prick.

In the meantime, we're not waiting. I mean, we're pushing for that. At the same time, we're asking to develop an assay — the ELISA-based assay, which requires a tube of blood. And that's why we're also talking about could we use dried blood spots.

We also put out a call directly out to the military, because of the Roosevelt, to really test all of the sailors on the Roosevelt with an antibody test to get to this critical issue of asymptomatic and already preexisting antibody. That would be — if the first responders knew they already had had it, and they had protective antibody. If the nurses knew, the doctors knew, if your schoolteacher knew, then it's a very different dialogue. So we understand the importance of that and we understand how important it is in relationship to understanding this epidemic.

One other comment, because I know we're always saying, "Who knew what, when?" I just want to make clear: There's 150-plus countries working on this collectively together. It's devastating for every single country. When we get through this, we can go back and look at what happened, where, and what does this epidemic look like. And when you get through it, then you can validate every model there is known to man. When you're in the middle of it, you have to concentrate on serving the needs of each American, and what that need looks like.

At the same time, you have these other work streams on surveillance, and how to be prepared, both scientifically and therapeutically and vaccine-wise, for the next fall, if it happens again.

So I think these things are happening together, but I just want us to really concentrate on the fact that, all around the globe, country after country is dealing with this. And we can talk about, “Why didn’t Italy do something, or Spain do something, or Germany do something?” Or we can really say, “Right now, we all can we can do something.” We can do the social distancing and all of the pieces that we know is starting to work around the globe in country after country.

And then, when we get through all of this, we can ask the questions about, “Could we have done some piece of this better as a global community?”

I will remind you that on February 3rd, the head of the WHO said there was no reason to ever do a travel ban. You know, it wasn’t until January 14th that we knew that there was human-to-human transmission. Remember —

Q Dr. Birx, the President was saying this was going to go away. It’s April.

THE PRESIDENT: It is going to go away. It is going away.

Q The President — But, Mr. President, you said it was going to go away in April.

THE PRESIDENT: It’s going — I didn’t say a date.

Q You said, “When it warmed up in April...”

THE PRESIDENT: I said it’s going away and it is going away.

Okay, are you —

Q Dr. Birx —

DR. BIRX: Yes. Thank you, sir.

Q But — if I’m —

THE PRESIDENT: Okay, that was a good answer to your question. No, no, no. No, no. No more. That was a long, but a very good answer. That was enough for you.

Q I have a question on the insurance (inaudible) coverage. Mr. President, on the insurance coverage for treatment, the way your government is going is trying to make sure that people are covered on the treatment for COVID —

THE PRESIDENT: Yeah, we're going to do that.

Q Does that include the 11 million people who are in this country illegally? Are they going to be covered as well?

THE PRESIDENT: We'll be talking about that at a different time.

Yeah, please. Go head.

Q Yes, Mr. President, will you release — authorize the release of the underlying data for the conclusion of the 100,000 to 240,000 people succumbing? Perhaps, Dr. Birx, can talk —

THE PRESIDENT: Well, that's up to Dr. Birx. You'll decide as to when —

DR. BIRX: We can release all of the — I —

Q Some disease experts have expressed concern that they haven't seen the underlying data. They're not questioning —

THE PRESIDENT: I'm sure they'll talk to you about that, and Dr. Fauci too.

Please, go ahead.

Q Thank you, Mr. President. This is for you and Secretary Azar. Ten million people say they've lost their jobs in the past two weeks. So how is this stimulus money for free treatment going to absorb the new numbers of uninsured and —

THE PRESIDENT: Go ahead, if you want — go ahead.

Q — would it not be easier to reopen the Obamacare markets or expand Medicaid?

SECRETARY AZAR: So for an individual who had employer insurance — that's what I mentioned in my remarks — if you were employed and had insurance through your employer, and you've now lost your job and lost that insurance, you now do have a special enrollment period where you may enroll in the individual exchanges of the Affordable Care Act. So that's — that's existing law.

Then, what we're doing is taking from that hundred billion dollars to providers, taking money and saying: "If you're a provider and you care for anybody who is uninsured, we're going to compensate you for doing that, and we're going to compensate you at the Medicare reimbursement rates, and you are not allowed to bill that uninsured individual anything."

So, in many respects, it's better for those uninsured individuals. They're going to get first-dollar coverage, they're going to get care in the United States, and the provider is going to be made whole from this program. So it's really an unprecedented — what President Trump is doing here with this money is an unprecedented, disease-specific support of care for individuals to make sure that people get treatment.

Q Will someone still be billed if they test negative? Or what about non-COVID conditions?

Q So, I just have a couple of questions about supplies — one specifically on New York and the question of ventilators. Governor Cuomo is saying that New York may be days away from running out of ventilators. Can you assure New York that, going into next week, that they're going to have the ventilators that they're going to need?

THE PRESIDENT: No, they should've had more ventilators at the time. They should have had more ventilators. They were totally under serviced. We are trying to do — we're doing our best for New York. You know, we have — we have states, we have a lot of states. We have territories too. But we have a lot of states that have to be taken care of, some much more so than others.

We've worked very well with the governor. We happen to think that he's well served with ventilators. We're going to find out, but we have other states to take care of. We have a big problem in Louisiana, we have a big problem in Michigan, we have a big problem in seven other really strong hotspots, but we're doing the best we can. I wish they did the original orders three years ago. They would've had all the ventilators they needed. Although even then they wouldn't because if you look at what the original request was from New York, it was far greater than anybody

ever heard. And we've — we've supplied a lot. I told you, we supplied some just today to New York, and we supplied some yesterday to New York City.

Did you have one in the back? Yeah, please.

Q Mr. President, if I can say — this is why the question about the stockpile that was asked earlier is so important.

THE PRESIDENT: I don't think that was the question (inaudible).

Q No, it was a very important question because what Jared Kushner said yesterday is that the federal stockpile is for use by the federal government, not for the states to have access to. So you seem to be saying different. So did Jared Kushner misspeak yesterday?

THE PRESIDENT: No, no, he didn't — he didn't misspeak.

Q Is that federal stockpile available to the states?

THE PRESIDENT: He used the word "our." Okay? "Our" — "our" is referring to our country.

Q Yeah, but he said — he said it's not for the states to use.

THE PRESIDENT: The states, to the best of my knowledge and to the best of your knowledge, are a part of our country. We are taking what is in the federal stockpile and we are helping states all over the country. But we also want to keep some because when that surge comes, when you hit those peaks, we're going to need it. And we have to be able to have the flexibility to take those ventilators and bring them to Louisiana, New York, Detroit, different places. That's all.

Q But you will be using them for the states that need them?

THE PRESIDENT: Oh, of course. We're not using them anywhere else. We're not going to be using them, Jon, anywhere else. But we want the flexibility because, you know, we don't even know when the surge is coming, but it's coming soon and it's going to be big, and some areas won't have it.

Some areas will be pleasantly surprised, just like we've been. You look at the chart. States that I thought would have been maybe a disaster turned out to be — really, they've done a great job. Some states are really troubled, but you don't know. You don't know. We have great flexibility.

I would have preferred giving them all out. We'd have nothing. And now when we have a surge, we can't get them back from where we gave them because it's very tough to take it back. So we have tremendous flexibility. And it could be New York. It could be Louisiana. Those are two that are really rough. New Jersey is very rough. And they've done a very good job in New Jersey, but New Jersey is very rough.

Go ahead, please, in the back.

Q Yes, the question or — the question is about the CDC guidelines. I know that they changed over time from February and there is —

THE PRESIDENT: The guidelines relative to which — the masks?

Q For instance, social distancing and the number of people who can gather in a group and so on. And now we have this — this measure about wearing masks. And I know you told Steve about why you don't want to wear a mask, but I'm just wondering if you can tell us more about why, because it would set —

THE PRESIDENT: I'm just don't choose to.

Q — an example.

THE PRESIDENT: They're not mandatory guidelines; they're guidelines. They suggest you could wear them. You don't have to wear them. In fact, the Director is here. If you want to say a couple of words about it. You don't — you can, if you want. You don't have to.

Q But what I'm really (inaudible) your decision not to wear one.

THE PRESIDENT: But basically, it's — it's a voluntary thing. Say it, Director. He's doing a good job.

DR. REDFIELD: Thank you very much. I think I just want to re-emphasize — I've said this before — that we're not defenseless against this virus. We have a powerful tool, a powerful weapon: That is social distancing. And we've continued to embrace that with the President's initiatives to slow the spread of coronavirus.

We're constantly looking at new data. And as the Surgeon General said, one of the new information that became more clear to all of us is there's a greater number of people that are asymptotically infected than we previously thought. As Ambassador Birx said, that may be inversely related to age. And so really, the purpose here is first and foremost to embrace the social distancing. That's the number one thing. That's the powerful weapon.

And, you know, this virus has a great weakness: It can't jump from one person to another if it's got to swim more than six feet. And this is why we really want that. That said, we now know that there may be individuals in signif- — areas of significant community transmission that may be asymptotically infected. And we know that a face barrier can actually interrupt the number of virus particles that can go from one person to the other.

So as was said by the Vice President, this is — and the President — the purpose of this face covering is to be another adjunctive mitigation strategy to protect someone from spreading the virus from themselves to someone else.

THE PRESIDENT: And I was just tested also. So I assume I don't know have the virus so I don't have to worry about spreading it. Okay?

Please, go ahead.

Q Mr. President, I want to make sure we're clear. When you mentioned tariffs earlier —

THE PRESIDENT: Yeah.

Q — that came up in a meeting, are you considering tariffs on Saudi Arabian oil? And then also —

THE PRESIDENT: Well, I can always consider — look, tariffs have made a tremendous amount of money for our country. I put them on China, I put them on other places, and other countries tariff us, and they take advantage of us and they have for many years.

Look, countries have taken advantage of the United States for years. They've ripped us off like nobody can even believe, whether it be on — on manufacturing, whether it be on exporting, whether it be on almost anything, including military, where we provide virtually free military assistance to countries that, frankly, take advantage of us, don't even like us. Okay?

So this has been going on for years. They tariff us. They create artificial — you could say non-financial barriers, which are worse than financial barriers. You can't sell your product, you can't take care of our farmers, they won't take our — and yet, they'll take us and sell into us, and we won't charge them anything for doing it. Look, they've taken advantage of us for years.

Tariffs are a way of evening the score. Tariffs are a way of just neutralizing. They have tariffs on us. And we now can put tariffs on them. Am I using it for oil? It's something we can. No — am I doing it now? No. Am I thinking about imposing it as of this moment? No. But if we're not treated fairly, it's certainly a tool in the toolbox.

Q And what about with Russia? Are you — would you consider maybe lifting sanctions or giving some sanctions relief if they —

THE PRESIDENT: Well, it would be the same thing. No, it would be the same thing. They are having a dispute — the two countries — and it's hurting the rest of the world because it's really hurting the energy industry. Russia is being hurt unbelievably badly and Saudi Arabia is being hurt unbelievably badly. Because oil and gas is a primary — that's where they get most of their income. And this is a price like from the 1950s, all right? It's a price from the 1950s. They are being hurt very badly. I think they're going to settle their dispute pretty quickly.

Q Why — on the oil, why do you think you haven't been more successful on getting them to raise the price?

THE PRESIDENT: Go ahead, please.

Q Why — why do you think you haven't been more successful in getting them to increase production in Russia and Saudi Arabia if (inaudible)?

THE PRESIDENT: Well, they have increased production. That's what they've done. They've increased it so much that there's so — you meant the opposite.

THE PRESIDENT: I meant — yeah. Why do you think you haven't been successful in (inaudible) increase production?

THE PRESIDENT: Yeah. Look, look, just so — well, they're going to stop because the market. Ultimately, the market is going to get them to stop. But they both did the opposite. They increased production to a level that water is right now more valuable than oil. Who would have ever thought, right?

Q You have relationships with —

THE PRESIDENT: You go to — you go to some of these kingdoms, water is far more valuable than oil. There's so much oil. It's a tribute, in a way.

Q (Inaudible.)

THE PRESIDENT: But what happened is there was a lot to start off with, and then you had the virus, and it knocked the hell out of the market, it — in terms of demand. So there's no demand and there's tremendous supply.

So, I mean, you saw numbers where it was down to 20, and down, frankly, below 20. It was even below 20. It's an incredible thing, the market. But ultimately the marketplace will take care of it. But I think they're going to work out their problem fairly quickly.

Okay, go ahead.

Q Mr. President — thank you, Mr. President. We're already talking about phase four of a stimulus, right? But you and Pelosi and McConnell are already talking about different things that should be in it. Now, last time, people were telling me that the fact that you wouldn't talk to Pelosi was an impediment and it really slowed things down. Are you —

THE PRESIDENT: I'd talk — if it were important to talk to her, I'd talk to her.

Q Are you going to talk to her during the —

THE PRESIDENT: If it were important for the American people, I'd talk to her. But other than that, I can have other people talking to her.

Look, you ready? Infrastructure is a great thing for me. I think infrastructure for this country — we have an old, broken infrastructure. Fifty years ago, we were the envy of the world. And then we spent all this money so stupidly in the Middle East. We spent — it's going to be very close to \$8 trillion in the Middle East. How stupid was that decision? But they spent it on that and other things.

We've got to fix our infrastructure.

Q But Pelosi is already downplaying —

THE PRESIDENT: That means roads, highways, tunnels, airports, everything. We got to fix our infrastructure —

Q But Pelosi is already kind of downplaying —

THE PRESIDENT: And the beauty is because of the fact that we are so strong as a country, we're borrowing at zero. We never had a chance to borrow at zero. Even in this country, we'd never had a chance to borrow at zero. We're going to borrow — this is a great time.

So we can fix our infrastructure, and we'll have almost no interest costs. This is the time to do it.

Steve, one more question.

Q The death total projection that you shared with us earlier this week, are we still on the current trajectory for that? Or have social distancing —

THE PRESIDENT: Which trajectory — which one? I have many trajectories for many things.

Q The 100 — 100 to 240, 100- to 240,000. Are we still on that trajectory or have we made any improvements? Or maybe not enough time has passed?

THE PRESIDENT: Say — say it. Say it, Steve. What?

Q Have we made enough improvements?

THE PRESIDENT: On what? On what?

Q On social distancing.

Q Have the models changed? Have the models changed?

THE PRESIDENT: I'd have to ask Dr. Fauci, and I'd have — have to ask Deborah. Have the models changed?

DR. BIRX: So a lot of the projections, you can see, are based on — there's many different ways to look at this. And as we discussed on Sunday, some of it is based on the current global experience. We are about, I think, 6.5 or 5.5 times the size of Italy, a different factor in Spain. And we look at all of those — what their projections are, where they are currently, and where that is going. And so a lot of the work is based on how this virus has moved through other populations. That's a very direct way to see how the virus is impacting a population.

There's also terrific models. And so every day and every night, one of the models that actually looks at the model related to mortality is the HealthData.org data. And they update it every night and you can see where we are in that projection. I think, in the last run of that model, they were at 93,000 or something in the model.

Now, all of that can be changed by our behaviors. And so — and all of it can be changed in a different way if we don't follow those behaviors. If another major metropolitan area ends up having an epidemic like the New York metro area, that could dramatically change not the model but the reality of the impact of this virus on Americans.

Q And where are the models on —

THE PRESIDENT: And, by the way, the models show hundreds of thousands of people are going to die. You know what I want to do? I want to come away under the models. The professionals did the models. I was never involved in a model, but — at least, this kind of a model. But you know what? Hundreds of thousands of people, they say, are going to die. I want much less than that. I

want none, but it's too late for that. But I want very few people, relative to what the models are saying.

Those are projections. I hope they're wrong. I hope we're going to be under those projections.

Q Mr. President, two questions on continuity of government. For —

THE PRESIDENT: How come you always have two? Why can't you have one?

Q Well, they're related.

THE PRESIDENT: Every time, "I have three questions. I have two questions." Can you give me one instead? Because we have a couple of other people. Go ahead.

Q Okay, I'll go with my second one. The governor of Wisconsin is now talking about delaying the primary, at least not having in-person voting. So my question is — and I asked this a couple weeks ago; I want to see if you've made any progress on this. Looking ahead to the fall, are you taking steps to ensure that the general election will happen even if this pandemic has reemerged or hasn't gone away? And —

THE PRESIDENT: The general election will happen on November 3rd.

Q And do you — are you —

THE PRESIDENT: In Wisconsin, what happened is I, through social media — media put out a very strong endorsement of a Republican conservative judge who's an excellent, brilliant judge. He's a justice. And I hear what happened is his poll numbers went through the roof. And because of that, I think they delayed the election.

Q You don't think the governor is concerned about people going to in-person voting?

THE PRESIDENT: I don't know. Why didn't he do it before? He was doing right before the election.

Q But do you think every —

THE PRESIDENT: Excuse me. Why didn't he do this two weeks ago? All of a sudden —

Q But isn't it — because of the pandemic.

THE PRESIDENT: Excuse me. All of a sudden, an election which is taking place very soon gets delayed. Now, I just endorsed him today and it was a very strong endorsement. His polls — he's gone very high up. And all of a sudden, the governor comes out — the Democrat governor, by the way — comes out and says, "Oh, we're going to move this election." So, I don't know. I'm sure — I hope you're right. I hope you're right.

Q But — but do you think every state in this country should be prepared for mail-in voting in case we're in a situation —

THE PRESIDENT: No, because I think a lot of people cheat with mail-in voting. I think people should vote with ID — voter ID. I think voter ID is very important. And the reason they don't want voter ID is because they intend to cheat.

When you get something, when you buy something, you look at your cards and credit cards and different cards — you have your picture on many of them. Not all of them, but on many of them. You should have a picture on your — on your — for voting. It should be called "Voter ID." They should have that. And it shouldn't be mail-in —

Q But how are you going to —

THE PRESIDENT: Excuse me. It shouldn't be mail-in voting. It should be: You go to a booth and you proudly display yourself. You don't send it in the mail where people pick up — all sorts of bad things can happen by the time they signed that, if they sign that — if they signed that by the time it gets in and is tabulated.

No, it shouldn't be mailed in. You should vote at the booth. And you should have voter ID, because when you have voter ID, that's the real deal.

Thank you very much. We'll see you tomorrow.

END

**PRESS BRIEFINGS****Remarks by President Trump, Vice President Pence,
and Members of the Coronavirus Task Force in Press
Briefing | April 7, 2020****— HEALTHCARE**

Issued on: April 7, 2020



James S. Brady Press Briefing Room

5:43 P.M. EDT

THE PRESIDENT: Thank you very much. Today, we continue to send our love to the great people of New York and New Jersey. We support them fully. We grieve alongside every family who has lost a precious loved one. New Yorkers are tough and strong and brave. New Jerseyites are tough and strong and brave, and they're being hit very hard right now. And for the next week, hopefully not much longer than that, it's going to start to go in the other direction.

Our country is being hit hard, but some areas have done so incredibly well. We're so proud of them. They will beat this virus. We're going to beat it with the grit and the heart for which they're known and for which our country is known. And we appreciate everything that everybody is doing.

We also — we pray for Prime Minister Boris Johnson. He's become a great friend of ours. He loves this country; he loves his country. But he loves the USA. And he's always been very good to us. Whenever we had difficulty, he was with us, and we appreciate it. So, we pray for Prime Minister Boris Johnson. He's going through a lot.

As we intensify our military campaign against the virus, I think that it must be brought out that we have to thank the American people for continuing to follow our guidelines on “slowing the spread” — an expression that more and more people are thinking about. Nobody ever heard of it two months ago, and now everybody is talking about “slowing the spread,” stopping the spread.

Even during this painful week, we see glimmers of very, very strong hope. And this will be a very painful week. And next week, at least part of next week, but probably all of it — look, if one person dies, it’s a painful week. And we know that’s going to, unfortunately, happen. This is a monster we’re fighting.

But signs are that our strategy is totally working. Every American has a role to play in winning this war. And we’re going to be winning it. We’re going to be winning it powerfully. And we’ll be prepared for the next one, should it happen, but hopefully it won’t.

Our massive airlift operation for critical supplies — it’s called Project Airbridge — continued today as five massive planes, flights, landed in the United States packed with personal protective equipment. And our nation’s heroic healthcare workers will be the beneficiaries of that. Twenty-seven more flights are scheduled in the near future, over the next couple of weeks.

The Army Corps of Engineers is constructing facilities that will support more than 15,000 hospital beds to treat patients in need. So they’re building now approximately 15,000. They just completed the big one in New York. They just completed and are in the process of continuing in Chicago and many other places. They’re incredible. The Army Corps of Engineers — we owe them a lot. What they’re able to do in such a short period of time — they’ll build these massive facilities. Two thousand beds in four days. So it’s really something very special. I know, I was in the construction industry, and you don’t see that happen very often.

I want to remind governors and emergency managers that sharing real-time data with us about equipment and their needs is very important. All of their supplies, hospital occupancy is critical. A lot of the occupancy is really getting a little bit lower than anticipated, and that’s good. We, sort of, thought that was going to happen.

And we’re getting along very well with the governors. This whole situation with respect to talking to us about equipment and equipment needs — giving us a little bit of lead time — so important.

All the supplies — we're getting it to everybody like they never thought possible. But we'll ensure that we can rapidly deploy federal assets where and when they're needed, especially on ventilators.

We're actually getting some ventilators back. As you know, the State of California was great. They sent some back, which they won't need. And Washington State, likewise. And we have some others coming back, so we're using them in areas we need them.

We are pressing forward aggressively on the scientific frontier of the medical war. The companies I've spoke to — the four leading — I call them the "genius companies" — they're doing incredibly well with respect to cures and also with respect to a vaccine that's going to protect us — totally protect us. And they have some great potential. It's going to take a little while yet, but they have some great potential. Some great early results.

And the governors have been working hard, and we are working hard with the governors. There's been great coordination, especially over the last little while. We've given them a lot of equipment, a lot of ventilators. But a lot of equipment of all types. And I will protect you if your governor fails. If you have a governor that's failing, we're going to protect you. But the governors are working well with us over the last period of time.

Today, in our stockpile of ventilators — and again, we need the stockpile so we can immediately move them from place to place, wherever the monster hits. It's a monster. We have 8,675 ventilators right now, in stock, ready to move.

And we have all sorts of incredible soldiers. Our military is going to move them, should they be needed in, as an example, if we need additional in New York or the New York City area. You have state; you have city. And I spoke to Mayor de Blasio, and we really have a great, well-coordinated campaign with Mayor de Blasio. It's been really good. I spoke to Governor Cuomo. There's been great coordination. So, if they need something, we have it.

If Louisiana needs something, we have it. Same thing with Michigan. Same thing with Illinois. There are certain spots that are very hot. And we'll see what happens, but we'll know — pretty much, we'll have time, and we'll be able to move it.

In addition to the 8,675 ventilators, we have 2,200 arriving on April 13th. We have 5,500 arriving on May 4th. These are ones that we're building, for the most part. And we have, as you know, great

companies building them — Ford, General Motors, GE. We have, really, some great companies that are doing it. On May 18th, we have 12,000. On June 1st, we have 20,000. On June 29th, we have 60,000 ventilators coming. Sixty — 6-0. So we have a total of 110,000 ventilators coming over a short period of time. I don't think we'll need them. Hopefully, we won't need them. I don't think we'll need anywhere near them. But we'll have them for the future, and we'll also be able to help other countries who are desperate for ventilators.

The UK called today and they wanted to know, would it be possible to get 200. And we're going to work it out. We got to work it out. They've been great partners, the United Kingdom. And we're going to work it out for them. So they wanted 200. They needed them desperately.

We now have 10 drugs in active trials, with 15 more soon to follow, as well as 2 vaccine candidates in active clinical trials. We'll do whatever it takes to secure needed medical supplies and bring more production of essential medicines back to our shores. We're doing that. We're bringing them back to our shores. A lot of these companies — they went a little bit haywire. They went away from this great country and they had them produced elsewhere. So, we're going to start bringing them back. I've been talking about that for a long time, not only with medical, but lots of other things.

America continues to perform more tests than any other nation in the world. And I think that's probably why we have more cases. Because when you look at some of these very large countries, they — I know they — I know for a fact that they have far more cases than we do, but they don't report them.

We've performed 1.87 million tests to date. So that's 1 million 870 thousand — million tests. Think of that: 1,870,000 tests to date. And now we're performing them at a level that nobody has ever seen before.

As we announced yesterday, CVS testing sites in Georgia and Rhode Island will be using Abbott Labs rapid five-minute test. We're down to now five minutes. It's a five-minute test so that people can get their results back very quickly.

And we're actively engaging on the problem of increased impacts — this is a real problem, and it's showing up very strongly in our data — on the African American community. And we're doing everything in our power to address this challenge. It's a tremendous challenge. It's terrible. And

provide support to African American citizens of this country who are going through a lot. But it's been disproportional. They're getting hit very, very hard.

In fact, while we have Tony here, I'd like to maybe have you come up and address that one, and then I'll continue. But if you could address that, it would be great, Tony. Please.

DR. FAUCI: Yeah. Thank you, Mr. President. We have a particularly difficult problem of an exacerbation of a health disparity. We've known, literally forever, that diseases like diabetes, hypertension, obesity, and asthma are disproportionately afflicting the minority populations, particularly the African Americans.

Unfortunately, when you look at the predisposing conditions that lead to a bad outcome with coronavirus — the things that get people into ICUs that require intubation and often lead to death, they are just those very comorbidities that are, unfortunately, disproportionately prevalent in the African American population. So we're very concerned about that. It's very sad. There's nothing we can do about it right now, except to try and give them the best possible care to avoid those complications.

Thank you, Mr. President.

THE PRESIDENT: Thank you very much. And, Tony, I think you're going to have some pretty accurate numbers over the next few days, right? But they are very — they're very nasty numbers. Terrible numbers.

In total, 1,200 Abbott machines — Abbott Laboratories, they've been fantastic — have been shipped now nationwide. Up to 500 more are being produced every week, and 50,000 testing cartridges are being manufactured per day. That means a lot of very fast tests. No nation in the world has developed a more diverse and robust testing capacity than the United States.

We're dealing with other nations, helping them out because the testing is very tough for them. And our tests are very accurate. A lot of tests are out there, and they're not accurate at all. In fact, some of the tests, you don't have a clue what's going on. So we're working with other nations trying to get them help, also.

At a time when many Americans are experiencing increased stress, anxiety, and personal loss, we must also ensure that our country can meet the mental health needs of those struggling in this crisis. There are people struggling. They're struggling. And some people are getting to know each other, frankly. Some families are getting to know each other, on a positive note. But there are a lot of people struggling.

On Thursday, I'll be speaking to leaders and advocates from the mental health organizations all across our country. And we are going to be talking about resources and tools that we'll make available to them. They need help. And it's a big problem.

When you take something where it was the most successful country in the world — still is — the whole world is shut down. Think of it: We're down to numbers that are incredible.

As I said yesterday, I think it's 182 countries right now. One hundred and eighty-two countries are under attack by the — by the scourge, by this virus.

But as we wage medical war on the virus, we're also speeding economic relief to our people. It's incredible. We just had a meeting that was absolutely incredible with the banks. I spoke with leaders in the banking and finance industry about our efforts to help American workers and employers.

As of today, small business has proc- — has processed more than \$70 billion in guaranteed loans and will provide much-needed relief for nearly a quarter of a million businesses already.

So we are going to be providing tremendous amounts of money to the small businesses of our country who have been absolutely clobbered. And they'll be keeping open and they'll be paying their employees, and they'll be all set to go. We're going to have a rocket upward.

I want to thank David Solomon, CEO of Goldman Sachs; Brian Moynihan, CEO of Bank of America; Gordon Smith, co-president, COO of JPMorgan Chase; Charles Scharf, CEO of Wells Fargo; Michael Corbat, CEO of Citigroup; Al Kelly, CEO of Visa; Michael Miebach, CEO of Mastercard; Noah Wilcox, CEO, chairman of Grand Rapids State Bank. And we had numerous others also on the call. And I just appreciate them.

They are — we're way ahead of schedule, by the way. We're way ahead of schedule. The Paycheck Protection Program has been incredible.

So based on the incredible success of the program, I'm announcing that I'll be asking Congress to provide an additional \$250 billion for the paycheck protection, which will help keep Americans employed to facilitate a quick and full recovery.

We're doing very well. We're looking very bipartisan. A lot of people want to do it. And the — the plan is amazing. You know, they're processing hundreds of thousands of loans. And this is the big banks that are doing it, the community banks. But the biggest banks right now in our country are doing it, and they're — they're doing it for a lot of reasons. One of them is they want to help people.

The WHO, that's the World Health Organization, receives vast amounts of money from the United States. And we pay for a majority — biggest portion of their money. And they actually criticized and disagreed with my travel ban at the time I did it. And they were wrong. They've been wrong about a lot of things. And they had a lot of information early and they didn't want to — they're very — they seem to be very China-centric. And we have to look into that. So we're going to look into it.

We pay for — we give a majority of the money that they get. And it's much more than that the 58. Fifty-eight million dollars is a small portion of what they've gotten over the years. Sometimes they get much more than that. Sometimes it's for programs that they're doing, and — and it's much bigger numbers. And if the programs are good, that's great, as far as we're concerned.

But we want to look into it — World Health Organization — because they really are — they called it wrong. They called it wrong. They really — they missed the call. They could have called it months earlier. They would have known, and they should have known. And they probably did know, so we'll be looking into that very carefully.

And we're going to put a hold on money spent to the WHO. We're going to put a very powerful hold on it, and we're going to see. It's a great thing if it works, but when they call every shot wrong, that's no good.

We're in the midst of a great national struggle, one that requires the shared sacrifice of all Americans. In recent weeks, it's been remarkable to see so many companies and organizations and individuals, like the banks that I just told you about — biggest banks in the world. They stepped up

to help small business. They have big business, small business. The small business will someday be the big business. But the small business is 50 percent of our economic strength. People don't realize when you add them up, but they just — they just rose to the occasion. Everybody is rising to the occasion. It's been incredible to watch.

To honor and celebrate the extraordinary examples of patriotism and citizenship, we're seeing — I'm asking Americans to use the hashtag #AmericaWorksTogether when sharing stories of how we're all working together, get through — getting through this ordeal in a fashion that nobody would have ever thought possible. It's been incredible. And that's why the numbers are, so far, much better. We want to keep it that way.

If you look at the original projections: If we did nothing, it would be disastrous. If we — we decided to do something. We closed it down; had no choice. It was a good move. That was a good move. The early China move was a good move. The early Europe move was a good move. Made a lot of good moves. But closing it down was a big statement. It was a big, important thing.

But we're looking to have far fewer deaths than originally thought. And I think we're heading in that direction, but it's too early to talk about it. I don't even want to talk about it now because we just want to work.

And I think that people are doing an incredible job. The doctors, the nurses, the firefighters, the police — all medical people, what they're doing — the bravery that they're displaying is just incredible.

Every citizen should take immense pride in the selfless — selflessness and all of the courage and compassion of our people. The workers — the people that are working and construction workers going into hospitals, knowing nothing about this problem, other than it's dangerous. And they go in there to rebuild sections of hospitals. And you have people in really big trouble right next door. They know nothing about it. All they know is they're going to get it done, they're going to fix that wing so they can have more people in there. It's incredible.

But this is a national spirit that won our independence and settled the frontier and explored the horizons of space. And that's what we're doing. I mean, this is all — this is all new territory.

It unlocked the miracles of science and what — we're doing that when you — I wish you could have heard the calls I had yesterday with these great companies that come up with cures to diseases. And the success they've had over the last 15 years is really amazing. So I just want to thank all of them. They're working very hard.

They're working with UK, right now, and the UK doctors — hopefully helping with their great Prime Minister. But these people are really a — tremendous signs of success are staring us right in the face. I think we're going to have something that's going to be great, in terms of vaccines and in terms of everything else that they're doing, just helping — really helping us, helping the people of our country and helping, ultimately, the people of the world.

So I want to thank you all for being here. I will take some questions, and then I'm going to give it over to the Vice President and they're going to go into great detail on to what we're doing and all of the successful supplies and medical equipment that we're getting — all of the ventilators. I've said it, but you can go over it in more detail if you'd like. But we're taking in and building thousands and thousands of ventilators. And they're very high quality. I said, "You got to go for the quality." And these are quality companies doing it.

So — because there is a big difference between a good ventilator and a not-so-good ventilator, Tony, right? We've seen that. And — big difference. So we're going top of the line.

Steve, please.

Q The Acting Navy Secretary submitted his resignation today — Modly. Why did that become necessary? And what — what role did you have in this, sir?

THE PRESIDENT: Well, I had no role in it. I've heard — I don't know him, but I've heard he was a very good man. And it was a — the whole thing was a very unfortunate — the captain should not have written a letter. He didn't have to be Ernest Hemingway. He made a mistake, but he had a bad day. And I hate seeing bad things happen. The man made a mistake.

But, you know, you shouldn't be writing letters and you should — you're in the military. You're the captain of a great ship, and you shouldn't be writing letters and sending them to many people and then it gets out to the media. And, you know, the question is, "How did it get out to the media?" So there's a lot of bad things happened there.

And I had heard he did because he didn't want to cause any disturbance for our country. So that was a — because he wouldn't have had to resign. I would not have asked him. I don't know him. I didn't speak to him. But he did that, I think, just to end — end that problem. And I think in one — in really many ways, that was a very unselfish thing for him to do.

Q What should happen now to Commander Crozier, who left —

THE PRESIDENT: Well, they're going to look at that. I think Secretary of Defense, as you know, is — is — you know Mark Esper, and he's very capable. And I think he's looking at that right now. They're — they're going to just take it under regular Navy channels to see what they want to do.

But he made a mistake, but he shouldn't have done that. And your Secretary probably shouldn't have said quite what he said. He didn't have to resign, but he felt it would be better for the country. So I — you know, I think it's — it will end it quickly.

Yes, please.

Q So, Mr. President, a couple on the economic front. The \$250 billion that was added today — or will be added for the Small Business Loan Program, it brings it to \$600 billion in total. Do you think that figure is enough? Might there be some more down the line?

THE PRESIDENT: Well, we're going to find out. You know, when you see hundreds of thousands of applications — don't forget, they're for \$3,000, for \$7,000, some for a couple of million. I guess one of the banks had a couple of million. So they're for different — very varying amounts of money.

And there's a limit on the top, and then there's really no limit on the bottom as to what it might be. But it's really popular. It's hundreds of thousands of applications. They really like it. What I like is it keeps these companies together, these little companies. Just like we're going to help the airlines and the big companies, we're going to help the little companies.

And the banks are run- — nobody is equipped to do a thing like that, but the banks are equipped. So, the banks are doing it. Big banks, small banks. We have many banks — community banks — and they're processing the loans and they'll be able to watch it and make sure it's done properly.

Q There was a lot talk today, sir, as well about potentially reopening the economy in the upcoming weeks. You mentioned the other day about a potential economic task force. Can you give us some sort of update as to where that may or may not —

THE PRESIDENT: Well, we're thinking about that. But we want to open up, and we want to get it open soon. That's why I think maybe we're getting to the very top of the curve.

I spoke with Governor Cuomo and he seems to think that he's getting close, and I think a lot of people think that a lot of places are getting close. We want to start heading that — hitting the downside. And I think we're going to be doing — this is going to be a very difficult week, however. This week will be a very difficult week. Because that's the most difficult week, when you're at that top position. And we'll see what happens. We'll see what happens.

Q When it does open up, what can the federal government do?

THE PRESIDENT: Well, the federal government has done a lot —

Q Because there is a lot of —

THE PRESIDENT: — and it's going to do a lot. We want to — I really think that with the stimulus, we can maybe be — even beyond — we're going to do, perhaps, infrastructure, which you wouldn't have gotten approved before. And now people are looking to do it.

And the beauty is we're paying zero interest or very close to zero interest. In some cases, we're paying actually zero — have no interest charge. And the dollar is very strong, and people are investing in the dollar. They want — you know, the fact that we have the strong currency — we have the currency. We — our currency is — is everything.

And other companies, other countries want to be in our currency. So we're — we're getting all of the investment wanting to come into the dollar. The dollar is the strength. The dollar is the whole ballgame. We have a strong dollar. Other currencies are going down — way, way down in some cases.

You look at other countries — I won't mention them — but other countries are going down 22 percent, 25 percent, 28 percent, and it's very hard for them. That makes it much more difficult with

us. Our currency is relatively now stronger than it ever was — or it was over the last few years relative to other countries. So it's always relative to other countries, but our currency is very strong.

So, therefore, people want to invest. If we do a bond issue to do infrastructure, everybody wants a piece of that issue, even at zero interest.

Yeah, please.

Q Thank you, sir. Did you see these memos that reportedly Peter Navarro wrote back in January? When did you see them? And how does that — these memos sort of square with what you've often said that nobody could've predicted this. It sounds like he was predicting it.

THE PRESIDENT: I didn't see them, but I heard he wrote some memos talking about pandemic. I didn't see them. I didn't look for them either.

But that was about the same time as I felt that we should do it. We — that was about the same time that I closed it down. I asked him about it just a little while ago, because I read something about a memo. I said, "Did you do a memo?" I didn't look for — I didn't see it. I didn't ask him to show it to me. He said, "Yes, I talked about the possibility of a pandemic." Nobody said it's going to happen, but, you know, there is a possibility. There always has been a possibility, but people wouldn't talk about it.

But it was right about the time that I closed it down. And interestingly, the World Health Organization was not in favor of us closing it down. And if we didn't close it down, we would have lost hundreds of thousands more lives. So, we did a good thing. We did a good thing.

Yeah, please.

Q So at the time, though, when — when Peter Navarro did circulate those memos, you were still downplaying the threat of coronavirus in the U.S. You were saying things like, "I think it's a problem that's going to go away within a couple of days."

THE PRESIDENT: Which I'm right about. It did go — it will go away.

Q You said, "Within a couple of days, the cases will be down to zero."

THE PRESIDENT: Well, the cases really didn't build up for a while. But you have to understand, I'm a cheerleader for this country. I don't want to create havoc and shock and everything else, but ultimately, when I was saying that, I'm also closing it down. I obviously was concerned about it because I closed down our country to China, which was heavily infected.

I then closed it down to Europe. That's a big move –closing it down from China and then closing it down from Europe, and then, ultimately, closing it down to the U.K. So — and it was right about that time. But I'm not going to go out and start screaming, "This could happen. This could happen."

So, again, as President, I think a president has to be a cheerleader for their country. But at the same time I'm cheerleading, I'm also closing down a very highly infected place, specifically the location, as you know, in China that had the problems. And we're closing it down, but we closed it down to all of China, then we closed it down to all of Europe. Those were big moves, and it was right about that time.

Q Sir, just a quick — just a quick follow-up, Mr. President. Mr. President —

Q Can you just clarify: Did you just learned about this today?

THE PRESIDENT: Say it?

Q You learned about the memo today?

THE PRESIDENT: I read about it maybe a day ago, two days ago.

Q You feel like someone in your — among your staff or Peter Navarro himself should have told you about the memo earlier?

THE PRESIDENT: No, not at all. It was a recommendation. It was a feeling that he had. I think he told certain people in the staff, but it didn't matter. I didn't see it, but I did — I closed it down. I don't remember it even being discussed.

We had a meeting where there were a lot of people. Most people felt they should not close it down — that we shouldn't close down to China. But I felt we had to do it. And that was at almost the

exact same time as the memo.

Q If you had read the memo at the time, how would that have changed the steps you took or the statements that you made around the time about the dangers of the virus?

THE PRESIDENT: I don't think it would've changed, because I did — I basically did what the memo said. And the memo was — you know, the memo was a pretty good memo, from the standpoint that he talked. I guess, I didn't see it yet.

Q He was seeing that the U.S. would — warning that the U.S. could lose trillions of dollars and millions of lives.

THE PRESIDENT: Well, you're not going to lose millions of lives, but you'll lose plenty of money. But I couldn't have done it any better because it was about the same time, and I closed it down to China.

Q And just lastly, so you maintain confidence in him, in Peter Navarro?

THE PRESIDENT: Of course, I maintain con- — he wrote a memo and he was right. And I haven't seen the memo. I'll see it later on after this, but it didn't matter whether I saw it or not, because I — I acted on my own. I guess I had the same instincts as Peter. Peter is a smart guy and he's a good guy, and he's done a wonderful job. But he wrote a memo and, I guess, he talked to various people about it.

But ultimately, I did what the memo — more or less what the memo said just about the time the memo came out. I closed it down. I took a lot of heat. The World — you know — Health Organization was very much against. They didn't like it. They actually put out statements about it.

In all fairness to Joe Biden, he called me xenophobic, like I don't like China. I like China. I like — the Chinese people are phenomenal people. So, I was called xenophobic, I was called racist. "How could I do a thing like this?"

Now, since then, Joe said that he was wrong, and he said that I was right. But I closed it down, and I was called names by some of the morning show hosts who don't have a clue what they're talking about. They're not smart people. And I was called all sorts of names when I closed it down to

China. Now they try and hide that — you know, the tape of them saying terrible things. But that was a great decision.

If I didn't do it — if I didn't do that, we would've had hundreds of thousands more people dying.

Yeah, please.

Q You talked a lot about the WHO, and I was wondering — Dr. Fauci had discussed them earlier, so if I could ask you a question about that.

THE PRESIDENT: Well, he respects the WHO, and I think that's — that's good. And he's worked with them for a long time. But they did give us some pretty bad play calling.

Q But they've also, I think, given lots of countries in the world accurate coronavirus testing that's been central to your guys' data modeling. And so, I'm —

THE PRESIDENT: Well, that, I don't know. I can only say that, with regard to us, they're taking a lot of heat because they didn't want the borders closed; they called it wrong. They called — they really called, I would say, every aspect of it wrong.

Q So say that the funding freeze does not — doesn't —

THE PRESIDENT: No, I'm not happy about it. Look, we fund it. Take a look. I mean, go through step by step. They said there's no big deal, there's no big problem, there's no nothing. And then, ultimately, when I closed it down, they actually said that I made a mistake in closing it down. And it was — it turned out to be right. But at the time they — you know, they did that.

So we're just going to take a look at it. You know, we fund it. And — and they seem to be — you know, I said recently — and social media said, "They seem to be very China-centric." That's a nice way of saying it. But they seem to be very China-centric.

Q But if your public health advisors are telling you —

THE PRESIDENT: And they seem to err always on the side of China, and we fund it. You know, so I want to look into it.

Yes, please.

Q Thanks. A quick follow-up on that. So is the time to freeze funding to the WHO during a pandemic of this magnitude?

THE PRESIDENT: No, maybe not. I mean, I'm not saying I'm going to do it, but we're going to look at it.

Q You did say that you're going to —

THE PRESIDENT: We give a tremendous —

Q You said you'd put a hold on it.

THE PRESIDENT: No, I didn't. I said we're going to look at it. We're going to investigate it. We're going to look at it. But we will look at ending funding.

Q And to —

THE PRESIDENT: Yeah, because you know what? They called it wrong. And if you look back over the years even, they're very much — everything seems to be very biased toward China. That's not right.

Q I wanted to follow up. You talked about African Americans and how they've been disproportionately affected by the coronavirus.

THE PRESIDENT: Seems to be, unfortunately.

Q Do you plan on requiring the CDC, any federal agencies or state agen- — public places doing tests and private companies doing tests to collect that data on the race of the people being tested and the race of the people being treated and the outcomes?

THE PRESIDENT: Well, we're just seeing tremendous — we're seeing tremendous evidence that African Americans are affected at a far greater percentage number than other citizens of our country, because we're dealing with our country. Now we're looking at it from a worldwide

standpoint. Tony Fauci is looking at it very strongly, but these numbers have started to come out, and they're — they're very strong. And they're pretty obvious. I mean, you're — you're talking about —

THE VICE PRESIDENT: Seema has —

Q And you will release that — but you will release that publicly?

THE PRESIDENT: Seema, would you like to talk about that for a second? Please.

ADMINISTRATOR VERMA: I think one of the things that we're going to —

THE VICE PRESIDENT: She has the data.

THE PRESIDENT: Good.

ADMINISTRATOR VERMA: — be doing with our Medicare data is to do that analysis. We're going to look back at the last month or so, and look at, you know, related-type illnesses.

Going forward, we now have a code for coronavirus, so we can actually stratify by demographic information so we can look at race as a factor. We can also look at what the underlying health issues are as well. So we'll be providing that data very shortly, but we will be doing that analysis.

THE PRESIDENT: We're working on that very hard. This is something that's come up over the last — I hadn't heard this. And then, over the last few days, this has come up more and more. And I don't mean by a little bit. I mean, many times. It's a real thing. Now, we want to find cures, we want to find therapeutics, we want to find vaccines, because that will solve everybody's problem.

But why is it that the African American community is so much, you know, numerous times more than everybody else? And we want to find the reason to it. And Dr. Fauci, Seema, both of them and others are working on this, and they're going to have very good — I would say over the next — in less than a week —

THE VICE PRESIDENT: Two days.

THE PRESIDENT: — I think you're going to have very good statistics.

THE VICE PRESIDENT: Two days.

THE PRESIDENT: Couple of days.

Q So do you plan to do something specifically aimed at those communities that are being hard hit? Those black communities that are being hard hit?

THE PRESIDENT: Well, we're helping them a lot. But what's happening is we're trying to find out why is it that it's three and four times. Now, maybe that's not going to be the final number. But why is it three or four times more so for the black community as opposed to other people? It doesn't make sense, and I don't like it. And we're going to have statistics over the next, probably, two to three days. Okay?

Q Mr. President —

Q Mr. President —

THE PRESIDENT: Yeah, please. In the back.

Q Thank you. I'd like to ask a question on behalf of myself and a colleague who couldn't be here due to social distancing.

THE PRESIDENT: Sure.

Q Thank you.

THE PRESIDENT: Who are you with? Who?

Q With Hearst Newspapers. I'm the print pooler today. Thank you. Some banks are only providing Paycheck Protection Program loans to clients with whom they have existing banking relationships. And you spoke to banking CEOs today.

THE PRESIDENT: I did.

Q I wonder if you'll ask them — these lenders — to accept applications from all small businesses —

THE PRESIDENT: Sure.

Q — not just the businesses with whom they have existing relationships.

THE PRESIDENT: Okay. They'll be doing that. But we're also working with small community banks. So they will be doing that. It's a question I've already spoken about. I mean, in many cases, they have long-term relationships with thousands of companies. I was amazed to see how many — you know, you saw the number of applications. It's hundreds of thousands. It's a lot of work. But I did ask that question, and they are working on that.

Yeah.

Q Thank you. And my second question from a colleague is: Congressman Gerry Connolly, a Democrat from Northern Virginia, told the local D.C. CBS station that you personally requested the CARES Act stimulus bill be stripped of \$25 billion for the Postal Service. Connolly claims that unless the USPS gets that \$25 billion, the agency will be run out of money by June. He accuses you of hastening the demise of the Postal Service. Could you respond to that, please?

THE PRESIDENT: Well, the biggest — oh, I'm the reason the Postal Service — the Postal Service has lost billions of dollars every year for many, many years. So I'm the demise? This is a new one. I'm now the demise of the Postal Service.

I'll tell you who's the demise of the Postal Service are these Internet companies that give their stuff to the Postal Service — packages. And I don't know why they're not — you know, I don't run the Postal Service. You have a group of people, so-called "independent" people, and they run it.

But these packages are — they deliver — they lose money every time they deliver a package for Amazon or these other Internet companies, these other companies that deliver. They drop everything in the Post Office and they say, "You deliver it." And if they'd raise the prices by actually a lot, then you'd find out that the Post Office could make money or break even. But they don't do that. And I'm trying to figure out why.

These are independent boards. They were appointed by other administrations. They're, sort of, long term. They're there for a long time. And I've been talking to them also. You can look it up. Take a look. They should raise — they have to raise the prices to these companies that walk in and drop thousands of packages on the floor of the Post Office and say, "Deliver it." And they make money, but the Post Office gets killed. Okay? So they ought to do that, and we're looking into it. And we've been pushing them now for over a year.

And you know that because you've seen the stories. I'm pushing them. It's not fair for them to — these great, wonderful, modern companies, they walk into our old Post Office with all these routes that could never be built; you could never build them. They go into areas that you could never do, and they say, "Here. Deliver this." And they lose a lot of money per package. And they have to raise their prices, but this Postal Commission doesn't do it. Now, we just got a chance to appoint a couple of people onto the Commission, as I understand it, and that's good. But they have to raise their prices; otherwise, they're just going to lose a lot of money.

And tell your Democrat friend that he ought to focus on that, because if he focused on that, he could truly save the Post Office. The Post Office has been losing billions of dollars a year for many, many years. And have him take a look at that, because that's the way to solve the problem.

Q Thank you so much, Mr. President.

THE PRESIDENT: Yeah. Please. Go ahead.

Q Thank you so much. Mr. President, you say this week will be very painful, very difficult. But a few weeks ago, you said this was just like a flu. What have you learned —

THE PRESIDENT: I didn't say two weeks ago it was a flu.

Q A few weeks ago.

THE PRESIDENT: No — you know what? Can I tell you what?

Q The question is, Mr. President, what have you learned —

THE PRESIDENT: Excuse me. Ready?

Q — that you could offer as advice to foreign leaders who are still skeptical about this pandemic and who are against social distancing? What is your advice? What have you learned?

THE PRESIDENT: Okay. You said I said it was just like a flu.

So the worst pandemic we ever had in this world was a flu, and it was called — you know that. It was in 1917, 1918. And anywhere from 50- to 100 million people died. That was a flu, okay? So, you could say that I said it was a flu or you could say — the flu is nothing to sneeze at.

Q But my question, Mr. President: What can you offer as advice to foreign leaders who are skeptical about this pandemic and who are against social distancing?

THE PRESIDENT: Well, I think there aren't too many of them. If you look throughout the world, and everyone — just about everyone that has practiced that is now closing up. Well, the U.K. was an example.

Now, they talk about Sweden, but Sweden is suffering very gravely. You know that, right? Sweden did that. "The herd." They call it "the herd." Sweden is suffering very, very badly. It's a way of doing it, but the — you know, everybody has been watching everybody else. And so far, almost every country has done it the way we've done it — we've chosen to do it. If we didn't do it that way, we would have lost hundreds of thousands of more people. Okay?

Q Mr. President, there's voting going on today in Wisconsin. There were reports of thousands of people waiting in hours-long lines as they've had to weigh their own personal health and their civic responsibility. What — do think that the Supreme Court was right in its decision, sir, that voting should go forward and that the absentee extension should not take place?

THE PRESIDENT: Of course they were right. Yeah. Look, the Supreme Court — well, of course they were right, because what the Democrats wanted — and you know why this happened. I supported a man named Justice Kelly, who's — Daniel Kelly, highly respected justice. And I supported him just the other day — social media. I know of him. He's a — just a, you know, fantastic judge, justice. And I endorsed him.

And as soon as I endorsed him, they wanted to move the election. They didn't want to move the election. As soon as I endorsed him, the Wisconsin Democrats say, "Oh, let's move the election to

two months later.” They didn’t mind having the election until I endorsed him, which is very interesting.

Now they talk about, “Oh, safety, safety.” Well, it was 15 minutes after I put out an endorsement that they said, “We have to move the election.” They didn’t want to move the election before that. The other thing they wanted to do — which is crazy — at the end of the election, they wanted to have one week for proxies to come in or mailed ballots.

Now, mail ballots — they cheat. Okay? People cheat. Mail ballots are a very dangerous thing for this country, because they’re cheaters. They go and collect them. They’re fraudulent in many cases. You got to vote. And they should have voter ID, by the way. If you want to really do it right, you have voter ID.

But the Democrats — and this was turned over in the Supreme Court yesterday; I give great credit to the court — they actually didn’t want to have an Election Day. They wanted to have Election Day, and then a week after Election Day, you choose your cand- — but all of these ballots come in. These mailed ballots come in. The mailed ballots are corrupt, in my opinion. And they collect them, and they get people to go in and sign them. And then they — they’re forgeries in many cases. It’s a horrible thing.

And so what happened is, the Democrats in Wisconsin, they had no problem with the election being today, until I endorsed the Republican candidate, Justice Kelly — Daniel Kelly. And as soon as I endorsed him, they went crazy. They went crazy. And you know that’s true. And now all of a sudden —

Because — go back two weeks, go back two days: They didn’t want to move the election. They were having the election. They were fine because they thought they were going to win the election. Then I endorsed him, and all of a sudden they think they’re not. Now I understand there are lines that go back a long way. I hope they’re going to vote for Justice Kelly. Okay?

Q Mr. President —

THE PRESIDENT: Go ahead.

Q With millions of pills of hydroxychloroquine donated, is there a plan or system in place —

THE PRESIDENT: Yeah.

Q — to track the potential side effects?

THE PRESIDENT: Yeah.

Q There have been reports —

THE PRESIDENT: Well, you saw the representative —

Q — of serious harm.

THE PRESIDENT: Look — look, is there a plan that —

Q So is there a plan to track the side effects of the clinical trials?

THE PRESIDENT: The side effects? The side effects are the least of it. You have people dying all over the place. And generally, the side effects are really with the Z-Pak having to do with the heart. The Z-Pak — that's the antibiotic. Not with the hydroxychloroquine.

So, a woman last night — I watched her on one of the shows — a good show; Laura — and she was — she thought she was dead. She was a representative from Michigan. She was just in horrible shape for 12 days, 14 days. She thought she was dead. I think she said that her doctor said she's — you know, it's going to be very tough.

She saw me talking about this, and she asked her husband to go to the drugstore. Now, this is a Democrat representative — a person that, you know, perhaps wouldn't be voting for me. I think she'll be voting for me now, even if she's a Democrat, even if she's a Democrat representative.

And they went to the store — which I made available, because we have millions of doses. We have, I think, 29 million doses of this drug. And she asked her husband. She said, "Please go out. I'm not going to make it." You have to hear her story. "Please go out. Get it." He went at 10 o'clock in the evening to the drugstore. He got it. He gave it to her.

Now, you know, it's — I don't say it works like this at all. Four hours later, she awoke and she said, "I feel better." And then shortly thereafter, she felt great. This a woman that thought she was going to die. It's — I mean, she's a Democrat representative, a highly respected woman, African American woman. I don't know if you saw it. You asked a question about African American.

Q I did — I did see.

THE PRESIDENT: She was an African American woman. A great woman. Her manner of speaking, her — the way she told the story was beautiful. "I asked my husband to go and get it. He got it."

She is now okay. I mean, she was interviewed last night on television. And she thanked me. She thanked me even in a tweet. She said, "I want to thank President Trump. He saved my life."

Look, I don't say that happens with everybody, but that's a beautiful story. There are many of those stories. And I say, "Try it."

Okay, please.

Q Mr. President —

THE PRESIDENT: I mean, if you're in trouble, if you're going to die and you're going to die — I mean, it's — you're not going to die from this pill. Now, there could be some side effects, but the side effects is really more so from the Z-Pak.

Q Is there a plan to track those side effects?

THE PRESIDENT: No, no — doctors have to recommend it. I want doctors — I'm not saying — I'm not a doctor. I'm just saying, we hear great results. And some people say, "Let's go to a laboratory. Let's test it for a couple of years. And then..." No, I got — we got people dying in this country and all over the world, right now, not in a couple of years. They're dying. As we speak, there are people dying.

And I really think it's a great thing to try, just based on what I know. Again, I'm not a doctor. And I say, "Get a physician's approval." And they have physicians in these hospitals. Great physicians.

Brave physicians. They also say it's good for the hospital workers to take them. That it's — you

know, it's a — it keeps it away. Keeps it out of your system. I don't know. But there's a lot of good examples.

And, you know, we have a 1,500-case study going in New York and it's almost complete. So it'll be very interesting to see what happens.

Go ahead.

Q Thank you sir. Can you that —

THE PRESIDENT: But I appreciate that woman. She was great. You have to see it to believe it. The way she spoke, it was like a miracle. And this was not a fan of mine, but she's a fan of mine now, and I'm very honored by it.

Go ahead.

Q Thank you, sir. Can you talk about your decision to remove Glenn Fine from the Pandemic Response Accountability Committee? And there's some — that move and some of the criticism you've leveled at IGs, how does the American public have confidence that —

THE PRESIDENT: Yeah.

Q — there'll be oversight?

THE PRESIDENT: Well, we have IGs in from the Obama era. And as you know, it's a presidential decision. And I left them, largely. I may change some, but I left them.

But when we have, you know, reports of bias and when we have different things coming in — I don't know Fine; I don't think I ever met Fine. I heard the name —

Q He wasn't an Obama —

THE PRESIDENT: I heard the name. I don't know where he is. Maybe he was from Clinton. Okay? You have to check that out? Okay, maybe he's from Clinton.

But we did change him, but we changed a number. We have about seven nominations in. I believe we put seven very, very highly qualified people for the IG position. And, you know, that's a decision that I could have made three years ago and I could have made two years ago. But we're putting in — not so much for him. We're putting in seven names. I think it was seven. And they're going in now.

Yeah. Steve?

Q When you talk about the WHO being “China-centric,” what exactly are you talking about? Is it because China has underplayed how many victims they've had?

THE PRESIDENT: I don't know, they seem to come down on the side of China: “Don't close your borders to China. Don't do this.” They don't report what's really going on. They didn't see it, and yet they were there. They didn't see what was going on in Wuhan. They didn't see it. How do you not see it? They didn't see it. They didn't report it if they did see it. They must have seen it, but they didn't report it.

Please, go ahead.

Q Mr. President, just turning back to the voting in Wisconsin and those long lines: Who will be responsible and who should be held responsible if people get sick after they voted?

THE PRESIDENT: Look, all I did was endorse a candidate. I don't know anything about their lines. I don't know anything about their voting. I love the state.

Q But you also encouraged people to get —

THE PRESIDENT: I won the state.

Q — out and vote today as well. Will you take some of —

THE PRESIDENT: Yeah —

Q — the responsibility if some of those people get sick?

THE PRESIDENT: I won the state, which is rare for a Republican to do, but I want the state of Wisconsin. I'm going to win it again because we've been great to the people of Wisconsin, as you know, with our policies. And they like me and I like them.

But all I did was endorse a candidate that's highly qualified — a very respected person — and all hell broke loose as soon as I did that.

And then all of a sudden, they want to change. Before I endorsed him, they didn't want to change this voting area. There was no problem with the Democrats voting until I endorsed the candidate. Then they said, "Let's move it two months, let's move it three months later." "Safety, safety, safety," right? All of a sudden, they want safety. Well, before I did the endorsement, they didn't talk about safety. It was fine for months. For months, it was fine. It was always going to be.

And now I endorse, and they want safety. So, you know, that sounds —

Q Mr. President, on the economy, sir —

Q Mr. President, can I follow on that?

THE PRESIDENT: Go ahead. Please.

Q Thank you. Just to follow up on that, how does the election — them holding this election in Wisconsin line up with the social distancing recommendations that have come from your administration?

THE PRESIDENT: Well, there you'll have to ask the people — that you have a Democrat in Wisconsin as governor. Ask him. That's his problem. Okay? He should be doing it.

Again, some governors fail. And I won't let them fail, because when they fail, I'll help. But that's run by Democrats right now. Okay? It's run by Democrats. You had a great Republican —

Q But is it possible to socially distance when you're voting? You're going to have crowds.

THE PRESIDENT: You'll have to speak to the governor. What you should do is call the governor of Wisconsin and ask him that question. But also ask him how come it was okay to do this until I

endorsed a candidate? And as soon as I endorsed him, these lines are formed. And I hear, Mike, the lines are through the roof. So, you know, hopefully they're going to write — they're going to vote for the right candidate.

Yeah, please.

Q Mr. President, can I just check in on oil again today? I was wondering if —

THE PRESIDENT: Oil?

Q Yeah, if there's —

THE PRESIDENT: Where is it today?

Q Well, I was wondering if you had —

THE PRESIDENT: No, no, where is the price? Give me the price.

Q I'm not sure, to be honest.

THE PRESIDENT: How can you ask a question when you don't know the price?

Q I'll look it up for you. Uh —

THE PRESIDENT: Okay, let me do somebody else then.

Go ahead.

Q Mr. President, you were highly critical of mail-in voting — mailing your mail-in ballots for voting a few minutes ago.

THE PRESIDENT: I think mail-in voting is horrible.

Q But you voted by mail in —

THE PRESIDENT: It's corrupt.

Q — Florida's election last month, didn't you?

THE PRESIDENT: Sure, I can vote by mail for the —

Q So how do you reconcile that?

THE PRESIDENT: Because I'm allowed to. Well, that's called "out of state." You know, why I voted? Because I happen to be in the White House and I won't be able to go to Florida to vote.

But let me just say —

Q So what is the difference between mailing within state and mailing outside the state?

THE PRESIDENT: Well, there's a big difference between somebody that's out of state and does a ballot and everything is sealed, certified, and everything else. You see what you have to do with the certifications. And you get thousands and thousands of people sitting in somebody's living room, signing ballots all over the place.

No, I think that mail-in voting is a terrible thing. I think if you vote, you should go. And even the concept of early voting is not the greatest because a lot of things happen, but it's okay. But you should go and you should vote. I think you should go and you should vote.

You look at what they do, where they grab thousands of mail-in ballots and they dump it. I'll tell you what — and I don't have to tell; you can look at the statistics — there's a lot of dishonesty going along with mail-in voting — mail-in ballots.

Q Mr. President, you've heard state officials that buy their own medical equipment, but federal officials are kind of swooping in and scooping up those orders. How are you ensuring that —

THE PRESIDENT: That's not right.

Q — it's being distributed fairly —

THE PRESIDENT: I've been hearing that so long.

Q — and there's going to be more transparency?

THE PRESIDENT: Well, we're getting — we're getting great prices on equipment. We're getting great prices on equipment, and we're helping the states. And the governors are very thankful. Mike Pence had a call yesterday with — every governor was on the call and every — it was like a lovefest. They're very happy. I don't know if they tell that to the press. Some of them don't. Some of them will never say good to the press, but they know we've done a great job. Not a good job, a great job.

Q So are you saying it's not happening? Because state officials are widely saying that.

THE PRESIDENT: No, no, I think sometimes it does, and what we say is, let us know and we will immediately drop out of the bidding. Let us know. And we do that and we drop out. Sometimes we tell them to drop out because we've got a good price. You — and then we'll deliver it to them.

Q Mr. President —

Q How do you ensure it's —

THE PRESIDENT: Yeah, go ahead, behind, please. Go ahead.

Q Yes, thank you, Mr. President.

THE PRESIDENT: No, no, no, no, not you. In front, please. Go ahead.

Q Some states have had trouble with getting accurate death counts, particularly because of lack of testing or no uniform —

THE PRESIDENT: Did you say "death counts"?

Q Yes. Because of lack of testing and no uniform system to put that into.

THE PRESIDENT: I don't know — when you say, "death counts," I think they're pretty accurate on the death count. When somebody dies, I think the states have been pretty accurate.

Q But if there's no testing —

THE PRESIDENT: That's a big deal, what you're just saying, right? No, the death counts, I think they're very, very accurate.

I do say this: I think if you look at China and if you look at some of these very large countries, when you talk about cases — number of cases — I would be willing to bet they have more cases than we do, but they don't do the testing like we do. But you look at, you know, other — if you look at some of these certain countries, and I would be willing to bet a lot that they had — have more cases. But we're more accurate and our testing is done very accurately, and we've got a good process.

Did you have one? Yes, please.

Q Mr. President, you have —

THE PRESIDENT: OAN.

Q — you have been very consistently supportive of the payroll relief tax. And I know that —

THE PRESIDENT: Of what? Payroll?

Q Payroll relief. Now, I know you're still busy trying to implement — roll —

THE PRESIDENT: Right.

Q — phase three. But as we move towards phase four —

THE PRESIDENT: Yeah.

Q — are there still obstacles to that? Because that would put money in American pockets, like consistently throughout the year.

THE PRESIDENT: Yeah, you're right. I would love to see a payroll — good question. I would love to see a payroll tax cut. And I think, on behalf of the people, it would be quick. Now, it's a longer term — you know, it's a longer time, because it's over a period of a year or whatever you want to make it.

But I would love to see a payroll tax cut. There are many people that would like to see it as a permanent tax cut — payroll tax cut.

Q What is stopping it from —

THE PRESIDENT: Well, the Democrats right now are stopping it.

Q What are their reasons?

THE PRESIDENT: I don't know. You know, I don't know if maybe they think it's good politics to stop it.

But you'd get a lot of people a lot of money immediately. The payroll tax cut would be a great thing for this country. I would like to have it regardless of this, but this would be a fantastic time to have the payroll tax cut.

The Democrats are stopping it, but I don't think they're — you know, I think it's — I think there's a certain flexibility. I think it's something that we should do both for business and the people.

But this would get money into the hands of small business immediately, money in the hands of people — the workers and people — immediately. And it would be over an extended period. And it would be simple to do. It's so easy to do. It's a great tax cut, and I'd love you to speak to the Democrats, and let's get it done.

So I'm going to give this now to Vice President Pence, and they're going to go over some very good statistics with everybody.

And we'll have a couple of answers on that, because we're working very hard on the African American community with respect to what's going on because it's not — it's not good. I don't like it. And we're going to have some very good statistics, Tony, I think over the next couple of days.

So thank you all very much. Thank you.

THE VICE PRESIDENT: Thank you all. A few updates and then I'll — I'll introduce Dr. Deborah Birx to talk about what we're seeing around the country, what the data is telling us.

But suffice it to say, as the President said several times, this is a very tough week in America. And our hearts go out to all of the families that have lost loved ones to the coronavirus. But I know I speak for the entire White House Coronavirus Task Force when I say our hearts are with the people of the Greater New York City area today.

As we stand here today, in the midst of heartbreaking numbers of losses in New York City, I also want to assure the American people that there — there's reason for hope. As — as Dr. Birx will enumerate in just a few moments, despite the increase in losses, as Governor Cuomo articulated today, hospital admissions continue to decline.

And in our report early this morning from Dr. Birx, we continue to see evidence of stabilization in some of the areas around the country of the most significant outbreak. The New York metro area, including New Jersey, Long Island, and Connecticut; New Orleans metro area; Detroit; Boston; Chicago; and Denver — as Dr. Birx will explain — continue to give evidence of stabilization, which, in a very real sense, is evidence that the American people are putting into practice the social distancing, the President's guidelines for our nation.

And for that, as the President said earlier today, we thank the American people. Even in the midst of hardship and loss at a time when we've seen more than 385,000 Americans test positive for the coronavirus and more than and more than 12,000 succumb to this illness.

The evidence that Dr. Birx will describe to you will show that the American people know our future is in our hands. And so, as I begin, allow me just simply to continue to urge every American to put into practice the guidance you're receiving from your state and local authorities. Take it to heart, take it seriously, share it with your family and your friends, and — and — and know that you're making a difference, America, because you truly are.

Today, for my part, I spoke to over 500 small-business owners in a conference call. And there, I heard about their enthusiasm for the Paycheck Protection Program. And that call took place before the President had the Secretary of Treasury indicate our interest in acquiring another \$250 billion for that program.

As of this morning, more than \$60 billion in forgivable loans that would cover two months of paychecks at small businesses had already been distributed and the number is going to grow, literally, by the day.

But we also had a very productive call today with — with some other American heroes. You know, the — we all have in our hearts and in our minds our healthcare workers. And I'll speak for a moment about the supplies and resources that we're working to provide for all of them.

But right below our healthcare workers are all the people that are working in critical infrastructure around the country and — and some of the most important people are working in food supply. I mean, from — from the farmers and the ranchers, to our processors, to our distributors, to our truckers, to our grocers, Americans are keeping food on the table for our fellow Americans.

And let me begin by just saying what I said to some of the most prominent CEOs of the meat and grain industry companies in the country — companies like Tyson Foods and Hormel — today: Not just these companies, but to all the hardworking people working in food supply today, thank you. Thank you for what you're doing to keep those grocery store shelves stocked. Thank you for showing up for work every day and — and working hard to keep that food supply rolling in America.

You know, it was more than five weeks ago that the President brought in all of the — all the grocery store leaders in the country. And there he received a commitment that no grocery store in America would close, and they haven't.

But it's been these heroic Americans, from the farm to the fork, that have made it possible for Americans to have one less worry. And they are truly inspiring heroes.

Now, that being said, I did hear from the industry today that there have been reports of some plants having reduced capacity because of people having concerns about exposure to the coronavirus. In fact, over the last several days, there's been some incidents of worker absenteeism and some plants have actually been forced to close temporarily.

And so, on behalf of the President, on behalf of our entire team, and on behalf of a grateful nation, let me just say to all of you that are working in the food industry at every level across the country: Just understand that you are vital. You are giving a great service to the people of the United States of America. And we need you to continue, as a part of what we call our critical infrastructure, to show up and do your job and know that we're going to continue to work tirelessly in working with all of your companies to make sure that that workplace is safe.

With that being said, let me talk about the other heroes that we always mention at this podium today, that Dr. Birx and Dr. Fauci invariably mentioned, and that's our healthcare workers. At the President's direction, we've been working tirelessly — literally around the clock to identify resources around the country and around the world to make sure our healthcare workers have the support that they need.

With some 51 major disaster declarations — most recently, Minnesota — being approved, states have stood up 27,000 National Guard. But personnel-wise, before the end of business today, there will be more than 3,000 Department of Defense and Health and Human Service medical personnel on the ground in the Greater New York City area. And those people will be redeployed once that region of the country moves through the coronavirus epidemic in that area. And — and we salute those extraordinary, patriotic Americans for stepping forward to bring real relief to our healthcare workers.

With regard to equipment, Admiral Polowczyk reported to the task force throughout the course of the day today that we have continued to distribute ventilators across the country. We're — we're sending additional ventilators from the Strategic National Stockpile. Maryland will receive 50 ventilators, Delaware will receive 50 ventilators, and that will leave more than 8,400 ventilators still in the National Stockpile.

One correction from yesterday: After our press briefing yesterday, FEMA made a different decision with regard to what the State of California generously made available. And the ventilators — some 500 ventilators that we, again, want to thank Governor Gavin Newsom and the people of California for donating to our nation's efforts — 100 of those are being deployed to New York, 100 in New Jersey, 100 to Illinois, 50 to Maryland, 50 to Washington, D.C., 50 to Delaware, and 50 to Nevada.

With regard to the remainder of what we call personal protective equipment, again, we've been literally leaving no stone unturned anywhere in the country or anywhere around the world. And as Admiral Polowczyk described just a couple of days ago, we've established not just an air bridge, but a control tower system modeled after military logistics out of FEMA.

And while — while FEMA is acquiring a small portion of — of what's being acquired, 90 percent of the suppliers are being — are being routed directly into our massive distribution system. And FEMA is using the data that Dr. Birx provides to target those resources to the areas most in need.

I asked them to break out a few details about resources that just in the last five days have been distributed. And I hope it's an encouragement to healthcare workers all across these regions and around the country about the efforts that are being made to make sure they have what they need.

You can see the New York metro area, including New Jersey, just in the last five days, more than 6 million N95 masks, more than 6 million surgical masks. When Governor Cuomo and I last spoke, he told me there was a real challenge for medical gowns in the New York City area and in New Jersey as well. And 2.8 million gowns were distributed to that region as well.

Going next to New Orleans, where — again, while we see some encouragement, challenges remain in that community. Some 837,000 N95 masks for healthcare workers, 165 surgical masks, other items, including almost 6 million gloves have been distributed.

Detroit continues to be a real focal point. We're working closely with Governor Gretchen Whitmer, as well as Mayor Mike Duggan, to meet the needs of healthcare workers in Detroit. Just in the last five days, 1.6 million N95 masks have been routed into the healthcare system in Detroit, nearly 700,000 surgical masks, and 24 million gloves — just as a portion of what's displayed.

And in the Chicago metro area, which we continue to focus on each and every day, more than 1.7 million N95 masks have been routed into their healthcare system, 900,000 surgical masks, 25 million gloves.

I share these details in the hopes that healthcare workers looking on will be encouraged. At the President's direction, we are — we are making every effort to make sure you have the resources you need to do your job, to do it safely, and to go home safe to your family, even while you provide that extraordinary and courageous care that our healthcare workers are providing literally around the clock in the midst of the coronavirus challenge.

The last slide is just the cumulative numbers that we have distributed. And I'm happy, in a few moments, to answer any questions about that.

Again, the system that we have in place is one that is essentially infusing our major distribution networks with millions of items. And then FEMA is directing, on a day-by-day and oftentimes hour-by-hour basis, where those resources are most needed. And we'll continue to do that as the

coronavirus makes its way through these communities and through communities that are very much on our watch list today.

And let me just lastly say that, again, I want to thank the American people for stepping up and doing your part. We continue to be overwhelmed with one story after another, where people are doing social distancing, where people are looking after one another, where they're checking in with a phone call to an elderly friend, a family member to make sure they're okay.

I mean, we are on the front end of "30 Days to Slow the Spread." And I will tell you, as a non-scientist up here, that I see glimmers of hope in the early numbers that we're seeing come out of the Greater New York City area, in New Jersey, even New Orleans, and Detroit, and Chicago. There does appear to be, as Dr. Birx will explain in more detail — there does appear to be evidence of leveling, evidence of progress.

But this is exactly the time for all of us to redouble our efforts to do everything each and every one of us can, not just to protect our own health and that of our family and our loved ones, but to do our part to ensure that we lessen the impact of the coronavirus on America as a whole, but — but even more importantly, that we — that we lessen the impact on lives by ensuring that we do our part to make sure that no one that is vulnerable is unnecessarily exposed to this virus.

With that, let me yield to Dr. Birx and then Seema Verma and Dr. Fauci. And we'll take all your questions.

DR. BIRX: Thank you, Mr. Vice President. So, hopefully, you can see from those numbers that we've taken a data-detailed approach, really bringing the power of granular data to the supply chain and moving supplies based on really what you would call "burden of disease" and need.

If I could just take — start out by not just going to the numbers at the beginning, but really talking to the community of health advocates, to the community that works on the social determinants of disease, and the communities of historic black colleges and universities: We really need to improve messaging. And I'm asking them to help us increase the messaging around this.

We don't want to give the impression that the African American community is more susceptible to the virus; we don't have any data that suggests that. What our data suggests is they are more susceptible to more difficult and severe disease and poorer outcomes.

And we really need to make sure that every household is aware of what it's going to take to protect the individuals in that household that have pre-existing conditions. We could call on the indigenous nations, the tribal leaders to also be working very closely to protect the elders of their communities.

We know this is more difficult in multi-generational households. And it's really going to call for really unbelievable attention to details — of hand washing and protecting others from each other — particularly if you don't feel well.

This is really a call to action to the communities to make sure that we get messages appropriately out there so that everyone understands what it's going to take for us all to protect one another. And we know it can be done because we can see these changes. I wanted to go through the numbers at a high level so you understand why particularly these supplies went to these areas to begin with.

We talk about attack rates or the cases per population. So in the New York — as a state, they have seven cases per thousand. This is the highest in the country. In New York City itself, it's closer to almost twice that — in New York City.

New Jersey is four per thousand; Louisiana, three per thousand; Massachusetts, two per thousand; Connecticut, two per thousand; Michigan, 1.5 per thousand; the District of Columbia and the Baltimore area now 1.5 per thousand, and we're watching them very closely; Pennsylvania, one per thousand, but we're concerned about Philadelphia.

What is allowing us to move supplies based on burden of disease and need is the extraordinary West Coast that has had very low numbers. From Washington, that was less than one per thousand; California, that is less than 0.5 per thousand; and Oregon, that's even less than that.

And it's those states where there's large populations — because of the enormous work that they're doing to prevent expansion and spread of the virus, it's allowing resources to go to these — these states and these communities and these counties that need more support.

And so this kind of data analysis is allowing us to make very intelligent decisions about need, but also really understanding what's happening across the country in the development of the curves, as you have heard about.

And so we do see — and I know you heard me caution that, over the weekend, sometimes there's decreased case reporting. And so there were increases in a series of communities on Monday. We're seeing that stabilize again. And when you look over three days, you're starting to see that we may be actually — in a series of communities outside of New York and New Jersey and Connecticut — creating a much flatter graph. A most — a much flatter curve.

So you saw New York and their increase. And then you saw — we're hoping, as — as Governor Cuomo and May- — and the mayor has described that they're getting to a steady state, where the next outcome is going down.

But we see across the country — in Detroit, in Chicago — some real — not this extreme, going to seven cases per thousand, but really staying in the more two cases per thousand. And a different curve parameter than — and it really shows the amazing, amazing activity of every American in those cities to really ensure that there's social distancing and, really importantly, to ensure there is less socialization between households and really ensuring that the household really remains independent and protected, and not really, at this moment, going out into the community or socializing anywhere, but a virtual way — on computers, by Zoom, by FaceTime. And I think we can really see that in the data and it's really given us great heart.

I want to finish by really talking to my laboratory directors, because you're extraordinary and you've done an amazing amount of testing. Those nearly 2 million tests that we're getting to, those were all done in the last two to three weeks. But we do have ex- — excess capacity. So if all the lab directors could look in their laboratories, if they have an Abbott m2000, if they could get that up and running, we could double the number of tests that we're doing per day. That is a high-throughput. The machines are throughout the United States. There's hundreds of them. Right now, about 80 percent of them are idle. We're going to have a call with the laboratory directors of these laboratories to really ensure that this is an automated, robotic situation that they can run.

There's over a million tests sitting tests — test kits sitting ready to be run. We have five platforms of test. This is one of our really high-volume platforms, like Roche. And we're really calling on them to really increase that capacity so that we can do not only increase diagnostic testing, which I think we're doing quite well right now, but also increasing the ability to do more healthcare workers, first responders, community testing, and surveillance.

And so — and then finally, you will see — and you've heard about it happening in the U.K. and other places — there's a series of antibody tests out there that have not been validated. We're working right now very closely with a series of companies that know how to make these tests, that have made these tests for us for decades, for HIV, for a rapid test. They're working on that technology to bring that quality of test, which is in the 90-plus percent sensitivity and specificity, to the American people for antibody tests.

But before — until we get those, if you see them on the Internet, do not buy them until we can give you a test that's reliable for all Americans. And we are working very hard to have that happen and bring that to the American public. Some of the tests that may be available on the Internet may have very low sensitivity and specificity and give you a false reassurance that you either — give you a false positive or a false negative, implying that you may be protected.

So please wait until we have those tests available and validated. People are working around the clock to make those available to the American people. We all understand how important that is because you've heard us talk about asymptomatic cases. And we really want to know how broad that is and how common that is.

And so in places like New York City, where I described that they had seven per thousand — sometimes two, three and four times any other place in the United States — being able to know what the number of people who never had symptoms but do have a positive test would be really critical at this point, particularly as we plan for any reoccurrence in the fall or in future seasons.

Thank you.

THE VICE PRESIDENT: Great. And we have Seema Verma with the Center for Medicaid and Medicare Services — will discuss what we've done to support hospitals. As we support healthcare workers, we're going to make sure the institutions that are providing the environment for care are well financed. And she's got a couple of funding streams, and help is on the way.

Seema?

ADMINISTRATOR VERMA: Thank you, Mr. Vice President. And let me just start with echoing the President and the Vice President's comments about our condolences to all the people out there

that have lost somebody to the coronavirus. And also, you know, sincere appreciation and thanks to all our healthcare workers that are on the frontlines.

But we know that it's — the impact on the healthcare system isn't just those front care — frontline workers. Healthcare organizations across the nation are having increased expenses. They're having to spend more on supplies. You're seeing all of the supplies that are being sent to them. And that's having a direct impact on their — on their bottom line.

Many of them are also having increased expenses because they're taking advantage of some of the flexibilities that we've given them. Hospitals without walls, they're putting — you may see tents out in their parking lots where they're doing testing for screening. So they have a lot of increased expenses as well.

Other healthcare organizations are not performing essential surgeries or other services. A lot of them are moving to telehealth, and that represents lost revenue for these healthcare organizations across the country.

And so the President has asked us to — to address this issue. About 10 days ago, we put out something called “accelerated payments” that we do in the Medicare program, and it allows us to advance payments to providers based on their historical Medicare revenues that they receive.

So just in 10 days, we've been able to provide payments to providers. We had about 25,000 requests; we've processed about 70 percent of these. It's happened in about five days. And the total on that is about \$34 billion that we've managed to put into the healthcare system.

But those are essentially loans. The President has asked us to go further with this and to start the implementation of the CARES Act. That provides \$100 billion to the healthcare system.

You've heard Secretary Azar talk about the focus on some of those dollars going towards the uninsured. But the President wants us to accelerate getting those dollars out. And so this week, we will be putting out another \$30 billion, which are grants. This is going to be based on Medicare revenue. There are no strings attached. So the healthcare providers that are receiving these dollars can essentially spend that in any way that they see fit.

Also, this is going to be done in a very easy, simplified way. For many of our healthcare providers, we actually do direct deposit with them. And so those dollars will just go right into their bank accounts. For other providers, all it's going to require is some very simple registration, and we'll be able to give them that money as well. So we're expecting that to happen this week.

The other thing to note is that this is not a first-come, first-serve basis because we're basing this on their Medicare revenue. They will get these dollars. So even if it takes a few days, there shouldn't be any panic in the system as well.

The other thing to recognize here is that our priority was on getting these dollars out as quickly as possible. We heard that from the many healthcare providers across the country that weighed in on this. They said the most important thing was to get these dollars out as quickly as possible. But we recognize that, in terms of getting these dollars out, because it's based on Medicare revenues, there are providers out there — pediatricians, children's hospitals, OB-GYNs, even our nursing homes — that a lot of their revenue comes from other sources — Medicaid or other payer sources. And so those organizations will be addressed in the second tranche of funding. And we'll have a priority for these organizations and these types of healthcare providers.

Also, I just want to say — so together, between the loans that we've put out there with our accelerated payments and the \$30 billion, that's about \$64 billion for the healthcare system this week alone. And so I think, again, this is part of our effort to support the healthcare system. And — and also just want to, again, say thank you to all our healthcare providers out on the frontlines.

To all Americans: The best thing that we can do to support our healthcare providers is to adhere to those guidelines around "30 Days to Slow the Spread." That is the best thing that we can do to support our healthcare workers.

Thank you.

THE VICE PRESIDENT: Dr. Fauci, please.

DR. FAUCI: I just want to make a brief comment to get back to the discussion about the health disparities in — in the African American community because it really is very important. And the reason I want to bring it up — because I couldn't help sitting there reflecting about, sometimes,

when you're in the middle of a crisis like we are now with the coronavirus, it really does have — ultimately shine a very bright light on some of the real weaknesses and foibles in our society.

And as some of you know, I've — the greater proportion of my professional career has been defined by HIV/AIDS. And if you go back then, during that period of time when there was extraordinary stigma, particularly against the gay community, and it was only when the world realized how the gay community responded to this outbreak with incredible courage and dignity and — and strength and activism, that — I think that really changed some of the stigma against the gay community, very much so.

I see a similarity here, because health disparities have always existed for the African American community. But here again, with the crisis how it's shining a bright light on how unacceptable that is. Because, yet again, when you have a situation like the coronavirus, they are suffering disproportionately. As Dr. Birx said correctly, it's not that they're getting infected more often; it's that when they do get infected, their underlying medical conditions — the diabetes, the hypertension, the obesity, the asthma — those are the kind of things that wind them up in the ICU and ultimately give them a higher death rate.

So when all this is over — and, as we've said, it will end — we will get over coronavirus, but there will still be health disparities, which we really do need to address in the African American community.

Thanks.

THE VICE PRESIDENT: Well said. Questions for our panel, please.

Q Yeah. For Mr. Vice President and then a question for Dr. Birx as well.

THE VICE PRESIDENT: Sure.

Q On the ventilator issue, with 8,400 of them in the stockpile and tens of thousands more coming, why are states like California and Washington needing to send ventilators to other states? And is that smart if they might need them later on?

THE VICE PRESIDENT: Well, I'm going to let Dr. Birx speak about what's happening in California and Washington because it is a real credit to the people of both states and the leadership of both states to see the progress that we've made.

We continue to witness that the numbers where the outbreak began — we all remember when this first emerged in the Seattle area. The numbers continue to be steady and low. And what we've seen the governor of California do, what we saw the governor of Washington State do, and the governor of Oregon — where the coronavirus hasn't arrived, to a large extent, in Oregon — I think is in keeping with the highest tradition of the American spirit.

I mean, they're — they are understanding what I think — I think Americans are understanding more and more that while we tend to think of this as one large curve, in our minds, for when it began in our country, and we long for the day that it will end, and we want to hasten that day by putting into practice all these mitigation efforts — that the reality is — what these experts have explained to this layperson is that what we're actually going to witness is a number of small curves that will cumulatively mean that curve.

And for — for Oregon, for Washington State, for California to recognize where the need is and then to partner with us and FEMA to make sure the resources are there at the time of the need and the point of the need, I think is really inspiring.

But, Dr. Birx, do you want to speak to that?

DR. BIRX: Yeah, I want to be clear: We didn't ask for their ventilators. They looked at their epidemiologic curves. These are — these states have amazing health commissioners.

And I think when this is over, we'll really be — all of the models were based on something we have never attempted to do anywhere in the world. We have never attempted to do this kind of mitigation. It was always theoretic to many individuals. And now we see, across the globe, people mitigating against this virus, realizing that their own behaviors can change the course and future of this virus in their communities, which is really astounding: the power that gives us to actually understand that we can compete against this virus and do well.

And so I think their governors and their health commissioners looked at their curves, looked at their hospitals, looked at their ICU, and looked at their needs, and then decided that they didn't

need those at this time and wanted to make it available for other states that were in more of that two per thousand, three per thousand, four per thousand, and seven per thousand. And I think we'll learn a lot from other states and other communities to really understand how to do this better next time. And I think this is what will teach us because we've never — we've never attempted anything like this, at least in my lifetime, where we've had, you know, these "30 Days to Stop the Spread." I mean, we've not ever put out information like that.

So I think that — I think you heard the CDC Director talk earlier today about, in the models, how different individuals thought communities would mitigate and the rate at which they would mitigate [sic] — mitigate. And I think you can see that, across the world, we're learning that when you give communities the information that they need to understand what's going on and you're transparent, that communities can be part of the solution in a transparent and amazing way.

And I think this kind of education and dialogue is always critical when you want communities — I think, when I first started here, five weeks ago, I said that we will win based on what the communities are able to do as a community of Americans. And I think we're all really deeply impressed about what they were able to do.

THE VICE PRESIDENT: Inspiring. Inspiring.

DR. BIRX: So it was the governors who decided.

Q And on the testing backlog, I just had a quick follow-up question on that. How close are we to getting into that 24-hour window you've talked about being very important? And then what is the status of the self-swap test?

DR. BIRX: So we're tracking all of that very closely. I — and I — you know, I use my time here to appeal to people, specifically the health educators, the health advocates because I know the power with them. But to my lab directors, I really need the Abbott m2000 online, because that means we can do an extra 100,000 tests a day. And there's enormous power in that.

The self-test — the ability to self-test, the ability — last time I had my test here, I self-tested. So it can be done; it's straightforward. It works very well with that rapid five-minute test.

But what we now have to create — and I know that's always difficult, because everybody wants one of something. We now have to create a mosaic that brings together where we know every single machine is in the United States, where our gaps are, and then align resources with need and gaps in the testing, and ensure that we have the right laboratory test for the right communities.

So you can see there would be communities, particularly the Indian Health Service and rural communities where that Abbott ID NOW kit could be incredibly helpful, because otherwise they're shipping it all the way to a capital maybe three states away. And that's going to add two or three days to the wait time, which we're trying to get away from.

THE VICE PRESIDENT: Right.

Q And is that where we're at in the backlog, two or three days? Or how — what would you —

THE VICE PRESIDENT: No. Actually, it varies.

DR. BIRX: It varies state by state. And we'll be talking with all of the states —

THE VICE PRESIDENT: It varies.

DR. BIRX: — about really changing how we do testing in the community to really ensure that we're testing optimally. Because right now, we have still focused very much on hospital diagnosis, because we know it will make a difference in treatment.

So these major laboratories are still putting drive-through tests at the back to all the hospital tests. And so that's where the backlog is in the drive-through test. So I know if you're an outpatient, not an inpatient — but if you're an outpatient, that is where the delays right now are. But it's state by state. And so some states have 24 hours or 48 hours for both their outpatients and inpatients. Others have short for inpatient and longer in outpatient. And we're trying to reconcile those two pieces.

THE VICE PRESIDENT: Right. Right. And the team is actually meeting tonight to review that. But one of the data points that we review is literally, on a state-by-state basis, what the turnaround time is for testing. And we continue to work that.

And these Abbott Laboratory devices are — there's 18,000 of them across the country. When you go to your doctor office and get — get a strep test, it's that device. All — all Abbott Laboratories has done, with strong and swift efforts of the FDA, is create a test to put in that for the coronavirus and that's a 15-minute test.

And so we — I want to renew our — our call to all the healthcare providers around the country is: Find your Abbott device and we'll work our hearts out to get a test to you.

How about in the back corner?

Q Mr. Vice President, thank you. One for you and then one for either of the doctors, if you don't mind.

THE VICE PRESIDENT: Sure.

Q For you, sir: Back to this idea of reopening up the economy, since it's not like there's a switch that you can just turn it back on. How does the administration envision this happening? Is it guidance from the White House and you hope that governors follow it? Are you going to put it in the governors' hands or the mayors' hands? How do you envision all of that working together?

THE VICE PRESIDENT: Well, the — the one thing I can assure you is that the President's decision in that regard is going to be informed by what the data shows and about decisions about when we can responsibly reopen America and put America back to work.

I can tell you the CDC will have new guidance tomorrow that the CDC will be publishing for people who were in proximity to an individual that tested positive for coronavirus but have no symptoms. And CDC will be publishing new guidance about how those individuals and the circumstances under which they might be able to return back to work using some facial protection and monitoring their temperature. But we'll detail that for you.

But what we're going to be doing, over the weeks ahead, is — while we focus every day at the point of the need — as the President said many times, our first mission is to save lives. And that means to slow the spread, bend the curve, to continue to engage the American people, which they are admirably doing, to continue to put all the social distancing into practice.

But there is a dual track that the President has already initiated. Some of the best minds here at the White House are beginning to think about what recommendations will look like that we give to businesses, that we give to states. But it'll all — I promise you — be informed on putting the health and wellbeing of the American people first.

Dr. Birx.

Q Either for Dr. Birx or for Dr. Fauci. Do either of you want to take that or —

DR. BIRX: Go ahead.

Q Secondly, as a lot of parents are sitting home with their kids, and they've been at home with their kids for weeks now, and they're wondering — maybe resigned to the fact that maybe their kids aren't going back to school this year, but are looking ahead — what do you think summer camp holds? And what do you think the start of next school year holds, if you could look down the line? Do you think those start on time? Do you think school next year starts on time?

THE VICE PRESIDENT: Can I say a word on behalf of teachers, since I'm married to one? My wife was all day yesterday at the elementary school she teaches at, loading up about 500 bins of art supplies for kids. And she's just one of millions of teachers across this country who find themselves having to distance-teach kids. And I'm proud of Karen, but, related to that, I'm proud of every teacher in this country.

The Secretary of Education was here not long ago, talking about our efforts to expand distance-learning resources even in K-12. To all of the teachers who are out there, we just want to say: Thank you. Thank you for what you're doing for continuing learning, even in this challenging time.

And to all of the kids, just because you're home doesn't mean you don't have to do your schoolwork. Keep it up and —

Q For either of you, do you anticipate children being back in class — in classes in August?

THE VICE PRESIDENT: What I will tell you is I'll yield to the health experts, but it'll be part of what we're looking at, in terms of guidance going forward, whether it — whether it be summer school, or whether it be returning to school next fall.

But the most important thing we can do is put this epidemic behind us as quickly as possible.

Dr. Fauci?

DR. FAUCI: Well, my daughter is a schoolteacher, so she asked me the same — the same question. You know, it is unpredictable, but you can get a feel for — if we start talking about the things where the curve goes down, and we really have minimum — how we respond and what kind of a rebound we see or don't see, I think, is going to have a lot of influence probably more immediately on things like summer camps than it does in the fall.

I fully expect — though I'm humble enough to know that I can't accurately predict — that by the time we get to the fall, that we will have this under control enough that it certainly will not be the way it is now, where people are shutting schools.

My optimistic side tells me that we'll be able to renew, to a certain extent. But it's going to be different, remember now, because this is not going to disappear. So we're going to have to have in place the capability of doing the things that we talk about all the time on this stage: to identify, to isolate, to contact trace — number one.

Number two, by that time, we'll have a better feel with the antibody test, about what the actual penetrance of this infection was in society. How many people have actually been infected? Who is protected? If you have antibody, it's very likely that you're protected. Who's vulnerable? Do you treat vulnerables different than you treat the people who are protected? All of these things are going to go into the decision of just how much back to the original way we'd like it to be in fall.

The bottom line is: No absolute prediction, but I think we're going to be in good shape.

Q Dr. Fauci — can I ask one for Dr. Fauci or Dr. Birx?

THE VICE PRESIDENT: Yeah, of course.

Q Can you talk about your concerns about deaths being misreported by coronavirus because of either testing or standards for how they're characterized?

DR. BIRX: So, I think, in this country, we've taken a very liberal approach to mortality, and I think the reporting here has been pretty straightforward over the last five to six weeks. Prior to that, when there wasn't testing in January and February, that's a very different situation and unknown.

There are other countries that if you had a pre-existing condition and let's say the virus caused you to go to the ICU and then have a heart or kidney problem — some countries are recording that as a heart issue or a kidney issue and not a COVID-19 death.

Right now, we're still recording it, and we'll — I mean, the great thing about having forms that come in and a form that has the ability to mark it as COVID-19 infection — the intent is, right now, that those — if someone dies with COVID-19, we are counting that as a COVID-19 death.

Q Are you — can you be sure — I mean, you hear from coroners that that's not necessarily the case. Are you sure? How can you be confident about that? And is there any concern that it skews the data that you're trying to collect, in terms of projections and things like that?

DR. BIRX: Well, I think that would apply more to rural areas that may not have the same level of testing. But I — I am pretty confident in New York City —

DR. FAUCI: Yeah.

DR. BIRX: — and in New Jersey and places that have these large outbreaks and COVID-only hospitals, I can tell you they are testing. New York and New Jersey together have — by proportion, are testing extraordinary well — as Washington State and Louisiana. So, I don't see that there's been a barrier in testing to diagnosis.

DR. FAUCI: No. I — I think there's so much focus now on coronavirus that — particularly if you take New York, which we all know is — is having a disproportionately higher proportion of the burden of the entire country is right now in New York.

No, I can't imagine if someone comes in with coronavirus, goes to an ICU, and they have an underlying heart condition and they die — they're going to say, "Cause of death: heart attack." I — I cannot see that — that happening. So I don't think it's going to be a problem.

THE VICE PRESIDENT: How about one more? Go ahead.

Q A question for Dr. Fauci on the virus hitting black communities the hardest. I mean, these numbers are staggering. Louisiana and other states are reporting 40 to 70 percent of deaths are African Americans. Do you expect that pattern to continue nationwide? Some states have not even reported their data yet.

DR. FAUCI: Yeah. Yeah. You know, I — I can't be confident to — to predict patterns, but the underlying reason why that is happening doesn't change from state to state.

Q So you expect it to get worse?

DR. FAUCI: No, I expect that when African Americans get infected — given the disproportionate disparity of the underlying conditions that lead to complications like the ones I mentioned — I expect that we will still see the pattern that when you look at the proportion of people who get into serious trouble and die, again, it's going to be disproportionate towards the African Americans. I do expect that.

Q And is the federal government now leading the charge in collecting this information from the states? And when will it be made public?

DR. FAUCI: Yes. Yes. The answer is yes. It will be public as soon as you get enough data to be able to make a meaningful statement.

Q So can we expect this week or a couple of days?

THE VICE PRESIDENT: The task force has assigned that to several members of the team. We're assembling that data now. It's a — it is a great concern for us. And, but it's probably a good reminder that we have to be especially careful around people with serious underlying health conditions.

As we've said at many times from this podium over many weeks, that the risk of serious illness from the coronavirus remains low for the average American. But for anyone from any community that has a serious underlying health condition, particularly senior citizens with serious underlying health conditions, the risk of tragedy is very real. And so, we're going to be very diligent about studying this and providing information and guidance in accordance with our best scientists.

But I do want to say to each and every American, the President's Coronavirus Guidelines for America — about wash your hands; if you're — if you're sick, stay home; if you can work from home, if you're not in critical infrastructure like our incredible healthcare workers or are all those heroic people working to keep food on the shelves at our grocery stores and keep medicine at the pharmacies, we — we ask you to — we ask you to work from home, if you can. Avoid unnecessary travel. Avoid gatherings of more than 10 people. Use a drive-through at a restaurant; don't go in the restaurant. Not just to protect your health, but to protect those of every community of every background in this country who may have underlying conditions that make them susceptible to tragic outcomes.

That's how we can all do our part to slow the spread and to protect our most vulnerable. And the American people are doing it. And as we continue to do that, we will hasten the day that we put the coronavirus in the past and we reopen America and put America back to work.

Thank you all. We'll see you tomorrow.

END 7:27 P.M. EDT



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President Donald J. Trump

Vice President Mike Pence

First Lady Melania Trump

Mrs. Karen Pence

The Cabinet

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Resignations fly after D.C. tumult

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January 8, 2021





Fencing goes up Thursday morning around the U.S. Capitol grounds in the aftermath of Wednesday's violence. For John Costello, a senior U.S. cybersecurity official who resigned Wednesday, the violence was his "breaking point." He told associates he hoped it was "a wakeup call." More photos at [arkansasonline.com/18cabinet/](https://www.arkansasonline.com/18cabinet/). (AP/Julio Cortez)

Several Trump administration officials have announced that they are resigning after a mob of Trump supporters stormed the Capitol on Wednesday, temporarily disrupting Congress as it was certifying Joe Biden's Electoral College victory.

Those resigning included some in prominent positions in the White House and staff members who have worked in the Trump administration since the beginning of the president's term in 2017.

A few of the resignations came hours after President Donald Trump openly encouraged his supporters to go to the U.S. Capitol to protest what he has claimed was a stolen election.

The resignations, including that of Transportation Secretary Elaine Chao, are coming with less than two weeks remaining in Trump's term.

Chao is the wife of Senate Majority Leader Mitch McConnell, R-Ky., and has served in the Cabinet all four years of Trump's term.



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She revealed her decision to her staff early Thursday afternoon, according to two individuals familiar with her plans who spoke on the condition of anonymity.

"Yesterday, our country experienced a traumatic and entirely avoidable event as supporters of the President stormed the Capitol building following a rally he addressed. As I'm sure is the case with many of you, it has deeply troubled me in a way that I simply cannot set aside," Chao wrote in a draft email to the staff.

Education Secretary Betsy DeVos followed. In her resignation letter Thursday, DeVos blamed Trump for inflaming tensions in the violent assault on the seat of the nation's democracy. "There is no mistaking the impact your rhetoric had on the situation, and it is the inflection point for me," she wrote.

Late Wednesday, Mick Mulvaney, Trump's former acting chief of staff, resigned as special envoy to Northern Ireland, saying he "can't stay" after watching the president encourage the mob that overtook the Capitol complex.

In an interview with CNBC on Thursday morning, Mulvaney said he called Secretary of State Mike Pompeo on Wednesday night and told him: "I can't do it. I can't stay."

Mulvaney praised administration officials who defended Vice President Mike Pence, who despite pressure from Trump, oversaw the tallying of the votes that certified Biden's victory. Mulvaney said he anticipated that there would be more resignations.



Watch Video At: <https://youtu.be/OgCi1AX-K5g>

"Those who choose to stay, and I have talked with some of them, are choosing to stay because they're worried the president might put someone worse in," Mulvaney said on CNBC's "Squawk Box." He added that Trump is "not the same as he was eight months ago."

Referring to Trump's incitement of a mob of supporters to occupy the Capitol, Mulvaney said: "We didn't sign up for what you saw last night. We signed up for making America great again. We signed up for lower taxes and less regulation. The president has a long list of successes that we can be proud of. But all of that went away yesterday."

Matthew Pottinger, who has been Trump's deputy national security adviser since 2019, has also resigned, according to a person familiar with the events. Pottinger was formerly the administration's Asia director on the National Security Council and was known for his on-the-ground experience in China, where he advised Trump during his meeting with President Xi Jinping in 2017.

John Costello, one of the country's most senior cybersecurity officials, resigned Wednesday, telling associates that the violence on Capitol Hill was his "breaking point" and he hoped it was "a wake-up call."

Tyler Goodspeed, the acting chairman of the White House Council of Economic Advisers, resigned Thursday, citing Trump's incitement of the mob that stormed the Capitol.

"The events of yesterday made my position no longer tenable," he said in an interview, after informing White House Chief of Staff Mark Meadows of his decision.

[Gallery: Departing Trump administration officials](#)

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Acting Homeland Security Secretary Chad Wolf on Thursday issued the strongest critique of Trump yet from within the Cabinet. Calling Wednesday's events "tragic and sickening," Wolf wrote in a statement, "I implore the President and all elected officials to strongly condemn the violence that took place yesterday." He vowed to remain in his position to ensure an orderly transition to the Biden administration.

William Barr, who resigned last month as attorney general, issued an even sharper condemnation of the president. He called Trump's conduct "a betrayal of his office and supporters," adding in a statement to The Associated Press that "orchestrating a mob to pressure Congress is inexcusable."

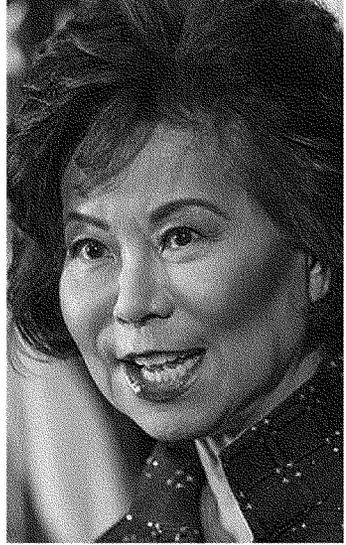
Two of first lady Melania Trump's top aides also abruptly resigned Wednesday night. Stephanie Grisham, a longtime Trump family loyalist who served as White House press secretary and most recently as the first lady's chief of staff; and Anna Cristina Niceta, the White House social secretary, separately announced their resignations, first reported by CNN.

In addition, deputy White House press secretary Sarah Matthews announced her resignation, saying she was honored to serve the Trump administration but was "deeply disturbed" by the storming of the Capitol.

"People were looking for a reason to stay, and now he's given them an excuse to go," a close Trump adviser said of the president.

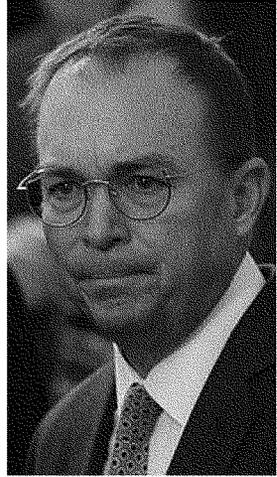
Information for this article was contributed by Josh Dawsey, Felicia Sonmez, Philip Rucker, Shane Harris, Anne Gearan and Ashley Parker of The Washington Post; by Jonathan Lemire, Jill Colvin and Zeke Miller of The Associated Press; and by staff members of The New York Times.

In this Sept. 18, 2019 file photo Transportation Secretary Elaine Chao speaks at EPA headquarters in Washington. Chao is resigning effective Monday, becoming the highest ranking member of President Donald Trump's administration to resign in protest after the pro-Trump insurrection at Capitol. In a statement Thursday, Chao, who is married to Senate GOP leader Mitch McConnell, said the violent attack on the Capitol "has deeply troubled me in a way that I simply cannot set aside." (AP Photo/J. Scott Applewhite)



In this June 5, 2018, file photo, Education Secretary Betsy DeVos testifies during a Senate Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Appropriations in Washington. (AP Photo/Carolyn Kaster, File)

Former White House acting chief of staff Mick Mulvaney, stands in the East Room of the White House in Washington, Thursday, Feb. 6, 2020, before President Donald Trump arrives to speak. (AP Photo/Patrick Semansky)



Deputy national security adviser Matthew Pottinger departs after President Donald Trump awards the Medal of Honor to Army Sgt. Maj. Thomas P. Payne in the East Room of the White House, Friday, Sept. 11, 2020, in Washington. (AP Photo/Andrew Harnik)



White House press secretary Stephanie Grisham listens as President Donald Trump speaks to reporters on the South Lawn of the White House in Washington, Friday, Nov. 8, 2019, before boarding Marine One for a short trip to Andrews Air Force Base, Md. and then on to Georgia to meet with supporters. (AP Photo/Andrew Harnik)

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Georgia Republicans Contort Themselves to Avoid Trump's Fury

 [nytimes.com/2020/12/02/us/politics/georgia-republicans-election-trump.html](https://www.nytimes.com/2020/12/02/us/politics/georgia-republicans-election-trump.html)

December 3, 2020



ATLANTA — Even though Gov. Brian Kemp has already certified Georgia's 16 electoral votes for Joseph R. Biden Jr., his fellow Republicans plan to hold a pair of State Senate committee hearings Thursday that are likely to dig into the question of whether the state's election was, as President Trump falsely puts it, "rigged."

The lawmakers will not fulfill Mr. Trump's ultimate wish, expressed in a tweet earlier this week: that enough proof of fraud will be uncovered for him to prevail. But Georgia, perhaps more than any other state in the nation, continues to be haunted by a sort of zombie campaign to produce a Trump victory, one month after Election Day.

Many of the state's Republicans continue to expend significant effort — and contort themselves into political pretzels — to navigate the president's outrage that he lost the state, in the hope of demonstrating to his supporters that they are doing all they can to ferret out any trace of fraud to back Mr. Trump's baseless claims.

The effort, which also encompasses numerous lawsuits and an influential far-right disinformation campaign, will not change the election result, barring some Hail Mary upending of a race that has already been certified. But it may have other powerful consequences for the political future of Georgia — and by extension, the nation, given Georgia's unquestionable new status as a battleground state.

For some Republicans, the most urgent concern is that the president's ongoing effort to undermine faith in the election process will depress conservative turnout in the all-important Jan. 5 runoff races for the seats held by Georgia's Republican U.S. senators, David Perdue and Kelly Loeffler. That anxiety has only increased as Mr. Trump persists in his attacks on the state's voting integrity.

Image



Supporters of Kelly Loeffler and David Perdue, the Republican Senate candidates in Georgia, at a rally last month. Credit...Audra Melton for The New York Times

On Wednesday, a group of 19 prominent Georgia Republicans — among them former Gov. Nathan Deal and two former U.S. senators, Saxby Chambliss and Johnny Isakson — issued an open letter warning that the focus on fraud allegations could “detract” from the runoffs, which will determine which party controls the U.S. Senate.

“We have watched with increasing concern as the debate surrounding the state’s electoral system has made some within our party consider whether voting in the coming runoff election matters,” they wrote, warning that if Republicans did not turn out in full force, “the trajectory of our State and Nation will be irreparably altered on January 5th.”

Their concerns came to life Wednesday afternoon at a park in the upscale Atlanta suburb of Alpharetta, where hundreds of Trump supporters gathered, waving American flags and Trump flags, to cheer two lawyers who have challenged the Georgia election results in federal court, Sidney Powell and L. Lin Wood.

“You’re here because we the people will not let them steal our vote!” Mr. Wood, a prominent right-wing Atlanta lawyer, told the cheering crowd. “We will not let them steal our freedom. Every lie will be revealed! And on January the 20th of 2021, Donald J. Trump will be sworn

in as president of the United States of America.”

Mr. Wood later addressed state officials while making the case that the Georgia process was too corrupt to participate in. “We’re not going to vote on your damned machines made in China,” he said. Ms. Powell, who has been disavowed by Mr. Trump’s legal team but continues to press legal challenges on the president’s behalf, echoed Mr. Wood’s warning, urging “all Georgians” not to vote “unless your vote is secure.”

But in other ways, the momentum seemed to turn against Mr. Trump this week. On Tuesday, a top state election official, Gabriel Sterling, laced into the president, pleading with him to scale back the conspiratorial rhetoric that Mr. Sterling said was inspiring people to make violent threats against election workers.

On Wednesday, Mr. Sterling’s boss, Secretary of State Brad Raffensperger — like Mr. Sterling, a Republican — seemed to close the door on the president’s long-shot hopes of subverting the vote of the people. Noting that the U.S. attorney general, William P. Barr, had just said that the Justice Department found no widespread fraud in the national race, Mr. Raffensperger said, “Our investigators have seen no widespread fraud either.”

He added that a second recount of Georgia ballots, set to be finished by midnight Wednesday, would show that Mr. Biden was indeed the winner. And the secretary of state notably referred to Mr. Biden as the president-elect.

At the same time, political expediency is a significant factor. Mr. Raffensperger, who is up for re-election in 2022, is one of a number of top Georgia Republicans who are bending their actions to two diverging imperatives: defending the integrity of their state’s election while trying to survive the bizarre and evolving political weather systems generated by the mercurial Mr. Trump.

The president may spout conspiracy theories and acrimony — he has publicly attacked Mr. Raffensperger and Mr. Kemp for not acceding to his wishes — but he is also the most popular figure in the Republican Party. Nationally, Mr. Trump’s sustained assault on voting integrity, while false, has persuaded many Republicans that there was something crooked about the election. And no one is sure whether, or for how long, he will continue to command the fealty of his party.

Mr. Raffensperger, 65, most likely concerned about his future in politics, has tried to survive Mr. Trump’s onslaught with a mix of pushing back and staying in line. Last Thursday, Mr. Trump called Mr. Raffensperger an “enemy of the people.” Mr. Perdue and Ms. Loeffler, the Senate candidates, who are Trump loyalists, have called Mr. Raffensperger incompetent and have called on him to resign.

Still, on Wednesday, even as Mr. Raffensperger declared that Mr. Trump had lost, he made it clear that he was still a Trump man at heart: “We wish that our guy would have won the election,” he said, “but it doesn’t look like our guy has won the election.”

Mr. Kemp, who is also up for re-election in 2022, has followed a similar strategy. On Monday, in a tweet, Mr. Trump called Mr. Kemp “hapless” and urged him to intervene in the election. That same day, Mr. Kemp’s campaign sent out an email declaring that Georgia Republicans “must unite as a Party to advance President Trump’s bold, conservative agenda.”

Image

Brad Raffensperger, center, Georgia’s secretary of state, has responded to President Trump’s attacks with a mix of pushing back and staying in line. Credit...Alyssa Pointer/Atlanta Journal-Constitution, via Associated Press

But the fact remains that Mr. Raffensperger and Mr. Kemp have refused to give Mr. Trump what he wants most: an opening that would allow the results to be overturned (Mr. Kemp has not only certified the state’s 16 electors; he has also refused to call a special session of the legislature, which people like Mr. Wood have demanded, and where the election results could ostensibly be overturned).

Brian Robinson, a Republican political consultant in Georgia, said Mr. Kemp and Mr. Raffensperger “are facing a much different political calculation today than Loeffler and Perdue.”

“They have time for the politics to change,” he said of Mr. Kemp and Mr. Raffensperger. “Loeffler and Perdue don’t. They have to respond to the politics of the minute, of the second.”

Aside from trying to assuage Mr. Trump, Republicans in Georgia also appear to be laying the groundwork for new limits on voting, and particularly on absentee voting. Mr. Trump has baselessly claimed that there was something fraudulent about the signature-matching system election officials used to verify the identities of absentee voters.

That concern has been echoed by Mr. Kemp, who has called for a sample audit of signatures on absentee ballot envelopes from the recent election. Mr. Raffensperger, meanwhile, has opened an investigation into whether get-out-the-vote groups encouraged nonresidents to send in absentee ballot applications; the groups include the New Georgia Project, founded by Stacey Abrams, a former Democratic candidate for governor.

To the left, this smacks of voter suppression — a charge Ms. Abrams often brought against Mr. Kemp when he was secretary of state and presided over his own gubernatorial contest with Ms. Abrams in 2018.

This week, Nse Ufot, chief executive of the New Georgia Project, said that Mr. Raffensperger was “resorting to desperate attempts to smear law-abiding organizations and scare eligible Georgians from registering to vote in critical upcoming elections.” Mr. Raffensperger’s office said on Wednesday that Ms. Ufot’s group had sent an absentee ballot registration form to his dead son.

Thursday's meetings of the State Senate's judiciary subcommittee and government oversight committee are being billed as efforts to study Georgia's election laws and take suggestions for what can be done to improve the way elections are conducted. The committee, on its agenda, is inviting "anyone with firsthand knowledge of problems with the election or fraudulent activity relative to the election" to "submit sworn statements of fact."

At the rally, Mr. Wood, the lawyer, told the crowd to meet him at the state Capitol on Thursday morning.

When Mr. Trump arrives in Georgia two days later to stump for Mr. Perdue and Ms. Loeffler, Republicans praying for a return to unity are hoping he plays nice, going light on the conspiracy theories and focusing on the Senate races.

"I would be highly surprised and very disappointed," Mr. Chambliss, the former senator, said in an interview, "if Donald Trump came to Georgia this weekend and had any comments that weren't positive about any Republican politician."

Georgia Officials Reveal Third Trump Call Seeking to Influence Election Results

[nytimes.com/2021/01/09/us/georgia-presidential-election-results.html](https://www.nytimes.com/2021/01/09/us/georgia-presidential-election-results.html)

January 9, 2021



ATLANTA — More than a week before President Trump called Georgia’s secretary of state, pressuring him to “find” votes to help overturn his electoral loss, the president made another call, this one to a top Georgia election investigator, in which he asked the investigator to “find the fraud” in the state.

The earlier phone call, which came to light on Saturday, along with the revelation that White House officials had pushed the top federal prosecutor in Atlanta to resign, underlined a broader push by Mr. Trump to overturn election results in the state.

Mr. Trump’s phone call, made in late December, was first reported by [The Washington Post](#). The content of the Post report was verified by a state election official who requested anonymity because the official was not authorized to speak about the matter.

In the call, Mr. Trump said the investigator would be a “national hero” for finding evidence of fraud. At the time, Secretary of State Brad Raffensperger’s office was conducting an audit of more than 15,000 ballots in Cobb County, a populous suburb of Atlanta that was formerly a Republican stronghold but voted against Mr. Trump in both 2016 and 2020.

The audit appeared to be an effort to placate Mr. Trump and his allies, who repeatedly, and baselessly, argued that he lost the election in Georgia by around 12,000 votes because of a “rigged” system. The president also repeatedly alleged that there were problems with the signature-matching system by which election officials in the state verify the identity of absentee voters.

On Dec. 29, the office of Mr. Raffensperger, a Republican, announced that the audit had found no evidence of fraud.

The new details about the president’s personal pressure campaign on Georgia officials comes as Democrats in the House of Representatives announced their plans to introduce an article of impeachment against the president for “willfully inciting violence against the government of the United States,” a reference to the pro-Trump mob that violently attacked the U.S. Capitol on Wednesday. Mr. Trump is also facing growing calls to resign, while his cabinet is under pressure to invoke the 25th Amendment to remove him from office.

Image



A voter dropped his ballot into a collection box in Cobb County, Ga.Credit...Audra Melton for The New York Times

A number of legal scholars have said that Mr. Trump’s call to Mr. Raffensperger, in which the president seemed to vaguely threaten Mr. Raffensperger with “a criminal offense,” may have violated state and federal laws prohibiting election interference, though some have also said it may be difficult for prosecutors to pursue the matter.

Earlier in December, Mr. Trump made a third call, this one to Gov. Brian Kemp, urging him to convene a special session of the Georgia legislature in hopes that lawmakers would overturn the election results.

Mr. Kemp and Mr. Raffensperger have rejected all of Mr. Trump's efforts to get them to help him overturn the election results, even though both are conservative Republicans and Trump supporters. Mr. Trump has publicly attacked both men, spreading a baseless conspiracy theory about Mr. Raffensperger's brother and promising that he would back a candidate in the Republican primary to challenge Mr. Kemp, who is up for re-election next year.

In a television interview on Monday, Mr. Raffensperger was asked if his office would open an investigation into the president's phone call with him. He replied that because he had been on the Jan. 2 call, he might have a conflict of interest and suggested instead that such an investigation might be in the works by the Fulton County district attorney, Fani Willis.

Last week, a spokesman for Ms. Willis said that no investigation had been opened. But Ms. Willis, in a statement released last week, did not rule out the possibility, and called the news of the president's call to Mr. Raffensperger "disturbing."

The U.S. attorney in Atlanta faced similar pressure related to false claims of election fraud.

Shortly before the U.S. attorney, Byung J. Pak, abruptly resigned on Monday, the acting deputy attorney general, Richard Donoghue, relayed Mr. Trump's dissatisfaction with his efforts to investigate false claims of mass voter fraud in his district, according to two people familiar with the matter who spoke on the condition of anonymity to disclose details of the phone call.

A Justice Department spokesman declined to comment.

Mr. Pak was also upset when he discovered that Mr. Trump had criticized him during his phone call last Saturday with Mr. Raffensperger.

While Mr. Trump did not call out Mr. Pak by name, he falsely claimed that not enough had been done to uncover mass voter fraud in Fulton County, where Atlanta is. He added, "You have your never-Trumper U.S. attorney there."

Mr. Pak had planned to announce his departure on Monday, the day before the Georgia runoff elections, according to a person familiar with his job search. But dismayed by Mr. Trump's comments, he believed that it would be better to accelerate his departure and resign effective immediately, rather than give several days' notice, according to a third person with knowledge of Mr. Pak's departure.

Mr. Donoghue has also faced pressure to stand up unproven and false claims by Mr. Trump that he would have won the election but for extensive voter fraud in states like Georgia.

In phone calls and meetings in recent weeks, Mr. Trump pressured and berated politicians and officials, including Mr. Donoghue and the acting attorney general, Jeffrey A. Rosen, for not doing enough to overturn the results of the election, according to a person familiar with the conversations.

Despite Mr. Trump's entreaties to do more on voter fraud, neither Mr. Rosen nor Mr. Donoghue has made any public statements on the matter. They have not supported Mr. Trump's false claims that he won the election or undermined comments made by former Attorney General William P. Barr that there was no need to appoint a special counsel to investigate the matter.

The Wall Street Journal earlier reported that a top Justice Department official had called Mr. Pak.

Officials at the department have quietly pushed back on efforts to undo the election, defending Vice President Mike Pence in a federal lawsuit that sought to pressure him to overturn the results, a move that took Mr. Trump by surprise, according to two people with knowledge of the matter. The case was dismissed.

Richard Fausset reported from Atlanta, and Katie Benner from Washington. Stephanie Saul contributed reporting from New York, and Adam Goldman from Washington.

Records: Trump allies behind rally that ignited Capitol riot

AP apnews.com/article/election-2020-donald-trump-capitol-siege-campaigns-elections-d14c78d53b3a212658223252fec87e99

January 17, 2021



ADVERTISEMENT

By RICHARD LARDNER and MICHELLE R. SMITH January 17, 2021 GMT

1 of 4

[FILE - In this Jan. 6, 2021 file photo, Trump supporters participate in a rally in Washington. An AP review of records finds that members of President Donald Trump's failed campaign were key players in the Washington rally that spawned a deadly assault on the U.S. Capitol last week. \(AP Photo/John Minchillo\)](#)

1 of 4

[FILE - In this Jan. 6, 2021 file photo, Trump supporters participate in a rally in Washington. An AP review of records finds that members of President Donald Trump's failed campaign were key players in the Washington rally that spawned a deadly assault on the U.S. Capitol](#)

last week. (AP Photo/John Minchillo)

WASHINGTON (AP) — Members of President Donald Trump’s failed presidential campaign played key roles in orchestrating the Washington rally that spawned a deadly assault on the U.S. Capitol, according to an Associated Press review of records, undercutting claims the event was the brainchild of the president’s grassroots supporters.

A pro-Trump nonprofit group called Women for America First hosted the “Save America Rally” on Jan. 6 at the Ellipse, an oval-shaped, federally owned patch of land near the White House. But an attachment to the National Park Service public gathering permit granted to the group lists more than half a dozen people in staff positions for the event who just weeks earlier had been paid thousands of dollars by Trump’s 2020 reelection campaign. Other staff scheduled to be “on site” during the demonstration have close ties to the White House.

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Since the siege, several of them have scrambled to distance themselves from the rally.

The riot at the Capitol, incited by Trump’s comments before and during his speech at the Ellipse, has led to a reckoning unprecedented in American history. The president told the crowd to march to the Capitol and that “you’ll never take back our country with weakness. You have to show strength, and you have to be strong.”

A week after the rally, Trump was impeached by the House of Representatives, becoming the first U.S. president ever to be impeached twice. But the political and legal fallout may stretch well beyond Trump, who will exit the White House on Wednesday before Democrat Joe Biden takes the oath of office. Trump had refused for nearly two months to accept his loss in the 2020 election to the former vice president.

Women for America First, which applied for and received the Park Service permit, did not respond to messages seeking comment about how the event was financed and about the Trump campaign’s involvement. The rally drew tens of thousands of people.

In a statement, the president’s reelection campaign said it “did not organize, operate or finance the event.” No campaign staff members were involved in the organization or operation of the rally, according to the statement. It said that if any former employees or independent contractors for the campaign took part, “they did not do so at the direction of the Trump campaign.”

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At least one was working for the Trump campaign this month. Megan Powers was listed as one of two operations managers for the Jan. 6 event, and her LinkedIn profile says she was the Trump campaign’s director of operations into January 2021. She did not respond to a message seeking comment.

The AP's review found at least three of the Trump campaign aides named on the permit rushed to obscure their connections to the demonstration. They deactivated or locked down their social media profiles and removed tweets that referenced the rally. Two blocked a reporter who asked questions.

Caroline Wren, a veteran GOP fundraiser, is named as a "VIP Advisor" on an attachment to the permit that Women for America First provided to the agency. Between mid-March and mid-November, Donald J. Trump for President Inc. paid Wren \$20,000 a month, according to Federal Election Commission records. During the campaign, she was a national finance consultant for Trump Victory, a joint fundraising committee between the president's reelection campaign and the Republican National Committee.

Wren was involved in at least one call before the pro-Trump rally with members of several groups listed as rally participants to organize credentials for VIP attendees, according to Kimberly Fletcher, the president of one of those groups, Moms for America.

Wren retweeted messages about the event ahead of time, but a cache of her account on Google shows at least eight of those tweets disappeared from her timeline. She apparently removed some herself, and others were sent from accounts that Twitter suspended.

One of the messages Wren retweeted was from "Stop the Steal," another group identified as a rally participant on a website promoting the event. The Jan. 2 message thanked Republican senators who said they would vote to overturn Biden's election victory, including Josh Hawley of Missouri and Ted Cruz of Texas. She also retweeted a Jan. 1 message from the president promoting the event, as well as promotional messages from one of the president's son, Eric Trump, and Katrina Pierson, a Tea Party activist and a spokesperson for Trump's 2016 presidential campaign.

Wren did not return messages seeking comment, and locked her Twitter account after the AP reached out to her last Monday to ask her about her involvement in the Trump rally and the tweets she had removed. Several days later, she blocked the AP reporter.

Maggie Mulvaney, a niece of former top Trump aide Mick Mulvaney, is listed on the permit attachment as the "VIP Lead." She worked as director of finance operations for the Trump campaign, according to her LinkedIn profile. FEC records show Maggie Mulvaney was earning \$5,000 every two weeks from Trump's reelection campaign, with the most recent payment reported on November 13.

Maggie Mulvaney had taken down her Twitter account as of last Monday, although it reappeared after the AP asked her about the account's removal.

Maggie Mulvaney retweeted several messages on Jan. 6, including one from the president that urged support for the Capitol Police. Trump's Twitter account has been suspended, but the message could be seen in a cache of her Twitter account captured by Google. She also retweeted a message from her uncle, urging Trump to address the nation.

Maggie Mulvaney did not respond to messages seeking comment.

The insurrection at the Capitol prompted Mick Mulvaney to quit his position as Trump's special envoy to Northern Ireland. He told CNBC a day after the assault that remaining in the post would prompt people to say "Oh yeah, you work for the guy who tried to overtake the government."

The leaders of Women for America First aren't new to politics.

Amy Kremer, listed as the group's president on records filed with Virginia's state corporation commission, is "one of the founding mothers of the modern day tea party movement," according to her website. Her daughter, Kylie Jane Kremer, is the organization's treasurer, according to the records.

The IRS granted Women for America First tax-exempt status as a social welfare organization a year ago, with the exemption retroactive to February 2019. The AP requested that the group provide any tax records it may have filed since then, but received no response.

In a statement issued the same day rioters attacked the Capitol, Amy Kremer denounced the assault and said it was instigated after the rally by a "handful of bad actors," while seeming to blame Democrats and news organizations for the riot.

"Unfortunately, for months the left and the mainstream media told the American people that violence was an acceptable political tool," she said. "They were wrong. It is not."

The AP reviewed social media posts, voter registrations, court files and other public records for more than 120 people either facing criminal charges related to the Jan. 6 unrest or who, going maskless during the pandemic, were later identified through photographs and videos taken during the melee.

The review found the crowd was overwhelmingly made up of longtime Trump supporters, including Republican Party officials, GOP political donors, far-right militants, white supremacists, off-duty police, members of the military and adherents of the QAnon myth that the government is secretly controlled by a cabal of Satan-worshipping pedophile cannibals.

Videos posted on social media in the days following the Capitol attack shows that thousands of people stormed the Capitol. A Capitol Police officer died after he was hit in the head with a fire extinguisher as rioters descended on the building and many other officers were injured. A woman from California was shot to death by Capitol Police and three other people died after medical emergencies during the chaos.

Trump's incendiary remarks at the Jan. 6 rally culminated a two-day series of events in Washington, organized by a coalition of the president's supporters who echoed his baseless accusations that the election had been stolen from him. A website,

MarchtoSaveAmerica.com, sprung up to promote the pro-Trump events and alerted followers, “At 1 PM, we protest at US Capitol.” The website has been deactivated.

Another website, TrumpMarch.com shows a fist-raised Trump pictured on the front of a red, white and blue tour bus emblazoned with the words, “Powered by Women for America First.” The logo for the bedding company “My Pillow” is also prominent. Mike Lindell, the CEO of My Pillow, is an ardent Trump supporter who’s falsely claimed Trump didn’t lose the election to Biden and will serve another four-year term as president.

“To demand transparency & protect election integrity,” the web page reads. Details of the “DC PROTEST” will be coming soon, it adds, and also lists a series of bus stops between Dec. 27 and Jan. 6 where Trump backers can “Join the caravan or show your support.”

Kimberly Fletcher, the Moms for America president, said she wasn’t aware the Trump campaign had a role in the rally at the Ellipse until around New Year’s Day. While she didn’t work directly with the campaign, Fletcher did notice a shift in who was involved in the rally and who would be speaking.

“When I got there and I saw the size of the stage and everything, I’m like, ‘Wow, we couldn’t possibly have afforded that,’” she said. “It was a big stage. It was a very professional stage. I don’t know who was in the background or who put it together or anything.”

In addition to the large stage, the rally on the Ellipse featured a sophisticated sound system and at least three Jumbotron-style screens projecting the president’s image to the crowd. Videos posted online show Trump and his family in a nearby private tent watching the rally on several monitors as music blared in the background.

Moms for America held a more modest “Save the Republic” rally on Jan. 5 near the U.S. Capitol, an event that drew about 500 people and cost between \$13,000 to \$14,000, according to Fletcher.

Justin Caporale is listed on the Women for America First paperwork as the event’s project manager. He’s identified as a partner with Event Strategies Inc., a management and production company. Caporale, formerly a top aide to first lady Melania Trump, was on the Trump campaign payroll for most of 2020, according to the FEC records, and he most recently was being paid \$7,500 every two weeks. Caporale didn’t respond to requests for comment.

Tim Unes, the founder and president of Event Strategies, was the “stage manager” for the Jan. 6 rally, according to the permit paperwork. Unes has longstanding ties to Trump, a connection he highlights on his company’s website. Trump’s presidential campaign paid Event Strategies \$1.3 million in 2020 for “audio visual services,” according to the campaign finance records. The company declined to comment for this story.

Another person with close ties to the Trump administration, Hannah Salem, was the rally's "operations manager for logistics and communications," according to the permit paperwork. In 2017, she took a hiatus from the consulting firm she founded and spent three years as senior White House press aide, "executing the media strategy for President Trump's most high-profile events," according to her company bio and LinkedIn profile.

Last month, within minutes of an AP reporter sending her a LinkedIn message asking about her involvement in and understanding of what happened on Jan. 6, Salem blocked the reporter and did not respond to questions.

Smith reported from Providence, Rhode Island.

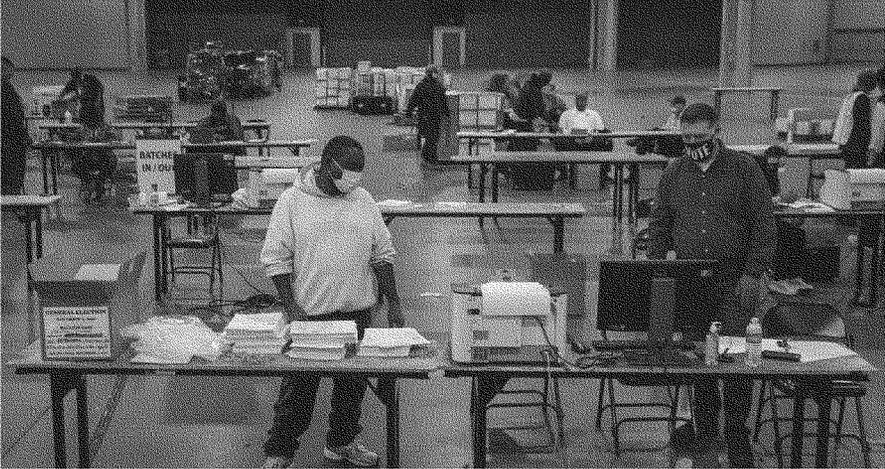
Associated Press researcher Rhonda Shafner in New York and Associated Press writer Zeke Miller contributed to this report.

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Georgia Recertifies Election Results, Affirming Biden's Victory

[nytimes.com/2020/12/07/us/politics/georgia-recertify-election-results.html](https://www.nytimes.com/2020/12/07/us/politics/georgia-recertify-election-results.html)

December 7, 2020



ATLANTA — Georgia election officials on Monday recertified the results of the state's presidential race after another recount reaffirmed Joseph R. Biden Jr.'s victory over President Trump, the third time that results showed that Mr. Trump had lost the state.

The announcement delivered the latest blow to Mr. Trump's tumultuous attempts to subvert the outcome of the election in Georgia, an effort that has caused infighting and name-calling among some Republicans.

"We have now counted legally cast ballots three times, and the results remain unchanged," Georgia's secretary of state, Brad Raffensperger, a Republican, said at a news conference.

Mr. Biden has prevailed in three separate counts of the ballots: the initial election tally; a hand recount ordered by the state; and the latest recount, which was requested by Mr. Trump's campaign and completed by machines. The results of the machine recount on the secretary of state's website show Mr. Biden with a lead of about 12,000 votes.

Mr. Raffensperger's announcement came less than 48 hours after Mr. Trump appeared in the state at a rally intended to support the candidacies of Georgia's two Republican senators, David Perdue and Kelly Loeffler, who are locked in high-stakes runoff races on Jan. 5 that

will determine control of the Senate. The president, however, spent much of his appearance airing a long list of personal grievances over his loss to Mr. Biden in Georgia and elsewhere, claiming falsely that fraudulent voting had stolen the election from him.

Mr. Raffensperger on Monday chastised both Mr. Trump and Stacey Abrams, who acknowledged her loss in the race for governor in the state in 2018 but who claimed that race was rendered fundamentally unfair because of Republican-designed policies that Democrats have described as voter suppression efforts. Ms. Abrams has said that the 2018 election was “stolen from the voters.”

Mr. Raffensperger said, “All this talk of a stolen election, whether it’s Stacey Abrams or the president of the United States, is hurting our state.”

He also said that he would support legislation offering “a major reform of our election processes” in the coming state legislative session.

It was one of numerous signs that the future of elections in Georgia — a once reliably red state that has seen a Democratic resurgence in recent years — is likely to remain an emotional and litigious battleground over voting rights and access to the polls.

For the Senate runoff races, election officials in Cobb County, the state’s third most populous county, are planning to open fewer than half of the early voting locations that were available in the general election. Voting rights groups said on Monday that the changes would harm Black and Latino voters.

Mr. Biden won Cobb County, part of the Atlanta suburbs, by 14 percentage points, improving on Hillary Clinton’s two-point margin in 2016. But the county is planning to open only five early voting locations for the runoffs, down from 11, one of the largest such reductions in the state. Nearly 400,000 people voted in Cobb County in the general election, many through early in-person or mail-in voting.

Janine Eveler, the director of elections in Cobb County, said that the county was forced to cut back on polling locations because of severe staffing shortages. “It was not our desire to reduce the number of early voting locations for the runoff, but, unfortunately, it became a necessity,” she said in a statement.

But Georgia Democrats see partisan politics at play in a county that is currently controlled by Republicans. They noted that the locations that were closed were in largely Democratic neighborhoods, including places with large Black and Latino populations.

Voting rights and civil rights groups pleaded in a letter to Ms. Eveler and other officials to keep all 11 sites open.

“Georgia’s Black and Latinx residents are more likely to live in poverty than other residents and will have more difficulty traveling long distances to access advance voting locations, especially because of the limited public transportation options in Cobb County,” the letter said. “As a result, the elimination of advance voting locations will discourage or prevent many of Cobb County’s Black and Latinx voters from participating in the runoff election.”

Groups including the N.A.A.C.P. and Fair Fight Action, the voting rights organization led by Ms. Abrams, had offered to help recruit more election workers, but Ms. Eveler said there would not be enough time to train them.

On Sunday, Georgia’s lieutenant governor, Geoff Duncan, and Mr. Raffensperger both said in television interviews that it was clear that Mr. Biden had won the state. But in a debate that evening between Ms. Loeffler and her Democratic rival, the Rev. Raphael Warnock, Ms. Loeffler declined to say, when questioned, that Mr. Trump had lost the election.

Mr. Trump has been pushing Gov. Brian Kemp, a Republican, to order an audit of voters’ signatures on ballots. The governor has said that he would also like to see an audit, but he has argued that his office does not have the authority to order one.

The president had also urged the governor to order a special legislative session in which lawmakers might assign a new slate of Electoral College members who would favor him. But the governor repeatedly declined to call for a special session, and he said in a statement on Sunday that such a gambit was not allowed by state or federal law.

Yet Mr. Trump continued to pound away at Mr. Kemp on Monday. “The Republican Governor of Georgia refuses to do signature verification, which would give us an easy win,” he wrote on Twitter. “What’s wrong with this guy? What is he hiding?”

It was unclear how an audit of signatures might help Mr. Trump’s cause. When absentee ballots are processed by county elections officials, they come in envelopes with the voters’ signatures on the outside. These signatures are checked against the signatures in state databases. But the envelopes are then separated from the ballots to ensure voters’ anonymity. That means that individual ballots could not be questioned even if problems with the signature-matching process were to come to light.

A top official in Mr. Raffensperger’s office, Gabriel Sterling, also spoke at the news conference on Monday and addressed other misunderstandings and unfounded conspiracies, sarcastically referring to the presentation as “Disinformation Monday.”

Among other things, Mr. Sterling denounced as bogus a claim that suitcases of ballots were illegally brought into a Fulton County elections center, and a rumor circulating on the internet that two Democratic state senators had been involved in counting ballots.

Also on Monday, a federal judge in Atlanta tossed out a lawsuit alleging a vast conspiracy to hack into and manipulate voting machines in Georgia. The suit had been filed by Sidney Powell, a former lawyer for Mr. Trump whom his campaign has disavowed.

Richard Fausset reported from Atlanta, and Nick Corasaniti from New York. Alan Feuer contributed reporting from New York.

Hogan: Federal approval to send National Guard during Capitol attack delayed

wtop.com/maryland/2021/01/hogan-federal-approval-to-send-national-guard-during-capitol-attack-delayed/

January 7, 2021



Gov. Larry Hogan on Thursday said that he tried to send troops from the Maryland National Guard to restore peace at the U.S. Capitol during the attack by supporters of President Donald Trump, but was “repeatedly denied approval to do so” for about an hour and a half.

The Republican governor also called for Trump to resign or be removed from office for his role in encouraging “an attack on the rule of law.”

At a news conference Thursday afternoon, Hogan said he heard of the attack while on a conference call with the Japanese ambassador to the U.S. and switched into an emergency security meeting with the leaders of the Maryland National Guard, state police and other authorities.

He told Maryland State Police Superintendent Jerry Jones to mobilize 200 state troopers, and told National Guard Maj. Gen. Tim Gowen to get the Guard ready.

Hogan said he then got a call from House Majority Leader Steny Hoyer, of Maryland, who said that he, House Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer were in an undisclosed location, that the Capitol Police were overwhelmed and there was “no federal law enforcement presence.” Hogan said they were “pleading with me” for a response, and he told them help was on the way.

The governor said he told the Congressional leaders he was “ready, willing and able” to send the National Guard to the Capitol. But because D.C. is not allowed to call up the Guard themselves, he needed approval from the Acting Secretary of Defense Christopher Miller to do so.

“We were repeatedly denied approval to do so,” Hogan said. “We had a little back-and-forth trying to get that authorization.”

About an hour and a half later, Army Secretary Ryan McCarthy called Hogan — who said he didn’t recognize the number on his phone but answered anyway — and gave them the authority.

The governor said he didn’t speak directly to the secretary of defense, but that Gowen was “repeatedly told by the National Guard at the national level that we did not have authorization.”

“We’re running it up the flagpole — don’t have authorization, don’t have authorization,” Hogan said.

He said the approval from McCarthy was “not the regular channels,” adding, “I’m not privy to what was going on inside the White House or inside the Pentagon.”

Hogan added that even with the delay, Maryland’s was the first National Guard deployment to arrive at the U.S. Capitol.

The governor added that about 6,000 Guard troops from five states would be in D.C. through the inauguration Jan. 20.

Resignation or removal

As a growing number of officials from both parties are talking about removing Trump from office, Hogan said he agreed.

“There’s no question that America would be better off if the president would resign or be removed from office,” Hogan said.

While some are calling for impeachment and some for removal via the 25th Amendment to the Constitution, Hogan said, “The details ... how that should happen, I don’t know.”

Hogan said it was “somewhat fitting” that the event was being held at the Maryland State House. “It was right here that the peaceful transfer of power was born,” Hogan said.

Gen. George Washington surrendered power over the Army “right here — right there in the old Senate chamber,” he said, pointing. It was “unprecedented ... but it secured our future as a democratic republic. ...

“Over the last two months, this sacred tradition has come under attack from our own president,” Hogan said, adding that Trump had sown the seeds of Wednesday’s attack with “lies and conspiracy theories.”

“It’s clear to me that President Trump has abandoned his sacred oath,” Hogan said.

Risk-Limiting Audit Report

Georgia Presidential Contest, November 2020

November 19th, 2020

From November 11 to November 19, 2020, the Georgia Secretary of State's office conducted a statewide risk-limiting audit of the Presidential Contest from the November 2020 General Election. Georgia's original machine count resulted in a margin of 0.3% between candidates Joe Biden and Donald Trump, requiring a full manual count of just over 5 million ballots to complete an efficient risk-limiting audit. Audit boards from all 159 Georgia counties examined 41881 batches, hand-sorting and counting each ballot as part of the process, which was the largest hand count of ballots in United States history. This document summarizes the findings of the audit.

Audit Outcome

The audit confirmed the original result of the election, namely that Joe Biden won the Presidential Contest in the State of Georgia. Like any risk-limiting audit, this audit does not confirm or correct the exact margin of victory. It only provides sufficient evidence that the correct winner was reported.

Hand-Count Variations

Prior research indicates that the expected variance between hand and machine counts, assuming no issues beyond normal human error in the counting process, ranges anywhere from 1.0 - 1.5% across all ballot types.

Georgia shows a **0.1053% (0.001053) variation** in statewide total vote count, and a **0.0099% (0.000099) variation** in the overall margin. The audited vote totals from the hand tally for the three candidates were:

Trump	2,462,857
Biden	2,475,141
Jorgensen	62,587

In addition, no individual county showed a variation in margin larger than 0.73%, and 103 of the 159 counties showed a margin variation of less than 0.05%.

The Washington Post

Democracy Dies in Darkness

Rallies ahead of Capitol riot were planned by established Washington insiders

By **Robert O'Harrow Jr.**

Jan. 17, 2021 at 8:00 a.m. EST



The fiery rallies that preceded the deadly riot at the U.S. Capitol on Jan. 6 were organized and promoted by an array of established conservative insiders and activists, documents and videos show.

The Republican Attorneys General Association was involved, as were the activist groups Turning Point Action and Tea Party Patriots. At least six current or former members of the Council for National Policy (CNP), an influential group that for decades has served as a hub for conservative and Christian activists, also played roles in promoting the rallies.

The two days of rallies were staged not by white nationalists and other extremists, but by well-funded nonprofit groups and individuals that figure prominently in the machinery of conservative activism in Washington.

In recent days, as federal authorities rounded up those involved in the Capitol riot, promoters and participants of the rallies have denounced the violence and sought to distance their events from the events that followed.

"I support the right of Americans to peacefully protest," wrote Georgia Attorney General Chris Carr, chairman of the Republican Attorneys General Association (RAGA), "but the violence and destruction we are seeing at the U.S. Capitol is unacceptable and un-American."

Organizing warm-up events is not the same thing as plotting to invade the Capitol. But before the rallies, some used extreme rhetoric, including references to the American Revolution, and made false claims about the election to rouse supporters to challenge President-elect Joe Biden's victory.

Unless Congress responds to the protests, "everyone can guess what me and 500,000 others will do to that building," tweeted Ali Alexander, a former CNP fellow who organized the "Stop the Steal" movement. "1776 is *always* an option."

On Jan. 5, at Freedom Plaza in D.C., Alexander led protesters in a chant of "Victory or death."

Alexander did not respond to a request for comment for this story. He previously told The Washington Post that he had "remained peaceful" during the riot and said his earlier speeches "mentioned peace" and were being misrepresented.

"Conflating our legally, peaceful permitted events with the breach of the US Capitol building is defamatory and false," he said in an email to The Post. "People are being misled and then those same people are fomenting violence against me and my team."

In the days and hours before the riots, Alexander and his allies attracted tens of thousands of protesters from around

the country — a crowd that included white supremacists, Christian activists and even local police officers.

Events included a “Patriot Caravan” of buses to Washington, a “Save the Republic” rally on Jan. 5 and a “Freedom Rally” on the morning of Jan. 6. A little-known nonprofit called Women for America First, a group run by Trump supporters and former tea party activists, got approval to use space on the Ellipse for what they called a “March for Trump,” according to the “public gathering permit” issued on Jan. 5.

Nearly a dozen political activists — including former White House, congressional and Trump campaign staffers — served as on-site rally coordinators and stage managers, the permit said. A spokesperson for Women for America First did not respond to requests for comment.

Scheduled speakers included Roger Stone, Rudolph W. Giuliani and Simone Gold, founder of America’s Frontline Doctors, a start-up group that condemned government shutdowns to contain the [coronavirus](#). Gold was among the protesters who entered the Capitol, according to an FBI flier with her photo.

Gold told The Post she went into the Capitol but thought it was legal to do so.

“I do regret being there,” she said.

On Jan. 5, the attorneys general group, which is based in Washington, used an affiliated nonprofit called the Rule of Law Defense Fund to pay for a robocall that urged supporters to march on the Capitol at 1 p.m. on Jan. 6 to “call on Congress to stop the steal.” A recording of the robocall was first obtained by [Documented](#), a left-leaning watchdog group.

“We are hoping patriots like you will join us to continue the fight,” [a recording of the call says](#).

On Monday, as criticism of the robocall mounted, RAGA Executive Director Adam Piper resigned. He did not respond to a request for comment.

Tea Party Patriots leader Jenny Beth Martin also condemned the violence and said in a statement to The Post that her group provided no financial support for the rally. “We are shocked, outraged, and saddened at the turn of events Wednesday afternoon,” Martin’s statement said. “We are heartbroken.”

Martin, also an executive committee member at CNP, was listed in promotional material as a rally speaker, though she did not ultimately speak. The Tea Party Patriots were listed as a “coalition partner” with Alexander’s Stop the Steal, RAGA and other groups.

“The rally was peaceful. You cannot blame what happened inside the Capitol on the promotion,” said Jason Jones, a CNP member and rally participant, who said he was there to speak about oppressed people around the world. He called the violence “sorrowful and tragic” but said it represented “a failure of policing and preparation.”

CNP Executive Director Bob McEwen said his group, a registered charity, does not get involved in political activity and had no role in the Jan. 6 events. He said CNP members and associates act independently. “What they do on their own time — I won’t say I don’t care — we have no interest or capacity to monitor,” McEwen said.

Charlie Kirk, the leader of [Turning Point USA](#), an organizer of conservative students, and Turning Point Action, its activist arm, also condemned the violence and called Jan. 6 “a really sad day for America,” according to a spokesman.

Before the rally, Kirk — a featured speaker at CNP meetings over the past two years and at the Republican National Convention in August — offered to pay for buses and hotel rooms for protesters.

“This historic event will likely be one of the largest and most consequential in American history,” he wrote in a tweet. “The team at @TrumpStudents & Turning Point Action are honored to help make this happen, sending 80+ buses full of patriots to DC to fight for this president.”

That tweet has been deleted. A spokesman said that Kirk eventually sent a half-dozen buses and that the student protesters had nothing to do with the violence.

In a video posted in late December, Alexander claimed he worked with three lawmakers — Reps. Andy Biggs (R-Ariz.), Mo Brooks (R-Ala.) and Paul A. Gosar (R-Ariz.) — on an unspecified plan to disrupt election ratification deliberations at the Capitol.

“We four schemed up of putting maximum pressure on Congress while they were voting,” Alexander said in a since-deleted video on Periscope highlighted by the Project on Government Oversight, an investigative nonprofit.

In a statement, Biggs denied meeting Alexander. Gosar did not respond to requests for comment from The Post. Brooks’s office said in a statement that he “has no recollection of ever communicating in any way with whoever Ali Alexander is.”

Brooks, first elected to Congress a decade ago, has been among the most vocal of lawmakers in condemning the election. In a [podcast interview](#) last month with Sebastian Gorka, a former strategist in the Trump White House, Brooks said he was working to delay certification of the electoral college tally as part of “an organic movement.”

“The question is really simple. Are you as an American citizen going to surrender in the face of unparalleled, massive voter fraud and election theft?” he said. “Or are you going to do what your ancestors did and fight for your country, your republic?”

The election results have been certified in all 50 states, and courts across the nation have rejected challenges brought by the president’s campaign and his allies. Shortly after the vote, a senior cybersecurity official in the Trump administration described it as “the most secure election in American history.”

In a statement Tuesday, Brooks said he is the victim of a “smear campaign.”

He said that a White House official asked him to appear at the Jan. 6 rally. “I was not encouraging anyone to engage in violence,” the statement said.

Other establishment conservatives who condoned the protests include Ginni Thomas, wife of Supreme Court Justice Clarence Thomas and listed last year as a CNP Action board member, who praised rallygoers in tweets.

“LOVE MAGA people!!!!” she tweeted early in the morning on Jan. 6. “GOD BLESS EACH OF YOU STANDING UP or PRAYING.”

Ginni Thomas did not respond to requests for comment.

Since the early 1980s, CNP has served as a bridge between Washington’s establishment conservatives and scores of Christian and right-wing groups across the nation. It convenes closed-door meetings for members and wealthy donors at least twice a year. CNP officials and their allies met weekly with White House officials under President Trump, in part to coordinate public messaging about the administration’s agenda, internal videos show. Trump spoke to the group in August.

Vice President Pence praised the group in a letter obtained by The Post, saying last year that “I just wanted to thank

you and the Council for National Policy for your support and for consistently amplifying the agenda of President Trump.”

McEwen told The Post his group serves only as a venue for conservative speakers and does not coordinate the activity of members.

In one meeting last summer, a CNP member warned that a “civil war” would result if Trump lost the election to predicted fraud, according to internal videos obtained by The Post.

In websites promoting the rallies, Alexander’s Stop the Steal coalition urged protesters to “take to” the Capitol steps “to make sure that Congress does not certify the botched Electoral College,” according to webpages that have been removed.

Another coalition webpage featured a 36-page election analysis by Trump adviser Peter Navarro, a speaker at CNP in May 2019. It claimed that Trump’s loss was a statistical impossibility and was due to a “whitewash” by journalists and politicians. Navarro warned about “putting into power an illegitimate and illegal president.”

He did not respond to requests for comment.

One of those behind the rallies was Arina Grossu, an antiabortion activist listed as a contract outreach coordinator for a religious freedom office at the Department of Health and Human Services, according to HHS promotional material and an agency directory.

Grossu was co-founder of Jericho March, one of the coalition partners that organized the Jan. 6 rallies. In December, her group described some protesters against the election as a “prayer army” that would take the case before “the Courts of heaven, the Supreme Court, and the court of public opinion seeking truth and justice in this election.”

“The blatant fraud and corruption in this election is overwhelming and it cries out to God for justice. We the People demand answers and accountability,” she said in a posting online that has since been removed. “We serve a mighty God who can restore truth and justice in our land.”

Grossu did not respond to requests for comment. An HHS spokeswoman declined to provide Grossu’s employment status.

In a statement after the riot, her group said that it “never will condone violence or destruction” and that its mission is “peace and prayer.”

Updated January 17, 2021

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Trump's second impeachment

Unprecedented: House hands Trump a second impeachment, this time with GOP support

Senate impeachment whip count: Where Democrats and Republicans stand

Press Releases

 romney.senate.gov/romney-condemns-insurrection-us-capitol

Romney Condemns Insurrection at U.S. Capitol

Urges unanimous affirmation of election results

Wednesday, January 6, 2021

WASHINGTON – Following are prepared remarks by Senator Mitt Romney (R-UT), who had previously planned to address his colleagues in today’s Senate session:

“We gather today due to a selfish man’s injured pride and the outrage of his supporters whom he has deliberately misinformed for the past two months and stirred to action this very morning. What happened here today was an insurrection, incited by the President of the United States. Those who choose to continue to support his dangerous gambit by objecting to the results of a legitimate, democratic election will forever be seen as being complicit in an unprecedented attack against our democracy. They will be remembered for their role in this shameful episode in American history. That will be their legacy.”

“The objectors have claimed they are doing so on behalf of the voters. Have an audit, they say, to satisfy the many people who believe that the election was stolen. Please! No Congressional led audit will ever convince those voters, particularly when the President will continue to claim that the election was stolen. The best way we can show respect for the voters who are upset is by telling them the truth. That is the burden, and the duty, of leadership. The truth is that President-elect Biden won this election. President Trump lost. Scores of courts, the President’s own Attorney General, and state election officials both Republican and Democrat have reached this unequivocal decision.”

“We must not be intimidated or prevented from fulfilling our constitutional duty. We must continue with the count of electoral college votes. In light of today’s sad circumstances, I ask my colleagues: Do we weigh our own political fortunes more heavily than we weigh the strength of our Republic, the strength of our democracy, and the cause of freedom? What is the weight of personal acclaim compared to the weight of conscience?”

“Leader McConnell said that the vote today is the most important in his 40 plus years of public service. That is not because this vote reveals something about the election; it is because this vote reveals something about ourselves. I urge my colleagues to move forward with completing the electoral count, to refrain from further objections, and to unanimously affirm the legitimacy of the presidential election.”

Issues

General

NEWS DESK

AN AIR FORCE COMBAT VETERAN BREACHED THE SENATE



By Ronan Farrow

January 9, 2021



The retired Air Force officer Larry Rendall Brock, Jr., wearing a combat helmet, in the Senate chamber. Photograph by Win McNamee / Getty

Update: Two days after the publication of this piece, Brock was arrested in Texas and charged in federal court, in the District of Columbia, with knowingly entering or remaining in a restricted building without lawful authority, and with violent entry and disorderly conduct on Capitol grounds.

s insurrectionists stormed the U.S. Capitol this week, a few figures stood out. One man, clad in a combat helmet, body armor, and other tactical gear, was among the group that made it to the inner reaches of the building. Carrying zip-tie handcuffs, he was captured in photographs and videos on the Senate floor and with a group that descended on Speaker Nancy Pelosi's office suite. In a video shot by ITV News, he is seen standing against a wall adjacent to Pelosi's office, his face covered by a bandana. At another point, he appears to exit the suite, face exposed, pushing his way through the crowds of demonstrators.

A day after the riots, John Scott-Railton, a senior researcher at Citizen Lab, at the University of Toronto's Munk School, notified the F.B.I. that he suspected the man was retired Lieutenant Colonel Larry Rendall Brock, Jr., a Texas-based Air Force Academy graduate and combat veteran. Scott-Railton had been trying to identify various people involved in the attack. "I used a number of techniques to hone in on his identity, including facial recognition and image enhancement, as well as seeking contextual clues from his military paraphernalia," Scott-Railton told me. Brock was wearing several patches on his combat helmet and body armor, including one bearing a yellow fleur de lis, the insignia of the 706th Fighter Squadron. He also wore several symbols suggesting that he lived in Texas, including a vinyl tag of the Texas flag overlaid on the skull logo of the Punisher, the Marvel comic-book character. The Punisher has been adopted by police and Army groups and, more recently, by white supremacists and followers of QAnon. Scott-Railton also found a recently deleted Twitter account associated with Brock, with a Crusader as its avatar. "All those things together, it's like looking at a person's C.V.," Scott-Railton said.

Two family members and a longtime friend said that Brock's political views had grown increasingly radical in recent years. Bill Leake, who flew with Brock in the Air Force for a decade, said that he had distanced himself from Brock. "I don't contact him anymore 'cause he's gotten extreme," Leake told me. In recent years, Brock had become an increasingly committed supporter of Donald Trump, frequently wearing a Make America Great Again hat. In the days leading up to the siege of the Capitol, Brock had posted to social media about his plans to travel to Washington, D.C., to participate in Trump's "Save America" rally. Brock's family members said that he called himself a patriot, and that his expressions of that identity had become increasingly strident. One recalled "weird rage talk, basically, saying he's willing to get in trouble to defend what he thinks is right, which is Trump being the President, I guess." Both family members said that Brock had made racist remarks in their presence and that they believed white-supremacist views may have contributed to his motivations.

In an interview, Brock confirmed that he was the man in the photos and videos. He denied that he held racist views and echoed Trump's baseless claims of election fraud, saying that he derived his understanding of the matter principally from social media. He told me that he had gone to Washington, D.C., to demonstrate peacefully. "The President asked for his supporters to be there to attend, and I felt like it was important, because of how much I love this country, to actually be there," he said. Brock added that he did not identify as part of any organized group and claimed that, despite the scenes of destruction that day, he had seen no violence. When he arrived at the Capitol, he said, he assumed he was welcome to enter the building.

Brock denied that he had entered Pelosi's office suite, saying that he "stopped five to ten feet ahead of the sign" bearing her title that insurrectionists later tore down and brandished. However, in the ITV video, he appears to emerge from the suite. Brock said that he had worn tactical gear because "I didn't want to get stabbed or hurt," citing "B.L.M. and Antifa" as potential aggressors. He claimed that he had found the zip-tie handcuffs on the floor. "I wish I had not picked those up," he told me. "My thought process there was I would pick them up and give them to an officer when I see one. . . . I didn't do that because I had put them in my coat, and I honestly forgot about them." He also said that he was opposed to vandalizing the building, and was dismayed when he learned of the extent of the destruction. "I know it looks menacing," he told me. "That was not my intent."

Legal experts said that people who breached the Capitol could face a range of criminal charges, from disorderly conduct to seditious conspiracy. “Presumably this person broke into Congress in order to stop or intimidate or interfere with the counting of the Electoral College certification, a fundamental feature of the peaceful transition of power in the United States,” Alan Rozenshtein, a professor of law at the University of Minnesota, said.

Brock, a fifty-three-year-old father of three who lives in an affluent suburb of Dallas, graduated from the Air Force Academy in 1989, with a major in international relations and affairs. In a LinkedIn profile that Brock recently deleted, he described himself as having served as a chief operations inspector and flight commander with the 706th Fighter Squadron, at one point leading more than two dozen pilots. Brock told me that he served in Afghanistan and, in a non-combat capacity, in Iraq, and that for his service he received three Meritorious Service Medals, six Air Medals, and three Aerial Achievement Medals. In a statement, Ann Stefanek, an Air Force spokesperson, said, “This individual is no longer serving in the Air Force Reserve. He retired in 2014. As a private citizen, the Air Force no longer has jurisdiction over him.” Brock now works for Hillwood Airways, a Texas-based private aviation company.

Brock's family members and his friend said that his service in the Air Force was central to his identity. Several of Brock's e-mail addresses and social-media accounts featured his call sign and military nickname, Torch. One family member said that Brock derived “this weird sense of power” from his time as a military pilot, along with a Manichean world view. “He used to tell me that I only saw the world in shades of gray, and that the world was black and white,” the other family member said. “He doesn't understand the fallout and the people he's hurting. And I can't imagine what he was doing there with zip ties, or what he thought he was going to accomplish.”

The F.B.I. has identified and charged thirteen individuals involved in the attack on the Capitol. Some of them have been identified by the crowd-sourced online movement. “There's tons of people taking shots of individual faces and putting them into tweets, which has been extremely helpful,” said Michael Sheldon, an associate at the Atlantic Council's Digital Forensic Research Lab, who, like Scott-Railton, used facial-recognition software to identify Brock. “We reach out to each other if we see someone has something useful or there's some room for collaboration.” Experts and citizens with no formal training in digital forensics also tweeted various clues and inferences. Scott-Railton stressed that the approach was a supplement to, rather than a replacement for, traditional law-enforcement investigations. “It's a powerful technique to hold people accountable that comes with well-known risks,” he said. “Which is why it was so important in this case to not make the name public immediately but to refer it to the F.B.I.,” he added. “Let's call it the digital ecosystem of accountability that has arisen around what happened at the Capitol.”

Leake said that he believed the same intense commitment that had made Brock an effective fighter pilot had led him to this week's events in the Capitol. “Torch got *all in* on Trump,” Leake said. “He went all in on the alternative-news-source world. He actually believes liberals and Democrats are a threat to the country. You can see how the logical conclusion to that is, We've gotta take over.”

READ MORE ABOUT THE ATTACK ON THE CAPITOL

- Donald Trump, the [Inciter-in-Chief](#).
- He [must be held accountable](#).
- The invaders enjoyed [the privilege of not being taken seriously](#).

1/11/2021

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Ronan Farrow, a contributing writer to The New Yorker, is the author of "[Catch and Kill](#)" and "[War on Peace](#)." His reporting for The New Yorker won the 2018 Pulitzer Prize for public service.

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Rep. Susan Wild on the 'Sheer Panic' She Felt In That Viral Photo

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Every item on this page was chosen by an ELLE editor. We may earn commission on some of the items you choose to buy.

The Pennsylvania Congresswoman tells ELLE she wasn't sure she'd ever see her kids again.

As told to [Rose Minutaglio](#)

Jan 7, 2021





Tom Williams

Thousands of Donald Trump supporters stormed the nation's Capitol building yesterday, disrupting a joint session of Congress. Some members of Congress sheltered in their Capitol Hill offices, while others inside the House chamber took cover underneath their seats. Rep. Susan Wild of Pennsylvania was one of the last people to evacuate the gallery. Below, Rep. Wild recounts in her own words the harrowing experience—and why she made one final phone call to her kids.

This time 24 hours ago I was getting ready to help certify the election. In preparation for the big day, I Zoomed with members of the Pennsylvania Democratic delegation and, in anticipation of working into the wee hours of the morning, packed a backpack with plenty of

extra snacks and phone chargers. Then I slipped on my most comfortable Rothy's flats and headed to the Capitol.

That seems like an eternity ago.

When I arrived at noon, I sat on the far right side of the gallery, above the House floor, to observe proceedings until it was Pennsylvania's turn to speak. It all felt business-as-usual until Capitol police sent a series of texts.

The first was an alert about protestors.

The second text said the Capitol's external perimeter had been breached.

The third warned of an interior breach.

I knew full well who the intruders were and what they were a part of. Groups of people in MAGA hats were waiting outside the Capitol when I arrived earlier that morning, and I'd heard of discussion on social media about them bringing weapons.

Word spread quickly through the gallery. We saw police officers running through the hallways, and then Speaker Pelosi and Leader Hoyer were accompanied off the floor by officials. We were told by the Sergeant-at-Arms to stay calm and stay in our seats. Unbelievably, we continued—but by then, no one was listening.

┆ “What about all of us?”

I was scoping out where I could duck if I needed to when, all of a sudden, police shut the gallery doors, and barricaded and locked them. We were told to check under our seats for gas masks in a sealed bag, because tear gas would be used on the intruders. Below, on the House floor, people ran away. But we were up in the gallery with no escape. Rep. Diana DeGette leaned over the railing and shouted: “What about all of us?”



Reps. Lucille Roybal-Allard and Annie Kuster put on gas masks and took cover as rioters attempted to break into the joint session of Congress.

Tom Williams/Getty Images

To get to the one open door, we navigated extremely narrow aisles. It was chaotic and took an inordinately long period of time. By the time I made it to the exit, I was told I couldn't evacuate. There had been another disturbance in the hallway and the only open door was barricaded.

I heard shouting from down below: "Get down! Get down!" So I got on my hands and knees to crawl through the gallery.

That's when people started making phone calls. Rep. Terri Sewell, who was next to me, called her husband and her mother, telling them both that she loved them. Rep. Jason Crow, who was behind me, phoned his wife.



Trump supporters clashing with police before storming the U.S. Capitol building.
ROBERTO SCHMIDT/Getty Images

I need to talk to my kids, I thought to myself, because I may never talk to them again.

I FaceTimed my 27-year-old son, Clay, and my 24-year-old daughter, Adrienne, to let them know I was staying as safe as possible and that I would be okay.

Clay said, “We hear gunshots and breaking glass in the background. How can you say you’re okay?”



Rep. Wild with her son, Clay, at a drive-in rally for Vice President-elect Kamala Harris last year.

Mark Makela/Getty Images

Something about that call prompted a panic inside me. My heart began to pound. I felt paralyzed. The only way I can describe it is "freaking out." The door was still barricaded and it sounded like bullets were ricocheting in the chamber. I felt trapped—much how I imagine an emergency on an airplane might feel. Claustrophobic. Sheer panic. The fear of what's to come.

Unlike Rep. Crow, who has been in combat before, I'd never been in this kind of situation. I must have been exhibiting signs of extreme panic, because he grabbed my hand and tried to calm me down.



Pro-Trump supporters outside the U.S. Capitol following a rally.
Samuel Corum/Getty Images

I lost my right Rothy's shoe when we were finally rushed out, so I hopped down hallways and stairwells—places I've never seen in the Capitol before—to a large committee meeting room. We were held there for six hours.

Rep. Crow somehow managed to track down my shoe. Not only was he my personal hero that day, but he also assisted Capitol police with the evacuation and suggested we remove our Congressional pins so we wouldn't be identified as members of Congress if we encountered perpetrators. Interestingly, one of my African American colleagues, also a brand-new member of Congress, felt safer keeping his pin on. "I don't want to take it off," he told me, "because I don't want the police not to know that I'm a member."

When it was first announced we would return to finish the business of certifying the election, my first thought was, "Are you kidding me? I mean, how do we go back onto the House floor?"

But I quickly realized we needed to get this thing done.



Rep. Wild tells ELLE.com she hopes to "see some accountability and soon."
Tom Williams/Getty Images

It took me forever to fall asleep last night. My mind was racing. I couldn't stop thinking about how we can't just forget about this. There must be an investigation, both internal and external. My colleagues and I have had many discussions about the President's role in this. There have also been talks about future security concerns.

How were so many signs ignored? Why did the people charged with securing our country not do something in advance? Were Capitol police adequately staffed? Did someone on the inside know beforehand? I'm not making an accusation, but that's part of what needs to be fleshed out.

There is a sense that the intruders got in way too quickly and knew the layout very well. Many of us still have trouble finding Speaker Pelosi's office, yet they managed to find it without difficulty.

I hope to see some accountability, and soon. Americans should rest easy knowing we don't allow rampant disregard of our democratic institutions, either by intruders or by the people who instigate them.

This interview has been lightly edited and condensed for clarity.

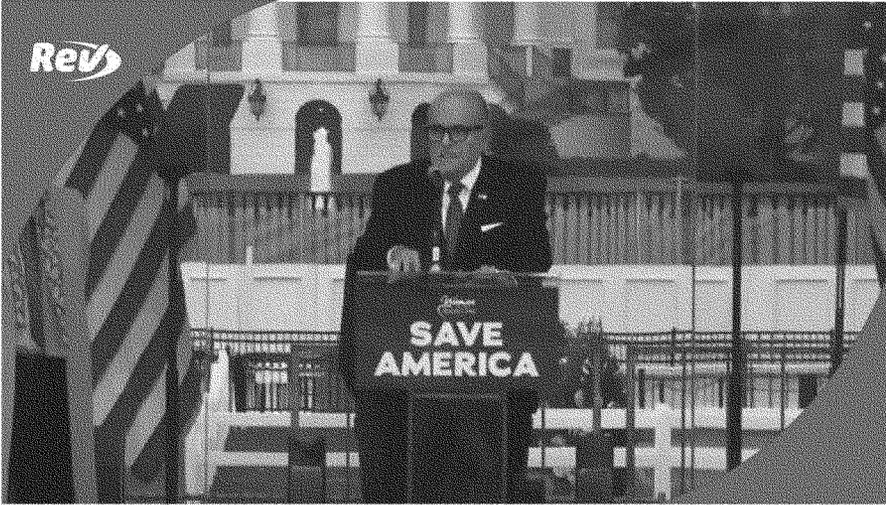
Rose Minutaglio Staff Writer Rose is a Staff Writer at ELLE.com covering culture, news, and women's issues.

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Rudy Giuliani Speech Transcript at Trump's Washington, D.C. Rally: Wants 'Trial by Combat'

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Rudy Giuliani: (00:09)

Hello. Hello everyone. We're here just very briefly to make a very important two points. Number one; every single thing that has been outlined as the plan for today is perfectly legal. I have Professor Eastman here with me to say a few words about that. He's one of the preeminent constitutional scholars in the United States. It is perfectly appropriate given the questionable constitutionality of the Election Counting Act of 1887 that the Vice President can cast it aside and he can do what a president called Jefferson did when he was Vice President. He can decide on the validity of these crooked ballots, or he can send it back to the legislators, give them five to 10 days to finally finish the work. We now have letters from five legislators begging us to do that. They're asking us. Georgia, Pennsylvania, Arizona, Wisconsin, and one other coming in.

Crowd: (01:44)

Rudy, Rudy, Rudy, Rudy.

Rudy Giuliani: (01:49)

It seems to me, we don't want to find out three weeks from now even more proof that this election was stolen, do we?

Crowd: (01:58)

No.

Rudy Giuliani: (02:01)

So it is perfectly reasonable and fair to get 10 days... and you should know this, the Democrats and their allies have not allowed us to see one machine, or one paper ballot. Now if they ran such a clean election, why wouldn't they make all the machines available immediately? If they ran such a clean election, they'd have you come in and look at the paper ballots. Who hides evidence? Criminals hide evidence. Not honest people.

Rudy Giuliani: (02:43)

Over the next 10 days, we get to see the machines that are crooked, the ballots that are fraudulent, and if we're wrong, we will be made fools of. But if we're right, a lot of them will go to jail. Let's have trial by combat. I'm willing to stake my reputation, the President is willing to stake his reputation, on the fact that we're going to find criminality there.

Rudy Giuliani: (03:24)

Is Joe Biden willing to stake his reputation that there's no crime there? No. Also, last night one of the experts that has examined these crooked dominion machines has absolutely what he believes is conclusive proof that in the last 10%, 15% of the vote counted, the votes were deliberately changed. By the same algorithm that was used in cheating President Trump and Vice President Pence. Same algorithm, same system, same thing was done with the same machines. You notice they were ahead until the very end, right? Then you noticed there was a little gap, one was ahead by 3%, the other was ahead by 2%, and gone, gone, they were even. He can take you through that and show you how they programmed that machine from the outside to accomplish that. And they've been doing it for years to favor the Democrats.

Rudy Giuliani: (04:34)

It is a matter of scientific proof. We need two days to establish that. It would be a shame if that gets established after it's over, wouldn't it be? This was the worst election in American history. This election was stolen in seven states. They picked states where they have crooked Democratic cities, where they could push everybody around. And it has to be vindicated to save our republic. This is bigger than Donald Trump. It's bigger than you and me. It's about these monuments and what they stand for.

Rudy Giuliani: (05:15)

This has been a year in which they have invaded our freedom of speech, our freedom of religion, our freedom to move, our freedom to live. I'll be darned if they're going to take away our free and fair vote. And we're going to fight to the very end to make sure that doesn't happen. Let me ask Professor Eastman to explain as easily as we can, I know this is complicated, but what happened last night, how they cheated, and how it was exactly the same as what they did on November 3rd.

Professor Eastman: (05:52)

America's Mayor, wonderful. Hello America. Sorry I had to say that. Look, we've got petitions pending before the Supreme Court that identify it chapter and verse, the number of times state election officials ignored or violated the state law in order to put Vice President Biden over the finish line. We know there was fraud, traditional fraud that occurred. We know that dead people voted. But we now know because we caught it live last time in real time, how the machines contributed to that fraud.

Professor Eastman: (06:31)

And let me as simply as I can explain it; you know the old way was to have a bunch of ballots sitting in a box under the floor and when you needed more, you pulled them out in the dark of night. They put those ballots in a secret folder in the machines. Sitting there waiting until they know how many they need. And then the machine, after the close of polls, we now know who's voted, and we know who hasn't. And I can now, in that machine, match those unvoted ballots with an unvoted voter and put them together in the machine.

Professor Eastman: (07:06)

And how do we know that happened last night in real time? You saw when it got to 99% of the vote total and then it stopped. The percentage stopped, but the votes didn't stop. What happened, and you don't see this on Fox or any of the other stations, but the data shows that the denominator, how many ballots remain to be counted, how else do you figure out the percentage that you have, how many remain to be counted, that number started moving up. That means they were unloading the ballots from that secret folder, matching them to the unvoted voter, and voila, we have enough votes to barely get over the finish line.

Professor Eastman: (07:45)

We saw it happen in real time last night, and it happened on November 3rd as well. And all we are demanding of Vice President Pence is this afternoon at 1:00 he let the legislators of the state look into this so we get to the bottom of it, and the American people know whether we have control of the direction of our government, or not.

Professor Eastman: (08:16)

We no longer live in a self governing republic if we can't get the answer to this question. This is bigger than President Trump. It is a very essence of our republican form of government, and it has to be done. And anybody that is not willing to stand up to do it, does not deserve to be in the office. It is that simple.

Rudy Giuliani: (08:40)

God bless you. And thank you so much for your support. I know the courage it takes to be out there. I know how you get ridiculed. I know how they try to take jobs away from you. But you look in the mirror every night and you say to yourself, "I'm doing the right thing for myself, for my family, for my children, and most importantly for the United States of America."

Incitement Timeline: Year of Trump's Actions Leading to the Attack on the Capitol

by Ryan Goodman,
Mari Dugas and
Nicholas Tonckens

January 11, 2021

What follows is a detailed timeline of President Donald Trump's statements and actions relevant to the case that he incited the attack on the Capitol on Jan. 6, 2021. Of course many of Trump's actions fomenting violence and white supremacy predate the year covered in this timeline. We focus on the year preceding the attack on the Capitol and how Trump mobilized his supporters to try overturn the election.

The timeline includes statements as well as acts of commission and omission over the past year. In our view, the evidence shows how the president inspired violent groups, despite warnings from Republican and Democratic officials of the dangerous consequences. In earlier statements, Trump gave support and legitimacy to armed insurrectionists in states that had imposed pandemic restrictions. During the election season, Trump refused to say he would ensure a peaceful transfer of power, refused to condemn white supremacists and instead affirmatively bolstered the Proud Boys and QAnon. After losing the election, Trump and associated leaders of the "Stop the Steal" effort built toward the events that unfolded on January 6.

If we have missed any key information, please notify us by sending an email to lte@justsecurity.org.

January 20, 2020: President Trump enthusiastically expresses support for heavily armed 2nd Amendment protesters in Richmond, Virginia.

President Trump tweets: "The Democrat Party in the Great Commonwealth of Virginia are working hard to take away your 2nd Amendment rights."

April 17, 2020: Following armed anti-pandemic lockdown protests at several state capitals, Trump tweets: “LIBERATE MINNESOTA!” “LIBERATE MICHIGAN!” and “LIBERATE VIRGINIA, and save your great 2nd Amendment. It is under siege!”

The tweets come in response to armed protests in several states, including Michigan, where protesters chanted “lock her up,” referring to Governor Gretchen Whitmer. The tweets prompt a leading legal expert on militias Mary McCord to write that Trump has “incited insurrection” against state governments.

April 30, 2020: Armed protestors storm the Michigan state capitol building. Two of the protestors are eventually charged in the attempted kidnapping of Governor Gretchen Whitmer (see entry for Oct. 7, 2020).

The New York Times reports that one of the protestors carried a sign that read, “Tyrants Get the Rope,” and another carried an American flag that had a doll made to look like Ms. Whitmer hanging from it.

May 1, 2020: Trump tweets in favor of the Michigan protestors.

The president tweets: “The Governor of Michigan should give a little, and put out the fire. These are very good people, but they are angry. They want their lives back again, safely! See them, talk to them, make a deal.”

June 4, 2020: The Trump campaign sends out a fundraising email asking supporters to enlist in the “Trump Army.”

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Friend,

This email is **FOR PATRIOTS ONLY**.

You've been identified as one of President Trump's fiercest and most loyal defenders, and according to your donor file, you'd make an excellent addition to the **Trump Army**.

When you become a member of the Trump Army today, we'll give you access to get our never-before-seen, Limited Edition Camo Keep America Great Hat.

The President wants YOU and every other member of our exclusive **Trump Army** to have something to identify yourselves with, and to let everyone know that YOU are the President's first line of defense when it comes to fighting off the Liberal MOB.

These limited-edition, American-made hats are for **Trump Army** members **ONLY**, so do not pass this information on to anyone.

Please contribute \$35 or more RIGHT NOW to join the Trump Army and we'll send you your very own Camo Keep America Great Hat. >> [click1.action.gop.com]



July 9, 2020: President Trump refuses to say whether he will accept the election results.

In an interview with President Trump, Fox News reporter Chris Wallace asks him whether he will accept the election results. Trump responds, "No, I'm not going to just say yes. I'm not going to say no, and I didn't last time either."

August 17, 2020: President Trump condemns Antifa as the Proud Boys descend on Portland, Oregon.

The Proud Boys lead an "End Domestic Terrorism Rally" in Portland, Oregon, in self-proclaimed opposition to Antifa; the rally is met by counterprotestors and a heavy police presence. Trump tweets, "Major consideration is being given to naming ANTIFA an "ORGANIZATION OF TERROR." Portland is being watched very closely. Hopefully the Mayor will be able to properly do his job!"

August 19, 2020: President Trump acknowledges and appears to tacitly endorse QAnon for the first time.

When asked at a White House press conference what he thinks about QAnon and what he has to say to the movement's followers, the President says:

“Well I don’t know much about the movement, but from what I understand they like me very much, which I appreciate. I have heard that it is gaining in popularity, and from what I hear these are people that... They watch the streets of Portland, when they watch what happened in New York City in just the last six or seven months . . . these are people that don’t like seeing what’s going on in places like Portland and places like Chicago and New York City and other cities and states and I’ve heard these are people that love our country and they just don’t like seeing it.”

When asked about their belief that he is fighting a secret global battle against a cult of pedophile cannibals, he says, “Well I hadn’t heard that, but is that supposed to be a bad thing or a good thing? If I can help save the world from problems, I’m willing to do it, and we are actually, we are saving the world from a radical left philosophy that will save this country.”

August 31, 2020: After the police shooting of Jacob Blake, an unarmed black man in Kenosha, Wisconsin, President Trump declines to condemn white nationalist-led violent protests.

Trump expresses sympathy to 17-year old **Kyle Rittenhouse**, charged with shooting and killing two people, and the president suggests he may have been acting in self defense. In response to the violence in Kenosha and Portland, Oregon, Trump also says: “Well, I understand that had large numbers of people that were supporters, but that was a peaceful protest...And paint is not — and paint as a defensive mechanism, paint is not bullets. ... These people, they protested peacefully. They went in very peacefully.”

In response to Trump’s failure to denounce the violence, then-candidate Biden states: “He wouldn’t even repudiate one of his supporters who is charged with murder because of his attacks on others. He is too weak, too scared of the hatred he has stirred to put an end to it.”

Later reports suggest that DHS officials were directed to make sympathetic statements toward Rittenhouse. It is unclear whether these directions originated at the White House or within the DHS press office, NBC reports.

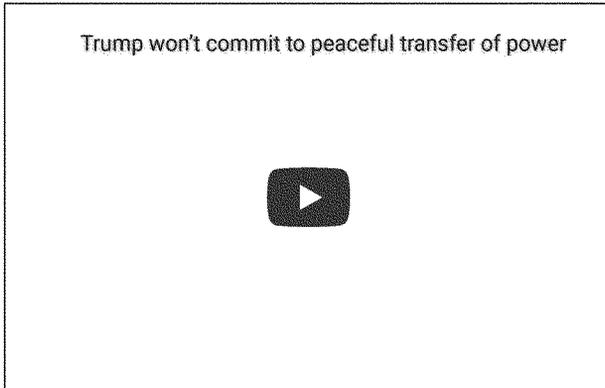
September 8, 2020: Brian Murphy, a whistleblower in the Department of Homeland Security submits a complaint that claims that the two most senior DHS officials tried to suppress threat assessments of white supremacy because it would reflect poorly on President Trump.

The complaint alleges that acting Secretary of Homeland Security Chad Wolf and Deputy Secretary of Homeland Security Ken Cuccinelli wanted Murphy to “specifically modify the section on White Supremacy in a manner that made the threat appear less severe, as well as include information on the prominence of violent ‘left-wing’ groups.” The complaint also alleges that DHS leadership asked Murphy to “modify intelligence assessments to ensure they matched up with the public comments by President Trump on the subject of ANTIFA and ‘anarchist’ groups.”

The complaint garners wide media attention.

September 23, 2020: In response to a direct question, President Trump refuses to say he will ensure a peaceful transfer of power if he loses the election.

In a White House press conference, a reporter asks the president if he will “commit to making sure that there is a peaceful transfer of power after the election?” President Trump answers, “Well, we’re going to have to see what happens.” He further raises alarms about a potential transition of power: “Get rid of the ballots and you’ll have a very peaceful — there won’t be a transfer, frankly. There will be a continuation.”

**September 29, 2020: First Presidential Debate.**

When asked by debate moderator Chris Wallace, if the president will urge his supporters to “stay calm during this extended period, not to engage in any civil unrest,” President Trump answers vaguely that “bad things happen in Philadelphia. Bad things. And I am urging my people. I hope it’s going to be a fair election.” His answers heighten concern of “election day chaos.”

Later in the debate, when asked to condemn white supremacist militias like the Proud Boys, Trump tells them to “Stand back and stand by,” and that “somebody’s got to do something about antifa and the left.”

The President’s comments are widely interpreted as a boost for the Proud Boys and other white nationalist groups. In response to the statement and lack of denouncement of white supremacists, a known social media account associated with the Proud Boys makes “stand back and stand by” its new slogan. A user on the Proud Boys’ Telegram account also writes, “Standing down and standing by sir.” Proud Boys organizer Joe Biggs likewise posts that he is “standing by,” and that Trump “basically said to go f— them [antifa] up.”

October 07, 2020: The Justice Department indicts ring for attempting to kidnap Michigan Governor.

The Justice Department announces indictments of 13 men charged with attempting to kidnap Gretchen Whitmer, Governor of Michigan. Whitmer cites Trump statements failing to condemn white supremacists and other rhetoric is seen as a “rallying cry” for such violent groups.

Trump responds to the plot at a rally in Lansing, MI: “It was our people — my people, our people that helped her out. And then she blamed me for it. She blamed me and it was our people that helped her. I don’t get it. How did you put her there?” (The crowd chants “lock her up” at the rally in response).

Trump tweets, “I do not tolerate ANY extreme violence. Defending ALL Americans, even those who oppose and attack me, is what I will always do as your President! Governor Whitmer—open up your state, open up your schools, and open up your churches!”

October 15, 2020: President Trump claims to know nothing about QAnon, and refuses to denounce it.

When asked at a televised town hall whether he disavows QAnon, Trump responds, “I know nothing about QAnon ... What I do hear about it, they are very strongly against pedophilia, and I agree with that.” When pressed on whether he believes a satanic pedophile ring exists, he retorts, “No, I don’t know that and neither do you know that.”

November 1, 2020: President Trump praises supporters who, with their cars, swarm a Biden campaign bus traveling between San Antonio and Texas.

A Biden campaign spokesperson says the vehicles “attempted to slow the bus down and run it off the road,” and that following the incident an event at the Texas AFL-CIO was canceled out of an “abundance of caution.”

“Did you see the way our people were protecting his bus?” Trump boasts at a frigid rally in Washington, Mich., hours after tweeting a video of the caravan with the message: “I LOVE TEXAS.” “They had hundreds of cars. Trump. Trump. Trump, and the American flag.”

“These patriots did nothing wrong,” he tweets in response to news the FBI is investigating the caravan.

November 13, 2020: In the aftermath of the 2020 presidential election, President Trump's allies spearhead a media campaign and a call to action of the President's supporters.

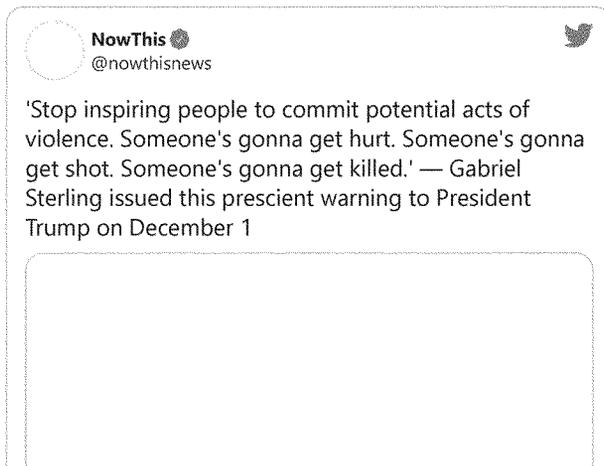
"This is as serious a constitutional crisis as our nation has ever faced. We will only be the beacon of hope for the world if we are willing to stand with courage and integrity & defend our republic," General Mike Flynn, former National Security Advisor, tweets. Sidney Powell echos the statements, saying in an interview that "This is *essentially a new American revolution*. And anyone who wants this country to remain free needs to step up right now."

December 1, 2020: While the President's supporters continue to ratchet up calls of martial law and use of force, Republicans beg the President to tamp down his rhetoric, concerned that it will lead to violence.

Lin Wood proclaims on Parler: "Our country is headed to Civil War...President Trump must follow the precedent of Abraham Lincoln and declare martial law."

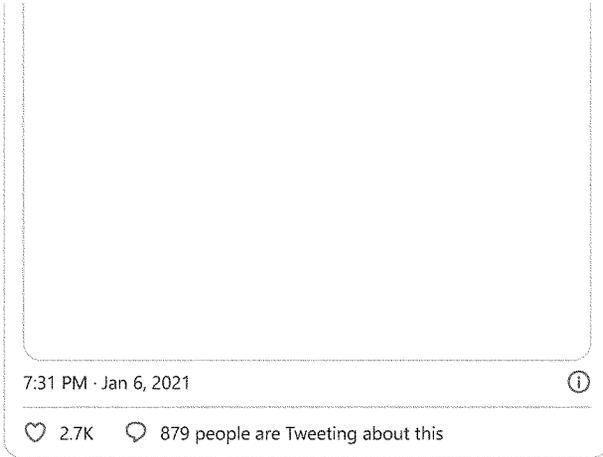
Meanwhile, as media attention focuses on battleground states, Gabriel Sterling, a Republican election official in Georgia, implores Trump in a passionate viral speech:

"Stop inspiring people to commit potential acts of violence. Someone is going to get shot, someone is going to get killed. And it's not right."



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December 2, 2020: Violent rhetoric by President Trump's allies continues as the Georgia Senate runoff race nears.

"We're going to slay Goliath, the communists, the liberals, the phonies. Joe Biden will never set foot in the Oval Office of this country. It will not happen on our watch. Never gonna happen," Lin Wood claims at the Stop the Steal Rally in Alpharetta, Georgia.

December 6, 2020: Armed protestors arrive at the home of Michigan Secretary of State, Jocelyn Benson, threatening violence after the results of the election.

December 8, 2020: The official Twitter account of the Arizona GOP asks supporters whether they are willing to die for President Trump.

In response to a Stop the Steal tweet saying "I am willing to give my life for this fight," the Arizona GOP tweets, "He is. Are you?" The GOP account also tweets a clip of the 2008 movie "Rambo," as the character proclaims, "This is what we do, who we are. Live for nothing, or die for something." After public criticism, both tweets are deleted.

December 9, 2020: "I believe there will be violence in our streets soon." Lin Wood predicts during an interview on the pro-Trump TV station, New Tang Dynasty Television.

December 12, 2020: On the day of “Stop the Steal” rallies, Proud Boys leader Enrique Tarrío posts photos of himself taken at the White House, although the White House later denies he was invited.

Tarrío posts photos on Parler of himself on the White House portico, claiming that he had received a “last minute invite to an undisclosed location” while attending a protest in Washington D.C. The White House refutes the invitation and states that Tarrío did not meet with Trump, but does not explain how he passed screening for a public tour.

December 12, 2020: “Stop the Steal” rallies occur across the country and turn violent; President Trump expresses his support for his supporters’ participation in the rallies.

Trump tweets his encouragement: “Wow! Thousands of people forming in Washington (D.C.) for Stop the Steal. Didn’t know about this, but I’ll be seeing them! #MAGA”

While Trump supporters also gather in Olympia, Washington, St. Paul, Minnesota, Trump allies Mike Flynn and Sebastian Gorka speak at the Washington D.C. rally. Flynn compares the protestors and Trump supporters to the story of Jericho, a Biblical story where the people peacefully conquer a city after marching around it.

December 14, 2020: As the Electoral College plans to meet in statehouses across the country to certify the 2020 election, credible threats of violence force building shutdowns in Michigan.

Arizona’s state capitol building receives increased security in advance of the vote as well.

December 17, 2020: Michael Flynn publicly floats the idea that President Trump could use the United States military in response to what the President falsely claims to be a rigged election.

“If he wanted to, [President Trump] could take military capabilities and he could place them in those states and basically rerun an election in each of those states.” “Martial law has been instituted 64 times. I’m not calling for that,” Flynn backtracks. “We have a constitutional process. ... That has to be followed. But I will tell you I’m a little concerned about Chief Justice John Roberts at the Supreme Court. We can’t fool around with the fabric of the Constitution of the United States.”

Flynn's interview sparks concerns that President Trump could invoke the Insurrection Act. North Carolina state senator Bob Steinburg (R) calls on Facebook (in a now deleted post) for President Trump to "declare a national emergency" and "invoke the Insurrection Act" in response to false claims that the election had been stolen from President Trump.

December 18, 2020: Michael Flynn and Sidney Powell meet with Trump and top administration officials in a heated meeting at the White House. Trump reportedly asks Flynn to inform him about the martial law idea; other advisors talk Trump out of this notion.

December 19, 2020: Trump begins to rally support around a large gathering of his supporters in Washington D.C. on January 6th, immediately following the Senate elections in Georgia and coinciding with Congress' certification of President-elect Biden's victory.

Trump tweets: "Statistically impossible to have lost the 2020 Election" and "Big protest in DC on January 6th. Be there, will be wild!"

December 20: General Flynn retweets a call for President Trump to "cross the Rubicon" made by Kelli Ward, Chair of the Arizona Republican Party.

Ward tweets, "Mr. President @realDonaldTrump – we are with you in #Arizona. We are working every avenue to stop this coup & to stop our Republic from crumbling. Patriots are united. Those who are against us are exposing themselves. #Liberty & #freedom are on the line. #CrossTheRubicon @GenFlynn."

Originated by Ron Watkins, who once ran the far-right message board 8kun, where "Q" posts cryptic messages to QAnon followers, the hashtag #CrossTheRubicon soon proliferates across pro-Trump social media. It refers to Julius Caesar's fateful decision to lead his army across the Rubicon River from Gaul into Italy, a clear violation of Roman law and a de facto declaration of war on the Republic. The phrase has more generally come to refer to passing a point of no return.

December 21, 2020: Rep. Madison Cawthorn (R-NC) tells attendees at a Turning Point USA rally to "call your congressman and feel free — you can lightly threaten them."

December 27, 2020: Trump tweets, “See you in Washington, DC, on January 6th. Don’t miss it. Information to follow.”

December 28, 2020: Former Trump White House official Olivia Troye says she is “very concerned that there will be violence on January 6th because the president himself encourages it.”

Troye elaborates, “This is what [President Trump] does. He tweets. He incites it. He gets his followers and supporters to behave in this manner, and these people think that they’re being patriotic because they are supporting Donald Trump.”



January 1, 2021: Momentum builds for the January 6th rally, with increased calls for violence by Trump supporters.

Trump himself tweets, “The BIG Protest Rally in Washington, D.C. will take place at 11:00 A.M. on January 6th. Locational details to follow. StopTheSteal!”

He also retweets Kylie Jane Kremer, chair of Women for America First, an organizer of the rally:

“The calvary[sic] is coming, Mr. President! JANUARY 6th”. The President responds “A great honor!” in his retweet.

Rep. Louie Gohmert (R-TX) says on Newsmax that as a consequence of the dismissal of his lawsuit enjoining Mike Pence to overturn the election results, **“you got to go to the streets and be as violent as Antifa and BLM.”** The following day, Gohmert tweets a

statement saying that he does not advocate violence.

January 2, 2021: The Proud Boys announce they will attend the January 6 event, saying they will do so “incognito.” The statement is widely reported in the news.

Special note: The Timeline includes acts of commission, and it is difficult to include acts of omission. However, it is important to note that President Trump does not issue any statement that the Proud Boys are not welcome.

In response to Proud Boys announcement, DC authorities announce concerns and measures that are being taken, but do not elaborate on specific precautions.

January 3, 2021: Support continues to grow for the January 6th event, as President Trump and ally Senator Ted Cruz (R-TX) encourage supporters to show up.

At a rally ahead of the Georgia Senate special election, Senator Ted Cruz (R-TX) says, “We will not go quietly into the night. We will defend liberty. And we are going to win.”

Meanwhile, Trump retweets @CodeMonkeyZ (now suspended by Twitter): “If you are planning to attend peaceful protests in DC on the 6th, i recommend wearing a body camera. The more video angles of that day the better.”

January 4, 2021: On the eve of the two-days of events in DC, Proud Boys leader Enrique Tarrío is arrested in Washington D.C., as President Trump and Donald Trump Jr. call for supporters to “fight like hell.”

Proud Boys leader Enrique Tarrío is arrested in Washington D.C. for burning a Black Lives Matter banner that he had taken from a Black church during December’s Stop the Steal rallies. He is found to be in possession of **two high capacity firearm magazines**, which is charged for possession.

At a pre-election rally in Georgia, Donald Trump, Jr., introducing his father, tells the crowd, “We need to fight.” President Trump then takes the stage, telling supporters, **“They’re not taking this White House. We’re going to fight like hell.”**

January 5, 2021: General Flynn directs veiled threats to Congress while speaking at a rally. “Those of you who are feeling weak tonight, those of you who don’t have the moral fiber in your body — get some tonight because tomorrow we the people are going to be

here.”

January 6, 2021: In the morning, President Trump and his allies encourage his followers to show up for the protests over Twitter.

President Trump tweets, “The States want to redo their votes. They found out they voted on a FRAUD. Legislatures never approved. Let them do it. BE STRONG!”

“Today is 1776” tweets newly elected Rep. Lauren Boebert (R-CO), who had earlier in the week made a video purporting to carry her firearm into the Capitol.

Rep. Marjorie Taylor Greene (R-GA) tweets, “FIGHT. FOR. TRUMP.”

January 6, 2021: President Trump, members of his family and supporters speak at the rally on the National Mall in Washington D.C.

Donald Trump Jr. warms up the crowd, saying of Republican lawmakers, “If you’re gonna be the zero and not the hero, **we’re coming for you.**”

Rudy Giuliani is next. “If we’re right, a lot of them will go to jail. So let’s have **trial by combat** ... I’ll be darned if they’re going to take our free and fair vote...We’re going to fight to the very end to make sure that doesn’t happen.”

Finally, President Trump makes a series of incendiary statements during his speech:

"I would love to have if those tens of thousands of people would be allowed the military, the Secret Service and we want to thank you and the police and law enforcement great you're doing a great job, but I would love it if they could be allowed to come up with us."

He directs them to the Capitol: "We're going to walk down to the Capitol— and we're going to cheer on our brave senators and congressmen and women and we're probably not going to be cheering so much for some of them."

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

"Something is wrong here, something is 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.**"

"So we are going to—we are going to walk down Pennsylvania Avenue, I love Pennsylvania Avenue, and we are going to the Capitol, and we are going to try and give—the Democrats are hopeless, they are never voting for anything, not even one vote but we are going to try—give our Republicans, the weak ones because the strong ones don't need any of our help, we're try—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."

January 6, 2021: Senator Josh Hawley raises a fist.

As he enters the Capitol, the Missouri Republican makes a clear gesture of support for the pro-Trump crowd.

Other Republican lawmakers show support for the growing protests. Rep. Mo Brooks (R-AL) states at the rally, "Today is a time of choosing and tomorrow is **a time of fighting**. Today is also a day of revelation and separation...Today is the day American patriots start taking down names and kicking ass."

January 6, 2021: The attack on the U.S. Capitol begins at approximately 1:15 PM.

Trump is reportedly “initially **pleased**” by events as he watches them unfold, and “disregard[s] aides pleading with him to intercede.”

In fact, according to Republican Senator Ben Sasse of Nebraska, White House aides say that President Trump is “**delighted**,” while “walking around the White House confused about why other people on his team [are]n’t as **excited**.”

President Trump initially **rebuffs and refuses** requests to mobilize the D.C. National Guard. Eventually, the Guard is mobilized after an order from Army Secretary Ryan McCarthy and acting Defense Secretary Christopher C. Miller. Vice President Mike Pence approves the order and the Guard is deployed.

Republican House Minority Leader Rep. Kevin McCarthy demands that Trump make a statement denouncing the rioters. He **refuses**, leading to a “screaming match” between the two men.

Ivanka Trump, the President’s daughter and advisor, tweets (and later deletes) a call for the violence to end, but addresses the tweet to “American Patriots,” earning swift backlash.

At 4:17 PM, President Trump releases a recorded statement on Twitter, reiterating his claims of a rigged election but telling the rioters that “You have to go home now, we have to have peace ... We love you, you’re very special.”

At 6:01 PM, Trump tweets, “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!**”

January 6, 2021: Pro-Trump supporters gather across the country as events in the Capitol unfold, with some state buildings evacuating as violence erupts.

Armed supporters of the President rally in Washington state, breaching a fence of the governor’s residence, though are unsuccessful in advancing further. State buildings are closed in Denver, Colorado, Austin, Texas, and Santa Fe, New Mexico as rallies occur outside.

In Oregon, protestors burn an effigy of Governor Kate Brown, while in Arizona, a guillotine with a Trump flag is set up outside the statehouse. Rep. Paul Gosar (R-AZ) Facetimes the crowds in Arizona, shortly after objecting to the certification of President-elect Biden's victory in the state, telling protestors "I'm so proud of you for being out there, gotta love you for keeping the fight."

January 6, 2021: The FBI counters claims that Antifa was involved.

Some conservative politicians and pundits immediately lob baseless claims that the riot was a false flag attack by Antifa. On a call with the press, an FBI spokesperson says, "We have no indication" of Antifa involvement. The arrests of 120 individuals over the next few days shows that longtime Trump supporters and right-wing militants comprised the attackers, an Associated Press report shows.

January 6, 2021: Death toll

Five people die in the assault on the Capitol, including U.S. Capitol Police officer Brian Sicknick. Another fifteen officers are hospitalized, with 56 in total reported injured. For days, the White House is criticized for not flying the mast at half mast for the death of officer Sicknick. On January 10, officer Howard Liebengood, who had helped defend the Capitol, commits suicide. That day, President Trump finally orders the White House flag lowered to half mast.

Photo: President Donald Trump speaks to supporters from The Ellipse near the White House on January 6, 2021, in Washington, DC. (Photo by Brendan Smialowski / AFP via Getty Images)

About the Author(s)

Ryan Goodman

Co-Editor-in-Chief of Just Security, Anne and Joel Ehrenkranz Professor of Law at New York University School of Law, former Special Counsel to the General Counsel of the Department of Defense (2015-2016). Follow him on Twitter (@rgoodlaw).

Mari Dugas

1/16/2021

Incitement Timeline: Year of Trump's Actions Leading to the Attack on the Capitol

Mari Dugas is a JD candidate at NYU School of Law where she is a Student Scholar with the Reiss Center on Law and Security. Follow her on Twitter (@marilisdugas).

Nicholas Tonckens

Nicholas Tonckens is a JD candidate at New York University School of Law, where he is a Student Scholar with the Reiss Center on Law and Security. Follow him on Twitter (@nicktonckens).

Trump tweets from POTUS handle account, says looking 'at the possibilities of building out our own platform'

[cnbc.com/2021/01/08/trump-tweets-from-potus-handle-account-says-looking-at-the-possibilities-of-building-out-our-own-platform.html](https://www.cnbc.com/2021/01/08/trump-tweets-from-potus-handle-account-says-looking-at-the-possibilities-of-building-out-our-own-platform.html)

January 9, 2021



Tech

Published Fri, Jan 8 2021 8:35 PM EST Updated Mon, Jan 11 2021 9:22 AM EST

Key Points

- President Donald Trump continued tweeting Friday evening using the government-owned @POTUS account, despite having his @realDonaldTrump account permanently suspended by Twitter earlier in the day.
- The tweets were removed from the service almost immediately. It's unclear what steps Twitter took in the handling of the @POTUS account.

U.S. President Donald Trump makes a fist during a rally to contest the certification of the 2020 U.S. presidential election results by the U.S. Congress in Washington U.S, January 6, 2021.

Jim Bourg | Reuters

President Donald Trump continued tweeting Friday evening using the government-owned @POTUS account, despite having his @realDonaldTrump account permanently suspended by Twitter earlier in the day.

"As I have been saying for a long time, Twitter has gone further and further in banning free speech, and tonight, Twitter employees have coordinated with the Democrats and Radical Left in removing my account from their platform, to silence me," Trump wrote in a series of tweets that are no longer visible on the social media service.

The tweets were removed from the service almost immediately. It's unclear what steps Twitter took in the handling of the @POTUS account.



screenshot

Earlier in the day, the company announced that it would permanently suspend Trump's personal account "due to the risk of further incitement of violence."

VIDEO3:3603:36

Tech crackdown on Trump isn't a free speech issue, says Joanne Lipman

Squawk Box

Twitter specifically noted that Trump's tweets earlier in the day could be interpreted as supporting rioters. The company also noted that plans for future armed protests had begun proliferating on and off of the social media service.

In his @POTUS tweets, Trump reiterated his call to repeal Section 230 of the Communications Decency Act, a 1996 law that shields tech companies from being held liable for what users post on their platforms. The sentiment was echoed by Republican Sen. Lindsey Graham.

"I'm more determined than ever to strip Section 230 protections from Big Tech (Twitter) that let them be immune from lawsuits," Graham tweeted.

Trump also said his administration has "been negotiating with various other sites, and will have a big announcement soon." He added that his team is looking "at the possibilities of building out our own platform in the near future."

"We will not be SILENCED! Twitter is not about FREE SPEECH," Trump wrote in the now removed tweets.

1/11/2021

Curators Scour Capitol for Damage to the Building or Its Art - The New York Times

The New York Times<https://nytl.ms/3oB0URK>

Curators Scour Capitol for Damage to the Building or Its Art

Initial reports indicate that despite multiple incidents of vandalism, smashed windows and broken doors, major damage to the building itself or its artworks was avoided.



By Sarah Bahr

Jan. 7, 2021

Barbara A. Wolanin did not leave her TV much on Wednesday afternoon, watching terrified, she said, as hundreds of Trump rioters rushed into the Rotunda of the U.S. Capitol building where eight large, framed historical paintings hang.

She once was curator for the Architect of the Capitol, the office that preserves and maintains the building's art and architecture. She knew much better than most the horrific possibilities that were presenting themselves.

What if rioters slashed John Trumbull's "Declaration of Independence," one of the large paintings from the early 1800s that depict the American fight for freedom? Or smashed the bronze bust of the Rev. Dr. Martin Luther King Jr.?



Dr. Barbara Wolanin, who was curator for the Architect for the Capitol for 30 years, posing in the building in 2006. Bill Clark/Roll Call, via Getty Images

"All the art in the Capitol is basically on view," said Dr. Wolanin, 77, who served as Curator for the Architect of the Capitol from 1985 until she retired in 2015. "There aren't a lot of things hidden away."

For nearly four hours, the collection she had spent more than 30 years caring for was at the mercy of a mob that broke into rooms on the south side of the Capitol (including House Speaker Nancy Pelosi's office), smashed windows and then marched through the National Statuary Hall, waving American, Confederate and "Trump Is My President" flags.

1/11/2021

Curators Scour Capitol for Damage to the Building or its Art - The New York Times



A bust of former President Zachary Taylor was defaced with a red substance that appeared to be blood. Jason Andrew for The New York Times

Their time in the building is now represented by the damage they left behind. A 19th-century marble bust of former President Zachary Taylor was flecked with what appeared to be blood. A picture frame was left lying on the floor, the image gone.

The photos and videos, some of them taken inside by the rioters themselves, were startling. One man crammed a framed photo of the Dalai Lama into his backpack, while another smoked marijuana in a room with maps of Oregon on the wall. A man in a leather jacket ripped up a scroll with Chinese characters.

“Yeah look at all this fancy furniture they have!” one man in a winter parka and red hat said.

Trump supporters swarmed into the U.S. Capitol Building on Wednesday after scaling walls and using poles to force their way in. Jason Andrew for The New York Times

Rioters smashed windows at the U.S. Capitol building on Wednesday. Alex Wong/Getty Images

By the time the Capitol Police had secured the building around 6 p.m., windows and doors at the historic building had been broken, offices had been ransacked and some furniture had been damaged, overturned or looted.

1/11/2021

Curators Scour Capitol for Damage to the Building or Its Art - The New York Times

Detailed damage assessments from the Architect of the Capitol or the U.S. Capitol Police have yet to be released. But the singular works of art that curators consider the treasures of the building did not appear to have suffered any major damage.

The Presidential Transition

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- [Melania Trump implores Americans to 'stop the violence' while also striking back at critics.](#)

It could have been much worse, Dr. Wolanin said.

Her greatest concern was the large-scale, 18-foot paintings by Trumbull and other artists that depict scenes from the republic's founding in the Rotunda, and the dozens of statues that fill the National Statuary Hall to the south.

Safely inaccessible was "The Apotheosis of Washington," a fresco on the Rotunda ceiling that shows the nation's first president flanked by Liberty, Victory, Science, War and other allegorical figures.

Particularly vulnerable was the National Statuary Hall to the south of the Rotunda, which contains 35 statues of prominent Americans, part of a collection of 100 statues at the Capitol — two from each of the 50 states — that memorialize such notable figures as Samuel Adams, Rosa Parks and Thomas Edison.

The John Trumbull painting "Surrender of Lord Cornwallis" escaped damage during Wednesday's break-in at the U.S. Capitol building. Saul Loeb/Agence France-Presse -- Getty Images

1/11/2021

Curators Scour Capitol for Damage to the Building or Its Art - The New York Times

The Capitol's collection of paintings also includes work by artists such as Thomas Crawford and Constantino Brumidi, with a mix of portraits and landscapes. Original paintings of George Washington, such as one in the Old Senate Chamber, are some of the most treasured.

The building itself is a work of art, a paragon of Neoclassical architecture designed by Dr. William Thornton in the late 1700s and completed by the Boston architect Charles Bulfinch in 1826. But at the height of the riot, people were scaling its exterior using ropes, while others used poles as battering rams to break open an entrance. Inside, a pro-Trump loyalist posed on the Senate dais while another hung from the balcony in the chamber.

The history of the Capitol as a place is captured in the Hall of Capitols corridor of the House wing, in a series of murals by Allyn Cox. Eight milestone events from the building's first 65 years and portraits of the nine men who were appointed Architect of the Capitol between 1793 and 1995 adorn the ceilings.

Dr. Wolanin said this was the first time the Capitol's collection had been threatened on this scale. Though individual pieces had suffered "a tiny bit" of damage in the past, as when a gunman broke into the building in 1998 and killed two police officers and injured a female tourist before being captured, the last breach by a large, violent group of people was during the War of 1812 more than 200 years ago, when invading British troops burned down the building.

"They had no respect for any of these things," Dr. Wolanin said of the mob that ransacked the building on Wednesday. "That's what's really scary."

On Thursday, some historical preservationists discussed the damage, including the question of whether some of it should be left as a historical marker of the day.

Anthony Veerkamp, a former director of policy development for the National Trust for Historic Preservation, said some of the physical damage should be preserved "as a reminder that our monuments, our institutions, and our values are all vulnerable, and must be constantly cared for."

But he noted that it was important to do in a way that did not grant the rioters hero status.

"It's important to not inadvertently create a shrine that appears to commemorate the insurrectionists," he said.

An official website of the United States government. [Here's how you know](#)

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SUSPECTED PIPE BOMBS IN WASHINGTON, D.C.

January 6, 2021



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 **SEEKING INFORMATION**

SUSPECTED PIPE BOMBS IN WASHINGTON, D.C.

JANUARY 6, 2021



REWARD

The FBI and ATF are offering a reward of up to \$75,000 for information leading to the location, arrest, and conviction of the person(s) responsible for the placement of suspected pipe bombs in Washington, D.C., on January 6, 2021.

DETAILS

At approximately 1:00 p.m. EST on January 6, 2021, multiple law enforcement agencies received reports of a suspected pipe bomb with wires at the headquarters of the Republican National Committee (RNC) located at 310 First Street Southeast in Washington, D.C. At approximately 1:15 p.m. EST, a second suspected pipe bomb with similar descriptors was reported at the headquarters of the Democratic National Committee (DNC) at 430 South Capitol Street Southeast #3 in Washington, D.C.

If you have any information concerning these incidents, please contact the FBI's toll-free tip line at 1-800-CALL-FBI (1-800-225-5324), or submit tips online at fbi.gov/USCapitol. You may also contact your local FBI office or the nearest American Embassy or Consulate.

Field Office: Washington D.C.

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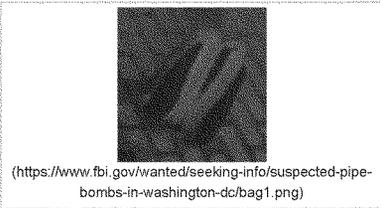
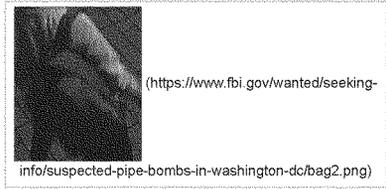
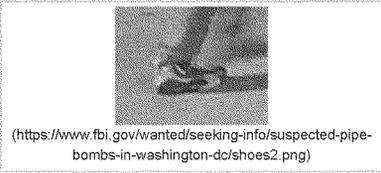
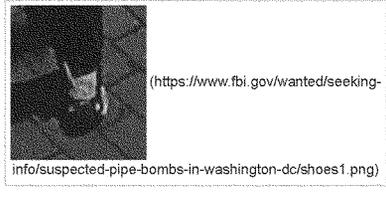
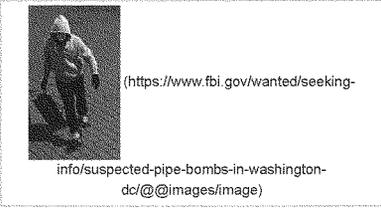
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FRI, JAN 8, 2021 | BY HUGH HEWITT

Senator Ben Sasse On Impeachment and Transition, the GOP in Minority

Senator Ben Sasse (R-NE) joined me this morning:

Audio:

[01-08hhs-sasse](#)

Transcript:

HH: I'm joined now by Senator Sasse. Good morning, Senator.

BS: Good morning, Hugh.

HH: What is your assessment of the President's intention and his culpability for the insurrectionists and the rioters breaking into the Capitol and murdering a Capitol Policeman?

BS: Well, the people's Capitol, which is obviously the greatest symbol around the world of freedom and liberty and self-government, there's polling all over the world that the dome of the Capitol is literally the most identifiable symbol of freedom, and it was ransacked by a mob that was incited by the President of the United States. While blood was actually being shed in the Capitol, and I was in the Senate chamber, and the Secret Service was trying to rush the Vice President to safety, at those exact moments, the President is rage tweeting against the Vice President. Why? Because Mike, because Vice President Pence had the audacity to fulfill his oath of office to the Constitution. It's a big deal. Lies have consequences.

HH: Now I am curious about the word incite. It has a legal meaning. I know you're not a lawyer, but incite means to act with the purposeful intention to cause. That's why I asked you the question I did. Do you think he intended the mob to break into the Congress?

BS: You are right that I am not a lawyer, so there probably are 15 sub-definitions of incite. But the President had a rally hours before this happened where he is telling them to go to the Capitol and to go wild. This is a part of a pattern. The guy is addicted to division. This is a deep brokenness in his soul. You and I have talked about it multiple times. Donald Trump is a guy who hurts. And I hurt for him at an anthropological and a human level, but at a level of his oath of office to the Constitution, the duty of the president of the United States is to preserve, protect and defend the Constitution. And the President is

1/21/2021

Senator Ben Sasse On Impeachment and Transition, the GOP in Minority - The Hugh Hewitt Show

addicted to social media and to television, eight straight weeks and planned it long before going to say the election was being stolen.

HH: So Senator...

BS: But Wednesday morning, he said repeatedly to go wild when you get to the Capitol. And they went to the Capitol, and well, let's be clearly, Hugh, there are 30,000 people here. The vast majority of them are honorable, freedom-loving people. The vast majority of them, but not all of them.

HH: Do you, I've got to land the plane, though, Senator. Do you think he intended for the riot and the occupation, the insurrection to happen?

BS: I think Donald Trump wanted there to be massive divisions, and he was telling people there was a path by which he was going to stay in office after January 20th. That was never true. And he wanted chaos on television. I don't have any idea what was in his heart about what he wanted to happen once they were in the Capitol, but he wanted there to be chaos, and I'm sure you've also had conversations with other senior White House officials, as I have.

HH: I have.

BS: As this was unfolding on television, Donald Trump was walking around the White House confused about why other people on his team weren't as excited as he was as you had rioters pushing against Capitol Police trying to get into the building.

HH: That said...

BS: That was happening. He was delighted.

HH: That's it. Should he be impeached and removed?

BS: I think that there are a lot of questions that we need to get to the bottom of about why the National Guard was not deployed, why was it delayed. So that's what I've been working on last night and this morning. I want to understand more about why the National Guard wasn't deployed when there had been clear calls for it, and then why that delay happened. So there are more things that I need to understand before I get to a conclusory judgment about that. But I think that the question of was the President derelict in his duty, that's not an open question. He was.

HH: Now you know that the history of the Roman Revolution from 60BC to Augustus Caesar is a progressive cycle of iterations away from the norm. A rushed impeachment would be yet another iteration away from the norm. Would that not itself be terribly damaging?

BS: So I think you raise a really good point, and it's why I think there's a distinction between the objective question of was the President derelict, and the prudential judgment of what is the best way to take America forward. Donald Trump's not going to be in office in 13, 14 days, whenever the right count is. I don't care much, again, at a human level. You know, I've built a relationship with the President as we had

to work together over the last four years. A care at the level of American Constitutional where the American people are. And there Trump, because they didn't like the alterna the failure of so many, not all, but so man in the Democratic Party to push back against AOC's agenda to drive the Democratic Party farther to the left. So I understand, I didn't vote for Donald Trump, but I understand why lots of people did in my state and across the country. And what I want us to be doing is moving forward with 85, 90, and 95% of the people wanting to reaffirm a Constitutional system of checks and balances where you don't have the Article II leader trying to incite action against the Article I branch and the people's House. So I am with you that the prudential questions about what's good for the American people in 2023 and 2033. Those should be the most important questions right now.

HH: Do you want members of the Cabinet to resign in protest? And if so, who?

BS: I would say that I've had conversations for four years straight with members of the Cabinet who see behavior that they regard as not just morally disgusting, though that, but just totally confusing about an adult who supposed to be shepherding this great gift that we've inherited as the Constitutional system, that we pass it onto our kids. And many people have asked my advice over three and a half years about whether or not they should stay or resign. Typically, my advice has been to stay, that the administration has done many, many wonderful things. You and I have talked about it. Some of the things that Mike Pompeo has been doing over the course of the last couple of years, really exceptionally good work. And so there are a number of members of the Cabinet who have done work at the level of policy implementation. And there have been a lot of people from the senior White House staff and in the Cabinet who have also done very good work in restraining some moments when Donald Trump was inclined to do some really crazy stuff. And so in general, I've urged people to stay and to try to do the best they can. You're not serving the man, you're serving the American people by serving that office. Right now, I have a couple of other conversations going, so I don't want to discuss those in this context, but in general, my advice has been to people to stay and serve the American people through their callings and in that office. Again, when you work, when you take an oath of office as a Cabinet official, you're taking the oath not to a man. The crap we saw at the Capitol where a United States flag at one point came down and a Trump flag went up instead, that's not what people are taking an oath to. They're taking an oath to the flag of the United States that people for 240 years have bled and died to protect. And when they take that oath and serve in the Article II branch, they're doing it under the authority of the person who's the chief executive, the president, which is what the word, as you know, president is supposed to mean. It's not supposed to be a kingly title. They're not doing it to a man. They're doing it to the American people and the office. And so in general, I think the right choice is for people to serve as stability.

HH: So that's the Cabinet. There are three key staff members – the chief of staff, the White House Counsel, and the National Security Advisor. Do you want those three to stay and serve through the transition?

BS: I think all three of those, I can't remember if you said White House Counsel or not...

HH: I did.

BS: But I would add him to your list. Okay, by them staying in their offices.

HH: Ronna McDaniel is likely to be elected selection. Do they need a new chair? Tommy Hicks, by the way, is co-chair, running for reelection, but he has challengers. What is your advice to the Republican National Committee about both of those offices?

BS: The Republican National Committee is not a healthy organization. As you know, in the 2016 campaign, I campaigned for almost everybody not named Donald Trump. And it became pretty clear that the RNC as a structure was, you know, akin to a fueled up 747 sitting on a runway that could be hijacked by almost anybody with a big brand. And that's what happened. And I've made it pretty clear that I think it's pretty dangerous for the party of Lincoln and Reagan to become a party of, you know, a lot of QAnon nonsense and a lot of TV obsession and a lot of narcissistic trolling. Our party needs to be bigger than one personality, and I hope that the Republican National Committee is thinking hard about how we serve our kids by trying to put forward an argument that can speak to 70%, and frankly that could speak to 90% of America. And right now, we don't do that. I mean, you saw that in Georgia.

HH: So do you want a clean sweep? Do you want a clean sweep of the RNC?

BS: You know, the RNC doesn't ask my advice on how they govern the place. There is a lot of yes man and yes womanism inside the RNC. It's not a place that's primarily about ideas right now. It's been a cult of personality for some time, and they don't ask my advice. So I'm not going to comment on a specific election there, but I think the RNC needs to have lots and lots of change. We need to be making a case why we want to be the party of gratitude, not the party of grievance. You know, America isn't a tribal war forever. And if you listen to most of the crap that comes out of the RNC, these are a bunch of people obsessed with whatever some random Democrat said that day, and they want to scream about it.

HH: If I can, Senator, I want to move to the other end of the spectrum.

BS: Sure.

HH: Steve Schmidt, who is the leader of the Lincoln Project, has planned a brutal campaign against companies, trade associations, CEOs that serve as financiers of the authoritarian movement that attacked the U.S. Capitol. It's a time for choosing. It's America or autocracy. There's going to be a public discussion about it, of course, Steve Schmidt of the McCain campaign who selected Sarah Palin to be his vice president. What do you make of the Lincoln Project's sort of anti-Trumpism? Is it opportunism? Or is it principle?

BS: I think there's an insane amount of money that's been made by people laundering Republican or formerly Republican brands to raise money from Democrats and for Democratic causes. So I don't spend a lot of time on the Lincoln Project, but I think a lot of the work they've done is very, very sad, very destructive. But again, I think the more important thing than me complaining about the Lincoln Project is talking about the party of Lincoln and who we want to be. America doesn't work if we're going to hate each other. America can't do big things if we just talk about how much we hate each other. I'm the third or fourth most conservative member of the Senate by policy, by voting record. But I'm just not that partisan,

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because I care more about my neighbors than I care about attacking the other party. It's not very many of us.

HH: People think it was a cliché when I quote you that we must not be enemies.

BS: Amen.

HH: But it's not cliché.

BS: It's not cliché. People call me naïve for saying I'm still optimistic about America. Fine, call me naïve. Politics has enough cynics. At the end of this rot, we've got to love our neighbor. I mean, the point of America is about coming together to affirm a Constitutional system. Why? Is the Constitution the end? No. The Constitution is a means. It's Washington's silver frame to get to the golden apple at the middle, which is the communities where we work and where we raise kids and where we worship and where we love.

HH: Which is freedom.

BS: Which is where you build freedom from so that freedom, too, government gets this freedom from. Government isn't the end. Government gets its freedom from so we can get to freedom to actually build a free society with the people God has called us to live next to, and next door to, and to break bread with.

HH: So I have to close, though, Senator, by asking you about this cycle which began in 2016 with cable's wall to wall coverage of the President, and with James Comey and Andrew McCabe's decision to investigate the President without telling me. It proceeded through Mr. Mueller and the Steele dossier. It proceeded through a faux impeachment, now being debated a real impeachment. And TDS enraged pundits on various cable channels talking with complete Trump apologists on various cable channels. There is a lot to go around here.

BS: Yeah.

HH: What is your assessment of everything?

BS: So all that you said is true, Hugh. I agree with all of it, and yet we should also recognize that the amount of, the number of Americans that are paying attention to the stories that are on cable every day, less than 14%. Less than 14% of the American people are watching politics on a daily basis. 86% of our neighbors say I don't want that crap to be the center of my consciousness. Politics is not meant to be constant horse race substitutes for sports, for the Buckeyes and the Indians and the Browns. I mean, the reality is the places where people live should, they should do their work by being an engaged citizen for 10-30 minutes a day so they can get back to coaching Little League. Like you're right. The rage crap of lots of MSNBC, the sort of capitulation of the New York Times editorial page to the progressive woke mob, it's really gross. But at the end of the day, MSNBC has like, what, 1.8 million viewers? It's like half a percent of America. I mean, you're saying something that's true, but we have to be for something before we're just against all that crap. And right now under Donald Trump, my party hasn't been for very much. It's just been against.

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HH: My very last question, Senator. I heard
 But that's really an appeal for one standard
 employed, they lose faith in the people em
 rule of law?

BS: Great point. So we should be against violence no matter who's bringing it about. The truth of the matter is the state, the one thing that it's really fundamentally supposed to do is have a monopoly on violence in the public square, to maintain order so Americans can fight out their differences with debates and with persuasion and with entrepreneurship. And so when you think, when we're angry because somebody is employing a double standard on the other side, the answer by us cannot be to say yeah, well since they did it, we're also going to have a double standard. It should be to reaffirm the standard, apply it to ourselves and apply it to the other side. But if you believe in a principle, advance the principle. Your principle doesn't collapse just because somebody on the other side is unprincipled.

HH: That is well said. And Senator, I thank you for your times this morning. Senator Ben Sasse of Nebraska, come back often.

BS: Thanks, Hugh.

End of interview.

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Senator Burr Statement on Congressional Vote to Certify the 2020 Presidential Election

Today, Senator Richard Burr (R-NC) released the following statement:

“For nearly 250 years, our nation’s commitment to the peaceful transition of power has been the shining hallmark of our democracy. Today, America’s core principles were threatened by those seeking to forcibly stop our electoral process and overturn the results of a presidential election with which they disagreed.

“Let me be clear: these actions are not a defense of this country, but an attack on it.

“I supported President Trump’s legal right to contest the election results through the courts, but the courts have now unanimously and overwhelmingly rejected these suits. No evidence of voter fraud has emerged that would warrant overturning the 2020 election. The President bears responsibility for today’s events by promoting the unfounded conspiracy theories that have led to this point. It is past time to accept the will of American voters and to allow our nation to move forward.

“Congress will uphold its constitutional duty and certify the results of the election.”

Cincinnati.com | The Enquirer**POLITICS**

Boehner: 'The GOP must awaken.' Former Speaker of the House slams the Republican Party over 'nightmare.'

Scott Wartman Cincinnati Enquirer

Published 2:18 p.m. ET Jan. 7, 2021 | Updated 2:20 p.m. ET Jan. 7, 2021

Five years after leaving Congress, former Speaker of the House John Boehner is not happy with what the Republicans have done with the place.

The West Chester Republican took to Twitter Thursday to congratulate Joe Biden on his election as president and lambasted the GOP a day after pro-Trump mobs ransacked the Capitol.

"I once said the party of Lincoln and Reagan is off taking a nap," Boehner said. "The nap has become a nightmare for our nation. The GOP must awaken. The invasion of our Capitol by a mob, incited by lies from some entrusted with power, is a disgrace to all who sacrificed to build our Republic."

Boehner retired from Congress in 2015 after 25 years representing the district that includes Butler County. He served a tumultuous five years as speaker, fending off efforts by other conservatives to oust him.

Secretary Raffensperger Launches Cobb County And Statewide Signature Match Audits



sos.ga.gov/index.php/elections/secretary_raffensperger_launches_cobb_county_and_statewide_signature_match_audits

Secretary Raffensperger Launches Cobb County and Statewide Signature Match Audits

(ATLANTA)-Georgia Secretary of State Brad Raffensperger announced a signature match audit in Cobb County and an additional statewide signature match audit. The Secretary of State's Office will partner with the Georgia Bureau of Investigation to conduct the Cobb County audit and with an accredited university for the statewide audit.

"Election integrity has been a top priority since day one of my administration," said Secretary Raffensperger. "Though the outcome of the race in Georgia will not change, conducting this audit follows in the footsteps of the audit-triggered hand recount we conducted in November to provide further confidence in the accuracy, security, and reliability of the vote in Georgia. I look forward to working with the Georgia Bureau of Investigation, Cobb County, and any other future partners to secure the vote in the Peach State."

Secretary Raffensperger first announced that following specific allegations that election workers in Cobb County had not adequately conducted signature matching on absentee ballot applications ahead of the June primary elections, the Office of the Secretary of State would partner with the Georgia Bureau of Investigation to conduct an audit of the signature match in Cobb County. The audit will consist of reviewing a statistically significant subset of the signed absentee ballot envelopes and comparing those signatures to the ones on file in Georgia's voter registration system.

"Conducting this audit does not in any way suggest that Cobb County was not properly following election procedures or properly conducting signature matching," said Chris Harvey, Director of Elections for the Secretary of State's office, who was formerly the Chief Investigator for the office. "We chose Cobb County for this audit because they are well known to have one of the best election offices in the state, and starting in Cobb will help as we embark on a statewide signature audit. Just like Cobb County volunteered to be a pilot county for our new voting system, we thank everyone at the Cobb County elections office for their cooperation with this process especially while voting is underway for the runoff."

The audit of Cobb County's signature match system is expected to take two weeks. However, it will not change the outcome of the November election.

Raffensperger also announced a planned statewide signature match audit. The Office of the Secretary of State will partner with an accredited university to conduct a third-party signature match statewide audit study.

Georgia is recognized as a national leader in elections. It was the first state in the country to implement the trifecta of automatic voter registration, at least 16 days of early voting (which has been called the “gold standard”), and no-excuse absentee voting. Georgia continues to set records for voter turnout and election participation, seeing the largest increase in average turnout of any other state in the 2018 midterm election and record turnout in 2020, with over 1.3 million absentee by mail voters and over 3.6 million in-person voters utilizing Georgia’s new, secure, paper ballot voting system.

|| | | | | | | ###

NEWS [/NEWS]

How An Unchecked Walkie-Talkie App Served As A Haven For Some Capitol Hill Insurrectionists

BY [SEAN CARLSON](#) [/STAFF/SEAN-CARLSON] AND [DANNY LEWIS](#), WNYC [/STAFF/DANNY-LEWIS]JAN. 16, 2021 12:26 P.M. • [14 COMMENTS](#)

Pro-Trump supporters on the Capitol JOSE LUIS MAGANA/AP/SHUTTERSTOCK

The app known as Zello—which allows smartphones to be used as walkie talkies while doubling as a social media chat tool—is used by 150 million people worldwide. The app was also found to be used by some insurrectionists the day

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they stormed the U.S. Capitol building on January 6th, according to an article published by The Guardian (<https://www.theguardian.com/us-news/2021/jan/13/zello-app-us-capitol-attack-far-right>).

The article was written by WNYC's On The Media reporter/producer Micah Loewinger (<https://twitter.com/MicahLoewinger>) and Hampton Stall (<https://twitter.com/HamptonStall>), founder of MilitiaWatch (<https://militia.watch/>), a website devoted to studying militia groups.

Following that report, the CEO of Zello took the unprecedented step of deleting 2,000 channels used for recruitment and organizing by far-right militia groups, including some based in the tri-state area. The move comes after years of resistance to any kind of content moderation on the app. It also comes as social media giants have attempted to curtail hate speech on its platforms.

Loewinger spoke with WNYC's Sean Carlson about the investigation, and what he heard on Zello during the violent riots at the Capitol (<https://www.wnycstudios.org/podcasts/otm/segments/zello-tapes-walkie-talkie-app-used-during-insurrection-on-the-media>).

ADVER*

You were listening in on a militia group coordinating on January 6th using a public Zello chat room, and heard a woman's voice throughout. What do we know about who that woman is in the recording?

That's Jessica Watkins. She's a 38-year-old bartender from Ohio. She's also a veteran. She served in Afghanistan and she was one of the people who ended up breaking into the Capitol. And the reason that we caught this recording is because

she was communicating on Zello with people who were likely in D.C. and a bunch of other people who were at home. And she just wanted to tell them what she was seeing on the ground.

Yeah, you actually captured the sound of her talking with other Zello users while she was clashing with Capitol Police inside the main rotunda, discussing “training for this.” What kind of training are they talking about?

Man, I wish I knew more about the context around that phrase, but what I do know is that it's pretty common for militias to actually train for combat scenarios. They'll go out into the woods, they'll do target practice, they'll run drills. It's important to take that kind of language with a grain of salt. A lot of far-right militias would like to sound much more sophisticated and professional than they really are. On the other hand, Watkins is a veteran. She would have had real combat training. And so in this case, I may actually take her at her word.

How do you know that the woman speaking in these recordings is Jessica Watkins?

Well, first, we started with her username on Zello, which suggested that she was the leader of an Ohio militia. It also suggested she was a member of a national militia called the Oath Keepers, who are a very radical group that claims to draw current and former military personnel and police. We then found her profile on Parler, that's the right wing social media site that was shut down about a week ago. We found a profile that basically matched everything I just said, a woman who took pictures of herself while she was in D.C. wearing an oath, her patch claiming to be the leader of an Ohio militia. And then I spoke with a reporter named Jake Zuckerman of the Ohio Capital Journal who was able to verify that that Parler account belonged to Watkins. He interviewed her, she admitted to participating in the insurrection, and she actually spoke about breaking in quite candidly. She didn't think that she had done anything wrong.

As we mentioned, The Guardian published your piece afterwards. Zello deleted a lot of these accounts, but it's not the first time that the use of Zello by extremist groups has been exposed, right?

That's right. We at On The Media actually published an investigation into Zello three months ago (<https://www.wnycstudios.org/podcasts/otm/segments/how-zello-became-recruitment-organizing-app-far-right>). And the investigation included a leaked company-wide email from June that told us that the company knew about some of the far right and white supremacist activity on its platform. Zello's CEO told us over email that he didn't believe it was the role of a private company to censor speech that, you know, there's no objective definition for hate speech. How could a company that is serving 150 million users even monitor all those conversations in real time, anyway? But we're kind of living in a different moment now than we were three months ago. I mean, everyone is sort of taking the notion that social media has helped radicalize Americans in the wake of this horrible insurrection that took place last week. And companies like Twitter, Google, Amazon, Facebook, they are now starting to realize that these excuses for not moderating content on their platform could lead to really dangerous consequences. So I think on one hand, there are some economic incentives. No tech company wants to be associated with the violence that took place last week. And then there's the public outcry. We are asking tech companies to do more to moderate their platforms, to pay attention to the extremists that are using their tools.

Have you learned anything about the involvement of local groups on Zello that are in New York and New Jersey?

I do know that some militia groups that had used Zello were purged in that big 2,000 group ban that we were talking about before. Some of those groups were perhaps not that active on Zello, and a few of them were very, very active. Now that we don't have access to those channels, it might be a little bit harder to follow them. On the other hand, some research shows that when you deplatform extremist groups online, yes, they will try to set up shop on a different platform, but they often lose numbers. So, we will just have to try to find out where they go.

This interview has been edited and condensed.

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The solution is to do police work that doesn't involve tech surveillance of private citizens.

I've noticed that we've moved on from regular crime policing to crime prevention—we think we should be living in the universe of Minority Report. Except we forget that movie's entire point...
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Even if that's where they're conspiring to commit their crimes? Quite a dilemma, especially if one who might be surveilling them who doesn't have faith in law enforcement to properly surveil them, let alone join them in their extremist activities. My opinion is people aren't entitled to use these platforms to plan crimes, but I agree that it's been an awful year for individual's civil liberties.
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Some Asshole → Arts_and_Sciences • 2 days ago
The solution is to do police work that doesn't involve tech surveillance of private citizens.

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While you may have a point regarding endemic tracking, are you suggesting we ignore all the morons complaining about no longer being able to publicly and openly call for insurrection? Being wide open about it has led to most of, if not all, of the arrests after the 6th. Because these folks are morons.

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You can't make this up...

The woman trampled at the Capitol was carrying "Don't tread on me" flag...

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trampled *to death*.

And nothing of value was lost.



3 ^ | v • Share ›



NanGoldinShowers → Deputy Cartman

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is this the Altamont of the Far Right?

I think it is.

3 ^ | v • Share ›



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"You're talking to my people. Let me tell you what's happening. You, man, *you* are what's happening!"

2 ^ | v • Share ›



NanGoldinShowers → Ridnik_Chrome
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mmm → disqusucksalreadyexists • a day ago

One guy tased himself in the balls and died of a heart attack. So ... sparkle balls!

He may have just tased himself below the belt, but the balls things is way funnier.

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skypilot • 2 days ago

Wow, she does not fit the mold of what I think of as extremist militia member, let alone a ringleader. She's a character, blaming the violence on potentially antifa and "intoxicated patriots".
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As riot raged at Capitol, Trump tried to call senators to overturn election

 [cnn.com/2021/01/08/politics/mike-lee-tommy-tuberville-trump-misdialed-capitol-riot/](https://www.cnn.com/2021/01/08/politics/mike-lee-tommy-tuberville-trump-misdialed-capitol-riot/)

January 8, 2021



Washington (CNN) President [Donald Trump](#) and his attorney Rudy Giuliani both mistakenly made calls to Republican Sen. Mike Lee as [deadly riots were unfolding at the US Capitol](#) earlier this week, a spokesman for the senator confirmed to CNN -- calls that were intended for another GOP senator the White House was frantically trying to convince to [delay the counting of Electoral College votes](#).

Lee's spokesman said the calls from Trump and his attorney were intended for Sen. Tommy Tuberville, a newly elected Republican from Alabama.

The effort by the White House to get Tuberville to delay certification of the votes provides insight into the President's thinking and priorities as a mob of his supporters lay siege to the iconic building. As the President worked to convince Tuberville to delay the process, [he and other top White House officials did little to check in on Vice President Mike Pence](#) while he and members of his family were inside the breached Capitol, a source close to the vice president told CNN.

Trump first called the personal cell phone of Lee, a Utah Republican, shortly after 2 p.m. ET. At that time the senators had been evacuated from the Senate floor and were in a temporary holding room, as [a pro-Trump mob began breaching the Capitol](#).

Lee picked up the phone and Trump identified himself, and it became clear he was looking for Tuberville and had been given the wrong number. Lee, keeping the President on hold, went to find his colleague and handed Tuberville his phone, telling him the President was on the line and had been trying to reach him.

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Trump pressured Pence to engineer a coup, then put the VP in danger, source says

Tuberville spoke with Trump for less than 10 minutes, with the President trying to convince him to make additional objections to the Electoral College vote in a futile effort to block Congress' certification of President-elect Joe Biden's win, according to a source familiar with the call. The call was cut off because senators were asked to move to a secure location. CNN has reached out to Tuberville's office for comment.

The second call to Lee came in at 7 p.m. ET from Giuliani. Lee did not answer the call so it went to voicemail. Lee's office confirmed to CNN that the voicemail was intended for Tuberville and the message left from Giuliani was very similar to one that another unnamed GOP senator received. The transcript of that call was published by the conservative outlet [The Dispatch](#) as well as the news blog [emptywheel](#).

"Sen. Tuberville? Or I should say Coach Tuberville. This is Rudy Giuliani, the President's lawyer," he said according to the transcript.

"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 so we can get these legislatures to get more information to you," Giuliani said, referring to unfounded claims of voter fraud in the presidential election.

"I know they're reconvening at 8 tonight, but it ... the only strategy we can follow is to object to numerous states and raise issues so that we get ourselves into tomorrow -- ideally until the end of tomorrow."

Tuberville was unaware that Giuliani had tried to reach him until it was publicly reported, according to the source.

Tuberville was likely seen by Trump and Giuliani as someone who could help further their cause on Wednesday, as he was among a group of six GOP senators who voted to sustain an objection raised against Arizona's electoral votes, which failed 93-6.

CNN reported on Wednesday that even after Congress was reconvening that night following the riot, Trump was still urging senators to push ahead with the protest on the certification of Biden as President, according to a source familiar with the discussions.

This story has been updated with additional developments Friday.

CNN's Manu Raju and Jim Acosta contributed to this report.

Trump Health Aide Pushes Bizarre Conspiracies and Warns of Armed Revolt

Michael R. Caputo told a Facebook audience without evidence that left-wing hit squads were being trained for insurrection and accused C.D.C. scientists of "sedition."



By Sharon LaFraniere

Published Sept. 14, 2020 Updated Nov. 4, 2020

WASHINGTON — The top communications official at the powerful cabinet department in charge of combating the coronavirus made outlandish and false accusations on Sunday that career government scientists were engaging in "sedition" in their handling of the pandemic and that left-wing hit squads were preparing for armed insurrection after the election.

Michael R. Caputo, the assistant secretary of public affairs at the Department of Health and Human Services, accused the Centers for Disease Control and Prevention of harboring a "resistance unit" determined to undermine President Trump, even if that opposition bolsters the Covid-19 death toll.

Mr. Caputo, who has faced intense criticism for leading efforts to warp C.D.C. weekly bulletins to fit Mr. Trump's pandemic narrative, suggested that he personally could be in danger from opponents of the administration. "If you carry guns, buy ammunition, ladies and gentlemen, because it's going to be hard to get," he urged his followers.

He went further, saying his physical health was in question, and his "mental health has definitely failed."

"I don't like being alone in Washington," Mr. Caputo said, describing "shadows on the ceiling in my apartment, there alone, shadows are so long." He also said the mounting number of Covid-19 deaths was taking a toll on him, telling his viewers, "You are not waking up every morning and talking about dead Americans." The United States has lost more than 194,200 people to the virus. Mr. Caputo urged people to attend Trump rallies, but only with masks.

To a certain extent, Mr. Caputo's comments in a video he hosted live on his personal Facebook page were simply an amplified version of remarks that the president himself has made. Both men have singled out government scientists and health officials as disloyal, suggested that the election will not be fairly decided, and insinuated that left-wing groups are secretly plotting to incite violence across the United States.

But Mr. Caputo's attacks were more direct, and they came from one of the officials most responsible for shaping communications around the coronavirus.

C.D.C. scientists "haven't gotten out of their sweatpants except for meetings at coffee shops" to plot "how they're going to attack Donald Trump next," Mr. Caputo said. "There are scientists who work for this government who do not want America to get well, not until after Joe Biden is president."

A longtime Trump loyalist with no background in health care, Mr. Caputo, 58, was appointed by the White House to his post in April, at a time when the president's aides suspected the health secretary, Alex M. Azar II, of protecting his public image instead of Mr. Trump's. Mr. Caputo coordinates the messaging of an 80,000-employee department that is at the center of the pandemic response, overseeing the Food and Drug Administration, the C.D.C. and the National Institutes of Health.

DEBATABLE: *The sharpest arguments on the most pressing issues of the week.*

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"Mr. Caputo is a critical, integral part of the president's coronavirus response, leading on public messaging as Americans need public health information to defeat the Covid-19 pandemic," the Department of Health and Human Services said in a statement.

Mr. Caputo's Facebook comments were another sign of the administration's deep antipathy and suspicion for its own scientific experts across the bureaucracy and the growing political pressure on those experts to toe a political line favorable to Mr. Trump.

This weekend, first Politico, then The New York Times and other news media organizations published accounts of how Mr. Caputo and a top aide had routinely worked to revise, delay or even scuttle the core health bulletins of the C.D.C. to paint the administration's pandemic response in a more positive light. The C.D.C.'s Morbidity and Mortality Weekly Reports had previously been so thoroughly shielded from political interference that political appointees only saw them just before they were published.

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Trump Health Aide Pushes Bizarre Conspiracies and Warns of Armed Revolt - The New York Times

Mr. Caputo's 26-minute broadside on Facebook against scientists, the news media and Democrats was also another example of a senior administration official stoking public anxiety about the election and conspiracy theories about the "deep state" — the label Mr. Trump often attaches to the federal Civil Service bureaucracy.

Mr. Caputo predicted that the president would win re-election in November, but that his Democratic opponent, Joseph R. Biden Jr., would refuse to concede, leading to violence. "And when Donald Trump refuses to stand down at the inauguration, the shooting will begin," he said. "The drills that you've seen are nothing."

There were no obvious signs from administration officials on Monday that Mr. Caputo's job was in danger. On the contrary, Mr. Trump again added his voice to the administration's science denialism. As the president visited California to show solidarity with the fire-ravaged West, he challenged the established science of climate change, declaring, "It will start getting cooler." He added: "Just watch. I don't think science knows, actually."

Mr. Caputo's remarks also dovetailed in part with those of Roger J. Stone Jr., a longtime confidant of both Mr. Caputo and Mr. Trump. Mr. Stone, whose 40-month prison sentence for lying to Congress was commuted by the president in July, told the conspiracy website Infowars on Friday that Mr. Trump should consider declaring martial law if he lost re-election.

Grant Smith, a lawyer for Mr. Stone, was among the followers who had joined Mr. Caputo's talk on Sunday. Mr. Caputo has 5,000 Facebook friends, and his video was viewed more than 850 times. He has now shut down his account.

Over all, his tone was deeply ominous: He warned, again without evidence, that "there are hit squads being trained all over this country" to mount armed opposition to a second term for Mr. Trump. "You understand that they're going to have to kill me, and unfortunately, I think that's where this is going," Mr. Caputo added.

In a statement on Monday, Mr. Caputo told The Times: "Since joining the administration, my family and I have been continually threatened" and harassed by people who have later been prosecuted. "This weighs heavily on us, and we deeply appreciate the friendship and support of President Trump as we address these matters and keep our children safe."

He insisted on Facebook that he would weather the controversies, saying, "I'm not going anywhere." And he boasted of the importance of his role, stating that the president had personally put him in charge of a \$250 million public service advertising campaign intended to help the United States return to normal.

The Department of Health and Human Services is trying to use that campaign to attract more minority volunteers for clinical trials of potential Covid-19 vaccines and to ask people who have recovered to donate their blood plasma to help other infected patients. Department officials have complained that congressional Democrats are obstructing the effort.

While Mr. Caputo characterized C.D.C. scientists in withering terms, he said the agency's director, Dr. Robert R. Redfield, was "one of my closest friends in Washington," adding, "He is such a good man." Mr. Caputo is partly credited with helping choose Dr. Redfield's new interim chief of staff.

Critics say Dr. Redfield has left the Atlanta-based agency open to so much political interference that career scientists are the verge of resigning. The agency was previously seen as mostly apolitical; its reports were internationally respected for their importance and expertise.

Mr. Caputo charged that scientists "deep in the bowels of the C.D.C." walked "around like they are monks" and "holy men" but engaged in "rotten science."

He fiercely defended his scientific adviser, Dr. Paul Alexander, who was heavily involved in the effort to reshape the C.D.C.'s Morbidity and Mortality Weekly Reports. Mr. Caputo described Dr. Alexander, an assistant professor at McMaster University in Canada, as "a genius."

"To allow people to die so that you can replace the president" is a "grievous sin," Mr. Caputo said. "And these people are all going to hell."

A public relations specialist, Mr. Caputo has repeatedly claimed that his family and his business suffered hugely because of the investigation by the special counsel, Robert S. Mueller III, into Russian interference in the 2016 presidential election. Mr. Caputo was a minor figure in that inquiry, but he was of interest partly because he had once lived in Russia, had worked for Russian politicians and was contacted in 2016 by a Russian who claimed to have damaging information about Hillary Clinton.

Mr. Caputo referred that person to Mr. Stone and was never charged with any wrongdoing. Mr. Caputo later wrote a book and produced a documentary, both entitled "The Ukraine Hoax," to undermine the case for Mr. Trump's impeachment.

Mr. Caputo worked on Mr. Trump's 2016 presidential campaign for a time but was passed over for a job early in the administration. He remained friendly with Dan Scavino, the former campaign aide who is now the deputy chief of staff for White House communications and played a role in reconnecting Mr. Trump and Mr. Caputo.

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Some of Mr. Caputo's most disturbing comments were centered on what he described as a left-wing plot to harm the administration's supporters. He claimed baselessly that the killing of a Trump supporter in Portland, Ore., in August by an avowed supporter of the left-wing collective was merely a practice run for more violence.

"Remember the Trump supporter who was shot and killed?" Mr. Caputo said. "That was a drill."

The man suspected in the shooting, Michael Forest Reinhoehl, was shot dead this month by officers from a federally led fugitive task force in Washington State. He "went down fighting," Mr. Caputo said. "Why? Because he couldn't say what he had inside him."

Kitty Bennett contributed research.

1/15/2021

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POLITICS

Timeline: How One Of The Darkest Days In American History Unfolded

January 7, 2021 · 1:47 PM ET



DOMENICO MONTANARO



The U.S. Supreme Court is seen through a broken window at an entrance of the U.S. Capitol Wednesday.
Alex Wong/Getty Images

Wednesday will go down as one of the darkest days in American history.

It was all egged on by a sitting president, who has been unable to accept losing his bid for reelection and who persuaded millions of his followers to buy into baseless, debunked and disproved conspiracy theories.

The result: A mob violently storming and occupying the U.S. Capitol for hours, while staffers and lawmakers were evacuated or hid in fear. The vice president was also rushed from the floor of the Senate and taken to a secure location after criticisms were tweeted from his boss.

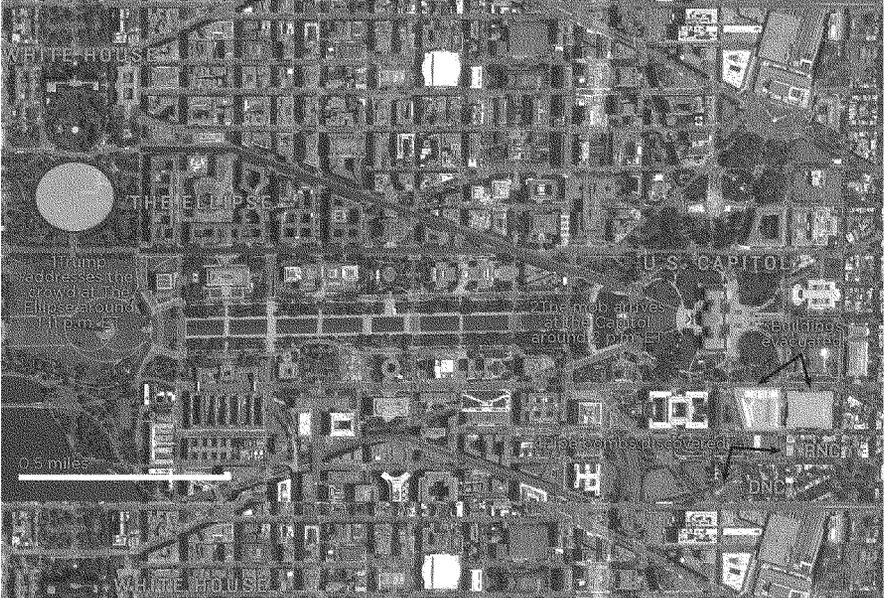
Here's a timeline of how things unfolded:

1 p.m. ET A joint session of Congress begins to tally the Electoral College votes, with Vice President Pence presiding. As it begins, Pence releases a letter to Congress declaring that he does not have unilateral authority to overturn the election results.

1:11 p.m. President Trump's speech to supporters on the Ellipse outside the White House ends. During the roughly hourlong speech, Trump urges his followers to march to the Capitol and says at one point, "You will never take back our country with weakness." Trump says he will be there with them but never joins the crowd.

Where The Events Took Place

Supporters of President Trump marched from his speech near the White House to the Capitol, where rioters then broke into the building.



1:13 p.m. Arizona Rep. Paul Gosar files the first objection to state Electoral College certification, from his home state. Democrat Joe Biden won the state by 10,457 votes. The objection needs to be joined by a U.S. senator, which it is. The objection could then be debated for up to two hours. Republican House members and senators threaten to do this for up to half a dozen states. The tactic amounts to not more than a delay, however, as the end result will be President-elect Joe Biden and Vice President-elect Kamala Harris being declared the winners — again.

2:07 p.m. The mob of Trump supporters breach the steps on the east side of the Capitol.

2:16 p.m. The first scenes of the rioters inside the building.



2:24 p.m. Trump tweets that Vice President "Pence didn't have the courage to do what should have been done." During Trump's speech earlier on the Ellipse, he also targeted Pence, saying, "We're going to have to fight much harder and Mike Pence is going to have to come through for us. If he doesn't, that will be a sad day for our country because you're sworn to uphold our Constitution."

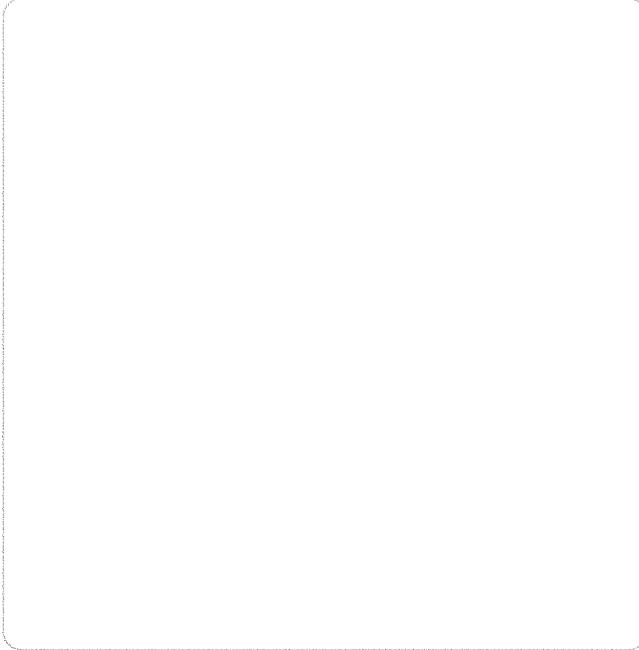
2:33 p.m. Sen. Ted Cruz of Texas, one of the senators who said he would sign on to objections of accepting state certification, sends out a fundraising email. He asks people to "stand with" him in his fight to "reject electors." An aide to Cruz then told Politico that the email was an automated message and that he was "dismayed" by what was happening. "He would not send this out," the aide said.



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I just received this fundraising text from Cruz.



2:47 PM · Jan 6, 2021



210 103 people are Tweeting about this

2:38 p.m. For the first time, Trump tells his supporters to be "peaceful." "Please support our Capitol Police and Law Enforcement," he tweets. "They are truly on the side of our Country. Stay peaceful!"

2:42 p.m. The House and Senate go into lockdown.

3 p.m. Gunshots heard. Capitol Police shot a woman, who later died. A total of four people in total died related to the events.

3:08 p.m. House Minority Leader Kevin McCarthy, R-Calif., confirms reports of "shots fired" on Fox News and says he called the president, urging him to call for calm.

3:13 p.m. Trump puts out another tweet "asking for everyone at the U.S. Capitol to remain peaceful. No violence! Remember, WE are the Party of Law & Order... ."

3:36 p.m. The White House press secretary says on Twitter that the National Guard was on its way at Trump's direction. A Defense Department official later said the guard was authorized "days ago," but it turns out the guard had only been authorized to work with police at intersections and at Metro stations. Washington, D.C., Mayor Muriel Bowser said she asked for more help from the guard as tensions rose, but the White House was late in responding.

3:48 p.m. Reports of pipe bombs being discovered. Metropolitan Police later confirm that they were found at the headquarters of both the Republican and Democratic national committees and destroyed by law enforcement.

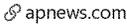
4:06 p.m. President-elect Biden speaks, calls what happened "an unprecedented assault" on democracy and labels it an "insurrection." "At their best," Biden said, "the words of a president can inspire. At their worst, they can incite." He urges Trump to "step up," go on national television and "end this siege."

4:16 p.m. Democrat Jon Ossoff is declared the winner of the last remaining Georgia Senate race, effectively giving control of the U.S. Senate to Democrats once Ossoff's win is certified and the new Georgia senators and Vice President-elect Kamala Harris, who will act as a tiebreaker, are sworn in.



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Election 2020
 News from The Associated Press, the definitive source for independent journalism from every corner of the globe.
 apnews.com

4:18 PM · Jan 6, 2021 (i)

 31.7K  12.1K people are Tweeting about this

4:17 p.m. Trump tweets a video downplaying the events of day and sympathizing with his followers, saying, "I know your pain. I know your hurt." He added, "But you have to go home now. We have to have peace. We have to have law and order. We don't want anybody hurt."



PROTESTS HALT CONGRESS' ELECTORAL COUNT: LIVE UPDATES

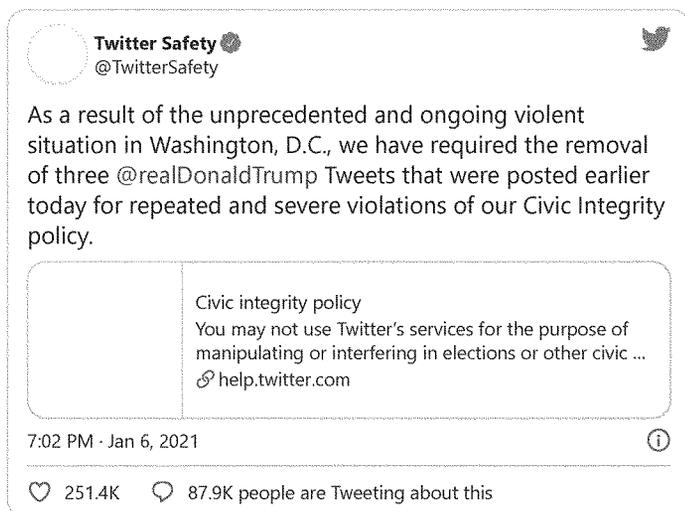
Trump Downplays Insurrection But Tells Supporters To 'Go Home'

6:01 p.m. Trump sends another message to his supporters, this time in tweet form. "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," he says. He then tells them to "Go home with love & in peace. Remember this day forever!"

Twitter earlier disallowed replies, likes or retweets of the video and then did the same with the written tweet.

7:02 p.m. Twitter locks President Trump's account for 12 hours, calling for the deletion of three tweets — the video, follow-up tweet and the one criticizing Pence at 2:24 p.m. It threatens to remove him from the platform altogether if "future violations" occur. On Thursday, Facebook announced that it was banning Trump

"indefinitely and for at least the next two weeks until the peaceful transition of power is complete."



8 p.m. In a show of defiance, Congress returns to the Capitol complete the opening and counting of electors.

8:10 p.m. Pence speaks on Senate floor: "To those who wreaked havoc today: You did not win. Violence never wins. Freedom wins, and this is still the people's house. As we reconvene, the world will again witness the resilience of our democracy."

Senate Majority Leader Mitch McConnell calls the rioters "thugs" and notes, "They tried to disrupt our democracy. They failed." On the House floor, Speaker Nancy Pelosi declared, "Our purpose will be accomplished."

8:48 p.m. Kelly Loeffler, the Georgia senator who lost the night before to Democrat Raphael Warnock, drops her objection to the certification of electors. She's one of multiple Republican senators who previously said they would object to accepting state certifications and but then reversed course.

10:14 p.m. Senate rejects objection to Arizona's electors and accepts them, 93-6.

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11:13 p.m. House rejects Arizona objection as well.

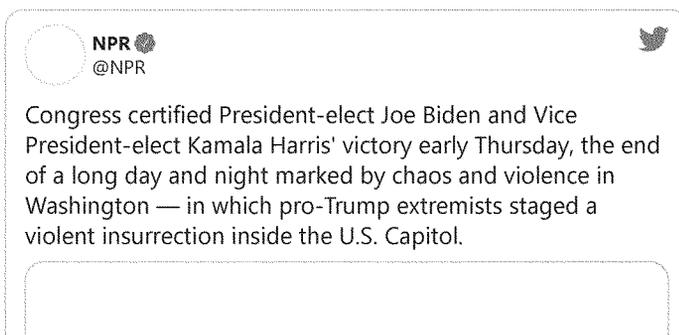
12:14 a.m. Republican Scott Perry of Pennsylvania objects to Pennsylvania's certification; it is sustained by Missouri Sen. Josh Hawley.

12:41 a.m. The Senate, skipping the allotted debate, rejects objection to Pennsylvania slate of electors, 92-7.

3:11 a.m. House rejects objection to Pennsylvania certification, as well, 282-138. But that was not before fisticuffs reportedly nearly break out between members an hour earlier.



3:45 a.m. Pence affirms Biden-Harris won: "Joseph R. Biden Jr. of the state of Delaware has received for President of the United States, 306 votes. Donald J. Trump of the state of Florida has received 232 votes."



<https://www.npr.org/2021/01/07/954384999/timeline-how-one-of-the-darkest-days-in-american-history-unfolded>

9/21

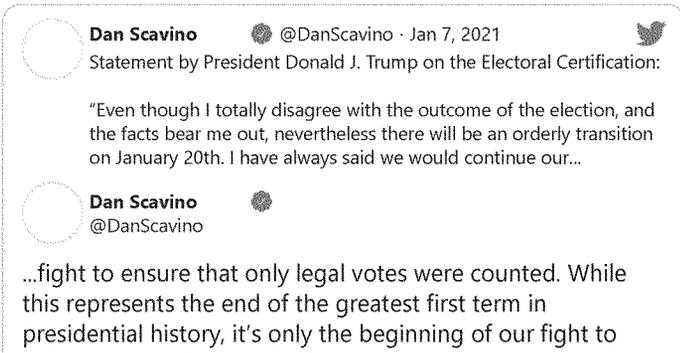


7:44 AM · Jan 7, 2021



3.4K 867 people are Tweeting about this

3:49 a.m. Trump puts out a statement on Twitter via his social media manager, pledging an "orderly transition" on Jan. 20, but continues to sow doubt about the election's accuracy, saying he will continue his "fight to ensure that only legal votes were counted."



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"Make America Great Again!"

3:49 AM · Jan 7, 2021 from Washington, DC



♥ 81.2K 💬 30K people are Tweeting about this

Correction**Jan. 7, 2021**

A previous version of this story attributed one of President Trump's quotes to the wrong medium. He did not say, "These are the things and events that happen ... Remember this day forever" in the video he released. He made that statement in a subsequent tweet that has now been removed.

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 capitol hill white house senate

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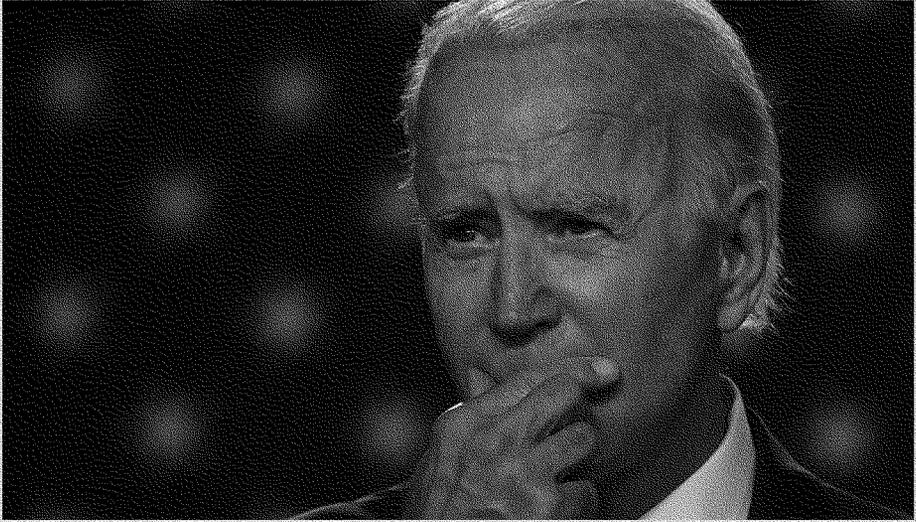
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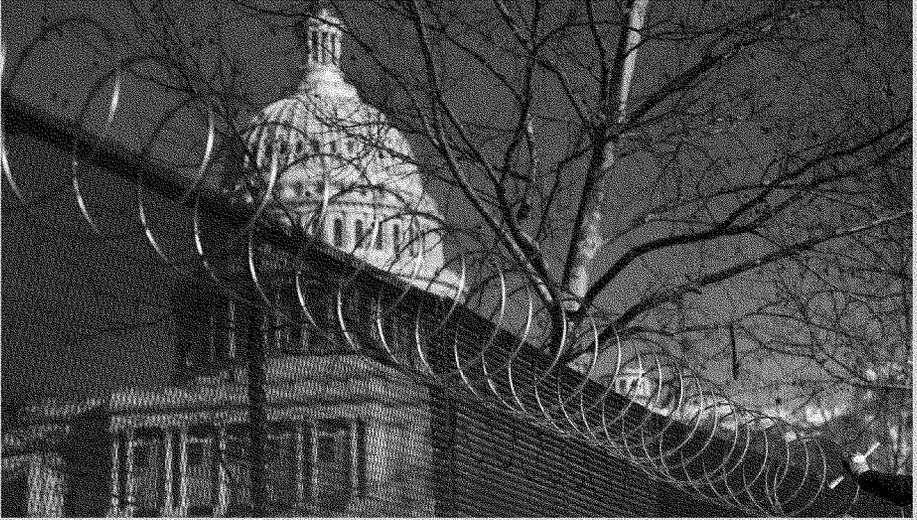
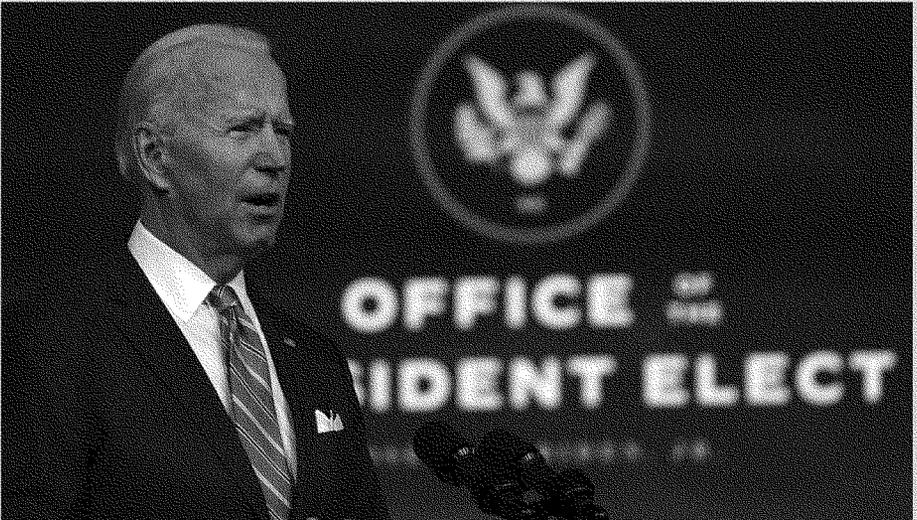
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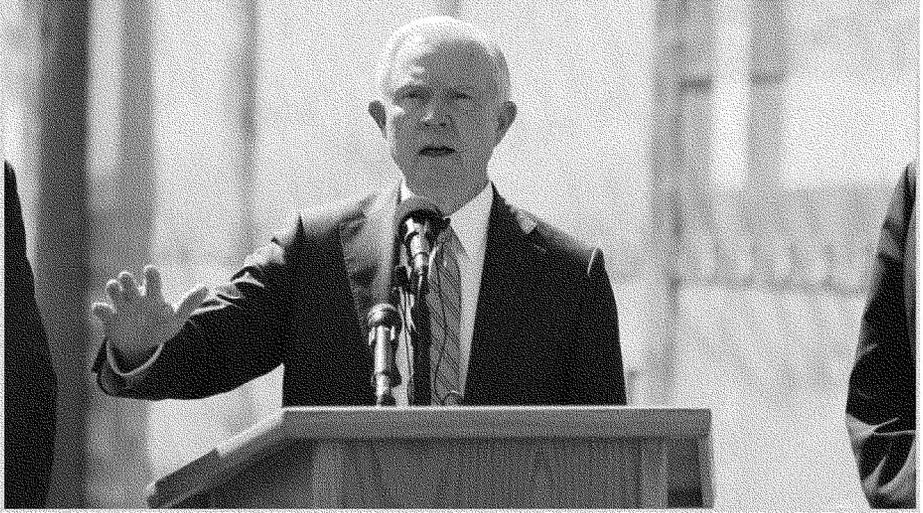
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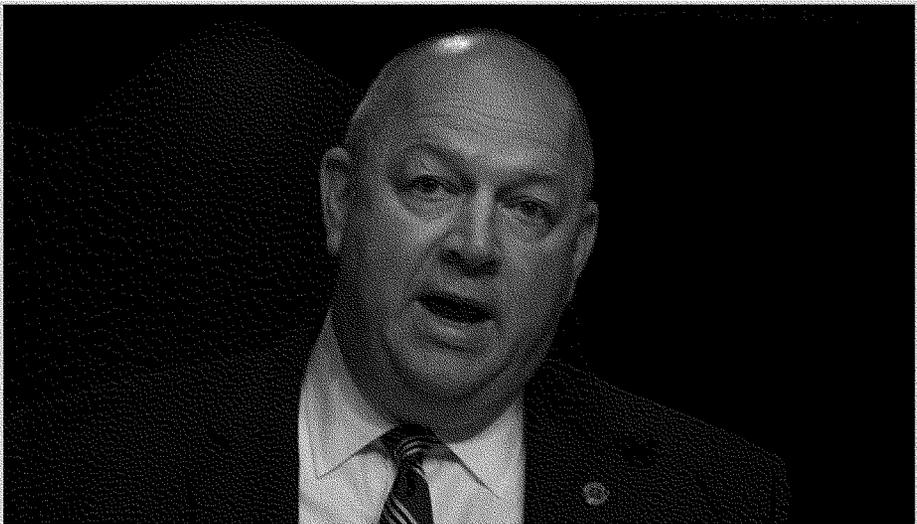
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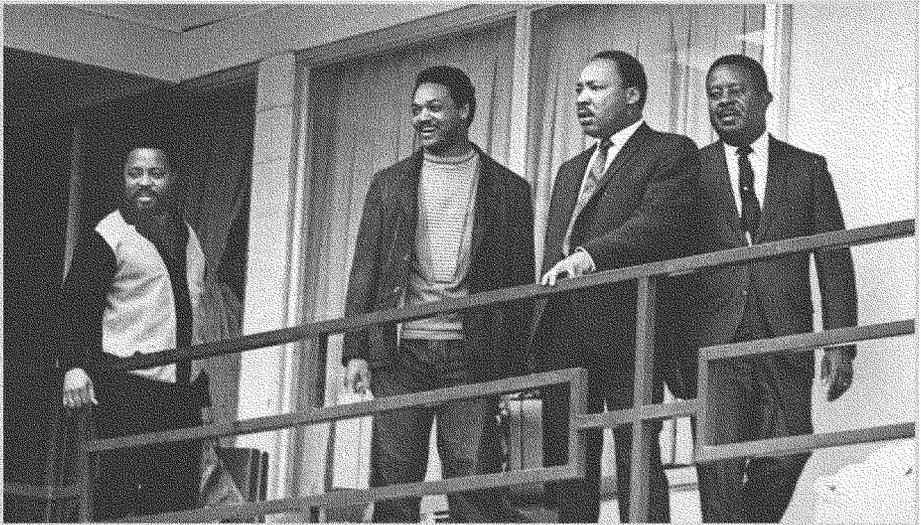
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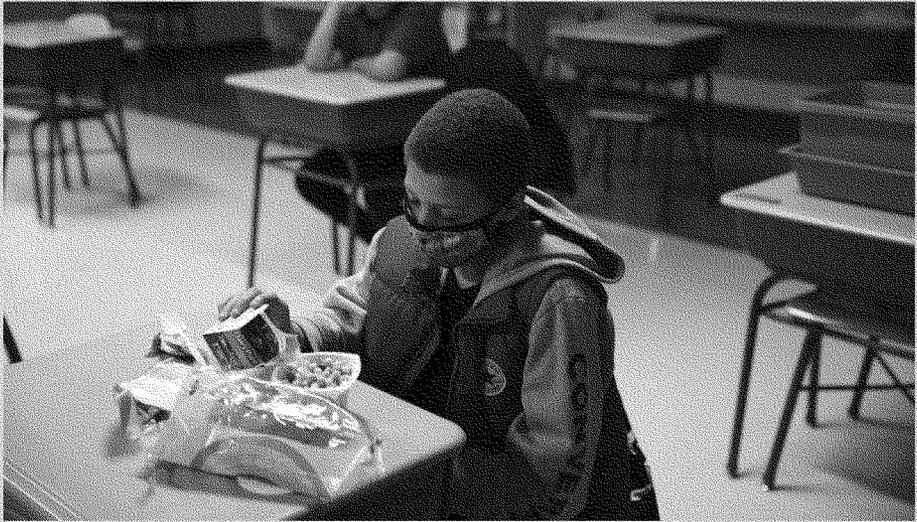
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Proud Boys celebrate Trump's 'stand by' remark about them at the debate. - The New York Times

The New York Times<https://nyti.ms/2HJsMEL>[← Trump Refuses to Denounce White Supremacy in Chaotic Debate](#)

Proud Boys celebrate Trump's 'stand by' remark about them at the debate.



Sept. 29, 2020

By Sheera Frenkel and Annie Karni

Members of the Proud Boys, a far-right group that has endorsed violence, celebrated on Tuesday night after President Trump mentioned them during the first presidential debate.

Asked whether he condemned white supremacists and military groups, Mr. Trump demurred and then said, "Proud Boys — stand back and stand by."

Within minutes, members of the group were posting in private social media channels, calling the president's comments "historic." In one channel dedicated to the Proud Boys on Telegram, a private messaging app, group members called the president's comment a tacit endorsement of their violent tactics.

In another message, a member commented that the group was already seeing a spike in "new recruits."

Mr. Trump's rival, Joseph R. Biden Jr., noted that the group was celebrating Mr. Trump's remark, pointing in a retweet to some of the comments being made. When asked what Mr. Trump meant by "stand by," Jason Miller, a senior adviser to the president's campaign, said it was "very clear he wants them to knock it off."

The Proud Boys describe themselves as "a pro-Western fraternal organization for men." The group has openly endorsed violence, and has recently been tied to several violent incidents at recent protests.

The Proud Boys were formed in 2016 by Gavin McInnes, one of the founders of Vice Media. Mr. McInnes said in an interview in November 2018 that he was "quitting" the Proud Boys.

Several civil rights groups have condemned the Proud Boys, including the Southern Poverty Law Center, which classifies them as a hate group, and the Anti-Defamation League, which refers to them as "hard-core white supremacists."

Twitter suspended the Proud Boys from its platform in August 2018, and Facebook followed with a similar ban in October 2018. In the years since, the group has continued to expand its numbers on other social media platforms, and has become more visible at protests.

States Brace for Armed Protests in Wake of U.S. Capitol Attack

State officials are activating National Guard troops and closing off Capitol grounds in response to F.B.I. warnings that armed protesters are preparing to act.

By Simon Romero, Kathleen Gray and Danielle Ivory

Jan. 15, 2021

Bracing for the potential of violent protests in the days leading up to the presidential inauguration on Jan. 20, state officials are calling up National Guard troops, erecting imposing fencing and shutting down Capitol grounds in response to the F.B.I.'s warning that armed protesters could target the capital cities across the country.

A survey by The New York Times of all 50 states found at least 19 — including California, Oregon, Michigan, Wisconsin, North Carolina, Washington, Kentucky, Maine, Illinois and Florida — that are activating National Guard troops in their capital cities. Texas, Virginia and Kentucky are among states planning to close their Capitol grounds at different points in the coming days.

Some states where legislatures are preparing to convene, such as New Mexico, have placed protective fencing around their Capitols. Michigan and Indiana took the extraordinary step of canceling their legislative activities next week because of the possibility of violence.

The moves by state officials point to the growing fear over continuing violence around the country in the aftermath of the mob attack last week on the U.S. Capitol in which assailants supporting President Trump's efforts to overturn the presidential election forced their way inside the building.

"If you're planning to come here or up to Washington with ill intent in your heart, you need to turn around right now and go home," Ralph Northam, the governor of Virginia, said at a news conference Thursday. "You are not welcome here, and you're not welcome in our nation's capital. And if you come here and act out, Virginia will be ready."

Virginia officials took the unusual step of closing the grounds of the Capitol Square on Monday in Richmond, where an event called Lobby Day is held each year to allow people to meet with elected representatives. An estimated 22,000 attended the event last year, many

of them gun-rights activists. This year, in addition to closing Capitol Square, authorities canceled permits for the planned Lobby Day gatherings.



Capitol Square and the Virginia State Capitol in Richmond were secured with fencing and boards Friday in anticipation of possible protests in the coming days. Brian Palmer for The New York Times

An example of how volatile the situation has become emerged on Friday in Florida, where the F.B.I. arrested a former U.S. Army Airborne infantryman, Daniel Alan Baker, 33, of Tallahassee, the state capital. Mr. Baker “specifically called for others to join him in encircling any protestors and confining them to the Capitol complex using firearms,” the F.B.I. said in an arrest report.

John Dailey, the mayor of Tallahassee, called on Friday for Gov. Ron DeSantis of Florida to activate the National Guard in preparation for the protests this weekend. Not long after, Mr. DeSantis, a Republican, announced that he was activating the Guard “in response to reports of potential civil unrest.”

Concerns are particularly high in Michigan, where Gov. Gretchen Whitmer activated the Michigan National Guard to help with security around the state Capitol in Lansing. The move followed the flooding of Michigan's Capitol last year by armed extremists protesting the state's coronavirus restrictions.

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Fourteen people were charged in Michigan on terrorism, conspiracy and weapons charges. At least six of them, officials said, had hatched a detailed plan to kidnap Ms. Whitmer, a Democrat who became a focal point of anti-government views and anger over coronavirus control measures.

In Lansing, a six-foot high fence has been erected around the state Capitol and windows of state office buildings boarded up to guard against potentially violent protests that are expected on Sunday and Wednesday.

The state Legislature, which just had its first session of the year and had been scheduled to meet several times next week, canceled those sessions after hearing about "credible threats" received by Michigan State Police.

The increased law enforcement presence will continue through at least mid-February, said the Michigan State Police director, Col. Joe Gasper. He declined to reveal how many more police and National Guard members would be in place to guard against violence.

Still, not every state sees the need for increased security. In North Dakota, for instance, Kim Koppelman, a Republican who is the speaker of the state's House of Representatives, said, "Suffice it to say that security is in place and adequate to meet any challenges anticipated."

"No major changes have been implemented in response to riots, property damage, and attacks around the nation last year, nor in response to violence at the U.S. Capitol last week," Mr. Koppelman said.

But other states are taking different steps. Gov. Gavin Newsom of California on Thursday authorized the deployment of 1,000 National Guard troops and surrounded the state Capitol grounds in Sacramento with a six-foot, covered chain-link fence to "prepare for and respond to credible threats."

In Illinois, Gov. J.B. Pritzker has activated 250 members of the National Guard in response to the warnings issued by the F.B.I. about the potential armed protests, in addition to the 300 Illinois troops already activated in support of the inauguration in Washington.

Illinois officials said their aim was for soldiers to help local authorities in enforcing street closures and designated perimeters.

“Our soldiers and airmen come from every community across Illinois, and each has sworn to protect their communities, their state and their nation,” said Maj. Gen. Rich Neely, the Adjutant General of Illinois and commander of the Illinois National Guard.

Shawn Hubler, Mitch Smith, John Yoon, Michael Hardy, Alex Lemonides, Jordan Allen and Alyssa Burr contributed reporting.

How a Trump Tweet Sparked Plots, Strategizing to "Storm and Occupy Capitol with "Handcuffs and Zip Ties" (/Far-Right-/Far-Left-Threat/how-a-trump-tweet-sparked-plots-strategizing-to-storm-an-occupy-capitol-with-handcuffs-and-zip-ties.html)

FAR-RIGHT / FAR-LEFT THREAT (/ARTICLES/FAR-RIGHT-/FAR-LEFT-THREAT/) Created: 09 January 2021

PDF (/pdf/Far-Right-/Far-Left-Threat/how-a-trump-tweet-sparked-plots-strategizing-to-storm-and-occupy-capitol-with-handcuffs-and-zip-ties)

January 6th. Be there, will be wild!



The January 6, 2020 siege on the US Capitol should not come as a surprise. Rather, it was preceded by a month-long frenzy of incitements, strategic embrace of violence against lawmakers—fueled by Trump's December 19 tweet promising that the event "will be wild." Many of the president's supporters interpreted his words as "marching orders," declaring, "[Trump] can't exactly openly tell you to revolt... This is the closest he'll ever get."

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[\(https://sourcefeedf.siteintelgroup.com/sourcefeed/item/18120/\)](https://sourcefeedf.siteintelgroup.com/sourcefeed/item/18120/)

Many of these supporters' calls for violence, which SITE reported on numerous times in the month leading to the event, ended up being consistent many actions seen at the Capitol. Such messages included calls to storm the building, "encircle" Congress, arrest lawmakers, and "go after the trail directly" by carrying out violent attacks against government officials.

These calls persisted into the day of the event, with such conversations evolving into tactical discussions of how to best carry out attacks. Some tactics were seen in use during the siege, with shared suggestions like "bring handcuffs and zip ties to DC" appearing to fit with the attackers photographed with zip-cuffs in the chamber of the Senate.

The following sections detail Trump's toxic embrace of the event, the resulting hype-building and incitements among his most extreme supporters, Trump supporters' frenzy of threats and spontaneous escalations on the day of the Capitol siege. These sections include previous SITE reporting from last month as well as yet-unpublished findings.

Trump's Tweet Sparks Incitements: "Start Marching into the Chambers"

ABOUT (ABOUT-SITE.HTML)   TRUMP TWEET. DADDY SAYS BE IN DC ON JAN. 6TH (twitter.com) **Trump Tweet**

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Donald J. Trump @realDonaldTrump

Peter Navarro releases 36-page report alleging election fraud 'more than sufficient' to swing victory to Trump [washex.am/3nwa3Cc](https://www.washingtonexaminer.com/peter-navarro-releases-36-page-report-alleging-election-fraud). A great report by Peter. Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. Be there, will be wild!



Peter Navarro releases 36-page report alleging election fraud 'mor...
Director of the Office of Trade and Manufacturing Policy Peter Navarro published a lengthy report Thursday outlining several...
[washingtonexaminer.com](https://www.washingtonexaminer.com)

This claim about election fraud is disputed

9:42 AM · Dec 19, 2020

211.9K likes 96.8K people are Tweeting about this

5915 comments · share · save · hide · report · block · hide child comments

Comments (5915)

 2193 points 21 days ago · 1234 · 41

Well, shit. We've got marching orders, bols.

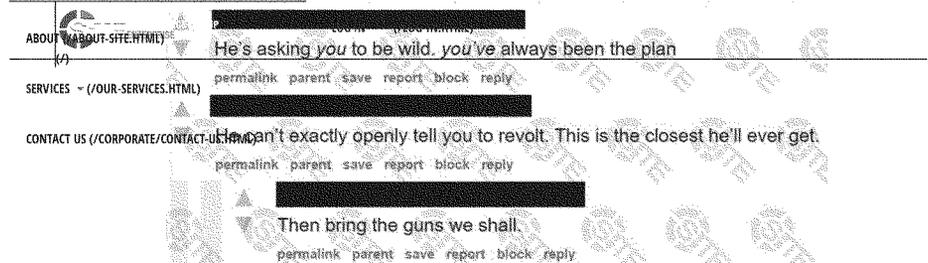
permalink · save · report · block · reply

Click the image to enlarge.

President Trump's December 19 tweet, in which he urged his supporters to "be there" and that the event "will be wild," was interpreted by many o supporters as an explicit call for direct action, as SITE has reported on December 24. One of the most significant discussions took place in the n pro-Trump forum, "TheDonald." One particularly popular thread pertaining to this tweet received over 5,900 replies and over 24,000 upvotes to de

The general consensus among the users was that Trump had essentially tweeted permission to disregard the law in support of him. "Well, shit. I got marching orders, bols," read one post receiving over 3,000 upvotes.

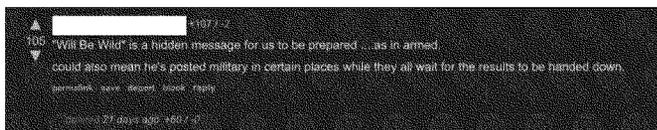
Another explained, "[Trump] can't exactly openly tell you to revolt...This is the closest he'll ever get."



Click the image to enlarge.

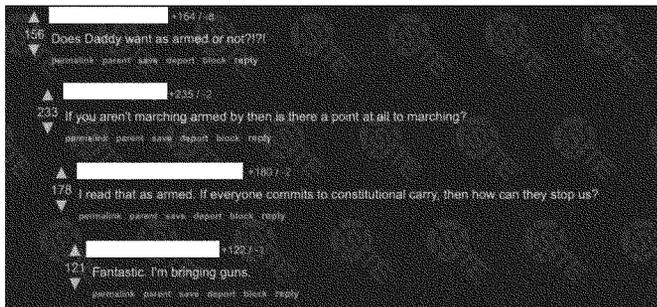
Another claimed similarly, "Will Be Wild" is a hidden message for us to be preparedas in armed."

"That's kind of how I took it," another replied.



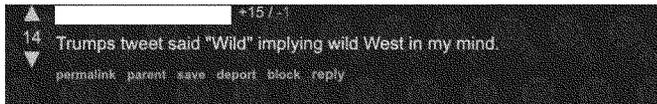
Click the image to enlarge.

This understanding was shared by others on the forum. "Does Daddy want as armed or not!?!?" one asked, to which another replied, "I read that : armed. If everyone commits to constitutional carry, then how can they stop us?"



Click the image to enlarge.

"Trumps tweet said 'Wild' implying wild West in my mind," a member of the forum similarly concluded.



Click the image to enlarge.

"Not telling you what to do but I will be open carrying and so will my friends. We have been waiting for Trump to say the word," read one post. "I would love to see you stop what is coming."

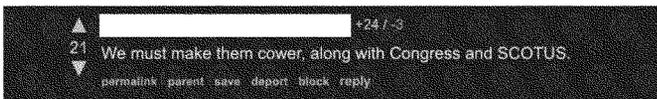
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Storming Congress

Some users on the site, however, users began urging attendees of the January 6 rally to target the Democratic and Republican politicians in certifying Joe Biden's electoral victory.

As shown in SITE's December 24 reporting, calls to storm the Capitol were prevalent among these incitements and seen across pro-Trump and forums alike.

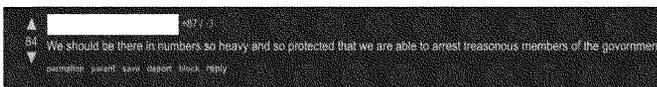
"If congress votes against the true will of the people, in the face of all the evidence of fraud and corruption, then yes, start marching INTO THE CHAMBERS. LET THE SOUND OF TRUE PATRIOTISM BE HEARD," one user on TheDonald wrote.

"We must make them cower, along with Congress and SCOTUS," another wrote.



Click the image to enlarge.

Some posted the idea that storming the Capitol building should be followed by arrests of lawmakers. As one wrote, "We should be there in numt heavy and so protected that we are able to arrest treasonous members of the government."



Click the image to enlarge.

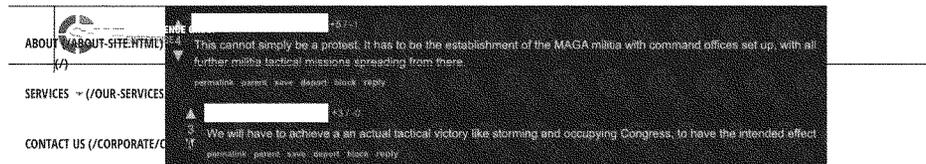
Replying to this post, one user noted, "And I think this is what Trump expects. Do not allow congress to certify a fraudulent election and get away and don't allow any government forces to intimidate us." In a post shortly after, the same user explained the rationale for acting violently against lawmakers:

I will be shocked if we just stand by waving a bunch of flags while they go right ahead and certify an illegitimate president. The idea of showing up to "protest" and air grievances should not be the goal. goal should be that they WILL hear our voices or there WILL be consequences. The need to know that 100% this will be a failure on epic proportions.

This is a historical opportunity that will change the world just like the signing of the Declaration of Independance or winning WWII. And we get to be part of it.

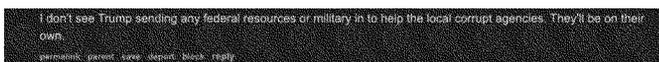
Success will be measured by forcing the DC rats too listen to our voices. That we will not accept a fraudulent election and their fraudulent chosen president. If they refuse, they do so at their own peri

This sentiment—that the January 6 rally would not just be a rally—was a recurring theme of incitements to storm the Congress. Insisting that "sir protesting" won't be enough to secure Trump's second Presidential term, a user henceforth referred to as "Anon1," who claims to be from Massachusetts, directly asserted that in order to "achieve an actual tactical victory" at the protest Trump's supporters need to "storm and occupy Congress", stating: "We will have to achieve an actual tactical victory like storming and occupying Congress, to have the intended effect."



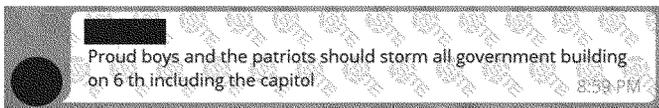
Click the image to enlarge.

Many of the users embracing the idea of attacking the Capitol or other government targets appeared to believe that Trump wouldn't stop them from doing so. In the aforementioned post about congress members rejecting Trump's perceived election "at their own peril," the user even predicted, see Trump sending any federal resources or military in to help the local corrupt agencies. They'll be on their own."



Click the image to enlarge.

Such messages were also seen on other online venues. As early as December 26, far-right users on a pro-Trump Telegram group connected to N Yiannapolis' official Telegram channel were discussing potential attacks against the Capitol, with user "RC" suggesting "Proud boys and the patri should storm all government building on 6 th including the capitol."



Click the image to enlarge.

As SITE reported on December 29, many neo-Nazis were similarly emboldened ahead of the protest. Neo-Nazis shared the President's December tweet and promoted the event, with many doing so not out of support for the president but rather out of desire to sow chaos toward an accelerated agenda.

Echoing users on forums like TheDonald, some neo-Nazis interpreted Trump's statements as direct instigation to target Congress. On December 2020, a prominent neo-Nazi user on Telegram posted a series of messages in a neo-Nazi chat group, underscoring that the neo-Nazi community boots on the ground" for the D.C protest.

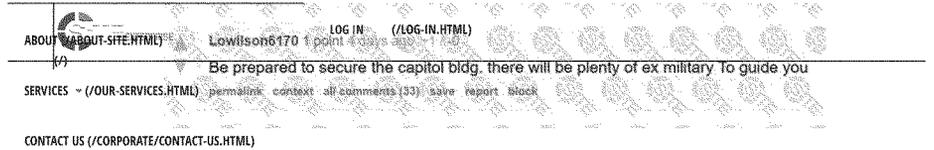
"That's the only way things are going to change," GFB underscored, suggesting that Trump supporters in D.C. on January 6 should "march into the building and make them quake in their shoes by our mere presence."

"The founding fathers were willing to give up their lives to ensure this country exists the least we can do is risk prison time to be heard," the user

Tactical Preparation in Days Leading to Rally: "Zip Ties, Citizen Arrest" against Lawmakers

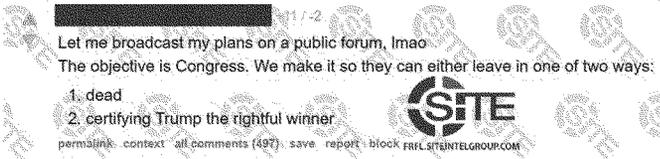
As calls for violent action against lawmakers continued into the week of the January 6 rally, conversations among those planning to participate escalated into tactical advice and planning. Many of these messages on TheDonald forum suggested that users planning to attend were sincere in their intention to attack the Capitol.

On January 5, a user on TheDonald forum—who claims to live in the Columbus, Ohio area—underscored that Trump's supporters should "be prepared to secure the capitol building," assuring, "there will be plenty of ex military to guide you."



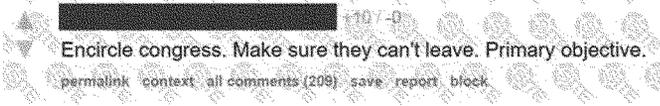
Click the image to enlarge.

Anon, the same member to call for "storming and occupying Congress", following Trump's December 19 tweet announced on the day of the rally was in attendance. The user reiterated their past incitements by laying out desired criteria for an attack. "The objective is Congress" the user wrote positing that Trump supporters should make sure the government officials "leave in one of two ways: dead of certifying Trump the rightful winner



Click the image to enlarge.

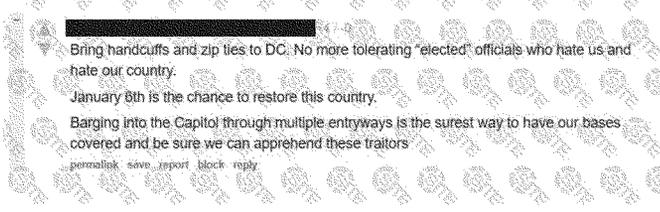
The user detailed various scenarios of how to attack that day, encouraging those currently attending the protest to "encircle congress" and "mak they can't leave."



Click the image to enlarge.

CLICK HERE FOR SOURCEFEED PROFILE OF THIS USER
 (https://sourcefeedfr.siteintelgroup.com/sourcefeed/Item/18197)

Other suggested strategies included bringing "handcuffs and zip ties to DC" in order to conduct "citizen's arrests" against the officials certifying election. For example, in proclaiming they must no longer "tolerate" elected officials who "hate us and our country," one user called on protesters "barge into the Capitol through multiple entryways" and "apprehend these traitors," seen in the following screenshot of the post:



Click the image to enlarge.

These calls to bring zip cuffs were not specific to only one thread on TheDonald. One post, for example, was bluntly titled, "Consider bringing zip citizen arrest." Several users were receptive to the idea, with one appearing to escalate "Fuck zip ties, I'm bringing rope!"

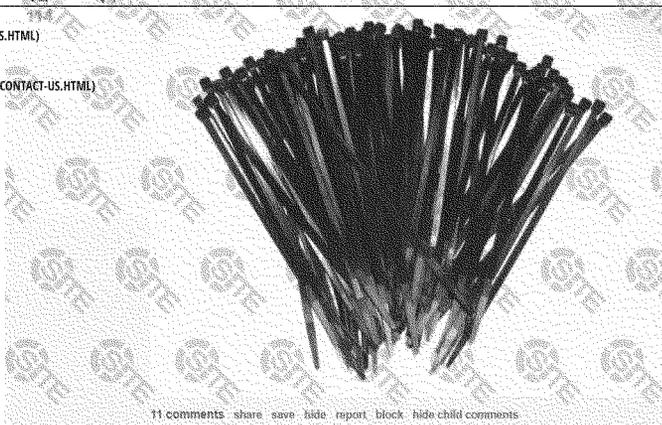
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Consider bringing zip ties, citizen arrest (media.thedonald.wis) posted 7 days ago by [REDACTED]

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VIEW ON SOURCEFEED DATABASE (https://sourcefeedr.siteintelgroup.com/sourcefeed/item/18200/)

(More on these incitements can be read in a December 22 SITE dispatch [here](https://ent.siteintelgroup.com/Far-Right/-Far-Left-Threat/as-con-finlizes-election-far-right-community-rallies-behind-trump-s-call-to-protest-election-fraud.html).)

As these reactions between different extremist communities show, the siege on the Capitol was sparked in no small part by President Trump's o implicit calls for violent action, which many evidently responded to as directives.

The movement behind the siege on the Capitol building has only become more emboldened in the event's aftermath. Trump-supporting extremists already praised the siege as a "stunning success" and announced further armed protests, including the day of Biden's inauguration.

As a member on TheDonald threatened: "No matter how all this plays out, its only the beginning."

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House and Senate abruptly go into recess after Trump-supporting rioters storm the Capitol building

Sonam Sheth, Oma Seddiq, and Ryan Pickrell Jan 6, 2021, 2:36 PM



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The House and the Senate were forced to go into recess on Wednesday after thousands of supporters of President Donald Trump descended on the Capitol to protest the certification of Joe Biden's election victory.

Video footage showed Trump supporters breaching barriers at the Capitol building and clashing with law-enforcement officers while Congress met to count electoral votes.

As the demonstrators got into the building, lawmakers, Hill staffers, and reporters sheltered in place and in their offices before being evacuated.

The vote-certification process doesn't typically draw much attention, but it's in the spotlight this year because Trump has whipped his supporters into a frenzy with his false claim that Congress can selectively throw out states' electoral votes based on his baseless assertions of fraud.

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supporters of President Donald Trump descended on the Capitol building, breached barriers, and clashed with police officers.



News that someone had been shot. PBS NewsHour reported, citing one source, that someone was shot in the chest in the Capitol and that it was not a uniformed officer.

The violence erupted as Congress convened to officially count electoral votes and certify President-elect Joe Biden's victory. The process is typically pro forma, but it's in the national spotlight this year because Trump has made groundless claims that Congress and Vice President Mike Pence can unilaterally throw out the electoral votes in some battleground states based on Trump's unsubstantiated assertion that votes were fraudulent.

Shortly before the clashes, the president headlined a "March for Trump" rally in Washington, DC, where he continued ginning up nonsense conspiracy theories about widespread voter fraud, a rigged election, and a global faction of Democrats working with election vendors to steal the 2020 race from Trump.

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There is no evidence for any of these claims, and all 50 states had certified their results

so reflect on that



to break in while Congress met. Multiple reporters tweeted that they were told to shelter in place, and the House and the Senate were evacuated when the president's supporters stormed the building.

The mayor of Washington, DC, announced a 6 p.m. curfew. NBC reported that Pence and Sen. Chuck Grassley, the Senate president pro tempore, were evacuated to a secure location.

—*Jake Sherman (@JakeSherman) January 6, 2021*

—*Olivia Beavers (@Olivia_Beavers) January 6, 2021*

—*Jennifer Bendery (@jbendery) January 6, 2021*

As Trump supporters stormed the Capitol building, some reports said that they started breaking into the House chamber and that there was an armed standoff.

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—Jonathan Tamari (@JonathanTamari) January 6, 2021

—Matt Fuller (@MEPFuller) January 6, 2021

At one point, a rioter with a Confederate flag was seen outside the Senate chamber. Multiple Trump supporters flew the flag outside the Capitol.

—Rebecca Tan (@rebtanhs) January 6, 2021

The Department of Defense announced Wednesday afternoon that additional National Guard troops were being activated to support federal law enforcement in Washington, DC. The White House press secretary said Trump had made the decision to bolster the small National Guard force activated before the protests.

Virginia and Maryland said they were sending additional law-enforcement personnel to the city in response to the unrest. Virginia said it was also contributing National

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Amid the chaos, Trump slammed Pence in a tweet. "Mike Pence didn't have the courage to do what should have been done to protect our Country and our



"USA demands the truth!"

The White House did not respond to a request for comment from CNN. But Trump later tweeted: "Please support our Capitol Police and Law Enforcement. They are truly on the side of our Country. Stay peaceful!"

Trump's eldest son, Donald Trump Jr., also urged the demonstrators to stay peaceful.

"This is wrong and not who we are," Trump Jr. tweeted. "Be peaceful and use your 1st Amendment rights, but don't start acting like the other side. We have a country to save and this doesn't help anyone."

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The Washington Post

Democracy Dies in Darkness

Self-styled militia members planned on storming the U.S. Capitol days in advance of Jan. 6 attack, court documents say

By **Spencer S. Hsu**, **Tom Jackman** and **Devlin Barrett**

Jan. 19, 2021 at 3:50 p.m. EST



Self-styled militia members from Virginia, Ohio and other states made plans to storm the U.S. Capitol days in advance of the Jan. 6 attack, and then communicated in real time as they breached the building on opposite sides and talked about hunting for lawmakers, according to new court documents filed Tuesday.

U.S. authorities charged an apparent Oath Keeper leader, Thomas Edward Caldwell, 66, of Clarke County, Va., in the attack, alleging that the U.S. Navy veteran helped organize a ring of what became 30 or 40 people who “stormed the castle” to disrupt the electoral vote confirmation of President-elect Joe Biden’s victory.

“We have about 30-40 of us. We are sticking together and sticking to the plan,” co-defendant Jessica Watkins, 38, a U.S. Army veteran, said while the breach was underway, according to court documents unsealed Tuesday.

“You are executing citizen’s arrest. Arrest this assembly, we have probable cause for acts of treason, election fraud,” a man replied, according to communications recovered from her phone, the FBI alleged.

“We are in the main dome right now. We are rocking it. They are throwing grenades, they are fricking shooting people with paint balls. But we are in here,” a woman believed to be Watkins said, according to court documents.

A man then responds, “Get it, Jess,” adding, “This is ... everything we f-----trained for!”

The extraordinary real-time narration of parts of the assault on the Capitol came as investigators made public new details of events in unsealed conspiracy charges in which thousands of pro-Trump supporters forced the evacuation of lawmakers and triggered violence that left five people dead.

FBI charging papers against Caldwell, Watkins and a third man, former U.S. Marine Donovan Crowl, 50, allege that Caldwell and others coordinated in advance to disrupt Congress, scouted for lodging and recruited Oath Keepers members from North Carolina and like-minded groups from the Shenandoah Valley. Participants both anticipated violence and continued to act in concert after the break-in, investigators said in court documents.

Attempts to reach attorneys or relatives of Caldwell, Watkins and Crowl have been unsuccessful.

Federal prosecutors in Washington have charged more than 100 defendants in the past 13 days. But arrests this weekend of several people with alleged ties to extremist groups, including the Oath Keepers, Proud Boys and Three Percenters, have offered evidence that the riot was not an entirely impulsive outburst of violence but an event instigated or exploited by organized groups. Hours of video posted on social media and pored over by investigators

have focused on individuals in military-style gear moving together.

"This is the first step toward identifying and understanding that there was some type of concerted conspiracy here," said one senior official with the U.S. attorney's office for Washington D.C., which is leading the investigation.

"Whether everyone else just happened to be there and got caught up in the moment, or if this is just the tip of the iceberg, how much this will grow at this point I can't tell you, but we are continuing to investigate aggressively," the official said, asking for anonymity to discuss a pending investigation.

In charging papers, the FBI said during the Capital riot, Caldwell received Facebook messages from unspecified senders updating him of the location of lawmakers. When he posted a one-word message, "Inside," he received exhortations and directions describing tunnels, doors and hallways, the FBI said.

Another message read, "All members are in the tunnels under capital seal them in. Turn on gas," the FBI added.

Other arrests Tuesday also underscored law enforcement's concerns for threats to elected leaders, particularly since so many of the participants in the Jan. 6 chaos are still unidentified.

In New York, a Queens man who worked in the state court system was accused Tuesday of making threats to murder Democratic politicians, including suggesting another attack on the Capitol timed to President-elect Joe Biden's inauguration

Brendan Hunt of Queens, N.Y., is described in the documents as a part time actor and full-time employee of the New York State Office of Court Administration. Authorities said Hunt was not at the Jan. 6 riot, but made threatening remarks about Democratic politicians beforehand that intensified in a video he posted two days later, titled, "KILL YOUR SENATORS."

"We need to go back to the U.S. Capitol," Hunt said in the video, according to the FBI. "What you need to do is take up arms, get to D.C., probably the inauguration ... put some bullets in their f---- heads. If anybody has a gun, give it to me, I'll go there myself and shoot them and kill them."

Caldwell's group appeared motivated by a similar animus. In a Jan. 1 reply to a Facebook comment cited by the FBI, Caldwell referred to the military oath to support and defend the Constitution against all enemies foreign and domestic, saying he had done both, but "they have morphed into pure evil even blatantly rigging an election and paying off the political caste."

"We must smite them now and drive them down," Caldwell said. An FBI charging affidavit said Caldwell was recorded outside the Capitol on a YouTube video posted Jan. 8, motioning to the building and shouting "Every single [expletive beeped in original] in there is a traitor. Every single one."

In Caldwell's charging papers, the FBI said that it is reviewing communications between Caldwell "and other known and unknown Oath Keepers members."

An FBI agent in court records said Caldwell helped organize a group of eight to 10 individuals led by Watkins, a bartender who founded the "Ohio State Regular Militia" in 2019. Members of the group are seen on video wearing helmets and military-style gear moving purposefully toward the top of the Capitol steps and leading the move against police lines, court records said.

A search warrant of Watkins home in Ohio found numerous firearms, cellphones, pepper spray, radio, a bag with a

helmet and respirators, paintball guns, pool cues cut down to baton size, and zip/cable ties, as well as a camouflage hat and jackets, the FBI said.

The FBI said without elaboration that it also recovered a document titled, "Making Plastic Explosives from Bleach," redacting the instructions in a photo exhibit. The FBI noted in court records that Watkins runs a bar named the Jolly Roger, and is believed to operate a Facebook account under that name, the same name as the pseudonym of the author of bomb making instructions widely available on the Internet.

Jennifer Jenkins contributed to this report.

Updated January 19, 2021

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JANUARY 6, 2021

Stanford scholars react to Capitol Hill takeover

Stanford scholars reflect on the occupation of the U.S. Capitol on Wednesday and suggest what needs to happen next to preserve democracy.

BY MELISSA DE WITTE AND SHARON DRISCOLL

On Wed. Jan 6, a mob of pro-Trump supporters stormed the U.S. Capitol building, disrupting the certification of the electoral vote count for President-elect Joe Biden and causing members of the Senate and House to evacuate their chambers.

Biden called what occurred an “insurrection” that “borders on sedition.” What do we know about the people who turned a protest into a violent demonstration at the nation’s capital? What were their likely motivations? And what happens next?

Here, Stanford scholars – from legal experts to political scientists – share their thoughts on some of these pressing questions, as well as their thoughts on what led to an aggressive act of rebellion against the American government.

Weighing in on the Capitol takeover are:

- Gregory Ablavsky (<https://law.stanford.edu/directory/gregory-ablavsky/>), associate professor of law
- Bruce Cain (<https://west.stanford.edu/about/people/bruce-e-cain>), professor of political science in the School of Humanities and Sciences and director of the Bill Lane Center for the American West
- Larry Diamond (<https://profiles.stanford.edu/larry-diamond>), senior fellow at the Hoover Institution and at the Freeman Spogli Institute for International Studies (FSI)
- Frank Fukuyama (<https://cddrl.fsi.stanford.edu/people/fukuyama>), Olivier Nomellini Senior Fellow at FSI
- Shirin Sinnar (<https://law.stanford.edu/directory/shirin-sinnar/>), professor of law
- David Sklansky (<https://law.stanford.edu/directory/david-alan-sklansky/>), Stanley Morrison Professor Law; faculty co-director of the Stanford Criminal Justice Center
- Stephen Stedman, (<https://politicalscience.stanford.edu/people/stephen-stedman>) senior fellow at FSI



(https://news-media.stanford.edu/wp-content/uploads/2018/11/13120408/midterms_getty-e1609993190406.jpg)

Stanford scholars reflect on the occupation of the U.S. Capitol and suggest what needs to happen next to preserve democracy. (Image credit: Getty Images)

- Robb Willer, (<https://sociology.stanford.edu/people/robb-willer>) professor of sociology, School of Humanities and Sciences

As people try to make sense of what happened in Washington on Wednesday, what do you think led to these events?

Diamond: What is occurring is the product of years of disinformation and rising extremism and defection from democratic norms, particularly on the extremist right, which has been fed by the support and indulgence of President Donald Trump and other politicians who have sought to mobilize grassroots political anger and disaffection for their own political ends. Analyses of public opinion, including [this one](https://www.politico.com/news/magazine/2020/10/01/political-violence-424157) (<https://www.politico.com/news/magazine/2020/10/01/political-violence-424157>) that I was involved in, have been warning for years that there was dangerous and growing support for political violence if their party or political program did not prevail.

Social scientists and political commentators have been warning for several years that Trump and other right-wing populist politicians were feeding a dangerous climate that could spill over into violence.

Stedman: Part of Donald Trump's strategy since 2016 was to cast doubt on our electoral legitimacy. This strategy was amplified during the pandemic when so much of the country implemented early voting and vote by mail, which Trump and his acolytes relentlessly criticized as fraudulent methods. His strategy was aided and abetted by Fox News and its commentators, as well as by various social media personalities and websites.

Wednesday was the culmination of that strategy. The electoral count was the last possible chance for Trump to keep power. The strategy was shamefully supported by senators like Josh Hawley of Missouri and Ted Cruz of Texas, as well as key members of the Republican House leadership. This all ratcheted up the stakes of yesterday's electoral count, and Trump's supporters were there yesterday to pressure Republicans to bend to the President's will, and failing that to prevent the count from taking place.

Given that Trump has been falsely denying the election results and encouraging protest on Wednesday, are you surprised that the Capitol police were so unprepared for the violence that took place?

Sinnar: The violence came as no surprise, but the fact that "protesters" could so easily access the Capitol – and remain there for hours – is stunning. The government response is striking in light of the massive surveillance and violence deployed on racial justice protesters last year, including by the National Guard, in cities across the United States. While law enforcement officials say they didn't want to respond to election protesters with an overt military presence, no such respect for free expression or democratic legitimacy characterized the response to protests against police brutality, especially at the federal level.



(https://news-media.stanford.edu/wp-content/uploads/2021/01/06184319/Sinnar_Shirin.jpg)

Shirin Sinnar

(Image credit: Courtesy Stanford Law School)

Cain: I expected protests and some street fighting, but not the breaching of the Capitol. The proximate cause was Trump's rally speech preceding the attack that primed the crowd's anger with just enough linguistic ambiguity, or so he thinks, to avoid legal liability. But make no mistake, he is responsible. He has fomented civil unrest and slyly encouraged far-right elements to act violently throughout his four years in office.

Would you describe the violence on Wednesday as insurrection?

Sinnar: The protesters who flocked to Washington, D.C., are a mix of unaffiliated Trump supporters and members of far-right militant groups, like the Proud Boys, a self-described "Western chauvinist" group, and the Oath Keepers, a 25,000-member paramilitary organization whose ranks include many military veterans and law enforcement officials.

An insurrection is a violent rebellion *against* the government. Yesterday's political violence certainly sought to subvert democratic governance, but it came at the behest of the president, who has pushed demonstrably false claims of voting fraud in an attempt to overturn the election. Trump's message to the Proud Boys during the fall presidential debates – to "stand back and stand by" – authorized the kind of violence we saw yesterday. His response after it occurred – "these are the things and events that happen when a sacred landslide election victory" is "stripped away from great patriots" – further legitimized it. So this violence isn't

unconnected to the state; it's been licensed by the president.

What do people need to understand about the people and likely motivations behind Wednesday's events?

Fukuyama: The one thing to say about motives is that many Trump supporters genuinely believe that Trump won a massive landslide and that the election was stolen from him by massive fraud. If you believe that, you would be angry and violent as well. Our problem is that we are living in parallel information universes.

Diamond: The hardliners who broke into Congress are similar to the ones who marched into the Michigan State Capitol in May and later protested the governor. Their views have been distorted by years of disinformation, fed and encouraged by some opportunistic politicians, and drenched in insular networks that become increasingly extreme and cut off from true information and rational dialogue. They have come to see this as a battle of good and evil. They are not going to be reached by liberal professors or Congress members.

Willer: This insurrection follows more than a decade of increased right-wing street protests and riots since the emergence of the Tea Party in early 2009. While the right-wing groups we've seen over the last decade vary in a number of ways, there are common threads: claims of social and political disenfranchisement, anger at Democrats, online organizing, conspiracy theorizing, and primarily white participants.

The president called his supporters to the Capitol to protest his loss of a free and fair election. Is there any legal liability for the president for what happened on Wednesday? Is speech that incites violence protected speech?

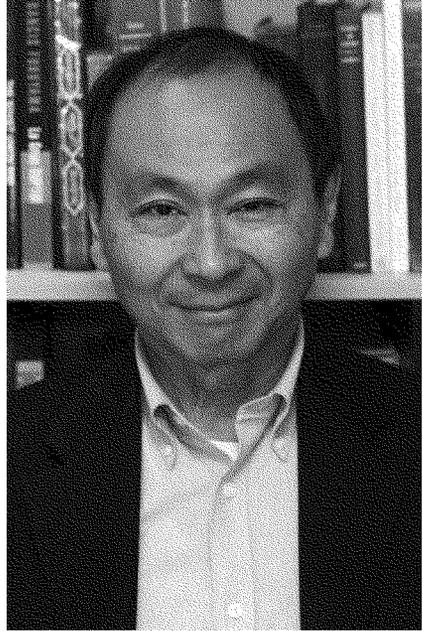
Skdansky: Trump's statements in the weeks, days and hours leading up to Wednesday's storming of the Capitol – culminating with statements like “They're not going to take this White House,” “We will never concede,” “You don't concede there's theft involved” – were like throwing matches onto a gasoline spill. Not only did the president egg the rioters on, he made clear on Twitter afterward that he was on their side – calling them “great patriots,” excusing their lawlessness and urging them to “remember this day forever.”

But the First Amendment protects even wildly irresponsible speech unless it is calculated to produce imminent lawlessness. Incitement needs to be pretty explicit and direct to satisfy that test. Winks and nods aren't enough.

Neither are statements of support after the fact. So the criminal liability of President Trump for Wednesday's riot isn't clear.

So the president's calls to his supporters to fight a fair election may not be prosecutable. Are they impeachable?

Skdansky: There is a strong and straightforward argument for treating Trump's words and conduct over the past several weeks, and especially on Wednesday, as grounds for impeachment. The standard for impeachment is “high crimes and misdemeanors,” which is a term meaning, essentially, abuse of power. And it is hard to think of a clearer violation of office, or a more dangerous abdication of duty, than refusing to acknowledge the result of an election voting you out of office, encouraging your supporters to prevent the lawful transfer of power and congratulating them for their violent efforts to do just that.



(<https://news-media.stanford.edu/wp-content/uploads/2021/01/06181414/Frank-Fukuyama.jpg>)

Frank Fukuyama

(Image credit: Courtesy of the Freeman Spogli Institute)

“

“Our problem is that we are living in parallel information universes.”

FRANK FUKUYAMA
—Olivier Nomellini Senior Fellow at
FSI

Can the protesters who turned violent be prosecuted? If so, under what charges?

Sklansky: They absolutely can be prosecuted. It's a felony to enter the floor of either House of Congress by force and violence. It's a felony to assault a federal official, like an officer of the Capitol Police. It's a felony to intimidate, impede, or interfere with federal officials, like members of Congress, engaged in their lawful duties, like the counting of electoral votes. And it's a felony to conspire to seize federal property by force, or to conspire to use force to obstruct the carrying out of any federal law.

Cain: The Constitution and the Electoral Count Act process is pretty clear. They are in violation of the rule of law and democracy. The violent ones should be punished accordingly.

Are there any parallels between what happened Wednesday and to other events in history and in other countries?

Stedman: This is reminiscent to me of several elections I studied in Africa in the last 10 years, including Cote D'Ivoire, and Kenya, where an incumbent lost an election, cried electoral fraud and mobilized violence to overturn the election and stay in power. And lots of people got hurt.

Those countries ended up in civil war. We are not there yet but this could still play out in escalatory ways.

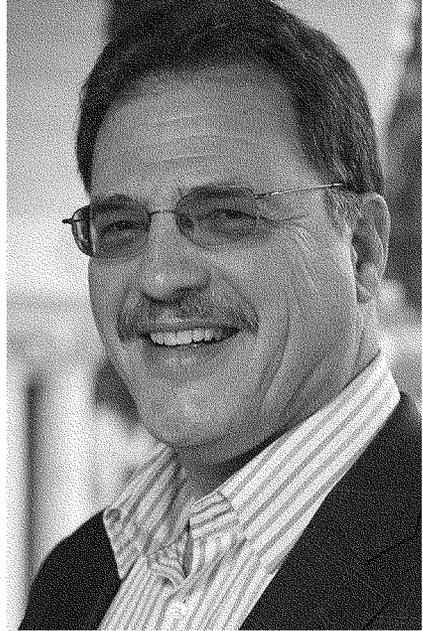
Cain: Pretty clearly, Trump was mimicking Putin and other authoritarians in his disdain for democratic processes. Aside from all the obvious parallels with third world country coups, the attempt to bully Congress into not certifying the election reminds me of the Republican Brooks Brother riots around the Florida recount in 2000.

Ablavsky: Clearly, what happened yesterday is pretty extraordinary, especially in recent American history, and many people have said how they felt that it seemed like a foreign country. But if you look at U.S. history broadly, you see quite a few “rebellions” in which armed groups proclaimed themselves the true and legitimate source of governance – “self-created” bodies, as their opponents denounced them. Early American history is rife with such revolts: events like Shays' Rebellion and the Whiskey Rebellion of the 1790s, or the Dorr Rebellion of the 1840s. And, of course, the most violent and widespread rebellion of all, Southern secession. In that sense, perhaps, it was appropriate that many of the invaders were carrying Confederate flags.

But I actually think one of the best analogies to yesterday's events is something that I taught my students about recently: the Wilmington Massacre or Coup of 1898. (<https://www.newyorker.com/magazine/2020/04/27/what-a-white-supremacist-coup-looks-like>) That year, Wilmington, North Carolina duly elected a Fusionist government of both Black and whites. But white supremacists deemed that new government illegitimate, denouncing what they called "Negro Rule." They violently overthrew the government, killed as many as 60 people, almost all Black, and forced the local government to resign, installing their chosen candidates in their place.

Fortunately, unlike in Wilmington, yesterday's coup attempt does not seem to have succeeded. But it does demonstrate a similar insistence on the right to overthrow a duly elected government based on a self-appointed group's faith in their own exclusive legitimacy.

The protesters said they occupied the Capitol to uphold American democracy. What would you say to these people? Can they be convinced otherwise?



(<https://news-media.stanford.edu/wp-content/uploads/2021/01/06180701/Larry-Diamond.jpg>)

Larry Diamond

(Image credit: L.A. Cicero)

Diamond: I don't think there is anything that a Stanford professor can say to people who would forcibly break into the Capitol building while it is deliberating on certifying a presidential election. These people broke the law and committed a grave offense at constitutional democracy. These people have to be held accountable. These actions have to be prosecuted.

Previous extremist groups have been dismantled or contained by legitimate law enforcement and judicial efforts. It not only diminishes their operating ability, it sends a broad societal signal that their actions are morally wrong and illegitimate. The key messages have to come from the political leaders who have encouraged and incited them, but that is not going to come from Donald Trump, who, even while asking them to go home, has expressed his love and empathy for them.



(https://news-media.stanford.edu/wp-content/uploads/2021/01/06182739/Sklansky_David.jpg)

David Sklansky

(Image credit: Courtesy Stanford Law School)

Fukuyama: I don't think you can convince that crowd. I actually believe that Wednesday's events could break the Trump spell. A lot of Republicans have stood up and said they support the Constitution and not Trump, unlike what they did during the impeachment. McConnell gave a great speech defending the integrity of the election this morning [Wednesday, Jan. 6].

How can political norms and democratic values be reaffirmed during a time of crisis? What would you say to people who might feel helpless or at a loss as to what unfolded?

Diamond: We need to rally in defense of our constitution across party lines. The key imperative now is for the growing circle of Republicans who are disgusted by these actions to come forward loudly and denounce this. Senator Mitt Romney has been particularly eloquent in this regard, but the circle has been growing. It looks like the [vice president], the national security advisor and the acting attorney general are all behaving in responsible ways now. Anything they do to contain this damage and denounce this insurrection should be embraced across party lines.

Obviously people in Washington, D.C., should stay off the streets and not try to battle these extremist protesters. There will be another time for peaceful pro-democracy demonstrations.

Stedman: A famous political scientist, Adam Przeworski, once wrote that democracy is a system where parties lose elections. For elections to be legitimate parties have to have confidence in the professionals who carry out the elections, and there must be rule of law to determine whether electoral grievances are warranted and need to be redressed. If elections are conducted with integrity and there is rule of law, there will be winners and losers, and losers are obligated to honor the results, however much they might abhor them.

Cain: Our Democracy is holding up. That is the good news. The bad news is that the anger and tensions will not go away soon.

Media Contacts

Melissa De Witte, Stanford News Service: (650) 723-6438, mdewitte@stanford.edu (<mailto:mdewitte@stanford.edu>)

Stephanie Ashe, Stanford Law School: (650) 723-2232, sashe@law.stanford.edu (<mailto:sashe@law.stanford.edu>)



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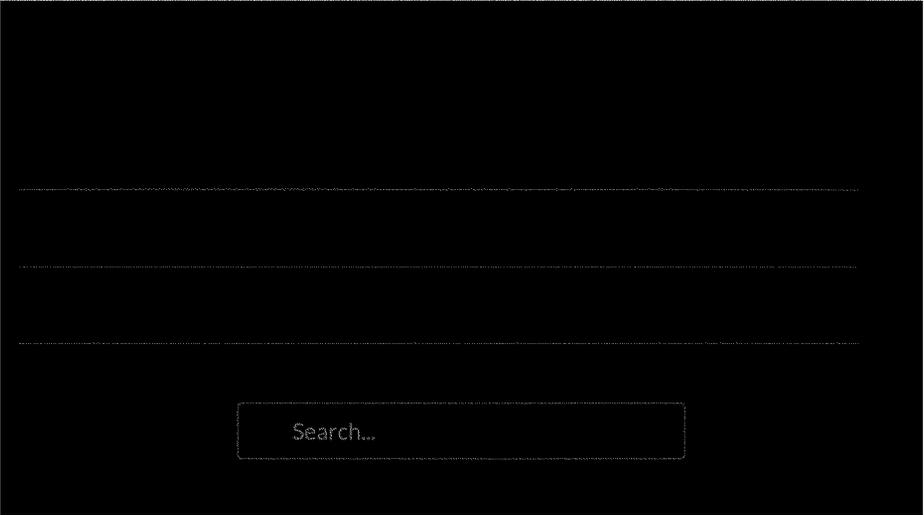
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IMMEDIATE RELEASE

Statement by Acting Secretary Miller on Full Activation of D.C. National Guard

JAN. 6, 2021

"Chairman Milley and I just spoke separately with the Vice President and with Speaker Pelosi, Leader McConnell, Senator Schumer and Representative Hoyer about the situation at the U.S. Capitol. We have fully activated the D.C. National Guard to assist federal and local law enforcement as they work to peacefully address the situation. We are prepared to provide additional support as necessary and appropriate as requested by local authorities. Our people are sworn to defend the constitution and our democratic form of government and they will act accordingly."



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Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Tuesday, January 19, 2021

Statement of Acting Attorney General Jeffrey A. Rosen Regarding Nationwide Safety and Security for Inauguration Day

[Click to view video.](#)

Tomorrow, the Nation and the world will witness an orderly and peaceful transfer of power in the United States, as the Chief Justice of the Supreme Court swears in President-Elect Biden. Throughout our Nation's proud history, this ceremony has served as a beacon of democracy and a testament to the enduring strength of our Constitution.

By contrast, the violence we witnessed at the Capitol two weeks ago was an intolerable travesty, which is why the Justice Department has now brought charges against more than one-hundred individuals and has investigations of many others underway.

The Department of Justice is committed, together with our federal, state, and local law enforcement partners, to ensuring a safe and peaceful Inauguration – one that reflects our Nation's enduring highest values.

As I have repeatedly said over the last two weeks, the Justice Department will have no tolerance for anyone who attempts to mar the day with violence or other criminal conduct. Anyone who does that will be caught, and they will be prosecuted.

Indeed, over the past two weeks, we have seen friends, family members, co-workers, and others reporting information to us about those who were involved in the breach of the Capitol on January 6th. The FBI has received nearly 200,000 digital tips from the public. The American people have demonstrated that they will not allow mob violence to go unanswered. Violence and senseless criminal conduct are not the right way to resolve differences or promote change in our country.

So, rest assured that every level of law enforcement and the National Guard are working around the clock here in Washington, D.C., to provide safety and security for Inauguration Day, and that federal, state, and local law enforcement all around the country are doing the same in our state capitols and government buildings across all fifty states.

As Americans, we all should seek to have a safe and peaceful Inauguration Day, and if we hold fast to our country's Constitution and traditions, we will.

Component(s):

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Press Release Number:

21-68

Updated January 19, 2021

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Statement from the Assistant Secretary for Mental Health and Substance Use

Thursday, January 7, 2021

I have chosen to resign today as the Assistant Secretary for Mental Health and Substance Use. I am, and will be, forever grateful to have had the opportunity to lead SAMHSA and to contribute to improving prevention, treatment and recovery resources to those with mental and substance use disorders and their families. I have traveled our nation extensively over the last nearly 4 years and have been honored to be able to see Americans helping Americans—caring for those who suffer with these illnesses. I want to express my gratitude to all SAMHSA staff and to my colleagues in the Department of Health and Human Services for their support and sharing of their expertise with the common goal of meeting the mental health needs of our nation. It had been my plan to stay until the change in administration occurred, but my plans abruptly changed last evening when, on my way back from visiting an excellent residential treatment program in New York, I saw the violent takeover of the Capitol building. I believe that this behavior was totally unacceptable and, in my own heart, I simply am not able to continue. I believe that we are given certain life situations where we must make the difficult decisions and we get one chance to do it the right way. Because I believe that the mental health of our people has suffered so greatly under the stresses of COVID-19, the social justice issues that have been so painful for so many, and now with the rending of our nation over questions raised about the presidential election, I cannot support language that results in incitement of violence and risks our very existence. I very much hope that we will all take a step back and work through this painful time together—listening to each other, respecting each other, and bringing us together again as the great nation we are.

I want to thank all for your help and support of the mission of SAMHSA over these last few years. I firmly believe that we can, with a united national will, meet the needs of those living with mental and substance use disorders—some of the most vulnerable among us. In doing so, we elevate our society and our nation.

Elinore F. McCance-Katz, MD, PhD

Reporters with questions should send inquiries to media@samhsa.hhs.gov.

The Substance Abuse and Mental Health Services Administration (SAMHSA) is the agency within the U.S. Department of Health and Human Services (DHHS) that leads public health efforts to advance the behavioral health of the nation. SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

Last Updated: 01/07/2021

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SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

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Statement from Rep. Katko on Articles of Impeachment

 katko.house.gov/media-center/press-releases/statement-rep-katko-articles-impeachment-0

January 12, 2021



January 12, 2021

Press Release

WASHINGTON – U.S. Rep. John Katko (NY-24) released the following statement regarding tomorrow's anticipated vote on Articles of Impeachment:

"To impeach a sitting president is a decision I do not take lightly. The U.S. Constitution outlines its use only when a high crime or misdemeanor has occurred.

“As a former federal prosecutor, I approach the question of impeachment by reviewing the facts at hand. The facts are this: last week, the U.S. Capitol was attacked by a mob intent on disrupting a Joint Session of Congress and preventing certification of the Electoral College results. Consequently, the U.S Capitol Police were overrun. Insurrectionists stormed and vandalized the U.S. Capitol, assaulting those who stood in their way and leaving five Americans dead. One law enforcement officer was killed and approximately 50 others were injured. Many of those officers were severely beaten by the mob. For the staff and police officers who were in the Capitol that day, this event will forever haunt them.

“It cannot be ignored that President Trump encouraged this insurrection – both on social media ahead of January 6th, and in his speech that day. By deliberately promoting baseless theories suggesting the election was somehow stolen, the president created a combustible environment of misinformation, disenfranchisement, and division. When this manifested in violent acts on January 6th, he refused to promptly and forcefully call it off, putting countless lives in danger.

“We take oaths to defend the Constitution because at times, it needs to be defended. Without the peaceful transfer of power and the acknowledgment of election results, we can't sustain our political system. Congress is tasked with holding the Executive accountable. As the Ranking Member of House Homeland Security Committee, country always comes first.

“To allow the President of the United States to incite this attack without consequence is a direct threat to the future of our democracy. For that reason, I cannot sit by without taking action. I will vote to impeach this President.

“The divide in our country is more clear than ever before. I hear my Republican colleagues in their argument that impeachment only further divides our country at a time when we must move forward. I agree. There must be a continuance of government and a peaceful transition of power. But I also believe firmly that I must follow the law and the facts and hold this President accountable for his actions.

“Finally, ahead of tomorrow's vote on impeachment, the House will this evening consider a non-binding resolution requesting that the Vice President invoke the 25th amendment to remove this President. Vice President Pence has made clear he will not do this, and believes elected representatives should be tasked with this effort, not acting and remaining cabinet members. Accordingly, I will not support this effort.”

###

The Office of

Secretary of State Jocelyn Benson

SOS

Statement from Secretary of State Jocelyn Benson concerning threats against her and her family

DECEMBER 6, 2020

"As my four-year-old son and I were finishing up decorating the house for Christmas on Saturday night, and he was about to sit down to watch How the Grinch Stole Christmas, dozens of armed individuals stood outside my home shouting obscenities and chanting into bullhorns in the dark of night.

I have always been an energetic advocate for the right and importance of peaceful protest as enshrined in the United States Constitution, however there is a line crossed when gatherings are done with the primary purpose of intimidation of public officials who are carrying out the oath of office they solemnly took as elected officials.

The actions of these latest protestors are an extension of the noise and clouded efforts to spread false information about the security and accuracy of our elections that we've all endured in the month since the polls closed on November 3. Through blatantly false press releases, purely political legislative hearings, bogus legal claims and so called 'affidavits' that fail to allege any clear or cogent evidence of wrongdoing, those unhappy with the results of this election have perpetuated an unprecedented, dangerous, egregious campaign to erode the public's confidence in the results of one of the most secure, accessible and transparent elections in our state's history.

The demands made outside my home were unambiguous, loud and threatening. They targeted me in my role as Michigan's Chief Election Officer. But the threats of those gathered weren't actually aimed at me or any other elected officials in this state. They were aimed at the voters.

Through threats of violence, intimidation, and bullying, the armed people outside my home and their political allies seek to undermine and silence the will and voices of every voter in this state, no matter who they voted for. Their goal is to overturn and upend the results of an election that are clear and unequivocal, and that 5.5 million Michigan citizens participated in.

But their efforts won't carry the day. Because our democracy is strong. The will of the people is clear. And I will stand up every day in my job for all voters, even the votes of the protestors who banded together outside my home.

I began my career investigating violent neo-Nazi and white supremacist organizations throughout the country. A photo of Detroitier Viola Liuzzo, along with a replica of her Michigan license plate from the vehicle she was driving when she was murdered, hangs in my office. I am acutely aware of the risks borne throughout history of those working to stand guard over and protect our democratic process. Nothing about the incessant and graphic threats made outside my home, or those that flood my social media accounts, will deter me, my team, or the more than 1,600 election administrators across the state of Michigan from doing our jobs.

And that job is simple: to defend and protect every Michigan voter, their choice, and their votes. I will continue to guard every citizen's vote because no matter how one voted or who they voted for, where they live, or what they look like, their vote is the lifeblood of our democracy. Ensuring it counts is central to our work as election officials. It's in our oath of office, when we pledge to support the United States Constitution and that of the State of Michigan, both of which unequivocally and preeminently establish every citizen's fundamental right to vote.

I have spent my career defending and protecting the right to vote of every eligible citizen. That commitment has never wavered, and it will not waver now. I will continue as Michigan's Secretary of State, proudly protecting and defending every voter and every vote."

###

For media questions, contact
Aneta Kiersnowski at 517-342-4592.

We welcome questions and comments at the [Contact the Secretary of State page](#).

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Statement of Steven Sund, Chief of Police, Regarding the Events of January 6, 2021

January 7, 2021 | Press Release

United States Capitol Police (USCP) officers and our law enforcement partners responded valiantly when faced with thousands of individuals involved in violent riotous actions as they stormed the United States Capitol Building. These individuals actively attacked United States Capitol Police Officers and other uniformed law enforcement officers with metal pipes, discharged chemical irritants, and took up other weapons against our officers. They were determined to enter into the Capitol Building by causing great damage.

As protesters were forcing their way toward the House Chamber where Members of Congress were sheltering in place, a sworn USCP employee discharged their service weapon, striking an adult female. Medical assistance was rendered immediately, and the female was transported to the hospital where she later succumbed to her injuries. She has been identified as Ashli Babbitt.

As per the USCP's policy, the USCP employee has been placed on administrative leave and their police powers have been suspended pending the outcome of a joint Metropolitan Police Department (MPD) and USCP investigation.

As these other violent events were unfolding across the Capitol Complex, the USCP officers were simultaneously responding to a report of a pipe bomb in the 300 block of First Street, SE, and a second pipe bomb in the 400 block of Canal Street, SE. A suspicious vehicle was also identified in the 300 block of First Street, SE, at this time.

The USCP Hazardous Materials Response Team determined that both devices were, in fact, hazardous and could cause great harm to public safety. The devices were disabled and turned over to the FBI for further investigation and analysis.

The suspicious vehicle was thoroughly investigated by the USCP, FBI, and ATF. It has been cleared of any hazards. The USCP arrested the vehicle's owner along with 13 additional suspects for unlawful entry of the U.S. Capitol. The USCP is continuing to review surveillance video and open source material to identify others who may be subject to criminal charges.

The Department is grateful for the assistance provided by more than 18 local, state, and Federal law enforcement agencies and the National Guard. More than 50 USCP and MPD sustained injuries during the attack on the Capitol. Several USCP officers have been hospitalized with serious injuries.

The violent attack on the U.S. Capitol was unlike any I have ever experienced in my 30 years in law enforcement here in Washington, D.C. Maintaining public safety in an open environment – specifically for First Amendment activities – has long been a challenge. The USCP had a robust plan established to address anticipated First Amendment activities. But make no mistake – these mass riots were not First Amendment activities; they were criminal riotous behavior. The actions of the USCP officers were heroic given the situation they faced, and I continue to have tremendous respect in the professionalism and dedication of the women and men of the United States Capitol Police.

The USCP is conducting a thorough review of this incident, security planning and policies and procedures.

###



Giuliani to Senator: 'Try to Just Slow it Down'

The president's lawyer tries to block the count of the Electoral College votes.

Steve Hayes Jan 6 158 152



(Photograph by Tayfun Coskun/Anadolu Agency/Getty Images.)

Rudy Giuliani, a lawyer and top adviser to President Donald Trump, is calling Republican lawmakers urging them to delay the electoral vote count by at least one day to allow the president and his team to present more evidence of alleged election fraud. Giuliani was making calls this evening, as late as an hour before Congress reconvened, in a desperate attempt to block the final count of Electoral College votes.

At approximately 7 p.m., Giuliani called newly sworn-in Alabama Sen. Tommy Tuberville, a staunch Trump ally, imploring him to stall the process. "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 so we can get these legislatures to get more information to you,” Giuliani said in a voicemail. “And I know they’re reconvening at 8 tonight, but it ... the only strategy we can follow is to object to numerous states and raise issues so that we get ourselves into tomorrow—ideally until the end of tomorrow. I know McConnell is doing everything he can to rush it, which is kind of a kick in the head because it’s one thing to oppose us, it’s another thing not to give us a fair opportunity to contest it.”

Giuliani tells Tuberville that McConnell wants to narrow the objections to just three states and explains that the Trump team wants to object to 10. “So if you could object to every state and, along with a congressman, get a hearing for every state, I know we would delay you a lot, but it would give us the opportunity to get the legislators who are very, very close to pulling their vote, particularly after what McConnell did today.”

The problem for Giuliani? He left his message on the voicemail of another senator, who shared it with *The Dispatch*.

It’s not clear whether Giuliani—who opens the call by referring to himself as “the president’s lawyer”—was directed to call Tuberville by President Trump. Requests for comment to Giuliani’s cell phone and White House chief of staff Mark Meadows went unanswered. One longtime Trump adviser still talking to top White House officials says Trump is in constant communication with Giuliani. Asked if such a call is something Trump would know about, he said: “Oh, yeah, 100 percent.”

Giuliani, speaking at the rally for Trump earlier today, urged Trump supporters to keep fighting, promising that more evidence would soon come to light. “Over the next 10 days, we get to see the machines that are crooked, the ballots that are fraudulent and we’re wrong, we will be made fools of. But if we’re right, a lot of them will go to jail.”

Here is the complete audio. The transcript of Giuliani’s voicemail follows below.

Giuliani Voicemail from January 6, 2021



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 so we can get these legislatures to get more information to you. And I know they're reconvening at 8 tonight, but it ... the only strategy we can follow is to object to numerous states and raise issues so that we get ourselves into tomorrow—ideally until the end of tomorrow.

I know McConnell is doing everything he can to rush it, which is kind of a kick in the head because it's one thing to oppose us, it's another thing not to give us a fair opportunity to contest it. And he wants to try to get it down to only three states that we contest. But there are 10 states that we contest, not three. So if you could object to every state and, along with a congressman, get a hearing for every state, I know we would delay you a lot, but it would give us the opportunity to get the legislators who are very, very close to pulling their vote, particularly after what McConnell did today. It angered them, because they have written letters asking that you guys adjourn and send them back the questionable ones and they'll fix them up.

So, this phone number, I'm available on all night, and it would be an honor to talk to you. Thank you.

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Ben Sasse Blasts Trump, Josh Hawley For Roles Inciting Capitol Mob : Insurrection At The Capitol: Live Updates : NPR

In an NPR interview, Republican Sen. Ben Sasse of Nebraska said the U.S. Capitol "was ransacked by a mob that was incited by the president of the United States."

Kevin Dietsch/Pool/AFP via Getty Images

Republican Sen. Ben Sasse of Nebraska was in the U.S. Capitol on Wednesday when rioters attacked. As Congress was preparing to reconvene, Sasse issued remarks saying that "lies have consequences" and that the attack on the Capitol was "the inevitable and ugly outcome of the President's addiction to constantly stoking division." And then Sasse voted to affirm the election results.

"I think it's obvious that the president's conduct wasn't merely reckless and destructive. It was a flagrant dereliction of his duty to uphold and defend the Constitution," Sasse said in an interview Friday with NPR's *Morning Edition*.



INSURRECTION AT THE CAPITOL: LIVE UPDATES

Pelosi, Schumer Join Chorus Of Calls For Invocation Of 25th Amendment Against Trump

Sasse also criticized Sen. Josh Hawley of Missouri, who was the first Senate Republican to announce publicly that he would vote to object to the Electoral College results. "Sen. Hawley was doing something that was really dumbass" that helped incite the crowd that mobbed the Capitol, Sasse said.

Below are highlights of the interview, edited for length and clarity.

Interview Highlights

What did this week's events say about the state of democracy?

Well, we're not very healthy right now, but I want us to be sure we focus on the fact that we're going to get healthy again. But obviously, Americans are angry right now and our country is mourning. ... The loss of life is gut-wrenching. But on Wednesday, the people's Capitol, which is the greatest symbol of freedom and liberty and

representative self-government anywhere in the world ... was ransacked by a mob that was incited by the president of the United States.

Sen. Josh Hawley of Missouri. He was the first senator to say that he would join the objections to the election results. He raised his fist to the mob before they stormed the building. He continued his objections afterward and said he was just raising some concerns about ballot security. Is there any doubt, though, that your colleague knew what he was inciting?

Well, let's begin by laying the blame first and foremost on those who actually committed the acts of violence at the Capitol and then on the president of the United States as well, because he was the one pouring gasoline on these fires of division.

INSURRECTION AT THE CAPITOL: LIVE UPDATES

Publisher Cancels Book By Sen. Hawley, Citing His Role In Inciting Capitol Attack

But a big part of the problem with our polarized politics at this moment is that there's a massive demand for it. This isn't just a supply problem. We have a big chunk of voters. They're not a majority, but they're really loud and they're growing. There is a large group that is hopped up on on rage-clicks and they're demanding nonsense stunts like the objection to the Electoral College vote.

So Sen. Hawley was doing something that was really dumbass. And I have been clear about that in public and in private since long before he announced that he was going to do this. This was a stunt. It was a terrible, terrible idea. And you don't lie to the American people. And that's what's been going on. The American people have been lied to chiefly by Donald Trump. And lies have consequences. And those consequences are now found in five dead Americans in a Capitol building that's in shambles. And there's a lot of work that has to be done to rebuild, and legislators should not be aiding and abetting those kinds of lies.

David Humphreys, who's a Missouri businessman who spent \$2 million to support Hawley's election in 2018, now tells the *Missouri Independent* that Hawley is "a political opportunist willing to subvert the Constitution." And he would like the Senate to censure Sen. Hawley, which would take a simple majority vote. Would you vote for that?

I have not been shy in my criticisms of Josh Hawley, either in public or in private. This was a terrible, terrible idea. The mechanism of how the Senate handles it next is something that we'll obviously need to talk about. But the most fundamental issue for any individual senator is their conscience to their oath of office, to the Constitution and their relationship with citizens of the state that they serve. So Missourians are the most important people in that conversation.

INSURRECTION AT THE CAPITOL: LIVE UPDATES

Here Are The Republicans Who Objected To The Electoral College Count

But obviously, I think lots of deliberation needs to be had on the perverse incentives inside [Congress] right now. The way people raise funds, the way they raise money during legislative debates is disgusting. ... We have somewhere between 4% and 14% of Americans who are identifying their political tribe as their most important community. And it's not a community of love, they're anti-communities, they're communities of hate.

Hawley sent out a fundraising message shortly before the storming of the Capitol, according to *The Kansas City Star*. Should the Senate be disciplining its own members for doing this sort of thing?

I think we need to change rules that allow people to be fundraising while the Senate is in session. You know, I'm a fan of term limits. I don't think the idea of constantly trying to get these feedback loops and make politics the center of kind of horse race rage, addiction, social media stuff, I don't think any of that is healthy. So the fundraising is gross. I want to ban cameras in committee rooms. Not audio — I want the American people to have transparency. But I want to end the constant grandstanding that drives so much of our politics at present.

RELIGION

Faith Leaders Nearly Unanimous In Condemning Assault On Capitol

I want to ask about the president of the United States and what happens to him now. I know there's talk of urging the 25th Amendment. There is talk in the House of impeachment, which would take a while. And we had Jeh Johnson on this program, the former homeland security secretary, who said he thought the best option was for people around the president to urge him to leave town. What would you have the president do in the final 12 days of his term?

I think that the less the president does over the next 12 days, the better. Mike Pence fulfilled his obligations on Wednesday while blood was being shed at the people's Capitol. The president was actively rage-tweeting against his vice president because the vice president was fulfilling his oath of office to the Constitution to affirm the fact that Joe Biden won. ... We were in the Senate chamber and the Secret Service had to rush in and grab the vice president from the dais and rush him out of the room and the president of the United States was rage tweeting against him at the same time.

So, frankly, I think it's obvious that the president's conduct wasn't merely reckless and destructive. It was a flagrant dereliction of his duty to uphold and defend the Constitution. And we need to know more about why the National Guard wasn't deployed when calls were sent out for it.

Catherine Whelan edited the audio version of this story. Avie Schneider produced for the Web.

capitol building attack sen. josh hawley sen. ben sasse president trump u.s. capitol

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Susan Collins: Trump 'Does Bear Responsibility' For Insurrection

By [STEVE MISTLER \(/PEOPLE/STEVE-MISTLER\)](#) • JAN 6, 2021

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(//www.mainepublic.org/sites/mpbn/files/styles/x_large/public/202101/AP21006809992493.jpg)

President Donald Trump arrives to speak at a rally Wednesday, Jan. 6, 2021, in Washington.

JACQUELYN MARTIN / ASSOCIATED PRESS

As extremist supporters of President Donald Trump on Wednesday stormed the U.S. Capitol Building and clashed with police in an attempt to overturn the election, members of Maine's congressional delegation are reporting that they are sheltering in secure locations and safe.

"I'm just so fortunate that I'm not in there," Democratic U.S. Rep. Chellie Pingree told Maine Public Radio, referring to the House chamber that Trump supporters attempted to breach. "My colleagues who are in there were told to just get down and put on a gas mask. They're tear-gassing protesters outside of the chamber to try and get them out of the building. There's reports that shots are being fired into the chamber. ... It's scary."

Staffers for Rep. Jared Golden and U.S. Sens. Angus King and Susan Collins said all three members were also in secure locations somewhere at the Capitol complex.

Pingree said she was in a room outside of the House chamber when the Capitol was breached by the mob. Police clashed with Trump supporters inside the building and began firing tear gas in the Rotunda. Photos of officers with guns drawn inside the House chamber and pointed at broken windows circulated widely on social media, part of a real-time collage of surreal scenes that few Americans would ever expect to see in this country.

"It was certainly incited by the president," Pingree said. "I listened to him at the protest rally this morning. ... He was saying we're going to march down Pennsylvania Avenue and we're not accepting defeat."

Before the breach Trump urged his supporters during a speech to march on the Capitol, telling them he would never concede his election defeat despite roughly 60 failed legal challenges and attempts to pressure state election officials to overturn the results. A mob broke through police lines and stormed the Capitol shortly thereafter.

As Trump extremists stormed the building, Congress was debating certification of the Electoral College results that further solidified President-elect Joe Biden's win. Trump's congressional loyalists, carrying out their plan to object to the results, made speeches about the election and obliquely referred to debunked and baseless voter fraud conspiracies, some centering around a plot by the seven-years deceased president of Venezuela, Hugo Chavez.

Sen. James Lankford, R-Oklahoma, was among the objectors siding with the president. His speech in the Senate was cut short when security ordered the chamber cleared (<https://www.news9.com/story/5ff61a2abd564a0bc1e7b931/watch:-aide-tells-sen-lankford-protesters-are-in-the-capitol-building>).

Collins, who was listening to Lankford's speech, told Maine Public that security teams began ushering senators out of the chamber. She said she and other senators were escorted through tunnels to a secure location.

Collins confirmed that Trump extremists breached the Senate and House chamber and ransacked members' desks. She said her speech rejecting objections to the election results was in her chamber desk — and she doesn't know if it's still there.

Collins also joined Pingree in blaming Trump for the storming of the Capitol.

"The president does bear responsibility for working up the crowd and inciting this mob. It was completely irresponsible," she said.

Matthew Felling, a spokesman for King, said most of the senator's staff were working off-site because of pandemic restrictions.

Vice President Mike Pence was in the Senate, but was quickly escorted out of the building by the Secret Service. Pence was under pressure from the president to reject the Electoral College results — a power the Vice President does not have. Pence acknowledged that fact in an earlier statement, drawing Trump's ire via Twitter as the mob marched on the Capitol.

The ensuing breach immediately raised questions over why the mob so easily overwhelmed Capitol Police.

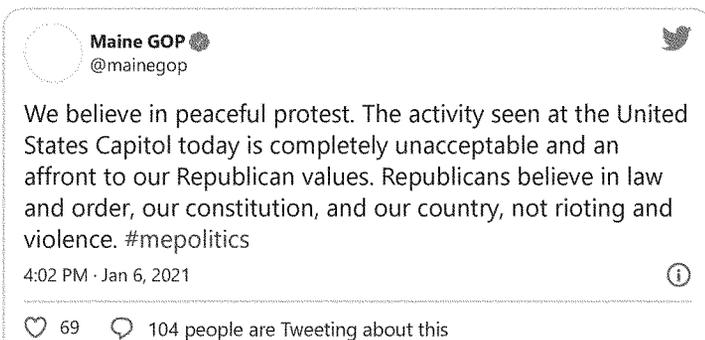
"I don't know if they underestimated the size of the crowd or the audacity of the crowd," Pingree said. "I don't know why there weren't enough police to stop people as they started coming up the steps into the Capitol. I don't know."

Pingree noted that the mob bypassed the Capitol's typically rigorous security screening stations.

"Because they're able to get into the building without screening they can have guns on them, they can have any kind of weapons," she said. "We've already had one building evacuated because of a bomb threat."

As police engaged in a standoff with the mob inside the Capitol, some Republicans called for a peaceful resolution.

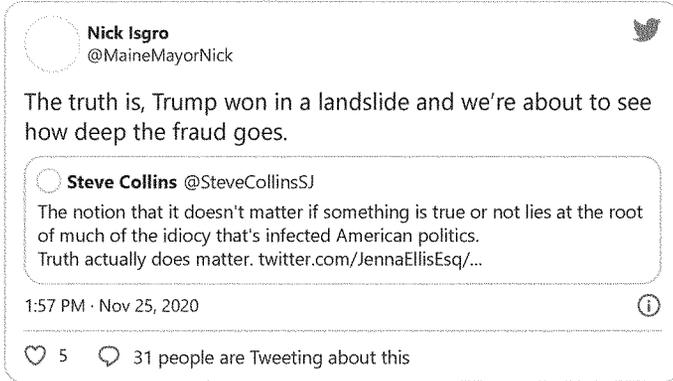
"We believe in peaceful protest. The activity seen at the United States Capitol today is completely unacceptable and an affront to our Republican values," The Maine Republican Party tweeted. "Republicans believe in law and order, our constitution, and our country, not rioting and violence."



The Maine GOP's statement was swiftly criticized on Twitter. Many noted that the party's vice chairman, Nick Isgro, has been supporting Trump's baseless fraud allegations and recently told a conservative radio show host (<https://www.facebook.com/legacy1160/videos/414542846357941/>) that Trump should not leave the White House after Biden is inaugurated.

"I don't think there's any circumstance right now where he should step out of office," Isgro said.

Isgro also criticized Republicans, including Sen. Collins, who refused to object to Trump's loss, describing them as "the enemies."



Former Gov. Paul LePage, the honorary chairman of Trump's reelection campaign in Maine, released a statement on Facebook (<https://www.facebook.com/paullepage/posts/10160691105454676>) calling for an end to the occupation of the Capitol.

"I believe those people who are attempting to occupy our nation's Capitol building need to leave and go home."

Gov. Janet Mills, a Democrat, condemned the violence.

"I do not believe what we are seeing today is sanctioned by most Americans; nor do I believe it represents the true character of the American people. But it is a clear and troubling reflection of our fractured nation. The violence must end, and all leaders, of every political stripe, including the President, must forcefully denounce these actions and defend our democracy,"

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As riot raged at Capitol, Trump tried to call senators to overturn election

[cnn.com/2021/01/08/politics/mike-lee-tommy-tuberville-trump-misdialed-capitol-riot/](https://www.cnn.com/2021/01/08/politics/mike-lee-tommy-tuberville-trump-misdialed-capitol-riot/)

January 8, 2021



Washington (CNN) President Donald Trump and his attorney Rudy Giuliani both mistakenly made calls to Republican Sen. Mike Lee as deadly riots were unfolding at the US Capitol earlier this week, a spokesman for the senator confirmed to CNN -- calls that were intended for another GOP senator the White House was frantically trying to convince to delay the counting of Electoral College votes.

Lee's spokesman said the calls from Trump and his attorney were intended for Sen. Tommy Tuberville, a newly elected Republican from Alabama.

The effort by the White House to get Tuberville to delay certification of the votes provides insight into the President's thinking and priorities as a mob of his supporters lay siege to the iconic building. As the President worked to convince Tuberville to delay the process, he and other top White House officials did little to check in on Vice President Mike Pence while he and members of his family were inside the breached Capitol, a source close to the vice president told CNN.

Trump first called the personal cell phone of Lee, a Utah Republican, shortly after 2 p.m. ET. At that time the senators had been evacuated from the Senate floor and were in a temporary holding room, as a pro-Trump mob began breaching the Capitol.

Lee picked up the phone and Trump identified himself, and it became clear he was looking for Tuberville and had been given the wrong number. Lee, keeping the President on hold, went to find his colleague and handed Tuberville his phone, telling him the President was on the line and had been trying to reach him.

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Trump pressured Pence to engineer a coup, then put the VP in danger, source says

Tuberville spoke with Trump for less than 10 minutes, with the President trying to convince him to make additional objections to the Electoral College vote in a futile effort to block Congress' certification of President-elect Joe Biden's win, according to a source familiar with the call. The call was cut off because senators were asked to move to a secure location. CNN has reached out to Tuberville's office for comment.

The second call to Lee came in at 7 p.m. ET from Giuliani. Lee did not answer the call so it went to voicemail. Lee's office confirmed to CNN that the voicemail was intended for Tuberville and the message left from Giuliani was very similar to one that another unnamed GOP senator received. The transcript of that call was published by the conservative outlet The Dispatch as well as the news blog emptywheel.

"Sen. Tuberville? Or I should say Coach Tuberville. This is Rudy Giuliani, the President's lawyer," he said according to the transcript.

"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 so we can get these legislatures to get more information to you," Giuliani said, referring to unfounded claims of voter fraud in the presidential election.

"I know they're reconvening at 8 tonight, but it ... the only strategy we can follow is to object to numerous states and raise issues so that we get ourselves into tomorrow -- ideally until the end of tomorrow."

Tuberville was unaware that Giuliani had tried to reach him until it was publicly reported, according to the source.

Tuberville was likely seen by Trump and Giuliani as someone who could help further their cause on Wednesday, as he was among a group of six GOP senators who voted to sustain an objection raised against Arizona's electoral votes, which failed 93-6.

CNN reported on Wednesday that even after Congress was reconvening that night following the riot, Trump was still urging senators to push ahead with the protest on the certification of Biden as President, according to a source familiar with the discussions.

This story has been updated with additional developments Friday.

CNN's Manu Raju and Jim Acosta contributed to this report.

Susan Collins recounts the moment rioters stormed the Capitol

bangordailynews.com/2021/01/11/opinion/contributors/democracy-prevailed-over-the-rioters-who-sieged-the-capitol/

By Susan Collins

January 11, 2021



The BDN Opinion section operates independently and does not set newsroom policies or contribute to reporting or editing articles elsewhere in the newspaper or on bangordailynews.com.

Susan Collins represents Maine in the U.S. Senate.

Wednesday, Jan. 6, 2021, was destined to be a significant day. The Senate and the House would decide whether to certify the electoral votes in the presidential election, and I knew that there would be challenges against at least three states. I had studied the very limited role that the Constitution assigns to Congress, but was well aware that emotions were running high because of the president's repeated claims that the election was "stolen," despite the fact that approximately 90 judges, including the Supreme Court justices, had ruled otherwise.

Little did I know when I arrived in the Senate Chamber at 12:30 p.m. just how turbulent and dangerous the day would be, with the Capitol occupied, a police officer murdered and rioters breaking windows, looting offices and attempting to block the certification of an American

election.

The proceedings began calmly enough. Around 1 p.m., we senators proceeded to the House for a joint session. Soon there was an objection, baseless in my view, to accepting the electoral count from Arizona. We returned to the Senate to begin our two-hour debate with senators, beginning a series of 5-minute speeches. Sen. James Lankford had just started speaking when, all of a sudden, the Capitol Police and staff from the Sergeant at Arms burst into the chamber and removed Vice President Mike Pence who was presiding. Shortly thereafter, the two Senate leaders were also rushed away.

My first thought was that the Iranians had followed through on their threat to strike the Capitol, but a police officer took over the podium and explained that violent demonstrators had breached the entire perimeter of the Capitol and were inside. Several of us pointed out that the doors to the press gallery were unlocked right above us. That tells you how overwhelmed and unprepared the Capitol Police were, although many, many of them were very courageous.

We were told to stay put in the chamber, which did not seem wise to me, because the rioters' purpose was to disrupt the counting of the electoral vote, so they were clearly headed our way. Sen. Todd Young of Indiana, who had served in the Marines, moved over near Sen. Lisa Murkowski and me. Only later did I learn that he was positioning himself to repel the rioters and defend us.

Some time passed, and we were informed that we would be put on buses, which, it seemed to me, would make us sitting ducks had it been carried out. Finally, we were ushered out of the chamber and taken through the tunnels under the Capitol, with the police urging us to "hurry, hurry!" (Unfortunately, I had chosen to wear high heels that day so it was hard to run.)

READ MORE CAPITOL RIOT COVERAGE

We then spent many hours in a "secure location" in the complex, watching on television in disbelief as the rioters broke windows, scaled the scaffolding put in place for the inauguration and, most disconcerting, roamed around the Senate Chamber, with one thug sitting where the vice president had been presiding and others rummaging through our desks.

I was worried about my staff, but was told that the rioters were focused on the Capitol and not on the Senate office buildings where they were locked down. I kept in touch with them, nevertheless, and of course with my husband Tom Daffron, who relayed messages to the rest of my family.

I called and texted my closest contact at the White House to urge that the president immediately tell the rioters to stop their violence and go home. But President Donald Trump completely undercut that message by repeating his grievances and telling the rioters that he

knew how they felt. This was terrible, especially since he incited them in the first place.

We were brought some salads, sandwiches and water, but no one was allowed to leave.

Virtually all of us were determined to get back to work once the insurrectionists were under control. There was no way I was going to let these thugs succeed in their attempt to disrupt the constitutional process and undermine our democracy.

At around 7:15 p.m., we started making our way back to the chamber with lots more law enforcement, including FBI tactical teams in riot gear, and the National Guard guarding us. Pence called us back into session at 8 p.m. and did a remarkable job fulfilling his constitutional duty. The Senate overwhelmingly rejected the challenges to the certified votes for Arizona and Pennsylvania, with only six senators attempting to block Arizona's votes and only seven Pennsylvania's. I am proud to say that we finished our work in the wee hours of the morning and certified the election results.

The rest of the night I spent at Murkowski's home because I was worried about finding a parking space that late and about the violent extremists knowing where I live, given the threats and security problems I have encountered during the past two years. The police drove us to Murkowski's home, where her husband had built us a nice fire and had glasses of wine awaiting us.

Finally at 4 a.m., I went to bed for three hours before I got up to do a Maine radio interview and catch a plane to Bangor. Saddened and outraged though I was that the rioters had stormed and temporarily taken control of the symbol of our democracy, the U.S. Capitol, I also felt a sense of pride that the Congress had not been intimidated and that we had completed our constitutional duty. It had been more than 200 years since the Capitol was last attacked during the War of 1812, but once again, the forces of democracy had prevailed.

Watch more:

'I'm very worried': Transit security officials prep for chaos

 [politicocom/news/2021/01/16/transportation-dc-inauguration-travel-airports-amtrak-chaos-459777](https://www.politicocom/news/2021/01/16/transportation-dc-inauguration-travel-airports-amtrak-chaos-459777)

Airlines are banning guns and suspending alcohol service. Amtrak is beefing up its police force to prepare for anti-mask riders. Airports are creating safe zones so lawmakers can escape threatening mobs. And security agencies are calling in extra agents to help keep the peace as Washington, D.C. braces for an Inauguration Day like no other.

Inaugurals are always crowded affairs with hefty security and complex logistics. But the riot at the U.S. Capitol building last week has officials from airports, airlines, transit agencies, Amtrak and more preparing for a repeat, as potentially violent protesters crowd into the city for President-elect Joe Biden's Jan. 20 inauguration.

Amtrak Police Chief Sam Dotson said his force usually calls in additional officers for an inauguration, but that this year is anything but typical.

"We've done this four years ago and even four years before then. But this is the first time we're putting in place a plan where there's been an active assault on the institutions of our democracy," Dotson said he told his officers. "This is as serious of a law enforcement threat as I've seen, potentially, in my career."

Dotson said Amtrak's Union Station in Washington, D.C., was relatively calm during the Jan. 6 riots, and in fact people seeking to escape the unrest ended up sheltering there. The cavernous train station and shopping area is just a few blocks from the Capitol complex.

"When the activities at the Capitol turned violent, the people that ... didn't want anything to do with that sought refuge," Dotson said. "So they came to our station." Still, he said his officers had to confront some rally-goers who didn't like Amtrak's mask requirement.

How to protect members of Congress while in airports is of particular concern, after several viral videos last week showed lawmakers trying to catch flights being encircled by aggressive crowds. Sen. Lindsey Graham (R-S.C.), one of President Donald Trump's most loyal allies on Capitol Hill, was not loyal enough for throngs of Trump supporters who surrounded him at Ronald Reagan Washington National Airport, yelling "traitor."

Hoping to head that off next week, airports, airlines and security agencies have begun intense collaborations, including keeping tabs on which flights will be carrying lawmakers. Plans are also being made to ensure lawmakers will have safe places to wait, such as airline lounges, and potentially escorts in public areas, according to an airport representative familiar with the discussions. In some cases, federal marshals may accompany their flights.

Meanwhile, FAA has warned that it will throw the book at unruly passengers following multiple incidents of people disrupting flights in and out of Washington.

“Over the last few days, we have seen a disturbing increase in onboard incidents where airline passengers have disrupted flights,” FAA Administrator Steve Dickson told CNBC Thursday. “These incidents have stemmed, in some cases, from refusal to follow airline policies on face coverings, and also we saw a trend after the breach of the Capitol last week.”

FAA has the authority to fine passengers up to \$35,000 and seek prison time if their behaviors threaten other passengers or the aircraft. The agency said it will be turning to those tougher penalties instead of warnings and other slaps on the wrist that it has pursued in some past cases. FAA said the new policy will be in effect until March 30.

Calls have grown for Capitol rioters to be added to the federal no-fly list, including from incoming Senate Majority Leader Chuck Schumer and members of the House Homeland Security Committee.

The FBI has not disclosed whether it has added anyone who participated in the Jan. 6 riots to the list, but said in a statement to POLITICO that it “will continue to nominate predicated subjects to the federal terrorism watchlist, as appropriate, in accordance with existing laws and policies.”

The agency further noted that agencies and local law enforcement could detain or arrest any individual considered to pose an immediate threat to other airline passengers or the aircraft, “which would effectively prevent them from flying.” And airlines, which maintain their own lists of people who are no longer welcome on their planes, could deny people service if they are disruptive.

In a statement, TSA Administrator David Pekoske said his agency is working to ensure that anyone who may pose a threat undergoes “enhanced screening” or is prevented from getting on board an airplane. In addition, he said extra security has been put into place at the area’s three airports, including canine teams and increased numbers of air marshals on flights. TSA agents will also bolster other security forces deployed around the city, including assisting with screening people along the parade route and at the inauguration itself.

Washington, D.C.’s transit system is preparing, too. Last week saw Metrorail station managers and cleaners advised by their union — Amalgamated Transit Union Local 689 — to lock themselves in back rooms to protect themselves.

“A lot of those folks who came through here refused to wear masks,” said ATU Local 689 Vice President and Chief Safety Officer Carroll Thomas. “They had weapons. They had all kinds of things. Our members were afraid for their lives.”

Metro has announced that it will close 13 stations within the security perimeter around the White House and Capitol grounds starting Friday through the Thursday after the inauguration.

In addition, Amtrak and its employee unions have petitioned the federal government to expand TSA's no-fly list to passenger rail.

The groups said they want a "proportional presence of workers in the passenger compartments of Amtrak trains similar to that in the airline industry, with at least one conductor or assistant conductor present per 50 riders," according to a statement issued this week.

Though most concerns so far are centering on the inauguration and the days immediately around it, the increased vigilance and security put in place for this event may not end quickly.

"I'm very worried about next week as the inauguration week but I don't think the week after all of a sudden people are going to be like, 'Let's all move on,' and hunky dory," said the airport official. "I think we're in for some period of time of increased tensions in our country, and that will impact airports as well as pretty much every other part of society."

An official website of the United States government. [Here's how you know](#)

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SUSPECTED PIPE BOMBS IN WASHINGTON, D.C.

January 6, 2021



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 **SEEKING INFORMATION**

SUSPECTED PIPE BOMBS IN WASHINGTON, D.C.

JANUARY 6, 2021



REWARD

The FBI and ATF are offering a reward of up to \$75,000 for information leading to the location, arrest, and conviction of the person(s) responsible for the placement of suspected pipe bombs in Washington, D.C., on January 6, 2021.

DETAILS

At approximately 1:00 p.m. EST on January 6, 2021, multiple law enforcement agencies received reports of a suspected pipe bomb with wires at the headquarters of the Republican National Committee (RNC) located at 310 First Street Southeast in Washington, D.C. At approximately 1:15 p.m. EST, a second suspected pipe bomb with similar descriptors was reported at the headquarters of the Democratic National Committee (DNC) at 430 South Capitol Street Southeast #3 in Washington, D.C.

If you have any information concerning these incidents, please contact the FBI's toll-free tip line at 1-800-CALL-FBI (1-800-225-5324), or submit tips online at fbi.gov/USCapitol. You may also contact your local FBI office or the nearest American Embassy or Consulate.

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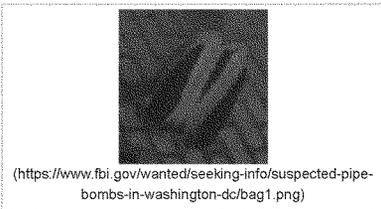
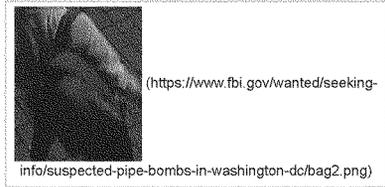
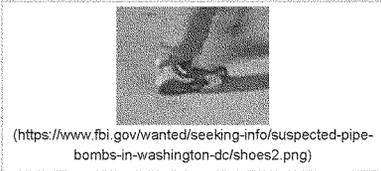
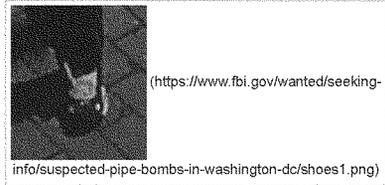
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Members Of Congress Described What It Was Like When A Pro-Trump Mob Stormed The Capitol

"I am in the House Chambers. We have been instructed to lie down on the floor and put on our gas masks."

By Tasneem Nashrulla

Last updated on January 6, 2021, at 7:14 p.m. ET

Posted on January 6, 2021, at 6:21 p.m. ET



People shelter in the House gallery as pro-Trump rioters try to break into the House chamber at the US Capitol on Wednesday.

Andrew Harnik / AP

In an unprecedented attempted coup, a pro-Trump mob — incited by the president's dangerous lies about a stolen election — pushed past police to storm the Capitol building on Wednesday.

Their acts of domestic terrorism in the halls of Congress forced lawmakers to duck and hide inside the House gallery, take shelter, and evacuate to undisclosed locations inside the Capitol while wearing "escape hoods" designed to help breathe in the case of tear gas or fires.

Members of the Senate and House, who were at the Capitol to certify Joe Biden's victory, described the moments of terror as the mob walked freely through the building, breaching the offices of Congress members, and engaging in an armed standoff with law enforcement as they attempted to break into the House chamber.

Capitol Police ordered two buildings on the Capitol campus to be evacuated due to "police activity" as the rioters first broke through the barriers at the Capitol in the afternoon.

Some House members described being evacuated early on.



Rep. Nancy Mace
@RepNancyMace

Just evacuated my office in Cannon due to a nearby threat. Now we're seeing protesters assaulting Capitol Police. This is wrong. This is not who we are. I'm heartbroken for our nation today.

06:44 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepNancyMace



Rep. Haley Stevens
@RepHaleyStevens

I'm sheltering in place in my office. The building next door has been evacuated. I can't believe I have to write this.

06:45 PM - 06 Jan 2021

Reply Retweet Favorite

Rep. Elaine Luria said she had to evacuate due to reports of a pipe bomb. The New York Times reported that a pipe bomb had been found at the headquarters of the Republican National Convention, which is a few blocks away from the Capitol.

Inside the Capitol, Michigan Rep. Dan Kildee described how he had to lie down on the floor of the House and put on a gas mask as Trump supporters banged on the door of the chamber, prompting law enforcement to draw their guns.



Twitter: @RepDanKildee

US Capitol police officers point their guns at a door that was vandalized by a pro-Trump mob in the House Chamber on Wednesday.

Drew Angerer / Getty Images

Members of Congress were instructed to wear gas masks or escape hoods as they were being evacuated or taking shelter.

 **Mo Brooks**
@RepMoBrooks

Tear gas dispersed in Capitol Rotunda. Congressmen ordered to grab gas masks under chairs in case have to leave in haste!

07:35 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepMoBrooks

 I'm safe. We've been equipped with escape hoods and we're being moved through the Capitol. **Rep. Alex Mooney**
@RepAlexMooney

I'm safe. We've been equipped with escape hoods and we're being moved through the Capitol.

07:53 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepAlexMooney

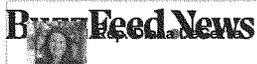
 **Rep. David Trone**
@RepDavidTrone

I am safe. We have been evacuated. Let me be clear: we will not be stopped by this lawless intimidation.

07:59 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepDavidTrone



Members Of Congress Described What It Was Like When A

 @RepDianaDeGette

With our gas masks in hand, Rep. Scott Peters and I were briskly enroute from the Capitol to an undisclosed location.

09:37 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepDianaDeGette

People shelter in the House gallery.

Andrew Harnik / AP

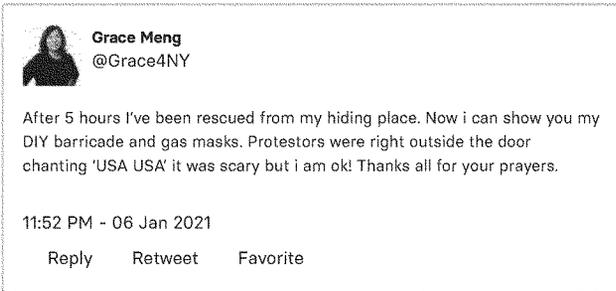
Colorado Rep. Jason Crow was captured in a photo comforting his Pennsylvania colleague, Rep. Susan Wild, while they took cover in the House gallery.


e When A

Tom Williams / Getty Images

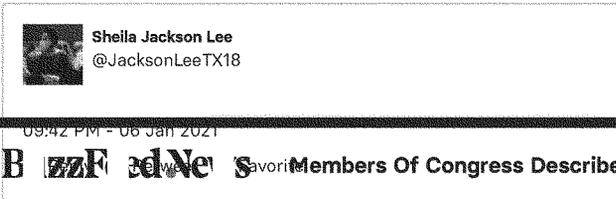
New York Rep. Grace Meng said she had been rescued from her hiding place after five hours.

She shared photos of her "DIY barricade and gas mask," saying rioters were right outside her door chanting "USA USA."



Twitter: @Grace4NY

Texas Rep. Sheila Jackson Lee tweeted a photo of people ducking behind seats in the House chamber, saying, "I am safe and will not fear or leave because of this unwarranted and shameless violence."



BuzzFeed News Members Of Congress Described What It Was Like When A

Twitter: @JacksonLeeTXis

Pennsylvania Rep. Dan Meuser said he stayed back in the House chamber "trying to help secure the doors."



Congressman Dan Meuser
@RepMeuser

The U.S. Capitol was stormed by rioters. I stayed back trying to help secure the doors. Capitol Police kept everyone safe, while putting themselves at risk. We must be grateful to our law enforcement and condemn violent lawlessness. God bless America. We will get through this.

09:27 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepMeuser

Texas Rep. Vicente Gonzalez, who was inside the House chamber, described what happened when the rioters breached the Capitol.



Rep. Vicente Gonzalez
@RepGonzalez

I was in the House Chambers when they came in and told us the Capitol had been breached. They took the Speaker out of the chambers and locked us down and told us to stay in place. Later their were popping noises where we had to get down and follow Capitol Police orders out. (1/2)

09:19 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepGonzalez



Rep. Vicente Gonzalez
@RepGonzalez

As we were leaving, in an act of domestic terrorism, the doors to the chamber itself were breached. For now I'm still hunkered down in what appears to be a safe location. When our Capitol is secured I will return to the chamber to fulfill my constitutional duty. (2/2)

09:19 PM - 06 Jan 2021

BuzzFeed News

Members Of Congress Described What It Was Like When A

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Twitter: @RepGonzalez

Videos from inside the House gallery showed several members and reporters crouching and hiding behind seats, as Delaware Rep. Lisa Blunt Rochester said a prayer.

**Ethan Callom Lynne**

@ethanclynne

Listen to @RepLBR giving the prayer. I got goosebumps.
<https://t.co/KvKwWg8Ycr>

10:29 PM - 06 Jan 2021

Reply

Retweet

Favorite

Twitter: @ethanclynne**Mark Walker**

@RepMarkWalker

Watching the video of my friend @RepLBR on her knees in the House Chamber praying for safety broke my heart today. The Capitol was attacked today and those responsible should be prosecuted to the full extent of the law.

09:20 PM - 06 Jan 2021

Reply

Retweet

Favorite

Twitter: @RepMarkWalker

Utah Rep. Chris Stewart thanked Capitol Police after he was locked in a room with them for a couple of hours "surrounded by violence and anger."

**Rep. Chris Stewart**

@RepChrisStewart

Huge appreciation for our @CapitolPolice. I was locked in a small room with them for the rest of the day surrounded by violence and anger. They were

BuzzFeed News**Members Of Congress Described What It Was Like When A**

calm and professional every moment. They represent the best our nation has to offer.

09:14 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepChrisStewart

New York Rep. Sean Maloney also said he was on the House floor when pro-Trump supporters attempted to enter.



Sean Patrick Maloney
@RepSeanMaloney

Today is a sad and infuriating day. We thank the Capitol Police and the staff many of whom were in real danger. I was on the House Floor when protesters attempted to enter. We evacuated and are safe. The President and his enablers have incited this violence. It must stop.

09:32 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepSeanMaloney

California Rep. Scott Peters told Hill pool reporters what it was like being evacuated from the House gallery as Trump supporters tried to break down the doors of the chamber and enter.

He said he saw people being ushered out from the floor below but said that he and others were instructed to "get a mask, be ready."

And then started to get us to snake around the back of the gallery, under the rails and stuff, so we did that for a while. And when they stopped us, when we got over to other side of the gallery, the Republican side, they made us all get down, you could see that they were fending off some sort of assault, it looked like.

They had a piece of furniture up against the door, the door, the entry to the floor from the Rotunda, and they had guns pulled.

Like When A

And they just told us to take our pins off. I think we would have been pretty easily identified without our pins, but anyway we took our pins off, and then finally at one point they got us a way to get off the gallery floor, and then so we snaked over to the evacuation.

He also described the fear the people felt while hiding in the gallery.

"Some people were pretty scared up there," he said. He said it felt like they were "well defended," but added, "it sure did appear pretty close to us today."

People shelter in the House gallery as pro-Trump rioters try to break into the House chamber.

Andrew Harnik / AP

Another member of Congress, Rep. Pete Aguilar from California, who was in the House chamber, told Hill reporters that he messaged his wife and his family about his safety and followed the guidance of

Capitol Police.

BuzzFeed News

Members Of Congress Described What It Was Like When A

Many other members of Congress tweeted they were safe but denounced the violence inflamed by Trump's rhetoric.



Rep. Brad Schneider
@RepSchneider

Today, from the House Chamber, I experienced the unthinkable for our democracy, as the Capitol was attacked by a radical mob who would deny a free and fair American election.

09:43 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @RepSchneider



Cori Bush
@CoriBush

My team and I are safe. I am in disbelief. I can't believe domestic terrorists are roaming around inside the Capitol. I'm remembering being brutalized and treated like a domestic terrorist just for protesting to keep my people alive. St. Louis: you're in my heart right now.

08:36 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @CoriBush



Sen. Patrick Leahy
@SenatorLeahy

Safe with other Senators. We are eager to get back on Senate Floor when safe and resume the certification of the election. I applaud President-elect Biden's remarks a few moments ago.

09:31 PM - 06 Jan 2021

Reply Retweet Favorite

Twitter: @SenatorLeahy





Tasneem Nashrulla is a reporter for BuzzFeed News and is based in New York.

[@tasneem](#)

Contact [Tasneem Nashrulla](mailto:tasneem.nashrulla@buzzfeed.com) at tasneem.nashrulla@buzzfeed.com.

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1/19/2021

NY state court employee charged after allegedly threatening to kill several Democratic Congress members - CNNPolitics



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LIVE TV  

new york state court employee charged after allegedly threatening to kill several Democratic Congress members

By Taylor Romine

Updated 3:58 PM ET, Tue January 19, 2021

Scenes from the unprecedented security around Capitol Hill 00:57

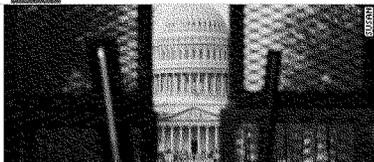
(CNN) — A New York state court employee was charged with threatening to murder a US official after he made online posts threatening to kill several high-level Democratic members of Congress, according to a complaint from the US Attorney's Office in the Eastern District of New York.

Brendan Hunt, who goes by "X-Ray Ultra" on social media and his personal website, posted several times on various social media sites since December saying that Speaker Nancy Pelosi, US Sen. Charles Schumer and US Rep. Alexandria Ocasio-Cortez should be killed, and even called for a public execution, according to the complaint.

"And if you dont do it, the citizenry will," Hunt allegedly said in a Facebook post on December 6. "We're not voting in another rigged election. Start up the firing squads, mow down these commies, and lets (sic) take america back!"

The complaint identifies Hunt as a part-time actor and filmmaker and a full-time employee of the New York State Office of Court Administration.

New York State Unified Court spokesman Lucian Chaffen confirmed to CNN that Hunt worked as an assistant court analyst in the Attorney Registration Unit. He will be suspended without pay pending further administrative action, Chaffen said.



Related Article: 'Armed protests' warning puts officials on alert this weekend ahead of Biden inauguration

The complaint does not say if Brendan Hunt attended the Capitol riot on January 6.

He was arrested Tuesday morning and in federal court was ordered to be detained until trial due to the "nature and circumstance of the offense," a magistrate judge ruled.

The charge comes amid heightened security in Washington, DC and at state capitols across the country as law enforcement officials have warned of the potential for violent unrest leading up to and on Inauguration Day, particularly among some hard-right extremists who falsely believe Joe Biden's election is illegitimate.

Hunt allegedly advocated for just that. On January 8, two days after the takeover at the Capitol, he allegedly posted a video to the website BitChute titled "KILL YOUR SENATORS" that allegedly shows him speaking to the camera.



Related Article: Capitol riot investigators narrow in on extremist groups and military-style coordination

"We need to go back to the U.S. Capitol when all of the Senators and a lot of the Representatives are back there" and "slaughter these m*therf**kers," Hunt said, according to the complaint.

"[O]ur government at this point is basically a handful of traitors ... So what you need to do is take up arms, get to D.C., probably the inauguration ... so called inauguration of this m*therf**king communist Joe Biden ... [T]hat's probably the best time to do this, get your guns, show up to D.C., and literally just spray these m*therf**kers ... like, that's the only option."

In federal court Tuesday, Assistant U.S. Attorney David Kessler argued as reasons for his detainment that Hunt is a flight risk and has limited ties to the community, as well as a history of mental illness.

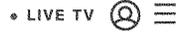
His attorney Leticia Olivera said he has no criminal record and is not a member of any militias or paramilitary groups.

"Without seeking to undermine the seriousness of the allegations in the complaint, there is no allegation here that Mr. Hunt has a history of abuse or ownership of weapons," Olivera said. "He has no plans to travel to Washington, DC, to purchase weapons or to actually even come into contact with any federal officials much less anything that could cause them physical harm."

Olivera declined to comment any further to CNN on the case.

CNN's Brynn Gingras and Eric Levenson contributed to this report.

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1/19/2021

NY state court employee charged after allegedly threatening to kill several Democratic Congress members - CNNPolitics



US Capitol secured, 4 dead after rioters stormed the halls of Congress to block Biden's win

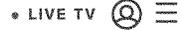
By Ted Barrett, Manu Raju and Peter Nickeas, CNN

Updated 3:33 AM ET, Thu January 7, 2021

(CNN) — The US Capitol is once again secured but four people are dead -- including one woman who was shot -- after supporters of President Donald Trump breached one of the most iconic American buildings, engulfing the nation's capital in chaos after Trump urged his supporters to fight against the ceremonial counting of the electoral votes that will confirm President-elect Joe Biden's win.

Shortly after 1 p.m. ET Wednesday hundreds of pro-Trump protesters pushed through barriers set up along the perimeter of the Capitol, where they tussled with officers in full riot gear, some calling the officers "traitors" for doing their jobs. About 90 minutes later, police said demonstrators got into the building and the doors to the House and Senate were being locked. Shortly after, the House floor was evacuated by police. Vice President Mike Pence was also evacuated from the chamber, where he was to perform his role in the counting of electoral votes.

An armed standoff took place at the House front door at about 3 p.m. ET, and police officers had their guns drawn at



afternoon.

A woman, who is yet to be identified, died after being shot in the chest on the Capitol grounds, DC police confirmed to CNN. More information on the shooting was not immediately available and a police spokesperson said additional details will come later. DC Police Chief Robert Contee said three other people died from medical emergencies during the riot.

Supporters of President Donald Trump climb the west wall of the the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. (AP Photo/Jose Luis Magana)

"One adult female and two adult males appear to have suffered from separate medical emergencies, which resulted in their deaths. Any loss of life in the District is tragic and our thoughts are with anyone impacted by their loss," Contee said at a news conference Wednesday night.

Multiple officers have been injured with at least one transported to the hospital, multiple sources tell CNN.

Smoke grenades were used on the Senate side of the Capitol, as police worked to clear the building of rioters. Windows on the west side of the Senate were broken, and hundreds of officers amassed on the first floor of the building.

The Senate floor was cleared of rioters as of 3:30 p.m. ET, and an officer told CNN that they successfully squeezed them away from the Senate wing of the building and toward the Rotunda. The protesters were removed through the east and west doors of the Capitol. At least 52 people were arrested as of 9:30 p.m. ET Wednesday in Washington.

The US Capitol Police worked to secure the second floor of the Capitol first, and were seen just before 5 p.m. ET pushing demonstrators off the steps on the east side of the building. With about 30 minutes to go before Washington's 6 p.m. ET curfew, Washington police amassed in a long line to push the mob back from the Capitol grounds.

It took until roughly 5:40 p.m. ET for the building to once again be secured, according to the sergeant-at-arms.

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4 dead after rioters stormed the halls of Congress to block Biden's win - CNNPolitics

The stunning display of insurrection was the first time the US Capitol had been overrun since the British attacked and burned the building in August of 1814, during the War of 1812, according to Samuel Holliday, director of scholarship and operations with the US Capitol Historical Society.

The shocking scene was met with less police force than many of the Black Lives Matter protests that rolled across the country in the wake of George Floyd's killing at the hands of Minneapolis police officers last year. While federal police attacked peaceful protesters in Lafayette Square outside the White House over the summer, clearing the way for Trump to take a photo in front of a nearby church at the time, protesters on Wednesday were able to overrun Capitol police and infiltrate the country's legislative chambers.



An afternoon of chaos

The protesters first breached exterior security barriers, and video footage showed protesters gathering and some clashing with police near the Capitol building. CNN's team on the ground saw a number of protesters trying to move up the side of the Capitol building. Several loud flash bangs were heard as well.

Protesters could be seen pushing against metal fences and police used the fences to push protesters back, while other officers reached over the top to club people trying to cross their lines.

Flash bangs could be heard near the steps of the Capitol as smoke filled the air. In some instances officers could be seen deploying pepper spray. Tear gas was deployed, but it's not clear whether by protesters or police, and people wiped tears from their eyes while coughing.

After the building was breached, the Capitol police officer in the House chamber told lawmakers that they may need to duck under their chairs and informed lawmakers that protesters were in the building's Rotunda. Lots of House members were seen wearing gas masks as they moved between Capitol buildings. Members were calling family to say they were OK.

Congressional leaders were being evacuated from the Capitol complex just before 5 p.m. ET and were set to be taken to Fort McNair, a nearby Army base in Washington, according to a federal law enforcement official.

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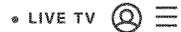
Trump has directed the National Guard to Washington along with "other federal protective services," according to White House press secretary Kayleigh McEnany. The entire DC National Guard has been activated by the Department of Defense, according to the Pentagon.

"The D.C. Guard has been mobilized to provide support to federal law enforcement in the District," said Jonathan Hoffman, the chief Pentagon spokesman. "Acting Secretary Miller has been in contact with Congressional leadership, and Secretary McCarthy has been working with the D.C. government. The law enforcement response will be led by the Department of Justice."

People shelter in the House gallery as protesters try to break into the House Chamber at the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. (AP Photo/Andrew Harnik)

The official said DC National Guard was not anticipating to be used to protect federal facilities, and the Trump administration had decided earlier this week that would be the task of civilian law enforcement, the official said.

Washington Mayor Muriel Bowser announced a citywide curfew from 6 p.m. ET on Wednesday until 6 a.m. ET Thursday.



Police keep a watch on demonstrators who tried to break through a police barrier, Wednesday, Jan. 6, 2021, at the Capitol in Washington. As Congress prepares to affirm President-elect Joe Biden's victory, thousands of people have gathered to show their support for President Donald Trump and his claims of election fraud. (AP Photo/John Minchillo)

Lawmakers began returning to the Capitol after the building was secured and made it clear that they intended to resume their intended business -- namely, confirming Biden's win over Trump by counting the votes in the Electoral College.

Proceedings resumed at about 8 p.m. ET with Pence -- who never left the Capitol, according to his press secretary -- bringing the Senate session back into order.

"Let's get back to work," he said.

House Speaker Nancy Pelosi said in a statement earlier Wednesday evening that congressional leadership wanted to continue with the joint session Wednesday night.

"Today, a shameful assault was made on our democracy. It was anointed at the highest level of government. It cannot, however, deter us from our responsibility to validate the election of Joe Biden," Pelosi wrote.

"To that end, in consultation with Leader Hoyer and Whip Clyburn and after calls to the Pentagon, the Justice Department and the Vice President, we have decided we should proceed tonight at the Capitol once it is cleared for use. Leader Hoyer will be sending out more guidance later today."

WASHINGTON, DC - JANUARY 06: Pro-Trump supporters storm the U.S. Capitol following a rally with President Donald Trump on January

Senate Majority Leader Mitch McConnell said on the floor that the "United States Senate will not be intimidated. We will not be kept out of this chamber by thugs, mobs or threats."

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4 dead after rioters stormed the halls of Congress to block Biden's win - CNNPolitics

6, 2021 in Washington, DC. Trump supporters gathered in the nation's capital today to protest the ratification of President-elect Joe Biden's Electoral College victory over President Trump in the 2020 election. (Photo by Samuel Corum/Getty Images)

It took until deep in the early hours of Thursday morning, but Congress eventually counted and certified Biden's election win.

Trump tells supporters to go home, eventually

Trump finally called on his supporters to "go home" hours after the riot started, but spent a large amount of time in the one-minute video lamenting and lying about his election loss.

In one stunning line, Trump told the mob to "go home," but added, "We love you. You are very special."

Trump struck a sympathetic tone to the rioters he himself unleashed, saying, "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."

However, later on in the evening Trump justified the mob's actions and praised them

 politics

• LIVE TV 

"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 said, in a tweet that was later deleted by Twitter.

Others inside the President's orbit tweeted their calls for calm as the mob repeatedly attempted to take over the building.

Donald Trump Jr., the President's son, said that his supporters who mobbed the Capitol were "wrong and not who we are."

"Be peaceful and use your 1st Amendment rights, but don't start acting like the other side. We have a country to save and this doesn't help anyone," he tweeted.

Multiple bombs detonated safely

Federal and local law enforcement responded to reports of possible pipe bombs in multiple locations in Washington, DC, according to a federal law enforcement official.

A pipe bomb was found at the Republican National Committee's headquarters, a RNC official told CNN. The device was found on the ground outside, along the wall of the headquarters. It was safely detonated by the police, the RNC official said.

At least two suspected pipe bombs were rendered safe by law enforcement -- the one at the building that houses RNC offices and one in the US Capitol complex, a federal law enforcement official told CNN. The official said these were real explosive devices and they were detonated safely.

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Supporters of US President Donald Trump enter the US Capitol's Rotunda on January 6, 2021, in Washington, DC. - Demonstrators breached security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. (Photo by Sauli LOEB / AFP) (Photo by SAUL LOEB/AFP via Getty Images)

The Democratic National Committee was also evacuated after a suspicious package was being investigated nearby, a Democratic source familiar with the matter told CNN. The party had preemptively closed the building ahead of the protests, the source said, but a few security and essential personnel were evacuated.

Near the scene where one of the pipe bombs was found Wednesday, police detained a suspect and found a vehicle with a rifle and as many as 10 Molotov cocktails, according to a federal law enforcement official. Investigators are working to determine whether there's a connection to the bombs found earlier.

This story has been updated with additional developments on Wednesday.

CNN's Pamela Brown, Phil Mattingly, and Daniela Diaz contributed to this report.

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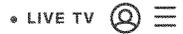
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Groups at Last Week's Capitol Protest Are Still Fundraising on Amazon and Paypal

 truthout.org/articles/groups-at-last-weeks-capitol-protest-are-still-fundraising-on-amazon-and-paypal/

Teddy Wilson



At least eight groups involved in the rally that led to the storming of the U.S. Capitol this month are fundraising via Amazon and Paypal, *openDemocracy* can reveal.

openDemocracy research found that six of the rally's "coalition partners" are still using either Amazon or PayPal to raise money — along with two other groups whose leaders were present at the Capitol. Following the riot, [some of these organisations](#) released statements that seemed to justify the attack on the Capitol.

Both companies have policies that prohibit groups from using their platforms if they are involved in promoting violence or hate. Civil rights advocates said the tech platforms must take action — and that their policies have not meant enough in practice for too long.

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Amazon, along with other tech firms, has announced plans to halt campaign contributions to lawmakers that voted against certification of the Electoral College results. Online platforms have also taken action against some groups and individuals involved in the day's events.

Jade Magnus Ogunnaike, senior campaigns director at the civil rights group Color Of Change, said *openDemocracy's* findings are “deeply troubling”, though unsurprising.

“Amazon and PayPal must not only sever all remaining ties to hate groups and white supremacists but also take proactive steps to ensure they're not enabling them in the first place,” Ogunnaike said.

“With a Democratic Congress and presidency” incoming, she added, “we expect federal agencies to launch a full investigation into 6 January and hold all parties responsible — including corporate enablers.”

Enabling Hate?

The events on 6 January in Washington, D.C., saw President Trump supporters overwhelm police to enter the building where senators were voting to confirm Joe Biden as President-Elect. Offices were looted and lawmakers had to flee for their safety. Five people died during or after the riots, including a police officer.

Before this happened, Trump addressed the ‘March to Save America’ rally and called on protesters to “fight like hell” against the 2020 election results which he falsely said had been ‘stolen’. He has since been impeached for ‘inciting insurrection’.

openDemocracy found four “coalition partners” of the March to Save America rally — Moms for America, Phyllis Schlafly Eagles, Tea Party Patriots, and Turning Point Action — or their associated non-profits, listed on AmazonSmile. This is Amazon’s donations platform which allows shoppers to donate to charities as they buy.

Turning Point Action, along with two other “coalition partners” — Women for America First and Peaceably Gather — also uses PayPal to receive donations.

Another two groups — And Then There Were None and Rod of Iron Ministries — fundraise via both AmazonSmile and PayPal. Their leaders were present at the Capitol on 6 January and were close to the rioting, according to social media posts.

Abby Johnson, leader of the anti-abortion group, And Then There Were None, was close enough to the rioting to post on social media about having been affected by police pepper spray.

Rev. Hyung Jin Sean Moon, leader of Rod of Iron Ministries, was on the Capitol grounds, outside the building, and his group organised a bus trip to the rally.

At least one of Moon's followers witnessed and wrote about the rioting, describing how "patriots pushed back on the police line" and people around him cheered as others "got further and further up onto the stairs and apparently into the building."

Moms for America leader Kimberly Fletcher, for example, shared a Facebook livestream video diminishing the violence — comparing it to "feminist" and other protests that she says were celebrated.

She describes the rioters as "good God-fearing people who want to be heard", who "love America" and "want to save the republic". She said she did not condone "bad behaviour" but added "I absolutely understand it. These people are angry."

In a broadcast two days after the event, Ed Martin from Phyllis Schlafly Eagles said: "The narrative the fake news is giving is that the peaceful protest was actually a riot... Millions of Americans feel unheard and that their concerns don't matter."

Only three of these groups explicitly condemned the violence or denied their involvement in it: Women for America First, Tea Party Patriots, and Peaceably Gather. The other groups have not spoken publicly about the attack.

Platform Silence

AmazonSmile's "participation agreement" says clearly that eligible charities cannot engage, support, encourage, or promote "hate, terrorism, or violence."

PayPal's policies also prohibit transactions involving "the promotion of hate, violence, racial or other forms of intolerance." The company recently cut ties with other groups that helped people to attend the 6 January protests.

openDemocracy contacted the eight groups who fundraise via these platforms for their comments. At the time of publication only Abby Johnson, leader of the anti-abortion group And Then There Were None, had responded.

Johnson told *openDemocracy* that the organisation did not participate in the rally, but that "a member from our organisation was in attendance at the rally where President Trump spoke." She said "that is not in violation of any agreement."

To date, more than 100 people have been arrested and charged with crimes in connection to the riots at the Capitol, and there have been numerous calls for investigations into the events that preceded the violence.

Reacting to *openDemocracy's* revelations, an Amazon spokesperson said: “Charitable organisations must meet the requirements outlined in our participation agreement to be eligible for AmazonSmile. Organisations that engage in, support, encourage, or promote intolerance, hate, terrorism, violence, money laundering, or other illegal activities are not eligible. If at any point an organisation violates this agreement, its eligibility will be revoked. Since 2013, Amazon has relied on the U.S. Office of Foreign Assets Control and the Southern Poverty Law Center to provide the data for these determinations.”

In December, *openDemocracy* previously revealed how dozens of anti-LGBT groups have been fundraising on AmazonSmile despite the company’s policy which also prohibits discrimination based on sexual orientation.

At the time of publication, PayPal had not provided a response.

We're furious.

White supremacists, conspiracy theorists, and far right extremists have gone unchallenged long enough. The armed rampage at the U.S. Capitol on Jan 6th was not the end of their attacks on democracy.

We urgently need to do more to fight against the far right and its violence — while we still can.

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Republican Georgia secretary of state says no sign of widespread fraud in vote count

[reuters.com/article/us-usa-election-georgia-recount-raffenpe/republican-georgia-secretary-of-state-says-no-sign-of-widespread-fraud-in-vote-count-idUSKBN27R33P](https://www.reuters.com/article/us-usa-election-georgia-recount-raffenpe/republican-georgia-secretary-of-state-says-no-sign-of-widespread-fraud-in-vote-count-idUSKBN27R33P)



By [Tim Reid](#), [Lisa Lambert](#)

2 Min Read

FILE PHOTO: An employee of the Fulton County Board of Registration and Elections processes ballots in Atlanta, Georgia U.S., November 4, 2020. REUTERS/Brandon Bell

(Reuters) - Georgia's Republican Secretary of State said on Wednesday there was no sign yet of widespread fraud in his state's vote count, where Democratic President-elect Joe Biden currently has a 14,000 vote lead over President Donald Trump.

Brad Raffensperger, in an interview with CNN, said he has ordered a hand recount because of the closeness of the vote count, but he believed votes had so far been tallied accurately. Biden's current lead, with nearly all votes counted, is 0.3%.

Asked about voter fraud, Raffensperger said: "We have ongoing investigations but we have not seen something widespread." He added there was no evidence yet of any discrepancies large enough that could reverse Biden's lead.

Raffensperger said he also believed a hand recount, which he wants completed by Nov. 20, will not overturn the machine count that is near completion. "We believe the ballots were counted accurately," he said.

The Georgia recount will take place as Republican Trump, who has refused to concede the election to Biden, pushed ahead with legal challenges in several states to try and upend the result.

Reporting by Tim Reid; Editing by Chris Reese and Aurora Ellis

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State leaders say volatile mix of far-right, white supremacist groups could challenge law enforcement

[washingtonpost.com/national/state-leaders-say-volatile-mix-of-far-right-white-supremacist-groups-could-challenge-law-enforcement/2021/01/15/39dad58e-56a3-11eb-a931-5b162d0d033d_story.html](https://www.washingtonpost.com/national/state-leaders-say-volatile-mix-of-far-right-white-supremacist-groups-could-challenge-law-enforcement/2021/01/15/39dad58e-56a3-11eb-a931-5b162d0d033d_story.html)

By Tim Craig, Holly Bailey and Matthew D. LaPlante

January 16, 2021



Governors and other local officials are worried that while high-profile groups like the Proud Boys are encouraging their members to stay away from protests this weekend, other heavily armed and politically motivated extremists could gather in state capitals, leading to violent clashes and creating anxiety for law enforcement trying to prepare, several top-ranking state officials said Friday.

State officials have spent much of the week rushing to secure government buildings and fortify their capitols after an FBI bulletin issued Monday warned that armed far-right extremist groups are planning to march on state capitals this weekend. In response, many states have erected fencing, boarded up windows, closed sites to the public and in some cases declared states of emergency and activated the National Guard.

The U.S. Postal Service also removed collection boxes from areas around several capitols, including in Arizona, Wisconsin and Oregon, fearful they could be used to hide explosives or weapons.

The FBI warning was primarily driven by weeks-old calls by the “boogaloo boys” — a loosely connected group of anti-government advocates who think the country is headed toward civil war — to protest at state capitols Sunday. But in recent days, without clear intelligence about who might show up, state officials said they are bracing for an unruly mix of far-right, white supremacist, gun rights and anti-government extremist groups.

In some cases, officials said, the demonstrators themselves may not get along, adding to tensions that officials said could swiftly escalate into fights among armed individuals, in addition to mob violence aimed at government buildings or leaders.

“These extremist groups, and these right-wing groups, they are a spectrum in terms of ideology and they have different motivations,” Minnesota Attorney General Keith Ellison (D) said. “Some of them are more racist. Some are less racist, and have Black members, but they are still extremists . . . and it’s important that we understand the differences if we are going to protect our government from overthrow.”

In recent days, Enrique Tarrio, leader of the Proud Boys, and the leaders of some other far-right groups have urged their members to stay away from any protests — whether in Washington or state capitals, fearing they are a “trap.”

But not all members of these groups will follow their leaders’ direction and some extremists have no group affiliation, meaning a wide — and perhaps volatile — mix of people could show up.

“If you look what happened on the 6th of January [in Washington], there were a variety of organizations and individuals that showed up, and we expect that to be the same should there be demonstrations at state capitols,” said Charles H. Ramsey, who has served as police chief in Philadelphia and Washington. “There are some groups that are more well-known than others . . . but it’s not going to be limited to just them.”

Law enforcement officials say the nature of the threats remain fairly general. Gathering intelligence on groups and their plans has been complicated with the decision by the nation’s big tech companies to purge the accounts of far-right extremists and the apps they had used to communicate.

“One of the advantages that we had when those fringe groups were available and communicating in the open, with Facebook, Twitter and Parler, is that it was an open-source way to track the flow of protest interest,” said Sgt. Nick Street, a public information officer for the Utah Highway Patrol, which provides security for the state Capitol.

“That was like a nice slow-pitch softball. It was easy to see coming and easy to make contact with,” Street said. “But that was taken away, and no argument here — it’s for the best because of what it could incite and what we witnessed it incite in the events from a week ago.”

Andy Schor, the mayor of Lansing, Mich., said Friday that local elected officials are also finding it difficult to prepare, given the vagueness of many of the threats and the difficulties that officials are encountering trying to track those who plan to demonstrate.

Schor (D) said city police had initially thought that the Proud Boys, a male-chauvinist group with ties to white nationalism, could join alongside supporters of the boogaloo boys movement and the Michigan Militia, a heavily armed local right-wing organization, to protest at the state Capitol on Sunday.

But on a conference call organized by the Voter Protection Program on Friday, Schor said there have been press reports that the “Michigan Militia folks were going to stay away because they were concerned about the Proud Boys and the violence they may perpetrate.”

“So even among some of these extreme groups, you have some standing away because there are others who could be violent,” Schor said.

Conservative activists in some other states are also urging their followers to stay home, claiming the events are a “setup” to frame pro-Trump supporters for violence.

“All conservatives know to stay away from the capitol this weekend,” Alley Waterbury, a pro-Trump supporter who came under fire after she cheered on the events at the U.S. Capitol during a Jan. 6 event in Minnesota, wrote on Facebook.

Don Spencer, president of the Oklahoma 2nd Amendment Association, is urging his members to stay away from protests in his state, even though he strongly believes the presidential election was “stolen by multiple means.” He said the people protesting are engaged in a “scheme to create more instability in an already volatile environment,” which is “nothing more than a ploy to escalate peaceful, law-abiding citizens into a frenzy to damage state and private property.”

But Ramsey, the former police chief, who is now a security consultant, said state leaders should prepare for the possibility that their state capitols could continue to be targets even after President-elect Joe Biden’s inauguration Wednesday.

“There is some information out there that some of these groups are trying to tone things down a bit for [Sunday], and then they may wait and have a surprise attack on state capitols at a later date,” Ramsey said.

On Friday, the leaders of many states were rushing to fortify government buildings while mobilizing additional police officers or National Guard troops to help with security this weekend.

Columbus Mayor Andrew J. Ginther (D) and other state and local officials pleaded with Ohioans to stay home this weekend rather than give protesters who are expected at the Statehouse any oxygen for their causes.

“What hate groups want is confrontation,” Ginther said during a news conference. “Let’s not give it to them.”

Ginther and Columbus Police Chief Thomas Quinlan would not discuss specifics of any threats except to say that hate groups have planned to come to Columbus. Ginther said that the city is staying prepared through Jan. 20 out of an abundance of caution.

Ginther said mayors and other state and local officials have been sharing information about possible protests and hate groups with each other.

“We are planning for the worst-case scenario,” Ginther said.

In California, Gov. Gavin Newsom (D) announced he was sending up to 1,000 National Guard members to protect the state Capitol in Sacramento and also putting temporary fencing around the building.

First-floor windows have been boarded up at Wisconsin’s state Capitol and state employees have been told to work from home through at least the end of January in advance of expected protest activity starting Sunday.

“There is no information about any specific direct threat to Madison or anything in Madison at this point,” said Vic Wahl, the city’s acting police chief. “But because of the national mood, because of the larger national intelligence picture, and out of an abundance of caution, we will continue to maintain an enhanced staffing posture through Inauguration Day.”

Security was also heightened at the Georgia Capitol on Friday, with armed guards and state troopers stationed outside of the gold dome in downtown Atlanta.

“Illegal, un-American activity like we saw last week in Washington, D.C., will not be tolerated in Georgia,” Gov. Brian Kemp (R) said during a news conference earlier this week. “Let me be clear: If you’re coming to Georgia to break the law, it’s better to not come at all.”

At a news conference Friday, Minnesota Gov. Tim Walz (D) and top public safety officials said they have received no credible threats on the state Capitol in St. Paul. But Walz said he worries that heightened security around the Capitol complex could just drive troublemakers to other targets around the Twin Cities.

“If you squeeze the balloon, it comes out somewhere else,” Walz said.

The uncertainty is one reason Schor, the mayor of Lansing, is urging his residents to mostly avoid high-profile government buildings in the coming days.

“For any residents out of walking their dogs, I would walk away from the capitol instead of toward the Capitol,” he said.

LaPlante reported from Salt Lake City. Bailey reported from Minneapolis. Marissa J. Lang in Washington, Annie Gowen in Kansas City, Kathy Lynn Gray in Columbus, Faiz Siddiqui in Sacramento, Jennifer Oldham in Denver, Jimmy Magahern in Phoenix, Haisten Willis in Atlanta, Jeremy Borden in Raleigh, N.C., and Kayla Ruble in Midland, Mich., contributed to this report.

Historical Highlights

The 1998 Shooting of Two Capitol Police officers

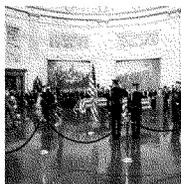
July 24, 1998

Image courtesy of U.S. House of Representatives Photography Office

A Capitol Police Honor Guard salutes the coffins of Officer Jacob J. Chestnut, Jr. and Detective John M. Gibson as the first private citizens to lie in honor in the Capitol Rotunda.

On this date, two Capitol Police officers, Officer Jacob J. Chestnut, Jr., and Detective John M. Gibson, died in the line of duty. An armed assailant stormed past a U.S. Capitol security checkpoint, mortally wounding Officer Chestnut. In the initial crossfire between the gunman and Capitol Police, a gunshot injured a tourist. As congressional aides and Capitol visitors sought cover, the assailant ran toward a door that led to the suites of then-Majority Whip [Tom DeLay](#) ([/People/Listing/D/DeLay-Thomas-Dale-\(D000217\)](#)) of Texas. Detective Gibson, a member of DeLay's security detail, told aides to seek cover. Gibson and the assailant exchanged gunfire. Although fatally wounded, Gibson's action enabled other officers to subdue the gunman. Within a few days of the tragedy, the House and Senate authorized a concurrent resolution for a memorial service for the officers to "[lie in honor](#)" ([/Institution/Lie-In-State/Lie-In-State/](#)) in the Capitol Rotunda. The officers were buried at Arlington National Cemetery with full honors. Representative DeLay commented that the officers' deaths represented, "the sacrifices of thousands of police officers across the Nation who do their duty to serve and protect the public, sometimes under great abuse, sometimes under great disregard, and many times people take them for granted. It all comes together when an incident like this happens and we realize how much we owe to police officers all over this country."

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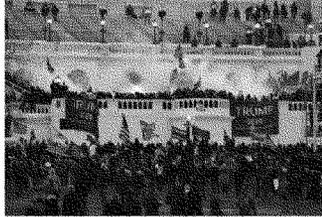
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What Are Asian Governments Saying About the Storming of the US Capitol?

D thediplomat.com/2021/01/what-are-asian-governments-saying-about-the-storming-of-the-us-capitol/



On January 6, a mob of Trump supporters stormed the U.S. Capitol in an attempt to disrupt the formal certification of President-elect Joe Biden's victory – and thus President Donald Trump's loss. Trump had spread baseless conspiracy theories about electoral fraud, refused to concede the election, and on January 6 encouraged the protesters to march on the Capitol. The violence sparked horror around the world, with a number of governments issuing swift condemnations.

Below, The Diplomat has collected official statements from governments in our coverage region on the incident. *We will be updating this piece throughout the week as new statements are issued (last updated on Jan. 11).*

To set the tone, a statement from U.S. Secretary of State Pompeo himself – a Trump appointee – [on Twitter](#): “The storming of the U.S. Capitol today is unacceptable. Lawlessness and rioting – here or around the world – is always unacceptable. I have travelled to many countries and always support the right of every human being to protest peacefully for their beliefs and their causes. But violence, putting at risk the safety of others including those tasked with providing security for all of us, is intolerable both at home and abroad. Let us swiftly bring justice to the criminals who engaged in this rioting. America is better than what we saw today at a place where I served as a member of Congress and saw firsthand democracy at its best.”

Australia

- Australian Prime Minister Scott Morrison [on Twitter](#): “Very distressing scenes at the US Congress. We condemn these acts of violence and look forward to a peaceful transfer of Government to the newly elected administration in the great American democratic tradition.”

- Foreign Minister Marise Payne on Twitter: “Very concerned by scenes at the US Congress. I condemn any violence to interfere with democratic processes. This will not impede the transfer of power, US institutions are robust & its democratic strength resides in the full breadth of its people who are no part of this violence.”

China

Ministry of Foreign Affairs spokesperson Hua Chunying in a press briefing on January 7:

“We have noted what’s now unfolding in the United States. We believe that people in the United States certainly hope for an early return of normal order.

You mentioned that four people were reportedly killed in this incident, and you also described some reactions from the Chinese netizens. I would also like to share some of my thoughts with you.

First, Chinese people have the right and freedom to make their opinions and comments online. I believe that for many people, seeing those scenes in the United States has brought back a sense of déjà vu, though they brought out some quite different reactions from certain people in the United States, including from some media.

You mentioned the unrest in Hong Kong. On July 2019, radical and violent protesters in Hong Kong broke into the Legislative Council, ransacking the main chamber, smashing facilities, tossing toxic liquid and powder at police officers, and even biting off one police officer’s finger and stabbing another. But the Hong Kong police showed maximum restraint and professionalism and no protester ended in death. You mentioned that there were already four deaths in Washington in what was less violent and destructive than the case in Hong Kong.

If you still remember how some U.S. officials, lawmakers and media described what’s happened in Hong Kong, you can compare that with the words they’ve used to describe the scenes in Capitol Hill. I made a note of some words they used. They all condemned it as “a violent incident” and the people involved as “rioters”, “extremists” and “thugs” who brought “disgrace”. Now compare that with what the Hong Kong violent protesters were called, like “a beautiful sight” you brought up and “democratic heroes”. They said that “American people stand with them”.

What’s the reason for such a stark difference in the choice of words? Everyone needs to seriously think about it and do some soul-searching on the reason.

We believe that the American people still cherish peace and safety, especially when they are still struggling with a difficult pandemic situation. We hope that they will have their peace, stability and safety back as soon as possible.

Besides, I noticed that the spokesperson of the bureau of international exchanges of the China Media Group issued a statement saying that many news outlets, including a Chinese one, were attacked by demonstrators at their usual live positions outside Capitol Hill in Washington, D.C. Our thoughts are with the reporters out there and we call on the U.S. side to take necessary measures to safeguard journalists’ safety.”

Hua [on Twitter](#): “We hope the #American people could regain their #peace, stability & #safety ASAP.”

Japan

- Chief Cabinet Secretary Kato Katsunobu in a [press conference](#) on January 7 (question asked at 3:19): “We are looking at this cautiously. According to the news media, we found out that a woman has died so we offer our sympathy. Regarding this issue, President Trump has been calling out for the demonstrators to go back home and has been saying that order should be followed and peace should be restored. The president-elect, Mr. Biden, has been calling out for justice. You mentioned about the political strategy of Mr. Trump. But this is about the U.S., therefore as a government we will refrain from making comment. But as for U.S. democracy, I wish that they will restore peace and cooperation and become unified.”
- Motoko Rich, Tokyo bureau chief for the New York Times, also [cites Kato](#) as saying: “We expect that the transition of the government will be carried out in a peaceful and democratic manner.”

India

- Prime Minister Narendra Modi [on Twitter](#): “Distressed to see news about rioting and violence in Washington DC. Orderly and peaceful transfer of power must continue. The democratic process cannot be allowed to be subverted through unlawful protests.”
- External Affairs Minister S. Jaishankar retweeted Modi’s comment, but did not write one of his own.
- An Indian news agency [tweeted](#) that on January 8, Ramdas Athawale, minister of state for social justice and empowerment, had said: “The incident that took place (at US Capitol) is condemnable. It is not only an insult to the Republican Party but also to America & democracy. That is why we are expressing our displeasure. I will try to speak to him (Trump) over phone.” It is not known whether Athawale has had the occasion to call Trump.

Nepal

Former Prime Minister Sher Bahadur Deuba [on Twitter](#): “I am shocked by the outrageous scenes at US Congress! The people have spoken – the transition to the next government must be peaceful! We wish the all US citizens peaceful days ahead!”

New Zealand

- Prime Minister Jacinda Ardern [on Twitter](#): “Like so many others, I’ve been watching what’s happening in the United States. I share the sentiment of friends in the US – what is happening is wrong. Democracy – the right of people to exercise a vote, have their voice heard and then have that decision upheld peacefully should never be undone by a mob. Our thoughts are with everyone who is as devastated as we are by the events of today. I have no doubt democracy will prevail.”

- Foreign Minister Nanaia Mahuta on Twitter: “We regret unfolding events in Washington DC. Our thoughts are with the American people. Violence has no place in thwarting democracy. We look forward to the peaceful transition of the political administration, which is the hallmark of democracy. *Kia tau ngā manaakitanga.*”
- And a follow-up tweet from Mahuta: “Aotearoa [New Zealand] welcomes Congressional confirmation of the election of President-elect Biden, reasserting US democratic processes in unprecedented circumstances. [New Zealand] values its strong r/ship w/ [the U.S.] & we look forward to working closely w/President-elect Biden & his team from 20 January.”

Pakistan

Pakistan’s Foreign Ministry spokesperson in a press briefing: “We are closely following the developments in Washington DC. We are hopeful that the situation will soon normalize and would not in any way impact the ongoing transition process. We also wish to congratulate President-elect Joe Biden on certification of his win by the U.S. Congress.”

South Korea

A statement from a Ministry of Foreign Affairs spokesperson curiously avoids mentioning the incident at all:

“The Korean government congratulates President-elect Biden and Vice President-elect Harris on the confirmation of the victory in the U.S. presidential election after the U.S. Congress’ certification of the Electoral College results on January 7.

The Korean government looks forward to communicating and cooperating closely with the new Biden administration to further advance the strong Korea-U.S. alliance, achieve denuclearization and the establishment of permanent peace on the Korean Peninsula, and tackle global issues including health security and climate change.”

Taiwan

- President Tsai Ing-wen on Twitter: “In difficult times like these, it’s more important than ever to come together as one. We stand resolutely with all our partners seeking to form a more perfect union. #BetterTogether.” The tweet included an image as well:



- The Ministry of Foreign Affairs on Twitter: “We want to once again congratulate @JoeBiden& @KamalaHarris following certification of the electoral college votes. Events over the past 36 hours have shown the strength & resilience of America’s democracy, which continues to be the beacon of hope around the world. The institutions & democratic processes of the U.S. were built to stand the test of time. Anarchy, disorder & mob rule will never prevail. But democracy & freedom will.”

1/15/2021

Trump's Capitol Tweets Deleted, Account Now Locked for 12 Hours - The New York Times

The New York Times<https://nyti.ms/3beHtfC>[◀ Today's Rampage at the Capitol, as It Happened](#)

Twitter locks Trump's account after he encouraged his supporters to 'remember this day.'



Jan. 6, 2021
By The New York Times

In what could be interpreted as an attempt to stoke the flames of a Capitol mob which has begun to disperse, President Trump sent a tweet at around 6 p.m. in which he reiterated the false claim that the election was stolen and encouraged his supporters to “remember this day” going forward.

“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,” he tweeted. “Go home with love & in peace. Remember this day forever!”

Twitter later took down the tweet, saying that it had violated the company's rules.

Mr. Trump also posted a video in which he repeated his baseless claims of widespread election fraud on Twitter, Facebook and YouTube. All three social media sites removed the video.

Here's the latest from **Today's Rampage at the Capitol, as It Happened**

- [Washington, D.C. mayor issues order extending emergency for 15 days.](#)
- [Video: Protesters linger as law enforcement surrounds the Capitol building.](#)
- [Congress resumes vote-counting as leaders on both sides repudiate siege.](#)

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Declassified by order of the President

September 24, 2019

~~EYES ONLY~~~~DO NOT COPY~~

MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: ~~(C)~~ Telephone Conversation with President
Zelenskyy of Ukraine

PARTICIPANTS: President Zelenskyy of Ukraine

Notetakers: The White House Situation Room

DATE, TIME July 25, 2019, 9:03 - 9:33 a.m. EDT
AND PLACE: Residence

~~(S//NF)~~ The President: Congratulations on a great victory. We all watched from the United States and you did a terrific job. The way you came from behind, somebody who wasn't given much of a chance, and you ended up winning easily. It's a fantastic achievement. Congratulations.

~~(S//NF)~~ President Zelenskyy: You are absolutely right Mr. President. We did win big and we worked hard for this. We worked a lot but I would like to confess to you that I had an opportunity to learn from you. We used quite a few of your skills and knowledge and were able to use it as an example for our elections and yes it is true that these were unique elections. We were in a unique situation that we were able to

CAUTION: A Memorandum of a Telephone Conversation (TELCON) is not a verbatim transcript of a discussion. The text in this document records the notes and recollections of Situation Room Duty Officers and NSC policy staff assigned to listen and memorialize the conversation in written form as the conversation takes place. A number of factors can affect the accuracy of the record, including poor telecommunications connections and variations in accent and/or interpretation. The word "inaudible" is used to indicate portions of a conversation that the notetaker was unable to hear.

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achieve a unique success. I'm able to tell you the following; the first time, you called me to congratulate me when I won my presidential election, and the second time you are now calling me when my party won the parliamentary election. I think I should run more often so you can call me more often and we can talk over the phone more often.

~~(S//NF)~~ The President: [laughter] That's a very good idea. I think your country is very happy about that.

~~(S//NF)~~ President Zelenskyy: Well yes, to tell you the truth, we are trying to work hard because we wanted to drain the swamp here in our country. We brought in many many new people. Not the old politicians, not the typical politicians, because we want to have a new format and a new type of government. You are a great teacher for us and in that.

~~(S//NF)~~ The President: Well it's very nice of you to say that. I will say that we do a lot for Ukraine. We spend a lot of effort and a lot of time. Much more than the European countries are doing and they should be helping you more than they are. Germany does almost nothing for you. All they do is talk and I think it's something that you should really ask them about. When I was speaking to Angela Merkel she talks Ukraine, but she doesn't do anything. A lot of the European countries are the same way so I think it's something you want to look at but the United States has been very very good to Ukraine. I wouldn't say that it's reciprocal necessarily because things are happening that are not good but the United States has been very very good to Ukraine.

~~(S//NF)~~ President Zelenskyy: Yes you are absolutely right. Not only 100%, but actually 1000% and I can tell you the following; I did talk to Angela Merkel and I did meet with her. I also met and talked with Macron and I told them that they are not doing quite as much as they need to be doing on the issues with the sanctions. They are not enforcing the sanctions. They are not working as much as they should work for Ukraine. It turns out that even though logically, the European Union should be our biggest partner but technically the United States is a much bigger partner than the European Union and I'm very grateful to you for that because the United States is doing quite a lot for Ukraine. Much more than the European Union especially when we are talking about sanctions against the Russian Federation. I would also like to thank you for your great support in the area of defense. We are ready to continue to cooperate for the next steps specifically we are almost ready to buy more Javelins from the United States for defense purposes.

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~~(S//NF)~~ The President: I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike... I guess you have one of your wealthy people... The server, they say Ukraine has it. There are a lot of things that went on, the whole situation. I think you're surrounding yourself with some of the same people. I would like to have the Attorney General call you or your people and I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you can do, it's very important that you do it if that's possible.

~~(S//NF)~~ President Zelenskyy: Yes it is very important for me and everything that you just mentioned earlier. For me as a President, it is very important and we are open for any future cooperation. We are ready to open a new page on cooperation in relations between the United States and Ukraine. For that purpose, I just recalled our ambassador from United States and he will be replaced by a very competent and very experienced ambassador who will work hard on making sure that our two nations are getting closer. I would also like and hope to see him having your trust and your confidence and have personal relations with you so we can cooperate even more so. I will personally tell you that one of my assistants spoke with Mr. Giuliani just recently and we are hoping very much that Mr. Giuliani will be able to travel to Ukraine and we will meet once he comes to Ukraine. I just wanted to assure you once again that you have nobody but friends around us. I will make sure that I surround myself with the best and most experienced people. I also wanted to tell you that we are friends. We are great friends and you Mr. President have friends in our country so we can continue our strategic partnership. I also plan to surround myself with great people and in addition to that investigation, I guarantee as the President of Ukraine that all the investigations will be done openly and candidly. That I can assure you.

~~(S//NF)~~ The President: Good because I heard you had a prosecutor who was very good and he was shut down and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved. Mr. Giuliani is a highly respected man. He was the mayor of New York City, a great mayor, and I would like him to

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call you. I will ask him to call you along with the Attorney General. Rudy very much knows what's happening and he is a very capable guy. If you could speak to him that would be great. The former ambassador from the United States, the woman, was bad news and the people she was dealing with in the Ukraine were bad news so I just want to let you know that. The other thing, There's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it... It sounds horrible to me.

~~(S//NF)~~ President Zelenskyy: I wanted to tell you about the prosecutor. First of all I understand and I'm knowledgeable about the situation. Since we have won the absolute majority in our Parliament, the next prosecutor general will be 100% my person, my candidate, who will be approved by the parliament and will start as a new prosecutor in September. He or she will look into the situation, specifically to the company that you mentioned in this issue. The issue of the investigation of the case is actually the issue of making sure to restore the honesty so we will take care of that and will work on the investigation of the case. On top of that, I would kindly ask you if you have any additional information that you can provide to us, it would be very helpful for the investigation to make sure that we administer justice in our country with regard to the Ambassador to the United States from Ukraine as far as I recall her name was Ivanovich. It was great that you were the first one who told me that she was a bad ambassador because I agree with you 100%. Her attitude towards me was far from the best as she admired the previous President and she was on his side. She would not accept me as a new President well enough.

~~(S//NF)~~ The President: Well, she's going to go through some things. I will have Mr. Giuliani give you a call and I am also going to have Attorney General Barr call and we will get to the bottom of it. I'm sure you will figure it out. I heard the prosecutor was treated very badly and he was a very fair prosecutor so good luck with everything. Your company is going to get better and better I predict. You have a lot of assets. It's a great country. I have many Ukrainian friends, their incredible people.

~~(S//NF)~~ President Zelenskyy: I would like to tell you that I also have quite a few Ukrainian friends that live in the United States. Actually last time I traveled to the United States, I stayed in New York near Central Park and I stayed at the Trump

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Tower. I will talk to them and I hope to see them again in the future. I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. On the other hand, I also want to ensure you that we will be very serious about the case and will work on the investigation. As to the economy, there is much potential for our two countries and one of the issues that is very important for Ukraine is energy independence. I believe we can be very successful and cooperating on energy independence with United States. We are already working on cooperation. We are buying American oil but I am very hopeful for a future meeting. We will have more time and more opportunities to discuss these opportunities and get to know each other better. I would like to thank you very much for your support

~~(S//NF)~~ The President: Good. Well, thank you very much and I appreciate that. I will tell Rudy and Attorney General Barr to call. Thank you. Whenever you would like to come to the White House, feel free to call. Give us a date and we'll work that out. I look forward to seeing you.

~~(S//NF)~~ President Zelenskyy: Thank you very much. I would be very happy to come and would be happy to meet with you personally and get to know you better. I am looking forward to our meeting and I also would like to invite you to visit Ukraine and come to the city of Kyiv which is a beautiful city. We have a beautiful country which would welcome you. On the other hand, I believe that on September 1 we will be in Poland and we can meet in Poland hopefully. After that, it might be a very good idea for you to travel to Ukraine. We can either take my plane and go to Ukraine or we can take your plane, which is probably much better than mine.

~~(S//NF)~~ The President: Okay, we can work that out. I look forward to seeing you in Washington and maybe in Poland because I think we are going to be there at that time.

~~(S//NF)~~ President Zelenskyy: Thank you very much Mr. President.

~~(S//NF)~~ The President: Congratulations on a fantastic job you've done. The whole world was watching. I'm not sure it was so much of an upset but congratulations.

~~(S//NF)~~ President Zelenskyy: Thank you Mr. President bye-bye.

-- End of Conversation --

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Trump calls Ga. Secretary of State "Enemy of the People"

[cbs46.com/news/trump-calls-ga-secretary-of-state-enemy-of-the-people/article_917de492-30c5-11eb-a89b-6f888a101160.html](https://www.cbs46.com/news/trump-calls-ga-secretary-of-state-enemy-of-the-people/article_917de492-30c5-11eb-a89b-6f888a101160.html)

Tim Kephart

November 27, 2020



President Donald Trump went after Secretary of State Brad Raffensperger again Thursday less than a week after the president officially lost the state of Georgia in the General Election.

"I told them (Senate candidates Kelly Loeffler and David Perdue) today, I said, 'Listen, you have a fraudulent system,'" Trump told reporters Thursday evening. 'You have a system with the flick of a switch or the putting in of a new chip can change the course of history. And, you have to be very careful.'

Those falsehoods have never been substantiated with any evidence from the president or his campaign in a court of law. But Trump wasn't done making erroneous claims about Georgia.

"I read this morning, where Stacey Abrams has 850,000 ballots accumulated," Trump said. "Now that's called harvesting. You're not allowed to harvest."

Abrams hasn't said anything about harvesting ballots. She has repeatedly touted on Twitter how many Georgians have requested ballots for the January 5th Senate runoff. Each tweet is accompanied by links to the Secretary of State's office for citizens to request their ballots.

BREAKING: More than 750,000 Georgians have requested their ballots for the January 5 runoff elections. Have you? Request yours today and let's get it done... again: <https://t.co/xCyh7BhY3o>. #gapol pic.twitter.com/q1xSybczXg

— Stacey Abrams (@staceyabrams) [November 23, 2020](#)

BREAKING: 900,000 Georgians have requested their ballots for the January 5 runoff elections. Request yours today and help elect [@ReverendWarnock](#) and [@ossoff](#) to the U.S. Senate: <https://t.co/xCyh7BhY3o>. #gapol pic.twitter.com/TfVjx1qBfn

— Stacey Abrams (@staceyabrams) [November 27, 2020](#)

Trump then turned his fire on Secretary Raffensperger saying he is an enemy of the people, akin to his usage of the phrase against most media outlets.

"But I understand the Secretary of State, who is really, really an enemy of the people. The Secretary of State, whether he's Republican or not, this man, what he's done," Trump said. "Supposedly he made a deal where she's allowed to harvest but in other areas they're not allowed. What kind of a deal is that? They're not allowed to harvest during a presidential election."

The state of Georgia has no deal with Abrams and neither Trump nor his campaign have provided any evidence to support claims like this. For his part, Raffensperger took to the pages of USA Today to defend himself and the entire Georgia election saying it was a 'smooth election' and something Georgians should celebrate. He also said his family voted for Trump, and now his family "are now being thrown under the bus by him (Trump)."

Trump was at one time a big fan of Raffensperger, giving him a full endorsement in 2018.

Brad Raffensperger will be a fantastic Secretary of State for Georgia - will work closely with [@BrianKempGA](#). It is really important that you get out and vote for Brad - early voting....

— Donald J. Trump (@realDonaldTrump) [November 26, 2018](#)

After the Raffensperger criticism, Trump then turned his attention to how he thinks elections should work and said the world is laughing at the U.S. electoral process.

"Yknow, an election should be a one day deal. You walk in and you vote. And if you can't do it, if for some reason you're not feeling well or there is a problem," Trump said. "What they did is they used COVID in order to defraud the people of this country. And the whole world is watching and the whole world is laughing at our electoral process. The whole world is watching and it's a very sad thing."

JUST IN: President Trump calls GOP Georgia Secretary of State Brad Raffensperger the "enemy of the people" as he makes repeated false claims about the 2020 election. pic.twitter.com/1gJvZ4lMq3

— The Hill (@thehill) [November 26, 2020](#)

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Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault

'Trump train' incident near Austin left passengers shaken, reflecting tensions ahead of an election that most Americans fear will spark violence.



Supporters gather together for the Trump Train Rally at Rockin' R River Rides in New Braunfels, Texas on Thursday, Oct. 29, 2020. (Mikala Compton / AP)



By Todd J. Gillman 6:46 PM on Nov 1, 2020 CST — Updated at 8:42 PM on Nov 1, 2020 CST

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10:05 Powered by Trinity Audio

Updated at 8:40 p.m. with Trump responding to FBI investigation.

WASHINGTON — Stumping on Sunday as passions flared before the election, President Donald Trump commended supporters who had swarmed a Biden campaign bus in Texas two days earlier, leaving passengers shaken.

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These are the North Texans who have been arrested after storming the Capitol

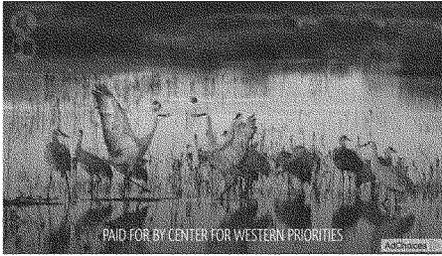


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1/18/2021

Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault



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Dallas County's initial COVID vaccines went to these affluent northern neighborhoods



One pickup that tailgated the bus on the highway between San Antonio and Austin swerved into a car full of Biden campaign workers, leaving deep dents in the passenger side.

"Did you see the way our people were protecting his bus?" Trump boasted at a frigid rally in Washington, Mich., hours after he'd tweeted video of the caravan with the message: "I LOVE TEXAS." "They had hundreds of cars. Trump. Trump. Trump, and the American flag."

"These patriots did nothing wrong," he tweeted Sunday night in response to news the FBI was investigating.

Polls show that **most Americans expect violence** on Election Night or in the days that follow. Tensions are high. And to the dismay of some, the president is not lowering the temperature.



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BY

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Jimmy A Miller
 Jimmy was last seen on March 14, 2020.
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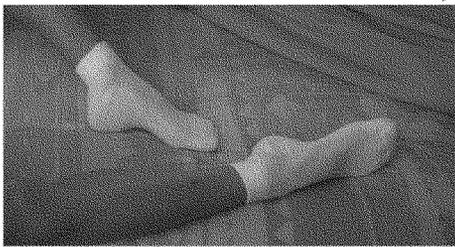
"It sort of boggles my mind that he didn't recognize this as an act of electoral intimidation and harassment," said Idean Salehyan, a University of North Texas political scientist and executive director of the Peace Science Society, a group of scholars who study political conflict and conflict resolution. "He's not directly egging it on but ... what was done was

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Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault

clearly reprehensible, and rather than condemning it, his reaction is to praise his supporters."

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Former vice president Joe Biden chastised the president for siding with the drivers who swarmed his campaign bus south of Austin.

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"We've never had anything like this — at least we've never had a president who thinks it's a good thing," he said Sunday while stumping in Philadelphia.



POLITICS
Americans, fearing post-election violence, are eyeing each other with suspicion
 BY TODD J. GILLMAN

Liberal detractors compared the "Trump Train" caravan to brown shirts, the paramilitary arm of the Nazi Party whose thuggery paved the way for Hitler's rise to power.

The comparison is vastly overblown. One key difference: The violence seen in the run-up to Election Day, including Friday's incident south of Austin on Interstate 35, has not been centrally coordinated, or brutal.



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Still, it represents a serious departure in a country with a tradition of settling its differences at the ballot box.

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Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault

In my opinion, these patriots did nothing wrong. Instead, the FBI & Justice should be investigating the terrorists, anarchists, and agitators of ANTIFA, who run around burning down our Democrat run cities and hurting our people!
<https://t.co/of6Lna3HMU>

— Donald J. Trump (@realDonaldTrump) November 2, 2020

Texas elections have not been marred with such confrontations in recent memory.

It could have been a prank that got out of hand.

It could reflect frustration, anger and fear that the political balance is shifting. Polls show Texas at a tipping point, potentially slipping from control of conservative Republicans for the first time in a generation.

Texas GOP chairman Allen West declined to discuss the incident on Sunday, referring to a **statement** from Saturday asserting that a query from the Texas Tribune about it was an “attempt to portray conservatives as violent radicals, even though it is leftists from Antifa and BLM who have been assaulting, robbing, and looting fellow citizens and their property.”

No prominent Texas Republicans have condemned the drivers involved in Friday’s incident. Trump spokespeople in Texas and at campaign headquarters did not respond to queries.

Sen. Kamala Harris was stumping elsewhere in Texas at the time. Biden himself hasn’t campaigned in Texas. Congressional candidate Wendy Davis, locked in a contentious race with freshman Rep. Chip Roy, R-Austin, was on board the bus but declined through an aide to discuss it.

“Rather than engage in productive conversation about the drastically different visions that Joe Biden and Donald Trump have for our country, Trump supporters in Texas instead decided to put our staff, surrogates, supporters, and others in harm’s way,” said Tariq Thowfeek, spokesman for the Biden campaign in Texas. “To the Texans who disrupted our events: We’ll see you on Nov. 3.”

Trump’s instigations

Rather than condemning violence conducted in his name, Trump’s instinct has been to endorse it — sometimes with a wink, sometimes with more.

During the 2016 election, he offered to pay the legal fees of anyone who punched protesters at his rallies. At the first presidential debate against Biden, he said the white nationalist Proud Boys should “stand by” for post-election violence.

During the 2016 campaign, he insinuated that only assassination could stop Hillary Clinton if she were to win.

“If she gets to pick her judges, nothing you can do, folks,” **he told a crowd in Wilmington, N.C.** “Although the Second Amendment people — maybe there is, I don’t know.”



POLITICS

Why we might not know on Election Night if it's Biden or Trump

BY TODD J. GILLMAN

1/16/2021

Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault

Trump insists that he's been misunderstood when he's accused of inciting violence, which happens with some frequency.

In a July 2017 speech to law enforcement, he condoned rough handling of suspects.

"When you see these thugs being thrown into the back of a paddy wagon, you just seen them thrown in, rough. I said, 'Please don't be too nice,'" he said.

"When you guys put somebody in the car and you're protecting their head you know, the way you put their hand over [their head]," Trump continued, mimicking the motion. "Like, 'Don't hit their head and they've just killed somebody, don't hit their head.' I said, 'You can take the hand away, OK?'"

The White House press secretary at the time, Sarah Huckabee Sanders, brushed it off, saying, "He was making a joke."

NATIONAL

Biden campaign cancels 2 Texas events after vehicles with Trump flags surround Biden-Harris bus on I-35

BY CATHERINE MARFIN

Shortly before the 2018 midterms, Trump led a rally in Montana for Rep. Greg Gianforte, who had slammed a reporter to the ground during his campaign the previous year and later pleaded guilty to assault. "Any guy that can do a body slam, he is my type!" Trump told the crowd, eliciting cheers.

When George Floyd died under the knee of a Minneapolis police officer last May, and protests erupted nationwide, Trump threatened to send in troops and tweeted that "when the looting starts the shooting starts."

In April, as Trump chafed at state public health measures aimed at blunting the COVID-19 pandemic, he urged gun owners in Michigan, Minnesota and Virginia to "liberate" their states from shutdown orders.

"LIBERATE VIRGINIA, and save your great 2nd Amendment. It is under siege!" he tweeted.

LIBERATE VIRGINIA, and save your great 2nd Amendment. It is under siege!
— Donald J. Trump (@realDonaldTrump) April 17, 2020

Right wing conspiracy peddlers have fed their audiences fearmongering about the political left and a coming civil war.

"They've been building a network of street activists since 2008, and the plan is to unleash them on Nov. 3," Glenn Beck **warned recently**.

The day of the first Trump-Biden debate, Sept. 29, the **FBI's Dallas field office warned local law enforcement** that the upcoming election could serve as a "potential flash point" for violence, according to **The Nation, which obtained the advisory**. In particular, the

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Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault

FBI warned about a rising threat from the rightwing **"boogaloo" movement**, extremist groups that call for a second Civil War.

The bulletin included photos of heavily armed men in tactical gear, from the social media account of one subject of an FBI investigation. The men referred to themselves as a QRF — military jargon for Quick Reaction Force.

No one hurt

Ahead of the bus incident, Donald Trump Jr. posted a video online urging his dad's supporters to form a "Trump Train" to welcome Harris to Texas.



1/16/2021

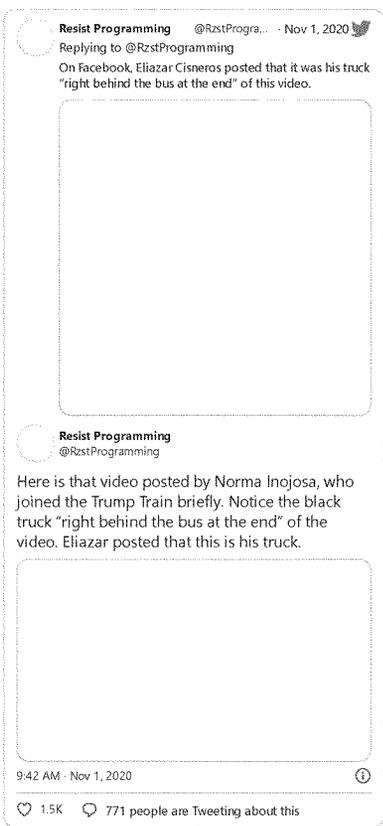
Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault



"It'd be great if you guys all get together ... and give Kamala Harris a nice Trump Train welcome. Get out there, have some fun, enjoy it."

Social media filled with footage from witnesses and participants. No one was hurt in the bus incident.

"They're like literally escorting him out of town ... This is the funniest thing I've ever seen," tweeted one pro-Trump driver who recorded the caravan.



Video posted by another Trump supporter showed a black pickup just behind the Biden bus swerving out of its lane and swiping a white car with Biden campaign staff inside. The pickup driver identified himself on social media: Eliazar Cisneros.

In early September, **Cisneros slowly drove the same truck through a crowd of protesters** in San Antonio, using an expletive. No one was hurt, though protesters said they felt that was his intention.

Cisneros told KENS-TV in San Antonio at the time that he hadn't been looking for trouble, just driving around, "waving my flags and showing support for my president I didn't want to hurt anybody. You know, get off the street, get on the sidewalk and protest whatever you are protesting on the sidewalk."

In early June, **San Antonio's WOAI-TV** found Cisneros "patrolling" downtown San Antonio during protests after Floyd's death, an assault-style gun slung over his shoulder. He said he wouldn't use it only in response to vandalism, "but once bricks start flying or being threatened with our lives, yeah."

State Rep. Terry Canales, D-Edinburg, wrote the director of the Texas Department of Public Safety, Steven McGraw, on Sunday to demand an investigation, in particular of the driver who swerved.

"Without a shadow of a doubt, the driver of the truck committed an aggravated assault with a deadly weapon," Canales wrote. "Truly, setting aside all politics, there is no excuse for this sort of criminal behavior in Texas."

Cisneros could not be reached.

In Philadelphia, Biden said the confrontation tracked Donald Trump Jr.'s comments. He noted that a Trump caravan **shut down the Garden State Parkway** in New Jersey on Sunday.

"Folks, that's not who we are. We are so much better than this," he said.

Trump reveled in the buzz.

1/16/2021

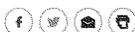
Trump glorifies drivers who swarmed Biden bus in Texas, as others see harassment and felony assault

"Did anybody see the picture of that crazy bus driving down the highway? They're surrounded by like hundreds of cars and they're all Trump flags all over the place. What a group," he said Saturday at a rally in Montoursville, Pa., as supporters hooted and jeered. "It's like a hot thing. See that's really No. 1 trending."

The 26-second clip he shared on Twitter shows the Biden bus surrounded on all sides by trucks waving Trump banners. A soundtrack is overlaid: "Welcome to the Red Kingdom," a heart pounding techno fight song for the Kansas City Chiefs football team. By Sunday evening, the clip had been viewed 12.6 million times.

By the end of early voting Friday night, more Texans had voted than in all of 2016. With so little time left in the campaign, none of this is likely to affect the outcome, said Salehyan, the UNT professor.

"I don't think it's had a chilling effect on the electorate" he said, but "if things like this continue, it's a really dark day for our democracy."



Todd J. Gillman, Todd became Washington Bureau Chief in 2009 and has covered East Texas, Dallas City Hall and politics since joining The News in 1989. He's been elected three times to the White House Correspondents' Association board, with a term ending in 2023. Todd has a Master in Public Policy from Harvard and a BA from Johns Hopkins in international studies.

tgillman@dallasnews.com @todogillman



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THE LATEST

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Nearly 1 In 5 Defendants In Capitol Riot Cases Served In The Military

Tom Dreisbach *Twitter*

9-11 minutes



Larry Rendall Brock Jr., an Air Force veteran, is seen inside the Senate Chamber wearing a military-style helmet and tactical vest during the rioting at the U.S. Capitol. Federal prosecutors have alleged that before the attack, Brock posted on Facebook about an impending "Second Civil War." **Win McNamee/Getty Images** [hide caption](#)

[toggle caption](#)

Win McNamee/Getty Images



Larry Rendall Brock Jr., an Air Force veteran, is seen inside the Senate Chamber wearing a military-style helmet and tactical vest during the rioting at the U.S. Capitol. Federal prosecutors have alleged that before the attack, Brock posted on Facebook about an impending "Second Civil War."

Wfn McNamee/Getty Images

As a violent mob descended on the U.S. Capitol on Jan. 6, lawmakers and aides hid wherever they could, waiting for the military and police to arrive. But many of those who stormed the Capitol were military veterans themselves, who had once sworn to protect the Constitution. In fact, an NPR analysis has found that nearly 1 in 5 people charged over their alleged involvement in the attack on the U.S. Capitol appear to have a military history.

NPR compiled a list of individuals facing federal or District of Columbia charges in connection with the events of Jan. 6. Of more than 140 charged so far, a review of military records, social media accounts, court documents and news reports indicate at least 27 of those charged, or nearly 20%, have served or are currently serving in the U.S. military. To put that number in perspective, only about 7% of all American adults are military veterans, according to the U.S. Census Bureau.

Several veterans are charged with violent entry and disorderly conduct on Capitol grounds. One of them is Larry Rendall Brock Jr. The Air Force veteran was photographed in a military-style helmet and tactical vest carrying flex cuffs inside the Capitol. He posted on Facebook that he was preparing for a "Second Civil War," according to documents filed in federal court. In the weeks after Biden's victory, Brock posted that "we are now under occupation by a hostile governing force."

"I see no distinction between a group of Americans seizing power and governing with complete disregard to the Constitution and an invading force of Chinese communists accomplishing the same objective," Brock wrote. (There is no credible evidence of widespread voter fraud in the 2020 election.) He ended his post with a reference to the oath taken by members of the military: "Against all enemies foreign and domestic."

Some veterans who allegedly stormed the Capitol are still serving in some capacity. Jacob Fracker, 29, was an infantry rifleman in the Marine Corps and deployed to Afghanistan twice, according to the Pentagon. He now serves in the Virginia National Guard, according to widespread news reports, though he was not among the service members deployed to Washington ahead of the inauguration. He is also a police officer in Rocky Mount, Va. With him at the Capitol on Jan. 6 was his colleague from the Rocky Mount Police Department, Thomas Robertson, 47, who is an Army veteran also facing charges.

Federal prosecutors have also alleged that multiple members of the right-wing extremist group the Oath Keepers took part in the "incursion" at the Capitol. The group has been known to target and recruit active-duty members of the military and veterans, in part for their specialized skills. Among those charged in relation to the storming of the Capitol are Thomas Edward Caldwell, a Navy veteran and

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Nearly 1 In 5 Defendants In Capitol Riot Cases Served In The Military :: Reader View

alleged leader among the Oath Keepers, and Donovan Ray Crowl, a Marine Corps veteran. They have been charged with conspiracy to obstruct the Electoral College vote, among other alleged crimes.

Attorneys representing those facing charges did not respond to NPR's messages seeking comment.

Rooting out extremism

Roughly one-third of active duty troops said they had "personally witnessed examples of white nationalism or ideological-driven racism within the ranks in recent months," according to a 2019 survey conducted by the *Military Times* and Syracuse University Institute for Veterans and Military Families. Troops said they had seen "swastikas being drawn on service members' cars, tattoos affiliated with white supremacist groups, stickers supporting the Ku Klux Klan and Nazi-style salutes between individuals."

At least one individual charged in connection with the assault on the Capitol allegedly embraced that extremist ideology. Timothy Louis Hale-Cusanelli, 30, is a Navy contractor who has worked at a naval weapons station with a secret security clearance, according to court documents. He is also an Army Reserve sergeant in the 174th Infantry Brigade and an "avowed white supremacist and Nazi sympathizer," according to court documents.

Some experts argue the military has not done enough to tamp down on extremism in its ranks.

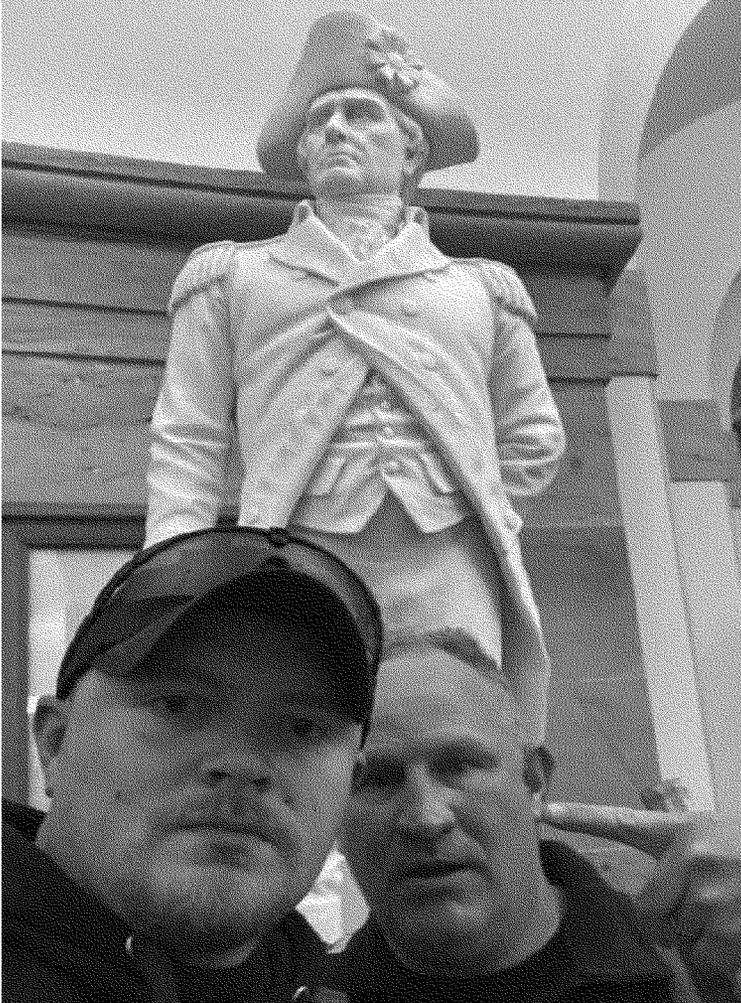
Rocky Mount, Va., police Officer Jacob Fracker, left, and Sgt. Thomas Robertson in the Capitol. Both Robertson and Fracker are also U.S. military veterans. **U.S. Capitol Police via AP hide caption**

toggle caption

U.S. Capitol Police via AP

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Nearly 1 In 5 Defendants In Capitol Riot Cases Served In The Military :: Reader View



Rocky Mount, Va., police Officer Jacob Fracker, left, and Sgt. Thomas Robertson in the Capitol. Both Robertson and Fracker are also U.S. military veterans.

U.S. Capitol Police via AP

Mark Pitcavage, a senior research fellow with the Anti-Defamation League's Center on Extremism, called the military's efforts largely "haphazard."

"It's not like the military is just tolerating white supremacists," Pitcavage told NPR. But he said efforts to address the problem need to be more systematic.

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Nearly 1 In 5 Defendants In Capitol Riot Cases Served In The Military :: Reader View

"Not only does there need to be training," Pitcavage said, "but there also need to be clear expectations coming down from on high about what you should do when you encounter an extremist in your unit, at your base or whatever the circumstances are, and that here are the procedures that need to be followed."

The problem is not entirely lost on the Defense Department. After the Jan. 6 insurrection, a senior defense official told NPR there were 68 notifications of investigations by the FBI last year of former and current military members pertaining to domestic extremism.

When extremism in the military does go undetected or ignored, the stakes can be high.

As Heidi Beirich, co-founder of the Global Project Against Hate and Extremism, testified to Congress, veterans and military personnel "have training that makes terrorist attacks more achievable and more deadly."

In 2019, federal prosecutors said that Coast Guard Lt. Christopher Hasson had planned a series of violent attacks against liberal politicians, and was an avowed white nationalist for decades. Hasson ultimately pleaded guilty to drug and weapons charges.

Timothy McVeigh, who carried out the 1995 Oklahoma City bombing that killed 168 people, was an Army veteran who served in the Persian Gulf War. He had taken inspiration from the white supremacist novel "The Turner Diaries," which continues to hold sway among far-right extremists.

Pitcavage cautions that there is limited evidence military veterans are more susceptible to extremist ideology than any other group of Americans.

"Overall, our veteran population is largely reflective of our general population," Pitcavage said.

Veterans, for example, have also been on the front lines of the fight against extremism. Brian Sicknick, the police officer who died trying to prevent the mob from storming the Capitol, was also a veteran.

The New Jersey Air National Guard, where Sicknick served, said, "Staff Sgt. Sicknick's commitment to service and to protect his community, state, and nation will never be forgotten."

In his inaugural address on Wednesday, President Biden pledged to combat "a rise of political extremism, white supremacy, domestic terrorism."

Likewise, Biden's pick to lead the Department of Defense, retired Gen. Lloyd Austin, told Congress on Tuesday that, if confirmed, he would work to combat extremism in the military, a problem the Defense Department acknowledged in a report in December.

Austin, who would be the nation's first Black defense secretary, said he would fight hard "to rid our ranks of racists."

"The Defense Department's job is to keep America safe from our enemies," he testified. "But we can't do that if some of those enemies lie within our own ranks."

NPR's Barbara Van Woerkom, Monika Evtastieva, Austin Fast and Emine Yücel contributed to this report.

Trump invites Michigan Republican leaders to meet him at White House as he escalates attempts to overturn election results

[washingtonpost.com/nation/2020/11/19/wayne-county-rescind-certifying-election/](https://www.washingtonpost.com/nation/2020/11/19/wayne-county-rescind-certifying-election/)

By Tom Hamburger, Kayla Ruble, David A. Fahrenthold and Josh Dawsey

November 19, 2020



DETROIT — President Trump has invited the leaders of Michigan’s Republican-controlled state legislature to meet him in Washington on Friday, according to a person familiar with those plans, as the president and his allies continue an extraordinary campaign to overturn the results of an election he lost.

Trump’s campaign has suffered defeats in courtrooms across the country in its efforts to allege irregularities with the ballot-counting process, and has failed to muster any evidence of the widespread fraud that the president continues to claim tainted the 2020 election.

Trump lost Michigan by a wide margin: At present, he trails President-Elect Joe Biden in the state by 157,000 votes. Earlier this week, the state’s Republican Senate majority leader said an effort to have legislators throw out election results was “not going to happen.”

But the president now appears to be using the full weight of his office to challenge the election results, as he and [his allies](#) reach out personally to state and local officials in an [intensifying effort](#) to halt the certification of the vote in key battleground states.

In an incendiary news conference in Washington, Rudolph W. Giuliani, the former New York mayor who is now serving as Trump's lead attorney, made baseless claims that Biden had orchestrated a national conspiracy to rig the vote.

Trump's team appear to be increasingly focused on Michigan as a place where Republican officials — on the state's Board of Canvassers and in the legislature — might be persuaded to overturn the results.

Earlier this week, Trump called a member of Wayne County's Board of Canvassers after a contentious meeting in which she first refused, and then agreed, to certify election results from the state's largest county. She subsequently released an affidavit seeking to "rescind" her vote for certification — a move that the secretary of state's office said was impossible.

Legal experts condemned the president's actions, saying he was trying to use the power of his office to alter the vote.

"To bring the weight of the White House and the presidency onto an individual county canvassing board commissioner about what to do with certification is an incredible assault on the democratic process," said Richard H. Pildes, a constitutional law professor at New York University. "No question about that."

Joanna Lydgate, the national director of the Voter Protection Program, said that "there is no basis in fact or law for failing to certify the election."

"The president's unpatriotic behavior is reaching new heights with summoning state legislative officials to the White House," she said. "But the legislature has no role in certification, as its leaders have already publicly admitted. This raises serious legal and ethical concerns about the president's conduct — but it will not alter the outcome of the election."

Despite that, Trump and his allies have spent the last week making baseless allegations of fraud in lawsuits, news conferences and tweets — seemingly probing to find a judge or an elected official who would accept them.

At the news conference in Washington on Thursday, Giuliani claimed without evidence that the campaign could roll back Biden's wins in multiple states, including Michigan.

"It changes the result of the election in Michigan if you take out Wayne County," he said. Wayne County includes Detroit, the state's heavily Democratic, majority-Black largest city.

Also on Thursday, Trump's efforts seemed to have gained some traction, with the news that Michigan's GOP leaders appear willing to meet with him.

The Detroit News reported that the state GOP legislative leaders who plan to visit the White House on Friday are Senate Majority Leader Mike Shirkey and House Speaker Lee Chatfield.

Earlier this week, Shirkey said that Biden is the president-elect, and that an effort to award Michigan's electoral votes to Trump was "not going to happen," according to the news outlet Bridge Michigan.

Shirkey's office did not respond to requests for comment from The Washington Post. Gideon D'Assandro, communications director for the Michigan House speaker, declined to comment Thursday.

In Michigan, the high-water mark for Trump's efforts so far came Tuesday night, during an hours-long meeting of the Wayne County board of canvassers. The board's two GOP members voted against certifying the county's results, which overwhelmingly favored Biden. But then, after three hours of angry comments from the public, the two GOP members changed their minds and voted to certify the results.

After the meeting, Trump called one of the two GOP members, Monica Palmer. Palmer said that Trump did not pressure her to change her vote.

"His concern was about my safety, and that was really touching. He is a really busy guy, and to have his concern about my safety was appreciated," she told The Post.

"It was not pressure. It was genuine concern for my safety," Palmer said.

After that, however, Palmer and the board's other GOP member changed their minds again: On Wednesday, they signed affidavits saying they wanted to "rescind" their votes. The two said they were improperly pressured into certifying the election and accused Democrats of reneging on a promise to audit votes in Detroit.

William Hartmann, the other Republican on the board, has signed a similar affidavit, according to a person familiar with the document. Hartmann did not respond to a message from The Post.

Jonathan Kinloch, a Democratic member of the board, lamented the late attempt by Republicans to change their vote.

"They're playing with the vote and the will of the people," Kinloch said.

The Michigan Secretary of State's office, which oversees elections, said Thursday that there is no legal mechanism for Palmer and Hartmann to rescind their votes now. "Their job is done, and the next step in the process is for the Board of State Canvassers to meet and certify," said Tracy Wimmer, a spokeswoman for Secretary of State Jocelyn Benson (D).

Palmer and Hartmann said they had agreed to certify Wayne County's results on the condition that they be audited by state authorities, to resolve small errors in the counts of voters at some Detroit precincts. The number of votes affected is believed to be in the hundreds, far less than Biden's margin of victory in Michigan.

On Thursday, Benson's office said it would be conducting an audit of votes statewide and in Wayne County and other jurisdictions "where the data shows notable clerical errors" — but only after the election results are certified.

Palmer did not respond to questions asking whether that audit assuaged her concerns. She has said she does not doubt that Biden won Michigan but wants to be sure that clerical errors are fixed.

Also on Thursday, the Trump campaign dropped a lawsuit it had filed in federal court to block Michigan from certifying its election results. In explaining the move, Trump's lawyers said — incorrectly — that the Wayne County board had voted not to certify the county's results.

Meanwhile, in Arizona, there were signs of a potential delay in vote certification in one pro-Trump county.

Supervisors in rural Mohave County, a Republican stronghold bisected by the Grand Canyon, were set to canvass their county vote at a public meeting on Monday. Instead, they decided to delay their vote and take it up again on Nov. 23 — the deadline for certification.

The supervisors agreed that they didn't question whether the results in their own county were accurate. Instead, one GOP supervisor said, they wanted to show solidarity with the president's challenges elsewhere.

"It has nothing to do with our results," Supervisor Hildy Angius said in explaining her vote. "It's more of a big picture sort of thing."

Chairwoman Jean Bishop initially voted to certify the vote on Nov. 16 but then changed her mind, siding with those who wanted a delay.

"To not canvass our vote makes no sense unless you're saying we're trying to make a statement to support the state party. Which makes it sort of political — but I guess it is political," she said.

The move to delay the vote was introduced by Supervisor Ron Gould, a former state senator who said he fears that canvassing the vote would foreclose Republicans' options to challenge the statewide election results. "If we go ahead and canvass the election, then we're saying we're done, and that puts a different legal level on it," Gould said at Monday's meeting.

Trump trails Biden by more than 10,000 votes in Arizona. Democratic Secretary of State Katie Hobbs has repeatedly defended the integrity of the election and said she will certify the statewide results.

Amy Gardner and Emma Brown contributed to this report.

Roger Stone calls for Trump to declare 'martial law' if he loses the election — and order arrests of Mark Zuckerberg, Tim Cook, and the Clintons

BI [businessinsider.com/stone-calls-for-trump-to-declare-martial-law-election-loss-2020-9](https://www.businessinsider.com/stone-calls-for-trump-to-declare-martial-law-election-loss-2020-9)

Tom Porter 2020-09-13T09:55:40Z



Drew Angerer / Staff / Getty Images

- Roger Stone has urged President Donald Trump to declare "martial law" if he loses reelection in November.
- In an interview with the far-right conspiracy-theory site Infowars, Stone called for Trump to form a special task force of federal agents to "physically stand in the way of criminal activity" in the election.
- He repeated Trump's baseless accusations that the election result would be fraudulent, as polls show the Democratic candidate Joe Biden maintaining a lead over the president.
- After being convicted of lying to Congress and witness tampering last year in relation to his activities during the 2016 election, Stone was granted clemency by Trump.
- [Visit Business Insider's homepage for more stories.](#)

Roger Stone, the self-described political "dirty trickster" who advised Donald Trump's 2016 presidential campaign, has urged the president to seize power should he lose November's election.

In an interview with Alex Jones' far-right conspiracy-theory site, Infowars, Stone echoed groundless claims pushed by Trump that the Democratic Party would rig the election.

Stone encouraged Trump to consider declaring "martial law" should he lose reelection, or invoke the Insurrection Act. Using those new powers, Stone suggested, he should order the arrest of Facebook CEO Mark Zuckerberg, Apple CEO Tim Cook, "the Clintons," and "anybody else who can be proven to be involved in illegal activity."

The comments were made by Stone last week and first reported over the weekend by the progressive group [MediaMatters](#).

Stone called for Trump to appoint former Rep. Bob Barr, a Georgia Republican, as a special counsel "with the specific task of forming an Election Day operation using the FBI, federal marshals, and Republican state officials across the country to be prepared to file legal objections and if necessary to physically stand in the way of criminal activity."

He singled out Nevada: "The ballots in Nevada on election night should be seized by federal marshals and taken from the state. They are completely corrupted. No votes should be counted from the state of Nevada if that turns out to be the provable case. Send federal marshals to the Clark county board of elections, Mr. President!"

Nevada is regarded by pollsters as leaning Democratic and is being targeted by the Trump campaign amid signs it is becoming more competitive, [according to The Cook Political Report](#).

Alex Jones at a rally in support of the then-candidate Donald Trump near the Republican National Convention in Cleveland.

Thomson Reuters

He said journalists should be rounded up for "seditious activities" relating to the election, singling out a [report by The Daily Beast](#) on left-wing groups discussing what to do in the event of a disputed election in November and violence on the streets.

"They want to play war — this is war," Stone said, adding: "I'm for a legal election. Everything I'm going to be involved with in terms of helping Donald Trump get elected will be perfectly transparent and legal."

Stone's claims in the interview echo Trump's narrative that an expected surge in mail-in voting might lead to widespread voter fraud. Observers fear the president is seeking to erode trust in the election, depress voter turnout, and prepare the ground to delegitimize the election if he loses.

Stone is a veteran Republican strategist and longtime confidant of Trump. In 2016, he was a frequent guest on Infowars — which traffics in conspiracy theories that "elites" and "deep state" operatives secretly manipulate world events — and brokered a Trump interview on the site. Jones has since been barred from several of the largest social-media platforms for promoting hate speech.

Stone was convicted last year of lying to Congress and witness tampering relating to a congressional investigation into Russian interference in the 2016 presidential election, but Trump granted him clemency in July.

Trump had described Stone's trial as unfair in explaining why he issued the clemency order.

Andrew Weissmann, a prosecutor on Robert Mueller's special-counsel investigation, [said in an op-ed article for The New York Times](#) that Trump was rewarding Stone for "keeping his lips sealed."

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Trump Calls For Resignation Of Georgia Gov. Brian Kemp

F forbes.com/sites/tommybeer/2021/12/30/trump-calls-for-resignation-of-georgia-gov-brian-kemp/

December 30, 2020

Topline

President Donald Trump on Wednesday called for Georgia Gov. Brian Kemp, a fellow Republican, to resign, intensifying his condemnation of Kemp resulting from the governor's refusal to buy into the president's baseless claims of widespread fraud within the state during the 2020 general election.



U.S. President Donald Trump speaks to reporters on his way to Marine One on the South Lawn of the ... [+] White House on September 30, 2020 in Washington, DC. President Trump is traveling to Minnesota for a fundraising event and a campaign rally. (Photo by Drew Angerer/Getty Images)

Getty Images

Key Facts

In a tweet Wednesday morning, Trump wrote that Kemp "should resign from office. He is an obstructionist who refuses to admit that we won Georgia, BIG!"

In the same post, Trump encouraged his supporters to watch a broadcast of a Senate hearing in Atlanta related to what he called the "Georgia Election overturn."

Trump has relentlessly criticized Kemp in the weeks since President-elect Joe Biden won Georgia by 12,000 votes in the Nov. 3 election, but Wednesday marked the first time Trump called for Kemp to step down from his post.

Key Background:

Georgia has been one of the states that Trump has falsely alleged was "stolen" from him due primarily to extensive fraud connected to absentee ballots. However, the Georgia secretary of state's office released a new report Tuesday evening, which, again, contradicted those groundless accusations. Law enforcement and election investigators did not find a single fraudulent absentee ballot during an audit of over 15,000 voter signatures, the [report stated](#). Secretary of State Brad Raffensperger, who, like Kemp, is a Republican and has been a frequent target of Trump's ire, ordered the audit after receiving [intense pressure](#) from the president and other Republicans arguing that Georgia's vote count was illegitimate. "This audit disproves the only credible allegations the Trump campaign had against the strength of Georgia's signature match process," [Raffensperger said](#) Tuesday. "No fraudulent absentee ballots were identified during the audit," the report declared. Prior to the audit, the state had ordered two recounts of all 5 million votes cast in the state during the presidential election. Both recounts, conducted by hand and machine, confirmed Biden was the winner. It's worth noting that the election laws in Georgia were [passed by a Republican-led legislature](#), signed into law by a Republican governor, and enforced by a Republican Secretary of State.

Tangent:

Late Tuesday night, Trump referenced a [debunked conspiracy theory](#) that Raffensperger has a brother who works for Chinese technology firm Huawei, [tweeting](#), "Now it turns out that Brad R's brother works for China, and they definitely don't want 'Trump.' So disgusting!" However, the secretary of state's office said that Raffensperger did not have a brother named Ron. [GPB News confirmed](#) "via public documents and records that Raffensperger does have four siblings, including a brother, but none of them are named Ron, none work for Chinese technology companies nor have any ties to voting machine vendors."

Chief Critic:

"I love the Great State of Georgia, but the people who run it, from the Governor, @BrianKempGA, to the Secretary of State, are a complete disaster and don't have a clue, or worse. Nobody can be this stupid," [Trump tweeted](#) Tuesday.

Big Number:

[0.13%](#). That's the percentage of absentee ballots that were rejected because of missing or mismatched signatures in the general election, [according to](#) Tuesday's report, but investigators with the secretary of state's office contacted those voters and confirmed they had submitted those ballots.

Further Reading:

[No fraud: Georgia audit confirms authenticity of absentee ballots \(AJC\)](#)

[Trump calls for Georgia Gov. Brian Kemp, a fellow Republican, to resign \(WaPo\)](#)

[Georgia GOP Officials Slam Election Conspiracy Theories: 'Exploiting The Emotions' Of Trump Supporters \(Forbes\)](#)

[Georgia Gov. Kemp Says His Family Is Being Harassed By Conspiracy Theorists \(Forbes\)](#)

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[Tommy Beer](#)

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Twitter 'locks' President Trump for 12 hours Wednesday evening



President Trump shared a message on Twitter on 1/6/21 as protesters swarmed the U.S. Capitol. (@realDonaldTrump/Twitter)

By Tony Keith

Published: Jan. 6, 2021 at 4:34 PM EST



WASHINGTON (KKTV) - President Donald Trump shared a message via Twitter on Wednesday as protesters swarmed the U.S. Capitol. The video was flagged by Twitter. According to a message from Twitter, the claim of election fraud is disputed.

Twitter then announced President Trump's account will be "locked" for 12 hours because of, "repeated and severe violations of [Twitter's] Civic Integrity policy."

A transcription of his message is below along with the video:



1/15/2021

Twitter 'locks' President Trump for 12 hours Wednesday evening

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

— President Donald Trump via a video message posted to Twitter

pic.twitter.com/Pm2PKV0F63

— Donald J. Trump (@realDonaldTrump) January 6, 2021

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Even in Defeat, Trump Tightens Grip on State G.O.P. Lawmakers

[nytimes.com/2020/12/09/us/politics/trump-pennsylvania-electoral-college.html](https://www.nytimes.com/2020/12/09/us/politics/trump-pennsylvania-electoral-college.html)

December 9, 2020



Last week, allies of President Trump accused Republican leaders in Pennsylvania of being “cowards” and “liars” and of letting America down.

Mr. Trump himself called top Republicans in the General Assembly in his crusade to twist the arms of officials in several states and reverse an election he lost. The Pennsylvania lawmakers told the president they had no power to convene a special session to address his grievances.

But they also rewarded his efforts: On Friday, the State House speaker and majority leader joined hard-right colleagues — whom they had earlier resisted — and called on Congress to reject Joseph R. Biden Jr.’s 81,000-vote victory in Pennsylvania.

The extraordinary intervention by the president, and the willingness of some top party leaders to abet his effort to subvert an election, demonstrates how Mr. Trump’s sway over elected Republicans is likely to endure after he leaves office and how his false claims of a “rigged” 2020 vote may inflame the party base for years to come.

Courts across the country have summarily thrown out Mr. Trump’s claims of a stolen election. But 64 Republicans in the General Assembly signed [a letter](#) last week urging Pennsylvania’s congressional delegation to reject the state’s [Electoral College](#) votes for Mr. Biden.

Kim Ward, the Republican majority leader of the Pennsylvania Senate, said the president had called her to declare there was fraud in the voting. But she said she had not been shown the letter to Congress, which was pulled together hastily, before its release.

Asked if she would have signed it, she indicated that the Republican base expected party leaders to back up Mr. Trump's claims — or to face its wrath.

“If I would say to you, ‘I don’t want to do it,’” she said about signing the letter, “I’d get my house bombed tonight.”

Pennsylvania is the third state in which Mr. Trump is known to have reached out to top elected Republicans to try to reverse the will of voters. He earlier summoned Michigan legislative leaders to the White House, and over the weekend he pressed Gov. Brian Kemp of Georgia to call upon that state’s legislature to reverse the election.

Neither the Michigan leaders nor Mr. Kemp tried to change the outcomes in their states, but they did take steps that would be pleasing to Mr. Trump. In Michigan, House and Senate Oversight committees controlled by Republicans held hearings last week to look at absentee vote counting, and Mr. Kemp said he would favor an audit of signatures on votes in Georgia.

A major issue facing Republicans everywhere, including those in Pennsylvania — where open seats for governor and the U.S. Senate are on the ballot in 2022 — is whether the party will put forward Trump-aligned candidates in future races. The president lost Pennsylvania, but Republicans made down-ballot gains in two statewide races and picked up seats in the legislature.

“Those who are continuing to beat on this drum that the election was rigged are trying to appease Trump’s base and get their support early on,” said State Representative Ryan Bizzarro, a member of the Democratic leadership.

Mr. Bizzarro said it would be a gift to Democrats if the Republican nominees for governor or Senate who emerge from primaries are remembered for echoing Mr. Trump’s baseless claims of mass fraud from mail-in ballots and his bitter-end resistance to conceding a loss.

Image



A pro-Trump rally outside the Supreme Court on Tuesday. The court later threw out a case seeking to invalidate Pennsylvania's mail-in votes. Credit...Anna Moneymaker for The New York Times

"Forget all the Democrats who voted by mail — look at all the Republicans who voted by mail," he said. "Are you saying their voice isn't as important as the fringe who are blind to facts and the ways our Constitution clearly lays out elections?"

On Tuesday, the U.S. Supreme Court became the latest of dozens of tribunals to throw out a case brought by Trump allies, in this instance a Pennsylvania congressman and a losing congressional candidate. They had sought to invalidate the state's 2.6 million mail-in votes, 77 percent of which were cast for Mr. Biden.

Republicans argued that a 2019 state law authorizing no-excuse mail voting was unconstitutional, although it passed the Republican-led legislature and was signed by Gov. Tom Wolf, a Democrat.

Earlier, the Pennsylvania Supreme Court ruled against the same plaintiffs, one of whom was Sean Parnell, a former Army Ranger and a favorite of Mr. Trump's who occasionally appears on Fox News. He lost his race for Congress to Representative Conor Lamb but has been mentioned as a potential statewide candidate in 2022.

A Republican strategist in Pennsylvania, Charlie Gerow, expressed doubts that the trench fighting by party members over the legitimacy of the election would cast a stigma over Republicans in the midterm elections. “There will be so many candidates for statewide office that what happens in December 2020 will have very little bearing, in my judgment, on what happens in 2022,” he said.

Nearly every state has certified the results of its election, and Mr. Biden has secured the 270 electoral votes needed to become the next president when the Electoral College meets on Monday.

Nonetheless, the more than 60 Republicans in the Pennsylvania legislature — about half of the party’s total caucus — urged Congress to take one last stand for Mr. Trump and object to the state’s Biden electors.

For a challenge to an electoral slate to proceed requires the endorsement of one member of the House and one senator when Congress meets in joint session on Jan. 6 to accept the electoral votes. Both chambers would then meet separately to debate and vote on the objection. The Democratic-led House would almost certainly reject any challenge.

“I’d bet my last dollar that vote will fail,” said Representative Matt Cartwright, a Democratic member of the House delegation from Pennsylvania. “But what will be really interesting is to see which of the Republican members have the courage to ignore that request from Pennsylvania’s General Assembly.”

It is also unclear whether any senator will endorse the challenge. Pennsylvania’s top elected Republican, Senator Pat Toomey, said through his office that he would not support one. In an interview on Tuesday with The Philadelphia Inquirer, Mr. Toomey, one of only about two dozen Republicans in Congress who have openly acknowledged Mr. Biden’s victory, said it was “completely unacceptable” for Mr. Trump to pressure state lawmakers to reverse election results.

In January 2017, an effort by a handful of Democrats in the House to challenge Mr. Trump’s electoral votes went down to defeat when no senator would join them. (Mr. Biden, presiding over the Senate as vice president, declared, “It is over.”)

The last time an electoral challenge in Congress resulted in an actual debate was in 2005, when Ohio’s slate of votes for President George W. Bush was challenged, though that challenge was unsuccessful after the House and Senate met to vote.

Mr. Toomey’s decision not to seek a third term in 2022 has accelerated the jockeying in both parties to succeed him. The profiles of several of the Republicans thought to be contemplating campaigns for the Senate or for governor have risen as they have acted as champions of Mr. Trump’s most outlandish assertions of a hijacked election.

Image

Senator Pat Toomey has said he will not support a challenge to the legitimacy of Pennsylvania's presidential electors. Credit...Anna Moneymaker for The New York Times

State Senator Doug Mastriano organized a hearing in a hotel in Gettysburg last month, at which the president's personal lawyer Rudolph W. Giuliani aired false charges about the election, including an assertion that mail-in ballots in Philadelphia were "not inspected at all by any Republican." The claims were debunked in real time on Twitter by a Republican member of the Philadelphia elections board.

Few people at the Gettysburg hearing wore masks, and Mr. Giuliani later tested positive for the coronavirus. Invited to the White House, Mr. Mastriano, a retired Army colonel said to be mulling a race for governor, reportedly learned there that he, too, was infected with the virus.

Last week, Republican leaders in the legislature at first pushed back on allies of the president who were pressuring the lawmakers to intervene and demanding that they name an alternate delegation to the Electoral College to vote for Mr. Trump.

In a joint memo, the Republican leaders said they had no authority to ignore the certified election results and appoint their own electors.

Trump allies denounced the leaders. Mr. Giuliani claimed in a tweet that they had "let down America," and he called on "all of us Republicans to let them know what we think of them."

A Giuliani ally, the former New York City police commissioner Bernard Kerik, called the Pennsylvania leadership team's actions "profiles in cowardice" and labeled the leaders "liars" and "traitors." He was retweeted by Jenna Ellis, a member of Mr. Trump's legal team.

Soon after, the two top Republicans in the Pennsylvania House — Bryan Cutler, the speaker, and Kerry Benninghoff, the majority leader — joined backbenchers in calling for Congress to block the Biden electors. Their letter justifying the challenge included claims of election violations that have been repeatedly rejected by state and federal courts. Mr. Trump twice called Mr. Cutler in recent days.

Through a spokesman, Mr. Cutler declined a request for an interview. The spokesman, Michael Straub, said the president "did not directly pressure Cutler to overturn the results or seat rival electors." The House speaker told the president that the General Assembly was not in session and only the governor could call it back.

Mr. Cutler, 45, was chosen as speaker in June. To keep his job, he faces an election in the full House in January. He is under pressure to hold his caucus together, including its far-right members. He did not initiate the letter to Congress, according to his spokesman.

"That letter had been planned separately by rank-and-file members, and Cutler signed it," Mr. Straub said.

States Brace for Armed Protests in Wake of U.S. Capitol Attack

State officials are activating National Guard troops and closing off Capitol grounds in response to F.B.I. warnings that armed protesters are preparing to act.

By Simon Romero, Kathleen Gray and Danielle Ivory

Jan. 15, 2021

Bracing for the potential of violent protests in the days leading up to the presidential inauguration on Jan. 20, state officials are calling up National Guard troops, erecting imposing fencing and shutting down Capitol grounds in response to the F.B.I.'s warning that armed protesters could target the capital cities across the country.

A survey by The New York Times of all 50 states found at least 19 — including California, Oregon, Michigan, Wisconsin, North Carolina, Washington, Kentucky, Maine, Illinois and Florida — that are activating National Guard troops in their capital cities. Texas, Virginia and Kentucky are among states planning to close their Capitol grounds at different points in the coming days.

Some states where legislatures are preparing to convene, such as New Mexico, have placed protective fencing around their Capitols. Michigan and Indiana took the extraordinary step of canceling their legislative activities next week because of the possibility of violence.

The moves by state officials point to the growing fear over continuing violence around the country in the aftermath of the mob attack last week on the U.S. Capitol in which assailants supporting President Trump's efforts to overturn the presidential election forced their way inside the building.

"If you're planning to come here or up to Washington with ill intent in your heart, you need to turn around right now and go home," Ralph Northam, the governor of Virginia, said at a news conference Thursday. "You are not welcome here, and you're not welcome in our nation's capital. And if you come here and act out, Virginia will be ready."

Virginia officials took the unusual step of closing the grounds of the Capitol Square on Monday in Richmond, where an event called Lobby Day is held each year to allow people to meet with elected representatives. An estimated 22,000 attended the event last year, many

of them gun-rights activists. This year, in addition to closing Capitol Square, authorities canceled permits for the planned Lobby Day gatherings.



Capitol Square and the Virginia State Capitol in Richmond were secured with fencing and boards Friday in anticipation of possible protests in the coming days. Brian Palmer for The New York Times

An example of how volatile the situation has become emerged on Friday in Florida, where the F.B.I. arrested a former U.S. Army Airborne infantryman, Daniel Alan Baker, 33, of Tallahassee, the state capital. Mr. Baker “specifically called for others to join him in encircling any protestors and confining them to the Capitol complex using firearms,” the F.B.I. said in an arrest report.

John Dailey, the mayor of Tallahassee, called on Friday for Gov. Ron DeSantis of Florida to activate the National Guard in preparation for the protests this weekend. Not long after, Mr. DeSantis, a Republican, announced that he was activating the Guard “in response to reports of potential civil unrest.”

Concerns are particularly high in Michigan, where Gov. Gretchen Whitmer activated the Michigan National Guard to help with security around the state Capitol in Lansing. The move followed the flooding of Michigan's Capitol last year by armed extremists protesting the state's coronavirus restrictions.

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Fourteen people were charged in Michigan on terrorism, conspiracy and weapons charges. At least six of them, officials said, had hatched a detailed plan to kidnap Ms. Whitmer, a Democrat who became a focal point of anti-government views and anger over coronavirus control measures.

In Lansing, a six-foot high fence has been erected around the state Capitol and windows of state office buildings boarded up to guard against potentially violent protests that are expected on Sunday and Wednesday.

The state Legislature, which just had its first session of the year and had been scheduled to meet several times next week, canceled those sessions after hearing about "credible threats" received by Michigan State Police.

The increased law enforcement presence will continue through at least mid-February, said the Michigan State Police director, Col. Joe Gasper. He declined to reveal how many more police and National Guard members would be in place to guard against violence.

Still, not every state sees the need for increased security. In North Dakota, for instance, Kim Koppelman, a Republican who is the speaker of the state's House of Representatives, said, "Suffice it to say that security is in place and adequate to meet any challenges anticipated."

"No major changes have been implemented in response to riots, property damage, and attacks around the nation last year, nor in response to violence at the U.S. Capitol last week," Mr. Koppelman said.

But other states are taking different steps. Gov. Gavin Newsom of California on Thursday authorized the deployment of 1,000 National Guard troops and surrounded the state Capitol grounds in Sacramento with a six-foot, covered chain-link fence to "prepare for and respond to credible threats."

In Illinois, Gov. J.B. Pritzker has activated 250 members of the National Guard in response to the warnings issued by the F.B.I. about the potential armed protests, in addition to the 300 Illinois troops already activated in support of the inauguration in Washington.

Illinois officials said their aim was for soldiers to help local authorities in enforcing street closures and designated perimeters.

“Our soldiers and airmen come from every community across Illinois, and each has sworn to protect their communities, their state and their nation,” said Maj. Gen. Rich Neely, the Adjutant General of Illinois and commander of the Illinois National Guard.

Shawn Hubler, Mitch Smith, John Yoon, Michael Hardy, Alex Lemonides, Jordan Allen and Alyssa Burr contributed reporting.

Upton: 'I will vote to impeach'

 patriotledger.com/story/news/politics/2021/01/13/upton-is-quoted-will-vote-to-impeach/43324853/

Dan Cherry @DCherrySJ1 | Sturgis Journal

The congressional representative for St. Joseph County on Tuesday issued a statement supporting the impeachment of President Donald Trump.

U.S. Rep. Fred Upton, R-St. Joseph, who represents Michigan's 6th District, issued the statement on impeachment, following an incident Jan. 6 in Washington, D.C., in which citizens broke past barriers and breached the U.S. Capitol and leaders debate the president's part and responsibility in the matter.

"Today, the President characterized his inflammatory rhetoric at last Wednesday's rally as 'totally appropriate,' and he expressed no regrets for last week's violent insurrection at the U.S. Capitol," Upton said in a statement. "This sends exactly the wrong signal to those of us who support the very core of our democratic principles and took a solemn oath to the Constitution."

Upton said he would have preferred a bipartisan, formal censure, rather than a drawn-out impeachment process, but believes there is no choice.

"I fear this will now interfere with important legislative business and a new Biden administration," Upton said. "But it is time to say 'enough is enough.'"

Upton said Congress must hold President Trump accountable and "send a clear message that our country cannot and will not tolerate any effort by any president to impede the peaceful transfer of power from one president to the next. Thus, I will vote to impeach."

Upton is the 6th District representative in Congress, representing the city of Kalamazoo, as well as Berrien, Cass, Kalamazoo, St. Joseph and Van Buren counties, and a portion of Allegan County.

State Rep. Steve Carra, R-Three Rivers, who represents St. Joseph County at the state level through the 59th District, stated on social media Upton's stance is a "mistake."

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Trump on Twitter says 'we should look at the votes' in effort to contest election results

by ABC7, Associated Press
Sunday, November 8th 2020



President Donald Trump returns to the White House after playing a round of golf, Saturday, Nov. 7, 2020, in Washington. (AP Photo/Evan Vucci)

WASHINGTON (AP/ABC7) — President Donald Trump is refusing to concede the election to President-elect Joe Biden as he went on a Twitter rant Sunday calling for a review of the votes.

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Here are some of Trump's claims made in his Tweets Sunday. Twitter flagged the president's initial tweets stating that his claim of election fraud is disputed.

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Why January 20th Could Set off "Second Wave" for Stocks

The Legacy Report

“ We should look at the votes. We're just beginning the tabulation stage. We should look at these allegations. We're seeing a number of affidavits that there has been voter fraud. We have a history in this country of election problems.

“ In Pennsylvania you had an order by a Supreme Court Justice to compel them to separate ballots that were received after the legislative deadline. It required the intervention of Justice Alito. That's a large group of ballots.

1/20/2021

Trump on Twitter says 'we should look at the votes' in effort to contest election results | WJLA

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ENTIRE ELECTION - And what concerns me is that we had over a hundred million mail-in ballot in like Philadelphia.

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In recent weeks, Trump has alleged without evidence widespread fraud and misconduct in the election, according to the Associated Press. The commander-in-chief's comments have drawn bipartisan rebuke from election officials and lawmakers as dangerous attempts to undermine public confidence in the vote.

ALSO READ: Trump isn't conceding to Biden after the Associated Press called the race

The Associated Press contributed to this story

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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD J. TRUMP FOR
PRESIDENT, INC., *et al.*,

Plaintiffs,

v.

KATHY BOOCKVAR, *et al.*,

Defendants.

No. 4:20-CV-02078
(Judge Brann)

MEMORANDUM OPINION

NOVEMBER 21, 2020

Pending before this Court are various motions to dismiss Plaintiffs' First Amended Complaint. Plaintiffs in this matter are Donald J. Trump for President, Inc. (the "Trump Campaign"), and two voters, John Henry and Lawrence Roberts (the "Individual Plaintiffs").¹ Defendants, who filed these motions to dismiss, include seven Pennsylvania counties (the "Defendant Counties"), as well as Secretary of the Commonwealth Kathy Boockvar.²

I. INTRODUCTION

In this action, the Trump Campaign and the Individual Plaintiffs (collectively, the "Plaintiffs") seek to discard millions of votes legally cast by Pennsylvanians from all corners – from Greene County to Pike County, and

¹ Doc. 125.

² *Id.* Since the filing of the initial complaint, there have also been several intervenors and amicus petitioners.

everywhere in between. In other words, Plaintiffs ask this Court to disenfranchise almost seven million voters. This Court has been unable to find any case in which a plaintiff has sought such a drastic remedy in the contest of an election, in terms of the sheer volume of votes asked to be invalidated. One might expect that when seeking such a startling outcome, a plaintiff would come formidably armed with compelling legal arguments and factual proof of rampant corruption, such that this Court would have no option but to regrettably grant the proposed injunctive relief despite the impact it would have on such a large group of citizens.

That has not happened. Instead, this Court has been presented with strained legal arguments without merit and speculative accusations, unpled in the operative complaint and unsupported by evidence. 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, laws, and institutions demand more. At bottom, Plaintiffs have failed to meet their burden to state a claim upon which relief may be granted. Therefore, I grant Defendants' motions and dismiss Plaintiffs' action with prejudice.

II. BACKGROUND

A. Legal and Factual Background

The power to regulate and administer federal elections arises from the Constitution.³ “Because any state authority to regulate election to those offices

³ *Cook v. Gralike*, 531 U.S. 510, 522 (2001).

could not precede their very creation by the Constitution, such power ‘had to be delegated to, rather than reserved to by, the States.’”⁴ Consequently, the Elections Clause “delegated to the States the power to regulate the ‘Times, Places, and Manner of holding Elections for Senators and Representatives,’ subject to a grant of authority to Congress to ‘make or alter such Regulations.’”⁵ Accordingly, States’ power to “regulate the incidents of such elections, including balloting” is limited to “the exclusive delegation of power under the Elections Clause.”⁶

Pennsylvania regulates the “times, places, and manner” of its elections through the Pennsylvania Election Code.⁷ The Commonwealth’s Constitution mandates that “[e]lections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”⁸ Recognizing this as a foundational principle, the Pennsylvania Supreme Court has declared that the purpose of the Election Code is to promote “freedom of choice, a fair election and an honest election return.”⁹

In October 2019, the General Assembly of Pennsylvania enacted Act 77, which, “for the first time in Pennsylvania,” extended the opportunity for all

⁴ *Id.* (quoting *U.S. Term Limits v. Thornton*, 514 U.S. 779, 804 (1995)).

⁵ *Id.* (quoting U.S. Const. Art. I, § 4, cl. 1).

⁶ *Id.* at 523.

⁷ 25 P.S. §§ 2601, *et seq.*

⁸ *Pa. Democratic Party v. Boockvar*, 238 A.3d 345, 356 (Pa. 2020) (quoting Pa. Const., Art. I, § 5).

⁹ *Id.* (quoting *Perles v. Hoffman*, 213 A.2d 781, 783 (Pa. 1965)).

registered voters to vote by mail.¹⁰ Following the beginning of the COVID-19 outbreak in March 2020, the General Assembly enacted laws regulating the mail-in voting system.¹¹ Section 3150.16 of the Election Code sets forth procedural requirements that voters must follow in order for their ballot to be counted.¹² These procedures require, for example, that voters mark their ballots in pen or pencil, place them in secrecy envelopes, and that ballots be received by the county elections board on or before 8:00 P.M. on Election Day.¹³

Nowhere in the Election Code is any reference to “curing” ballots, or the related practice of “notice-and-cure.” This practice involves notifying mail-in voters who submitted procedurally defective mail-in ballots of these deficiencies and allowing those voters to cure their ballots.¹⁴ Notified voters can cure their ballots and have their vote counted by requesting and submitting a provisional ballot.¹⁵

Recently, the Supreme Court of Pennsylvania in *Democratic Party of Pennsylvania v. Boockvar* addressed whether counties are *required* to adopt a notice-and-cure policy under the Election Code.¹⁶ Holding that they are not, the

¹⁰ *Id.* at 352 (citing 25 P.S. §§ 3150.11-3150.17). Prior to the enactment of Act 77, voters were only permitted to vote by mail if they could “demonstrate their absence from the voting district on Election Day.” *Id.* (internal citations omitted).

¹¹ *E.g.*, 25 P.S. § 3150.16.

¹² *Id.*

¹³ *Id.*

¹⁴ *Pa. Democratic Party*, 238 A.3d at 372.

¹⁵ Doc. 93 at 9.

¹⁶ *Pa. Democratic Party*, 238 A.3d at 374.

court declined to explicitly answer whether such a policy is necessarily *forbidden*.¹⁷

Following this decision, Secretary Boockvar sent an email on November 2, 2020 encouraging counties to “provide information to party and candidate representatives during the pre-canvass that identifies the voters whose ballots have been rejected” so those ballots could be cured.¹⁸ From the face of the complaint, it is unclear which counties were sent this email, which counties received this email, or which counties ultimately followed Secretary Boockvar’s guidance.

Some counties chose to implement a notice-and-cure procedure while others did not.¹⁹ Importantly, however, Plaintiffs allege only that Philadelphia County implemented such a policy.²⁰ In contrast, Plaintiffs also claim that Lancaster and York Counties (as well as others) did not adopt any cure procedures and thus rejected all ballots cast with procedural deficiencies instead of issuing these voters provisional ballots.²¹

Both Individual Plaintiffs had their ballots cancelled in the 2020 Presidential Election.²² John Henry submitted his mail-in ballot to Lancaster County; however, it was cancelled on November 6, 2020 because he failed to place his ballot in the

¹⁷ *Id.* (holding only that the Election Code “does not provide for the ‘notice and opportunity to cure’ procedure sought by Petitioner”).

¹⁸ Doc. 125 at ¶ 129.

¹⁹ *Id.* at ¶¶ 124-27.

²⁰ *Id.* at ¶ 127.

²¹ *Id.* at ¶ 130.

²² *Id.* at ¶¶ 15-16.

required secrecy envelope.²³ Similarly, after submitting his ballot to Fayette County, Lawrence Roberts discovered on November 9, 2020 that his ballot had been cancelled for an unknown reason.²⁴ Neither was given an opportunity to cure his ballot.²⁵

B. The 2020 Election Results

In large part due to the coronavirus pandemic still plaguing our nation, the rate of mail-in voting in 2020 was expected to increase dramatically. As anticipated, millions more voted by mail this year than in past elections. For weeks before Election Day, ballots were cast and collected. Then, on November 3, 2020, millions more across Pennsylvania and the country descended upon their local voting precincts and cast ballots for their preferred candidates. When the votes were counted, the Democratic Party's candidate for President, Joseph R. Biden Jr., and his running-mate, Kamala D. Harris, were determined to have received more votes than the incumbent ticket, President Donald J. Trump and Vice President Michael R. Pence. As of the day of this Memorandum Opinion, the Biden/Harris ticket had received 3,454,444 votes, and the Trump/Pence ticket had received 3,373,488 votes, giving the Biden ticket a lead of more than 80,000 votes, per the Pennsylvania state elections return website.²⁶ These results will become

²³ *Id.* at ¶ 15.

²⁴ *Id.* at ¶ 16.

²⁵ *Id.* at ¶¶ 15-16.

²⁶ Pa. Dep't of State, *Unofficial Returns, Statewide*, <https://www.electionreturns.pa.gov/> (last visited on November 21, 2020).

official when counties certify their results to Secretary Boockvar on November 23, 2020 – the result Plaintiffs seek to enjoin with this lawsuit.

C. Procedural History

Although this case was initiated less than two weeks ago, it has already developed its own tortured procedural history. Plaintiffs have made multiple attempts at amending the pleadings, and have had attorneys both appear and withdraw in a matter of seventy-two hours. There have been at least two perceived discovery disputes, one oral argument, and a rude and ill-conceived voicemail which distracted the Court's attention from the significant issues at hand.²⁷ The Court finds it helpful to place events in context before proceeding further.

In the evening of November 9, 2020, Plaintiffs filed suit in this Court against Secretary Boockvar, as well as the County Boards of Elections for the following counties: Allegheny, Centre, Chester, Delaware, Montgomery, Northampton, and Philadelphia.²⁸ The original complaint raised seven counts; two equal-protection claims, two due-process claims, and three claims under the Electors and Elections Clauses.²⁹

The following day, I convened a telephonic status conference with the parties to schedule future proceedings. During that conference, I learned that several organizations, including the Democratic National Committee, sought to file

²⁷ Doc. 131 (denied).

²⁸ See Doc. 1.

²⁹ *Id.*

intervention motions with the Court. Later that day, I set a briefing schedule.³⁰ Additionally, November 17, 2020 was set aside for oral argument on any motions to dismiss, and the Court further told the parties to reserve November 19, 2020 in their calendars in the event that the Court determined that an evidentiary hearing was necessary. Subsequent to the Court's scheduling order, the proposed-intervenors filed their motions, and the parties filed their briefings. Plaintiffs then filed a motion for a preliminary injunction on November 12, 2020.³¹

On November 12, 2020, Plaintiffs also underwent their first change in counsel. Attorneys Ronald L. Hicks, Jr., and Carolyn B. McGee with Porter Wright Morris & Arthur LLP filed a motion seeking to withdraw from the case. The Court granted this motion, and Plaintiffs retained two attorneys from Texas, John Scott and Douglas Brian Hughes, to serve as co-counsel to their original attorney, Linda A. Kerns.

The next day, November 13, 2020, was a relatively quiet day on the docket for this case, but an important one for the parties. That day, the United States Court of Appeals for the Third Circuit issued a decision in *Bognet v. Secretary Commonwealth of Pennsylvania*.³² This decision, though not factually connected

³⁰ See Doc. 35.

³¹ Doc. 89.

³² No. 20-3214, 2020 WL 6686120 (3d Cir. Nov. 13, 2020) (pending publication).

to this matter, addressed issues of standing and equal protection relevant to the Plaintiffs' claims.³³

Thereafter, on Sunday, November 15, 2020 – the day Plaintiffs' response to Defendants' motions to dismiss was due – Plaintiffs filed a First Amended Complaint (the "FAC") with the Court. This new complaint excised five of the seven counts from the original complaint, leaving just two claims: one equal-protection claim, and one Electors and Elections Clauses claim.³⁴ In addition, a review of the redline attached to the FAC shows that Plaintiffs deleted numerous allegations that were pled in the original complaint.

Plaintiffs acknowledge that under the Third Circuit's decision in *Bognet*, this Court cannot find that Plaintiffs have standing for their Elections and Electors Clauses claim in the FAC. Plaintiffs represent that they have included this claim in the FAC to preserve the argument for appellate review. Because Plaintiffs have made this concession, and because the Third Circuit's decision in *Bognet* is clear, this Court dismisses Count II for lack of standing without further discussion.

Defendants filed new motions to dismiss and briefs in support thereof on November 16, 2020. That evening, less than 24 hours before oral argument was to begin, Plaintiffs instituted a second series of substitutions in counsel. Ms. Kerns,

³³ For example, *Bognet* held that only the General Assembly had standing to raise claims under the Elections and Electors Clauses. *Id.* at *7. This ruling effectively shut the door on Plaintiffs' allegations under those clauses of the Constitution.

³⁴ Doc. 125.

along with Mr. Scott and Mr. Hughes, requested this Court's permission to withdraw from the litigation. I granted the motions of the Texan attorneys because they had been involved with the case for approximately seventy-two hours. Because oral argument was scheduled for the following day, however, and because Ms. Kerns had been one of the original attorneys in this litigation, I denied her request. I believed it best to have some semblance of consistency in counsel ahead of the oral argument. That evening, attorney Marc A. Scaringi entered an appearance on behalf of Plaintiffs. Furthermore, Mr. Scaringi asked the Court to postpone the previously-scheduled oral argument and evidentiary hearing. The Court denied Mr. Scaringi's motion for a continuance; given the emergency nature of this proceeding, and the looming deadline for Pennsylvania counties to certify their election results, postponing those proceedings seemed imprudent.

On November 17, 2020, the Court prepared to address the parties in oral argument. That morning, attorney Rudolph W. Giuliani entered his appearance on behalf of Plaintiffs. With this last-minute appearance, Plaintiffs had made their final addition to their representation.³⁵ At the conclusion of the argument, I determined that an evidentiary hearing (previously scheduled to take place on November 19, 2020) was no longer needed and cancelled that proceeding. Instead, I imposed a new briefing schedule in light of the FAC's filing, which arguably

³⁵ Ms. Kerns has since withdrawn from the case.

mooted the initial motions to dismiss. The parties submitted briefing on the issues.³⁶

D. Plaintiffs' Claims

Plaintiffs' only remaining claim alleges a violation of equal protection. This claim, like Frankenstein's Monster, has been haphazardly stitched together from two distinct theories in an attempt to avoid controlling precedent. The general thrust of this claim is that it is unconstitutional for Pennsylvania to give states discretion to adopt a notice-and-cure policy. Invoking *Bush v. Gore*, Plaintiffs assert that such local control is unconstitutional because it creates an arbitrary system where some persons are allowed to cure procedurally defective mail-in ballots while others are not.

Apparently recognizing that such a broad claim is foreclosed under the Third Circuit's decision in *Bognet*, Plaintiffs try to merge it with a much simpler theory of harm based on the cancellation of Individual Plaintiffs' ballots in order to satisfy standing.³⁷ Because Individual Plaintiffs' votes were invalidated as procedurally

³⁶ Separately, Plaintiffs filed a motion seeking leave to file a second amended complaint. Doc. 172. Having filed the FAC as of right, Plaintiffs may file a second amended complaint only with the opposing party's written consent or the court's leave. During the oral argument on November 17, 2020, Defendants indicated that they would not consent to the filing of a third pleading and did not concur in the motion for leave to file this second amended complaint.

³⁷ Plaintiffs initially appeared to base their standing under the Equal Protection Clause on the theory that the notice-and-cure policy unlawfully allowed certain ballots to be counted, and that this inclusion of illegal ballots diluted Plaintiffs' legal votes. Doc. 1. After *Bognet* expressly rejected this theory of standing, however, Plaintiffs have since reversed course and now argue that their standing is based on the cancellation of Individual Plaintiffs' votes and the Trump Campaign's "competitive standing." 2020 WL 6686120, at *9-10; Doc. 124 at 2.

defective, Individual Plaintiffs argue, for purposes of standing, that their claim is based on the denial of their votes. But on the merits, Plaintiffs appear to have abandoned this theory of harm and instead raise their broader argument that the lack of a uniform prohibition against notice-and-cure is unconstitutional.³⁸ They assert this theory on behalf of both Individual Plaintiffs and the Trump Campaign.

That Plaintiffs are trying to mix-and-match claims to bypass contrary precedent is not lost on the Court. The Court will thus analyze Plaintiffs' claims as if they had been raised properly and asserted as one whole for purposes of standing *and* the merits. Accordingly, the Court considers Plaintiffs as alleging two equal-protection claims. The first being on behalf of Individual Plaintiffs whose ballots were cancelled. And the second being on behalf of the Trump Campaign and raising the broad *Bush v. Gore* arguments that Plaintiffs allege is the main focus of this lawsuit.³⁹ The Court analyzes both claims separately for purposes of standing and the merits analysis.

III. STANDING

Plaintiffs lack standing to raise either of their claims. "Article III of the United States Constitution limits the power of the federal judiciary to 'cases' and

To the extent that Plaintiffs may still argue that votes have been unconstitutionally diluted (*see*, FAC ¶ 97), those claims are barred by the Third Circuit's decision in *Boguet*.

³⁸ Plaintiffs essentially conceded that they were only setting forth the vote-denial theory for purposes of standing when they stated on the record at oral argument that they believed Individual Plaintiffs' votes were *lawfully* cancelled. Hr'g. Tr. 110:22-111:02.

³⁹ In briefing, Plaintiffs attempt to revive their previously-dismissed poll-watcher claims. Count I does not seek relief for those allegations, but the Court considers them, *infra*.

‘controversies.’”⁴⁰ To satisfy the case-or-controversy requirement, a plaintiff must establish that they have standing.⁴¹ Standing is a “threshold” issue.⁴² It is an “irreducible constitutional minimum,” without which a federal court lacks jurisdiction to rule on the merits of an action.⁴³ Consequently, federal courts are obligated to raise the issue of standing sua sponte.⁴⁴

The plaintiff bears the burden of establishing standing.⁴⁵ To demonstrate standing, he must show: (1) an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision.⁴⁶ “In assessing whether a plaintiff has carried this burden, [courts must] separate [the] standing inquiry from any assessment of the merits of the plaintiff’s claim.”⁴⁷ “To maintain this fundamental separation between standing and merits at the dismissal stage, [courts] assume for the purposes of [the] standing inquiry that a plaintiff has stated valid legal claims.”⁴⁸ “While [the Court’s] standing inquiry may necessarily reference the ‘nature and

⁴⁰ *Pa. Voters All. v. Centre Cnty.*, No. 4:20-CV-01761, 2020 WL 6158309, at *3 (M.D. Pa. Oct. 21, 2020) (quoting *Cotrell v. Alcon Laboratories*, 874 F.3d 154, 161-62 (3d Cir. 2017)).

⁴¹ *Cotrell*, 874 F.3d at 161-62.

⁴² *Wayne Land & Mineral Grp., LLC v. Del. River Basin Comm’n*, 959 F.3d 569, 573-74 (3d Cir. 2020) (internal citations omitted).

⁴³ *Id.* at 574 (quoting *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992)).

⁴⁴ *Id.* (quoting *Seneca Reservation Corp. v. Twp. of Highland*, 863 F.3d 245, 252 (3d Cir. 2017)).

⁴⁵ *Cotrell*, 874 F.3d at 162 (quoting *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016)).

⁴⁶ *Id.* (quoting *Spokeo*, 136 S. Ct. at 1547).

⁴⁷ *Id.*

⁴⁸ *Id.* (citing *Info. Handling Servs., Inc. v. Defense Automated Printing Servs.*, 338 F.3d 1024, 1029 (D.C. Cir. 2003)).

source of the claims asserted,’ [the Court’s] focus remains on whether the plaintiff is the proper party to bring those claims.’⁴⁹

As discussed above, Plaintiffs allege two possible theories of standing. First, Individual Plaintiffs argue that their votes have been unconstitutionally denied. Under this theory, Individual Plaintiffs must show that Defendant Counties’ use of the notice-and-cure procedure, as well as Secretary Bookvar’s authorization of this procedure, denied Individual Plaintiffs the right to vote.⁵⁰ Second, the Trump Campaign maintains that it has competitive standing.⁵¹

Both theories are unavailing. Assuming, as this Court must, that Plaintiffs state a valid equal-protection claim, the Court finds that Individual Plaintiffs have adequately established an injury-in-fact. However, they fail to establish that it was Defendants who caused these injuries and that their purported injury of vote-denial is adequately redressed by invalidating the votes of others. The Trump Campaign’s theory also fails because neither competitive nor associational standing applies, and it does not assert another cognizable theory of standing.

⁴⁹ *Id.* (brackets and internal citations omitted).

⁵⁰ As discussed above, to the extent that Plaintiffs would have premised standing on the theory that Pennsylvania’s purportedly unconstitutional failure to uniformly prohibit the notice-and-cure procedure constitutes vote-dilution, such an assertion would be foreclosed under *Bognet*, 2020 WL 6686120, at *9-10. Accordingly, the Court will only consider whether Individual Plaintiffs have standing under their vote-denial theory.

⁵¹ In the interest of comprehensiveness, the Court also addresses whether the Trump Campaign has associational standing.

A. Voters

1. Injury in Fact

Individual Plaintiffs have adequately demonstrated that they suffered an injury-in-fact. “[A] person’s right to vote is ‘individual and personal in nature.’”⁵² Accordingly, the denial of a person’s right to vote is typically always sufficiently concrete and particularized to establish a cognizable injury.⁵³ This is true regardless of whether such a harm is widely shared.⁵⁴ So long as an injury is concrete, courts will find that an injury in fact exists despite the fact that such harm is felt by many.⁵⁵

This is precisely the situation presented here. Individual Plaintiffs have adequately pled that their votes were denied. As discussed above, the denial of a vote is a highly personal and concrete injury. That Individual Plaintiffs had their ballots cancelled and thus invalidated is sufficiently personal to establish an injury in fact. It is of no matter that many persons across the state might also have had their votes invalidated due to their county’s failure to implement a curing

⁵² *Gill v. Whitford*, 138 S. Ct. 1916, 1929 (2018) (quoting *Reynolds v. Sims*, 377 U.S. 533, 561 (1964)).

⁵³ See *Gomillion v. Lightfoot*, 364 U.S. 339, 349 (1960) (Whittaker, J.) (noting the distinction between injuries caused by outright denial of the right to vote versus those caused by reducing the weight or power of an individual’s vote). The Court notes that much of standing doctrine as it relates to voting rights arises from gerrymandering or vote-dilution cases, which often involve relatively abstract harms. See, e.g., *Gill*, 138 S. Ct.; *Gaffney v. Cummings*, 412 U.S. 735 (1973); *Reynolds v. Sims*, 377 U.S. 533 (1964).

⁵⁴ See *Federal Elections Comm’n v. Akins*, 524 U.S. 11, 24 (1998) (citing *Public Citizen v. U.S. Dep’t of Justice*, 491 U.S. 440, 449-50 (1989)).

⁵⁵ See *id.* (“[W]here a harm is concrete, though widely shared, the [United States Supreme] Court has found ‘injury in fact.’”) (quoting *Public Citizen*, 491 U.S. at 449-50).

procedure. Accordingly, the Court finds that Individual Plaintiffs have established injury in fact.

2. Causation

However, Individual Plaintiffs fail to establish that Defendant Counties or Secretary Boockvar actually caused their injuries. First, Defendant Counties, by Plaintiffs' own pleadings, had nothing to do with the denial of Individual Plaintiffs' ability to vote. Individual Plaintiffs' ballots were rejected by Lancaster and Fayette Counties, neither of which is a party to this case. None of Defendant Counties received, reviewed, or discarded Individual Plaintiffs' ballots. Even assuming that Defendant Counties unconstitutionally allowed *other* voters to cure their ballots, that alone cannot confer standing on Plaintiffs who seek to challenge the denial of *their* votes.

Second, Individual Plaintiffs have not shown that their purported injuries are fairly traceable to Secretary Boockvar. Individual Plaintiffs have entirely failed to establish any causal relationship between Secretary Boockvar and the cancellation of their votes. The only connection the Individual Plaintiffs even attempt to draw is that Secretary Boockvar sent an email on November 2, 2020 to some number of counties, encouraging them to adopt a notice-and-cure policy. However, they fail to allege which counties received this email or what information was specifically included therein. Further, that this email encouraged counties to adopt a notice-and-cure policy does not suggest in any way that Secretary Boockvar intended or

desired Individual Plaintiffs' votes to be cancelled. To the contrary, this email suggests that Secretary Boockvar encouraged counties to allow exactly these types of votes to be counted. Without more, this Court cannot conclude that Individual Plaintiffs have sufficiently established that their injuries are fairly traceable to Secretary Boockvar.⁵⁶

3. Redressability

In large part because the Individual Plaintiffs cannot establish that their injury is "fairly traceable" to the Defendants' conduct, they also cannot show that their injury could be redressed by a favorable decision from this Court.⁵⁷ Beyond that substantial hurdle, however, a review of the injury alleged and the relief sought plainly shows that the Individual Plaintiffs' injury would not be redressable. The Individual Plaintiffs base their equal-protection claim on the theory that their

⁵⁶ The Third Circuit has held that a party may have standing "to challenge government action that permits or authorizes third-party conduct that would otherwise be illegal in the absence of the Government's action." *Constitution Party of Pennsylvania v. Aichele*, 757 F.3d 347, 366 (3d Cir. 2014) (quoting *Bloomberg L.P. v. CFTC*, 949 F. Supp. 2d 91, 116 (D.D.C. 2013)). But in that case, standing was permitted to avoid a catch-22 situation where, absent standing against a third-party government actor, a plaintiff would not be able to bring suit against any responsible party. *Id.* at 367. Here, Plaintiffs allege that Secretary Boockvar is responsible for authorizing the unconstitutional actions of Defendant Counties. However, unlike the plaintiffs in *Aichele*, Plaintiffs are able to sue Defendant Counties for their allegedly unconstitutional actions. Moreover, because this Court has already concluded that Plaintiffs lack standing to sue Defendant Counties for their use of the notice-and-cure policy, it would be counterintuitive for Plaintiffs to have standing to challenge Secretary Boockvar's authorization of this policy, which is even further removed from any purported harm that Individual Plaintiffs have suffered.

⁵⁷ See, e.g., *Newdow v. Roberts*, 603 F.3d 1002, 1011 (D.C. Cir. 2010) (noting that when an injury is caused by a third party not before the Court, courts cannot "redress injury . . . that results from [such] independent action.") (ellipses and alterations in original) (quoting *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41-42 (1976)).

right to vote was denied. Their prayer for relief seeks, in pertinent part: (1) an order, declaration, or injunction from this Court prohibiting the Defendants from certifying the results of the 2020 General Election in Pennsylvania on a Commonwealth-wide basis; and (2) another order prohibiting Defendants from certifying the results which include ballots the Defendants permitted to be cured.

Neither of these orders would redress the injury the Individual Plaintiffs allege they have suffered. Prohibiting certification of the election results would not reinstate the Individual Plaintiffs' right to vote. It would simply deny more than 6.8 million people *their* right to vote. "Standing is measured based on the theory of harm and the specific relief requested."⁵⁸ It is not "dispensed in gross: A plaintiff's remedy must be tailored to redress the plaintiff's particular injury."⁵⁹ Here, the answer to invalidated ballots is not to invalidate millions more. Accordingly, Plaintiffs have not shown that their injury would be redressed by the relief sought.

B. Trump Campaign

The standing inquiry as to the Trump Campaign is particularly nebulous because neither in the FAC nor in its briefing does the Trump Campaign clearly assert what its alleged injury is. Instead, the Court was required to embark on an

⁵⁸ *Donald J. Trump for President, Inc. v. Boockvar*, No. 2:20-CV-966, 2020 WL 5997680, at *37 (W.D. Pa. Oct. 10, 2020) (citing *Gill*, 138 S. Ct. at 1934).

⁵⁹ *Gill*, 138 S. Ct. at 1934 (citing *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 353 (2006)).

extensive project of examining almost every case cited to by Plaintiffs to piece together the theory of standing as to this Plaintiff – the Trump Campaign.

The Trump Campaign first posits that “as a political committee for a federal candidate,” it has “Article III standing to bring this action.”⁶⁰ On its face, this claim is incorrect. Simply being a political committee does not obviate the need for an injury-in-fact, nor does it automatically satisfy the other two elements of standing.

For this proposition, the Trump Campaign relies on two federal cases where courts found associational standing by a political party’s state committee. Therefore, the Court considers whether the Trump Campaign can raise associational standing, but finds that those cases are inapposite.⁶¹ First, a candidate’s political committee and a political party’s state committee are not the same thing. Second, while the doctrine of associational standing is well established, the Trump Campaign overlooks a particularly relevant, very recent decision from another federal court – one where the Trump Campaign itself argued that it had associational standing. In *Donald J. Trump for President, Inc. v. Cegavske*,⁶² the Trump Campaign asserted associational standing, and that court rejected this theory.

⁶⁰ Doc. 170 at 11.

⁶¹ *Texas Democratic Party v. Benkiser*, 459 F.3d 582 (5th Cir. 2006); *Orloski v. Davis*, 564 F. Supp. 526 (M.D. Pa. 1983).

⁶² No. 2:20-CV-1445, 2020 WL 5626974 (D. Nev. Sept. 18, 2020).

Associational standing allows an entity to bring suit on behalf of members upon a showing that: (1) “its members would otherwise have standing to sue in their own right;” (2) “the interests it seeks to protect are germane to the organization's purpose;” and (3) “neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit.”⁶³

In *Cegavske* (another case in which the Trump Campaign alleged violations of equal protection), the court found that the Trump Campaign failed to satisfy the second prong of associational standing because it “represents only Donald J. Trump and his ‘electoral and political goals’ of reelection.”⁶⁴ That court noted that while the Trump Campaign might achieve its purposes through its member voters, the “constitutional interests of those voters are wholly distinct” from that of the Trump Campaign.⁶⁵ No different here. Even if the Individual Plaintiffs attempted to vote for President Trump, their constitutional interests are different, precluding a finding of associational standing. In any event, because the Individual Plaintiffs lack standing in this case, the Trump Campaign cannot satisfy the first prong of associational standing either.

The Trump Campaign’s second theory is that it has “‘competitive standing’ based upon disparate state action leading to the ‘potential loss of an election.’”⁶⁶

⁶³ *Hunt v. Wash. State Apple Advertising Comm’n*, 432 U.S. 333, 343 (1977).

⁶⁴ *Cegavske*, 2020 WL 5626974 at *4 (internal citations omitted).

⁶⁵ *Id.*

⁶⁶ Doc. 170 at 11 (citing *Drake v. Obama*, 664 F.3d 774, 783 (9th Cir. 2011)).

Pointing to a case from the United States Court of Appeals for the Ninth Circuit, *Drake v. Obama*,⁶⁷ the Trump Campaign claims this theory proves injury-in-fact. First, the Court finds it important to emphasize that the term “competitive standing” has specific meaning in this context. Second, the Trump Campaign’s reliance on the theory of competitive standing under *Drake v. Obama* is, at best, misguided. Subsequent case law from the Ninth Circuit has explained that competitive standing “is the notion that ‘a candidate or his political party has standing to challenge the *inclusion of an allegedly ineligible rival on the ballot*, on the theory that doing so hurts the candidate’s or party’s own chances of prevailing in the election.’”⁶⁸ In the present matter, there is no allegation that the Democratic Party’s candidate for President, or any other candidate, was ineligible to appear on the ballot.

Examination of the other case law cited to by Plaintiffs contradicts their theory that competitive standing is applicable here for the same reason. For example, in *Texas Democratic Party v. Benkiser*, the United States Court of Appeals for the Fifth Circuit found competitive standing in a case in which the Democratic Party petitioned against the decision to deem a candidate ineligible and

⁶⁷ 664 F.3d.

⁶⁸ *Townley v. Miller*, 722 F.3d 1128, 1135 (9th Cir. 2013) (emphasis added) (quoting *Drake*, 664 F.3d at 782); see also *Mecinas v. Hobbs*, No. CV-19-05547, 2020 WL 3472552, at *11-12 (D. Ariz. June 25, 2020) (explaining the current state of the doctrine of competitive standing and collecting cases).

replace him with another.⁶⁹ Likewise, in *Schulz v. Williams*, the United States Court of Appeals for the Second Circuit found competitive standing where the Conservative party alleged an injury in fact by arguing that a candidate from the Libertarian Party of New York was improperly placed on the ballot for the Governor's race in 1994.⁷⁰ By way of yet another example, Plaintiffs' citation to *Fulani v. Hogsett* makes the same point; competitive standing applies to challenges regarding the eligibility of a candidate. There, the Indiana Secretary of State was required to certify the names of candidates for President by a certain date.⁷¹ When the Secretary failed to certify the Democratic and Republican candidates by that date, the New Alliance party challenged the inclusion of those candidates on the ballot, arguing that allowing these ineligible candidates constituted an injury-in-fact.⁷² Three other cases relied on by Plaintiffs illustrate separate grounds for stating an injury in fact, all still relating to ballot provisions.⁷³

It is telling that the only case from the Third Circuit cited to by Plaintiffs, *Marks v. Stinson*, does not contain a discussion of competitive standing or any other theory of standing applicable in federal court.⁷⁴ Simply pointing to another

⁶⁹ 459 F.3d at 586.

⁷⁰ 44 F.3d 48, 53 (2d Cir. 1994).

⁷¹ 917 F.2d 1028, 1029-30 (7th Cir. 1990).

⁷² *Id.*

⁷³ *See Green Party of Tennessee v. Hargett*, 767 F.3d 533, 542-43 (6th Cir. 2014) (finding that Plaintiffs had standing to challenge Tennessee's *ballot-access* laws); *see also Pavek v. Donald J. Trump for President, Inc.*, 967 F.3d 905, 907 (8th Cir. 2020) (finding that Plaintiffs had standing to challenge the *ballot-ordering* provision in Minnesota); *Nelson v. Warner*, No. 3:19-0898, 2020 WL 4582414, at *3 (S.D. W. Va. Aug. 10, 2020) (same).

⁷⁴ 19 F.3d 873 (3d Cir. 1994).

case where a competitor in an election was found to have standing does not establish *competitive standing* in this matter. Without more, this Court declines to take such an expansive view of the theory of competitive standing, particularly given the abundance of guidance from other Circuits, based on Plaintiffs' own citations, limiting the use of this doctrine.

The Trump Campaign has not offered another theory of standing, and therefore, cannot meet its burden of establishing Article III jurisdiction. To be clear, this Court is not holding that a political campaign can never establish standing to challenge the outcome of an election; rather, it merely finds that in this case, the Trump Campaign has not pled a cognizable theory.⁷⁵

IV. MOTION TO DISMISS 12(b)(6)

A. Legal Standard

Under Federal Rule of Civil Procedure 12(b)(6), the Court dismisses a complaint, in whole or in part, if the plaintiff has failed to “state a claim upon which relief can be granted.” A motion to dismiss “tests the legal sufficiency of a claim”⁷⁶ and “streamlines litigation by dispensing with needless discovery and factfinding.”⁷⁷ “Rule 12(b)(6) authorizes a court to dismiss a claim on the basis of

⁷⁵ Even assuming, however, that the Trump Campaign could establish that element of standing, it would still fail to satisfy the causation and redressability requirements for the same reasons that the Voter Plaintiffs do. To the extent the Trump Campaign alleges any injury at all, its injury is attenuated from the actions challenged.

⁷⁶ *Richardson v. Bledsoe*, 829 F.3d 273, 289 n. 13 (3d Cir. 2016) (Smith, C.J.) (*citing Szabo v. Bridgeport Machines, Inc.*, 249 F.3d 672, 676 (7th Cir. 2001) (Easterbrook, J.)).

⁷⁷ *Neitzke v. Williams*, 490 U.S. 319, 326-27 (1989).

a dispositive issue of law.”⁷⁸ This is true of any claim, “without regard to whether it is based on an outlandish legal theory or on a close but ultimately unavailing one.”⁷⁹

Following the Roberts Court’s “civil procedure revival,”⁸⁰ the landmark decisions of *Bell Atlantic Corporation v. Twombly*⁸¹ and *Ashcroft v. Iqbal*⁸² tightened the standard that district courts must apply to 12(b)(6) motions.⁸³ These cases “retired” the lenient “no-set-of-facts test” set forth in *Conley v. Gibson* and replaced it with a more exacting “plausibility” standard.⁸⁴

Accordingly, after *Twombly* and *Iqbal*, “[t]o survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”⁸⁵ “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”⁸⁶ “Although the plausibility standard does not impose a probability requirement, it does require a pleading to show more than a sheer possibility that a defendant has acted

⁷⁸ *Id.* at 326 (internal citations omitted).

⁷⁹ *Id.* at 327.

⁸⁰ Howard M. Wasserman, *The Roberts Court and the Civil Procedure Revival*, 31 *Rev. Litig.* 313, 316, 319-20 (2012).

⁸¹ 550 U.S. 544 (2007).

⁸² 556 U.S. 662 (2009).

⁸³ *Id.* at 670.

⁸⁴ *Id.*

⁸⁵ *Id.* at 678 (quoting *Twombly*, 550 U.S. at 570).

⁸⁶ *Id.*

unlawfully.”⁸⁷ Moreover, “[a]sking for plausible grounds . . . calls for enough facts to raise a reasonable expectation that discovery will reveal evidence of [wrongdoing].”⁸⁸

The plausibility determination is “a context-specific task that requires the reviewing court to draw on its judicial experience and common sense.”⁸⁹ No matter the context, however, “[w]here a complaint pleads facts that are ‘merely consistent with’ a defendant’s liability, it ‘stops short of the line between possibility and plausibility of entitlement to relief.’”⁹⁰

When disposing of a motion to dismiss, the Court “accept[s] as true all factual allegations in the complaint and draw[s] all inferences from the facts alleged in the light most favorable to [the plaintiff].”⁹¹ However, “the tenet that a court must accept as true all of the allegations contained in the complaint is inapplicable to legal conclusions.”⁹² “Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.”⁹³

As a matter of procedure, the Third Circuit has instructed that:

Under the pleading regime established by *Twombly* and *Iqbal*, a court reviewing the sufficiency of a complaint must take three steps. First, it

⁸⁷ *Connolly v. Lane Const. Corp.*, 809 F.3d 780, 786 (3d Cir. 2016) (Jordan, J.) (internal quotations and citations omitted).

⁸⁸ *Twombly*, 550 U.S. at 556.

⁸⁹ *Iqbal*, 556 U.S. at 679.

⁹⁰ *Id.* at 678 (quoting *Twombly*, 550 U.S. at 557).

⁹¹ *Phillips v. County. of Allegheny*, 515 F.3d 224, 228 (3d Cir. 2008) (Nygaard, J.).

⁹² *Iqbal*, 556 U.S. at 678;

⁹³ *Id.* (citing *Twombly*, 550 U.S. at 555); see also *Fowler v. UPMC Shadyside*, 578 F.3d 203, 210 (3d Cir. 2009) (Nygaard, J.) (“After *Iqbal*, it is clear that conclusory or ‘bare-bones’ allegations will no longer survive a motion to dismiss.”).

must tak[e] note of the elements [the] plaintiff must plead to state a claim. Second, it should identify allegations that, because they are no more than conclusions, are not entitled to the assumption of truth. Finally, [w]hen there are well-pleaded factual allegations, [the] court should assume their veracity and then determine whether they plausibly give rise to an entitlement to relief.⁹⁴

B. Equal Protection

Even if Plaintiffs had standing, they fail to state an equal-protection claim.

The Equal Protection Clause of the Fourteenth Amendment commands that no state shall “deny to any person within its jurisdiction the equal protection of the laws.”⁹⁵ The principle of equal protection is fundamental to our legal system because, at its core, it protects the People from arbitrary discrimination at the hands of the State.

But, contrary to Plaintiffs’ assertions, not all “unequal treatment” requires Court intervention.⁹⁶ The Equal Protection Clause “does not forbid classifications.”⁹⁷ It simply keeps governmental decisionmakers from treating similarly situated persons differently.⁹⁸ The government could not function if complete equality were required in all situations. Consequently, a classification resulting in “some inequality” will be upheld unless it is based on an inherently suspect characteristic or “jeopardizes the exercise of a fundamental right.”⁹⁹

⁹⁴ *Connelly*, 809 F.3d at 787 (internal quotations and citations omitted).

⁹⁵ U.S. Const. Amend. XIV, cl. 1.

⁹⁶ Doc. 170 at 29.

⁹⁷ *Nordlinger v. Hahn*, 505 U.S. 1, 10 (1992) (citing *F.S. Royster Guano Co. v. Virginia*, 253 U.S. 412, 415 (1920)).

⁹⁸ *Id.* (citing *F.S. Royster Guano Co. v. Virginia*, 253 U.S. 412, 415 (1920)).

⁹⁹ *Id.* (quoting *McGowan v. Maryland*, 366 U.S. 420, 425-26 (1961)).

One such fundamental right, at issue in this case, is the right to vote. Voting is one of the foundational building blocks of our democratic society, and that the Constitution firmly protects this right is “indelibly clear.”¹⁰⁰ All citizens of the United States have a constitutionally protected right to vote.¹⁰¹ And all citizens have a constitutionally protected right to have their votes counted.¹⁰²

With these background principles firmly rooted, the Court turns to the merits of Plaintiffs’ equal-protection claims. The general gist of their claims is that Secretary Boockvar, by failing to prohibit counties from implementing a notice-and-cure policy, and Defendant Counties, by adopting such a policy, have created a “standardless” system and thus unconstitutionally discriminated against Individual Plaintiffs. Though Plaintiffs do not articulate why, they also assert that this has unconstitutionally discriminated against the Trump Campaign.

As discussed above, the Court will address Individual Plaintiffs’ and the Trump Campaign’s claims separately. Because Individual Plaintiffs premised standing on the purported wrongful cancellation of their votes, the Court will only analyze whether Defendants have impermissibly burdened Individual Plaintiffs’ ability to vote. Further, the Court will consider two issues raised by the Trump Campaign; the first being whether it has stated a valid claim alleging discrimination relating to its use of poll-watchers, and the second being whether

¹⁰⁰ *Reynolds v. Sims*, 377 U.S. 533, 554 (1964).

¹⁰¹ *Id.* (citing *Ex parte Yarbrough*, 110 U.S. 651 (1884)).

¹⁰² *Id.* (citing *United States v. Mosley*, 238 U.S. 383 (1915)).

the General Assembly’s failure to uniformly prohibit (or permit) the notice-and-cure procedure is unconstitutional.

1. Individual Plaintiffs

States have “broad authority to regulate the conduct of elections, including federal ones.”¹⁰³ “This authority includes ‘broad powers to determine the conditions under which the right of suffrage may be exercised.’”¹⁰⁴ Because states must have freedom to regulate elections if “some sort of order, rather than chaos, is to accompany the democratic processes,”¹⁰⁵ such regulation is generally insulated from the stringent requirements of strict scrutiny.¹⁰⁶

Instead, state regulation that burdens voting rights is normally subject to the *Anderson-Burdick* balancing test, which requires that a court “weigh the asserted injury to the right to vote against the ‘precise interests put forward by the State as justifications for the burden imposed by its rule.’”¹⁰⁷ Under this test, “any ‘law respecting the right to vote – whether it governs voter qualifications, candidate selection, or the voting process,’ is subjected to ‘a deferential “important

¹⁰³ *Griffin v. Roupas*, 385 F.3d 1128, 1130 (7th Cir. 2004) (citing U.S. Const. Art. I, § 4, cl. 1).

¹⁰⁴ *Donald J. Trump for President, Inc.*, 2020 WL 5997680, at *38 (quoting *Shelby County, Ala. v. Holder*, 570 U.S. 529, 543 (2013)).

¹⁰⁵ *Id.* (quoting *Burdick v. Takushi*, 504 U.S. 428, 433 (1992)).

¹⁰⁶ *Burdick*, 504 U.S. at 432-33.

¹⁰⁷ *Crawford v. Marion County Election Board*, 553 U.S. 181, 190 (2008) (quoting *Burdick*, 504 U.S. at 434).

regulatory interests” standard for nonsevere, nondiscriminatory restrictions, reserving strict scrutiny for laws that severely restrict the right to vote.”¹⁰⁸

The *Anderson-Burdick* balancing test operates on a sliding scale.¹⁰⁹ Thus, more restrictive laws are subject to greater scrutiny. Conversely, “minimally burdensome and nondiscriminatory” regulations are subject to “a level of scrutiny ‘closer to rational basis.’”¹¹⁰ “And where the state imposes no burden on the ‘right to vote’ at all, true rational basis review applies.”¹¹¹

Here, because Defendants’ conduct “imposes no burden” on Individual Plaintiffs’ right to vote, their equal-protection claim is subject to rational basis review.¹¹² Defendant Counties, by implementing a notice-and-cure procedure, have in fact *lifted* a burden on the right to vote, even if only for those who live in those counties. Expanding the right to vote for some residents of a state does not burden the rights of others.¹¹³ And Plaintiffs’ claim cannot stand to the extent that it complains that “the state is *not* imposing a restriction on *someone else’s* right to vote.”¹¹⁴ Accordingly, Defendant Counties’ use of the notice-and-cure procedure

¹⁰⁸ *Donald J. Trump for President*, 2020 WL 5997680, at *39 (quoting *Crawford*, 533 U.S. at 204 (Scalia, J. concurring)).

¹⁰⁹ *See id.* at *40; *see also Arizona Libertarian Party v. Hobbs*, 925 F.3d 1085, 1090 (9th Cir. 2019); *Fish v. Schwab*, 957 F.3d 1105, 1124 (10th Cir. 2020).

¹¹⁰ *Donald J. Trump for President*, 2020 WL 5997680, at *39 (quoting *Ohio Council 8 Am. Fed’n of State v. Husted*, 814 F.3d 329, 335 (6th Cir. 2016)).

¹¹¹ *Id.* (citing *Biener v. Calio*, 361 F.3d 206, 215 (3d Cir. 2004)).

¹¹² Even after questioning from this Court during oral argument regarding the appropriate standard of review for their equal-protection claim, Plaintiffs failed to discuss this key aspect of the claim in briefing. *See* Doc. 170.

¹¹³ *See, e.g., Short v. Brown*, 893 F.3d 671, 677 (9th Cir. 2018).

¹¹⁴ *Donald J. Trump for President*, 2020 WL 5997680, at *44 (emphasis in original).

(as well as Secretary Boockvar's authorization of this procedure) will be upheld unless it has no rational basis.¹¹⁵

Individual Plaintiffs' claims fail because it is perfectly rational for a state to provide counties discretion to notify voters that they may cure procedurally defective mail-in ballots. Though states may not discriminatorily sanction procedures that are likely to burden some persons' right to vote more than others, they need not expand the right to vote in perfect uniformity. All Plaintiffs have alleged is that Secretary Boockvar allowed counties to choose whether or not they wished to use the notice-and-cure procedure. No county was forced to adopt notice-and-cure; each county made a choice to do so, or not. Because it is not irrational or arbitrary for a state to allow counties to expand the right to vote if they so choose, Individual Plaintiffs fail to state an equal-protection claim.

Moreover, even if they could state a valid claim, the Court could not grant Plaintiffs the relief they seek. Crucially, Plaintiffs fail to understand the relationship between right and remedy. Though every injury must have its proper redress,¹¹⁶ a court may not prescribe a remedy unhinged from the underlying right being asserted.¹¹⁷ By seeking injunctive relief preventing certification of the Pennsylvania election results, Plaintiffs ask this Court to do exactly that. Even

¹¹⁵ *Biener*, 361 F.3d at 215.

¹¹⁶ *Marbury v. Madison*, 5 U.S. 137, 147 (1803).

¹¹⁷ *Gill*, 138 S. Ct. at 1934 ("A plaintiff's remedy must be tailored to redress the plaintiff's particular injury.") (citing *Cuno*, 547 U.S. at 353).

assuming that they can establish that their right to vote has been denied, which they cannot, Plaintiffs seek to remedy the denial of their votes by invalidating the votes of millions of others. Rather than requesting that their votes be counted, they seek to discredit scores of other votes, but only for one race.¹¹⁸ This is simply not how the Constitution works.

When remedying an equal-protection violation, a court may either “level up” or “level down.”¹¹⁹ This means that a court may either extend a benefit to one that has been wrongfully denied it, thus leveling up and bringing that person on par with others who already enjoy the right,¹²⁰ or a court may level down by withdrawing the benefit from those who currently possess it.¹²¹ Generally, “the preferred rule in a typical case is to extend favorable treatment” and to level up.¹²² In fact, leveling down is impermissible where the withdrawal of a benefit would necessarily violate the Constitution.¹²³ Such would be the case if a court were to remedy discrimination by striking down a benefit that is constitutionally guaranteed.

¹¹⁸ Curiously, Plaintiffs now claim that they seek only to enjoin certification of the presidential election results. Doc. 183 at 1. They suggest that their requested relief would thus not interfere with other election results in the state. But even if it were logically possible to hold Pennsylvania’s electoral system both constitutional and unconstitutional at the same time, the Court would not do so.

¹¹⁹ *Heckler v. Matthews*, 465 U.S. 728, 740 (1984) (internal citations omitted).

¹²⁰ *Id.* at 741; *Califano v. Westcott*, 443 U.S. 76, 90-91 (1979).

¹²¹ *E.g.*, *Sessions v. Morales-Santana*, 137 S. Ct. 1678, 1701 (2017).

¹²² *Id.* (internal citations omitted).

¹²³ *See Palmer v. Thompson*, 403 U.S. 217, 226-27 (1971) (addressing whether a city’s decision to close pools to remedy racial discrimination violated the Thirteenth Amendment); *see also Reynolds*, 377 U.S. at 554 (citing *Mosley*, 238 U.S. at 383).

Here, leveling up to address the alleged cancellation of Plaintiffs' votes would be easy; the simple answer is that their votes would be counted. But Plaintiffs do not ask to level up. Rather, they seek to level down, and in doing so, they ask the Court to violate the rights of over 6.8 million Americans. It is not in the power of this Court to violate the Constitution.¹²⁴ "The disenfranchisement of even one person validly exercising his right to vote is an extremely serious matter."¹²⁵ "To the extent that a citizen's right to vote is debased, he is that much less a citizen."¹²⁶

Granting Plaintiffs' requested relief would necessarily require invalidating the ballots of every person who voted in Pennsylvania. 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 Plaintiffs' requested relief.

2. Trump Campaign

Plaintiffs' brief in opposition to the motions to dismiss spends only *one* paragraph discussing the merits of its equal-protection claim. Plaintiffs raise two arguments as to how equal protection was violated. The first is that "Defendants excluded Republican/Trump observers from the canvass so that they would not

¹²⁴ *Marbury*, 5 U.S. at 147.

¹²⁵ *Perles v. County Return Bd. of Northumberland County*, 202 A.2d 538, 540 (Pa. 1964) (cleaned up).

¹²⁶ *Id.* at 567.

observe election law violations.”¹²⁷ The second claims that the “use of notice/cure procedures violated equal protection because it was deliberately done in counties where defendants knew that mail ballots would favor Biden/Democrats.”¹²⁸ The former finds no support in the operative pleading, and neither states an equal-protection violation.

Count I of the FAC makes no mention of disparity in treatment of observers based on which campaign they represented. Instead, Count I discusses the use of “standardless” procedures. These are two separate theories of an equal protection violation. That deficiency aside, to the extent this new theory is even pled, Plaintiffs fail to plausibly plead that there was “uneven treatment” of Trump and Biden watchers and representatives. Paragraphs 132-143 of the FAC are devoted to this alleged disparity. None of these paragraphs support Plaintiffs’ argument. A selection below:

- “Defendants have not allowed *watchers and representatives* to be present . . .”¹²⁹
- “In Centre County, the central pre-canvassing location was a large ballroom. The set-up was such that the *poll watchers did not have meaningful access* to observe the canvassing and tabulation process of mail-in and absentee ballots, and in fact, the *poll watchers and observers* who were present could not actually observe the ballots such that they could confirm or object to the validity of the ballots.”¹³⁰

¹²⁷ Doc. 170 at 29. Count I makes no mention of the poll-watching allegations, nor does it seek relief for any violation of law on the basis of those allegations. Out of an abundance of caution, however, the Court considers whether these allegations state a claim.

¹²⁸ *Id.*

¹²⁹ Doc. 125 at ¶ 134 (emphasis added).

¹³⁰ *Id.* at ¶ 135 (emphasis added).

- “In Philadelphia County, *poll watchers and canvass representatives* were denied access altogether in some instances.”¹³¹
- “In Delaware County, *observers* were denied access to a back room counting area . . .”¹³²

None of these allegations (or the others in this section) claim that the Trump Campaign’s watchers were treated *differently* than the Biden campaign’s watchers. Simply alleging that poll watchers did not have access or were denied access to some areas does not plausibly plead unequal treatment. Without actually alleging that one group was treated differently than another, Plaintiffs’ first argument falls flat.

Likewise, Plaintiffs cannot salvage their notice-and-cure theory by invoking *Bush v. Gore*.¹³³ Plaintiffs claim that the Equal Protection clause “imposes a ‘minimum requirement for nonarbitrary treatment of voters’ and forbids voting systems and practices that distribute resources in ‘standardless’ fashion, without ‘specific rules designed to ensure uniform treatment.’”¹³⁴ Plaintiffs attempt to craft a legal theory from *Bush*, but they fail because: (1) they misapprehend the issues at play in that case; and (2) the facts of this case are distinguishable.

Plaintiffs’ interpretation of *Bush v. Gore* would broaden the application of that case far beyond what the Supreme Court of the United States endorsed. In *Bush*, the Supreme Court stopped a recount of votes in Florida in the aftermath of

¹³¹ *Id.* at ¶ 136 (emphasis added).

¹³² *Id.* at ¶ 137 (emphasis added).

¹³³ 531 U.S. 98 (2000).

¹³⁴ Doc. 170 at 13.

the 2000 Presidential Election. Despite Plaintiffs' assertions, *Bush* does not stand for the proposition that every rule or system must ensure uniform treatment. In fact, the Supreme Court explicitly said so, explaining: “[t]he question before the Court is *not* whether local entities, in the exercise of their expertise, may develop different systems for implementing elections.”¹³⁵ Instead, the Court explained that its holding concerned a “situation where a state court with the power to assure uniformity has ordered a statewide recount with minimal procedural safeguards.”¹³⁶ Where a state court has ordered such a remedy, the Supreme Court held that “there must be at least some assurance that the rudimentary requirements of equal treatment and fundamental fairness are satisfied.”¹³⁷ In other words, the lack of guidance from a court constituted an equal-protection violation.

In the instant matter, Plaintiffs are not challenging any court action as a violation of equal protection, and they do not allege that Secretary Boockvar's guidance differed from county to county, or that Secretary Boockvar told some counties to cure ballots and others not to. That some counties may have chosen to implement the guidance (or not), or to implement it differently, does not constitute an equal-protection violation. “[M]any courts that have recognized that counties may, consistent with equal protection, employ entirely different election

¹³⁵ *Bush*, 531 U.S. at 109 (emphasis added).

¹³⁶ *Id.*

¹³⁷ *Id.*

procedures and voting systems within a single state.”¹³⁸ “Arguable differences in how elections boards apply uniform statewide standards to the innumerable permutations of ballot irregularities, although perhaps unfortunate, are to be expected, just as judges in sentencing-guidelines cases apply uniform standards with arguably different results.”¹³⁹ Requiring that every single county administer elections in exactly the same way would impose untenable burdens on counties, whether because of population, resources, or a myriad of other reasonable considerations.

V. CONCLUSION

Defendants’ motions to dismiss the First Amended Complaint are granted with prejudice. Leave to amend is denied. “Among the grounds that could justify a denial of leave to amend are undue delay, bad faith, dilatory motive, prejudice, and futility.”¹⁴⁰ Given that: (1) Plaintiffs have already amended once as of right; (2) Plaintiffs seek to amend simply in order to effectively reinstate their initial complaint and claims; and (3) the deadline for counties in Pennsylvania to certify their election results to Secretary Boockvar is November 23, 2020, amendment would unduly delay resolution of the issues. This is especially true because the Court would need to implement a new briefing schedule, conduct a second oral argument, and then decide the issues.

¹³⁸ *Donald J. Trump for President*, 2020 WL 5997680, at *44.

¹³⁹ *Northeast Ohio Coalition for the Homeless v. Husted*, 837 F.3d 612, 636 (6th Cir. 2020).

¹⁴⁰ *Lorenz v. CSX Corp.*, 1 F.3d 1406, 1413–14 (3d Cir.1993).

An appropriate Order follows.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONALD J. TRUMP, in his capacity
as a candidate for President of the
United States,**

Plaintiff,

v.

**BRIAN P. KEMP, in his official
capacity as Governor of the State of
Georgia; BRAD
RAFFENSPERGER, in his official
capacity as Georgia Secretary of
State,**

Defendants.

CIVIL ACTION FILE

NO. 1:20-CV-5310-MHC

ORDER

This matter is before the Court on Plaintiff's Motion for Expedited and Declaratory and Injunctive Relief [Doc. 2]. After considering the briefs of the parties and with the benefit of argument at a hearing conducted by the Court on January 5, 2021,¹ it is hereby **ORDERED** that Plaintiff's motion is **DENIED**.

¹ Plaintiff's Motion for Expedited Hearing [Doc. 2] was granted and a hearing was held on January 5, 2021.

I. BACKGROUND AND PROCEDURAL HISTORY

On Tuesday, November 3, 2020, an election for President of the United States was conducted in the United States, including the State of Georgia. Defendant Brad Raffensperger is the Secretary of State of Georgia, serves as the “chief election official” of Georgia, and is required by law to certify the votes cast for all presidential candidates “not later than 5:00 P.M. on the seventeenth day following the date on which such election was conducted.” O.C.G.A. §§ 21-2-50(b); 20-2-499(b). It is undisputed that Secretary Raffensperger performed this statutory duty in a timely manner and certified the results of the presidential election in Georgia on November 20, 2020.² Georgia law also requires Defendant Governor Brian P. Kemp “to certify the slates of presidential electors receiving the highest number of votes . . . no later than 5:00 P.M. on the eighteenth day following the date on which such [presidential] election was conducted.” *Id.*

² Prior to this certification, Secretary Raffensperger directed a “risk-limiting audit” in accordance with Georgia law, which entailed a full hand recount of all ballots cast in the presidential election. *See* O.C.G.A. § 21-2-498. Because the margin after this first recount still was less than one-half of one percent, Plaintiff’s campaign requested a second recount within two days after the certification of the election results in accordance with Georgia law. *See* O.C.G.A. § 21-2-495(c)(1). The second recount was completed and Secretary Raffensperger re-certified the results of the November 3, 2020, presidential election on December 7, 2020. Both recounts upheld the original outcome of the presidential race, which was that Joseph R. Biden, Jr. was the winner in Georgia.

§ 21-2-499(b). It is undisputed that Governor Kemp performed his duty in a timely manner and certified Georgia's slate of presidential electors on November 21, 2020.

Georgia law provides a procedure upon which a result of an election may be contested. Under O.C.G.A. § 21-2-524(a), a petition to contest the result of an election must be filed with the clerk of the superior court having jurisdiction within five (5) days after the certification of the election. On December 4, 2020, Plaintiff, along with others not parties to this lawsuit, filed a "Verified Petition to Contest Georgia's Presidential Election Results for Violations of the Constitution and Laws of the State of Georgia, and Request for Emergency Declaratory and Injunctive Relief" in the Superior Court of Fulton County, Georgia, naming Secretary Raffensperger as a respondent along with the members of the State Election Board and a number of county elections officials. Trump v. Raffensperger, Super. Ct. of Fulton Cnty., No. 2020CV343255 ("Trump I") [Doc. 1-1 at 12-75]. However, on December 8, 2020, the petitioners in Trump I voluntarily withdrew their motion for emergency injunctive relief. Id., Voluntary Withdrawal of Mot. for Emergency Inj. Relief, filed Dec. 8, 2020.³ Based upon the withdrawal of the petitioners'

³ Although this particular filing was not attached to Plaintiff's Complaint, the Court may take judicial notice of records filed on the docket in state court cases.

motion for emergency relief in Trump I, Fulton Superior Court Judge Constance C. Russell issued an order indicating that the election contest “shall proceed in the normal course.” Id., Dec. 9, 2020, Order on Case Status [Doc. 1-4 at 7].

The petitioners in Trump I then filed a Notice of Emergency Request to Appoint an Administrative Law Judge to hear their election contest case, a notice of appeal of Judge Russell’s Order on Case Status to the Supreme Court of Georgia, and a Second Motion for Emergency Injunctive Relief. Id., Dec. 10, 2020, Notice of Emergency Request to Appoint Administrative Law Judge [Doc. 1-4 at 8-12]; Dec. 11, 2020, Notice of Appeal and Intention to Seek Writ of Certiorari to the Supreme Ct. of Ga. [Doc. 1-4 at 13]; Dec. 11, 2020, Second Mot. for Emergency Inj. Relief [Doc. 1-4 at 98-110]. On December 12, 2020, the Supreme Court of Georgia dismissed the petitioner’s “Emergency Petition for Writ of Certiorari” which sought emergency injunctive relief. Trump v. Raffensperger, Supreme Ct. of Ga., No. S21M0561 [Doc. 1-4 at 17-18]. However, the petitioners did not dismiss their notice of appeal. On December 29, 2020, Chief Fulton County Superior Court Judge Christopher S. Brasher issued a status order which indicated the court would not act on the petitioners’ emergency request to appoint

Paez v. Sec’y, Fla. Dep’t of Corr., 947 F.3d 649 (11th Cir. 2020) (citing FED. R. EVID. 201(b)(2)).

an administrative law judge until the appeal was resolved or withdrawn. Trump I, Dec. 29, 2020, Status of Request to Appoint Administrative Law Judge [Doc. 1-4 at 19]. The petitioners in Trump I then filed a renewed request for the superior court to appoint an administrative law judge, indicating their intent to withdraw their notice of appeal. Id., Dec. 29, 2020, Renewed Request to Immediately Appoint Administrative Law Judge [Doc. 1-4 at 20-26]. On December 30, 2020, Chief Judge Brasher entered an order re-assigning Trump I to another judicial administrative district, Senior Judge Adele Grubbs was then appointed to hear the petitioner's election contest and, on December 31, 2020, Senior Judge Grubbs set the matter for hearing and trial on January 8, 2021, at 10:00 A.M. Id., Dec. 30, 2020, Order Reassigning Case to Seventh Judicial Administrative District; Dec. 30, 2020, Order Directing the Clerk to Accept & File the Order Appointing Senior Judge Grubbs; Dec. 31, 2020, Rule Nisi Order.⁴

Plaintiff's motion for expedited declaratory and injunctive relief asks this Court to take the unprecedented action of decertifying the results of the presidential election in Georgia and directing the Georgia General Assembly to

⁴ See n.3, *supra*.

appoint presidential electors. Pl.'s Mem. of Law in Supp. of Mot. for Expedited Declaratory and Injunctive Relief ("Pl.'s Br.") [Doc. 2-1] at 11.

II. LEGAL STANDARD

In order to obtain a preliminary injunction, Plaintiff must demonstrate: (1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that entry of the relief would not be adverse to the public interest. Scott v. Roberts, 612 F.3d 1279, 1290 (11th Cir. 2010); Schiavo ex rel. Schindler v. Schiavo, 403 F.3d 1223, 1225-26 (11th Cir. 2005). "The burden of persuasion in all of the four requirements is at all times upon the plaintiff." Ne. Fla. Chapter Ass'n of Gen. Contractors of Am. v. City of Jacksonville, 896 F.2d 1283, 1285 (11th Cir. 1990) (quotation omitted). A preliminary injunction is "an extraordinary and drastic remedy" and should be granted only when the movant clearly carries the burden of persuasion as to the four prerequisites. Four Seasons Hotels & Resorts v. Consorcio Barr, 320 F.3d 1205, 1210 (11th Cir. 2003); Morgan Stanley BW, Inc. v. Frisby, 163 F. Supp. 2d 1371, 1374 (N.D. Ga. 2001).

III. DISCUSSION

A. Standing

As a threshold matter, the Court must first consider Plaintiff's standing to bring his claims in this Court. Plaintiff's two-count Complaint alleges that: (1) in certifying the November 3, 2020, election results for President, Defendants violated the "Electors Clause" of the United States Constitution, which provides that "[e]ach State shall appoint, in such Manner as the Legislature thereof may direct, a Number of [Presidential] Electors, U.S. CONST. art. II, § 1, cl. 2 (Count I); and (2) Defendants violated the Fourteenth Amendment's Due Process Clause by "improperly certif[y]ing] the November General Election results while a statutory election contest was pending[.]" (Count II). Compl. ¶¶ 70-75.

The doctrine of "standing is an essential and unchanging part of the case-or-controversy requirement of Article III." Lujan v. Defs. of Wildlife, 504 U.S. 555, 560 (1992). "The law of Article III standing, which is built on separation-of-powers principles, serves to prevent the judicial process from being used to usurp the powers of the political branches." Clapper v. Amnesty Int'l USA, 568 U.S. 398, 408 (2013). "No principle is more fundamental to the judiciary's proper role in our system of government than the constitutional limitation of federal-court

jurisdiction to actual cases or controversies.” Raines v. Byrd, 521 U.S. 811, 818 (1997) (quotation and citation omitted).

“In essence the question of standing is whether the litigant is entitled to have the court decide the merits of the dispute or of particular issues.” Warth v. Seldin, 422 U.S. 490, 498 (1975). To demonstrate standing, a plaintiff “must prove (1) an injury in fact that (2) is fairly traceable to the challenged action of the defendant and (3) is likely to be redressed by a favorable decision.” Jacobson v. Fla. Sec’y of State, 974 F.3d 1236, 1245 (11th Cir. 2020) (citation omitted). The elements of standing are “an indispensable part of the plaintiff’s case.” Lujan, 504 U.S. at 561. “[A] plaintiff must demonstrate standing for each claim he seeks to press and for each form of relief that is sought.” Town of Chester, N.Y. v. Laroe Estates, Inc., 137 S. Ct. 1645, 1647 (2017) (quotation and citation omitted).

1. Claim Pursuant to the Electors Clause

Count One of Plaintiff’s Complaint alleges that Defendants violated the Electors Clause by certifying the November 3, 2020, election results when the election “was not conducted in accord with election laws established by the Legislature.” Compl. ¶ 71. The Electors Clause grants the right to prescribe the manner in which presidential electors are selected to each state legislature, in this case the Georgia General Assembly. Id. Therefore, Plaintiff’s Electors Clause

claim belongs, if it belongs to anyone, only to the Georgia General Assembly. See Bognet v. Sec’y Commonwealth of Pa., 980 F.3d 336, 350 (citation omitted) (“Plaintiffs here are four individual voters and a candidate for federal office; they in no way constitute the General Assembly, nor can they be said to comprise any part of the law-making processes of Pennsylvania. Because Plaintiffs are not the General Assembly, nor do they bear any conceivable relationship to state lawmaking processes, they lack standing to sue over the alleged usurpation of the General Assembly’s rights under the Elections and Electors Clauses.”).

Accordingly, the Court finds that Plaintiff does not have standing to bring a claim under the Electors Clause based on the facts alleged in his Complaint.

2. Claim Alleging Fourteenth Amendment Due Process Violation

Count Two of Plaintiff’s Complaint alleges that Defendants violated his Fourteenth Amendment Due Process rights by improperly certifying

the November 3 General Election results while a statutory election contest was pending, and which nearly four weeks after filing, is still pending without even the assignment of a judge or assignment of a court, or the setting of a hearing date for a hearing on the merits. Defendant’s certification of final results without Plaintiff being afforded his statutory right to an election contest violates Due Process.

Compl. ¶ 73. The crux of the claim is Plaintiff’s allegation that he has not been afforded his right to an election contest. Id.

Plaintiff's claim fails to meet the causation and redressability prongs of Article III standing. "To satisfy the causation requirement of standing, a plaintiff's injury must be 'fairly traceable to the challenged action of the defendant, and not the result of the independent action of some third party not before the court.'"⁵ Jacobson, 974 F.3d at 1253 (quoting Lujan, 504 U.S. at 560). In this case, Plaintiff has failed to establish that Plaintiff's alleged injury was tied to any alleged action on the part of Defendants. To the extent that Plaintiff has been deprived of his ability to contest the general election pursuant to O.C.G.A. § 21-2-524, that deprivation is due to Plaintiff's own dilatory actions or the action (or inaction) of the Fulton County Superior Court and has nothing to do with Defendants in this case. Plaintiff has not made one allegation of any act on the part of Defendants that thwarted his ability to seek relief in the superior court pursuant to O.C.G.A. § 21-2-524. Plaintiff's claim similarly is deficient with regard to redressability as Plaintiff is seeking an opportunity to contest the general election pursuant to O.C.G.A. § 21-2-524, but Defendants are not capable of providing this relief.

⁵ Plaintiff's brief in support of his motion does not address the causation or redressability prongs, and Plaintiff's argument that "there is a direct causal connection between Plaintiff's injury and the relief sought" fundamentally misunderstands the standard. Compl. ¶ 54.

Additionally, to the extent Plaintiff alleges that his Fourteenth Amendment Due Process deprivation is based on the allegation that the general election was “improperly certified” because “illegal votes” were cast and counted, see Compl. ¶ 74, Plaintiff’s claim still fails to meet the causation and redressability prongs of Article III standing. In Jacobson, the Eleventh Circuit considered whether voters and organizations could challenge a statute governing the order in which candidates appeared on the ballots. Jacobson, 974 F.3d at 1241. The defendant in that case was the Florida Secretary of State. Id. In analyzing the plaintiffs’ standing to bring a lawsuit for, *inter alia*, the violation of their Fourteenth Amendment rights, the court found that the plaintiffs did not have standing because any injury they might suffer was neither fairly traceable to the Secretary of State nor redressable by any judgment against the Secretary of State:

Even if the voters and organizations had proved an injury in fact, they would still lack standing because any injury would be neither traceable to the Secretary nor redressable by relief against her. Instead, any injury would be traceable only to 67 Supervisors of Elections and redressable only by relief against them. The voters and organizations’ failure to join the Supervisors as defendants is an independent reason that they lack standing to maintain this action.

To satisfy the causation requirement of standing, a plaintiff’s injury must be fairly traceable to the challenged action of the defendant, and not the result of the independent action of some third party not before the court. The voters and organizations contend that they are injured because Republicans, not Democrats, appear first on the ballot in Florida’s general elections. So for them to have standing, the order in

which candidates appear on the ballot must be traceable to the Secretary—the only defendant in this action. The problem for the voters and organizations is that Florida law tasks the Supervisors, independently of the Secretary, with printing the names of candidates on ballots in the order prescribed by the ballot statute. The Secretary is responsible only for certifying to the supervisor of elections of each county the names of persons nominated. The voters and organizations have offered no contrary evidence to establish that the Secretary plays any role in determining the order in which candidates appear on ballots. Because the Secretary didn't do (or fail to do) anything that contributed to their harm, the voters and organizations cannot meet Article III's traceability requirement.

Jacobson, 974 F.3d at 1253 (quotations and citations omitted, internal punctuation accepted).

Similarly, in this case, to the extent that Plaintiff's Fourteenth Amendment injury is alleged to have been caused by the counting of allegedly illegal votes in the November 3, 2020, general election, Plaintiff has failed to trace that harm to any action on the part of Defendants. This very issue in the context of alleged irregularities associated with the processing of Georgia absentee ballots in the November 3, 2020, general election recently was decided in Ga. Republican Party, Inc. v. Sec'y of State for Ga., No. 20-14741-RR, 2020 WL 7488181, at *2 (11th Cir. Dec. 21, 2020). Relying on the holding in Jacobson, the Eleventh Circuit found that the plaintiffs did not meet the traceability or redressability standing requirements:

Here, as in Jacobson, the Campaigns did not sufficiently allege a redressable injury to establish standing. Like in Jacobson, the Campaigns sued the Secretary of State. They alleged that the Secretary is the state's chief election officer, that he has the authority and responsibility to manage Georgia's electoral system, and that he, along with the election board members, has the duty to promulgate rules and regulations to obtain uniformity in the practices of election officials and to ensure a fair, legal, and orderly conduction of elections. But, just as in Jacobson, the absentee ballot statute puts the duty to "compare the signature" and accept or reject a ballot on the "registrar or clerk"—not the Secretary of State.

Other than being the chief election officer responsible for election laws, there is no allegation that the Secretary controls the local supervisors or has control over the signature verification process. While the Secretary has rulemaking authority, as in Jacobson, this power is limited to rules and regulations that are "consistent with law." O.C.G.A. § 21-2-31(2). And the law gives the authority to conduct the signature-verification process to local supervisors, not the Secretary. Id. § 21-2-386(a)(1)(B). The Campaigns' motion for injunction asks us to do what we said could not be done in Jacobson: order a nonparty county official to do something contrary to state law. Since the Secretary and the election board do not conduct the signature matching process, are not the election officials that review the voter's signature, and do not control whether the signature matching process can be observed, the Campaigns' alleged injury is not traceable to the Secretary. And the Secretary does not have the authority to redress it.

Id., 2020 WL 7488181, at *2.

This case is directly analogous. Under Georgia election law, county election officials are solely responsible for processing, validating, and tabulating both absentee and in-person ballots. See O.C.G.A. §§ 21-2-386, 21-2-493. Therefore, because Defendants did not have any role in the counting of any allegedly illegal

votes, Plaintiff is unable to show that any injury he suffered was fairly traceable to any action on the part of Defendants or redressable by any judgment against Defendants.

Accordingly, the Court finds that Plaintiff does not have standing to bring his claim alleging the violation of his Due Process rights under the Fourteenth Amendment.

B. Jurisdiction and Preliminary Injunction Factors

Assuming that Plaintiff does have standing to bring his claims, the Court now evaluates those claims to determine whether this Court has jurisdiction to hear them and, if so, whether Plaintiff has satisfied the four factors to obtain a preliminary injunction.

1. This Court Lacks Jurisdiction to Grant the Relief that Sought by Plaintiff.

As a remedy for the alleged constitutional violations alleged in Plaintiff's two-count Complaint, Plaintiff seeks an order from this Court (1) declaring that violations of state and constitutional law occurred during the November 3, 2020, election in Georgia that render the election results that were certified null and void and (2) directing the Defendants to decertify the election results. See Compl.

¶¶ 67-68, Prayer for Relief; Pl.'s Br. at 10-11. However, this Court is without jurisdiction to grant the relief sought by Plaintiff.

a. Plaintiff's Attempt to Effectively "Remove" the Election Contest Presently Pending in the Superior Court of Fulton County Must Fail.

Georgia law provides that "[a] petition to contest the result of a primary or election shall be filed in the office of the clerk of the superior court having jurisdiction within five days after the official consolidation of the returns of that particular office or question and certification thereof." O.C.G.A. § 21-2-524(a). Federal courts "do not intervene in state election contests for the purpose of deciding issues of state law." Hubbard v. Ammerman, 465 F.2d 1169, 1181 (5th Cir. 1972).⁶ Plaintiff filed an election contest case before the state court having exclusive jurisdiction to hear that case, the Superior Court of Fulton County, raising all of the allegations of fraud that he attempts to bring before this Court. Plaintiff does not challenge the state law providing for the filing of an election contest; in fact, Trump I is still pending in superior court with a hearing set for later this week. The sole reason for Plaintiff's attempt to "remove" Trump I to this

⁶ In Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc), the United States Court of Appeals for the Eleventh Circuit adopted as binding precedent all decisions of the former Fifth Circuit issued before October 1, 1981.

Court is the purported failure of the superior court to consider his election contest as expeditiously as he would prefer. Compl. at 11-17. But the delay is Plaintiff's own doing:

- Although Secretary Raffensperger certified the presidential election results on November 20, 2020, Plaintiff waited until December 4, 2020, to file his election contest.
- Plaintiff never sought an order from a judge of a superior court in Georgia to alter the statutory deadline for Secretary Raffensperger to certify the results for the presidential election; see O.C.G.A. § 21-2-499(b) (“Notwithstanding the deadlines specified in this Code section, such times may be altered for just cause by an order of the judge of superior court of this state.”).
- Plaintiff voluntarily withdrew his motion for emergency relief in superior court on December 8, 2020, which sought to stop the recertification of the election results.
- Plaintiff filed a notice of appeal of Judge Russell's procedural order on case status on December 11, 2020 (which would have not been filed had Plaintiff not withdrawn his original request for emergency

relief), effectively depriving the superior court of jurisdiction to consider his second motion for emergency injunctive relief.

- Plaintiff did nothing for over two weeks after the Supreme Court of Georgia denied his emergency petition for writ of certiorari on December 12, 2020.
- After Chief Judge Brasher reminded Plaintiff on December 29, 2020, that as long as his notice of appeal was pending, the superior court could not hear his election contest, Plaintiff then withdrew his notice of appeal on December 30, 2020, after which the superior court promptly appointed a judge from outside the judicial district to hear the election contest this week.

Plaintiff offers no authority to support a federal court hijacking a pending state election contest case under any circumstances, and certainly not when the failure to expedite was the result of Plaintiff's own actions.⁷

b. The Sole Remedy for Objecting to the Counting of Electoral Votes After Certification Lies with the Congress of the United States.

⁷ In fact, even if jurisdiction over this claim existed, it would be within this Court's discretion to abstain under Colorado River Water Conservation Dist. v. United States, 424 U.S. 800 (1976). In Colorado River, the Supreme Court affirmed the district court's dismissal of a case with parallel state court proceedings for the primary purpose of avoiding piecemeal litigation over the issue.

Plaintiff seeks an order from this Court decertifying the November 3, 2020, election results. See Compl., Prayer for Relief ¶¶ A, D; Pl.’s Br. at 11 (requesting, *inter alia*, that the Court issue an injunction decertifying the electors certified and directing the Georgia General Assembly to appoint a new slate of electors).

3 U.S.C. § 15 provides the only process by which the electoral votes are to be counted and potentially challenged. Specifically, when Congress is in session on the sixth day of January following a presidential election, after each state’s electoral votes are read to the members of the Senate and the House of Representatives, “the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives.” 3 U.S.C. § 15. The objections are to be submitted to both the Senate and the House, and “the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified.” Id. Plaintiff has failed to cite any statute or case that provides for any mode of challenging electoral votes already certified and counted by the Electoral

College outside the congressional method outlined in 3 U.S.C. § 15.⁸ Thus, this Court finds no grounds upon which to independently order the decertification of Georgia's election results.

2. Plaintiff Fails to Establish a Substantial Likelihood of Success of His Claim Under the Electors Clause (Count I).

Count I of Plaintiff's Complaint alleges in conclusory fashion that Defendants' certification of the November 3, 2020, election, which Plaintiff alleges was not performed in accordance with Georgia election laws, was in violation of Article II, Section 1, clause 2 of the United States Constitution. Compl. ¶ 71 (citing U.S. CONST. art. II, § 1, cl. 2). The Complaint does not elaborate specifically how the Electors Clause was violated. Plaintiff's brief in support of his Motion for Expedited Declaratory and Injunctive Relief does little to clarify the matter. See Pl.'s Mem. of Law in Supp. of Mot. for Expedited Declaratory and Injunctive Relief ("Pl.'s Br.") [Doc. 2-1] at 6-8. Plaintiff argues in conclusory fashion that because Defendants violated the Georgia Election Code they thereby

⁸ The Court notes that Plaintiff could have petitioned a judge of the superior court of this state to alter the time under which Governor Kemp was required to certify the slates of presidential electors, but Plaintiff failed to do so. See O.C.G.A. § 21-2-499(b).

violated the Electors Clause.⁹ Id. By certifying an election conducted in violation of Georgia election law, “Defendants infringed on the exclusive province of the [Georgia] Legislature under the Electors Clause.” Id. at 7.

The Electors Clause directs state legislatures to appoint presidential electors in a manner of their choosing, U.S. CONST. art. II, § 1, cl. 2. The Supreme Court has described this clause as “conveying the broadest power of determination” over who becomes an elector. Chiafalo v. Washington, 140 S. Ct. 2316, 2324 (2020) (quoting McPherson v. Blacker, 146 U.S. 1, 27 (1892)). The manner of appointment among the states is largely uniform as all states use an appointment process tied to the popular vote, with political parties fielding presidential candidates having the responsibility to nominate slates of presidential electors. Id. at 2321-22. The Georgia General Assembly’s decision to appoint the state’s presidential electors by popular vote is contained in O.C.G.A. § 21-2-499:

The Secretary of State shall also, upon receiving the certified returns for presidential electors, proceed to tabulate, compute, and canvass the votes cast for each slate of presidential electors and shall immediately lay them before the Governor. Not later than 5:00 P.M. on the seventeenth day following the date on which such election was conducted, the Secretary of State shall certify the votes cast for all candidates described in subparagraph (a)(4)(A) of Code Section 21-2-

⁹ Plaintiff also argues that Defendants violated the Elections Clause, but the Complaint fails to allege a violation of the Elections Clause, U.S. CONST. art. I, § 4, cl. 1. Pl.’s Br. at 6.

497 and upon all questions voted for by the electors of more than one county and shall no later than that same time lay the returns for presidential electors before the Governor. The Governor shall enumerate and ascertain the number of votes for each person so voted and shall certify the slates of presidential electors receiving the highest number of votes. The Governor shall certify the slates of presidential electors no later than 5:00 P.M. on the eighteenth day following the date on which such election was conducted. Notwithstanding the deadlines specified in this Code section, such times may be altered for just cause by an order of a judge of superior court of this state.

O.C.G.A. § 21-2-499(b).

Plaintiff argues that Defendants' alleged violation of Georgia election laws means that the "manner" for choosing electors established by the legislature was not followed and is in violation of Article II of the U.S. Constitution. Pl.'s Br. at 6-8. This argument confuses and conflates the "manner" of appointing presidential electors—by popular election—with underlying rules of election administration. The former implicates the Electors Clause while the latter implicates the Elections Clause. As used in the Electors Clause, the word "manner" refers to the "[f]orm" or "method" of selection of the Presidential Electors. Chiafalo, 140 S. Ct. at 2330 (Thomas, J., concurring) (citations omitted). It "requires state legislatures merely to set the approach for selecting Presidential electors." Id. Put another way, it refers simply to "the mode of appointing electors—consistent with the plain meaning of the term." Id.

The method for appointing presidential electors chosen by the Georgia General Assembly is by general ballot at the general election and requires the Governor to certify the slate of electors for the candidate who receives the “highest number of votes.” O.C.G.A. § 21-2-499(b). There is no dispute that this is precisely how Defendants determined the appointment of Georgia’s presidential electors. Absent proof that Defendants failed to follow this “manner” of determining the state’s presidential electors, Plaintiff has not and cannot show a violation of the Electors Clause.

Although it is clear that Plaintiff has not alleged a violation of the Elections Clause in his Complaint, see Count I, the argument asserted in support of his Motion for Expedited Declaratory and Injunctive Relief indicates that he may be relying on an alleged violation of the Elections Clause in support of his argument that he is entitled to injunctive relief. Premitting any discussion on whether the absence of any allegation in the Complaint precludes Plaintiff from relying on such an argument in this Motion, the Court finds that Plaintiff has failed to demonstrate a substantial likelihood of success on the merits of any such claim.

The Elections Clause, U.S. CONST. art. I, § 4, cl. 1, provides that “[t]he Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.” This provision vests

authority in the individual states to regulate the mechanics of federal elections. Foster v. Love, 522 U.S. 67, 69 (1997). Plaintiff alleges that Defendants ignored the “Georgia Legislature’s express directions regarding the collection, handling, processing, canvassing, and counting of absentee ballots, and related activities and/or through improper certification of elections and/or electors and related activities by and through implementation of an unconstitutional settlement agreement,”¹⁰ in violation of the Georgia Election Code and “thereby also violated the Electors and Elections Clauses.” Pl.’s Br. at 6. Put another way, Plaintiff argues Defendants usurped the role of the Georgia General Assembly—and thereby violated the United States Constitution—by implementing a settlement agreement that provided additional safeguards regarding absentee ballots not found in the Georgia Election Code.

As Georgia’s Secretary of State, Defendant Raffensperger is “the state’s chief election official.” Compl. ¶ 3; O.C.G.A. § 21-2-50 (recognizing that the Secretary of State is the “state’s chief election official.”). In this position, he is

¹⁰ The “settlement agreement” refers to “a March 2020 ‘Compromise and Settlement Agreement and Release’ . . . agreed to by Secretary Raffensperger and the State Election Board in response to litigation filed by Democratic Party of Georgia, Inc., the Democratic Senatorial Campaign Committee, and the Democratic Congressional Campaign Committee” that dealt with the process by which absentee votes are verified. Compl. ¶ 13.

permitted “[t]o formulate, adopt, and promulgate such rules and regulations, consistent with law, as will be conducive to the fair, legal, and orderly conduct of primaries and elections.” O.C.G.A. § 21-2-31. A similar challenge to the settlement agreement was recently considered and rejected in this district. As Judge Steven D. Grimberg found, the implementation of the settlement agreement “is a manifestation of Secretary Raffensperger’s statutorily granted authority. It does not override or rewrite state law. It simply adds an additional safeguard to ensure election security by having more than one individual review an absentee ballot’s information and signature for accuracy before the ballot is rejected.” Wood v. Raffensperger, No. 1:20-CV-04651-SDG, 2020 WL 6817513, at *10 (N.D. Ga. Nov. 20, 2020), aff’d, 981 F.3d 1307 (11th Cir. 2020). State legislatures “possess the authority to delegate their authority over elections to state officials in conformity with the Elections and Electors Clauses” like the Georgia General Assembly did in giving the Georgia Secretary of State authority to enter into the settlement agreement under O.C.G.A. § 21-2-31. See id. at *10 (citing Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n, 576 U.S. 787, 816 (2015) (“The Elections Clause [] is not reasonably read to disarm States from adopting modes of legislation that place the lead rein in the people’s hands . . . it is characteristic of our federal system that States retain autonomy to establish their own governmental

processes.”); see also Corman v. Torres, 287 F. Supp. 3d 558, 573 (M.D. Pa. 2018) (“The Elections Clause, therefore, affirmatively grants rights to state legislatures, and under Supreme Court precedent, to other entities to which a state may, consistent with the Constitution, delegate lawmaking authority.”). This Court agrees with Judge Grimberg’s analysis.

Accordingly, the Court finds that Plaintiff has failed to demonstrate a substantial likelihood of success of any claim under the Electors or Elections Clauses.

3. Plaintiff Fails to Establish a Substantial Likelihood of Success of His Fourteenth Amendment Claim (Count II).

Count II of Plaintiff’s Complaint alleges that Defendants violated due process by improperly certifying the November 3, 2020, general election results while a statutory election contest was pending. Compl. ¶ 73. The Complaint does not indicate if Plaintiff’s due process challenge is procedural or substantive and his brief filed in support the Motion for Expedited Declaratory and Injunctive Relief does not clarify the matter. Pl.’s Br. at 8. Plaintiff argues that the election contest filed in Trump I “alleges there are enough illegal votes sufficient to either change the outcome or to place the result of that election in doubt, as well as constitutional claims under equal protection and due process clauses of State Constitutions.” Id. But, once again, Plaintiff fails to show that the election contest process in superior

court does not provide him with available relief should he present sufficient evidence as to the presence of sufficient illegal votes. As previously discussed, any delay in having the superior court render a decision in Trump I is due to Plaintiff's own actions in that litigation.

B. Irreparable Injury

Plaintiff has not shown that he is likely to suffer the irreparable harm required to merit injunctive relief. “The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies.” Beacon Theatres, Inc. v. Westover, 359 U.S. 500, 506–07 (1959). Here, there is a clear, legal remedy for the injuries alleged, and it does not lie with this Court. Pursuant to 3 U.S.C. § 15, Congress will convene in Joint Session on January 6, 2021, and it will count and certify the electoral votes. The same statute provides the means for members of Congress to object to the count and reject any electoral votes deemed to be invalid. 3 U.S.C. § 15. Plaintiff asserts that harm will be irreparable if this Court does not act before Congress is given the opportunity to carry out its statutorily mandated duty, but this argument presumes that the federal statutory remedy under 3 U.S.C. § 15 is inadequate.

Moreover, as discussed by the Court, Plaintiff's delay in seeking injunctive relief in this Court principally was due to his failure to: (1) file an election contest

petition right after Secretary Raffensperger's certification on November 20, 2020; (2) request that a superior court judge delay the certification of the election and/or the slate of presidential electors; and (3) withdraw a notice of appeal which prevented the superior court from conducting a hearing on his election contest on a more expedited basis. See Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1249 (11th Cir. 2016) (finding that delay in seeking a preliminary injunction goes to the irreparable harm prong). The Complaint also fails to explain how, even if this Court granted the relief requested, Plaintiff will avoid any specific harm. The State of Georgia has sixteen (16) votes in the electoral college. If this Court did grant the relief requested, it would not change the result of the November 3, 2020, Presidential Election that Joseph R. Biden, Jr. obtained the 270 or more electoral votes needed for election as President.

C. Balance of Equities and Public Interest

The Court finds that the threatened injury to Defendants as state officials and the public at large far outweigh any burden on Plaintiff. Plaintiff seeks an extraordinary and unprecedented remedy: the decertification of the votes cast in the presidential election, after millions of people lawfully cast their ballots. To interfere with the result of an election that has already concluded and has been audited and certified on multiple occasions would be unprecedented and harm the

public in countless ways. See Wood, 2020 WL 6817513, at *13 (citing Sw. Voter Registration Educ. Project v. Shelley, 344 F.3d 914, 919 (9th Cir. 2003)).

Granting injunctive relief here would breed confusion, undermine the public's trust in the election, and potentially disenfranchise of millions of Georgia voters.

IV. CONCLUSION

For the foregoing reasons, it is hereby **ORDERED** that Plaintiff's Motion for Expedited Declaratory and Injunctive Relief [Doc. 2] is **DENIED**.

IT IS SO ORDERED this 5th day of January, 2021.



MARK H. COHEN
United States District Judge

Case: 1:21-mj-000010
Assigned to: Judge Harvey, G. Michael
Assign Date: 1/7/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

On Wednesday, January 6, 2021, I was on duty, in full uniform, serving as part of Civil Disturbance Unit (CDU) 53 deployed to U.S. Capitol grounds in response to a mass demonstration where protesters had stormed the U.S. Capitol.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

After several hours of attempting to remove demonstrators from Capital grounds, at approximately 1800 hours, CDU officials increased their efforts by broadcasting over a loud speaker that the demonstrators were in violation of the mayor's curfew order. They continued to broadcast that message for approximately one hour. At approximately 1920 hours, a combined effort involving MPD CDU and DC National Guard troops began to encircle the remaining crowd, located on the grounds of the U.S. Capitol Building at the U.S. Capitol Visitor Center, so as to begin mass arrest procedures for the remaining demonstrators who refused to leave.

District of Columbia Mayor Muriel Bowser declared a public emergency in the District of Columbia (Mayor's Order 2021-001, pursuant to 24 DCMR § 2203.2), which resulted in a District-wide curfew commencing at 6:00 p.m. on Wednesday, January 6, 2021 and ending at 6:00 a.m. on Thursday January 7, 2021.

At approximately 1925 hours (7:25p.m.), I was assisting escorting individuals past an MPD line when I noticed a man, later identified by his Maryland driver's license as CHRISTOPHER ALBERTS, to be slow in responding to orders to leave the premises. As I approached ALBERTS

from his rear, I noticed a bulge on ALBERTS' right hip. Based on my training and experience, I recognized the bulge was consistent with that of a handgun. While pushing ALBERTS towards the line, I tapped the bulge with my baton and felt a hard object that I immediately recognized to be a firearm. At the time, ALBERTS was also wearing a bullet-proof vest and carrying a backpack.

At that point, I told two MPD officers next to him that ALBERTS had a firearm on his person. ALBERTS, apparently hearing that, immediately tried to flee, but I was able to detain him with the help of two other officers. A black Taurus G2C 9mm (Serial#AAL085515) was recovered from D-1's right hip. Additionally, a separate magazine was located on D-1's left hip. Both the gun and the spare magazine were in held in two separate holsters. The handgun had one round in the chamber with a twelve round capacity magazine filled with twelve rounds; the spare magazine also had a twelve round capacity and was filled with twelve rounds. MPD Officers also seized a gas-mask from the defendant's person as well as the defendant's backpack containing a pocket-knife, one packaged military meal-ready to eat (MRE), and one first-aid medical kit.

The MPD Gun Recovery Unit was dispatched and ALBERTS was subsequently placed under arrest for Carrying a Pistol without a License, Possession of a firearm on Capital Grounds, Curfew Violation, Possession of Unregistered Ammunition, and Possession of a High Capacity Ammunition Feeding Device, and was transported to 5D for processing.

While in custody at the Fifth District ALBERTS was advised of his *Miranda* rights, which he waived. ALBERTS stated that he was in possession of the firearm for personal protection and he did not intend on using the firearm to harm anyone.

Based on the foregoing, I submit that there is probable cause to believe that the ALBERTS violated 40 U.S.C. § 5104(e)(1)(A)(i), which makes it a crime to, among other things, carry or have readily accessible a firearm or other dangerous weapon on Capitol Grounds.



OFFICER DALLAN HAYNES
METROPOLITAN POLICE
DEPARTMENT

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 7th day of January 2021.



Digitally signed by G. Michael
Harvey
Date: 2021.01.07 13:42:53 -05'00'

G. MICHAEL HARVEY
U. S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Cindy Fitchett, Michael
Curzio, Douglas Sweet,
Terry Brown,
Bradley Rukstales, and
Thomas Gallagher

)
) Case: 1:21-MJ-00012
) Assigned to: Judge G. Michael Harvey
) Assigned Date: 1/7/2021
) Description: COMPLAINT W/ ARREST WARRANT
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1752 (a)

Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority; or Knowingly, With Intent to Impede Government
Business or Official Functions, Engaging in Disorderly Conduct on Capitol
Grounds

40 U.S.C. 5104 (e)(2)

Violent Entry and Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Joseph Bruno, United States Capitol Police

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone (specify reliable electronic means).

Date: January 7, 2021

Judge's signature

G. Michael Harvey
2021.01.07 20:06:58 -05'00'

Judge's signature

City and state: Washington, District of Columbia

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

I am employed as a Special Agent of the Federal Bureau of Investigation (FBI) and have been employed by the FBI since 2018. Currently, I am assigned to a squad that investigates Counterintelligence matters as part of the FBI Washington Field Office. The focus of my Counterintelligence efforts has been foreign intelligence activities. My squad is based at the Washington Field Office. As a Special Agent, I am authorized to investigate violations of laws of the United States and am authorized to execute warrants issued under the authority of the United States. My duties with the FBI include but are not limited to the investigation of counterintelligence matters.

The United States Capitol (the Capitol), which is located at First Street, SE, in Washington, D.C., is secured 24 hours a day by United States Capitol Police (Capitol Police). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by Capitol Police. Only authorized people with appropriate identification are allowed access inside the Capitol. On January 6, 2021, the exterior plaza of the Capitol was closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the Capitol. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President of the United States Michael R. Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, a large crowd gathered outside of the Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the Capitol building, and Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

Between 1:00 and 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and Capitol Police officers, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by Capitol Police Officers or other authorized security officials.

At such time, the certification proceedings were still underway, and the exterior doors and windows of the Capitol were locked or otherwise secured. Capitol Police officers attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the Capitol, including by breaking windows and by assaulting members of the Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the House and Senate, including Vice President Pence serving as the President of the Senate, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day.

In light of the dangerous circumstances caused by the unlawful entry to the Capitol, including the danger posed by individuals who had entered the Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the Capitol, and law enforcement could confirm the building had been secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the Capitol building without authority to be there.

On January 7, 2021, an unknown individual provided law enforcement with information regarding a subject, “CODY CONNELL,” who claimed to have breached the Capitol on January 6. That individual provided a screenshot of what appears to be a Facebook exchange between CONNELL and another individual, in which CONNELL states, “I have more videos of us breaching the Capitol but not gonna post them. We will be back and it will be a lot worse than yesterday!” That screenshot is provided below in Figure One:

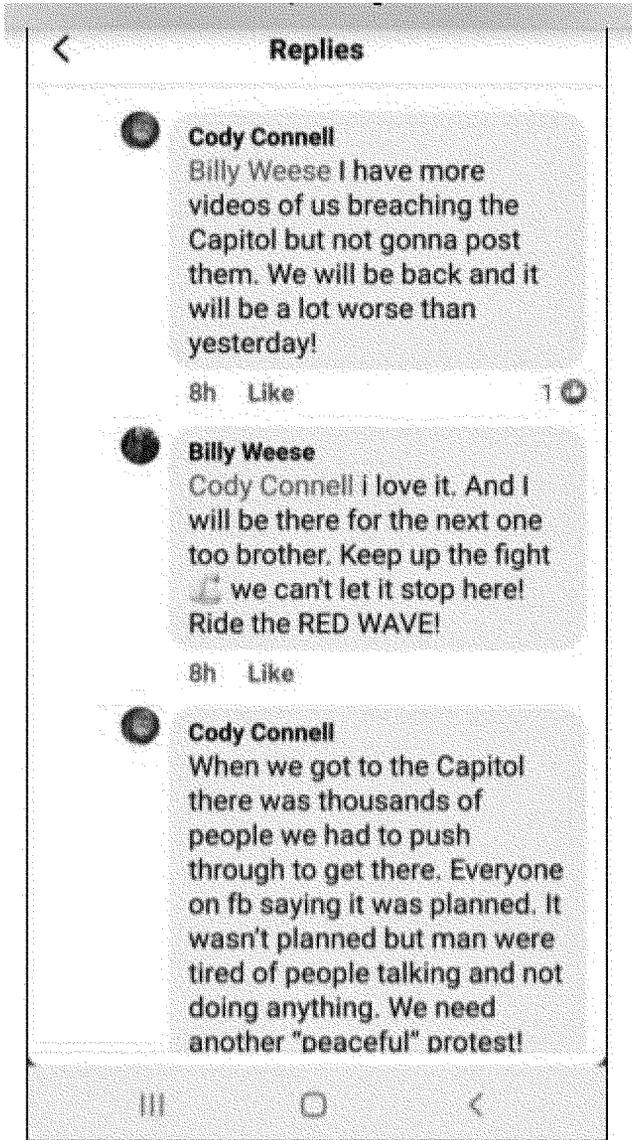


Figure One

The public Facebook profile picture for CONNELL is below in Figure Two. Law enforcement believes the identity of this individual is CODY PAGE CARTER CONNELL. A search of Louisiana's Department of Motor Vehicles returned CONNELL's February 2019 driver's license photograph, depicted below in Figure Three. By comparing Figure Two to Figure Three, your affiant reasonably believes that the individual who posted the above Facebook messages about breaching the Capitol is CODY PAGE CARTER CONNELL.

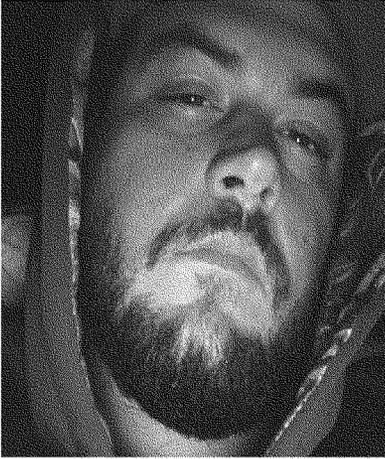


Figure Two



Figure Three

Additional social media research illustrates CONNELL's plans to travel from Louisiana to Washington, D.C. on January 6, 2021. On January 5, for example, CONNELL reposted a message stating, "Join President Donald J. Trump at the Save America March" and listing the event details for January 6, 2021. CONNELL added a message to this post saying, "Definitely gonna be an experience." Later that night at about 12:26 a.m. on January 6, CONNELL posted on Facebook a screen shot of what appears to be a Google maps picture of the Washington, D.C. area with a pin dropped in the center of Washington. CONNELL added a message with flexing-arm emojis saying, "gonna be right there in the middle of it."

At about 11:43 a.m. on January 6, CONNELL posted to his public profile page a two-minute and fifty-eight second video of CONNELL and another individual law enforcement believes to be CONNELL's cousin, DANIEL PAGE ADAMS, walking in what appears to be Washington, D.C., with the Washington Monument in the foreground. At about the fifteen-second mark, CONNELL says, "We here" and flashes the camera to his face and ADAMS's face. CONNELL is the bearded individual with a dark-colored hooded sweatshirt and a gray hat with markings on the front bottom-left, depicted in Figure Four. ADAMS is the next individual shown in the video with a mullet hairstyle, camouflage jacket, purple shirt, and blue multi-colored hat, depicted in Figure Five.



Figure Four



Figure Five

Finally, social media information revealed that CONNELL and ADAMS posed for a photograph in Washington, D.C. with the same clothing as in the aforementioned video. In the photograph, CONNELL appears to be the bearded individual in the center-right, with the same dark-colored hooded sweatshirt and gray hat with markings seen in Figure Four, and distinctive tattoos on his hands. ADAMS appears to be the individual in the center-left with the same mullet hairstyle, camouflage jacket, purple shirt, and blue multi-colored hat seen in Figure Five. The social media photograph is below in Figure Six, with CONNELL's face and tattoos identified by red ovals:



Figure Six

Law enforcement confirmed the identity of ADAMS in the above-referenced videos and photographs by conducting a search of Texas's Department of Motor Vehicles. That search returned ADAMS's driver's license photograph, depicted below in Figure Seven. By comparing the below photograph to Figures Five and Six, your affiant reasonably believes that the individual who traveled and breached the Capitol with CONNELL is DANIEL PAGE ADAMS.

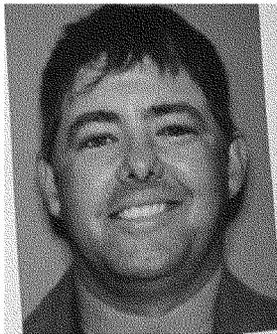


Figure Seven

According to one witness familiar with both CONNELL and ADAMS, CONNELL created videos and photographs apparently taken with a mobile device and distributed to others via social media on January 6, showing himself and ADAMS on the Capitol grounds. This witness provided the photographs and videos to law enforcement and identified CONNELL and ADAMS. In one twelve-second video, CONNELL wrote “They tear gassing us.” The video shows CONNELL and ADAMS surrounded by other rioters and covering their faces as if to shield themselves from tear gas, all while standing under what appears to be the temporary fixture connected to the Capitol building on January 6. In Figure Eight below, CONNELL appears to be wearing the same dark-colored hoodie, gray hat with markings, and hand tattoos (marked with red ovals) as in Figures Four and Six. Also in Figure Eight, CONNELL’s cousin is standing behind CONNELL and appears to be wearing the same mullet hairstyle, camouflage jacket, and blue-patterned hat as in Figures Five and Six. Because of the face, clothing, and location matches between CONNELL’s personal Facebook post and the witness’s video provided to law enforcement, your affiant has reason to believe the subjects in both are CONNELL and ADAMS. In Figure Nine below, the screenshot of the video displays the surroundings after CONNELL flipped the camera around, and your affiant recognizes those surroundings to be the Capitol stairs.

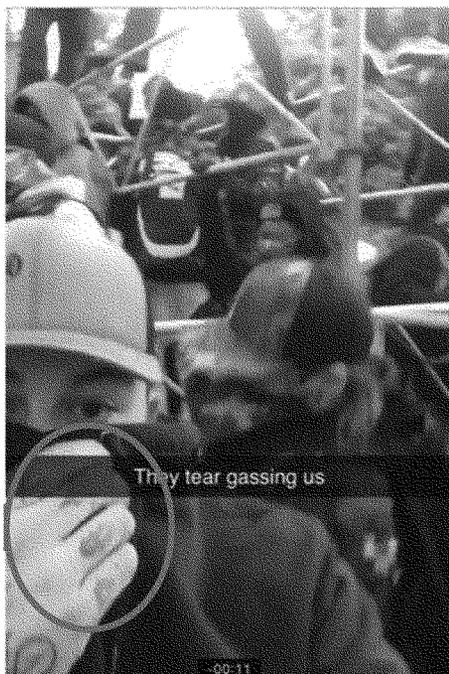


Figure Eight

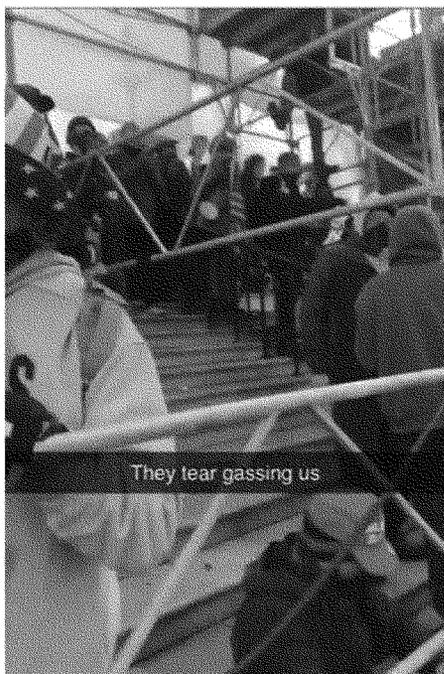


Figure Nine

Law enforcement also reviewed additional social media information connected to CONNELL that appears to be a cellphone video taken either by CONNELL or ADAMS. The video depicts ADAMS at the front of a crowd on the Capitol grounds, pushing toward a line of United States Capitol Police officers standing guard. At the beginning of the video, ADAMS repeatedly asks to those around him, "Let's go. Are you ready to push?" ADAMS is directly in front of a line of Capitol Police officers who are holding protective shields up between themselves and ADAMS. At this point, ADAMS starts yelling, "let's go, let's go, let's go!" and he and others appear to sprint up the Capitol steps, chasing the officers who are now repositioning themselves at the top of the stairs. ADAMS then engages in a direct struggle with law enforcement officers who are attempting to prevent ADAMS and others from breaking the line again. ADAMS continuously shouts, "come on, let's go, let's go, come on, let's go," in an apparent effort to encourage others to keep launching forward toward the officers and the Capitol building. The video then shows ADAMS physically engaging with another set of officers at the top of the steps. The video ends with a loud thud and ADAMS holding his head and uttering an expletive. Figure Ten, below, depicts ADAMS's view as shown in the video, just before he led the crowd of rioters to surge forward against the depicted officers and their protective shields. Figure Eleven depicts ADAMS holding his head and looking into the camera at the end of the apparent altercation.



Figure Ten



Figure Eleven

According to social media records, CONNELL appears to have described the January 6 events detailed above in a conversation with another individual on January 7, 2021. CONNELL stated “4 of us breached the cops blockade and us same 4 breached the Capitol.” After apparently sending a video to the same individual, CONNELL explained, “That’s my cousin. When we stormed the cops there was 8 of them and 4 of us so he got clubbed and shot with rubber bullet. But we pushed the cops against the wall, they dropped all their gear and left. That’s when we went to doors of Capitol building and breached it.” The other individual responded, “Yall boys something serious lol it lookin like a civil war yet?” CONNELL answered: “It’s gonna come to it.”

Your affiant believes CONNELL may intend to return to Washington, D.C. sometime during the week of January 18, 2021. According to a witness, CONNELL has communicated with at least two other individuals in Texas about purchasing long-rifle firearms, ammunition, and body armor to bring with them. According to the witness, CONNELL explained that he was not returning to Louisiana unless he was in a body bag. Your affiant understood that to mean CONNELL intended to travel to Washington D.C. to cause violence that may result in the end of his life.

Based on the foregoing, your affiant submits there is probable cause to believe that both CODY PAGE CARTER CONNELL and DANIEL PAGE ADAMS violated federal laws.

Your affiant submits that there is probable cause to believe that CODY PAGE CARTER CONNELL violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempt or conspire to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Finally, your affiant submits there is also probable cause to believe that CODY PAGE CARTER CONNELL violated 40 U.S.C. § 5104(e)(2), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

In addition, your affiant submits there is probable cause to believe that DANIEL PAGE ADAMS violated 18 U.S.C. § 111(a), which makes it unlawful to forcibly assault, resist, oppose,

impede, intimidate, or interfere with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties. For purposes of section 111 of Title 18, United States Capitol Police Officers constitute persons designated in section 1114 of Title 18.

Your affiant submits there is probable cause to believe that DANIEL PAGE ADAMS violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Your affiant submits that there is also probable cause to believe that DANIEL PAGE ADAMS violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempt or conspire to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Finally, your affiant submits there is also probable cause to believe that DANIEL PAGE ADAMS violated 40 U.S.C. § 5104(e)(2), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



SPECIAL AGENT MICHAEL SAHADI, JR.
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 15th day of January 2021.

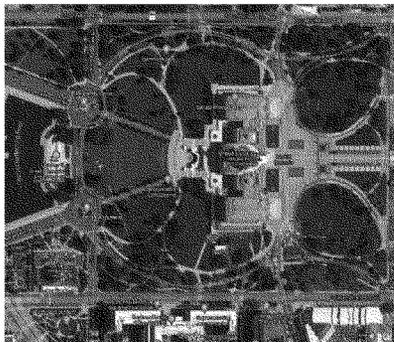
UNITED STATES MAGISTRATE JUDGE

STATEMENT OF FACTS

On January 6, 2021, your affiant, Detective [REDACTED], was on duty and performing my official duties as a Metropolitan Police Department Detective. Specifically, I am assigned to the Narcotics and Special Investigation Division, and detailed to the FBI's Safe Streets Task Force. Since January 6, 2021, your affiant has been tasked with investigating criminal activity in and around the Capitol grounds.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. On January 6, 2021, permanent and temporary security barriers were in place to separate areas where lawful first amendment activity could be conducted from areas restricted both to prevent any adverse impact on the legislative process and to safeguard and prevent property damage directed at the U.S. Capitol and West Front Inaugural Platform. These security barriers included bike racks that were positioned to the north of the U.S. Capitol along Constitution Avenue; to the south of the U.S. Capitol along Independence Avenue; to the west of the U.S. Capitol along First Street on the eastern side of that street; and, on the east side of the U.S. Capitol, between the Capitol Plaza (East Front) and the grassy areas located between the Plaza and First Street. This bounded area is hereinafter referred to as the "Restricted Grounds." Within the West Front of the Restricted Grounds there were additional temporary barriers due to preparations and ongoing construction for the Inauguration including green snow fencing and signage stating "Area Closed By order of the United States Capitol Police Board." The exterior plaza of the U.S. Capitol was also closed to members of the public.

The picture on the next page demonstrates the barriers that were set up around the Capitol Building on January 6, 2021.

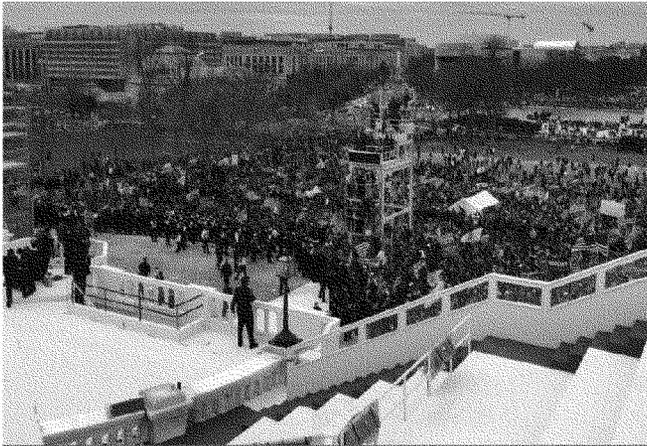


On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session,

elect members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings commenced, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

The picture below shows the west side of the Capitol Grounds near the Inaugural Stage where a police barricade was established along with the fenced barricade in an attempt to keep protesters from breaching the barricade.



At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session

of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building and the Restricted Grounds without authority to be there.

On January 9, 2021, the FBI received a tip that Otero County, New Mexico Commissioner COUY GRIFFIN (hereinafter S1) was present at the U.S. Capitol on January 6, 2021, and had posted videos to his Facebook page indicating that he intended to return to Washington, D.C. on January 20, 2021, and put the American flag on House Speaker Nancy Pelosi's desk.

Through investigation, the FBI and your affiant learned that S1 is the founder of an organization called "Cowboys for Trump." Following the incident at the U.S. Capitol on January 6, 2021, S1 posted a video to the Cowboys for Trump Facebook page in which he stated that he "climbed up on the top of the Capitol building and . . . had a first row seat." In that same video, which has since been removed from the Facebook page, he went on to state his intention to return to the U.S. Capitol on January 20, 2021:

You want to say that that was a mob? You want to say that was violence?
No sir. No Ma'am. No we could have a 2nd Amendment rally on those same steps that we had that rally yesterday. You know, and if we do, then it's gonna be a sad day, because there's gonna be blood running out of that building. But at the end of the day, you mark my word, we will plant our flag on the desk of Nancy Pelosi and Chuck Schumer and Donald J. Trump if it boils down to it.

On January 11, 2021, Special Agents from the FBI interviewed S1 about his actions on January 6, 2021. S1 reported that he traveled to Washington, D.C. to participate in a protest regarding the results of the 2020 Presidential Election. S1 stated that he traveled with a man named MATT STRUCK, who runs media for the Cowboys for Trump organization. S1 told agents that he expected the event to be peaceful, and that it largely was. S1 stated that when he arrived at the U.S. Capitol, there was already a large crowd forming around the barricades. S1 stated that he was "caught up" in the crowd, which pushed its way through the barricades and entered the restricted area of the U.S. Capitol. S1 indicated that neither he nor STRUCK entered the U.S. Capitol building at any time, and instead they both remained on the U.S. Capitol steps. S1 stated that police never asked him to leave the area, and he exited the U.S. Capitol grounds peacefully. Finally, S1

stated that he plans to return to Washington, D.C. for the rally on January 20, 2021, and hopes the protests will be non-violent. S1 told the Special Agents that he hopes a change in leadership can be accomplished “without a single shot being fired,” but noted that there was “no option that’s off the table for the sake of freedom.”

Special Agents from the FBI also interviewed STRUCK, the videographer that traveled with S1 to Washington, D.C. on January 6, 2021. STRUCK stated that, following the rally, he and S1 moved towards the U.S. Capitol and saw people “where they shouldn’t be,” pushing past barriers and up onto the platform deck in front of the U.S. Capitol. STRUCK stated that he and S1 climbed up the U.S. Capitol wall and onto the patio on the U.S. Capitol’s west front. STRUCK stated that as he and S1 got closer to the U.S. Capitol, there were people around them scaling additional walls, but S1 decided they would not do that. Instead, a door opened which gave them access to the top stairs and the outside deck of the U.S. Capitol via a temporary staircase. S1 got up on the wall to face the crowd, and was able to borrow a bullhorn to lead the group in a prayer. STRUCK stated that he and S1 remained up on the deck for approximately an hour and a half, and left unprompted when they smelled pepper spray in the air. STRUCK stated that neither he nor S1 had “malicious intent,” but acknowledged that they may have committed some “minor trespassing” onto the steps of the U.S. Capitol. STRUCK provided the FBI with the video footage that he had taken on January 6, 2021, during the incident at the U.S. Capitol.

According to Special Agents from the FBI, the video footage provided by STRUCK is consistent with videos posted on the “Cowboys for Trump” Facebook page as well as on S1’s personal Facebook page.

The below picture is a still image taken from an ABC7 news story about S1’s participation in the January 6, 2021, incident at the U.S. Capitol. In the image, S1 is seen standing on the west front of the U.S. Capitol steps, well within the restricted area. In the video, S1 states: “it is a great day for America! The people are showing that they’ve had enough. People are ready for fair and legal elections, or this is what you are going to get, you’re going to get more of it.”



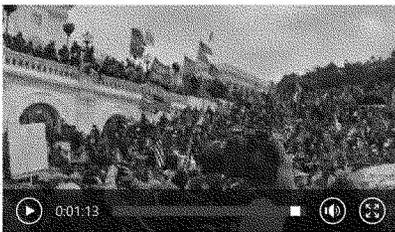
In another media story by Inside Edition, S1 was interviewed about his participation in the January 6, 2021, incident at the U.S. Capitol. The news segment contained video footage of S1

standing in the same location on the U.S. Capitol steps, and stating: “we are not going anywhere. We are not going to take for no for an answer. We are not going to get our election stolen from us from China.” During his subsequent interview, a reporter asks S1 about the comments he posted on Facebook stating that there might be “blood running out” of the U.S. Capitol during further demonstrations, and whether he was afraid that additional people could die. S1 responded: “I am more afraid of losing my freedom than anything.” At another point, S1 also states: “We are not going to allow it. There will never be a Biden presidency.”

A second still image below, which was obtained from a video posted to S1’s personal Facebook page, shows S1 addressing the crowd with a bullhorn in the same general location on the U.S. Capitol steps:



Additional still images taken from the Facebook video on S1’s personal page as well as from the ABC7 News story show S1’s proximity to the U.S. Capitol as the videographer pans away from S1. Once again, although the crowd control barriers are not visible due to the large crowd, S1’s location on the west facing steps of the U.S. Capitol was well within the restricted area.

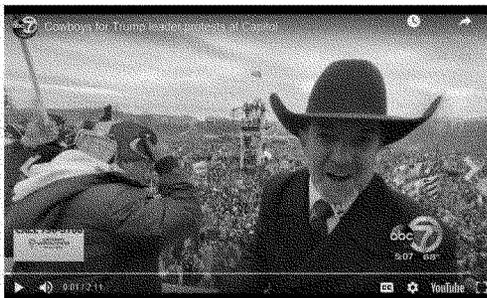


On January 14, 2021, during an Otero County, New Mexico council meeting, S1 spoke for approximately seventeen minutes about his actions on January 6, 2021. During these comments, S1 told the council that he noticed the fencing that was erected to delineate the area between permissible First-Amendment activity and the prohibited areas on the west side of the U.S. Capitol. Specifically, S1 stated that when the crowd got down to the inaugural side of the building, “there was some fencing up and they were saying that you could not go any further because this was being reserved for Joe Biden and his inauguration. Well, you tell a million Trump supporters that . . . , pretty soon that crowd just pushed through. I wasn’t anywhere in the front of it, I was in the back.”

S1 also told members of the council about his intent to lead the group in a prayer, and noted that he finally was able to do so when he got a bullhorn “outside the Capitol, but up where the President is inaugurated at.” S1’s statements about his location and actions on January 6, 2021, are consistent with the video screenshots and other open source material that your affiant has reviewed.

Finally, S1 also spoke at the council meeting about his plans to return to Washington, D.C. to protest President-Elect Biden’s inauguration on January 20, 2021. S1 stated that he intended to bring his firearms with him when he traveled to Washington, D.C. Specifically, S1 stated: “I am going to leave either tonight or tomorrow. I’ve got a .357 Henry big boy rifle . . . that I got in the trunk of my car, and I’ve got a .357 single action revolver . . . that I will have underneath the front seat on my right side. And I will embrace my Second Amendment, I will keep my right to bear arms, my vehicle is an extension of my home in regard to the constitution law, and I have a right to have those firearms in my car.”

Your affiant reviewed open source material and news articles about S1 in order to become familiar with his appearance. As an example, your affiant compared the photograph of COUY GRIFFIN from a May 20, 2020, news article to the still images of S1 from the January 6, 2021, incident at the U.S. Capitol. Based on this comparison, as well as the other facts contained within this affidavit, your affiant reasonably believes that the person shown within the restricted area of the U.S. Capitol on January 6, 2021, is, in fact, COUY GRIFFIN.





Couy Griffin is an Otero County Commissioner and founder of "VoteforTrump". (Credit: Couy Griffin).

Based on the foregoing, your affiant submits that there is probable cause to believe that COUY GRIFFIN violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions.



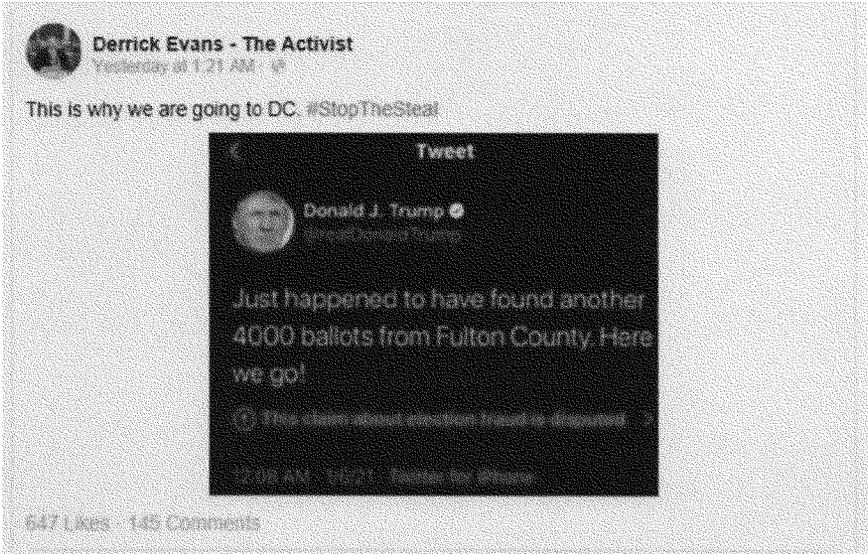
DETECTIVE [REDACTED]
METROPOLITAN POLICE DEPARTMENT

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of January 2021.



Zia M. Faruqui
2021.01.15
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Zia M. Faruqui
U.S. MAGISTRATE JUDGE



Case: 1:21-mj-00071
Assigned to: Judge Zia M. Faruqi
Assign Date: 1/15/2021
Description: COMPLAINT W/ARREST WARRANT

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

UNITED STATES OF AMERICA	:	Case Nos:
	:	
v.	:	VIOLATIONS:
	:	
LISA MARIE EISENHART,	:	18 U.S.C. § 371
ERIC GAVELEK MUNCHEL,	:	(Conspiracy)
	:	
Defendants.	:	18 U.S.C. § 231(a)(3)
	:	(Civil Disorders)
	:	
	:	18 U.S.C. § 1752(a)
	:	(Restricted Building or Grounds)
	:	
	:	40 U.S.C. § 5104(e)(2)
	:	(Violent Entry or Disorderly Conduct)

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Carlos D. Fontanez, being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging ERIC GAVELEK MUNCHEL (“MUNCHEL”)¹ and LISA MARIE EISENHART (“EISENHART”) with violations of 18 U.S.C. §§ 2, 231, 371, 1752(a), and 40 U.S.C. § 5104(e).

2. I respectfully submit that this Affidavit establishes probable cause to believe that MUNCHEL and EISENHART: (1) knowingly and willfully entered into a conspiracy to violate 18 U.S.C. §§ 231(a)(3), 1752(a) and 40 U.S.C. § 5104(e), in violation of 18 U.S.C. § 371; (2) did attempt to commit any act to obstruct, impede, or interfere with any Law-enforcement officer

¹ On January 10, 2021, this Court approved a complaint and arrest warrant for MUNCHEL arising out of the same incident. See Case No. 21-mj-29. The complaint and supporting application filed in this case is intended to supersede that complaint, which the Government will dismiss at the initial hearing.

lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects the conduct or performance of any federally protected function; (3) did enter or remain in any restricted building or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct, in violation of 18 U.S.C. § 1752(a); (4) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress, in violation of 18 U.S.C. § 5104(e)(2); and (5) did were aiding and abetting the commission of these offenses against the United States, in violation of 18 U.S.C. § 2.

3. Specifically, on or about January 6, 2021, EISENHART and her son, Eric MUNCHEL, traveled to Washington, D.C., and agreed to enter the U.S. Capitol, without lawful authority, at the time when a joint session of Congress was certifying the November 2020 presidential election. As the Congress was engaged in the official business of certifying the electoral college vote, EISENHART and MUNCHEL knowingly and willfully joined a mob of individuals to forcibly enter the U.S. Capitol with the intent to cause a civil disturbance designed to impede, disrupt, and disturb the orderly conduct of business by the United States House of Representatives and the United States Senate.

BACKGROUND OF AFFIANT

4. I have been a Special Agent with the Federal Bureau of Investigation (“FBI”) since 2015. I am currently assigned to a squad that investigates criminal enterprises and violent gangs for the Washington Field Office. I have training and experience in the areas of violent crimes,

gang-related criminal activity, interview and interrogation, evidence recovery, source recruitment, and digital forensics. I also have testified in federal court on cases involving violent gangs where defendants were charged with violent crimes in aid of racketeering.

5. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as “on or about” dates.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

6. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

7. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate Chamber.

8. With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the

exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

9. On January 6, 2021, there was national news coverage of the certification process. That coverage, and what appears to be video footage captured on cell phones from people at or near the U.S. Capitol, depicts persons engaging in criminal conduct by, among other actions, being inside the U.S. Capitol building without authority.

10. Photographs and videos of several of these persons were disseminated via social media and other open source online platforms. Those persons included a distinctly dressed person inside of the Senate chambers wearing dark fatigues that Law-enforcement authorities have identified to be Eric Gavelek MUNCHEL (“MUNCHEL”).



11. In the photograph above, the person who appears to be MUNCHEL is wearing or displaying several distinctive items, including: (1) a baseball cap that appears to have been manufactured by Black Rifle Coffee Company, depicting a rifle and a flag, with writing on the left side of the cap near the back of the cap; (2) a patch on the center of his chest displaying the “Punisher” comic book character, as well as a Tennessee “thin blue line” patch depicting the State of Tennessee bisected by a horizontal blue line; and (3) a long-sleeve shirt in a fatigues pattern with black rectangles on the upper sleeves. The person who appears to be MUNCHEL also is depicted in these photographs carrying plastic restraints and an item in a holster on his right hip. In my experience, flex cuffs (plastic restraints) are used by Law-enforcement to restrain and/or detain subjects. And the person who appears to be MUNCHEL further appears to have a cell phone mounted on his chest, with the camera facing outward, ostensibly to record events that day.

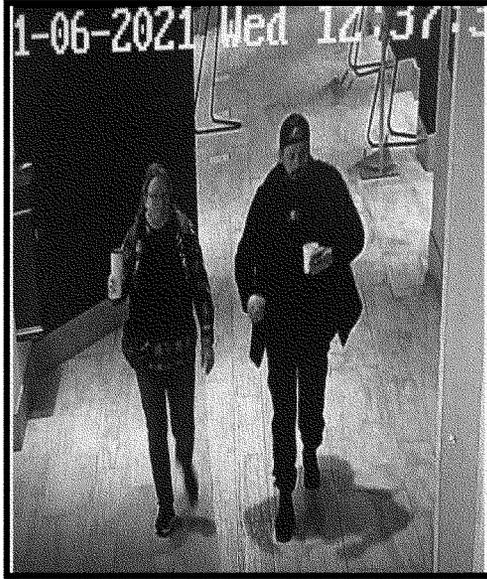
12. On January 10, 2021, a search warrant was executed at MUNCHEL’s residence in Nashville, Tennessee. Law-enforcement authorities recovered from inside of the home several distinctive articles of clothing that appear similar, if not the same, to the clothing worn by

MUNCHEL inside of the Senate chambers. This included the distinctive black in color Black Rifle Coffee Company hat with American flag and rifle logo, black boots, black camouflaged pants and shirt, and black tactical vest with patches to one of a Punisher logo. Also found inside of MUNCHEL's home were five pairs of white flex cuffs.

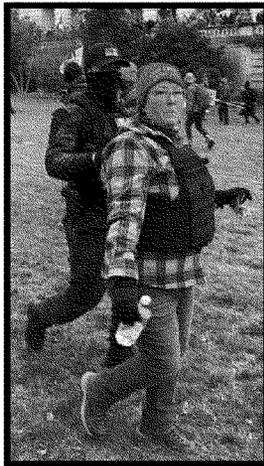
13. Also on January 10, 2021, a criminal complaint was filed in the United States District Court for the District of Columbia for MUNCHEL's arrest on offenses committed during the siege on the U.S. Capitol. Law-enforcement authorities attempted to execute the arrest warrant at the same time that the search warrant was executed. Later that day, Law-enforcement made contact with MUNCHEL, who ultimately surrendered himself and was taken into custody.

14. Subpoenaed records from the Grand Hyatt Hotel in Washington, D.C., establish that EISENHART rented a hotel room on January 4, 2021, and checked out from the room on January 7, 2021. She provided a Georgia driver's license under the name of LISA EISENHART as proof of identification to rent the room.

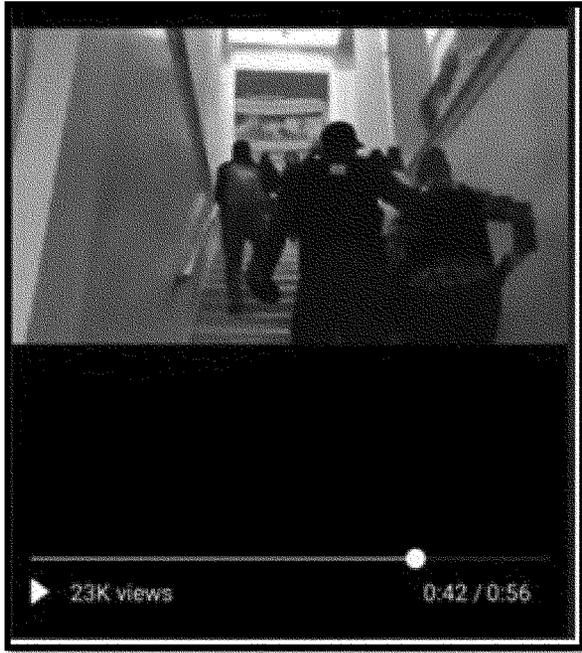
15. Video surveillance from the Grand Hyatt Hotel establishes that EISENHART and MUNCHEL were together at the Grand Hyatt and present in the District of Columbia on January 6, 2021, the day of the Capitol siege. The photograph below depicts the pair leaving the hotel at approximately 12:37 p.m., shortly before the joint session of Congress began and a little over an hour after before Capitol barricades were breached. It further shows MUNCHEL wearing clothing that appears the same as the clothing that he wore when he entered the Senate chamber later that afternoon. EISENHART is wearing what appears to be a plaid shirt, tactical vest, jeans, and glasses.



16. During the investigation, Law-enforcement authorities discovered a photograph depicting EISENHART and MUNCHEL walking together on the grounds of the U.S. Capitol that appears to have been taken before the attack on the Capitol:



17. Law-enforcement authorities also discovered a video showing two individuals who appear to be EISENHART and MUNCHEL walking together up a set of steps inside of the U.S. Capitol:



18. In each of the above depictions, EISENHART is wearing clothing that is consistent in color and style, including a distinctive plaid shirt, tactical vest, blue jeans, and glasses. The two images of EISENHART taken on Capitol grounds further shows her wearing a red hat that is similar in style and color.

19. Video footage from inside of the U.S. Capitol captures EISENHART and MUNCHEL in the vicinity of a mob of individuals that are physically attacking two Capitol Police officers guarding entry into the Senate chambers. The footage eventually shows officers run past EISENHART and MUNCHEL; several members of the mob give chase. Right after they pass,

EISENHART and MUNCHEL immediately follow behind the individuals pursuing the officers. MUNCHEL and EISENHART are seen holding flex cuffs in each of their hands during the pursuit. The footage reflects that both officers ultimately made good on their escape to a lower level of the building, as well as EISENHART then appearing to shout at the officers while leaning over a bannister.

20. Video footage also captures MUNCHEL and EISENHART moments later among the individuals inside of the Senate chambers, having entered through the very area that the officers were guarding before the assault.

21. On January 6, 2021, law-enforcement officers encountered MUNCHEL at the Grand Hyatt Hotel, located in Washington, D.C. At the time, MUNCHEL was wearing black camouflage pants and a black holster containing what appeared to be a handgun. Law-enforcement authorities interviewed MUNCHEL and identified that he was carrying a black and yellow “Taser Pulse” that emits electrical shock. MUNCHEL told authorities that he participated in the rally at the U.S. Capitol earlier that day and that he possessed the taser for self-protection.

22. Law-enforcement authorities discovered a videotape, purportedly recorded on January 6, 2021, inside the Grand Hyatt hotel, of two individuals who appear to be EISENHART and MUNCHEL. Below is a screenshot from the video footage:



23. I have examined a photograph of EISENHART from Law-enforcement databases that appears to be the same person depicted in the photographs above.



24. During the investigation, law-enforcement agents discovered that MUNCHEL flew on Southwest Airlines from Nashville, Tennessee, to Fort Myers, Florida, in March 2020. That flight was booked by a person named Lisa EISENHART, who has the exact name and date of birth as the individual who rented the above referenced room from the Grand Hyatt.

25. According to a search of a law-enforcement database, EISENHART's aliases include Lisa Marie Gavelek. MUNCHEL's middle name is Gavelek.

26. A further search of law-enforcement databases revealed that MUNCHEL and EISENHART had a physical address in Fort Myers, Florida, in common, and a post-office box address in Blue Ridge, Georgia, in common.

27. On January 10, 2021, The Times newspaper published an online article entitled: "Trump's militias say they are armed and ready to defend their freedoms."² In reference to the storming of the Capitol, MUNCHEL is quoted in the article as stating, "We wanted to show that

² <https://www.thetimes.co.uk/article/7661f2ba-526d-11eb-a81ce93ccd0a2dea?shareToken=b03fc2d690f7f7605934dabc9f11a928> (last accessed January 14, 2021)

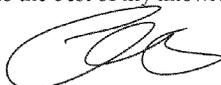
we're willing to rise up, band together and fight if necessary. Same as our forefathers, who established this country in 1776." According to the article, EISENHART expressed that the two had gone into the U.S. Capitol as "observers," but quotes MUNCHEL's characterization of it as "kind of flexing muscles . . . [t]he point of getting inside the building is to show them we can, and we will." The article references EISENHART's talk of violent revolution, as well as her belief that, "This country was founded on revolution . . . I'd rather die a 57-year-old woman than live under oppression. I'd rather die and would rather fight."

CONCLUSIONS OF AFFIANT

28. Based on the foregoing, your affiant submits that there is probable cause to believe that MUNCHEL and EISENHART violated 18 U.S.C. § 371, by knowingly and willfully conspiring with persons known and unknown to violate 18 U.S.C. §§ 231(a)(3), 1752(a), 40 U.S.C. § 5104(e)(2), and that they committed each of the forgoing substantive offenses, along with 18 U.S.C. § 2.

29. As such, I respectfully request that the court issue an arrest warrant for EISENHART.

The statements above are true and accurate to the best of my knowledge and belief.



SPECIAL AGENT Carlos D. Fontanez
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of January, 2021.

HON. ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

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

UNITED STATES OF AMERICA)	Case: 1:21-mj-00091
)	Assigned To : Faruqi, Zia M.
v.)	Assign. Date : 1/16/2021
)	Description: Complaint w/ Arrest Warrant
GUY WESLEY REFFITT,)	
)	
Defendant.)	

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Thomas B. Ryan, being duly sworn, affirm and state:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have held this position since January, 2001. I am currently assigned to a The Safe Streets Task Force (SSTF) out of the Washington, D.C. Field Office of the FBI. The SSTF is a squad that investigates narcotics, violent acts and illegal weapons trafficking by gangs in Washington, D.C. and the surrounding areas of Maryland and Virginia.

2. This affidavit is submitted for the purpose of establishing probable cause. The facts in this affidavit are based on my investigation, personal observations, training, and experience, as well as information conveyed to me by other law enforcement officials. Because this affidavit is limited in purpose, it is not intended to include each and every fact and matter observed by me or known to the United States.

PURPOSE OF AFFIDAVIT

3. This affidavit is submitted in support of a criminal complaint charging the defendant, GUY WESLEY REFFITT (hereinafter "REFFITT"), with one count of Obstruction of Justice, in violation of Title 18, United States Code, Section 1512(a)(2)(C). This affidavit is also submitted in support of an arrest warrant for REFFITT.

STATEMENT OF FACTS¹

4. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

5. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

¹ Paragraphs 4 through 19 are repeated from the affidavit in support of the arrest warrant for Unlawful Entry on Capitol Grounds, which was submitted on January 15, 2021. Newly provided material begins with paragraph 20.

6. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

7. At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

8. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

9. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building and on the grounds of the U.S. Capitol without authority to be there.

10. Based on law enforcement review of the video footage, there appear to be dozens of individuals spraying chemical irritant towards law enforcement officers guarding the U.S. Capitol Building. Some individuals appeared to be wielding small handheld mace equivalents that can be easily purchased. Others appeared to be spraying large cans of orange in color liquid which appears consistent with bear spray and is known to have a higher potency than commercial chemical irritants as it is designed for large animals. Others still appeared to be employing chemical irritants from large nozzle-fed cylinders that appear consistent with what law enforcement agencies would use for crowd control and would not otherwise be commercially available. It is unclear if those devices were taken from Metropolitan Police Department (MPD) and/or United States Capitol Police (USCP) officers or if they were brought to the Capitol by individuals.

11. Law enforcement reports that officers also deployed chemical irritants to attempt to keep people back from the police line and the U.S. Capitol. Specifically, MPD deployed, among other things, large canisters of an OC spray with a clear stream/spray, and USCP deployed large canisters of an OC spray with an orange stream. Individual officers may have also deployed smaller, handheld canisters. According to MPD, the “standoff” distance for the large canisters of OC spray is 12 feet; the maximum range as listed by the manufacturer is 25-30 feet.

12. On January 6, 2021, Reuters news service posted to YouTube a video of civil unrest outside the U.S. Capitol on January 6.² Starting at about 20 seconds into the video, a white male is visible on the West Front of the U.S. Capitol Building, on the north staircase, between the Lower

² The video is available here:
<https://www.youtube.com/watch?v=KYCSjNh1FvA&list=PLZhRxE9191zMYuqM0lM3hAgPa0CpYn-dH>.

West Terrace and the Middle Landing of the Lower West Terrace. The male is wearing a blue jacket over what appears to be a black padded or tactical-style vest, and he has a black helmet on his head with what appears to be a Go-Pro-style camera attached. The male appears to be using a water bottle to flush out his eyes. Below are still frames from the video:

a.



b.



c.



d.



13. On January 7, 2021, Fox News broadcast a program entitled Fox News at Night,³ with anchor Shannon Bream, about the civil unrest at the U.S. Capitol on January 6. At about 1:00 into the broadcast, a white male is visible on the on the West Front of the U.S. Capitol Building, on the north staircase, between the Lower West Terrace and the Middle Landing of the Lower West Terrace. The male is wearing a blue jacket over what appears to be a black padded or tactical-style vest, and he has a black helmet on his head with what appears to be a Go-Pro-style camera attached. The male appears to be using a water bottle to flush out his eyes. Below are still frames from the video:

a.



b.

³ The broadcast is available here: <https://video.foxnews.com/v/6221234520001#sp=show-clips>.



c.



14. REFFITT is a licensed driver in the state of Texas. His Texas Driver's License number is 14891129. I have studied REFFITT's Texas Driver's License photograph and determined that REFFITT is the person who appeared in the Reuters video that was posted on YouTube and broadcast on the *Fox News at Night* television program.

15. According to a law enforcement database, REFFITT's cell phone number is 469-910-7221.

16. On October 17, 2020, a person with the name "Guy Reffitt" posted a comment on a website for "Texas Freedom Force." The commenter provided his phone number as 469-910-7221 and his email address as texasdriller2007@hotmail.com.

17. GPS data associated with REFFITT's cell phone places the phone on January 6, 2021, in Washington, D.C., and specifically near the area of the U.S. Capitol Building.

18. On information and belief, the Texas Freedom Force is a militia extremist group.

19. Based on my training and experience with chemical irritants, and my knowledge and review of the civil unrest at the U.S. Capitol Building on January 6, 2021, it appears that REFFITT was at or past the police line protecting the Building, and was sprayed in the eyes with some sort of chemical irritant. I know that chemical sprays such as oleoresin capsicum, also known as "OC" spray or "Pepper" spray were used by both law enforcement personnel and rioters. I have seen evidence that rioters used a form of OC spray called Bear Spray, which contains the same oleoresin capsicum (as in pepper spray) as well as other similar chemicals more broadly called "capsaicin and related capsaicinoids" or CRC. In my training and experience, a chemical irritant such as bear spray or OC spray will leave a residue on clothing and will apparent based on smell and appearance.

20. On January 16, 2021, FBI agents executed a search warrant on REFFITT's home in Wylie, Texas. Present during the execution of the search warrant were REFFITT, REFFITT's spouse (Spouse), and REFFITT's minor daughter (Daughter). REFFITT's adult son (Son) came

to the house during the execution of the search warrant. FBI agents arrested REFFITT on the outstanding arrest warrant for Unlawful Entry that was issued on January 15, 2021.

21. Son provided the following information: Son usually lived at the house, but sometimes stayed elsewhere. Son was present on the night of January 8, 2021, when REFFITT and another man drove up in Spouse's car. On that night and in the ensuing days, REFFITT told Son and other family members that REFFITT was at the U.S. Capitol on January 6, 2021, when individuals took over the Capitol. REFFITT told Son and other family members that REFFITT went to Washington, D.C., to protect the country, that REFFITT brought his gun with him, and that "we" (apparently meaning REFFITT and/or others) "stormed the Capitol." REFFITT stated that REFFITT had recorded some of the events on his Go Pro camera that REFFITT was wearing on his helmet.

22. Son provided the following information: On or about Monday, January 11, 2021, while REFFITT was in REFFITT's home with Son and Daughter, REFFITT stated that REFFITT had to "erase everything" because the FBI was now watching REFFITT. REFFITT further told Son that if Son crossed the line and reported REFFITT to the police, putting the family in jeopardy, REFFITT would have no option but to do REFFITT's duty for REFFITT's country, and "do what he had to do." Son asked REFFITT words to the effect of, "Are you threatening us?" REFFITT responded with words to the effect of, "Don't put words in my mouth." Son understood REFFITT's statements to be a threat to Son's life.

23. Son provided the following information: Shortly after the above threat, REFFITT threatened Daughter. Specifically, in REFFITT's presence, Daughter was using her cellular phone to talk with friends. REFFITT stated to Daughter that if Daughter were recording REFFITT or put

this (meaning REFFITT's comments) anywhere on social media, then Daughter will have crossed the line, betrayed the family, and REFFITT was going to "put a bullet through" Daughter's phone. Daughter asked REFFITT why REFFITT was making them choose sides and threatening Son and Daughter.

24. Son provided the following information: Son was aware that REFFITT possessed two firearms, an AR-15 rifle and a Smith & Wesson pistol. Son saw REFFITT bring the two firearms from the vehicle into the house when REFFITT returned home on the night of January 8, 2021.

25. Spouse provided the following information: On January 11, 2021, Son and Daughter stated to Spouse that, during an argument at the house earlier that day, when Spouse was not at home, REFFITT stated to Son and Daughter words to the effect of: "If you turn me in, you're a traitor and you know what happens to traitors...traitors get shot." Son and Daughter were very upset.

26. Spouse provided the following information: Spouse did not believe REFFITT would act on his words and, according to Spouse, neither Spouse nor Son or Daughter felt threatened, but rather "disturbed" by REFFITT "extreme" statements.

27. Spouse provided the following information: Spouse "had words" with REFFITT about what REFFITT had said to Son and Daughter. REFFITT repeated to Spouse what REFFITT had said to Son and Daughter about traitors. REFFITT did not indicate regret or take anything back. Spouse told REFFITT that REFFITT could not say things like that to Son and Daughter because REFFITT was essentially saying REFFITT would kill them. At that, REFFITT told

Spouse words to the effect of, “he was trying to protect the family, and if someone was a traitor then that’s what’s going to happen.”

28. Spouse provided the following information: REFFITT is a member of a “3%er” organization.⁴

29. Spouse provided the following information: REFFITT is “super passionate” and sometimes says things that REFFITT does not mean.

30. Daughter provided the following information: Daughter did not feel that REFFITT was a threat to anyone in the family. Daughter stated that Daughter did not want to further incriminate REFFITT, given that REFFITT was already being arrested.

31. During the execution of the search warrant at REFFITT’s home, FBI agents located two firearms (among others): an AR-15 rifle and a Smith & Wesson pistol. On January 16, 2021, REFFITT stated to agents that REFFITT had brought the Smith & Wesson pistol on his drive from Texas to Washington, D.C., on or around January 6, 2021, but that REFFITT had disassembled it to comply with the law in Washington, D.C.

32. On January 16, 2021, REFFITT stated to agents that he was at the U.S. Capitol on January 6, 2021, but he did not go inside.

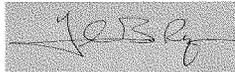
⁴ Upon information and belief, militia extremists sometimes call themselves three percenters (“III%ers” or “threepers”) based on the myth that only three percent of American colonists took up arms against the British during the American Revolution. Some III%ers regard the present-day US Government as analogous to British authorities during the Revolution in terms of infringements on civil liberties. While many independent or multi-state militia groups incorporate III% in their unit names, the term is less indicative of membership in a single overarching group than it is representative of a common belief in the notion that a small force with a just cause can overthrow a tyrannical government if armed and prepared.

33. Based on the foregoing, your affiant submits that there is probable cause to believe that REFFITT violated Title 18, United States Code, Section 1512(a)(2)(C), which makes it a crime to use the threat of physical force, or attempts to do so, with the intent to hinder, delay, or prevent the communication to a law enforcement officer of information relating to the commission or possible commission of a Federal offense. REFFITT's unlawful presence on the U.S. Capitol grounds on January 6, 2021, is a Federal offense, in that it constitutes Unlawful Entry, in violation of Title 18, United States Code, Section 1752(a).

CONCLUSION

34. Based on my training and experience, and the information provided in this affidavit, there is probable cause to believe that on or about January 11, 2021, in the Western District of Texas, GUY WESLEY REFFITT did knowingly and willingly commit Obstruction of Justice, in violation of Title 18, United States Code, Section 1512(a)(2)(C).

35. Under Title 18, United States Code, Section 1512(i), venue is proper in the District of Columbia because the "official proceeding" – that is, prosecution of REFFITT and others related to the civil unrest at the U.S. Capitol on January 6, 2021 – is, and will be, in the District of Columbia.



SPECIAL AGENT THOMAS B. RYAN
FEDERAL BUREAU OF INVESTIGATION

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF FED. R. CRIM. P. 4.1 BY TELEPHONE, THIS 16 DAY OF JANUARY, 2021.



2021.01.16
19:06:03 -05'00'

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION
UNITED STATES
VS
SINCLAIR, JAMES
CCN #: 21001508
Arrest Number: 012100352**

The event occurred on 01/04/2021 at approximately 10:43 at J.W. MARRIOTT / JW MARRIOTT, 1331 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20004

This statement is based on my best recollection of events without the legal authorization to review my body work camera footage or other materials in assistance with writing this report.

On January 6, 2021 at approximately 1800 hours, a curfew came into effect by order of the Mayor of the District of Columbia. At approximately 2040 hours I, Officer Frank, Badge #5349, was on duty as part of CDU 31 at the JW Marriot Hotel located at 1331 Pennsylvania Avenue NW. At this time, D-1, who was later identified as Sinclair, James DOB: 10/19/1982, was seen outside in front of 1331 Pennsylvania Avenue NW. On Scene Commander Culligan issued two warnings to D-1 of the curfew violation. After failing to comply, D-1 was placed under arrest for Curfew Violation.

SOD Lieutenant Bagshaw was on scene and witnessed D-1 outside in violation of curfew. This would be captured on body worn camera.

Search incident to arrest yielded a pair of black metal knuckles from D-1's front right jacket pocket. As a result, D-1 was charged with Possession of a Prohibited Weapon (PPW A). This weapon was placed on the First District evidence book (Book 2704, p.192).

On January 6th, 2021, at approximately 9:30 hours, Detective Muffi and Detective Langenbach brought Defendant James Sinclair to 1st District Detectives Office for recorded advisement of his rights. Defendant was read his Miranda rights by Detective Muffi which he waived and consented to providing a statement. Defendant advised that prior to his arrest he was outside J.W Marriott Hotel located at 1331 Pennsylvania Avenue NW, Washington, DC 20004. Defendant was outside smoking a cigarette with his wife. Defendant advised that he was aware of the Mayor's order of curfew but he did not hear the warnings given by the Metropolitan Police Department. Defendant said he was swarmed by MPDC officers and became emotional.

When asked regarding the brace knuckles recovered during the search incident to the arrest, the defendant replied stating that he he bought the brass knuckles online which is a key chain. Defendant brought the brass knuckles with him to D.C for his protection.

Defendant added he had traveled to D.C from Philadelphia for Trump rally that he attended earlier in the day. Defendant advised he responded to Capitol grounds but did not make entry inside and responded back to his hotel.

Defendant had two Cranberry Vodkas, 1 hour prior to his arrest.

The event and acts described above occurred primarily in the District of Columbia and were committed as described by defendant(s) listed in the case caption.

Subscribed and sworn before me this 01/06/2021

FRANK, CHRISTOPHER / 11213 (01/06/2021) E-SIGNATURE

MCDONALD, JOHN / 3915 (01/06/2021) E-SIGNATURE

Police Officer / CAD#

Unit

Witness / Deputy Clerk

FRANK, CHRISTOPHER / 11213

MCDONALD, JOHN / 3915

1214

Printed Name of Member / CAD#

Printed Name of Witness / Deputy Clerk

The foregoing statement was made under penalty of criminal prosecution and punishment for false statements pursuant to D.C. Code 22-2405

STATEMENT OF FACTS

On January 6, 2021, your affiant, [REDACTED], was on duty and performing my official duties as a Special Agent with the Federal Bureau of Investigation (“FBI”). As a Special Agent, I am authorized by law to engage in or supervise the prevention, detention, investigation, or prosecution of violations of Federal criminal laws.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. Between 1:00 p.m. and 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

JON RYAN SCHAFFER (SCHAFFER) of Columbus, Indiana, traveled to the District of Columbia to participate in a rally and protest at the U.S. Capitol. **SCHAFFER** is a person of some celebrity in the heavy metal music industry, and was identified by numerous individuals

when his photograph was published by the FBI seeking identification of individuals who participated in the events of January 6, 2021.

SCHAFFER was among the rioters who sprayed United States Capitol Police officers with “bear spray,” a form of capsaicin pepper spray sold by many outdoors retailers, as part of their efforts to push the officers back inside the Capitol and breach the Capitol Building themselves. **SCHAFFER** was photographed and captured on surveillance video carrying “bear spray” and engaging in verbal altercations with Capitol Police officers inside the Capitol Building. **SCHAFFER** is seen holding a clear sunglasses in one photograph, and bear spray in other photographs.



The photographs show **SCHAFFER** in a blue hooded sweatshirt under a tactical vest with a baseball cap that reads “Oath Keepers Lifetime Member.” The “Oath Keepers” is an organization that characterizes itself as a militia of former law enforcement and military personnel and has often, as a group, urged President Trump to declare Martial Law in order to prevent the Congress from certifying the Electoral College Results.

SCHAFFER, who is the front man of the heavy metal band “Iced Earth,” has long held far-right extremist views. During an interview in 2017, **SCHAFFER** identified himself as an “anarchist” and referred to the federal government as a “criminal enterprise.” During that same interview, **SCHAFFER** stated that the 2016 Presidential election was “rigged.”

On November 14, 2020, **SCHAFFER** participated in the “Million MAGA March” in Washington, D.C. with other Oath Keepers members. Schaffer was photographed wearing the same blue hooded sweatshirt and clear plastic sunglasses that he wore on January 6, 2021.



SCHAFFER was approached by a member of the press during the March, and made numerous statements indicating his intent to join others in fighting the election results – with violence if necessary. Specifically, **SCHAFFER** stated the following:

My name’s **JON SCHAFFER**, I’m from Indiana. A group of thugs and criminals hijacked this country a long time ago. And now they’re making their big move, and it’s not gonna happen. . . . People need to wake up and snap out of the Matrix, because they’re going down. They made the move, they’re messing with the wrong people here, trust me on that. And we needed it to be open like this. Open fraud. Open theft. Because now we see you, and you’re going down, mark my words.

When asked if he expected the protest to involve violence, **SCHAFFER** stated “if somebody wants to bring violence, I think there’s a lot of us here that are ready for it. We don’t want that, but if they bring it we’re going to respond to that, trust me.” **SCHAFFER** went on to state:

We’re not going to merge into some globalist, communist system, it will not happen. There will be a lot of bloodshed if it comes down to that, trust me. The American people will not go for that bullshit once they understand what’s actually happening. So that’s where we’re at. Nobody wants this, but they’re pushing us to a point where we have no choice.

Based on the foregoing, your affiant submits that there is probable cause to believe that **JON RYAN SCHAFFER** violated 18 U.S.C. §§ 1752(a)(1), (2), and (4), which make it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or

grounds, or attempt or conspires to do so. For purposes of Section 1752(a), a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance. For purposes of Section 1752(b), "bear spray" is a dangerous weapon. For purposes of Section 1752(b), the storming of the United States Capitol building resulted in "significant bodily injury."

Your affiant submits there is also probable cause to believe that **JON RYAN SCHAFFER** violated 40 U.S.C. §§ 5104(e)(2)(A), (F) and (G), which make it a crime to willfully and knowingly: (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



SPECIAL AGENT, FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 16th day of January 2021.

A handwritten signature in black ink, appearing to be 'ZMF'.

2021.01.16
14:35:24 -05'00'

ZIA M. FARUQUI

U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

JOSHUA PRUITT

PDID: 671-733

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Case: 1:21-MJ-00009

Assigned to: Judge G. Michael Harvey

Assigned Date: 1/7/2021

Description: COMPLAINT W/ ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1752 (a)(1)

Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Detective Yaroslav Babich, MPD

Complainant's signature

Detective Yaroslav Babich, MPD

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone (specify reliable electronic means).

Date: 01/07/2021

Handwritten signature of G. Michael Harvey

G. Michael Harvey

2021.01.07 14:52:16

-05'00'

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, United States Magistrate Judge

Printed name and title

Print

Save As...

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Case: 1:21-MJ-00009
Assigned to: Judge G. Michael Harvey
Assigned Date: 1/7/2021
Description: COMPLAINT W/ ARREST WARRANT

STATEMENT OF FACTS

On January 6, 2021, I was on duty and performing my official duties as a Detective with the District of Columbia Metropolitan Police Department (MPD), specifically assigned to the Mass Processing center. I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

District of Columbia Mayor Muriel Bowser declared a public emergency in the District of Columbia (Mayor's Order 2021-001, pursuant to 24 DCMR § 2203.2.), which resulted in a District-wide curfew commencing at 6:00 p.m. on Wednesday, January 6, 2021 and ending at 6:00 a.m. on Thursday January 7, 2021.

At approximately 9:20 p.m. MPD officers made contact with a group of individuals to include Joshua PRUITT in the 1000 block of 14th St. NW, Washington, D.C. MPD Inspector J. Glover issued at least three warnings for PRUITT and the other individuals to disperse and go inside pursuant to the curfew. PRUITT and others did not comply and were then arrested pursuant to the curfew order.

After PRUITT was arrested and while being processed at the Mass Processing Center, MPD Investigator Emma Hicks noticed that PRUITT appeared to be an individual that Investigator Hicks observed in an open source image (currently on The Washington Post website) unlawfully

entering the United States Capitol earlier in the day. Upon review of the image, we confirmed that PRUITT appear to be the same individual depicted in the photograph, as he was wearing the same clothing, had the same facial features, hair style, facial hair, and tattoo. MPD Investigator Hicks and I proceeded to interview PRUITT.

We issued PRUITT his Miranda warnings and at approximately 12:16 a.m. on January 7, 2021; PRUITT waived his Miranda rights and elected to speak to us. During the interview, PRUITT identified himself as the person depicted in the photograph and stated that he entered the United States Capitol on January 6, 2021, after others had breached the Capitol. PRUITT further stated that while inside the Capitol, he did not engage in any unlawful activity and was only attempting to de-escalate others who had entered the Capitol.

I submit that there is probable cause to believe that PRUITT violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.


 DETECTIVE YAROSLAV BABICH
 METROPOLITAN POLICE
 DEPARTMENT

Attested to by the applicant in accordance with the requirement of Fed. R. Crim P. 4.1 by telephone this 7th day of January, 2021.


 G. Michael Harvey
 2021.01.07 14:52:44
 -05'00'
 G. MICHAEL HARVEY
 U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

MARK LEFFINGWELL

- PDID: 750-432

Case: 1:21-mj-00007

Assigned to: Judge G. Michael Harvey

Assign Date: 1/7/2021

Description: COMPLAINT W/ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. 1752 (a)(1), 18 U.S.C. 115 (a)(1)(A), and 40 U.S.C. 5104(e)(2).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature: Daniel Amendola, Officer

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone specify reliable electronic means).

Date: 01/07/2021

Judge's signature: G. MICHAEL HARVEY, U.S. Magistrate Judge

City and state: Washington, D.C.

G. MICHAEL HARVEY, U.S. Magistrate Judge

Case: 1:21-mj-00007
Assigned to: Judge G. Michael Harvey
Assign Date: 1/7/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

On January 6, 2021, I was on duty and performing my official duties as an Officer in the United States Capitol Police. Specifically, I was detailed and deployed in uniform at the United States Capitol building to provide protective functions for members of Congress and their staff. As an Officer in the United States Capitol Police, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

At approximately 2:30 p.m. on January 6, 2021, I was performing my official duties on the first floor of the United States Capitol building. In reacting to the crowd that had breached a window of the building, I moved to a hallway in the northwest corner of the building, *i.e.*, the Senate wing of the Capitol building. While there, I attempted to form a barrier with other officers to stop or deter additional individuals from entering the Capitol building. In the course of this effort and while inside the Capitol building, I encountered an adult male who later identified himself to me as Mark Jefferson LEFFINGWELL. LEFFINGWELL attempted to push past me and other officers. When he was deterred from advancing further into the building, LEFFINGWELL punched me repeatedly with a closed fist. I was struck in the helmet that I was wearing and in the chest. Working with other officers, I was able to gain control over LEFFINGWELL, who attempted to struggle while being detained. I transported LEFFINGWELL to United States Capitol Police headquarters for processing. While in custody, but prior to being advised of his *Miranda*

rights, LEFFINGWELL spontaneously apologized for striking the officer. When told that the officer who LEFFINGWELL had struck was me, LEFFINGWELL apologized to me for striking me.

Based on the foregoing, your affiant submits that there is probable cause to believe that the LEFFINGWELL violated 18 U.S.C. § 115(a), which makes it a crime to, among other things, assault a Federal law enforcement officer.

Your affiant also submits that there is probable cause to believe that LEFFINGWELL violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant also submits there is probable cause to believe that LEFFINGWELL violated 40 U.S.C. §§ 5104(e)(2)(D), 5104(e)(2)(F)-(G) which makes it a crime to, willfully and knowingly (D) engage in disorderly or disruptive conduct, at any place in the Ground or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

 #6617
OFFICER DANIEL AMENDOLA
UNITED STATES CAPITOL POLICE

Attested to by the applicant in accordance with the requirement Fed. R. Crim. P. 4.1 by telephone, this 7th day of January, 2021.



Digitally signed by G. Michael
Harvey
Date: 2021.01.07 12:54:29 -05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the District of Columbia

United States of America

v.

MATTHEW COUNCIL

- PDID: 750-431

Case: 1:21-mj-00008

Assigned To : Harvey, G. Michael

Assign. Date : 1/7/2021

Description: Complaint w/ Arrest Warrant

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1752(a)(1)

Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority.

40 U.S.C. 5104(e)(2)

Violent Entry and Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

SEE ATTACHED STATEMENT OF FACTS

Continued on the attached sheet.

Complainant's signature

Officer Americo Nepa

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone (specify reliable electronic means)

Date: 01/07/2021

G. Michael Harvey

2021.01.07 15:08:54 -05'00'

Judge's signature

City and state: Washington, DC

G. MICHAEL HARVEY, U.S. MAGISTRATE JUDGE

Printed name and title

Print

Save As...

Attach

Reset

Case: 1:21-mj-00008
Assigned To : Harvey, G. Michael
Assign. Date : 1/7/2021
Description: Complaint w/ Arrest Warrant

STATEMENT OF FACTS

On January 6, 2021, I was on duty and performing my official duties as an Officer in the United States Capitol Police. Specifically, I was detailed and deployed in uniform at the United States Capitol building to provide protective functions for members of Congress and their staff. As an Officer in the United States Capitol Police, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m.

At approximately 3:00 p.m. on January 6, 2021, I was performing my official duties on the first floor of the United States Capitol building. In reacting to the crowd that had breached a window of the building, I moved to a hallway in the northwest corner of the building, *i.e.*, the Senate wing of the Capitol building. While there, I attempted to form a barrier with other officers to stop or deter additional individuals from entering the Capitol building through an emergency entrance/exit that had breached by individuals who had accessed the Capitol. In the course of this effort and while inside the Capitol building, I encountered an adult male who was later identified as Matthew Ross COUNCIL. He was part of a larger group, but was individually pushing against the barrier to include an emergency door that is kept closed. Once the door was forcibly opened he broke through along with others. All during this time he was continually yelling at police officers that were trying to contain the scene. When he was deterred from advancing further into the building, COUNCIL pushed a uniformed officer of the United States Capitol Police. COUNCIL was subsequently pepper sprayed by one or more other law enforcement officers. The pepper spray also had an effect on me, but I was able to respond and detain COUNCIL. While in custody, but prior to being advised of his *Miranda* rights, COUNCIL spontaneously expressed remorse about pushing the officer and indicated that he did not intend to injure her.

Based on the foregoing, your affiant submits that there is probable cause to believe that COUNCIL violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and

with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Further, your affiant submits that there is probable cause to believe that COUNCIL violated 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.



OFFICER AMERICO NEPA
UNITED STATES CAPITOL POLICE

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 7th day of January 2021.



G. Michael Harvey
2021.01.07 15:10:20 -05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

Case: 1:21-mj-00071
Assigned to: Judge Zia M. Faruqi
Assign Date: 1/15/2021
Description: COMPLAINT W/ARREST WARRANT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case Nos:
	:	
v.	:	
	:	VIOLATIONS:
	:	
LISA MARIE EISENHART,	:	18 U.S.C. § 371
ERIC GAVELEK MUNCHEL,	:	(Conspiracy)
	:	
Defendants.	:	18 U.S.C. § 231(a)(3)
	:	(Civil Disorders)
	:	
	:	18 U.S.C. § 1752(a)
	:	(Restricted Building or Grounds)
	:	
	:	40 U.S.C. § 5104(e)(2)
	:	(Violent Entry or Disorderly Conduct)

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Carlos D. Fontanez, being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging ERIC GAVELEK MUNCHEL (“MUNCHEL”)¹ and LISA MARIE EISENHART (“EISENHART”) with violations of 18 U.S.C. §§ 2, 231, 371, 1752(a), and 40 U.S.C. § 5104(e).

2. I respectfully submit that this Affidavit establishes probable cause to believe that MUNCHEL and EISENHART: (1) knowingly and willfully entered into a conspiracy to violate 18 U.S.C. §§ 231(a)(3), 1752(a) and 40 U.S.C. § 5104(e), in violation of 18 U.S.C. § 371; (2) did attempt to commit any act to obstruct, impede, or interfere with any Law-enforcement officer

¹ On January 10, 2021, this Court approved a complaint and arrest warrant for MUNCHEL arising out of the same incident. See Case No. 21-mj-29. The complaint and supporting application filed in this case is intended to supersede that complaint, which the Government will dismiss at the initial hearing.

lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects the conduct or performance of any federally protected function; (3) did enter or remain in any restricted building or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct, in violation of 18 U.S.C. § 1752(a); (4) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress, in violation of 18 U.S.C. § 5104(e)(2); and (5) did were aiding and abetting the commission of these offenses against the United States, in violation of 18 U.S.C. § 2.

3. Specifically, on or about January 6, 2021, EISENHART and her son, Eric MUNCHEL, traveled to Washington, D.C., and agreed to enter the U.S. Capitol, without lawful authority, at the time when a joint session of Congress was certifying the November 2020 presidential election. As the Congress was engaged in the official business of certifying the electoral college vote, EISENHART and MUNCHEL knowingly and willfully joined a mob of individuals to forcibly enter the U.S. Capitol with the intent to cause a civil disturbance designed to impede, disrupt, and disturb the orderly conduct of business by the United States House of Representatives and the United States Senate.

BACKGROUND OF AFFIANT

4. I have been a Special Agent with the Federal Bureau of Investigation (“FBI”) since 2015. I am currently assigned to a squad that investigates criminal enterprises and violent gangs for the Washington Field Office. I have training and experience in the areas of violent crimes,

gang-related criminal activity, interview and interrogation, evidence recovery, source recruitment, and digital forensics. I also have testified in federal court on cases involving violent gangs where defendants were charged with violent crimes in aid of racketeering.

5. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as “on or about” dates.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

6. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

7. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate Chamber.

8. With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the

exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

9. On January 6, 2021, there was national news coverage of the certification process. That coverage, and what appears to be video footage captured on cell phones from people at or near the U.S. Capitol, depicts persons engaging in criminal conduct by, among other actions, being inside the U.S. Capitol building without authority.

10. Photographs and videos of several of these persons were disseminated via social media and other open source online platforms. Those persons included a distinctly dressed person inside of the Senate chambers wearing dark fatigues that Law-enforcement authorities have identified to be Eric Gavelek MUNCHEL (“MUNCHEL”).



11. In the photograph above, the person who appears to be MUNCHEL is wearing or displaying several distinctive items, including: (1) a baseball cap that appears to have been manufactured by Black Rifle Coffee Company, depicting a rifle and a flag, with writing on the left side of the cap near the back of the cap; (2) a patch on the center of his chest displaying the “Punisher” comic book character, as well as a Tennessee “thin blue line” patch depicting the State of Tennessee bisected by a horizontal blue line; and (3) a long-sleeve shirt in a fatigues pattern with black rectangles on the upper sleeves. The person who appears to be MUNCHEL also is depicted in these photographs carrying plastic restraints and an item in a holster on his right hip. In my experience, flex cuffs (plastic restraints) are used by Law-enforcement to restrain and/or detain subjects. And the person who appears to be MUNCHEL further appears to have a cell phone mounted on his chest, with the camera facing outward, ostensibly to record events that day.

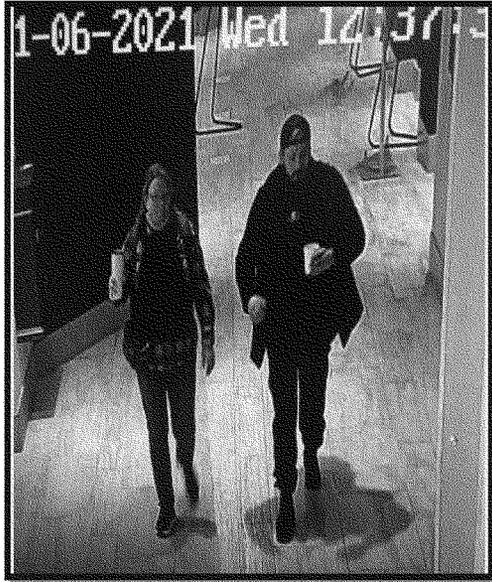
12. On January 10, 2021, a search warrant was executed at MUNCHEL’s residence in Nashville, Tennessee. Law-enforcement authorities recovered from inside of the home several distinctive articles of clothing that appear similar, if not the same, to the clothing worn by

MUNCHEL inside of the Senate chambers. This included the distinctive black in color Black Rifle Coffee Company hat with American flag and rifle logo, black boots, black camouflaged pants and shirt, and black tactical vest with patches to one of a Punisher logo. Also found inside of MUNCHEL's home were five pairs of white flex cuffs.

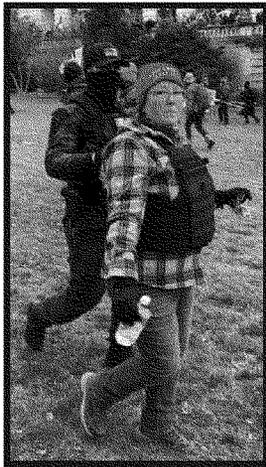
13. Also on January 10, 2021, a criminal complaint was filed in the United States District Court for the District of Columbia for MUNCHEL's arrest on offenses committed during the siege on the U.S. Capitol. Law-enforcement authorities attempted to execute the arrest warrant at the same time that the search warrant was executed. Later that day, Law-enforcement made contact with MUNCHEL, who ultimately surrendered himself and was taken into custody.

14. Subpoenaed records from the Grand Hyatt Hotel in Washington, D.C., establish that EISENHART rented a hotel room on January 4, 2021, and checked out from the room on January 7, 2021. She provided a Georgia driver's license under the name of LISA EISENHART as proof of identification to rent the room.

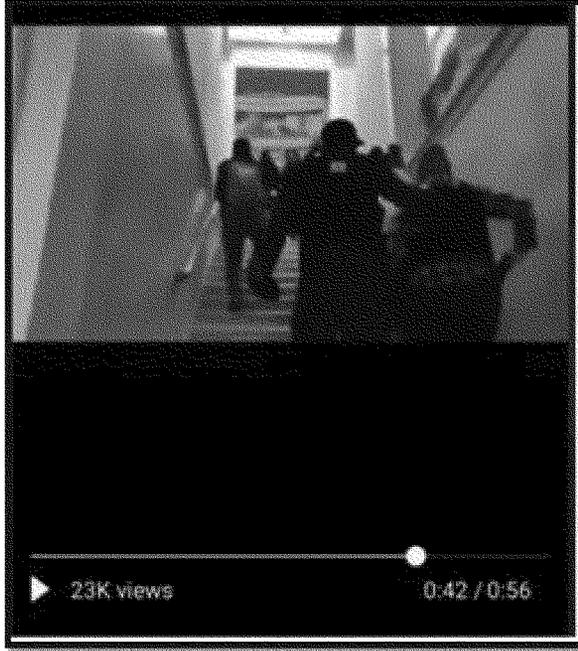
15. Video surveillance from the Grand Hyatt Hotel establishes that EISENHART and MUNCHEL were together at the Grand Hyatt and present in the District of Columbia on January 6, 2021, the day of the Capitol siege. The photograph below depicts the pair leaving the hotel at approximately 12:37 p.m., shortly before the joint session of Congress began and a little over an hour after before Capitol barricades were breached. It further shows MUNCHEL wearing clothing that appears the same as the clothing that he wore when he entered the Senate chamber later that afternoon. EISENHART is wearing what appears to be a plaid shirt, tactical vest, jeans, and glasses.



16. During the investigation, Law-enforcement authorities discovered a photograph depicting EISENHART and MUNCHEL walking together on the grounds of the U.S. Capitol that appears to have been taken before the attack on the Capitol:



17. Law-enforcement authorities also discovered a video showing two individuals who appear to be EISENHART and MUNCHEL walking together up a set of steps inside of the U.S. Capitol:



18. In each of the above depictions, EISENHART is wearing clothing that is consistent in color and style, including a distinctive plaid shirt, tactical vest, blue jeans, and glasses. The two images of EISENHART taken on Capitol grounds further shows her wearing a red hat that is similar in style and color.

19. Video footage from inside of the U.S. Capitol captures EISENHART and MUNCHEL in the vicinity of a mob of individuals that are physically attacking two Capitol Police officers guarding entry into the Senate chambers. The footage eventually shows officers run past EISENHART and MUNCHEL; several members of the mob give chase. Right after they pass,

EISENHART and MUNCHEL immediately follow behind the individuals pursuing the officers. MUNCHEL and EISENHART are seen holding flex cuffs in each of their hands during the pursuit. The footage reflects that both officers ultimately made good on their escape to a lower level of the building, as well as EISENHART then appearing to shout at the officers while leaning over a bannister.

20. Video footage also captures MUNCHEL and EISENHART moments later among the individuals inside of the Senate chambers, having entered through the very area that the officers were guarding before the assault.

21. On January 6, 2021, law-enforcement officers encountered MUNCHEL at the Grand Hyatt Hotel, located in Washington, D.C. At the time, MUNCHEL was wearing black camouflage pants and a black holster containing what appeared to be a handgun. Law-enforcement authorities interviewed MUNCHEL and identified that he was carrying a black and yellow “Taser Pulse” that emits electrical shock. MUNCHEL told authorities that he participated in the rally at the U.S. Capitol earlier that day and that he possessed the taser for self-protection.

22. Law-enforcement authorities discovered a videotape, purportedly recorded on January 6, 2021, inside the Grand Hyatt hotel, of two individuals who appear to be EISENHART and MUNCHEL. Below is a screenshot from the video footage:



23. I have examined a photograph of EISENHART from Law-enforcement databases that appears to be the same person depicted in the photographs above.



24. During the investigation, law-enforcement agents discovered that MUNCHEL flew on Southwest Airlines from Nashville, Tennessee, to Fort Myers, Florida, in March 2020. That flight was booked by a person named Lisa EISENHART, who has the exact name and date of birth as the individual who rented the above referenced room from the Grand Hyatt.

25. According to a search of a law-enforcement database, EISENHART's aliases include Lisa Marie Gavelek. MUNCHEL's middle name is Gavelek.

26. A further search of law-enforcement databases revealed that MUNCHEL and EISENHART had a physical address in Fort Myers, Florida, in common, and a post-office box address in Blue Ridge, Georgia, in common.

27. On January 10, 2021, The Times newspaper published an online article entitled: "Trump's militias say they are armed and ready to defend their freedoms."² In reference to the storming of the Capitol, MUNCHEL is quoted in the article as stating, "We wanted to show that

² <https://www.thetimes.co.uk/article/7661f2ba-526d-11eb-a81ce93ccd0a2dea?shareToken=b03fc2d690f7f7605934dabc9f11a928> (last accessed January 14, 2021)

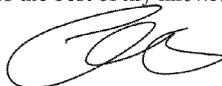
we're willing to rise up, band together and fight if necessary. Same as our forefathers, who established this country in 1776." According to the article, EISENHART expressed that the two had gone into the U.S. Capitol as "observers," but quotes MUNCHEL's characterization of it as "kind of flexing muscles . . . [t]he point of getting inside the building is to show them we can, and we will." The article references EISENHART's talk of violent revolution, as well as her belief that, "This country was founded on revolution . . . I'd rather die a 57-year-old woman than live under oppression. I'd rather die and would rather fight."

CONCLUSIONS OF AFFIANT

28. Based on the foregoing, your affiant submits that there is probable cause to believe that MUNCHEL and EISENHART violated 18 U.S.C. § 371, by knowingly and willfully conspiring with persons known and unknown to violate 18 U.S.C. §§ 231(a)(3), 1752(a), 40 U.S.C. § 5104(e)(2), and that they committed each of the foregoing substantive offenses, along with 18 U.S.C. § 2.

29. As such, I respectfully request that the court issue an arrest warrant for EISENHART.

The statements above are true and accurate to the best of my knowledge and belief.



SPECIAL AGENT Carlos D. Fontanez
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of January, 2021.



2021.01.15
18:17:23 -05'00'

HON. ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Lonnie Leroy Coffman

Case: 1:21-MJ-00011

Assigned to: Judge G. Michael Harvey

Assigned Date: 1/7/2021

Description: COMPLAINT W/ ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 06, 2021 in the county of in the District of Columbia, the defendant(s) violated:

Code Section 26 U.S.C. 5861(d) Offense Description Possession of unregistered firearm destructive device

D.C. Criminal Code 22-4504(a) Carrying a pistol without a license

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

Complainant's signature

Lawrence Anyaso, United States Capitol Police Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone (specify reliable electronic means).

Date: 01/07/2021

Judge's signature G. Michael Harvey 2021.01.07 14:13:16 -05'00'

City and state: Washington, DC

G. Michael Harvey, U.S. Magistrate Judge Printed name and title

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

UNITED STATES OF AMERICA,	:	
	:	Case No.: 21-mj-00011 (GMH)
v.	:	
	:	
LONNIE LEROY COFFMAN,	:	
	:	
Defendant.	:	

MEMORANDUM IN SUPPORT OF PRETRIAL DETENTION

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this memorandum in support of pretrial detention.

A. BACKGROUND

On the morning of January 6, 2021, defendant Lonnie Leroy Coffman parked his Red GMC Sierra pickup truck in the 300 block of First Street, Southeast, Washington, D.C, at around 9:15 a.m. (Exhibit A at 3.) The pickup truck was registered to the defendant in Alabama. It was parked a few blocks away from the U.S. Capitol Building, where a throng would soon gather and illegally force its way inside to disrupt constitutionally-required proceedings critical to our nation’s democratic process. The defendant got out of his pickup truck at around 9:20 a.m., and walked directly towards the U.S. Capitol Building with a crowd of people (surveillance images attached as Exhibit B).

The pickup truck was parked near the Republican National Club, and a few blocks from the Democratic National Committee Headquarters. Law enforcement responded to the locations of both of those political organizations a few hours later for reports of explosive devices there. (Exhibit A at 1.)

While responding to the reports of explosive devices in the area, United States Capitol Police (“USCP”) officers saw the handle of a firearm on the front right passenger seat of the defendant’s truck. Law enforcement recovered a loaded 9mm Hi-Point handgun from the front right passenger seat, and proceeded to conduct a search of the rest of the defendant’s pickup truck. The search revealed that the defendant had a large and unlawful collection of weapons in the pickup truck. Items recovered included: (a) the loaded 9 mm Hi-Point handgun; (b) a loaded Windham Weaponry rifle; (c) a loaded Hatfield Gun Company SAS shotgun; (d) several large-capacity ammunition feeding devices loading with more than ten rounds of rifle ammunition; (e) hundreds of rounds of ammunition; (f) a crossbow with bolts; (g) several machetes; (h) camouflage smoke devices; (i) stun gun; (j) 11 mason jars containing a flammable liquid, with a hole punched in the top of each jar; (k) lighters and rags; and (l) other items. (Photos attached as Exhibit C.)

The defendant returned to the pickup truck at around 6:30 p.m. that evening, and affirmed to law enforcement that it was his pickup truck (Exhibit A at 2). The defendant told law enforcement that he had been trying to get back to the pickup truck throughout the day, but that he was turned away in light of the explosives investigations. The defendant told law enforcement that the mason jars inside the pickup contained a mixture of melted Styrofoam and gasoline. (*Id.* at 3.) This combination creates an explosive mixture that has the effect of napalm, in that the flammable mixture can stick to objects and continue burning. (*Id.*) The Bureau of Alcohol, Tobacco, and Firearms concluded that the eleven mason jars and related items were parts designed to create a Molotov cocktails, a dangerous incendiary explosive. (*Id.* at 2.)

The defendant was also carrying two additional loaded firearms – a 9mm Smith & Wesson handgun, and a .22 caliber North American Arms revolver. (Photos attached as Exhibit D.) The

defendant's wallet contained cards advertising firearm and pawn shops, and a document purporting to be a license to carry a pistol in his home State of Alabama. The defendant had no legal authority to possess or carry any firearms or destructive devices in the District of Columbia. The defendant was placed under arrest.

The search of the defendant's pickup truck contained concerning handwritten messages that raise alarm in the context of the January 6 rioting and criminal infringement on our nation's democratic process. One was a handwritten note with words purportedly attributed to Abraham Lincoln – "We The People Are The Rightful Masters Of Both The Congress And The Courts, Not To Overthrow The Constitution But To *Overthrow The Men Who Pervert The Constitution*" (emphasis added). The note also contained information about elected representatives (describing one as purportedly Muslim) and describing a judge as a "bad guy." Another set of handwritten messages were found on the back of a magazine, and contained purported contact information for "Conservative Talk Show Host Mark Levin," "Shaun [sic] Hannity," and "Senator Ted Cruz." (Photos attached as Exhibit E.)

The defendant told law enforcement that he resided in Alabama, and had been living out of his truck in the D.C. area for around the past week.

On January 11, 2021, the grand jury returned a 17-count indictment charging the defendant with Possession of an Unregistered Firearm – Destructive Device (26 U.S.C. Section 5861(d)), three counts of Carrying a Pistol Without a License (22 D.C. Code Section 4504(a)), two counts of Carrying a Rifle or Shotgun (22 D.C. Code Section 4504(a-1)), Possession of a Large Capacity Feeding Device (7 D.C. Code Section 2506.01(b)), five counts of Possession of an Unregistered Firearm (7 D.C. Code Section 2502.01(a)), and five counts of Unlawful Possession of Ammunition

(7 D.C. Code Section 2506.01(a)(3)).

B. ARGUMENTS FOR DETENTION

Pretrial detention is necessary to ensure the safety of people and the community, and the appearance of the defendant as required. 18 U.S.C. Section 3142(f). There is clear and convincing evidence that the defendant would pose a danger to the community if released, and that there are no release conditions or combination of conditions that would ensure the safety of the community. There is probable cause that the defendant would be a flight risk and would not appear at trial as required.

The nature and circumstances of the offense include that the defendant is charged with numerous felony offenses, including a federal felony that involves the possession of a firearm or destructive device (18 U.S.C. Section 3142(f)(1)(E)). The defendant possessed in his pickup truck a large collection of weapons in Washington, D.C., without authority, gravely endangering the community on a day of criminal rioting at the U.S. Capitol Building. The Molotov cocktail components were created so as to be particularly lethal, with a napalm substance inside that would stick to the target and continue to burn. The defendant had hundreds of rounds of ammunition, each of which could cost a human life. The pickup truck was parked in close proximity to the U.S. Capitol Building. And the handwritten messages in the defendant's pickup truck raise grave concerns about his intentions, and suggest that these weapons were intended to be used in an effort to violently attack our elected representatives.

The weight of the evidence is overwhelming, as the defendant admitted to law enforcement that the pickup truck was his, and had intimate knowledge of the contents. Two of the firearms were on the defendant's person in his pockets. The defendant's pickup truck was registered to

him in Alabama, and he carried the keys to the truck. No other individual (aside from law enforcement) accessed the pickup truck from the time the defendant parked it the morning of January 6.

The defendant has a concerning history and characteristics that raise grave risk that he would endanger the community and flee if released. The defendant does not reside in Washington, D.C., and we are unaware of any family in the area. He reported to law enforcement that he was living out of his truck in the days preceding the January 6 rioting. The defendant is not employed. And it is clear that he has access to firearms and other weapons, and carried in his wallet a license to carry a pistol in the State of Alabama.

In the end, this is a defendant with access to firearms and numerous other lethal weapons, dangerous incendiary mixtures creating napalm, who appears to have been motivated to conduct violence against our elected representatives. The defendant brought these weapons to the immediate vicinity of the U.S. Capitol Building, and traveled the area with two firearms on his person. The amount of weapons suggests an intent to provide them to others, as no one person could reasonably use so many at once. The nature and seriousness of the danger that the defendant would pose if released cannot be overstated. There are no conditions or combinations of conditions that would ensure the safety of the community and the defendant's appearance as required.

C. CONCLUSION

For these reasons, and others presented at the detention hearing, the Court should order that the defendant be detained pending trial.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)	Case: 1:21-MJ-00015
)	Assigned to: Judge G. Michael Harvey
v.)	Assigned Date: 1/7/2021
)	Description: COMPLAINT W/ ARREST WARRANT
NICHOLAS R. OCHS,)	<u>FILED UNDER SEAL</u>
)	
Defendant.)	

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Roger R. Dean, being duly sworn, affirm and state:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have held this position since July of 2015. I am currently assigned to a squad that investigates violent gang and drug criminal enterprises out of the Northern Virginia Resident Agency of the Washington, D.C. Field Office of the FBI.

2. This affidavit is submitted for the purpose of establishing probable cause. The facts in this affidavit are based on my investigation, personal observations, training, and experience, as well as information conveyed to me by other law enforcement officials. Because this affidavit is limited in purpose, it is not intended to include each and every fact and matter observed by me or known to the United States.

PURPOSE OF AFFIDAVIT

3. This affidavit is submitted in support of a criminal complaint charging the defendant, NICHOLAS “NICK” R. OCHS (hereinafter “OCHS”), with one count of Unlawful

Entry into Restricted Buildings or Grounds, in violation of Title 18, United States Code, Section 1752(a). This affidavit is also submitted in support of an arrest warrant for OCHS.

STATEMENT OF FACTS

4. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

5. With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President

Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

6. On January 6, at 4:13 p.m., Nicholas “Nick” Robert Ochs, a resident of Hawaii, posted a photograph to his Twitter account, @OchsForHawaii, with the caption, “Hello from the Capital lol,” which appears to depict OCHS and another individual smoking cigarettes inside the Capitol (see <https://twitter.com/OchsForHawaii/status/1346927847361966088>). OCHS later admitted to a CNN reporter that he entered the Capitol. CNN published a photograph that appears to depict OCHS in the crowd walking through the Capitol’s halls.

7. OCHS told CNN, “We didn’t have to break in, I just walked in and filmed.” In fact, some rioters pushed over barricades and shoved police officers out of the way to enter the Capitol, while others scaled walls and broke windows. Once inside, Ochs told CNN, “There were thousands of people in there -- they had no control of the situation. I didn’t get stopped or questioned.” OCHS also reportedly told CNN that he was working as a “professional journalist” and did not enter any of the offices or the chambers.

8. According to interviews he has given the media, OCHS is the leader and founder of a Hawaii chapter of the “Proud Boys” organization. OCHS also has “PROUD BOY” tattooed on his right forearm. The Proud Boys have been vocal since the 2020 U.S. Presidential Election in calling for action over the false claims that President Trump lost the election due to widespread voter fraud. Some members have advocated for violent action to achieve these ends. Self-

identified members of the Proud Boys descended on Washington, D.C., earlier this week, as part of activities planned to protest the certification of the 2020 U.S. Presidential Election results.

9. On November 16, 2020, OCHS made a post to the social media site Parler, in which he forwarded a Tweet by President Trump declaring, "I WON THE ELECTION!" and OCHS stated, "Show this tweet to leftists and say they won't do shit when he just keeps being president. Don't say it was stolen or rigged. Just say we're doing it and they won't fight back. They are getting scared, and they don't function when they're scared."

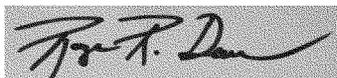
10. I have identified OCHS as the person in the photograph posted to OCHS' Twitter account from January 6th inside the Capitol not only from context, but also from comparing the photograph posted by OCHS to his Twitter account with photographs of OCHS from his 2020 bid for election to the Hawaii State Legislature. OCHS ran for election to be the Republican representative for Hawaii House District 22.

11. Based on the foregoing, your affiant submits that there is probable cause to believe that OCHS violated Title 18, United States Code, Section 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds;

or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

CONCLUSION

12. Based on my training and experience, and the information provided in this affidavit, there is probable cause to believe that on or about January 6, 2021, in the District of Columbia, NICHOLAS "NICK" R. OCHS did knowingly and willingly commit Unlawful Entry, in violation of Title 18, United States Code, Section 1752(a).



SPECIAL AGENT ROGER R. DEAN
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 7th Day of January, 2021.



G. Michael Harvey
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G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Peter Francis Stager

)
Case: 1:21-mj-00057
Assigned to: Judge Zia M. Faruqi
Assign Date: 1/14/2021
Description: COMPLAINT W/ARREST WARRANT
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 231(a)

Civil Disorder

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Jason T. Coe, Special Agent
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone (specify reliable electronic means).

Date: 01/14/2021

Judge's signature

Zia M. Faruqi
2021.01.14 14:50:26 -05'00'

City and state: Washington, DC

Zia M. Faruqi, U.S. Magistrate Judge
Printed name and title

Case 1:21-mj-00057-ZMF Document 1: Case: 1:21-mj-00057
Assigned to: Judge Zia M. Faruqi
Assign Date: 1/14/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

On January 6, 2021, your affiant, Jason T. Coe, was on duty and performing my official duties as a Special Agent with the Federal Bureau of Investigation (“FBI”). Specifically, I am assigned to the Washington Field Office, tasked with investigating criminal activity in and around the Capitol grounds. As a Special Agent with the Federal Bureau of Investigation, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, between 1 p.m. and 2 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

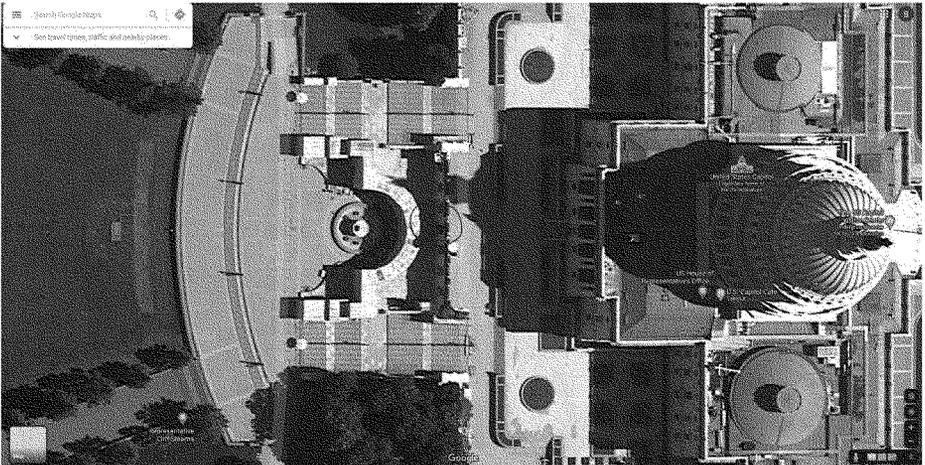
Shortly thereafter, members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On January 6, 2020, during the above-referenced events, Officer B.M. (“B.M.”) of the Washington D.C. Metropolitan Police Department (“MPD”) was working his¹ evening shift in his official capacity. During that shift, B.M. was directed to report to the U.S. Capitol building to assist the U.S. Capitol Police in their duties to maintain security of the U.S. Capitol building.

Between 4:00PM and 5:00PM that same day, B.M. walked through an interior tunnel of the U.S. Capitol building and assumed a post in an archway which provided access to the building’s exterior. The approximate location of B.M. was noted by B.M. and is denoted below by the blue markings.



From this archway, alongside other uniformed law enforcement officers, B.M. observed hundreds of individuals gathered outside. Some of these individuals were throwing and swinging various objects at the group of law enforcement officers. While standing in the archway to prevent the group of individuals from breaching the U.S. Capitol building, and while wearing his official MPD uniform, some of these individuals grabbed B.M. and dragged him down the stairs of the Capitol building. These individuals forced B.M. into a prone position on the stairs and proceeded to forcibly and repeatedly strike B.M. in the head and body with various objects.

On January 12, 2021, the FBI received a tip via electronic submission from a confidential source of information (“CSI”), identifying one of the individuals who assaulted B.M. on the

¹ Unless otherwise stated, for the safety of victims and witnesses, victims and confidential sources of information are referred to using male pronouns (regardless of gender) and conversations about victims and confidential sources of information have been altered as necessary to reflect male pronouns.

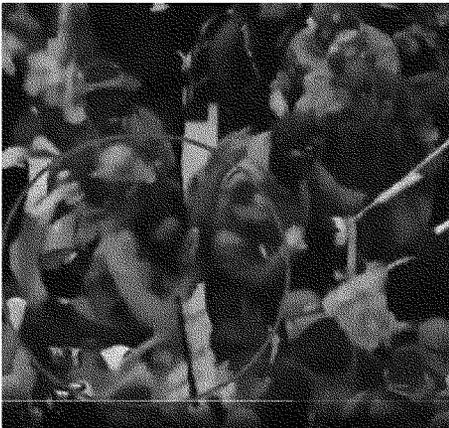
stairs of the U.S. Capitol building as PETER FRANCIS STAGER (“STAGER”). FBI Special Agents interviewed CS1, who stated he recognized STAGER from two videos posted on a Twitter thread². The first video (“video 1”) depicted STAGER amongst a large group of individuals on the stairs of the U.S. Capitol building. STAGER climbed the stairs while holding a flagpole with a United States flag affixed to it and used the pole to repeatedly strike B.M. while B.M. remained prone on the steps of the U.S. Capitol building.



(Video 1 a.)



(Video 1 b.)



(Video 1 c.)



(Video 1 d.)

² The thread referred to by CS1 is located at URL:
https://twitter.com/Cleavon_MD/status/1348763799470235655

In the second video (“Video 2”), CS1 identified the male speaking as STAGER, who stated, “Everybody in there is a treasonous traitor. Death is the only remedy for what’s in that building.” Your affiant believes that in STAGER’s statement, “that building” was a reference to the U.S. Capitol building, and “everybody in there” was a reference to the Congressmen and Congresswomen inside the U.S. Capitol building at the time.



(Video 2)

CS1 told Agents that following viewing the above-referenced videos, CS1 contacted a mutual acquaintance of both STAGER and himself (“CS2”). CS2 told CS1 that CS2 had already spoken directly with STAGER following the events on January 6, 2021. CS2 also told CS1 that STAGER identified himself as the individual in both video 1 and video 2.

Agents then interviewed CS2, a close associate of STAGER. CS2 also recognized STAGER as the individual in video 1 striking B.M. with a flagpole, and as the individual in video 2 who was “ranting.” CS2 spoke directly with STAGER via telephone following the events on January 6, 2021. During that phone conversation, STAGER confirmed that he [STAGER] was the individual in both video 1 and video 2.

Referring to video 1, STAGER told CS2 that he [STAGER] did not know the man he was striking on the ground with the flagpole was a cop and that he thought the person he was striking was ANTIFA. On the Twitter thread provided by CS1, there was a photo (“photo 1”) of B.M. lying prone on the steps of the U.S. Capitol building while surrounded by the large group of individuals. Clearly present on B.M.’s uniform, across his back, are the words “METROPOLITAN POLICE.”

Also visible in the photo is STAGER, holding a flagpole, with an American flag attached, with what appears to be a clear view of B.M. in uniform, lying on the stairs. Therefore, your affiant believes that STAGER was able to clearly see the police markings on B.M.'s uniform and was aware that the individual who he was striking was, in fact, law enforcement. After reviewing the aforementioned video footage, your affiant believes that photo 1 was captured immediately prior to STAGER striking B.M.



(Photo 1)

CS2 told Agents that STAGER told him that he [STAGER] had to apologize to CS2 and to his [STAGER's] children for his behavior. Additionally, STAGER told CS2 that he intended to turn himself in to law enforcement for his actions, but had yet to do so.

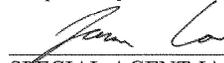
Referencing video 2, STAGER told CS2 that he [STAGER] was "wired up" from being either pepper-sprayed or tear-gassed and that was why he made the comments he did on camera. Your affiant believes that STAGER could have been tear-gassed by law enforcement officers while attempting to breach the U.S. Capitol building.

Law enforcement identified STAGER utilizing the above information provided by CS1 and CS2. A query of the Arkansas Department of Motor Vehicles (DMV), of the Arkansas Department of Finance and Administration, yielded a Driver License photo of STAGER which was compared to that of the individual in both video 1 and video 2. Your affiant believes that they are of the same individual.

Based on the foregoing, your affiant submits that there is probable cause to believe that STAGER violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit

any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Respectfully Submitted,



SPECIAL AGENT JASON T. COE
FEDERAL BUREAU OF
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 14th day of January 2021.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Richard Barnett aka "Bigo"

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1752 (a)

Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority

40 U.S.C. 5104(e)(2)

Violent Entry and Disorderly Conduct on Capitol Grounds

18 U.S.C. 641

Theft of Public Money, Property, or Records

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

James Soltes, U.S. Capitol Police

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone (specify reliable electronic means).

Date: 1/7/2021

Judge's signature

G. Michael Harvey
2021.01.07 19:48:53 -05'00'

Judge's signature

City and state: Washington, D.C.

Magistrate Judge G. Michael Harvey

Printed name and title

Case 1:21-mj-00099-RMM Document **Case: 1:21-mj-00099**
Assigned to: Judge Robin M. Meriweather
Assign Date: 1/17/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

1. Your affiant, Jonathan Lund is a Special Agent of the Federal Bureau of Investigation ("FBI") in the Manassas, Virginia, office, in the Cyber Crime Section. Since 2009, I have been involved in interviewing and debriefing witnesses and informants; conducting physical surveillance; tracing and analyzing internet protocol addresses; tracing and analyzing financial transactions; analyzing telephone pen registers; collecting and analyzing evidence; and preparing and executing search warrants. I have received organizational sponsored computer training as well as computer training at the SANS institute. I have also received training in the area of computer security and network administration. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

Background – The U.S. Capitol on January 6, 2021

2. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.

3. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

4. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

6. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol

Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

7. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

8. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

RILEY JUNE WILLIAMS

9. In the days following the January 6, 2021, events, a witness (“W1”) made several phone calls into the FBI’s telephone tip line related to the U.S. Capitol attacks. I have reviewed documentation of several of those calls. In them, the caller stated that he/she was the former romantic partner of RILEY JUNE WILLIAMS (“WILLIAMS”), that he/she saw WILLIAMS depicted in video footage taken on January 6, 2021, from inside the U.S. Capitol Building. W1 stated that WILLIAMS can be seen directing crowds inside the U.S. Capitol Building up a staircase. The caller specified the uniform resource locator (“url”) for a YouTube video that he/she was describing as url: <https://youtube.com/watch?v=jJiSmVkty4&feature=youtu.be>. W1 also claimed to have spoken to friends of WILLIAMS, who showed W1 a video of WILLIAMS taking a laptop computer or hard drive from Speaker Pelosi’s office. W1 stated that WILLIAMS intended to send the computer device to a friend in Russia, who then planned to sell the device to SVR, Russia’s foreign intelligence service. According to W1, the transfer of the computer device to Russia fell through for unknown reasons and WILLIAMS still has the computer device or destroyed it. This matter remains under investigation.

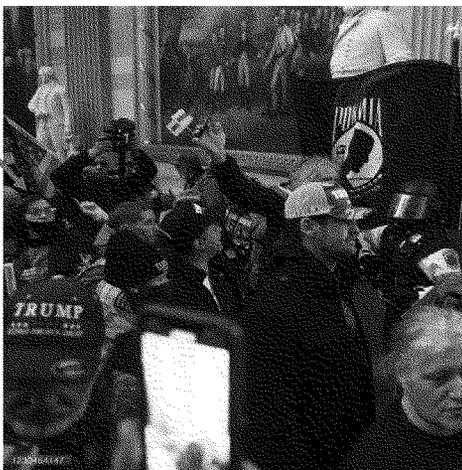
10. I have reviewed a publicly available video that was posted on YouTube located at the url <https://youtube.com/watch?v=jJiSmVkty4&feature=youtu.be>. It is a 32-minute long video, with audio, and consists of a video report called “Storming the Capitol: The Inside Story,” from ITV News, a British television network. I believe that this video report was both posted on YouTube and published in other media formats. At or about 20 minutes and 40 seconds into the video, there appears at the bottom of a staircase the subject, believed to be WILLIAMS, a Caucasian female wearing a green t-shirt and brown trench coat and carrying a black-and-white

striped zebra-print bag over her shoulders. She has brown shoulder length hair and wears eyeglasses. She is wearing a black face mask below her chin, around her neck. She can be heard in the video repeatedly yelling, “Upstairs, upstairs, upstairs,” and can be seen physically directing other intruders to proceed up a staircase. The video also shows a stream of intruders walking up a nearby staircase. Two sample screenshots of that YouTube video appear below.



11. I have confirmed with U.S. Capitol Police that the staircase depicted in the video does, in fact, lead to Speaker Pelosi’s office. I have also reviewed maps of the interior areas of the U.S. Capitol and confirmed the subject appears to have been in an area near “the crypt,” sometimes referred to as the “Small House Rotunda.” In the audio of the ITV News video, the reporter states that the recording took place near the U.S. Capitol Building area called “the crypt.” In the background of the top screenshot above, a bust of Winston Churchill is visible behind the subject, which is also consistent with the location in the “Small House Rotunda.” The maps confirm that there is a nearby staircase, which leads to the office of the Speaker of the United States House of Representatives, Nancy Pelosi.

12. I have reviewed other images the FBI obtained that were taken during the January 6, 2021, civil unrest inside the U.S. Capitol Building. Set forth below is a photograph that also depicts the WILLIAMS inside the U.S. Capitol Building, pointing and directing intruders. She is wearing the same green t-shirt and brown trench coat. I believe that the photograph below was taken in Statuary Hall, inside the U.S. Capitol Building.



13. I have also reviewed other videos obtained by the FBI that were taken outside the U.S. Capitol on January 6, 2021. WILLIAMS can be seen in one or more of these videos entering the U.S. Capitol. She is wearing the same green t-shirt, brown trench coat, and black-and-white shoulder bag. A screenshot of one of the videos is set forth below.



14. I have identified the WILLIAMS in these screenshots based on a variety of methods. As noted above, W1 called the FBI tip line and confirmed that WILLIAMS is depicted in the video described above. I have also reviewed the Pennsylvania driver's license photograph for WILLIAMS, set forth below, and compared it to the photographs and videos described above. I believe they depict the same person.



15. In addition, I have spoken with local law enforcement agents in Harrisburg about their recent interactions with WILLIAMS' parents. According to those officers, on January 11, 2021, local law enforcement received a suspicious persons report filed by WILLIAMS' mother. Officers arrived at the address that WILLIAMS shares with her mother and interviewed her mother. WILLIAMS was not present. According to WILLIAMS' mother, the suspicious person was assumed to be W1. WILLIAMS' mother, with officers present, used her cell phone to place a video-enabled phone call to WILLIAMS. Officers observed WILLIAMS on her mother's cell phone screen and noted that WILLIAMS was wearing a brown-colored jacket, consistent with the screenshots above.

16. According to the Harrisburg officers, on January 16, 2021, they again spoke with WILLIAMS' mother who told them that a British media crew had come to her home the night before, asking to speak with WILLIAMS, who was not present. The news crew presented WILLIAMS' mother with one or more images taken at the U.S. Capitol on January 6, 2021. Her mother acknowledged that it was WILLIAMS in the image.

17. According to the Harrisburg officers, on or about January 16, 2021, officers called WILLIAMS' father who resides in Camp Hill, PA. He stated that he drove to Washington, D.C., with WILLIAMS for the protests on January 6, 2021. He stated that his daughter and he did not stay together throughout the day and that WILLIAMS was meeting up with other individuals she knew at the protests. WILLIAMS later met up with her father outside of the U.S. Capitol Building, and they returned home to Harrisburg together.

18. On or about January 16, 2021, ITV posted a second related video to YouTube, titled "Revealed: ITV News identifies protester who stormed the Capitol," found at <https://www.youtube.com/watch?v=cfzJs4MfTe0>. In this 2 ½ minute video, the reporter identifies "Riley Williams" as the person depicted in snippets of the prior ITV video described above. The reporter then interviewed a woman who identified herself as WILLIAMS' mother and showed her some type of video footage. WILLIAMS' mother then stated that she recognized her daughter inside the U.S. Capitol Building and that her daughter had taken a sudden interest in President Trump's politics and "far right message boards." She claimed that WILLIAMS

“took off,” “is gone,” and is waiting for law enforcement to come to WILLIAMS and ask her about her activities in the Capitol .

19. It appears that WILLIAMS has fled. According to local law enforcement officers in Harrisburg, WILLIAMS’ mother stated that that WILLIAMS packed a bag and left her home and told her mother she would be gone for a couple of weeks. WILLIAMS did not provide her mother any information about her intended destination. Sometime after January 6, 2021, WILLIAMS changed her telephone number and deleted what I believe were her social media accounts on Facebook, Instagram, Twitter, Reddit, Telegram, and Parler.

20. Based on the foregoing, your affiant submits that there is probable cause to believe that RILEY JUNE WILLIAMS violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

21. Your affiant submits that there is also probable cause to believe that RILEY JUNE WILLIAMS violated 40 U.S.C. § 5104(e)(2)(D) and 5104(e)(2)(G) which make it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress . . . and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Jonathan Lund
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 17th day of January 2021.

Robin M. Meriweather
U.S. MAGISTRATE JUDGE

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

Case: 1:21-mj-00085
Assigned To : Faruqui, Zia M.
Assign. Date : 01/16/2021
Description: Complaint w/ Arrest Warrant

UNITED STATES OF AMERICA	:	
	:	
v.	:	18 U.S.C. § 111(b)
	:	(Assault on a Federal Officer)
ROBERT GIESWEIN	:	
Defendant.	:	18 U.S.C. § 1361
	:	(Destruction of Government Property)
	:	
	:	18 U.S.C. § 1512(c)(2)
	:	(Obstruction of an Official Proceeding)
	:	
	:	18 U.S.C. § 1752(a)
	:	(Restricted Building or Grounds)
	:	
	:	40 U.S.C. § 5104(e)(2)
	:	(Violent Entry or Disorderly Conduct)
	:	
	:	18 U.S.C. § 2
	:	(Aiding and Abetting)
	:	
	:	<u>UNDER SEAL</u>

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Cameron Graham, being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging ROBERT GIESWEIN with violations of 18 U.S.C. § 111(a)(2), 18 U.S.C. § 1361, 18 U.S.C. § 1512(c)(2), 18 U.S.C. § 1752(a), 40 U.S.C. § 5104(e), and 18 U.S.C. § 2, and I respectfully submit that this Affidavit establishes probable cause to believe that GIESWEIN (1) did forcibly assault, resist, oppose, impede, intimidate, and interfere with a federal officer using a dangerous weapon; (2) did aid and abet the destruction of government property; (3) corruptly did obstruct, influence, or impede any a proceeding before the Congress, (4) did knowingly enter or remain in any restricted building

or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct; (5) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress. Specifically, on or about January 6, 2021, GIESWEIN traveled to Washington, D.C., assaulted and intimidated U.S. Capitol Police officers with a spray canister, temporary barrier, and baseball bat; knowingly and willfully joined and encouraged a crowd of individuals who forcibly entered the U.S. Capitol; impeded, disrupted, and disturbed the orderly conduct of business by the United States House of Representatives and the United States Senate; and obstructed, impeded, and interfered with a law enforcement officer carrying out duties incident to and during the civil disorder at the U.S. Capitol.

BACKGROUND OF AFFIANT

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) assigned to the Washington Field Office. I am a graduate of the FBI Academy at Quantico, Virginia and I have been an FBI Special Agent for over three years. In that time I have investigated several violations, to include counterterrorism. I have received training and I have gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, advanced open-source research, and various other criminal laws and procedures. Prior to my employment as an FBI agent, I served as an Infantryman and Captain in the Military Intelligence branch of the U.S. Army. In addition to this knowledge, I have had extensive training in federal law.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as “on or about” dates.

BACKGROUND

Incursion at the U.S. Capitol on January 6, 2021

1. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.

2. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.

3. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

4. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

6. At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

7. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol

without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

8. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

ROBERT GIESWEIN

1. ROBERT GIESWEIN is a 24-year-old resident of Woodland Park, Colorado. GIESWEIN appears to be affiliated with the radical militia group known as the Three Percenters. For context, the Three Percenters (also referred to as 3 Percenters or III%ers) is a domestic militia that advocates for resistance to the U.S. federal government policies it considers to infringe on personal, local, and gun ownership rights. This group is loosely allied with the Oath Keepers, another anti-government militia, and has provided security services for various right-wing protests and movements. GIESWEIN has posted multiple pictures on his Facebook profile in which GIESWEIN flashes hand signs commonly used by the Three Percenters, while posing in front of a Three Percenters flag with others wearing clothing bearing Three Percenters logos. In addition, I believe based on social media postings that GIESWEIN runs a private paramilitary training group called the Woodland Wild Dogs. Notably, when GIESWEIN participated in the January 6, 2021 incursion of the U.S. Capitol as set forth below, a patch for the Woodland Wild Dogs was visible on the front of his tactical military-style vest.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

2. I have studied video footage and still photographs of the January 6, 2021, incursion of the Capitol, and have identified an individual in them as GIESWEIN through comparison of these images to GIESWEIN's Colorado driver's license photo and GIESWEIN's social media accounts. As described below, these images establish that on January 6, 2021, GIESWEIN assaulted federal officers outside of the Capitol; observed and encouraged other rioters as they broke a window of the Capitol building; entered the building through that broken window; and then charged through the Capitol building.

3. In all of the photographs and videos that capture GIESWEIN outside and inside the U.S. Capitol on January 6, 2021, GIESWEIN is in distinctive paramilitary gear. He is wearing a camouflage shirt underneath a reinforced military-style vest; an army-style helmet marked with orange tape and patches; goggles; and a black camouflage patterned backpack.

4. In one video taken at the Capitol on January 6 and posted online,¹ GIESWEIN is visible outdoors in a large crowd underneath a temporary Inauguration viewing stand. The crowd GIESWEIN is in is pushing up against and attempting to dislodge a temporary barrier between the crowd and a group of U.S. Capitol Police officers. At the approximately 32 minute and 59 second mark of the video, GIESWEIN —recognizable by his distinctive military-style helmet and patch— steps forward, lifts a black canister in his hand, and sprays an unidentified substance at the law enforcement officers:

¹ <https://www.youtube.com/watch?v=P34tO5eaLhg&bpctr=1610750110>

Pictures 1 and 2:



5. A still photograph² taken outside the Capitol shows GIESWEIN helping a crowd of people lift and force a temporary barrier against a crowd of U.S. Capitol Police officers:

² <https://www.shutterstock.com/editorial/image-editorial/protrump-protests-over-electoral-college-vote-certification-us-capitol-washington-dc-united-states-06-jan-2021-11695081bj> (last viewed January 16, 2021).

Picture 3:



6. Another still photograph³ of GIESWEIN outside of the Capitol demonstrates that as he stood in the crowd, he brandished a baseball bat. Also visible in this photograph of GIESWEIN is a patch for Woodland Wild Dogs and a pouch attached to the front of GIESWEIN's vest that holds GIESWEIN's smartphone, with the camera of the phone facing outward such that if GIESWEIN wished to take smartphone videos of the activity at the Capitol, he would be able to do so without holding his phone:

³ <https://www.shutterstock.com/editorial/image-editorial/trump-supporters-protest-certification-of-presidentelect-biden-washington-usa-06-jan-2021-11695563bh> (last viewed January 16, 2021)

Picture 4:



7. Another video⁴ captures GIESWEIN forcibly enter the Capitol through a broken window. In particular, starting at the approximate 25 second mark, GIESWEIN observes and encourages other rioters as they strike a window—first with a wooden board, and then with a stolen plastic law enforcement shield—until it breaks. The rioters, including GIESWEIN, then climb through the window into the Capitol. As GIESWEIN scrambles up into the building, the baseball bat is visible in his hand.

⁴ <https://www.youtube.com/watch?v=jtPmi4BShNM> (last viewed January 16, 2021).

Pictures 5 and 6:



8. I have also viewed a news documentary, titled "Storming the Capitol: The Inside

Story.”⁵ In it, at approximately the 15 minutes mark, the news correspondent points out GIESWEIN on the inside of the Capitol window he has climbed through, helping other rioters enter the building through the window. The correspondent then introduces a brief video interview he had conducted with GIESWEIN in Washington, D.C. the previous day. In that interview, GIESWEIN says, “What we need to do, is we need to get the corrupt politicians that have been in office for 50-60 years, that have been destroying our country and selling it to the Middle East and Israel out of office and they need to be imprisoned.” When asked what his message is to Congress, GIESWEIN responds, “That they need to get the corrupt politicians out of office. Pelosi, the Clintons, all of...every single one of them, Biden, Kamala...they have completely destroyed our country and sold them to the Rothschilds and Rockefellers.”⁶

9. Finally, photographs taken inside the Capitol after GIESWEIN’s forced entry show that he then stormed the halls of the building. In the photograph below, taken inside the Capitol, GIESWEIN appears to be holding the spray canister in his hand, and his smartphone is again visible in a chest pouch with its camera facing outward.

⁵ <https://www.youtube.com/watch?v=jJiSmVktty4> (last viewed January 16, 2021)

⁶ Your affiant is aware of online and anti-Semitic conspiracy theories hold that shadow forces, including the Rothschild family, secretly control global currency. *See, e.g.,* Anti-Defamation League, Quantifying Hate: A Year of Anti-Semitism on Twitter, available at <https://www.adl.org/media/11775/download> (last viewed January 16, 2021).

Picture 7:



CONCLUSIONS OF AFFIANT

10. Based on the foregoing, your Affiant submits that there is probable cause to believe that GIESWEIN violated:

- a. 18 U.S.C. § 111(b), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, and interfere with a federal officer using a dangerous weapon.
- b. 18 U.S.C. § 1361, 18 U.S.C. §2, which makes it a crime to aid or abet the willful depredation against any property of the United States.
- c. 18 U.S.C. § 1512(c)(2), which makes it a crime to corruptly obstruct, influence, or impede any official proceeding—to include a proceeding before the Congress—or

make an attempt to do so.

- d. 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.
- e. 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or

pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

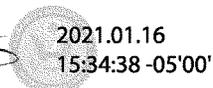
11. As such, I respectfully request that the court issue an arrest warrant for GIESWEIN.

The statements above are true and accurate to the best of my knowledge and belief.



SPECIAL AGENT CAMERON GRAHAM
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 16th day of January, 2021.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
ROBERT KEITH PACKER
D.O.B. [REDACTED]

) Case: 1:21-mj-00039
) Assigned to: Judge Robin M. Meriweather
) Assigned Date: 1/12/2021
) Description: COMPLAINT W/ARREST WARRANT
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of [REDACTED] in the
District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. 1752 (a)(1) and 40 U.S.C. 5104(e)(2).

This criminal complaint is based on these facts:

See attached affidavit.

[X] Continued on the attached sheet.

Handwritten signature of Paul J. Fisher

Complainant's signature

Paul J. Fisher, FBI Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone (specify reliable electronic means).

Date: 01/12/2021



Handwritten signature of Robin M. Meriweather
2021.01.12 16:46:33
-05'00'

Judge's signature

City and state: Washington, D.C.

Hon. Robin M. Meriweather

Printed name and title

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
ROBERT KEITH PACKER
D.O.B. [REDACTED]

)
) Case: 1:21-mj-00039
) Assigned to: Judge Robin M. Meriweather
) Assigned Date: 1/12/2021
) Description: COMPLAINT W/ARREST WARRANT
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of [REDACTED] in the
District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. 1752 (a)(1) and 40 U.S.C. 5104(e)(2).

This criminal complaint is based on these facts:

See attached affidavit.

[X] Continued on the attached sheet.

Handwritten signature of Paul J. Fisher

Complainant's signature

Paul J. Fisher, FBI Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone (specify reliable electronic means).

Date: 01/12/2021



Robin M. Meriweather
2021.01.12 16:46:33
-05'00'

Judge's signature

City and state: Washington, D.C.

Hon. Robin M. Meriweather

Printed name and title

Case 2:21-mj-00021-DEM Document 1-1 Filed 01/13/21 Page 3 of 13 PageID# 12
Case: 1:21-mj-00039
Assigned to: Judge Robin M. Meriweather
Assigned Date: 1/12/2021
Description: COMPLAINT W/ARREST WARRANT

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

UNITED STATES OF AMERICA : **Case No:**
:
v. :
: **VIOLATIONS:**
:
ROBERT KEITH PACKER, : **18 U.S.C. § 1752(a),**
: **(Restricted Building or Grounds)**
:
Defendant. : **40 U.S.C. § 5104(e)(2)**
: **(Violent Entry or Disorderly Conduct)**

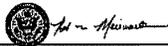
ORDER

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, and serious jeopardy to the investigation, the United States has established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the Arrest Warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk’s office shall not make any entry on the public docket of the arrest warrant until further order of the Court.

Date:

 Robin M. Meriweather
2021.01.12 16:47:57 -05'00'
Robin M. Meriweather
UNITED STATES MAGISTRATE JUDGE

cc: Molly Gaston
Assistant United States Attorney
United States Attorney's Office
555 Fourth Street, N.W.
Washington, D.C. 20530

Case: 1:21-mj-00039

Assigned to: Judge Robin M. Meriweather

Assigned Date: 1/12/2021

Description: COMPLAINT W/ARREST WARRANT

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

UNITED STATES OF AMERICA	:	Case No:
	:	
v.	:	
	:	VIOLATIONS:
	:	
ROBERT KEITH PACKER,	:	18 U.S.C. § 1752(a),
	:	(Restricted Building or Grounds)
Defendant.	:	
	:	40 U.S.C. § 5104(e)(2)
	:	(Violent Entry or Disorderly Conduct)

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, PAUL J. FISHER, being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging ROBERT KEITH PACKER with violations 18 U.S.C. § 1752(a) and 40 U.S.C. § 5104(e). I respectfully submit that this Affidavit establishes probable cause to believe that PACKER (1) did knowingly enter or remain in any restricted building or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct, and (2) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress. Specifically, on or about January 6, 2021, PACKER traveled to Washington, D.C., and knowingly and willfully joined and encouraged a crowd of individuals who forcibly entered the U.S. Capitol and impeded, disrupted, and disturbed the orderly conduct of business by the United

States House of Representatives and the United States Senate.

BACKGROUND OF AFFIANT

2. I have been a Special Agent with the Federal Bureau of Investigation (“FBI”) since August of 2012. I am currently assigned to a squad that investigates violent gang and drug criminal enterprises out of the Northern Virginia Resident Agency of the Washington, D.C. Field Office of the FBI. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been since August 2012. I am currently assigned to the FBI’s Washington Field Office, Northern Virginia Resident Agency, and I work on a squad that investigates violent crimes against children. I have training and experience in the areas of gang-related criminal activity, interview and interrogation techniques, evidence recovery, source recruitment, and cellular phone analysis.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as “on or about” dates.

BACKGROUND

4. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.

5. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.

6. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

7. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

8. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

9. At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after

2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

10. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

11. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

12. Media coverage of these events showed one of the rioters who entered the Capitol building—a late middle-aged white male with a full grey beard—wearing a sweatshirt bearing the words, “CAMP AUSCHWITZ” above an image of a human skull, and underlaid by the phrase, “WORK BRINGS FREEDOM.” Your affiant knows Auschwitz to have been a Holocaust

concentration camp complex in Germany where Nazis murdered more than 1 million people between 1940 and 1945. Your affiant is further aware that an inscription on the Auschwitz concentration camp's gate read, "Arbeit mact frei," which translates approximately, in English, to "work makes freedom." Accordingly, the sweatshirt worn by the individual described above—and depicted in Photographs 1 and 2¹ below taken at the Capitol on January 6, 2021—appears to be a symbol of Nazi hate ideology.

Photograph 1:



¹ <https://twitter.com/mikedebonis/status/1346957589339320321/photo/1>;
<https://twitter.com/davidschneider/status/1347148694269931524/photo/2> (last viewed January 11, 2021).

Photograph 2:



13. Media outlets subsequently identified the individual in the sweatshirt at the U.S. Capitol—indicated by a red circle in the photographs above—as ROBERT KEITH PACKER, DOB 9/24/1964. Your affiant has confirmed this identification of PACKER by comparing the photograph to PACKER’s driver’s license picture.

14. PACKER’s identity has also been confirmed through investigation, as follows. A cooperating witness (hereafter CW-1) contacted law enforcement to notify them that CW-1 recognized the individual in PACKER’s photograph from the U.S. Capitol as a routine customer at a store near Newport News, Virginia. CW-1 did not identify PACKER by name, but recognized PACKER’s sweatshirt and provided a photograph of PACKER inside the store on December 11, 2020:

PHOTOGRAPH 3:



15. In this photograph from the store on December 11, 2020, PACKER is wearing the same sweatshirt that he wore to the U.S. Capitol on January 6, 2021. In addition, on December 11, 2020, surveillance cameras at the store captured a photograph of the vehicle driven by PACKER.

16. On January 11, 2021, law enforcement conducted surveillance at a suspected residence of PACKER in Newport News, Virginia. A vehicle parked in the front lawn of the suspected residence appeared consistent with the vehicle used by PACKER at the store on December 11, 2020. A query was conducted on the license plate of the vehicle and identified the registered owner of the vehicle as ROBERT KEITH PACKER.

17. Photograph 2 above—taken inside the U.S. Capitol—demonstrates that on January 6, 2021, PACKER knowingly and willfully joined a crowd of individuals who forcibly entered the U.S. Capitol; in it, the crowd PACKER has joined appears to be displaying a shard of the broken

nameplate from House Speaker Nancy Pelosi's office in the U.S. Capitol.

CONCLUSIONS OF AFFIANT

18. Based on the foregoing, your affiant submits that there is probable cause to believe that PACKER violated:

a. 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

b. 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or

pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

19. As such, I respectfully request that the court issue an arrest warrant for PACKER.

The statements above are true and accurate to the best of my knowledge and belief.



SPECIAL AGENT PAUL J. FISHER
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 12th day of January, 2021.

Robin M. Meriweather
2021.01.12 16:47:33
-05'00'

HON. ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE

STATEMENT OF FACTS

On January 6, 2021, your affiant, Federal Bureau Investigation (FBI) Special Agent Samad D. Shahrani, was on duty and performing my official duties as a FBI Special Agent. Specifically, Hi-Tech Organized Crime squad based at the Northern Virginia Resident Agency of the FBI's Washington Field Office, tasked with investigating criminal activity in and around the Capitol grounds. As a FBI Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

I have reviewed video footage¹, hereinafter “Video #1,” captured on January 6, 2021. The video was captured by an individual who was present in the crowd during the attack on the Capitol. The video was shot from an elevated position and showed an area of the Capitol with a large group of police officers surrounded on at least three sides by a group of insurrectionists. A United States Capitol Police (USCP) Special Agent identified the area shown in Video #1 as being the Lower West Terrace of the United States Capitol.

In the lower left corner of the video, an individual, hereinafter “Subject,” is visible stepping over a short wall with a red object in their hands. The Subject is wearing what appears to be a stocking cap, a dark jacket or shirt with a plaid pattern, and a light and dark two-tone backpack. Immediately after stepping over the short wall, the subject draws the red object, which appears to be a fire extinguisher, back in his right hand and then hurls the object at the group of police officers. A screen capture of this video is included below; the Subject is in the lower left corner with the red oval:

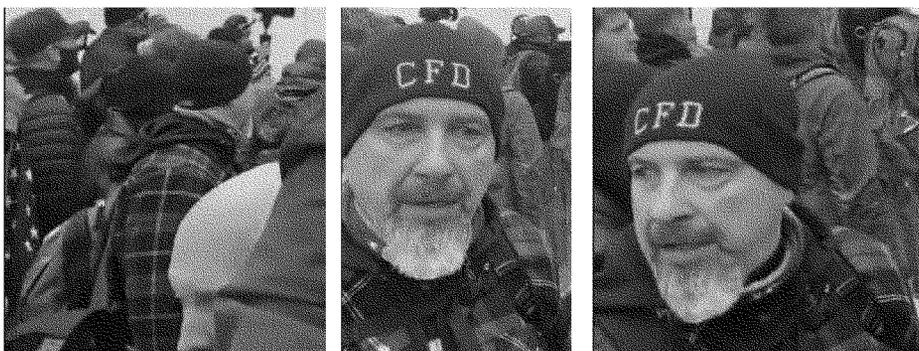


¹ <https://www.youtube.com/watch?v=esvuSWXncc8>

The object appears to strike one officer, who was wearing a helmet, in the head. The object then ricochets and strikes another officer, who was not wearing a helmet, in the head. The object then ricochets a third time and strikes a third officer, wearing a helmet, in the head. Immediately after throwing the object, the Subject moves quickly in the opposite direction.

Officer William Young of the USCP reports that he and twenty officers and two sergeants were deployed to the Lower West Terrace of the U.S. Capitol at some point after 1200 hrs. on January 6, 2021. While Officer Young was on duty and attempting to control the crowd, he felt a hard strike to the back of his helmet. When he turned to see where the blow had originated, Officer Young saw a fire extinguisher on the ground but could not determine who had struck him. Officer Young was subsequently evaluated at a hospital and cleared to return to duty.

I have reviewed video footage², hereinafter "Video #2," captured on January 6, 2021, that shows the attack on the Capitol from a different angle. The video was captured by an individual who was present in the crowd during the attack on the Capitol. This video was shot at ground level and covered much of the same series of events as captured by Video #1. Video #2 is approximately one hour, twenty-eight minutes, and thirty seconds long. From approximately 47 minutes and 11 seconds until approximately 47 minutes and 17 seconds, a person wearing clothing that matches those of the Subject is visible. The angle of Video #2 along with the proximity reveals more details of the Subject. Screen captures from Video 2 are located below:

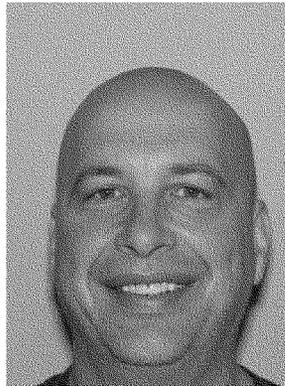


On January 12, 2021, a complainant contacted an FBI Resident Agency (RA) in Pennsylvania. The complainant indicated that a person they knew, whom they identified as ROBERT SANFORD (SANFORD), an approximately 55-year-old male, had confessed to the complainant that he was the person that the FBI was looking for. The complainant indicated that SANFORD had recently retired from the Chester Fire Department, located in Chester, Pennsylvania. The complainant also indicated that they had known SANFORD for many years and that they were friends.

² <https://banned.video/watch?id=5ff73a601669d333f2b27315>

In a recorded interview that also occurred on January 12, 2021, the complainant told FBI Special Agents that SANFORD had told the complainant that SANFORD had travelled to Washington, D.C. on a bus with a group of people. The group had gone to the White House and listened to President Donald J. Trump's speech and then had followed the President's instructions and gone to the Capitol. The complainant indicated that SANFORD had claimed to have been on the Capitol grounds for about 10 minutes before "they" left. SANFORD did not mention to the complainant having thrown any objects, and SANFORD did not elaborate to the complainant about who "they" were. SANFORD acknowledged to the complainant that the photograph of the man in the CFD hat was, in fact, SANFORD. When shown screen captures from Video #2, the complainant identified the Subject in the screen captures as SANFORD.

SANFORD was issued a driver's license from the State of Pennsylvania on April 6, 2018. The name listed on the license was ROBERT LEE SANFORD JR. The address listed on that driver's license was in Boothwyn, PA, which is approximately 11 minutes from both Chester Fire Station 81 and Chester Fire Station 82 in Chester, Pennsylvania. The date of birth listed on the driver's license indicated that SANFORD was 55 years old, as estimated by the complainant. The photograph associated with that driver's license is below:



Comparison of the Pennsylvania DMV photograph to the screen captures taken from Video #2 show significant physical similarities, including the shape of the upper face, nose, eye color, and connected earlobes. The lower face is difficult to compare due to the Subject having a full goatee. However, the visible features reveal a strong similarity between the two indicating that the Subject is, in fact, SANFORD.³

³ During the course of this investigation, the FBI received an anonymous tip that another individual was the subject in the still photographs referenced above. The individual resided in Illinois. Upon further investigation, the FBI learned that the individual's name did not appear on flight manifests to the D.C. area for the relevant time frame. Additionally, the logs from License Plate Readers in the District of Columbia did not indicate that the individual's vehicle entered the District of Columbia during the relevant time frame. Law enforcement also learned through that individual's attorney that the individual had an alibi for the time of the incident at the United States Capitol building. Finally, upon examining photographs of the individual and comparing them to the still photographs of the footage from the Capitol grounds referenced above, there are differences between the individual's facial features and the

CONCLUSIONS OF AFFIANT

Based on the foregoing, your affiant submits that there is probable cause to believe that SANFORD is the Subject in Video #1 and Video #2 and has violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so.

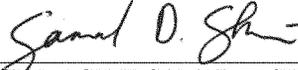
Your affiant further submits that there is probable cause to believe that SANFORD violated 18 U.S.C. § 1752(b)(1)(A) which makes a violation of 18 U.S.C. § 1752(a) a crime punishable by up to 10 years imprisonment where the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

There is also probable cause to believe that SANFORD violated 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress.

There is also probable cause to believe that SANFORD violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

facial features of the person in the still photographs, specifically, the individual's nose appears to be different and the individuals eyebrow shape also appears different.

Finally, there is probable cause to believe that SANFORD violated 18 U.S.C. 111(a)(1), which makes it a crime for anyone to forcibly assault, resist, oppose, impede, intimidate, or interfere with any United States law enforcement officer while that officer is engaged in the performance of their official duties.



SPECIAL AGENT SAMAD D. SHAHRANI
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 13th day of January 2021.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

Black Capitol custodial staff speak out after cleaning up after white supremacist rioters

[R revolt.tv/2021/1/15/22232712/black-capitol-staffers-cleaning-up-white-supremacist-rioters](https://revolt.tv/2021/1/15/22232712/black-capitol-staffers-cleaning-up-white-supremacist-rioters)

Victoria Moorwood

January 15, 2021



AP

Business Insider spoke with several Black and Latino custodial workers at the Capitol, who say they now fear for their life after last week's deadly insurrection. The attack was even more personal, some said, as it was carried out by mostly white, pro-Trump rioters, including white supremacists.

"It felt bad; it's degrading," one staff member, who works for the Architect of the Capitol's labor division, told Insider anonymously. That employee was not at the Capitol during the attack, but was there to clean up the mess that rioters left behind — including broken glass, destroyed furniture, smearred feces, empty bottles and the blood from where Capitol Police and rioters had died.

"I was here on 9/11, and that was probably the most scared I've ever been in my 25 years here. But this one is a step, a notch, on the scale," another staffer said, adding that he was disappointed by how Capitol and federal officers treated the "radical" white rioters.

"[It was] a little bit worse than 9/11 for me. It was a little more personal, in a sense," he added.

Black and Latino janitorial and labor staffers who were working at the Capitol during the riot told Insider they felt unprotected by management. One employee hid in a closet during the attack, while his family members called and gave him minute-by-minute updates on the havoc that was going on outside, which they watched on the news.

"I was all by myself," he said. "I didn't know what was going on."

Some staffers said they hope the Capitol's new security forces will defend against Trump supporters come Inauguration Day; others are afraid to work.

"I do not want to work on inauguration. No I do not," one employee said. "I honestly fear for my life. I've got two children at home."

"I hope nothing else happens because these people were talking about killing us, federal employees, killing police... I felt kind of disgusted," another added.

Black janitorial staffers also pointed to the difference in policing that the white rioters received as opposed to the brutal tactics that were used against Black Lives Matter activists over the summer. They added that it was even more insulting to have to clean up after rioters after learning they had cast racial slurs and insults at the Black Capitol officers who were working that day.

"If it was Black people, we never would have made it, but I think we know better not to attack the Capitol," one person, who's worked at the Capitol for 28 years, said. "Yeah, we know better. We know better."

Another janitorial employee added that he was “used to” cleaning up after white supremacists in the Capitol, referring to some of the Congress members.

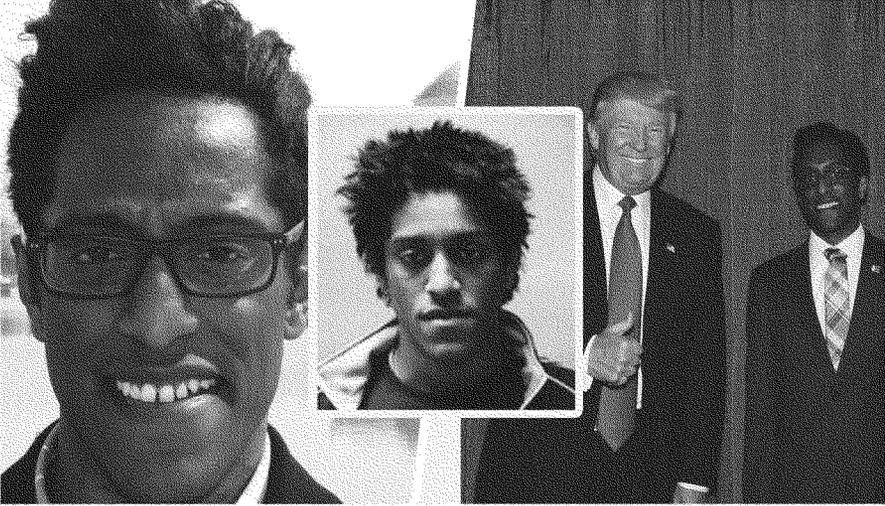
“I’m used to it,” he said. “The building we work in... you think [the rioters] were the only [white supremacists] here?”

Next Up In Social Justice

'Stop the Steal' Organizer in Hiding After Denying Blame for Riot

 thedailybeast.com/stop-the-steal-organizer-in-hiding-after-denying-blame-for-riot

January 11, 2021



[Capitol Riots](#) ↻



Photo Illustration by The Daily Beast/Getty

On Sunday night, Twitter banned Ali Alexander's personal account and an account for "Stop the Steal."

Will Sommer

Updated Jan. 10, 2021 9:40PM ET / Published Jan. 10, 2021 9:08PM ET

Two weeks before thousands of Trump rioters breached Congress, "Stop the Steal" organizer Ali Alexander said his group wasn't violent—"yet."

"One of our organizers in one state said, 'We're nice patriots, we don't throw bricks,'" Alexander told a crowd at a Dec. 19 [rally](#) at Arizona's state capitol. "I leaned over and I said, 'Not yet. Not yet!' Haven't you read about a little tar-and-feathering? Those were second-degree burns!"

Alexander, who has described himself as one of the “official originators” of the Jan. 6 rally in Washington, went on to use “yet” as a code word for violence. Then Alexander told the Phoenix crowd about his plans for Washington.

“We’re going to convince them to not certify the vote on January 6 by marching hundreds of thousands, if not millions of patriots, to sit their butts in D.C. and close that city down, right?” Alexander said. “And if we have to explore options after that...‘yet.’ Yet!”

Alexander’s supporters cheered, yelling threats like “noose!” and “nothing’s off the table!”

Alexander led a host of activists in ratcheting up the rhetoric ahead of Congress’ certification of the electoral votes, threatening to “1776” opponents of Trump’s re-election. Now that five people, including a Capitol Police officer, are dead, however, Alexander has gone into hiding, and the website promoting his Jan. 6 rally has been wiped from the internet.

Alexander is defiant, saying he won’t “take an iota of blame that does not belong to me.”

“I didn’t incite anything,” Alexander said in a video posted Friday to Twitter. “I didn’t do anything.”

In reality, even as Alexander claimed his supporters were peaceful, he repeatedly raised the prospect of using violence in the weeks ahead of Jan. 6.

On Sunday night, Twitter banned Alexander’s personal account and an account for “Stop The Steal.” Alexander didn’t respond to a request for comment.

Alexander is a convicted felon, after pleading guilty to felony property theft in 2007 and felony credit card abuse in 2008. Alexander first appeared in conservative politics in the Tea Party era under the name “Ali Akbar,” organizing a group called the National Bloggers’ Club that was tied to “shady data collection operations.”

In the Trump era, now using a new name, Alexander emerged as an idiosyncratic, trash-talking MAGA die-hard affiliated with figures like InfoWars conspiracy theorist Alex Jones, anti-Muslim Trump booster Laura Loomer, blundering provocateur Jacob Wohl, and Trump ally Roger Stone.

Before Trump’s 2020 election defeat, Alexander was perhaps best known for Donald Trump Jr. retweeting his groundless claim that Vice President-elect Kamala Harris is not an “American Black.” He was invited to the White House for Trump’s “Social Media Summit” with various right-wing internet figures, and began frequently wearing orange clothes, claiming God had given him a message that the color had special significance for 2020.

“God gave me the color orange in December 2019,” Alexander tweeted on Election Day. “He told me ‘orange would be the color of 2020.’ I’ve come to learn it means GOD’S POWER.”

After Trump's election defeat, Alexander positioned himself as one of the leading Trump re-election dead-enders with his "Stop the Steal" group, which quickly became a clearinghouse for pro-Trump personalities rallying outside of state capitols in contested battleground states.

Alexander also started to promote mega-rallies protesting the election results in Washington in November and December, even clashing with rival organizers over who deserved credit for the events. And he began organizing a protest outside the Capitol for Jan. 6, dubbing it the "Wild Protest" after a Trump tweet promising the protests during the electoral vote count "will be wild."

For Jan. 6, Alexander claimed in a video, he had some organizing assistance from pro-Trump Reps. Paul Gosar (R-AZ), Andy Biggs (R-AZ), and Mo Brooks (R-AL).

"We four schemed up putting maximum pressure on Congress while they were voting," Alexander said in a video posted before the Jan. 6 protest.

Gosar and Brooks didn't respond to requests for comment. A spokesman for Biggs disputed Alexander's story, claiming Biggs isn't "aware of hearing of or meeting Mr. Alexander at any point" and had no "contact with protestors or rioters."

"These degenerates in the deep state are going to give us what we want, or we are going to shut this country down."

— Ali Alexander

Alexander's voice grew more menacing in the lead-up to the Jan. 6 rally. He tweeted that he would "give my life for this fight," a call that was promoted by the Arizona Republican Party.

Alexander also began tweeting frequently about "1776," a reference to the start of the American Revolution. Alexander wrote in one post that the choice was "45"—Trump's re-election—"or 1776." In another message, he wrote that "1776 is always an option for free men and women."

Most pointedly, Alexander responded to a tweet from QAnon-supporter Rep. Marjorie Taylor Greene (R-GA) claiming that top congressional leaders were working to block objections to the electoral vote. If that happened, Alexander said, he and hundreds of thousands of other protesters would "1776" the Capitol.

"If they do this, everyone can guess what me and 500,000 others will do to that building," Alexander tweeted on Dec. 30. "1776 is *always* an option"

Alexander's anger wasn't limited to Congress. After four people were stabbed after a December MAGA protest outside the Hotel Harrington, a downtown Washington hotel popular with Proud Boys, the hotel announced that it would be closed for several days

around the Jan. 6 protest.

A furious Alexander posted a video filled with threats to the hotel, urging his fans to “be extremely high IQ as God enacts his vengeance.” Alexander compared his supporters to the snake in the “Don’t Tread on Me” Gadsden flag, saying they had been “tread on” and noting that “the vipers bite.”

“May not one patriot get caught on camera doing anything bad,” Alexander said.

At the Dec. 19 Arizona rally, Alexander kept up his threat that his movement could become violent. He said he wouldn’t describe Democrats as burglars in Republicans’ homes, implying that would mean they’d be shot—a metaphor he said wasn’t necessary “yet.”

“Let them hear that,” Alexander said. “Yet.”

The night before the Jan. 6 rally, Alexander riled up Trump supporters in Washington with a “victory or death” chant and once again brought up “1776.”

“1776 is always an option,” Alexander told the crowd. “These degenerates in the deep state are going to give us what we want, or we are going to shut this country down.”

Alexander’s “Wild Protest” rally was scheduled to take place on the northeast corner of the Capitol’s lawn, with a website claiming that Greene, Gosar, and Rep. Lauren Boebert (R-CO) would all speak at the event. Before the rally, Alexander attended Trump’s speech on the White House Ellipse, posting a picture from the front row.

“Nice seats,” Alexander tweeted. “Thank you @realdonaldtrump!”

Alex Jones claims that he and Alexander had some “deal” with the White House about their protest outside of Congress.

“We had a legitimate deal with the White House,” Jones said in an InfoWars show filmed after the riot with Alexander. “‘Hey Jones and Ali,’ literally, they let us out early, we were supposed to lead a peaceful deal.”

Video posted by InfoWars in an apparent attempt to distance Jones from the riots shows Jones and Alexander on the west side of the Capitol as tear-gas canisters went off in the distance and Trump supporters mounted MAGA flags on the inauguration risers. Jones unsuccessfully tried to convince rioters to move to the east side of the Capitol and attend their rally on the other side of the building instead.

“As much as I love seeing the Trump flags flying over this, we need to not have the confrontation with the police, they’re going to make that the story,” Jones said.

But Alexander refused to disavow the riot.

“I don’t disavow this,” Alexander said in a video filmed overlooking the Capitol. “I do not denounce this. This is completely peaceful, looks like, so far.”

Now Alexander claims to be in hiding, alleging in a video posted Friday that he needs \$2,000 a day to fund his security detail and other expenses and hitting his fans up for donations. In a bizarre moment in his fundraising pitch, Alexander claimed that he was being targeted by the supernatural: “Witches and wiccans are putting hexes and curses on us.”

It’s not clear how, however, if Alexander’s supporters can send him money at all. On Saturday, he posted on Parler that he had been banned from Venmo and PayPal.

In his Friday video, Alexander claimed that his “rally never turned violent.” But Alexander also read a quote from talk radio host Rush Limbaugh that positively compared the rioters to the heroes of the American Revolution, and said rioters who entered the Capitol should suffer light consequences, if any.

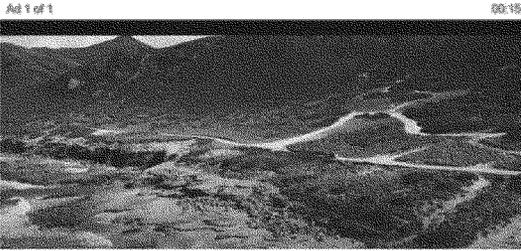
“I think people should be rowdy, I think people should be messy,” Alexander said. “I do believe that we own that U.S. Capitol. So I’m not apologizing for nothing.”



Longtime Trump advisers connected to groups behind rally that led to Capitol attack

Roger Stone, Steve Bannon and Michael Flynn all promoted the Jan. 6 rally.

By Will Steakin, Matthew Mosk, James Gordon Mesek, and Ali Dukakis
January 15, 2021, 10:13 AM • 13 min read



00:15

US Capitol riots: Tracking the insurrection

On Jan. 6, rioters coming from a pro-Trump rally broke into the U.S. Capitol, resulting in deaths. [Read More](#)

Three of the key advisers who helped engineer Donald Trump's rise to the presidency in 2016, and who fell from grace under the weight of federal criminal charges, resurfaced during Trump's final days in office to help engineer his ill-fated attempt to cling to power.

Roger Stone, Steve Bannon, and retired Lt. Gen. Michael Flynn all participated in efforts to promote the Jan. 6 "Stop the Steal" event that ultimately devolved into a riotous and deadly melee at the United States Capitol, leaving five dead and causing Trump to become the only president to be impeached for a second time.

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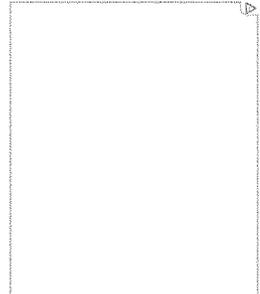
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While none of them spoke at the actual rally, Stone whipped up a crowd of Trump supporters in Washington the night before, telling them the president's enemies sought "nothing less than the heist of the 2020 election."

"And we say, No way!" Stone said at the Jan. 5 rally.

+ MORE: Trump allies helped plan, promote rally that led to Capitol attack

Flynn promoted the so-called "Jericho March," a rally of Christians to "pray, march, fast, and rally for election integrity," according to the group's website, that also took place on Jan. 6 in the shadow of the Capitol. In the weeks leading up to the event, Flynn told his supporters that they would "need to be fearless as Americans."

Speaking at a Dec. 12 rally in Washington to promote the Trump effort to overturn the election, Flynn told supporters they had reached a "crucible moment" and "there has to be sacrifice."

"We're in a battle ... for the heart and soul of the country," Flynn said. "We will win."

 Drew Angerer/Getty Images, FILE

In this Jan. 28, 2017, file photo, President Donald Trump speaks on the phone in the Oval Office. Read More

Bannon also played a significant role in promoting the Jan. 6 rally, which was co-organized by "March for Trump," and he previously served as a prominent sponsor of the group's cross-country December bus tour ahead of the rally. Shortly after Trump lost the 2020 election, Bannon's "War Room" podcast was banned from Twitter for suggesting Dr. Anthony Fauci and FBI Director Christopher Wray should be beheaded.

"I'd put the heads on pikes. Right. I'd put them at the two corners of the White House as a warning to federal bureaucrats," Bannon said. "You either get with the program or you are gone."

A spokesperson for Bannon told ABC News in a statement that "Mr. Bannon did not, would not and has never called for violence of any kind. Mr. Bannon's commentary was clearly meant metaphorically."

Falls from grace

All three men played pivotal roles in Trump's rise to power, only to see their reputations tainted by criminal investigation.

Stone was one of Trump's earliest political advisers, working with the real estate mogul long before he ventured into campaign politics. After a brief period working directly for Trump's presidential bid, Stone took on the role of outside adviser, even as he maintained regular contact with Trump.

Stone was later swept into the investigation into Russian meddling in the 2016 elections, and faced allegations that he helped coordinate the release of hacked documents by [WikiLeaks](#) that were meant to damage Trump's

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opponent, Hillary Clinton. In 2019, Stone was convicted on federal charges of obstruction of justice, lying to Congress and witness tampering, and sentenced to 40 months in prison. Trump commuted the sentence and ultimately issued Stone a pardon.

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After leading Trump to victory as a top campaign strategist, Bannon also served in Trump's White House. He left after seven months and, like many top campaign officials, became swept up in the Russian investigation. He was never charged with wrongdoing in that probe. Last August, though, he was charged in federal court in an unrelated case with defrauding donors to a private fundraising effort called "We Build the Wall," which said it was raising private funds to help expand the wall along the U.S.-Mexico border. He pleaded not guilty and is out on bail awaiting trial.

Flynn served briefly as Trump's first national security adviser before he was dismissed for lying about conversations he had with the Russian ambassador. He, too, became a focus of the federal prosecutors and pleaded guilty to lying to investigators. He later recanted before being sentenced, and was also pardoned by Trump.

A source close to Flynn told ABC News the retired general does not believe his words incited violence, and that he does not condone it, saying the riot was "the last thing we expected."

 Jonathan Ernst/Reuters, FILE

Former U.S. national security adviser Michael Flynn looks on as supporters of President Donald Tr **Read More**

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Trump had invited Flynn and his family to the Jan. 6 rally but the source said they left disgusted at what the confidant said was a pointless gathering on the Ellipse, followed by outrageous political violence on Capitol Hill.

"100% the election was stolen -- no one is going to convince us otherwise," the source said. "But Michael Flynn never called for violence. What happened there was terrible."

Back in the fold

All three men resurfaced in Trump's orbit as advisers became increasingly concerned that Trump would lose his bid for reelection to Joe Biden. And as Trump mounted his drive to convince his supporters that he had actually won the 2020 race "in a landslide," all three picked up the messaging and spread it to their followers.

Even before Election Day, Stone was pushing the notion that vote counts could not be trusted. During a September appearance with extremist agitator Alex Jones, Stone called on Republicans to "be prepared to file legal objections and if necessary to physically stand in the way of criminal activity."

 Jim Urquhart/Reuters

Roger Stone, former adviser to President Donald Trump, is flanked by security during a rally at Ft. Read [More](#)

After the election, Stone encouraged protesters to come to Washington to voice objections to the outcome. He was billed as a featured speaker for the Jan. 6 rally that preceded the assault on the U.S. Capitol, but did not appear. Since that day, he has sought to distance himself from the effort, telling ABC News in a statement that he condemned the violence perpetrated on the Capitol by the mob.

<https://abcnews.go.com/US/longtime-trump-advisers-connected-groups-rally-led-capitol/story?id=75261028>

5/9

"I have no role whatsoever in the January 6 events as I never left the site of my hotel until leaving for Dulles Airport before 6 pm curfew. A careful review of my language of January 5 indicates that I played no role whatsoever in advocating violence or any inappropriate or illegal activity," Stone said in the statement. "Indeed anyone breaking into the US Capitol, trespassing and destroying property would only be hurting the America First movement that I support."

In the days after Trump's election loss, Flynn joined forces with Sidney Powell, the attorney who had helped engineer Flynn's decision to recant his earlier guilty plea. The two helped lead Trump's effort to dispute the election defeat, both in court and through a social media blitz that engaged, among others, followers of the conspiracy-driven movement known as QAnon.

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The two even met with Trump in the Oval Office, not long after Flynn appeared on the conservative network Newsmax to advocate that Trump impose martial law and command the military to "rerun" the election. At a Dec. 12 rally Flynn falsely told followers "there are paths that are still in play" for Trump to remain in office for a second term. "There's a lot of activity that's still playing out," he said before Trump flew over the crowd in Marine One.

Mary McCord, a former federal prosecutor and expert in homegrown terror groups, said Flynn emerged as a hero among extremists. She said Flynn "riled up" the groups ahead of the Jan. 6 election protest, and "incited the most extreme among the crowd to do something about it."

Bannon's quiet return

Of the three, Bannon kept the lowest profile in the days after the election. Only in recent days did he surface as someone who appeared to be back in touch with the president about the election, according to Bloomberg News. Bannon was also helping efforts by 501(c)(4) political nonprofits, so-called dark money groups, to overturn the election results, including the bus tour.

In public, Bannon repeatedly used his platform to promote the Jan. 6 rally, hosting rally organizers on his podcast at least 16 times amid the push to overturn the election results.

Two days before the rally and subsequent attack on the Capitol, Kylie Jane Kremer of rally sponsor "Women for America First" appeared on Bannon's "War Room" podcast to promote the event. "President of the United States, as we know right now, tentatively at 11 he's going to come and address the nation and then it's gonna be -- the game is going to start on Capitol Hill," Bannon said. "I think one of the most historic days in American history will be Wednesday."

 Mary Calvert/Reuters, FILE

In this Oct. 14, 2017, file photo, former White House chief strategist Steve Bannon delivers remarks. [Read More](#)

Bannon did not return a request for comment from ABC News.

Two of Bannon's longtime associates also served in key roles on Jan. 6. Dustin Stockton was one of the lead organizers of the rally, and Jennifer Lawrence ran media relations.

Until 2017, Stockton and Lawrence worked as writers at the far-right media outlet Breitbart when Bannon was executive chairman, according to their LinkedIn profiles. The pair most recently worked with Bannon on his crowdfunding campaign "We Build the Wall," which in August 2020 resulted in the federal indictments over allegations of defrauding donors.

Neither Stockton or Lawrence returned ABC News' requests for comment.

Stockton served as "We Build the Wall's" vice president of strategy and marketing, according to his LinkedIn and social media posts, while Lawrence was the group's communications director before joining the "March for Trump" group. Stockton and Lawrence were both served warrants for their cellphones, as well as subpoenas to appear before a grand jury, in connection to the "We Build the Wall" group, but neither has been charged, according to CNN.

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Stockton used some of the most incendiary language in the run-up to Jan. 6, at one point telling followers on a Facebook Live appearance to "clean

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your guns and prepare. Things are going to get worse before they get better."

On a Facebook Live stream Wednesday night after the Capitol attack, Stockton appeared unrepentant, saying lawmakers were "trying to certify a fraudulent election."

"I want to stand up against that," he said. "It's the whole reason I've been on this bus tour. That's the whole reason I've been organizing these events in D.C."

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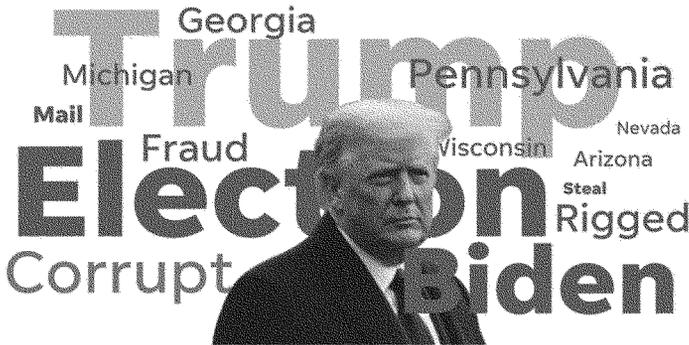
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By the numbers: President Donald Trump's failed efforts to overturn the election

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Trump and allies filed scores of lawsuits, tried to convince state legislatures to take action, organized protests and held hearings.. None of it worked.

William Cummings, Joey Garrison and Jim Sergent, USA TODAY

Words scaled by the frequency that President Trump has used them in tweets during his term in office, according to the Trump Twitter Archive.

WASHINGTON — President Donald Trump spent much of the 2020 presidential campaign insisting that he could only lose if the election was rigged against him, and he has spent nearly every day since his defeat claiming his dire predictions of fraud had come to pass.

But just as he cried foul before a single vote was cast – something he also did in 2016 – Trump has maintained he was robbed of victory without any credible evidence to support that belief.

Despite assurances from his own departments of Justice and Homeland Security that no serious fraud occurred, Trump has raged against the election result and mounted a relentless campaign to reverse President-elect Joe Biden's 306-232 Electoral College win.

More: [Congress' count of Electoral College votes could be most contentious in 144 years. Here are past dramatic moments](#)

The president, his lawyers and his allies have filed scores of lawsuits; made repeated allegations of election fraud in news and social media; organized protests; tried to convince state legislatures to take action; and held hearings in various state houses, hotel ballrooms and, at one point, a landscaping company. And on Wednesday, 13 senators and more than 100 Republican lawmakers plan to object to the certification of Biden's win when Congress meets in a joint session.

All those efforts to overturn the election can be a bit dizzying, so USA TODAY has broken it down by the numbers to help make sense of it all.

Election lawsuits: 62

The president and his allies filed 62 lawsuits in state and federal courts seeking to overturn election results in states the president lost, according to Marc Elias, a Democratic election lawyer who is tracking the outcomes.

Election lawsuit defeats: 61

Out of the 62 lawsuits filed challenging the presidential election, 61 have failed, according to Elias.

Some cases were dismissed for lack of standing and others based on the merits of the voter fraud allegations. The decisions have come from both Democratic-appointed and Republican-appointed judges – including federal judges appointed by Trump.

More: ['It really is over now': The 24 hours that likely thwarted Trump's effort to overturn the election](#)

State Supreme Courts in Arizona, Nevada and Arizona each rejected or declined to hear Trump's appeals to overturn results in those states, while the Pennsylvania and Michigan supreme courts denied multiple lawsuits.

The 60th and 61st losses came in recent days.

Last Friday, a Trump-appointed federal judge in Texas [dismissed a lawsuit from Rep. Louie Gohmert, R-Texas](#), that argued Vice President Mike Pence has the conditional power to decide which states' Electoral College votes to count.

More: [A look at what several state supreme courts said about rejecting attempts to overturn Biden's election win](#)

On Monday, a federal judge dismissed a lawsuit filed by voters in Wisconsin, Pennsylvania, Georgia, Michigan and Arizona that argued state legislatures should have met after the election to certify votes.

The lone victory for the Trump team was a small one. A Pennsylvania judge sided with the Trump campaign, ruling that voters could not go back and “cure” their ballots if they failed to provide proper identification three days after the election. The ruling affected few votes and did not change the outcome in Pennsylvania, which Biden won by 81,660 votes.

Number of contested states: 6

The vast majority of the lawsuits were in six pivotal battleground states that Biden won: Arizona, Georgia, Michigan, Nevada, Pennsylvania and Wisconsin.

Trump won five of the states four years ago in his victory over Hillary Clinton, but Biden flipped each to the Democratic column.

House Republicans who plan to object to Electoral College results Wednesday said they plan to target these same six states.

Number of times the US Supreme Court sided against Trump: 2

The U.S. Supreme Court twice refused to take up Trump-endorsed lawsuits that sought to overturn the results of the Nov. 3 election.

In a one-sentence denial, the Supreme Court on Dec. 8 rejected a request from Pennsylvania Republicans that sought to overturn Biden's win in the state. The challenge, led Rep. Mike Kelly, R-Pa., claimed that the Republican-led state legislature's expansion of absentee voting violated the state's constitution.

Three days later, the Supreme Court refused to let Texas challenge the election results in four battleground states critical to Trump's defeat. The court said Texas did not demonstrate "a judicially cognizable interest in the manner in which another state conducts its elections."

Number of recounts: 3

Georgia held two recounts of its presidential election results, both reaffirming Biden's win in the state. Wisconsin had one recount that confirmed Biden's victory there.

The first recount in Georgia – a hand recount ordered by the state – found Biden won by 12,284 votes, a narrower margin than the 14,196-vote lead he held immediately following the election. Local election administrators identified uncounted ballots in four counties. Each was the result of human error.

The second recount in Georgia – one requested by the Trump campaign – narrowed Biden's victory to 11,779 votes

Votes Trump gained from recounts: 2,343

In Wisconsin, Biden gained 74 votes following a partial recount of the state's results that focused only on two Democratic strongholds, Milwaukee and Dane counties. It increased Biden's statewide margin to 20,682 votes out of about 3 million cast.

Adding the differences in both states together, Trump gained 2,343 votes as a result of the Georgia and Wisconsin recounts.

Number of elections Trump has claimed were rigged: At least 6

This is not the first time Trump has declared an election had been "rigged" or "stolen."

On Election Day in 2012, when President Barack Obama defeated his Republican challenger Mitt Romney, [Trump tweeted](#) that there were "reports of voting machines switching Romney votes to Obama."

"Pay close attention to the machines, don't let your vote be stolen," he said.

Four years later, when Sen. Ted Cruz, R-Texas, defeated Trump in the Iowa caucuses, Trump tweeted, "Ted Cruz didn't win Iowa, he stole it. That is why all of the polls were so wrong and why he got far more votes than anticipated. Bad!"

Ted Cruz didn't win Iowa, he stole it. That is why all of the polls were so wrong and why he got far more votes than anticipated. Bad!

— Donald J. Trump (@realDonaldTrump) [February 3, 2016](#)

Trump also said the [2016 Democratic primary was "rigged"](#) against Sen. Bernie Sanders, I-Vt., and, as in 2020, he declared the 2016 general election race was "rigged" against him before it even took place. Even after winning the election and being sworn in as president, Trump baselessly insisted more than 3 million illegal votes were cast against him. A White House commission Trump created to investigate election fraud disbanded without finding any evidence to support the president's claims.

Trump went on to allege "fraud" in the 2018 midterm elections and to imply there was something nefarious about the late changing vote totals in tight races, though such changes are routine in close elections where projections cannot be made immediately.

Just out — in Arizona, SIGNATURES DON'T MATCH. Electoral corruption - Call for a new Election? We must protect our Democracy!

— Donald J. Trump (@realDonaldTrump) [November 9, 2018](#)

The president also declared in 2020, without evidence, that the Democratic primary had once again been "rigged" against Sanders.

Number of electoral votes changed as the result of Trump's effort: 0

Despite all the lawsuits, recounts and false voter fraud allegations, the Electoral College on Dec. 14 elected Biden the next president by a margin of 306 to 232 – marking no change in the electoral outcome.

Biden finished with a record 81,281,502 votes nationally, defeating Trump in the popular vote by a sizable 7 million votes.

With 51.3% of the national popular vote, Biden won with the highest share of the vote for a challenger of an incumbent president since Franklin D. Roosevelt in 1932. Trump won 46.8% of the vote nationally.

Days until Biden's inauguration

Wednesday's joint session of Congress will have procedural fireworks as 13 U.S. senators and more than 100 Republican House members plan to object to electoral votes from potentially six battleground states that Biden won.

But the efforts are doomed to fail, lacking the votes in the Democratic-controlled House and even in the Republican-led Senate. Because each objection could lead to hours of debate in the House and Senate, the session could be a marathon.

But in the end, Biden and Harris will be inaugurated as the next president and vice president at noon on Jan. 20.

Former KKK leader David Duke praises Trump for his 'courage'

[usatoday.com/story/news/politics/onpolitics/2017/08/15/david-duke-reaction-trump-news-conference/570517001/](https://www.usatoday.com/story/news/politics/onpolitics/2017/08/15/david-duke-reaction-trump-news-conference/570517001/)



Former KKK leader David Duke praises Trump for his 'courage'

White supremacist Richard Spencer was also pleased with Trump's comments.

William Cummings, USA TODAY Published 5:21 p.m. ET Aug. 15, 2017 | Updated 7:50 p.m. ET Aug. 15, 2017

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From Trump Tower in New York City, President Trump defends his decision to delay responding to the violence in Charlottesville, Virginia.

There was a storm of negative reaction to President Trump's news conference Tuesday in which he said both the white supremacists and counter-protesters were responsible for the violence that broke out in Charlottesville, Va., Saturday.

Among two voices that spoke out loudly in defense of the president's remarks: Former Ku Klux Klan leader David Duke and white supremacist figurehead Richard Spencer.

"Thank you President Trump for your honesty & courage to tell the truth about #Charlottesville & condemn the leftist terrorists in BLM/Antifa," Duke tweeted after the news conference.

Thank you President Trump for your honesty & courage to tell the truth about [#Charlottesville](#) & condemn the leftist terrorists in BLM/Antifa <https://t.co/tTESdV4LP0>

— David Duke (@DrDavidDuke) [August 15, 2017](#)

Spencer said Trump "cares about the truth" and said Trump's "statement was fair and down to earth."

Trump's statement was fair and down to earth. [#Charlottesville](#) could have been peaceful, if police did its job. <https://t.co/3FUgmWoiWi>

— Richard Spencer (@RichardBSpencer) [August 15, 2017](#)

Trump cares about the truth. <https://t.co/Dv0gGmysPc>

— Richard Spencer (@RichardBSpencer) [August 15, 2017](#)

Spencer and Duke were present at the protest in Charlottesville. At that rally, Duke explicitly tied the white supremacist movement to Trump.

"We are determined to take our country back," Duke said Saturday. "We are going to fulfill the promise of Donald Trump. That's what we believe in. That's why we voted for Donald Trump, because he said he's going to take our country back."

But Monday, Duke expressed strong disappointment after Trump's speech denouncing white supremacist groups.

"I would recommend you take a good look in the mirror & remember it was White Americans who put you in the presidency, not radical leftists," Duke tweeted.

I would recommend you take a good look in the mirror & remember it was White Americans who put you in the presidency, not radical leftists. <https://t.co/Rkfs7O2Ykr>

— David Duke (@DrDavidDuke) [August 12, 2017](#)

By criticising the Alt-Right & not naming BLM/Antifa you have given them the permission to destroy. The Red Terror begins. [#Charlottesville](#)<https://t.co/G1Ow9pUUEJ>

— David Duke (@DrDavidDuke) [August 15, 2017](#)

Duke also posted a more than 45-minute rambling video response Monday to Trump's condemnation of racist groups.

"To get elected today you can't really speak straightforwardly and totally honestly. If you do you're going to be crucified," Duke said as he explained that he understood why Trump felt he needed to condemn white supremacists.

"You had to come out and say I condemn all these people," Duke said. "President Trump please, for God's sake, don't feel like you've got to say these things. It's not going to do you any good. They hate you."

Duke also went on an anti-Semitic tirade about the media and called what happened in Charlottesville a "criminal conspiracy" in which white supremacists were "set up" to be attacked by the counter protesters.

"Well, our people defended themselves and some people went too far, obviously," Duke said.

Read more:

[Trump defends Charlottesville response, says 'alt left' protesters just as violent as white supremacists](#)

[Notable moments from President Trump's defense of his Charlottesville statement](#)

[Twitter melts down in response to Trump comments](#)

Protesters, silhouetted against the evening sky, demonstrate in response to a white nationalist rally held in Charlottesville, Va., in Philadelphia on Aug. 16, 2017. Matt Slocum, AP

[Fullscreen](#)

Protesters march down North Broad Street in Philadelphia on Aug. 16, 2017, in response to a white nationalist rally held in Charlottesville, Va. Matt Slocum, AP

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The word "SHAME" is written on the Confederate monument near a photograph of Heather Heyer, the woman who was killed in Charlottesville, Va., during the protest in downtown Norfolk, Va., on Aug. 16, 2017. Steve Earley, The Virginian-Pilot, via AP

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Michael Jeter joins the protesters at the base of the confederate monument in downtown Norfolk, Va., on Aug. 16, 2017. Steve Earley, The Virginian-Pilot, via AP



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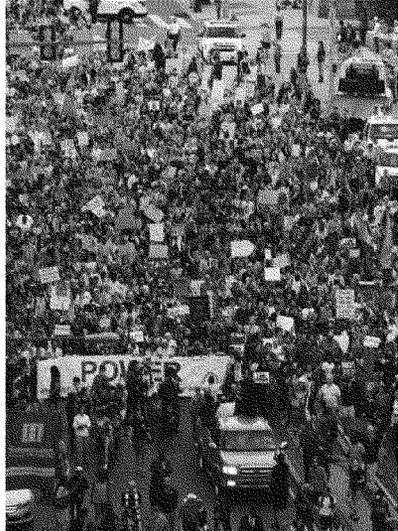
Protesters gather and chant slogans at the base of the Confederate Monument in downtown Norfolk, Va., Aug. 16, 2017. Steve Earley, The Virginian-Pilot, via AP

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Anti-Trump protesters march near Trump Tower in New York on Aug. 15, 2017. Seth Harrison, The Journal News, via USA TODAY NETWORK

[Fullscreen](#)

Protesters gather near Trump Tower during a demonstration against attacks on immigrants under the policies of President Trump on Aug. 15, 2017 in New York. AFP/Getty Images

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Tom Lever, 28, and Aaliyah Jones, 38, both of Charlottesville, put up a sign that says "Heather Heyer Park" at the base of the Confederate general Robert E. Lee monument in Emancipation Park on Aug. 15 in Charlottesville, Va. Julia Rendleman, AP

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A woman holds a sign declaring one nation of immigrants during a rally in favor of DACA and immigration reform on Aug. 15, 2017, at the White House in Washington. The protesters want to preserve the Obama administration program known as Deferred Action for Childhood Arrivals, or DACA. The Trump administration has said it still has not decided the program's fate. Jacquelyn Martin, AP

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Ron Landay applauds a speaker during the "Tuesdays with Toomey" protest in downtown Pittsburgh on Aug. 15, 2017. About 50 people rallied outside Sen. Pat Toomey's Downtown office in support of the immigration program for children. Lake Fong, Pittsburgh Post-Gazette, via AP

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Dozens of immigration advocates and supporters attend a rally outside of Trump Tower along Fifth Avenue on Aug. 15, 2017, in New York. The activists were rallying on the five-year anniversary of President Obama's executive order, DACA - Deferred Action for Childhood Arrivals, protecting undocumented immigrants brought to the U.S. as children. Spencer Platt, Getty Images

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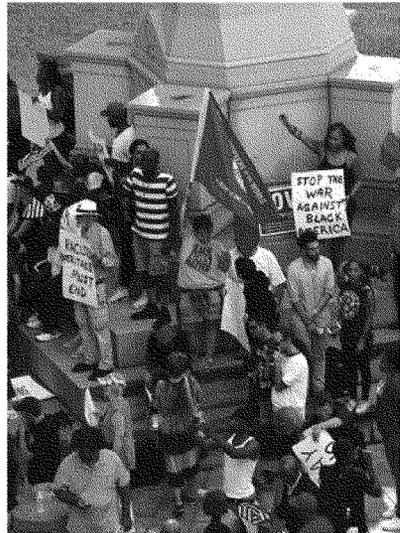
Protesters march near Trump Tower as they protest President Trump in New York on Aug. 14, 2017. Robert Deutsch, USA TODAY

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Protesters block the door to Gov. Bill Haslam's office during a rally against a Nathan Bedford Forrest bust at the Tennessee State Capitol in Nashville, Tenn., on Aug. 14, 2017. Shelley Mays, The Tennessean

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Demonstrators gather in remembrance of the victims that were injured in Charlottesville, Va., in front of the Minneapolis Republican Party office in Minneapolis on Aug. 14, 2017. Carlos Gonzalez, Star Tribune, via AP

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Demonstrators gather on Pennsylvania Avenue in front of the White House in Washington on Aug. 14, 2017. For the second night in a row, people gathered in front of the White House to protest the white nationalist rally in Charlottesville, Va. Pablo Martinez Monsivais, AP

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Protesters gather in New York and sit during a moment of silence on Aug. 14, 2017, as they protest President Trump not far from Trump Tower. One person holds a sign referring to Heather Heyer who was killed in Charlottesville, Va., after a car plowed into a crowd. Craig Ruttle, AP

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People protest outside Trump Tower in New York on Aug. 14, 2017. Alba Vigaray, European Pressphoto Agency

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Protesters gather to ask President Trump to stop his drive to war against North Korea on Aug. 14, 2017 in Miami. Joe Raedle, Getty Images

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Pedestrians walk past a 15-foot tall inflatable rat in the likeness of President Trump at the corner of Fifth Avenue and 59th Street near Trump Tower on Aug. 14, 2017, in New York. Drew Angerer, Getty Images

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A man holds up a sign during a protest in front of the White House on Aug. 14, 2017, in Washington. Mark Wilson, Getty Images

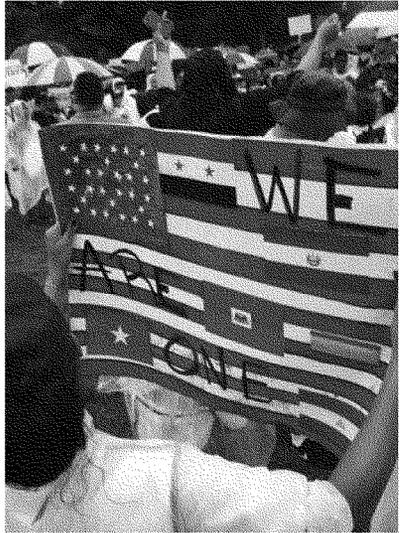
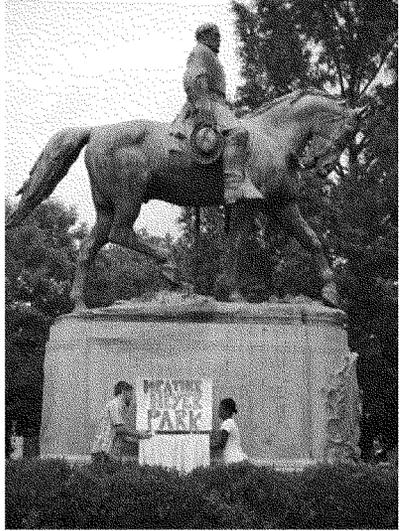
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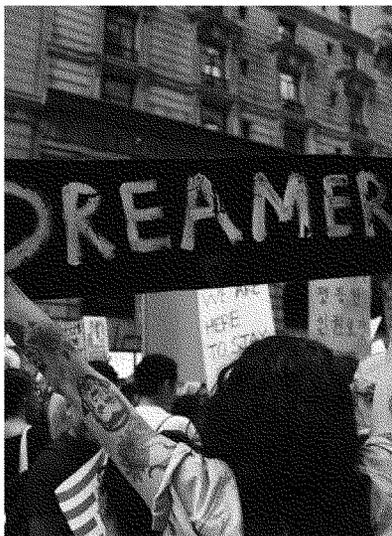
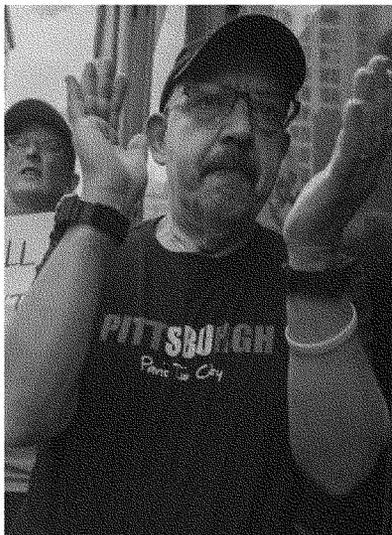
Hundreds of protesters gather outside of Trump Tower along Fifth Avenue on Aug. 14, 2017, in New York. Spencer Platt, Getty Images

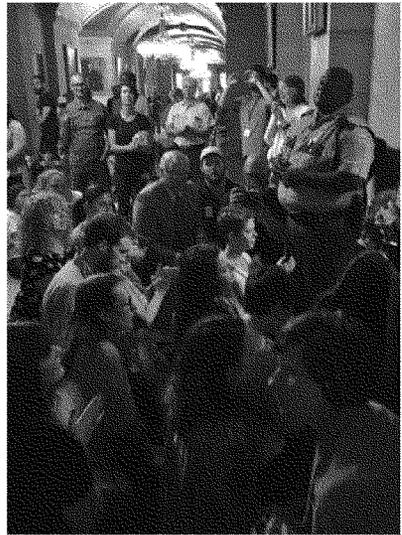
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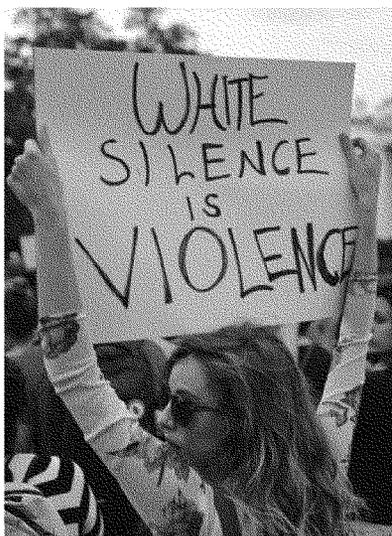
Protesters march near Trump Tower in New York on Aug. 14, 2017. Robert Deutsch, USA TODAY

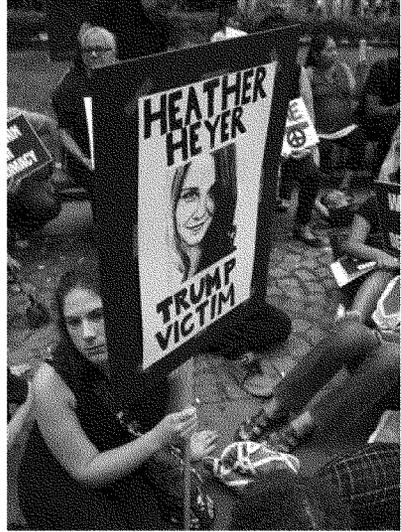
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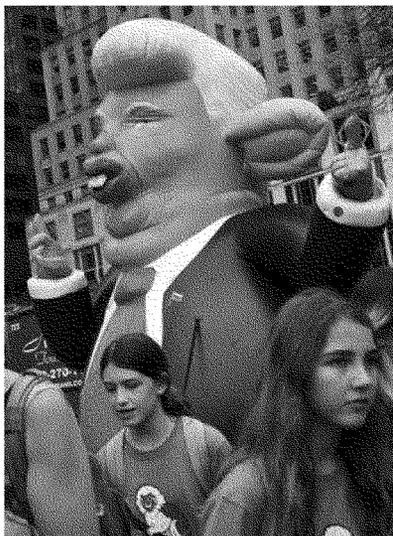
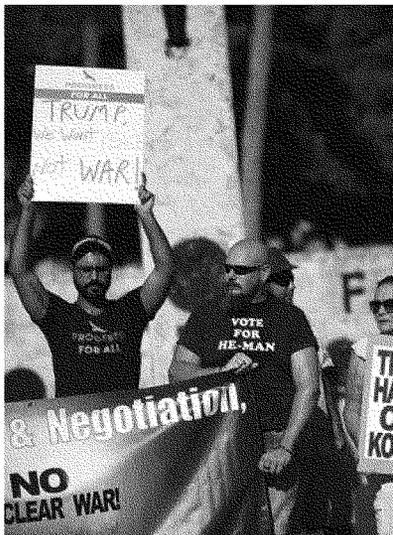


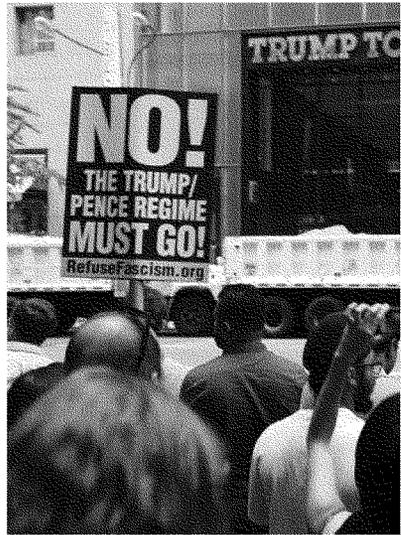


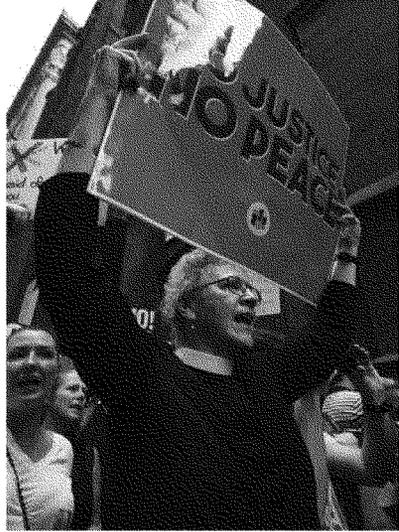












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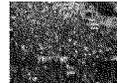
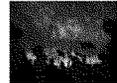
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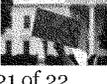
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AFFIDAVIT

The Affiant, William C. Hartmann, being first duly sworn, hereby deposes and states as follows:

1. My name is William C. Hartmann. I am an adult citizen, voter, and resident of the State of Michigan.
2. I am a member of the Board of Canvassers of Wayne County, Michigan.
3. I personally observed the Absent Voter Counting Boards in Detroit at TCF Center.
4. Since the election on November 3rd, I have attended the Wayne County Canvass on an almost daily basis.
5. On November 17, 2020, at 3:00 p.m. there was a meeting of the Board of Canvassers to determine whether to certify the results of Wayne County. The meeting did not start until 5:00 p.m. We were told it was delayed so that representatives of the Democrat Board members could obtain additional affidavits.
6. At 5:00 p.m. an open meeting and discussion began to discuss the issue of whether to certify the vote. In my review of the results, I determined that approximately 71% of Detroit's 134 Absent Voter Counting Boards (AVCB) were left unbalanced and many *unexplained*. I informed the Board members of the discrepancies, but soon thereafter, a motion to certify was

made by Vice-Chairman Jonathan Kinloch. After further discussion, I renewed my concerns that the reason that the numbers did not balance for the majority of AVCB's in Detroit, and importantly, could not be explained. If the vote totals did not match, there should have been a documented reason explaining why.

7. The Board considered the ultimate question of whether to certify the vote, and the motion to certify the Wayne County elections failed 2-2.
8. This vote was followed by public derision from our two democrat colleagues. I, and Monica Palmer, who also voted against certification, were berated and ridiculed by members of the public and other Board members. This conduct included specious claims that I was racially motivated in my decision. This public ostracism continued for hours during which time we were not provided an opportunity to break for dinner and were not advised that we could depart and resume the hearing on another date.
9. I discussed a potential resolution with Vice-Chair Kinloch in confidence. Ms. Anderson-Davis told us that we must vote to certify on that night. We were told that we could not consider matters such as the unexplained reasons that most of Detroit's AVCB's did not balance and no one knew why. We

were informed that this consideration was outside of the scope of the Board's authority.

10. During the evening, Wayne County counsel, Ms. Janet Anderson-Davis, and my colleagues on the Board, continued to discuss irregularities in the AVCB's. Ms. Anderson-Davis advised the Board that the discrepancies were not a reason to reject the certification, and based on her explicit legal guidance, I was under the belief that I could not exercise my independent judgment in opposition to the certification. Therefore, I voted to certify the results.
11. Late in the evening, I was enticed to agree to certify based on the promise that a full and independent audit would take place. I would not have agreed to the certification but for the promise of an audit.
12. Vice-Chairman Jonathan Kinloch then assured us that if we voted to certify the election, a full, independent, and complete audit of Detroit's election, would be undertaken. We relied on this assurance in coming to an agreement. Without this assurance, I would not have agreed to certify Wayne County on November 17th.
13. After the meeting, I was made aware that Michigan Secretary of State, Jocelyn Benson made a public claim that the representations made by Mr. Kinloch, on which we had relied, would not be followed.

- c. I am also concerned about the use of private monies directing local officials regarding the management of the elections, how those funds were used and whether such funds were used to pay election workers. I have not received answers to these questions, and I believe the people of Michigan deserve these answers. Can we release the logs to the tabulators demonstrating what happened in Detroit?
- d. Why do the pollbooks, Qualified Voter Files, and final tallies not match or balance?
- e. 71% of Detroit AVCB's did not balance, why not?
- f. Did the chairperson of each of Detroit's 134 AVCB's keep logs of shift changes?
- g. Why were republicans *not* used in signing seals certified at the end of the night on Monday, and Wednesday evening before ballot boxes were documented, closed, and locked?
- h. How many challenged ballots were counted?
- i. Was any information placed directly into the Qualified Voter Files in the AVCB's?
- j. How many voter birthdates were altered in the pollbooks?

- k. Were ballots counted in TCF that were not reflected in the electronic pollbook or paper supplemental list?
- l. Based upon information and belief, there were over 18,000 same-day registrations in Detroit on November 3. Were these new applicants verified as proper voters prior to the tabulation of their ballots?

18. I voted not to certify, and I still believe this vote should *not* be certified.

19. Until these questions are addressed, I remain opposed to certification of the Wayne County results.

19. The above information is true to the best of my information, knowledge, and belief.

I certify under penalty of perjury, that my statement and the evidence submitted with it, are all true and correct.

Printed Name: WILLIAM C. HARTMANN

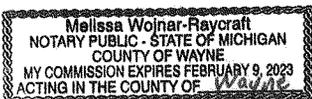
Signed Name: *William C. Hartmann*

Date:

Sworn to before me this 18th day of November, 2020 at 6:29pm

Melissa Wojnar-Raycraft
Notary Public *Melissa Wojnar-Raycraft*

My Commission expires on: Feb. 9, 2023



Mike Gallagher is right: 'Call it off, Mr. President'

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ALERT TOP STORY

EDITORIAL

Mike Gallagher is right: 'Call it off, Mr. President'

U.S. Rep. Mike Gallagher sent an emphatic message Wednesday to President Donald Trump that our nation's irrational leader must hear and finally accept.

As violent rioters stormed the Capitol building, trying to stop the ceremonial counting of electoral votes that will make Joe Biden the next president, Gallagher **posted a video on social media** while sheltering in his Capitol office. The Secret Service had evacuated Vice President Mike Pence from the Senate chambers. A woman was shot inside the Capitol and later died. Capitol police were in armed standoffs and struggled to control the pro-Trump rioters for hours.

"This is banana republic crap that we're watching happen," Gallagher said.

He was absolutely right. Wednesday's chaos — incited by Trump at a rally that preceded the Capitol melee — was an embarrassment and disgrace for our country.



Ron Johnson's feelings don't trump the facts

Wisconsin State Journal editorial board

"We have got to stop this," said Gallagher, R-Green Bay, a former U.S. Marine and intelligence officer. "Mr. President, you have got to stop this. You are the only person who can call this off. Call it off. The election is over. Call it off. This is bigger than you. This is bigger than any member of Congress. It's about the United States of America, which is more important than any politician. Call it off! It's over."

Trump subsequently **released a video** urging his supporters to be peaceful and disperse — but not before repeating his false claims that the election was stolen from him. SHARE THIS

No, it wasn't. And it doesn't matter how many times Trump says he won, he definitively lost — fair and square.

Even Senate Majority Leader Mitch McConnell, R-Ky., long a Trump apologist, finally had enough of his own Republican president's rantings about fraud. Before Trump's mob arrived, McConnell declared on the Senate floor that the race for president wasn't "unusually close" and that Biden had prevailed.

"If this election were overturned by mere allegations from the losing side, our democracy would enter a death spiral," McConnell said.

Gallagher was sharper in correctly faulting those in his party who continued to play along with Trump's dangerous ruse. Though Gallagher didn't mention them by name, U.S. Sen. Ron Johnson, R-Oshkosh, and U.S. Rep. Tom Tiffany, R-Minocqua, were part of the reckless band of congressmen who planned to object to certifying Biden's win Wednesday.



Ron Johnson should stop fawning over Trump, help pass COVID relief bill

Wisconsin State Journal editorial board

Gallagher said the objectors had assured him nothing bad would happen by debating the legitimacy of the election. They were wrong, as Wednesday's deadly tumult showed.

"This is the cost of countenancing an effort, by Congress, to overturn the election and telling thousands of people that there is a legitimate shot of overturning the election today — even though you know that is not true," Gallagher said to the objectors.

He was absolutely right again. And if Johnson, Tiffany and the others have a shred of honor left, they will loudly declare the election is over and that Trump lost. The madness must end.

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Mike Gallagher is right: 'Call it off, Mr. President'

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA****WISCONSIN VOTERS ALLIANCE, et al.,****Plaintiffs,****v.****VICE PRESIDENT MICHAEL R.
PENCE, et al.,****Defendants.****Civil Action No. 20-3791 (JEB)****MEMORANDUM OPINION**

Plaintiffs' aims in this election challenge are bold indeed: they ask this Court to declare unconstitutional several decades-old federal statutes governing the appointment of electors and the counting of electoral votes for President of the United States; to invalidate multiple state statutes regulating the certification of Presidential votes; to ignore certain Supreme Court decisions; and, the *coup de grace*, to enjoin the U.S. Congress from counting the electoral votes on January 6, 2021, and declaring Joseph R. Biden the next President.

Voter groups and individual voters from the states of Wisconsin, Pennsylvania, Georgia, Michigan, and Arizona have brought this action against Vice President Michael R. Pence, in his official capacity as President of the Senate; both houses of Congress and the Electoral College itself; and various leaders of the five aforementioned states. Simultaneous with the filing of their Complaint, Plaintiffs moved this Court to preliminarily enjoin the certifying of the electors from the five states and the counting of their votes. In addition to being filed on behalf of Plaintiffs without standing and (at least as to the state Defendants) in the wrong court and with no effort to even serve their adversaries, the suit rests on a fundamental and obvious misreading of the

Constitution. It would be risible were its target not so grave: the undermining of a democratic election for President of the United States. The Court will deny the Motion.

I. Background

To say that Plaintiffs' 116-page Complaint, replete with 310 footnotes, is prolix would be a gross understatement. After explicitly disclaiming any theory of fraud, see ECF No. 1 (Complaint), ¶ 44 ("This lawsuit is not about voter fraud."), Plaintiffs spend scores of pages cataloguing every conceivable discrepancy or irregularity in the 2020 vote in the five relevant states, already debunked or not, most of which they nonetheless describe as a species of fraud. E.g., id., at 37–109. Those allegations notwithstanding, Plaintiffs' central contention is that certain federal and state election statutes ignore the express mandate of Article II of the Constitution, thus rendering them invalid. Id. at 109–12. Although the Complaint also asserts causes of action for violations of the Equal Protection and Due Process Clauses, those are merely derivative of its first count. Id. at 112–15.

In order to provide an equitable briefing and hearing schedule on a very tight timetable, this Court immediately instructed Plaintiffs to file proofs of service on Defendants so that they could proceed on their preliminary-injunction Motion. See 12/23/20 Min. Order; Fed. R. Civ. P. 65(a)(1) ("The court may issue a preliminary injunction only on notice to the adverse party."). Twelve days later, Plaintiffs have still not provided proof of notice to any Defendant, let alone filed a single proof of service or explained their inability to do so.

II. Legal Standard

"A preliminary injunction is an extraordinary remedy never awarded as of right." Winter v. NRDC, 555 U.S. 7, 24 (2008). "A plaintiff seeking a preliminary injunction must establish [1] that he is likely to succeed on the merits, [2] that he is likely to suffer irreparable harm in the

absence of preliminary relief, [3] that the balance of equities tips in his favor, and [4] that an injunction is in the public interest.” Sherley v. Sebelius, 644 F.3d 388, 392 (D.C. Cir. 2011) (quoting Winter, 555 U.S. at 20). “The moving party bears the burden of persuasion and must demonstrate, ‘by a clear showing,’ that the requested relief is warranted.” Hospitality Staffing Solutions, LLC v. Reyes, 736 F. Supp. 2d 192, 197 (D.D.C. 2010) (citing Chaplaincy of Full Gospel Churches v. England, 454 F.3d 290, 297 (D.C. Cir. 2006)).

Before the Supreme Court’s decision in Winter, courts weighed these factors on a “sliding scale,” allowing “an unusually strong showing on one of the factors” to overcome a weaker showing on another. Davis v. Pension Ben. Guar. Corp., 571 F.3d 1288, 1291–92 (D.C. Cir. 2009) (quoting Davenport v. Int’l Bhd. of Teamsters, 166 F.3d 356, 361 (D.C. Cir. 1999)). Both before and after Winter, however, one thing is clear: a failure to show a likelihood of success on the merits alone is sufficient to defeat the motion. Ark. Dairy Coop. Ass’n, Inc. v. USDA, 573 F.3d 815, 832 (D.C. Cir. 2009) (citing Apotex, Inc. v. FDA, 449 F.3d 1249, 1253–54 (D.C. Cir. 2006)); Archdiocese of Wash. v. Wash. Metro. Area Transit Auth., 281 F. Supp. 3d 88, 99 (D.D.C. 2017), aff’d on other grounds, 897 F.3d 314 (D.C. Cir. 2018).

III. Analysis

Given that time is short and the legal errors underpinning this action manifold, the Court treats only the central ones and in the order of who, where, what, and why. Most obviously, Plaintiffs have not demonstrated the “irreducible constitutional minimum of standing.” Lujan v. Defs. of Wildlife, 504 U.S. 555, 560 (1992). Although they claim to have been “disenfranchised,” ECF No. 4 (PI Mem.) at 37, this is plainly not true. Their votes have been counted and their electors certified pursuant to state-authorized procedures; indeed, any vote nullification would obtain only were their own suit to succeed. To the extent that they argue

more broadly that voters maintain an interest in an election conducted in conformity with the Constitution, id. at 38, they merely assert a “generalized grievance” stemming from an attempt to have the Government act in accordance with their view of the law. Hollingsworth v. Perry, 570 U.S. 693, 706 (2013). This does not satisfy Article III’s demand for a “concrete and particularized” injury, id. at 704, as other courts have recently noted in rejecting comparable election challenges. See Wood v. Raffensperger, 981 F.3d 1307, 1314–15 (11th Cir. 2020); Bowyer v. Ducey, No. 20-2321, 2020 WL 7238261, at *4–5 (D. Ariz. Dec. 9, 2020); King v. Whitmer, No. 20-13134, 2020 WL 7134198, at *10 (E.D. Mich. Dec. 7, 2020). Plaintiffs’ contention that the state legislature is being deprived of its authority to certify elections, moreover, cannot suffice to establish a distinct injury-in-fact to the individuals and organizations before this Court. Finally, to the extent that Plaintiffs seek an injunction preventing certain state officials from certifying their election results, see PI Mem. at 1, that claim is moot as certification has already occurred. Wood, 981 F.3d at 1317.

Moving on from subject-matter jurisdiction, the Court must also pause at personal jurisdiction. Plaintiffs cannot simply sue anyone they wish here in the District of Columbia. On the contrary, they must find a court or courts that have personal jurisdiction over each Defendant, and they never explain how a court in this city can subject to its jurisdiction, say, the Majority Leader of the Wisconsin State Senate. Absent personal jurisdiction over a particular Defendant, of course, this Court lacks authority to compel him to do anything.

Even if the Court had subject-matter and personal jurisdiction, it still could not rule in Plaintiffs’ favor because their central contention is flat-out wrong. “Plaintiffs claim that Article II of the U.S. Constitution provides a voter a constitutional right to the voter’s Presidential vote being certified as part of the state legislature’s post-election certification of Presidential electors.

Absence [*sic*] such certification, the Presidential electors' votes from that state cannot be counted by the federal Defendants toward the election of President and Vice President." Compl., ¶ 32 (emphasis added); see also PI Mem. at 1. More specifically, "Plaintiffs [*sic*] constitutional claims in this lawsuit are principally based on one sentence in Article II of the U.S. Constitution." Compl., ¶ 54; see also PI Mem. at 1. That sentence states in relevant part that the President "shall hold his Office during the Term of four Years, and . . . be elected[] as follows: [¶] Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors . . ." U.S. Const., art. II, § 1.

Plaintiffs somehow interpret this straightforward passage to mean that state legislatures alone must certify Presidential votes and Presidential electors after each election, and that Governors or other entities have no constitutionally permitted role. See Compl., ¶ 55. As a result, state statutes that delegate the certification to the Secretary of State or the Governor or anyone else are invalid. Id., ¶ 58. That, however, is not at all what Article II says. The above-quoted language makes manifest that a state appoints electors in "such Manner as the Legislature thereof may direct." So if the legislature directs that the Governor, Secretary of State, or other executive-branch entity shall make the certification, that is entirely constitutional. This is precisely what has happened: in each of the five states, the legislature has passed a statute directing how votes are to be certified and electors selected. See Ariz. Rev. Stat. Ann. § 16-212(B); Ga. Code Ann. § 21-2-499(b); Mich. Comp. Laws Ann. § 168.46; Wis. Stat. Ann. § 7.70(5)(b); 25 Pa. Stat. § 3166.

For example, Georgia requires its Secretary of State to "certify the votes cast for all candidates . . . and lay the returns for presidential electors before the Governor. The Governor shall enumerate and ascertain the number of votes for each person so voted and shall certify the

slates of presidential electors receiving the highest number of votes.” Ga. Code Ann. § 21-2-499(b). Similarly, under Michigan law, “the governor shall certify, under the seal of the state, to the United States secretary of state, the names and addresses of the electors of this state chosen as electors of president and vice-president of the United States.” Mich. Comp. Laws Ann. § 168.46. Plaintiffs’ theory that all of these laws are unconstitutional and that the Court should instead require state legislatures themselves to certify every Presidential election lies somewhere between a willful misreading of the Constitution and fantasy.

Plaintiffs readily acknowledge that their position also means that the Supreme Court’s decisions in Bush v. Gore, 531 U.S. 98 (2000), and Texas v. Pennsylvania, No. 155 (Orig.), 2020 WL 7296814 (U.S. Dec. 11, 2020), “are in constitutional error.” Compl., ¶ 76. They do not, however, explain how this District Court has authority to disregard Supreme Court precedent. Nor do they ever mention why they have waited until seven weeks after the election to bring this action and seek a preliminary injunction based on purportedly unconstitutional statutes that have existed for decades — since 1948 in the case of the federal ones. It is not a stretch to find a serious lack of good faith here. See Trump v. Wis. Elections Comm’n, No. 20-3414, 2020 WL 7654295, at *4 (7th Cir. Dec. 24, 2020).

Yet even that may be letting Plaintiffs off the hook too lightly. Their failure to make any effort to serve or formally notify any Defendant — even after reminder by the Court in its Minute Order — renders it difficult to believe that the suit is meant seriously. Courts are not instruments through which parties engage in such gamesmanship or symbolic political gestures. As a result, at the conclusion of this litigation, the Court will determine whether to issue an order to show cause why this matter should not be referred to its Committee on Grievances for potential discipline of Plaintiffs’ counsel.

IV. Conclusion

As Plaintiffs have established no likelihood of success on the merits here, the Court will deny their Motion for Preliminary Injunction. A contemporaneous Order so stating will issue this day.

/s/ James E. Boasberg
JAMES E. BOASBERG
United States District Judge

Date: January 4, 2021

World shocked by Trump supporters' attack on U.S. democracy

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Updated

By Reuters Staff

7 Min Read

(Reuters) - World leaders have expressed their shock after supporters of U.S. President Donald Trump, encouraged by him, stormed [here](#) the U.S. Capitol building as Congress met to certify the results of the Nov. 3 election, which he lost to Joe Biden.

Among adversaries, China compared the violence to protests in Hong Kong, Russia said it showed the weakness of Western democracy, and Iran called Trump an unchecked threat to the world's security. Allies of the United States condemned the attack, and Trump, but said U.S. democracy would ultimately reassert itself.

RUSSIA

Foreign Ministry spokeswoman Maria Zakharova: “The electoral system in the United States is archaic, it does not meet modern democratic standards, creating opportunities for numerous violations, and the American media have become an instrument of political struggle.”

Konstantin Kosachyov, chairman of the international affairs committee of the Russian upper house: “The celebration of democracy is over. This is, alas, actually the bottom, I say this without a hint of gloating. America is no longer charting the course, and therefore has lost all its rights to set it. And especially to impose it on others.”

CHINA

China drew a comparison between the storming of the Capitol and often-violent pro-democracy protests in Hong Kong, which have been quelled by the coronavirus pandemic and a security crackdown by Beijing.

“We also wish that U.S. people can enjoy peace, stability and security as soon as possible,” said Foreign Ministry spokeswoman Hua Chunying.

IRAN

“What happened in America showed what a failure Western democracy is ... A populist man damaged the reputation of his country,” President Hassan Rouhani said in a televised speech.

Foreign Minister Mohammad Javad Zarif tweeted: “A rogue president who sought vengeance against his OWN people has been doing much worse to our people — and others — in the past 4 years. What’s disturbing is that the same man has the UNCHECKED authority to start a nuclear war; a security concern for the entire int’l community.”

ZIMBABWE

President Emmerson Mnangagwa tweeted: “Last year, President Trump extended painful economic sanctions placed on Zimbabwe, citing concerns about Zimbabwe’s democracy. Yesterday’s events showed that the U.S. has no moral right to punish another nation under the guise of upholding democracy.”

UNITED NATIONS

U.N. Secretary-General Antonio Guterres was “saddened” by the events at the U.S. Capitol, his spokesman said.

Slideshow (5 images)

“In such circumstances, it is important that political leaders impress on their followers the need to refrain from violence, as well as to respect democratic processes and the rule of law,” Stephane Dujarric said.

GERMANY

Foreign Minister Heiko Maas said democracy’s enemies would be cheered by the scenes of violence in Washington, but also alluded to Germany’s own recent experience with far-right attacks and a far-right protest that forced its way into the steps of the parliament, the Reichstag, in August.

“It would be self-righteous to point the finger at America alone,” he tweeted. “Even here, in Hanau, Halle, on the steps of the Reichstag, we have had to experience how agitation and inflammatory words turn into hateful deeds.”

Chancellor Angela Merkel said: “One of the ground rules of democracy is that after elections there is a winner and a loser.”

FRANCE

“What happened today in Washington DC is not American, definitely,” President Emmanuel Macron said in a video message, in English, on Twitter. “We believe in the strength of our democracies. We believe in the strength of American democracy.”

MEXICO

President Andres Manuel Lopez Obrador said: “We’re not going to intervene in these matters, which are up to the Americans to resolve ... We hope there will be peace, that democracy, which is the people’s power, will prevail.” He also accused social media companies of “censorship” after they locked Trump’s accounts.

BRAZIL

“Basically, what was ... the cause of the whole crisis? The lack of confidence in the vote,” President Jair Bolsonaro told supporters outside his residence. “Here, in Brazil, if you have electronic voting, it will be the same. Fraud exists.”

ITALY

“I supported the ideas and positions of the Republicans, of the conservatives, of Trump,” said far-right League party leader Matteo Salvini. “But a legitimate vote is one thing, going to parliament and clashing with the police is quite a different matter. That’s not political vision, that’s madness.”

Slideshow (5 images)

BRITAIN

British Prime Minister Boris Johnson tweeted to say the events were a “disgrace”, that the United States stood for democracy around the world, and that it was vital that there should be an orderly transfer of power.

IRELAND

Foreign Minister Simon Coveney called the scenes in Washington “a deliberate assault on Democracy by a sitting President & his supporters, attempting to overturn a free & fair election!”.

EUROPEAN UNION

European Commission President Ursula von der Leyen tweeted: “I believe in the strength of US institutions and democracy. Peaceful transition of power is at the core. @JoeBiden won the election. I look forward to working with him as the next President of the USA.”

CZECH REPUBLIC

Prime Minister Andrej Babis removed an image of a red “Strong Czechia” hat inspired by Trump’s “Make America Great Again” cap from his social media accounts. He said he was responding to “the unprecedented attack on democracy in the United States, which I have unequivocally condemned”.

ISRAEL

Israeli Foreign Minister Gabi Ashkenazi tweeted: “I am sure that the American people and their elected representatives will know how to fend off this attack and will continue to defend the values on which the United States was founded.”

INDIA

Prime Minister Narendra Modi tweeted: “The democratic process cannot be allowed to be subverted through unlawful protests.”

JAPAN

Chief Cabinet Secretary Katsunobu Kato told reporters: “We hope to see democracy in the United States overcome this difficult situation, calmness and harmony regained, and a peaceful and democratic transfer of power.”

AUSTRALIA

Prime Minister Scott Morrison tweeted: “We condemn these acts of violence and look forward to a peaceful transfer of Government to the newly elected administration in the great American democratic tradition.”

NEW ZEALAND

Prime Minister Jacinda Ardern tweeted: “Democracy - the right of people to exercise a vote, have their voice heard and then have that decision upheld peacefully - should never be undone by a mob.”

VENEZUELA

Foreign Minister Jorge Arreaza tweeted: “Venezuela ... condemns the political polarization and hopes that the American people will open a new path toward stability and social justice.”

ARGENTINA

President Alberto Fernandez condemned “the serious acts of violence and the affront to Congress”, adding: “We trust that there will be a peaceful transition that respects the popular will.”

Reporting by Humeyra Pamuk and Michelle Nichols and Reuters bureaux; Compiled by Lisa Shumaker, Grant McCool, Raju Gopalakrishnan and Kevin Liffey

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1/21/2021

Capitol Riot Shakes Pro-Democracy Campaigners World-Wide - WSJ

WORLD

Capitol Riot Shakes Pro-Democracy Campaigners World-Wide

Rivals cite America's election unrest as evidence that their political systems are superior



Pro-democracy activists worry that their nations' institutions won't be able to withstand a test similar to President Trump's refusal to recognize the result of the Nov. 3 election and the Capitol riot on Jan. 6.

PHOTO: LEV RADIN/ZUMA PRESS

By *Yaroslav Trofimov*

Jan. 18, 2021 5:57 am ET

As a young student activist in 1980s Communist Poland, Tomasz Siemoniak—like many pro-democracy campaigners world-wide—looked up to America as a beacon of freedom.

“We were fascinated by democracy, especially by American democracy,” said Mr. Siemoniak, who later served as his country’s defense minister and is currently an opposition lawmaker.

Then came the Nov. 3 election and an American president who sought to overturn the results with claims of systemic electoral fraud and egged on supporters who then stormed the U.S. Capitol in an attempt to prevent Congress from certifying Joe Biden’s victory. There has been no evidence of widespread electoral fraud.

“What has happened shows that nothing is forever, that history has not ended, and that even the foundations of the world are changing,” Mr. Siemoniak said.

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Hoyer says rioters destroyed d commemorating John Lewis

BY ZACK BUDRYK - 01/07/21 12:49 PM EST

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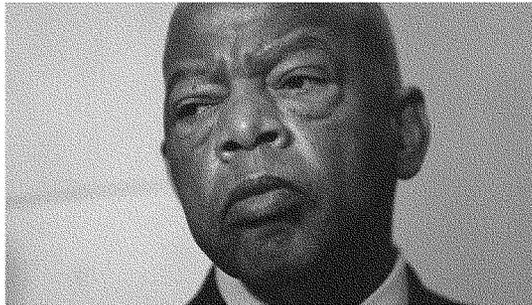
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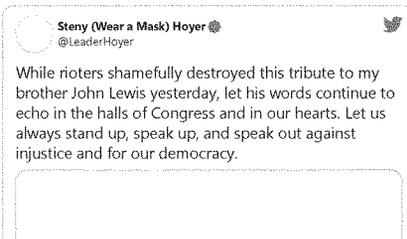


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House Majority Leader Steny Hoyer (D-Md.) said Thursday that the pro-Trump mob that stormed the Capitol Wednesday destroyed a display outside his office honoring the late congressman and civil rights leader John Lewis.

"While rioters shamefully destroyed this tribute to my brother John Lewis yesterday, let his words continue to echo in the halls of Congress and in our hearts," Hoyer tweeted. "Let us always stand up, speak up, and speak out against injustice and for our democracy."

The display pictured by Hoyer features a quote from the Georgia Democrat, "When you see something that is not right, not fair, not just; you have to stand up, speak up, speak out, and find a way to get in the way and get in trouble. Good trouble. Necessary trouble."



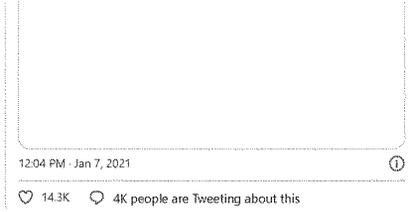
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Hoyer says rioters destroyed display commemorating John Lewis | TheHill



The late Lewis frequently used “good trouble” as a term for civil disobedience and activism for social change.

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Lewis, who died in July, was frequently invoked earlier this week after Democratic Sens.-elect Raphael Warnock and Jon Ossoff won a pair of runoff elections in his home state, cementing a 50-50 split in the Senate. Warnock is the first Black senator ever elected from Georgia.

Here's how these DC-based nonprofits joined
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The breach of the Capitol Wednesday cut short a joint session of Congress to certify President-elect Joe Biden's Electoral College victory and forced a lockdown of the facility. Participants in the pro-Trump riot also vandalized Speaker Nancy Pelosi's (D-Calif.) office and left trash around the door of Hoyer's.

Congress reconvened Wednesday night and formally certified the results early Thursday morning.

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The Wayne County Board of Canvassers did not certify more than 1.7 million votes after a split vote at a Tuesday night meeting on Nov. 17

By [Zahra Ahmad | zahmad@mlive.com](mailto:zahmad@mlive.com)

Two Republicans serving on the Wayne County Board of Canvassers want to rescind their votes to certify results of the general election.

Monica Palmer and Willam Hartmann initially voted against certifying countywide election results during a Tuesday meeting, later changing their minds and voting in favor of certification on the condition that an independent audit is conducted.

The unanimous vote cleared the way for the Board of State Canvassers to certify the statewide count during a scheduled Nov. 23 meeting. But Palmer and Hartmann are moving to rescind their votes, both signing affidavits claiming they were pressured and misled during the Tuesday meeting, which could throw a wrench into the process of making Michigan's results official.

Related: Wayne County Republican canvassers reverse course, vote to certify election results

The Secretary of State's office, however, argues there is no legal mechanism for Palmer and Hartmann to rescind their votes. All 83 counties in Michigan had certified their elections as of Thursday, Nov. 18.

"Their job is done and the next step in the process is for the Board of State Canvassers to meet and certify," said Tracy Wimmer, spokesperson for Secretary of State Jocelyn Benson.

Palmer said in her affidavit that she only agreed to certify the results if an independent audit were conducted to determine why there were a number of imbalanced precincts in the county's results, particularly in Detroit.

“I was sent statements from Secretary Jocelyn Benson made saying that she did not view our audit resolution to be binding,” Palmer said in her Nov. 18 affidavit. “Democrats went off the hinges trying to suggest we wanted to suppress the Black vote, and that was not the case. As a result of these facts, I rescind my prior vote to certify Wayne County elections.”

Benson has committed to investigating the plethora of unbalanced precinct totals in Wayne County communities, but has also said the board’s demand for an independent audit didn’t appear to be binding.

The question of unbalanced precincts involves the number of votes tabulated not matching the number of voters signed in at a precinct, which has become a common problem in Wayne County and elsewhere, typically attributed to human error. A jammed tabulator or a person signing in to vote and leaving before casting their ballot can result in imbalanced books kept by poll workers.

The Associated Press reports that President Donald Trump reached out to Hartmann and Palmer on Tuesday evening to express gratitude for their support

On Thursday, the Trump campaign dismissed one of its two lawsuits seeking to stop Michigan’s votes from being certified because Palmer and Hartmann rescinded their votes.

“This morning we are withdrawing our lawsuit in Michigan as a direct result of achieving the relief we sought: to stop the election in Wayne County from being prematurely certified before residents can be assured that every legal vote has been counted and every illegal vote has not been counted,” said Trump lawyer Rudy Giuliani in a Nov. 19 statement.

Related: Trump commends Wayne County board for initial deadlock moments before vote to certify election results

Wayne County Canvasser Johnathan Kinloch, a Democrat who introduced the resolution to certify the election while demanding an independent audit, said his colleagues are making a spectacle of the election process.

“I understand the pressure they’re under from their party, but I don’t believe it’s a reason to continue making a spectacle out of the election process,” Kinloch said. “We have a ministerial responsibility to certify the election, that is not a discretionary power. Not certifying the election would have intentionally exposed them to liabilities as it relates to their ability to continue to serve in their position.”

Michigan Democratic Party Chair Lavora Barnes said in a statement that the attempt by Palmer and Hartmann to reverse their votes again is based on “outrageous claims against their fellow board members and the voters that bravely and boldly participated in the meeting on Tuesday.”

“It is clear that Palmer and Hartmann are simply kowtowing to the GOP party leadership,” Barne said.

Palmer and Hartman said during the Tuesday meeting they didn’t believe information recorded in Detroit poll books were accurate enough.

Unbalanced precincts cannot be recounted under Michigan law.

Most of the unbalanced Wayne County precincts reported to the board Tuesday were off by three or four votes. The largest discrepancy of unbalanced votes was in Livonia, where 27 more ballots were counted than what was on record in a precinct.

The initial 2-2 vote failing to certify results drew praise from the Michigan Republican Party and President Donald Trump, but the deadlock didn’t last.

After the board cast its first vote, public commenters who tuned into the meeting via Zoom spent hours criticizing Palmer and Hartmann, accusing them of casting politically-motivated votes. Afterward, the board unanimously agreed to certify the election.

Related: Detroit voter fraud court case dealt another blow, this time by Court of Appeals

The American Civil Liberties Union and several other organizations issued statements after the Tuesday meeting committing to protecting Wayne County against any efforts to “erase the voices of Black Detroiters.”

“The people of Michigan are watching, and have made it abundantly clear that we will not tolerate baseless attacks on the very foundation of our democratic process,” said the ACLU in a joint statement with the League of Women Voters of Michigan, All Voting is Local Michigan, Detroit Action, Emgage, Michigan League of Conservation Voters Education Fund, Michigan United, and Voters Not Politicians.

GOP leaders on the state and national levels have expressed support for canvassers not certifying results based on unbalanced precinct figures.

When 71% of the precincts in Detroit cannot reconcile their votes it is clear something is profoundly wrong. How can Michigan electors be certified with this massive mistake?

— Newt Gingrich (@newtingrich) [November 19, 2020](#)

The Board of State Canvassers, charged with certifying statewide results by Dec. 13, is set to meet Monday, Nov. 23.

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POLITICS

“This Is Not A Peaceful Protest”: Prosecutors Charged Capitol Rioters Using Their Own Words

Charging documents in the Jan. 6 Capitol insurrection quote Trump supporters prepared — and excited — for violence.

By Zoe Tillman



Reporting From
Washington, DC

BuzzFeed News

“This Is Not A Peaceful Protest”: Prosecutors Charged Cap



Security forces respond with tear gas after Trump supporters breached the US Capitol.

Probal Rashid | Getty Images

WASHINGTON — Samuel Fisher, a Trump supporter and one of more than 100 people charged in the insurrection at the US Capitol so far, had been posting and sending Facebook messages for weeks about his plans to travel to Washington, DC, and “bring the pain.”

“We must stand up to these people and take our world back. ... It’s time to bring the pain upon them,” Fisher posted on Dec. 3, according to court papers.

On Dec. 31: “they cant arrest us all man.”

On Jan. 3: “Real Patriots will fall upon the capital in protest.”

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and a handgun he’d brought to DC on Facebook to an unidentified person. He wrote that he planned to leave the weapons — “maybe except the pistol” — at a garage in case “it kicks off.” He also posted a call to action on his website.

“Trump just needs to fire the bat signal... deputize patriots... and then the pain comes,” Fisher, who was arrested in New York on Wednesday and charged with unlawfully entering the Capitol and disorderly conduct, wrote that day. “1 Million Pissed off men with guns... bad idea.” The day after, in posts quoted by prosecutors that no longer appear online, he wrote, “i was there,” and that “people died . . . but it was fucking great if you ask me.”

An extraordinary element of the investigation into the attack on the Capitol is the sheer number of people who announced what they were going to do, broadcast when they did it, and, in some cases, proudly took credit for it. A review of federal charging documents reveals a

constellation of quotes from social media posts, video and audio recordings, and media interviews, all in the defendants' own words.



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Rioters clash with police trying to enter the Capitol building through the front doors. They used metal bars and tear gas against the police.

Pacific Press / Pacific Press/LightRocket via Ge

The evidence presents in stark terms that many of former president Donald Trump’s supporters understood his overtures to come to the Capitol and “stop the steal” to be a call to violence. It dispels the damage control by some on the far right who lied that the rioters were leftists in disguise, and it reveals the destructive consequences of a four-year barrage of anti-government rhetoric and the encouragement of conspiracy theories by Trump and his allies.

Trump’s supporters were spoiling for a final fight, excited to join the attack, and planned for more violence — and it’s their words, and, to some extent, the age of online clout, that made it easy for law enforcement to find them.

“We must smite them now”

In one of the starkest examples of advance planning presented by prosecutors, members of the Oath Keepers, a far-right militia group that focuses on recruiting military veterans, allegedly made their way into the Capitol in "an organized and practiced fashion." Thomas Caldwell, a Virginia man and Oath Keepers member charged with conspiracy, spent the week leading up to Jan. 6 posting messages on Facebook about his plans to travel to Washington and threatening to "smite" people he believed were involved in "rigging" the election. Caldwell is a retired Navy officer, according to the Winchester Star.

"[It] would allow us to hunt at night if we wanted to."

"Let them try to certify some crud on capitol hill with a million or

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swore to support and defend the Constitution of the United States against all enemies foreign and domestic. I did the former, I have done the latter peacefully but they have morphed into pure evil even blatantly rigging an election and paying off the political caste. We must smite them now and drive them down."

Caldwell allegedly messaged one of his codefendants that they were arranging to have "goodies in case things go bad and we need to get heavy." When he told other members about a hotel they'd booked in Virginia, he described it as a "good location and would allow us to hunt at night if we wanted to."

If you have a news tip, we'd like to hear from you. Reach out to us via one of our tip line channels.

Prosecutors quoted communications between Jessica Watkins, a US Army veteran and one of Caldwell's codefendants, and other unidentified members of the alleged Oath Keepers conspiracy discussing "sticking to the plan" and doing what they "trained for"

during the Capitol assault over Zello, a walkie-talkie app that stored recordings of what they said.

"We have a good group. We have about 30-40 of us. We are sticking together and sticking to the plan," Watkins allegedly said that day. Prosecutors also included a screenshot of a post from Parler that they said shows Watkins in tactical gear, with the caption, "Me before forcing entry into the Capitol Building."

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Screenshot in charging papers of a post on Parler that prosecutors say shows defendant Jessica Watkins at the Capitol.

US Department of Justice

Later, a man is heard telling Watkins, "Get it, Jess. Do your fucking thing. This is what we fucking [unintelligible] up for. Everything we

fucking trained for." Watkins, Caldwell, and a third man, Donovan Crowl, were charged with conspiring to obstruct Congress's certification of the election results and destroying government property, entering a restricted building, and violent entry and disorderly conduct on Capitol grounds; the last two are the most common charges facing people arrested to date.

Prosecutors highlighted defendants' social media posts trying to gin up support for the Capitol assault as it was happening and proudly declaring that they'd been there after the fact.

"We're in. ... We need all the patriots of this country to rally the fuck up and fight for our freedom or it's gone forever," Alex Harkrider, a 32-year-old man from Carthage, Texas, posted on Snapchat, along with a selfie inside the Capitol, according to charging papers. Prosecutors

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Screenshot in charging papers of a Snapchat post that prosecutors say shows defendant Alex Harkrider in the Capitol
US Department of Justice

Jennifer Ryan, a real estate broker in Texas, posted on Twitter after the insurrection: “We just stormed the Capital. It was one of the best days of my life.”

~~How the alleged attackers described themselves and their cause~~

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election, referring to the lies of widespread voter fraud, claims that state election officials and judges across the country found baseless. Charging papers show some people arrested for descending on the Capitol had taken it as a personal instruction — that they were the ones who, literally, had to “stop the steal.”

“I refuse to tell my children that I sat back and did nothing. I am heading to DC to STOP THE STEAL,” Kevin Lyons, a Chicago man, posted on Instagram, along with a map showing the driving route from his home to Washington, according to his charging papers.

Other cases showed how alleged participants in the insurrection took their direction from Trump.

Daniel Goodwyn, described by prosecutors as a “self-proclaimed” member of the Proud Boys, a far-right men’s group with a history of instigating violence, tweeted a few days after the election urging Trump supporters to go to their state capitols and to “Await orders

from our Commander in Chief.” Goodwyn wrote at the time, “Stand back and stand by!”, quoting Trump’s call to the Proud Boys in response to a presidential debate question of whether he would condemn extremist groups. Prosecutors presented screenshots from a video livestream recorded inside the Capitol that they said showed Goodwyn.

"I'm here to see what my President called me to DC for."

On Jan. 5, Jorge Riley, a Sacramento man, posted on Facebook, “Do you really not get what is going to happen on the 6th? I absolutely am looking forward to that and NO MATTER WHAT THERE IS NOTHING

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President called me to DC for.”

The majority of defendants have been charged so far with federal misdemeanor crimes, such as unlawfully entering a restricted building. But Michael Sherwin, the acting US attorney in Washington, said at a Jan. 12 press conference that prosecutors were pushing to file charges against people as quickly as possible and that more serious counts could be added as the investigations continue. The Justice Department has formed special “strike forces” to probe certain categories of crimes, including conspiracy and sedition.

“Might start a revolution later”

Most defendants in the unsealed cases to date aren’t charged with conspiring with one another to assault the Capitol, but prosecutors highlighted posts on Facebook, Instagram, Snapchat, and the far-right social media platform Parler dated before Jan. 6 and in the final hours leading up to the riot as evidence that people came prepared for a fight.

Patrick Montgomery, a Colorado man, posted on Facebook on Jan. 5 that he was going to Washington “to check it out for myself,” that whatever happened next would take “courageous Americans doing shit,” and that he wanted to meet other like-minded people in person because he didn’t think he’d find them on Facebook, according to his charging papers. Prosecutors included a photograph of a man in the Senate chamber on Jan. 6 that they identified as Montgomery, as well as screenshots of messages that they said were between a tipster and Montgomery where he confirmed being there, along with an “OK” symbol emoji that’s become associated with the far right.

Jacob Hiles of Virginia allegedly posted a selfie on Facebook the morning of Jan. 6 with the caption “Feelin cute...might start a revolution later, IDK” and tagged his location as Capitol Hill. Hiles later posted another selfie from inside the Capitol, according to

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Screenshot in charging papers of a selfie that prosecutors say shows defendant Jacob Hiles in Washington with the caption "Feelin cute...might start a revolution later, IDK."

US Department of Justice

Jennifer Ryan, the Texas real estate broker who prosecutors identified in photographs boarding a private plane to Washington on Jan. 5, allegedly posted a video on Facebook that shows her speaking into a bathroom mirror on Jan. 6: “We're gonna go down and storm the Capitol. They're down there right now and that's why we came and so that's what we are going to do. So wish me luck.”

Ryan later posted live video as she went into the Capitol, according to her [charging papers](#), and prosecutors quoted her as saying, “We are going to fucking go in here. Life or death, it doesn't matter. Here we go.”

The government noted social media posts leading up to the insurrection that showed defendants preparing to arm themselves in response to the election. Prosecutors noted that Michael Daughtry of

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 “Anyone needing an AR15 and some extra ammo before the election, I’ve got a couple left in stock. . . It may be your last chance if the election don’t go right tomorrow! Let me know if you are interested?”

Screenshots in charging papers of Instagram posts that prosecutors say show defendant Jordan Mink
US Department of Justice

In [charging papers](#) for Jordan Mink of Pennsylvania, who was allegedly photographed using a bat to break a window at the Capitol,

prosecutors included a screenshot of a Nov. 3 Instagram post that appeared to show Mink holding a large gun with an “I Voted” sticker on it and the caption “‘The ballot is stronger than the bullet.’ – Abraham Lincoln. Well ... my magazines will be fully loaded just in case it’s not.”

“This is not a peaceful protest”

As the crowd descended on the Capitol, court papers show a number of participants continued to post real-time updates online, about what they were doing, sharing selfies and livestreaming video.

“We are storming the Capitol! Yeah, baby!” Andrew Williams, a firefighter from Sanford, Florida, recorded himself saying on a video while inside the Capitol, according to his [charging papers](#).

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Capitol yelling, “This is the second revolution right here folks! [...] This

is not a peaceful protest,” according to his [charging papers](#).

Prosecutors included a screenshot of a photo Nichols posted on Facebook with Alex Harkrider describing their location as outside House Speaker Nancy Pelosi’s “smashed office” — he apparently updated it later to note that Pelosi’s office was actually in another part of the building — and warning, “We ain’t done yet! We just got started!”

Screenshot from charging papers of a Facebook post that prosecutors say shows defendants Ryan Nichols and Alex Harkrider at the Capitol
US Department of Justice

During a livestream of the Capitol attack, the far-right media personality Tim Gionet — who briefly worked for BuzzFeed and now goes by the name “Baked Alaska” — is quoted in charging papers saying, “Occupy the Capitol let’s go. We ain’t leaving this bitch.” He was arrested last week.

Lawmakers fled as the mob entered the Capitol, and a few defendants left threatening and vulgar messages behind when they found offices

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Jacob Chansley, an ARIZONA man and TOWELER OF THE Q ANON MASS delusion who was photographed with a painted face and wearing a fur outfit and horns inside the Capitol, left a handwritten note on the dais where then-vice president Mike Pence had been sitting moments before rioters broke into the Senate side of the Capitol, according to his charging papers.

“It’s only a matter of time, justice is coming,” Chansley wrote. Prosecutors noted that when the FBI interviewed Chansley, he’d said the note wasn’t meant as a threat, but the government argued that wasn’t believable. A federal magistrate judge in Arizona agreed and granted the government’s request to keep Chansley jailed pending trial.

Richard Barnett of Arkansas was photographed sitting in Pelosi’s office and told reporters afterward that he’d left a note on her desk that said, “Nancy, Bigo was here, you bitch.”

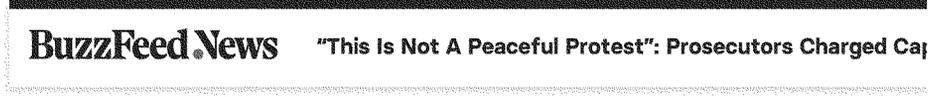
Charging papers quoted defendants who posted online and sent messages to friends and family after the insurrection wanting to claim credit for the violence. Some wanted to specifically make clear that they, and not “antifa,” assaulted the Capitol.

“Fuck yes, I am proud of my actions. I fucking charged the Capitol today with patriots today. Hell yes, I am proud of my actions,” Jenny Cudd of Texas says in a video she allegedly recorded at her hotel in downtown Washington after the riot, according to her [court papers](#).

[Charging papers](#) for Cody Connell of Louisiana included screenshots of Facebook messages provided by a tipster where Connell wrote that the Jan. 6 riot wasn’t “planned” but pledged to “be back and it will be a lot worse than yesterday!” Prosecutors also quoted from another [conversation on an unidentified social media platform on Jan. 7 where](#)

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Blake Reed of Tennessee posted photos from the Capitol on Facebook with the caption “No antifa, no BLM... We The People took the Capitol!” according to his [charging papers](#).



Screenshot from charging papers of a Facebook post that prosecutors say was published by
defendant Blake Reed
US Department of Justice

“We took the Capitol and it was glorious,” Brandon Fellows of upstate New York posted on Facebook, according to his [charging papers](#).

“Blood running out of that building”

Most defendants charged so far have been released while their cases are pending, but prosecutors have argued to keep some of them behind bars, emphasizing their own descriptions of what they did and their vows to come back to Washington for President Joe Biden’s swearing-in and commit more violence in the future.

In [arguing to keep](#) Chansley, the Arizona man known as the “QAnon shaman,” behind bars, prosecutors noted that he’d told the FBI that he planned to come back for Biden’s inauguration, saying, “I’ll still go, you better believe it. For sure I’d want to be there, as a protestor, as a

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Image of defendant Jacob Chansley that prosecutors included in a memo arguing for detention
US Department of Justice

Joshua Black, an Alabama man, posted videos of himself on YouTube after the Capitol assault discussing his experience going inside. He talked about bringing a knife with him — he claimed he didn't plan on using it and only brought it so he wouldn't be "defenseless" — and prosecutors highlighted that in arguing for a judge to keep him in custody going forward; the judge hasn't ruled yet.

"We can't kill nobody I mean that ain't gonna look right it's all about

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there's a straight up crooked lying cheating you know president and I ain't even gonna say nothing about Kamala Harris," prosecutors quoted from one of Black's videos in their [detention memo](#).

Couy Griffin, a New Mexico man identified as the founder of "Cowboys for Trump," allegedly posted a video on the group's Facebook page about going back to Washington and threatened violence on Inauguration Day.

"If we do, then it's gonna be a sad day because there's gonna be blood running out of that building. But at the end of the day, you mark my word, we will plant our flag on the desk of Nancy Pelosi and Chuck Schumer and Donald J. Trump if it boils down to it," Griffin allegedly says in the video, which has been removed from Facebook.

Prosecutors [filed a motion](#) on Tuesday arguing to keep Griffin in custody as his case goes forward, based in part on what he said in the Facebook video. They argued that his posts and public statements

showed a “willingness to threaten, injure, and intimidate,” and that it was “reasonable” to expect he might also try to threaten potential witnesses and jurors. A judge has yet to rule.

TOPICS IN THIS ARTICLE

Donald Trump



Zoe Tillman is a senior legal reporter with BuzzFeed News and is based in Washington, DC.

Contact [Zoe Tillman](mailto:zoe.tillman@buzzfeed.com) at zoe.tillman@buzzfeed.com.

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As House Was Breached, a Fear 'We'd Have to Fight' to Get Out - The New York Times

The New York Times<https://nyti.ms/3pW601X>

As House Was Breached, a Fear 'We'd Have to Fight' to Get Out

What unfolded on Wednesday was a tableau of violence and mayhem that shocked the nation, one of the most severe intrusions of the Capitol since the British burned down the building in 1814.



By **Zolan Kanno-Youngs, Sabrina Tavernise and Emily Cochrane**

Published Jan. 6, 2021 Updated Jan. 9, 2021

WASHINGTON — The mob of Trump supporters pressed through police barricades, broke windows and battered their way with metal poles through entrances to the Capitol. Then, stunningly, they breached the “People’s House” itself, forcing masked police officers to draw their guns to keep the insurgents off the chamber floor.

“I thought we’d have to fight our way out,” said Representative Jason Crow, Democrat of Colorado and a former Army Ranger in Iraq, who found himself captive in the House chamber.

What unfolded at that point, at times on national television, was a tableau of violence and mayhem that shocked the nation, one of the most severe intrusions of the Capitol since the British invaded during the War of 1812 and burned it down.

An armed standoff ensued in the House chamber, with police officers drawing their weapons. A pro-Trump protester casually monkeyed around at the dais of the Senate. Intruders in Speaker Nancy Pelosi’s suite overturned desks and smashed photos. Others ripped artwork in Senate hideaway offices.

“This is what the president has caused today, this insurrection,” Senator Mitt Romney, Republican of Utah, said as he and other senators were hustled off to a secure location.

Some of the protesters gawked at the grand and storied building they had unlawfully flooded while others looked at it with contempt.

“I don’t trust any of these people,” said Eric Martin, 49, a woodworker from Charleston, S.C., as he marveled at the opulence of the Capitol and helped a friend wash pepper spray from his eyes. “Absolute power corrupts absolutely.”

But if some only stared at the Capitol, others resorted to violence. The Capitol Police fatally shot a woman inside the building, according to Chief Robert J. Contee of the Metropolitan Police Department, and multiple officers were injured. Another woman and two men around the Capitol died from separate medical emergencies as the mob charged to the building.

Two explosive devices were found around noon near the headquarters of the Republican National Committee, then destroyed by a bomb squad. And the federal authorities arrested a 70-year-old man from Alabama near the Capitol in possession of a firearm and materials to make several Molotov cocktails.

By Wednesday evening, the scene outside the Capitol had calmed, after Capitol Police, supplemented by F.B.I. agents and Department of Homeland Security officers with members of the National Guard on their way, squeezed protesters from every corner of the building to the majestic Rotunda, then persuaded them to leave.

Before that was mayhem. At one point, as lawmakers and staff members were rushing out of a Senate chamber under assault, aides scurried back to grab hold of boxes containing the Electoral College certificates, making sure that the protesters could not literally steal the results of the election.

It began around 1 p.m., when a mass of Trump supporters, some in camouflage and armed with baseball bats or knives, left the National Mall and, encouraged by President Trump, ascended on the Capitol complex. Leaders exhorted the crowd through megaphones, “This is our house” and “Move forward!”

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As House Was Breached, a Fear 'We'd Have to Fight' to Get Out - The New York Times



Protesters converging on the National Mall before President Trump's speech on Wednesday. Jason Andrew for The New York Times

The few police officers standing on the steps of the Capitol were overwhelmed. Their flash bang grenades only invigorated the protesters. Around 2:30, an entrance near the west side of the Capitol descended into chaos as a wave of Trump supporters wearing Make America Great Again apparel pressed past police barricades.

On the east side of the complex, people banged on the glass windows. Crowds charged past the front columns, and some pressed their faces into the glass. Others in camouflage used poles to batter an entrance to the building, breaking it open. The crowd then rushed through, passing through metal detectors as one man blared a Trump speech about the "stolen" election through a speaker.

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For about an hour, the Trump loyalists went in and out of at least one entrance of the Capitol with little disruption from the police.

As debate progressed in the House chamber over a Republican protest of Arizona's Electoral College votes for President-elect Joseph R. Biden Jr., few lawmakers knew of the commotion. But Capitol Police officers were quietly locking down the building, instructing everyone in the hallways to shelter in place and preparing reporters for the possibility of doing so in the chamber.

Soon, a nervous energy pulsed through the room. The police began to close the gallery doors, which had remained open to allow for better ventilation as lawmakers streamed in. Congressional leaders were quickly ushered out, as staff aides urged lawmakers in the gallery and on the floor to remain calm.

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"This is because of you," Representative Dean Phillips, Democrat of Minnesota, yelled from the gallery at his Republican colleagues.

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Representative Elissa Slotkin, Democrat of Michigan and a former Pentagon official, was on her way to the House chamber when she heard screaming, breaking glass, and what sounded like a flash bang. She returned to her office, locked the door, offered shelter to a colleague and began working the phones.

One of her first calls was to Gen. Mark A. Milley, the chairman of the Joint Chiefs of Staff, to plead for help from the National Guard.

"I said, 'Mark, I absolutely understand that you are between a rock and a hard place. But we need help here. There are weapons,'" she said.

In the House, just after 2:30 p.m., a police officer stepped on the dais and informed lawmakers that they might need to duck under their chairs.

"We now have individuals that have breached the Capitol building," he said, warning them to be prepared to relocate to the cloakrooms. "They are in the Rotunda."

Representative Ruben Gallego, Democrat of Arizona and a veteran, jumped on the arm rests of chairs and began directing members to move calmly and quickly from the chamber. Frantic shouting filled the room as lawmakers struggled to unfold the plastic bags that they were instructed to prepare to put over their heads in case of tear gas. Police officers and members of the floor staff began yelling for lawmakers to exit.

A wooden chest was pushed in front of the main doors to the chamber. Security officers drew their guns, pointing and shouting at the entrance, as lawmakers, staff aides and reporters covered in the top levels of the chamber. There was a bang, and everyone was told to get down.

Shortly after 2:45, the evacuation resumed. With the police in the lead, guns drawn, the lawmakers entered a scene of havoc, Mr. Crow said. Some police officers scrambled to barricade other doors to block pro-Trump extremists. Others pinned some protesters to the ground to allow the lawmakers to pass.

"We heard yelling through the halls," said Mr. Crow, who said he brought up the rear to ensure all the members made it to safety. As the police led the members down stairwells and into the subterranean maze of tunnels to a secure location, Mr. Crow said he called his wife in Colorado, who had been watching the scene on television.

Pro-Trump extremists storming the Senate chamber. In a surreal scene of mayhem on Wednesday, hundreds of protesters roamed the halls of the Capitol, taking photos and breaking into offices. Win McNamee/Getty Images

But the mob continued to stream in. A young man in a red baseball hat was helping people through a broken window. Inside, two large wooden desks were on their sides, broken. Two large panels of glass were crushed on the colorful tile floor.

In a surreal scene of chaos and glee, hundreds of Trump loyalists roamed the halls, taking photos and breaking into offices. No police officers were in view. In a room where there were images of mountains and maps of Oregon on the wall, a man in a leather jacket ripped a scroll with Chinese characters. A young man put a framed picture of the Dalai Lama in his backpack.

"We're claiming the House, and the Senate is ours," a sweaty man in a checked shirt shouted, stabbing his finger in the air.

Nearby in the first-floor Crypt, the heart of the Capitol building, the police appeared to be overwhelmed. One wiped tear gas from his eyes.

When a man approached to ask where the bathroom was, he said softly, "We just need you guys to get out of here safely."

An officer with the Capitol Police tried to reason with the crowd.

"You guys just need to go outside," he said to a man in a green backpack. Asked why the police were not forcing the mob out, the officer said, "We just got to let them do their thing for now."

Another officer stood by a stairway, watching everything unfold and answering a few questions, including directing a woman to the bathroom. One protester came up to him and shouted in his face, "Traitor!" When another man approached to apologize to the officer, the officer replied, "You're fine."

"Everybody's been OK today, except that guy," he said, motioning to the yeller.

Most of the crowd in the Crypt just milled around. A young man in a red Trump hat smoked a cigarette. Several men shouted and screamed. A man in a backpack with two American flags jumped underneath a chandelier, yelling, "Whose house," as the crowd answered, "Our house." The sound boomed and reverberated around the tile and marble as the police looked on.

Around 3:30 p.m., about 25 police officers had entered the Crypt and started asking people to move back. A few minutes later, dozens more, wearing riot gear and some in gas masks, ejected the roughly 150 protesters in the Crypt. But not before one man marched through the halls of Congress with a Confederate flag while another protester raised a Trump flag from the balcony of the Capitol.

Protesters repeatedly exited the building bearing trophies that they had torn off walls. A few carried "Area Closed" signs that they had snatched and then stormed past. But objects stolen from Ms. Pelosi's office were especially popular.

One man emerged from the risers set up on the steps of the Capitol, wielding a piece of a wooden plaque that marked the entrance to Ms. Pelosi's office.

He held it up like a trophy, as hundreds of people on the steps below cheered wildly. "Not our speaker!" shouted one. "Get her out!" yelled another.

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As House Was Breached, a Fear 'We'd Have to Fight' to Get Out - The New York Times

Another man, Richard Bigo Barnett, 60, stood outside the Capitol, his shirt ripped open and his chest bared to the cold, bragging about how he had gotten into the speaker's office. He was brandishing an envelope with the speaker's letterhead.

"I left a quarter on her desk for it," he said, adding, "I wrote her a nasty note, put my feet up on her desk." (The desk belonged to an aide, not the speaker.)

Others turned their vitriol on the police.

"We backed you," one man shouted at the line of officers outside. "Traitors!"

By 7 p.m., the presence of police officers and federal agents had drastically increased along the National Mall. Officers pushed back against aggressive protesters as they prepared for the possibility of more unrest overnight.

At the Capitol, lawmakers prepared to resume their session counting electoral votes that would end the Trump presidency.

"We want to go back," Mr. Crow said. "And finish the business of the people to show that we are a democracy, and that the government is stronger than any mob."

Reporting was contributed by Katie Benner, Adam Goldman, John Ismay, Matthew Rosenberg, Eric Schmitt, Jennifer Steinhauer.

IN THE UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF GEORGIA, ATLANTA DIVISION

**CORECO JA'QAN PEARSON,
VIKKI TOWNSEND CONSIGLIO,
GLORIA KAY GODWIN, JAMES
KENNETH CARROLL, , CAROLYN HALL
FISHER, CATHLEEN ALSTON LATHAM,
and BRIAN JAY VAN GUNDY,**

CASE NO.

Plaintiffs.

v.

**BRIAN KEMP, in his official capacity as
Governor of Georgia, BRAD
RAFFENSPERGER, in his official
capacity as Secretary of State and Chair
of the Georgia State Election Board,
DAVID J. WORLEY, in his official
capacity as a member of the Georgia
State Election Board, REBECCA
N.SULLIVAN, in her official capacity as
a member of the Georgia State Election
Board, MATTHEW MASHBURN, in his
official capacity as a member of the
Georgia State Election Board, and ANH
LE, in her official capacity as a member
of the Georgia State Election Board,**

Defendants.

**COMPLAINT FOR DECLARATORY, EMERGENCY, AND
PERMANENT INJUNCTIVE RELIEF**

NATURE OF THE ACTION

This civil action brings to light a massive election fraud, multiple violations of Georgia laws, including O.C.G.A. §§ 21-2-30(d), 21-2-31, 21-2-33.1 and §21-2-522, and multiple Constitutional violations, as shown by fact witnesses to specific incidents, multiple expert witnesses and the sheer mathematical impossibilities found in the Georgia 2020 General Election.¹

1.

As a civil action, the plaintiff's burden of proof is a "preponderance of the evidence" to show, as the Georgia Supreme Court has made clear that, "*[i] was not incumbent upon [Plaintiff] to show how the [] voters would have voted if their [absentee] ballots had been regular. [Plaintiff] only had to show that there were enough irregular ballots to place in doubt the result.*" *Mead v. Sheffield*, 278 Ga. 268, 272, 601 S.E.2d 99, 102 (2004) (citing *Howell v. Fears*, 275 Ga. 627, 571 S.E.2d 392 (2002)).

¹ The same pattern of election fraud and voter fraud writ large occurred in all the swing states with only minor variations, see expert reports, regarding Michigan, Pennsylvania, Arizona and Wisconsin. (See William M. Briggs Decl., attached here to as Exh. 1, Report with Attachment). Indeed, we believe that in Arizona at least 35,000 votes were illegally added to Mr. Biden's vote count.

2.

The scheme and artifice to defraud was for the purpose of illegally and fraudulently manipulating the vote count to make certain the election of Joe Biden as President of the United States.

3.

The fraud was executed by many means,² but the most fundamentally troubling, insidious, and egregious is the systemic adaptation of old-fashioned “ballot-stuffing.” It has now been amplified and rendered virtually invisible by computer software created and run by domestic and foreign actors for that very purpose. Mathematical and statistical anomalies rising to the level of impossibilities, as shown by affidavits of multiple witnesses, documentation, and expert testimony evince this scheme across the state of Georgia. Especially egregious conduct arose in Forsyth, Paulding, Cherokee, Hall, and Barrow County. This scheme and artifice to defraud affected tens of thousands of votes in Georgia alone and “rigged” the election in Georgia for Joe Biden.

² 50 USC § 20701 requires Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation, but as will be shown wide pattern of misconduct with ballots show preservation of election records have not been kept; and Dominion logs are only voluntary, with no system wide preservation system.

4.

The massive fraud begins with the election software and hardware from Dominion Voting Systems Corporation (“Dominion”) only recently purchased and rushed into use by Defendants Governor Brian Kemp, Secretary of State Brad Raffensperger, and the Georgia Board of Elections. Sequoia voting machines were used in 16 states and the District of Columbia in 2006. Smartmatic, which has revenue of about \$100 million, focuses on Venezuela and other markets outside the U.S.³

After selling Sequoia, Smartmatic's chief executive, Anthony Mugica. Mr. Mugica said, he hoped Smartmatic would work with Sequoia on projects in the U.S., though Smartmatic wouldn't take an equity stake.” Id.

5.

Smartmatic and Dominion were founded by foreign oligarchs and dictators to ensure computerized ballot-stuffing and vote manipulation to whatever level was needed to make certain Venezuelan dictator Hugo Chavez never lost another election. (See Redacted whistleblower affiant, *attached as Exh. 2*) Notably, Chavez “won” every election thereafter.

³ See *WSJ.com, Smartmatic to Sell U.S. Unit, End Probe into Venezuelan Links*, by Bob Davis, 12/22/2006, <https://www.wsj.com/articles/SB116674617078557263>

6.

As set forth in the accompanying whistleblower affidavit, the Smartmatic software was designed to manipulate Venezuelan elections in favor of dictator Hugo Chavez:

Smartmatic's electoral technology was called "Sistema de Gestión Electoral" (the "Electoral Management System"). Smartmatic was a pioneer in this area of computing systems. Their system provided for transmission of voting data over the internet to a computerized central tabulating center. The voting machines themselves had a digital display, fingerprint recognition feature to identify the voter, and printed out the voter's ballot. The voter's thumbprint was linked to a computerized record of that voter's identity. Smartmatic created and operated the entire system.

7.

A core requirement of the Smartmatic software design was the *software's ability to hide its manipulation of votes from any audit*. As the whistleblower explains:

Chavez was most insistent that Smartmatic design the system in a way that the system could change the vote of each voter without being detected. He wanted the software itself to function in such a manner that if the voter were to place their thumb print or fingerprint on a scanner, then the thumbprint would be tied to a record of the voter's name and identity as having voted, but that voter would not be tracked to the changed vote. He made it clear that the system would have to be setup to not leave any evidence of the changed vote for a specific voter and that there would be no evidence to show and nothing to contradict that the name or the fingerprint or thumb print was going with a changed vote. Smartmatic agreed to create such a system and produced the software and hardware that

accomplished that result for President Chavez. (See *Id.*, see also Exh. 3, Aff. Cardozo, attached hereto)).

8.

The design and features *of* the Dominion software do not permit a simple audit to reveal its misallocation, redistribution, or deletion of votes. First, the system's central accumulator does not include a protected real-time audit log that maintains the date and time stamps of all significant election events. Key components of the system utilize unprotected logs. Essentially this allows an unauthorized user the opportunity to arbitrarily add, modify, or remove log entries, causing the machine to log election events that do not reflect actual voting tabulations—or more specifically, do not reflect the actual votes of or the will of the people. (See Hursti August 2019 Declaration, attached hereto as Exh. 4, at pars. 45-48; and attached hereto, as Exh. 4B, October 2019 Declaration in Document 959-4, at p. 18, par. 28).

9.

Indeed, under the professional standards within the industry in auditing and forensic analysis, when a log is unprotected, and can be altered, it can no longer serve the purpose of an audit log. There is incontrovertible physical evidence that the standards of physical security of the voting machines and the software were breached, and machines were connected to

the internet in violation of professional standards and state and federal laws.
(*See Id.*)

10.

Moreover, lies and conduct of Fulton County election workers about a delay in voting at State Farm Arena and the reasons for it evince the fraud.

11.

Specifically, video from the State Farm Arena in Fulton County shows that on November 3rd after the polls closed, election workers falsely claimed a water leak required the facility to close. All poll workers and challengers were evacuated for several hours at about 10:00 PM. However, several election workers remained unsupervised and unchallenged working at the computers for the voting tabulation machines until after 1:00 AM.

12.

Defendants Kemp and Raffensperger rushed through the purchase of Dominion voting machines and software in 2019 for the 2020 Presidential Election⁴. A certificate from the Secretary of State was awarded to Dominion

⁴ Georgia Governor Inks Law to Replace Voting Machines, The Atlanta Journal-Constitution, AJC News Now, Credit: Copyright 2019 The Associated Press, June 2019. <https://www.ajc.com/blog/politics/georgia-governor-inks-law-replace-voting-machines/xNXs0ByQA0vtXhd27kJdqO/>

Voting Systems but is undated. (See attached hereto Exh. 5, copy Certification for Dominion Voting Systems from Secretary of State). Similarly a test report is signed by Michael Walker as Project Manager but is also undated. (See Exh. 6, Test Report for Dominion Voting Systems, Democracy Suite 5-4-A)

13.

Defendants Kemp and Raffensperger disregarded all the concerns that caused Dominion software to be rejected by the Texas Board of Elections in 2018, namely that it was vulnerable to undetected and non-auditable manipulation. An industry expert, Dr. Andrew Appel, Princeton Professor of Computer Science and Election Security Expert has recently observed, with reference to Dominion Voting machines: "I figured out how to make a slightly different computer program that just before the polls were closed, it switches some votes around from one candidate to another. I wrote that computer program into a memory chip and now to hack a voting machine you just need 7 minutes alone with it and a screwdriver." (Attached hereto Exh. 7, Study, Ballot-Marking Devices (BMDs) Cannot Assure the Will of the Voters by Andrew W. Appel Princeton University, Richard A. DeMillo, Georgia Tech Philip B. Stark, for the Univ. of California, Berkeley, December 27, 2019).⁵

⁵ Full unredacted copies of all exhibits have been filed under seal with the Court and Plaintiffs have simultaneously moved for a protective order.

14.

As explained and demonstrated in the accompanying redacted declaration of a former electronic intelligence analyst under 305th Military Intelligence with experience gathering SAM missile system electronic intelligence, the Dominion software was accessed by agents acting on behalf of China and Iran in order to monitor and manipulate elections, including the most recent US general election in 2020. This Declaration further includes a copy of the patent records for Dominion Systems in which Eric Coomer is listed as the first of the inventors of Dominion Voting Systems. (See Attached hereto as Exh. 8, copy of redacted witness affidavit, 17 pages, November 23, 2020).

15.

Expert Navid Keshavarez-Nia explains that US intelligence services had developed tools to infiltrate foreign voting systems including Dominion. He states that Dominion's software is vulnerable to data manipulation by unauthorized means and permitted election data to be altered in all battleground states. He concludes that hundreds of thousands of votes that were cast for President Trump in the 2020 general election were transferred to former Vice-President Biden. (Exh. 26).

16.

Additionally, incontrovertible evidence Board of Elections records demonstrates that at least 96,600 absentee ballots were requested and counted but were never recorded as being returned to county election boards by the voter. *Thus, at a minimum, 96,600 votes must be disregarded.* (See Attached hereto, Exh. 9, R. Ramsland Aff.).

17.

The Dominion system used in Georgia erodes and undermines the reconciliation of the number of voters and the number of ballots cast, such that these figures are permitted to be unreconciled, opening the door to ballot stuffing and fraud. The collapse of reconciliation was seen in Georgia's primary and runoff elections this year, and in the November election, where it was discovered during the hand audit that 3,300 votes were found on memory sticks that were not uploaded on election night, plus in Floyd county, another 2,600 absentee ballots had not been scanned. These "found votes" reduced Biden's lead over Donald Trump⁶.

⁶ *Recount find thousands of Georgia votes*, Atlanta Journal-Constitution by Mark Niese and David Wickert, 11/19/20. <https://www.ajc.com/politics/recount-finds-thousands-of-georgia-votes-missing-from-initial-counts/ERDRNXP3REQTM4SOINPSEP72M/>

18.

Georgia's election officials and poll workers exacerbated and helped, whether knowingly or unknowingly, the Dominion system carry out massive voter manipulation by refusing to observe statutory safeguards for absentee ballots. Election officials failed to verify signatures and check security envelopes. They barred challengers from observing the count, which also facilitated the fraud.

19.

Expert analysis of the actual vote set forth below demonstrates that at least 96,600 votes were illegally counted during the Georgia 2020 general election. All of the evidence and allegation herein is more than sufficient to place the result of the election in doubt. More evidence arrives by the day and discovery should be ordered immediately.

20.

Georgia law, (OCGA 21-5-552) provides for a contest of an election where:

(1) Misconduct, fraud, or irregularity by any primary or election official or officials sufficient to change or place in doubt the result; . . . (3) When illegal votes have been received or legal votes rejected at the polls sufficient to change or place in doubt the result; (4) For any error in counting the votes or declaring the result of the primary or election, if such error would change the result; or (5) For any other cause which shows that another was the person legally nominated, elected, or eligible to compete in a run-off primary or election.

21.

As further set forth below, all of the above grounds have been satisfied and compel this Court to set aside the 2020 General Election results which fraudulently concluded that Mr. Biden defeated President Trump by 12,670 votes.

22.

Separately, and independently, there are sufficient Constitutional grounds to set aside the election results due to the Defendants' failure to observe statutory requirements for the processing and counting of absentee ballots which led to the tabulation of more than fifty thousand illegal ballots.

THE PARTIES

23.

Plaintiff Coreco Ja'Qan ("CJ") Pearson, is a registered voter who resides in Augusta, Georgia. He is a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Georgia. He has standing to bring this action under *Carson v. Simon*, 2020 US App Lexis 34184 (8th Cir. Oct. 29, 2020). He brings this action to set aside and decertify the election results for the Office of President of the United States that was certified by the Georgia Secretary of State on November 20, 2020. The certified results showed a plurality of 12,670 votes in favor of former Vice-President Joe Biden over President Trump.

24.

Plaintiff Vikki Townsend Consiglio, is a registered voter who resides in Henry County, Georgia. She is a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Georgia.

25.

Plaintiff Gloria Kay Godwin, is a registered voter who resides in Pierce County, Georgia. She is a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Georgia.

26.

Plaintiff James Kenneth Carroll, is a registered voter who resides in Dodge County, Georgia. He is a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Georgia.

27.

Plaintiff Carolyn Hall Fisher, is a registered voter who resides in Forsyth County, Georgia. She is a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Georgia.

28.

Plaintiff Cathleen Alston Latham, is a registered voter who resides in Coffee County, Georgia. She is a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Georgia.

29.

Plaintiff Jason M. Shepherd is the Chairman of the Cobb County Republican Party and brings this action in his official capacity on behalf of the Cobb County Republican Party.

30.

Plaintiff Brian Jay Van Gundy is registered voter in Gwinnett County, Georgia. He is the Assistant Secretary of the Georgia Republican Party.

31.

Defendant Governor Brian Kemp (Governor of Georgia) is named herein in his official capacity as Governor of the State of Georgia. On or about June 9, 2019, Governor Kemp bought the new Dominion Voting Systems for Georgia, budgeting 150 million dollars for the machines. Critics are quoted, “Led by Abrams, Democrats fought the legislation and pointed to cybersecurity experts who warned it would leave Georgia's elections susceptible to hacking and tampering.” And “Just this week, the Fair Fight voting rights group started by [Stacy] Abrams launched a television ad critical of the bill. In a statement Thursday, the group called it “corruption at its worst” and a waste of money on “hackable voting machines.”⁷

⁷ *Georgia Governor Inks Law to Replace Voting Machines*, The Atlanta Journal-Constitution, AJC News Now, Credit: Copyright 2019 The Associated Press, June 2019

32.

Defendant Brad Raffensperger ("Secretary Raffensperger") is named herein in his official capacity as Secretary of State of the State of Georgia and the Chief Election Official for the State of Georgia pursuant to Georgia's Election Code and O.C.G.A. § 21-2-50. Secretary Raffensperger is a state official subject to suit in his official capacity because his office "imbues him with the responsibility to enforce the [election laws]." *Grizzle v. Kemp*, 634 F.3d 1314, 1319 (11th Cir. 2011). Secretary Raffensperger serves as the Chairperson of Georgia's State Election Board, which promulgates and enforces rules and regulations to (i) obtain uniformity in the practices and proceedings of election officials as well as legality and purity in all primaries and general elections, and (ii) be conducive to the fair, legal, and orderly conduct of primaries and general elections. *See* O.C.G.A. §§ 21-2-30(d), 21-2-31, 21-2-33.1. Secretary Raffensperger, as Georgia's chief elections officer, is further responsible for the administration of the state laws affecting voting, including the absentee voting system. *See* O.C.G.A. § 21-2-50(b).

33.

Defendants Rebecca N. Sullivan, David J. Worley, Matthew Mashburn, and Anh Le (hereinafter the "State Election Board") are members of the State Election Board in Georgia, responsible for "formulating, adopting, and promulgating such rules and regulations, consistent with law, as will be

conducive to the fair, legal, and orderly conduct of primaries and elections." O.C.G.A. § 21-2-31(2). Further, the State Election Board "promulgate[s] rules and regulations to define uniform and nondiscriminatory standards concerning what constitutes a vote and what will be counted as a vote for each category of voting system" in Georgia. O.C.G.A. § 21-2-31(7). The State Election Board, personally and through the conduct of the Board's employees, officers, agents, and servants, acted under color of state law at all times relevant to this action and are sued for emergency declaratory and injunctive relief in their official capacities.

JURISDICTION AND VENUE

34.

This Court has subject matter jurisdiction under 28 U.S.C. 1331 which provides, "The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

35.

This Court also has subject matter jurisdiction under 28 U.S.C. 1343 because this action involves a federal election for President of the United States. "A significant departure from the legislative scheme for appointing Presidential electors presents a federal constitutional question." *Bush v. Gore*, 531 U.S. 98, 113 (2000) (Rehnquist, C.J., concurring); *Smiley v. Holm*, 285 U.S. 355, 365 (1932).

36.

The jurisdiction of the Court to grant declaratory relief is conferred by 28 U.S.C. 2201 and 2202 and by Rule 57 and 65, Fed. R. Civ. P. 7.

37.

This Court has jurisdiction over the related Georgia Constitutional claims and State law claims under 28 U.S.C. 1367.

38.

In Georgia, the "legislature" is the General Assembly. *See* Ga. Const. Art. III, § I, Para. I.

39.

Because the United States Constitution reserves for state legislatures the power to set the time, place, and manner of holding elections for Congress and the President, state executive officers, including but not limited to Secretary Raffensperger, have no authority to exercise that power unilaterally, much less flout existing legislation or the Constitution itself.

STATEMENT OF FACTS

40.

Plaintiffs bring this action under 42 U.S.C. §§ 1983 and 1988, and under Georgia law, O.C.G.A. § 21-2-522 to remedy deprivations of rights,

privileges, or immunities secured by the Constitution and laws of the United States and to contest the election results.

41.

The United States Constitution sets forth the authority to regulate federal elections, the Constitution provides:

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators. U.S. CONST. art. I, § 4 (“Elections Clause”).

42.

With respect to the appointment of presidential electors, the Constitution provides: Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector. U.S. CONST. art. II, § 1 (“Electors Clause”).

43.

Neither Defendant is a “Legislature” as required under the Elections Clause or Electors Clause. The Legislature is “the representative body which ma[kes] the laws of the people.” *Smiley* 285 U.S. 365. Regulations of congressional and presidential elections, thus, “must be in accordance with

the method which the state has prescribed for legislative enactments.” *Id.* at 367; see also *Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n*, 576 U.S. 787, 135 S. Ct. 2652, 2668 (U.S. 2015).

44.

While the Elections Clause “was not adopted to diminish a State’s authority to determine its own lawmaking processes,” *Ariz. State Legislature*, 135 S. Ct. at 2677, it does hold states accountable to their chosen processes when it comes to regulating federal elections, *id.* at 2668. “A significant departure from the legislative scheme for appointing Presidential electors presents a federal constitutional question.” *Bush*, 531 U.S. at 113 (Rehnquist, C.J., concurring); *Smiley*, 285 U.S. at 365.

45.

Plaintiffs also bring this action under Georgia law, O.C.G.A. § 21-2-522, Grounds for Contest:

A result of a primary or election may be contested on one or more of the following grounds:

- (1) Misconduct, fraud, or irregularity by any primary or election official or officials sufficient to change or place in doubt the result;
- (2) When the defendant is ineligible for the nomination or office in dispute;
- (3) When illegal votes have been received or legal votes rejected at the polls sufficient to change or place in doubt the result;
- (4) For any error in counting the votes or declaring the result of the primary or election, if such error would change the result; or

(5) For any other cause which shows that another was the person legally nominated, elected, or eligible to compete in a run-off primary or election.

O.C.G.A. § 21-2-522.

46.

Under O.C.G.A. § 21-2-10, Presidential Electors are elected.

47.

Under O.C.G.A. § 21-2-386(a)(1)(B), the Georgia Legislature instructed the county registrars and clerks (the "County Officials") to handle the absentee ballots as directed therein. The Georgia Legislature set forth the procedures to be used by each municipality for appointing the absentee ballot clerks to ensure that such clerks would "perform the duties set forth in this Article." *See* O.C.G.A. § 21-2-380.1.

48.

The Georgia Election Code instructs those who handle absentee ballots to follow a clear procedure:

Upon receipt of each [absentee] ballot, a registrar or clerk **shall** write the day and hour of the receipt of the ballot on its envelope. The registrar or clerk **shall** then compare the identifying information on the oath with the information on file in his or her office, **shall** compare the signature or mark on the oath with the signature or mark on the absentee elector's voter card or the most recent update to such absentee elector's voter registration card and application for absentee ballot or a facsimile of said signature or mark taken from said card or application, and **shall**, if the information and signature appear to be valid and other identifying information appears to be correct, so certify by signing or initialing his or her name below the

voter's oath. Each elector's name so certified shall be listed by the registrar or clerk on the numbered list of absentee voters prepared for his or her precinct.

O.C.G.A. § 21-2-386(a)(1)(B) (emphasis added).

49.

Under O.C.G.A. § 21-2-386(a)(1)(C), the Georgia Legislature also established a clear and efficient process to be used by County Officials if they determine that an elector has failed to sign the oath on the outside envelope enclosing the ballot or that the signature does not conform with the signature on file in the registrar's or clerk's office (a "defective absentee ballot").

50.

The Georgia Legislature also provided for the steps to be followed by County Officials with respect to defective absentee ballots:

If the elector has failed to sign the oath, or if the signature does not appear to be valid, or if the elector has failed to furnish required information or information so furnished does not conform with that on file in the registrar's or clerk's office, or if the elector is otherwise found disqualified to vote, the registrar or clerk shall write across the face of the envelope "Rejected," giving the reason therefor. The board of registrars or absentee ballot clerk shall promptly notify the elector of such rejection, a copy of which notification shall be retained in the files of the board of registrars or absentee ballot clerk for at least one year.

O.C.G.A. § 21-2 -386(a) (1)(C) (emphasis added).

I. DEFENDANTS' UNAUTHORIZED ACTIONS VIOLATED THE GEORGIA ELECTION CODE AND CAUSED THE PROCESSING OF DEFECTIVE ABSENTEE BALLOTS.

51.

Notwithstanding the clarity of the applicable statutes and the constitutional authority for the Georgia Legislature's actions, on March 6, 2020, the Secretary of State of the State of Georgia, Secretary Raffensperger, and the State Election Board, who administer the state elections (the "Administrators") entered into a "Compromise and Settlement Agreement and Release" (the "Litigation Settlement") with the Democratic Party of Georgia, Inc., the Democrat Senatorial Campaign Committee, and the Democratic Congressional Campaign Committee (collectively, the "Democrat Party Agencies"), setting forth different standards to be followed by the clerks and registrars in processing absentee ballots in the State of Georgia⁸.

52.

Under the Settlement, however, the Administrators agreed to change the statutorily prescribed manner of handling absentee ballots in a manner that is not consistent with the laws promulgated by the Georgia Legislature for elections in this state.

⁸ See *Democratic Party of Georgia, Inc., et al. v. Raffensperger, et al.*, Civil Action File No. 1:19-cv-05028-WMR, United States District Court for the Northern District of Georgia, Atlanta Division, Doc. 56-1.

53.

The Settlement provides that the Secretary of State would issue an "Official Election Bulletin" to county Administrators overriding the statutory procedures prescribed for those officials. That power, however, does not belong to the Secretary of State under the United States Constitution.

54.

The Settlement also changed the signature requirement reducing it to a broad process with discretion, rather than enforcement of the signature requirement as statutorily required under O.C.G.A. 21-2-386(a)(l).

55.

The Georgia Legislature instructed county registers and clerks (the "County Officials") regarding the handling of absentee ballots in O.C.G.A. S 21-2-386(a)(1)(B), 21-2-380.1. The Georgia Election Code instructs those who handle absentee ballots to follow a clear procedure:

Upon receipt of each absentee ballot, a registrar or clerk shall write the day and hour of the receipt of the ballot on its envelope. The registrar or clerk shall then compare the identifying information on the oath with the information on file in his or her office, shall compare the signature or mark on the oath with the signature or mark on the absentee elector's voter card or the most recent update to such absent elector's voter registration card and application for absentee ballot or a facsimile of said signature or mark taken from said card or application, and shall, if the information and signature appear to be valid and other identifying information appears to be correct, so certify by signing or initialing his or her name below the voter's oath ...

O.C.G.A. S 21-2-386(a)(1)(B).

56.

The Georgia Legislature prescribed procedures to ensure that any request for an absentee ballot must be accompanied by sufficient identification of the elector's identity. *See* O.C.G.A. § 21-2-38 l(b)(1) (providing, in pertinent part, "In order to be found eligible to vote an absentee ballot in person at the registrar's office or absentee ballot clerk's office, such person shall show one of the forms of identification listed in Code Section 21-2-417 ...").

57.

An Affiant testified, under oath, that "It was also of particular interest to me to see that signatures were not being verified and that there were no corresponding envelopes seen in site." (Attached hereto as Exh. 10, Mayra Romera, at par. 7).

58.

To reflect the very reason for process, it was documented that in the primary election, prior to the November 3, 2020 Presidential election, many ballots got to voters after the election. Further it was confirmed that "Untold thousands of absentee ballot requests went unfulfilled, and tens of thousands of mailed ballots were rejected for multiple reasons including arriving too late

to be counted. See the Associated Press, *Vote-by-Mail worries: A leaky pipeline in many states*, August 8, 2020.⁹

59.

Pursuant to the Settlement, the Administrators delegated their responsibilities for determining when there was a signature mismatch by considering in good faith only partisan-based training - "additional guidance and training materials" drafted by the Democrat Party Agencies' representatives contradicting O.C.G.A. § 21-2-31.

B. UNLAWFUL EARLY PROCESSING OF ABSENTEE BALLOTS

60.

In April 2020, the State Election Board adopted on a purportedly "Emergency Basis" Secretary of State Rule 183-1-14-0.9-.15, Processing Ballots Prior to Election Day. Under this rule, county election officials are authorized to begin processing absentee ballots up to three weeks before election day. Thus, the rule provides in part that "(1) Beginning at 8:00 AM on the third Monday prior to Election Day, the county election superintendent **shall be authorized to open the outer envelope of accepted absentee ballots ...**" (Emphasis added).

⁹ <https://apnews.com/article/u-s-news-ap-top-news-election-2020-technology-politics-52e87011f4d04e41bfffccd64fc878e7>

61.

Rule 183-1-14-0.9-.15 is in direct and irreconcilable conflict with O.C.G.A. § 21-2-386(a)(2), which prohibits the opening of absentee ballots until election day:

After the opening of the polls on the day of the primary, election, or runoff, the registrars or absentee ballot clerks **shall be authorized to open the outer envelope** on which is printed the oath of the elector in such a manner as not to destroy the oath printed thereon; provided, however, that the registrars or absentee ballot clerk shall not be authorized to remove the contents of such outer envelope or to open the inner envelope marked "Official Absentee Ballot," except as otherwise provided in this Code section.

(Emphasis added).

62.

In plain terms, the statute clearly prohibits opening absentee ballots prior to election day, while the rule authorizes doing so three weeks before election day. There is no reconciling this conflict. The State Election Board has authority under O.C.G.A. § 21-2-31 to adopt lawful and legal rules and regulations, but no authority to promulgate a regulation that is directly contrary to an unambiguous statute. Rule 183-1-14-0.9-.15 is therefore plainly and indisputably unlawful.

63.

The State Election Board re-adopted Rule 183-1-14-0.9-.15 on November 23, 2020 for the upcoming January 2021 runoff election.

C. UNLAWFUL AUDIT PROCEDURES

64.

According to Secretary Raffensperger, in the presidential general election, 2,457,880 votes were cast in Georgia for President Donald J. Trump, and 2,472,002 votes were cast for Joseph R. Biden, which narrowed in Donald Trump's favor after the most recent recount.

65.

Secretary Raffensperger declared that for the Hand Recount:

Per the instructions given to counties as they conduct their audit triggered full hand recounts, designated monitors will be given complete access to observe the process from the beginning. While the audit triggered recount must be open to the public and media, designated monitors will be able to observe more closely. The general public and the press will be restricted to a public viewing area. Designated monitors will be able to watch the recount while standing close to the elections' workers conducting the recount.

Political parties are allowed to designate a minimum of two monitors per county at a ratio of one monitor per party for every ten audit boards in a county... Beyond being able to watch to ensure the recount is conducted fairly and securely, the two-person audit boards conducting the hand recount call out the votes as they are recounted , providing monitors and the public an additional way to keep tabs on the process.¹⁰

¹⁰ *Office of Brad Raffensperger, Monitors Closely Observing Audit-Triggered Full Hand Recount: Transparency is Built Into Process*, https://sos.ga.gov/index.php/elections/monitors_closely_observing_audit-triggered_full_hand_recount_transparency_is_built_into_process

66.

The audit was conducted O.C.G.A. § 21-2-498. This code section requires that audits be completed “in public view” and authorizes the State Board of Elections to promulgate regulations to administer an audit “to ensure that collection of validly cast ballots is complete, accurate and trustworthy throughout the audit.”

67.

Plaintiffs can show that Democrat-majority counties provided political parties and candidates, including the Trump Campaign, no meaningful access or actual opportunity to review and assess the validity of mail-in ballots during the pre-canvassing meetings. While in the audit or recount, they witnessed Trump votes being put into Biden piles.

68.

Non-parties Amanda Coleman and Maria Diedrich are two individuals who volunteered to serve as designated monitors for the Donald J. Trump Presidential Campaign, Inc. (the "Trump Campaign") on behalf of the Georgia Republican Party (the "Republican Party") at the Hand Recount. (Attached hereto and incorporated herein as Exhibits 2 and 3), respectively, are true and correct copies of (1) the Affidavit of Amanda Coleman in Support of Plaintiffs' Motion for Temporary Restraining Order (the "Coleman Affidavit"), and (2) the Affidavit of Maria Diedrich in Support of Plaintiffs'

Motion for Temporary Restraining Order (the "Diedrich Affidavit"). (See Exh. 11, Coleman Aff.,2; Exh. 12, Diedrich Aff., 2.)

69.

The Affidavits set forth various conduct amounting to federal crimes, clear improprieties, insufficiencies, and improper handling of ballots by County Officials and their employees that Ms. Coleman and Ms. Diedrich personally observed while monitoring the Hand Recount. (See Exh. 11, Coleman Aff., 3-10; Exh. 12, Diedrich Aff., 4-14.)

70.

As a result of her observations of the Hand Recount as a Republican Party monitor, Ms. Diedrich declared, "There had been no meaningful way to review or audit any activity" at the Hand Recount. (See Exh. 12, Diedrich Aff.,14.)

71.

As a result of their observations of the Hand Recount as Republican Party monitors, Ms. Coleman likewise declared, "There was no way to tell if any counting was accurate or if the activity was proper." (See Exh. 12, Coleman Aff.,10).

72.

On Election Day, when the Republican poll watchers were, for a limited time, present and allowed to observe in various polling locations, they

observed and reported numerous instances of election workers failing to follow the statutory mandates relating to two critical requirements, among other issues:

(1) a voter's right to spoil their mail-in ballot at their polling place on election day and to then vote in-person, and

(2) the ability for voters to vote provisionally on election day when a mail-in ballot has already been received for them, but when they did not cast those mail-in ballots, who sought to vote in person during early voting but was told she already voted; she emphasized that she had not. The clerk told her he would add her manually with no explanation as to who or how someone voted using her name.

(Attached hereto as Exh. 13, Aff. Ursula Wolf)

73.

Another observer for the ballot recount testified that "*at no time did I witness any Recounter or individual participate in the recount verifying signatures [on mail-in ballots].*" (Attached hereto as Exh. 14, Nicholas Zeher Aff).

74.

In some counties, there was no actual "hand" recounting of the ballots during the Hand Recount, but rather, County Officials and their employees

simply conducted another machine count of the *same* ballots. (See. Exh. 9, 10). That will not reveal the massive fraud of which plaintiffs complain.

75.

A large number of ballots were identical and likely fraudulent. An Affiant explains that she observed a batch of utterly pristine ballots:

14. Most of the ballots had already been handled; they had been written on by people, and the edges were worn. They showed obvious use. However, one batch stood out. It was pristine. There was a difference in the texture of the paper - it was if they were intended for absentee use but had not been used for that purposes. There was a difference in the feel.

15. These different ballots included a slight depressed pre-fold so they could be easily folded and unfolded for use in the scanning machines. There were no markings on the ballots to show where they had com~ from, or where they had been processed. These stood out.

16. In my 20 years of experience of handling ballots, I observed that the markings for the candidates on these ballots were unusually uniform, perhaps even with a ballot-marking device. By my estimate in observing these ballots, approximately 98% constituted votes for Joe Biden. I only observed two of these ballots as votes for President Donald J. Trump.” (See Exh. 15 Attached hereto).

76.

The same Affiant further testified specifically to the breach of the chain of custody of the voting machines the night before the election stating:

we typically receive the machines, the ballot marking devices – on the Friday before the election, with a chain of custody letter to be signed on Sunday, indicating that we had received the machines and the counts on the machines when received, and that the machines have been sealed. **In this case, we were asked to sign the chain of custody letter on Sunday, even though the machines were not delivered until 2:00 AM in the morning on Election Day.**

The Milton precinct received its machines at 1:00 AM in the morning on Election Day. This is unacceptable and voting machines should [not] be out of custody prior to an Election Day. *Id.*

II. EVIDENCE OF FRAUD

A PATTERN SHOWING THE ABSENCE OF MISTAKE

77.

The stunning pattern of the nature and acts of fraud demonstrate an absence of mistake.

78.

The same Affiant further explained, in sworn testimony, that the breach included: “when we did receive the machines, they were not sealed or locked, the serial numbers were not what were reflected on the related documentation...” *See Id.*

79.

An affiant testified that “While in Henry County, I personally witnessed ballots cast for Donald Trump being placed in the pile for Joseph Biden, I witnessed this happen at table “A”.’ (See Exh. 14, par. 27).

80.

The Affiant further testified, that “when this was brought to Ms. Pitts attention, it was met with extreme hostility. At no time did I witness any ballot cast for Joseph Biden be placed in the pile for Donald Trump. (See Exh. 14, par. 28).

32

81.

Another Affiant in the mail-in ballot and absentee ballot recounting process, testified in her sworn affidavit, that “on November 16, 2020 ... It was also of particular interest to me to see that signatures were not being verified and there were no corresponding envelopes seen in sight.” (See Exh. 10, at Par. 7).

82.

Yet another Affiant, in the recount process, testified that he received push back and a lack of any cooperation and was even threatened as if he did something wrong, when he pointed out the failure to follow the rules with the observers while open mail-in ballot re-counting was occurring, stating:

“However, as an observer, I observed that the precinct had twelve (12) counting tables, but only one (1) monitor from the Republican Party. I brought it up to Erica Johnston since the recount rules provided for one (1) monitor from each Party per ten (10) tables or part thereof...”

(See Attached hereto, Exh. 16, Ibrahim Reyes Aff.)

83.

Another Affiant explains a pattern of behavior that is alarming, in his position as an observer in the recount on absentee ballots with barcodes, he testified:

I witnessed two poll workers placing already separated paper machine receipt ballots with barcodes in the Trump tray, placing them in to the Biden tray. I also witnessed the same two poll workers putting the already separated paper receipt ballots in

the “No Vote” and “Jorgensen” tray, and removing them and putting them inside the Biden tray, They then took out all of the ballots out of the Biden tray and stacked them on the table, writing on the count ballot sheet.

(See Attached hereto, Exh.17, pars. 4-5, Aff. of Consetta Johson).

84.

Another Affiant, a Democrat, testified in his sworn affidavit, that before he was forced to move back to where he could not see, he had in fact seen “absentee ballots for Trump inserted into Biden’s stack, and counted as Biden votes. This occurred a few times”. (See attached hereto, Exh. 18 at Par. 12, Aff. of Carlos Silva).

85.

Yet another Affiant testified about the lack of process and the hostility only towards the Republican party, which is a violation of the Equal Protection Clause. He testified:

I also observed throughout my three days in Atlanta, not once did anyone verify these ballots. In fact, there was no authentication process in place and no envelopes were observed or allowed to be observed. I saw hostility towards Republican observers but never towards Democrat observers. Both were identified by badges.

(See *Id.*, at pars. 13-14).

86.

Another Affiant explained that his ballot was not only not processed in accordance with Election law, he witnessed people reviewing his ballot to decide where to place it, which violated the privacy of his ballot, and when he

tried to report it to a voter fraud line, he never received any contact or cooperation stating:

“I voted early on October 12 at the precinct at Lynwood Park ... Because of irregularities at the polling location, I called the voter fraud line to ask why persons were discussing my ballot and reviewing it to decide where to place it. When I called the state fraud line, I was directed to a worker in the office of the Secretary of State...”

(See Attached hereto, Exh. 19, Andrea ONeal Aff, at par. 3).

87.

He further testified that when he was an Observer at the Lithonia location, he saw many irregularities, and specifically “saw an auditor sort Biden votes that he collected and sorted into ten ballot stacks, which [the auditor] did not show anyone.” Id. at p. 8.

88.

Another Affiant testified about the use of different paper for ballots, that would constitute fraud stating:

I noticed that almost all of the ballots I reviewed were for Biden. Many batches went 100% for Biden. I also observed that the watermark on at least 3 ballots were solid gray instead of transparent, leading me to believe the ballot was counterfeit. I challenged this and the Elections Director said it was a legitimate ballot and was due to the use of different printers. Many ballots had markings for Biden only, and no markings on the rest of the ballot.

(See Attached hereto, Exh. 20, Aff of Debra J. Fisher, at pars. 4, 5, 6).

An Affiant testified, that while at the Audit, **While in Henry County, I personally witnessed ballots cast for Donald Trump being placed in the pile for Joseph Biden. I witnessed this happen at table “A”.** (See attached hereto as Exh. 22, Kevin Peterford, at par. 29). Another Affiant testified, that “I witnessed two poll workers placing already separated paper machine receipt ballots with barcodes in the Trump tray, placing them in to the Biden tray. I also witnessed the same two poll workers putting the already separated paper receipt abllots in the “No Vote” and “Jorgensen” tray, and removing them and putting them inside the Biden tray, They then took out all of the ballots out of the Biden tray and stacked them on the table, writing on the count ballot sheet. (See Exh. 17, Johnson, pars. 4-5).

Another Affiant, a Democrat, testified in his sworn affidavit, before he was forced to move back to where he could not see, he had in fact seen, ***“I also saw absentee ballots for Trump inserted***

into Biden’s stack, and counted as Biden votes. This occurred a few times". (See Exh. 18, Par. 12).

91.

A Republican National Committee monitor in Georgia’s election recount, Hale Soucie, told an undercover journalist there are individuals counting ballots who have made continuous errors,” writes O’Keefe. Project Veritas, Watch: Latest Project Veritas Video reveals “Multiple Ballots Meant for Trump Went to Biden in Georgia.¹¹

B. THE VOTING MACHINES, SECRECY

SOFTWARE USED BY VOTING MACHINES THROUGHOUT GEORGIA IS CRUCIAL

92.

These violations of federal and state laws impacted the election of November 3, 2020 and set the predicate for the evidence of deliberate fraudulent conduct, manipulation, and lack of mistake that follows. The commonality and statewide nature of these legal violations renders certification of the legal vote untenable and warrants immediate

¹¹ <https://hannity.com/media-room/watch-latest-project-veritas-video-reveals-multiple-ballots-meant-for-trump-went-to-biden-in-georgia/>

impoundment of voting machines and software used throughout Georgia for expert inspection and retrieval of the software.

93.

An Affiant, who is a network & information cyber-security expert, under sworn testimony explains that after studying the user manual for Dominion Voting Systems Democracy software, he learned that the information about scanned **ballots can be tracked inside the software system for Dominion:**

(a) When bulk ballot scanning and tabulation begins, the "ImageCast Central" workstation operator will load a batch of ballots into the scanner feed tray and then start the scanning procedure within the software menu. The scanner then begins to scan the ballots which were loaded into the feed tray while the "ImageCast Central" software application tabulates votes in real-time. Information about scanned ballots can be tracked inside the "ImageCast Central" software application.

(See attached hereto Exh 22, Declaration of Ronald Watkins, at par. 11).

94.

Affiant further explains that the central operator can remove or discard batches of votes. "After all of the ballots loaded into the scanner's feed tray have been through the scanner, the "ImageCast Central" operator will remove the ballots from the tray then have the option to either "Accept Batch" or "Discard Batch" on the scanning menu ... "(*Id.* at par. 8).

95.

Affiant further testifies that the Dominion/ Smartmatic user manual itself makes clear that the system allows for threshold settings to be set to mark all ballots as “problem ballots” for *discretionary determinations* on where the vote goes. It states:

During the scanning process, the "ImageCast Central" software will detect how much of a percent coverage of the oval was filled in by the voter. The Dominion customer determines the thresholds of which the oval needs to be covered by a mark in order to qualify as a valid vote. If a ballot has a marginal mark which did not meet the specific thresholds set by the customer, then the ballot is considered a "problem ballot" and may be set aside into a folder named "NotCastImages". Through creatively tweaking the oval coverage threshold settings it should be possible to set thresholds in such a way that a non-trivial amount of ballots are marked "problem ballots" and sent to the "NotCastImages" folder. It is possible for an administrator of the ImageCast Central work station to view all images of scanned ballots which were deemed "problem ballots" by simply navigating via the standard "Windows File Explorer" to the folder named "NotCastImages" which holds ballot scans of "problem ballots". It is possible for an administrator of the "ImageCast Central" workstation to view and delete any individual ballot scans from the "NotCastImages" folder by simply using the standard Windows delete and recycle bin functions provided by the Windows 10 Pro operating system.

Id. at pars. 9-10.

96.

The Affiant further explains the vulnerabilities in the system when the copy of the selected ballots that are approved in the Results folder are made

to a flash memory card – and that is connected to a Windows computer stating:

*It is possible for an administrator of the "ImageCast Central" workstation to view and delete any individual ballot scans from the "NotCastImages" folder by simply using the standard Windows delete and recycle bin functions provided by the Windows 10 Pro operating system. ... The upload process is just a simple copying of a "Results" folder containing vote tallies to a flash memory card connected to the "Windows 10 Pro" machine. The copy process uses the standard drag-n-drop or copy/paste mechanisms within the ubiquitous "Windows File Explorer". While a simple procedure, this process may be error prone and **is very vulnerable to malicious administrators.***

Id. at par. 11-13 (emphasis supplied).

97.

It was announced on “Monday, [July 29, 2019], [that] Governor Kemp awarded a contract for 30,000 new voting machines to Dominion Voting Systems, scrapping the state’s 17-year-old electronic voting equipment and replacing it with touchscreens that print out paper ballots.”¹² Critics are quoted: “Led by Abrams, Democrats fought the legislation and pointed to cybersecurity experts who warned it would leave Georgia's elections susceptible to hacking and tampering.” And “Just this week, the Fair Fight voting rights group started by [Stacy] Abrams launched a television ad

¹² *Georgia Buys New Voting Machines for 2020 Presidential Election*, by Mark Niese, *the Atlanta Journal-Constitution*, July 30, 2019, <https://www.ajc.com/news/state--regional-govt--politics/georgia-awards-contract-for-new-election-system-dominion-voting/tHh3V8KZnZivJoVzZRLO4O/>

critical of the bill. In a statement Thursday, the group called it “corruption at its worst” and a waste of money on “hackable voting machines.”¹³

98.

It was further reported in 2019 that the new Dominion Voting Machines in Georgia “[w]ith Georgia’s current voting system, there’s **no way to guarantee that electronic ballots accurately reflect the choices of voters because there’s no paper backup to verify results**, with it being reported that:

- (a) Recounts are meaningless on the direct-recording electronic voting machines because they simply reproduce the same numbers they originally generated.
- (b) But paper ballots alone won’t protect the sanctity of elections on the new touchscreens, called ballot-marking devices.
- (c) The new election system depends on voters to verify the printed text of their choices on their ballots, a step that many voters might not take. The State Election Board hasn't yet created regulations for how recounts and audits will be conducted. And paper ballots embed selections in bar codes that are only readable by scanning machines, leaving Georgians uncertain whether the bar codes match their votes.¹⁴

¹³ *Georgia Governor Inks Law to Replace Voting Machines*, *The Atlanta Journal-Constitution*, *AJC News Now*, by Greg Bluestein and Mark Niesse, June 14, 2019; Credit: Copyright 2019 The Associated Press, June 2019

- i. As part of the scheme and artifice to defraud the plaintiffs, the candidates and the voters of undiminished and unaltered voting results in a free and legal election, the Defendants and other persons known and unknown committed the following violations of law:*

50 U.S.C. § 20701 requires the retention and preservation of records and papers by officers of elections under penalty of fine and imprisonment:

§ 20701. Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation

Every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, **all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election**, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

50 U.S.C. § 20701.

99.

In the primaries it was confirmed that, “The rapid introduction of new technologies and processes in state voting systems heightens the risk of

foreign interference and insider tampering. That's true even if simple human error or local maneuvering for political advantage are more likely threats¹⁵.

100.

A Penn Wharton Study from 2016 concluded that “Voters and their representatives in government, often prompted by news of high-profile voting problems, also have raised concerns about the reliability and integrity of the voting process, and have increasingly called for the use of modern technology such as laptops and tablets to improve convenience.”¹⁶

101.

As evidence of the defects or features of the Dominion Democracy Suite, as described above, the same Dominion Democracy Suite was denied certification in Texas by the Secretary of State on January 24, 2020 specifically because of a **lack of evidence of efficiency and accuracy and to be safe from fraud or unauthorized manipulation.**¹⁷

¹⁵ See *Threats to Georgia Elections Loom Despite New Paper Ballot Voting*, By Mark Niese, *The Atlanta Journal-Constitution* and *(The AP, Vote-by-Mail worries: A leaky pipeline in many states, August 8, 2020)*.

¹⁶ Penn Wharton Study by Matt Caufield, *The Business of Voting*, July 2018.

¹⁷ Attached hereto, Exh. 23, copy of Report of Review of Dominion Voting Systems Democracy Suite 5.5-A Elections Division by the Secretary of State's office, Elections Division, January 24, 2020.

Plaintiffs have since learned that the "glitches" in the Dominion system—that have the uniform effect of taking votes from Trump and shifting them to Biden—have been widely reported in the press and confirmed by the analysis of independent experts.

Plaintiffs can show, through expert and fact witnesses that:

c. Dominion/ Smartmatic Systems Have Massive End User Vulnerabilities.

1. Users on the ground have full admin privileges to machines and software. Having been created to "rig" elections, the Dominion system is designed to facilitate vulnerability and allow a select few to determine which votes will be counted in any election. Workers were responsible for moving ballot data from polling place to the collector's office and inputting it into the correct folder. Any anomaly, such as pen drips or bleeds, results in a ballot being rejected. It is then handed over to a poll worker to analyze and decide if it should count. This creates massive opportunity for purely discretionary and improper vote "adjudication."
2. Affiant witness (name redacted for security reasons¹⁸), in his sworn testimony explains he was selected for the national security guard detail of the President of Venezuela, and that he witnessed the creation of Smartmatic for the purpose of election vote manipulation to insure Venezuelan dictator Hugo Chavez never lost an election and he saw it work. Id.

"The purpose of this conspiracy was to create and operate a voting system that could change the votes in elections from votes against

persons running the Venezuelan government to votes in their favor in order to maintain control of the government.”

(See Exh. 2, pars. 6, 9, 10).

104.

Smartmatic’s incorporators and inventors have backgrounds evidencing their foreign connections, including Venezuela and Serbia, specifically its identified inventors:

Applicant: SMARTMATIC, CORP.

Inventors: Lino Iglesias, Roger Pinate, Antonio Mugica, Paul Babic, Jeffrey Naveda, Dany Farina, Rodrigo Meneses, Salvador Ponticelli, Gisela Goncalves, Yrem Caruso.¹⁹

105.

The presence of Smartmatic in the United States—owned by foreign nationals, and Dominion, a Canadian company with its offices such as the Office of General Counsel in Germany, would have to be approved by CFIUS. CFIUS was created in 1988 by the Exon-Florio Amendment to the Defense Production Act of 1950. CFIUS’ authorizing statute was amended by the Foreign Investment and National Security Act of 2007 (FINSA).

As amended, section 721 of the DPA directs "the President, acting through [CFIUS]," to review a "**covered transaction to determine the effects of the transaction on the national security of the United States.**" 50 U.S.C. app. § 2170(b)(1)(A). Section 721 defines

¹⁹ <https://patents.justia.com/assignee/smartmatic-corp>

a covered transaction as "any merger, acquisition, or takeover ..., by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States." Id. § 2170(a)(3). *Ralls Corp. v. Comm. on Foreign Inv.*, 758 F.3d 296, 302, 411 U.S. App. D.C. 105, 111, (2014). Review of covered transactions under section 721 begins with CFIUS. As noted, CFIUS is chaired by the Treasury Secretary and its members include the heads of various federal agencies and other high-ranking Government officials with foreign policy, national security and economic responsibilities.

106.

Then Congresswoman Carolyn Maloney wrote October 6, 2006 to the Secretary of Treasury, Henry M. Paulson, Jr., Objecting to approval of Dominion/Smartmatic by CFIUS because of its corrupt Venezuelan origination, ownership and control. (See attached hereto as Exh. 24, Carolyn Maloney Letter of October 6, 2006). Our own government has long known of this foreign interference on our most important right to vote, and it had either responded with incompetence, negligence, willful blindness, or abject corruption. In every CFIUS case, there are two TS/SCI reports generated. One by the ODNI on the threat and one by DHS on risk to critical infrastructure. Smartmatic was a known problem when it was nonetheless approved by CFIUS.

107.

The Wall Street Journal in 2006 did an investigative piece and found that, "Smartmatic came to prominence in 2004 when its machines were used

in an election to recall President Chávez, which Mr. Chávez won handily -- and which the Venezuelan opposition said was riddled with fraud. Smartmatic put together a consortium to conduct the recall elections, including a company called Bizta Corp., in which Smartmatic owners had a large stake. For a time, the Venezuelan government had a 28% stake in Bizta in exchange for a loan.²⁰ ...“Bizta paid off the loan in 2004, and Smartmatic bought the company the following year. But accusations of Chávez government control of Smartmatic never ended, especially since Smartmatic scrapped a simple corporate structure, in which it was based in the U.S. with a Venezuelan subsidiary, for a far more complex arrangement. The company said it made the change for tax reasons, but critics, including Rep. Carolyn Maloney (D., N.Y.) and TV journalist Lou Dobbs, pounded the company for alleged links to the Chávez regime. *Id.* Since its purchase by Smartmatic, Sequoia's sales have risen sharply to a projected \$200 million in 2006, said Smartmatic's chief executive, Anthony Mugica.” *Id.*

108.

Indeed, Mr. Cobucci testified, through his sworn affidavit, that he born in Venezuela, is cousins with Antonio (‘Anthony’) Mugica, and he has

²⁰ See *WSJ.com, Smartmatic to Sell U.S. Unit, End Probe into Venezuelan Links*, by Bob Davis, 12/22/2006, <https://www.wsj.com/articles/SB116674617078557263>

personal knowledge of the fact that Anthony Mugica incorporated Smartmatic in the U.S. in 2000 with other family members in Venezuela listed as owners. He also has personal knowledge that Anthony Mugica manipulated Smartmatic to ensure the election for Chavez in the 2004 Referendum in Venezuela. He also testified, through his sworn affidavit, that Anthony Mugica received tens of millions of dollars from 2003- 2015 from the Venezuelan government to ensure Smartmatic technology would be implemented around the world, including in the U.S. (See attached hereto, Exh. 25, Juan Carlos Cobucci Aff.)

109.

Another Affiant witness testifies that in Venezuela, she was in an official position related to elections and witnessed manipulations of petitions to prevent a removal of President Chavez and because she protested, she was summarily dismissed. Corroborating the testimony of our secret witness, and our witness Mr. Cobucci, cousin of Anthony Mugica, who began Smartmatic, and this witness explains the vulnerabilities of the electronic voting system and Smartmatica to such manipulations. (See Exh. 3, Diaz Cardozo Aff).

110.

Specific vulnerabilities of the systems in question that have been documented or reported include:

- a. Barcodes can override the voters' vote: As one University of California, Berkeley study shows, "In all three of these machines [including Dominion Voting Systems] the ballot marking printer is in the same paper path as the mechanism to deposit marked ballots into an attached ballot box. This opens up a very serious security vulnerability: the voting machine can make the paper ballot (to add votes or spoil already-cast votes) after the last time the voter sees the paper, and then deposit that marked ballot into the ballot box without the possibility of detection." (See Exh. 7). ²¹
- b. Voting machines were able to be connected to the internet by way of laptops that were obviously internet accessible. If one laptop was connected to the internet, the entire precinct was compromised.
- c. We ... discovered that at least some jurisdictions were not aware that their systems were online," said Kevin Skoglund, an independent security consultant who conducted the research with nine others, all of them long-time security professionals and academics with expertise in election security. *Vice*. August 2019. ²²

²¹ *Ballot Marking Devices (BMDs) Cannot Assure the Will of the Voters*, Andrew W. Appel, Richard T. DeMillo, University of California, Berkeley, 12/27/2019.

²² *Exclusive: Critical U.S. Election Systems Have Been Left Exposed Online Despite Official Denials*, *Motherboard Tech by Vice*, by Kim Zetter, August 8, 2019, <https://www.vice.com/en/article/3kxzk9/exclusive-critical-us-election-systems-have-been-left-exposed-online-despite-official-denials>

- d. October 6, 2006 – Congresswoman Carolyn Maloney called on Secretary of Treasury Henry Paulson to conduct an investigation into Smartmatic based on its foreign ownership and ties to Venezuela. (See Exh. 24)
- e. Congresswoman Maloney wrote that “It is undisputed that Smartmatic is foreign owned and it has acquired Sequoia ... Smartmatica now acknowledged that Antonio Mugica, a Venezuelan businessman has a controlling interest in Smartmatica, but the company has not revealed who all other Smartmatic owners are.” *Id.*
- f. Dominion “got into trouble” with several subsidiaries it used over alleged cases of fraud. One subsidiary is Smartmatic, a company “that has played a significant role in the U.S. market over the last decade,” according to a report published by UK-based AccessWire²³.
- g. Litigation over Smartmatic “glitches” alleges they impacted the 2010 and 2013 mid-term elections in the Philippines, raising questions of cheating and fraud. An independent review of the source codes used in the machines found multiple problems, which concluded, “The software

²³ *Voting Technology Companies in the U.S. – Their Histories and Present Contributions*, Access Wire, August 10, 2017, <https://www.accesswire.com/471912/Voting-Technology-Companies-in-the-US--Their-Histories>.

inventory provided by Smartmatic is inadequate, ... which brings into question the software credibility...”²⁴

- h. Dominion acquired Sequoia Voting Systems as well as Premier Election Solutions (formerly part of Diebold, which sold Premier to ES&S in 2009, until antitrust issues forced ES&S to sell Premier, which then was acquired by Dominion).²⁵.
- i. Dominion entered into a 2009 contract with Smartmatic and provided Smartmatic with the PCOS machines (optical scanners) that were used in the 2010 Philippine election—the biggest automated election run by a private company. The international community hailed the automation of that first election in the Philippines.²⁶ The results’ transmission reached 90% of votes four hours after polls closed and Filipinos knew for the first time who would be their new president on Election Day. In keeping with local election law requirements, Smartmatic and Dominion were required to provide the source code of

²⁴ *Smartmatic-TIM running out of time to fix glitches, ABS-CBN News, May 4, 2010*
<https://news.abs-cbn.com/nation/05/04/10/smartmatic-tim-running-out-time-fix-glitches>

²⁵ *The Business of Voting*, Penn Wharton, Caufield, p. 16.

²⁶ *Smartmatic-TIM running out of time to fix glitches, ABS-CBN News, May 4, 2010*
<https://news.abs-cbn.com/nation/05/04/10/smartmatic-tim-running-out-time-fix-glitches>

the voting machines prior to elections so that it could be independently verified.²⁷

- j. In late December of 2019, three Democrat Senators, Warren, Klobuchar, Wyden, and House Member Mark Pocan wrote about their ***‘particularized concerns that secretive & “trouble -plagued companies” “have long skimmed on security in favor of convenience,”*** in the context of how they described the voting machine systems that three large vendors – Election Systems & Software, Dominion Voting Systems, & Hart InterCivic – collectively provide voting machines & software that facilitate voting for over 90% of all eligible voters in the U.S.” (See attached hereto as Exh. 26, copy of Senator Warren, Klobuchar, Wyden’s December 6, 2019 letter).
- k. Senator Ron Wyden (D-Oregon) said the findings [insecurity of voting systems] are “yet another damning indictment of the profiteering election vendors, who care more about the bottom line than protecting our democracy.” It’s also an indictment, he said, “of the notion that important cybersecurity decisions should be left entirely to county

²⁷ Presumably the machiens were not altered following submission of the code. LONDON, ENGLAND / ACCESSWIRE / August 10, 2017, *Voting Technology Companies in the U.S. - Their Histories and Present Contributions*

election offices, many of whom do not employ a single cybersecurity specialist.”²⁸

111.

An analysis of the Dominion software system by a former US Military Intelligence expert concludes that the system and software have been accessible and were certainly compromised by rogue actors, such as Iran and China. By using servers and employees connected with rogue actors and hostile foreign influences combined with numerous easily discoverable leaked credentials, Dominion neglectfully allowed foreign adversaries to access data and intentionally provided access to their infrastructure in order to monitor and manipulate elections, including the most recent one in 2020. (See Exh. 7).

112.

An expert witness in pending litigation in the United States District Court, Northern District Court of Georgia, Atlanta Div., 17-cv-02989 specifically testified to the acute security vulnerabilities, among other facts, by declaration filed on October 4, 2020, (See Exh. 4B, Document 959-4

²⁸ *Exclusive: Critical U.S. Election Systems Have Been Left Exposed Online Despite Official Denials, Motherboard Tech by Vice, by Kim Zetter, August 8, 2019, <https://www.vice.com/en/article/3kxzk9/exclusive-critical-us-election-systems-have-been-left-exposed-online-despite-official-denials>*

attached hereto, paragraph. 18 and 20 of p. 28, Exh. 4, Hursti Declaration).
wherein he testified or found:

1) The failure of the Dominion software “*to meet the methods and processes for national standards for managing voting system problems and should not be accepted for use in a public election under any circumstances.*”

2) In Hursti’s declaration he explained that “There is evidence of remote access and remote troubleshooting which presents a grave security implication and certified identified vulnerabilities should be considered an “extreme security risk.” *Id.* Hari Hursti also explained that USB drives with vote tally information were observed to be removed from the presence of poll watchers during a recent election. *Id.* The fact that there are no controls of the USB drives was seen recently seen the lack of physical security and compliance with professional standards, " in one Georgia County, where it is reported that 3,300 votes were found on memory sticks not loaded plus in Floyd county, another 2,600 were unscanned, and the “found votes” reduced Biden’s lead over Donald Trump²⁹.

(a) In the prior case against Dominion, *supra*, further
implicating the secrecy behind the software used in Dominion Systems,

²⁹ *Recount find thousands of Georgia votes*, Atlanta Journal-Constitution by Mark Niese and David Wickert, 11/19/20. <https://www.ajc.com/politics/recount-finds-thousands-of-georgia-votes-missing-from-initial-counts/ERDRNXPH3REQTM4SOINPSEP72M/>

Dr. Eric Coomer, a Vice President of Dominion Voting Systems, testified that even he was not sure of what testing solutions were available to test problems or how that was done, “ *I have got to be honest, we might be a little bit out of my bounds of understanding the rules and regulations...* and in response to a question on testing for voting systems problems in relation to issues identified in 2 counties, he explained that “*Your Honor, I’m not sure of the complete test plan... Again Pro V&V themselves determine what test plan is necessary based on their analysis of the code itself.*” (*Id.* at Document 959-4, pages 53, 62 L.25- p. 63 L3).

113.

Hursti stated within said Declaration:

“The security risks outlined above – operating system risks, the failure to harden the computers, performing operations directly on the operating systems, lax control of memory cards, lack of procedures, and potential remote access are extreme and destroy the credibility of the tabulations and output of the reports coming from a voting system.”

(See Paragraph 49 of Hursti Declaration).

114.

Rather than engaging in an open and transparent process to give credibility to Georgia’s brand-new voting system, the election processes were

hidden during the receipt, review, opening, and tabulation of those votes in direct contravention of Georgia's Election Code and federal law.

115.

The House of Representatives passed H.R. 2722 in an attempt to address these very risks identified by Hursti, on June 27, 2019:

This bill addresses election security through grant programs and requirements for voting systems and paper ballots.

The bill establishes requirements for voting systems, including that systems (1) use individual, durable, voter-verified paper ballots; (2) make a voter's marked ballot available for inspection and verification by the voter before the vote is cast; (3) ensure that individuals with disabilities are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verified paper ballot; (4) be manufactured in the United States; and (5) meet specified cybersecurity requirements, including the prohibition of the connection of a voting system to the internet.

ADDITIONAL SPECIFIC FRAUD

116.

On November 4, 2020, the Georgia GOP Chairman issued the following statement:

"Let me repeat. Fulton County elections officials told the media and our observers that they were shutting down the tabulation center at State Farm Arena at 10:30 p.m. on election night to continue counting ballots in secret until 1:00 a.m." ³⁰

It was widely reported that "As of 7 p.m. on Wednesday Fulton County Elections officials said 30,000 absentee ballots were not processed due to a pipe burst."³¹ Officials reassured voters that none of the ballots were damaged and the water was quickly cleaned up. But the emergency delayed officials from processing ballots between 5:30 a.m. and 9:30 a.m. Officials say they continued to count beginning at 8:30 a.m. Wednesday. The statement from Fulton County continues:

"Tonight, Fulton County will report results for approximately 86,000 absentee ballots, as well as Election Day and Early Voting results. These represent the vast majority of ballots cast within Fulton County.

"As planned, Fulton County will continue to tabulate the remainder of absentee ballots over the next two days. Absentee ballot processing requires that each ballot is opened, signatures verified, and ballots scanned. This is a labor-intensive process that takes longer to tabulate than other forms of voting. Fulton County did not anticipate having all absentee ballots processed on Election Day." Officials said they will work to ensure every vote is counted and all laws and regulations are followed.³²

³¹ "4,000 remaining absentee ballots being counted in Fulton County", Fox 5 Atlanta, November 3, 2020, <https://www.fox5atlanta.com/news/pipe-burst-at-state-farm-arena-delays-absentee-ballot-processing>

³² 4,000 remaining absentee ballots being counted in Fulton County, Fox 5 Atlanta, November 3, 2020, <https://www.fox5atlanta.com/news/pipe-burst-at-state-farm-arena-delays-absentee-ballot-processing>

118.

Plaintiffs have learned that the representation about “a water leak affecting the room where absentee ballots were counted” was not true. The only water leak that needed repairs at State Farm Arena from November 3 – November 5 was a toilet overflow that occurred earlier on November 3. It had nothing to do with a room with ballot counting, but the false water break representation led to “everyone being sent home.” Nonetheless, first six (6) people, then three (3) people stayed until 1:05 a.m. working on the computers.

119.

An Affiant recounts how she was present at State Farm Arena on November 3, and saw election workers remaining behind after people were told to leave. (See Exh. 28, Affidavit of Mitchell Harrison; Exh. 29, Affid. of Michelle Branton)

120.

Plaintiffs have also learned through several reports that in 2010 Eric Coomer joined Dominion as Vice President of U.S. Engineering. According to his bio, Coomer graduated from the University of California, Berkeley with a Ph.D. in Nuclear Physics. Eric Coomer was later promoted to Voting Systems Officer of Strategy and Security although Coomer has since been removed from the Dominion page of directors. Dominion altered its website after

Colorado resident Joe Oltmann disclosed that as a reporter he infiltrated ANTIFA, a domestic terrorist organization where he recorded Eric Coomer representing: “Don’t worry. Trump won’t win the election, we fixed that.” – as well as social media posts with violence threatened against President Trump. (See Joe Oltmann interview with Michelle Malkin dated November 13, 2020 which contains copies of Eric Coomer’s recording and tweets).³³

121.

While the bedrock of American elections has been transparency, almost every crucial aspect of Georgia’s November 3, 2020, General Election was shrouded in secrecy, rife with “errors,” and permeated with anomalies so egregious as to render the results incapable of certification.

MULTIPLE EXPERT REPORTS AND STATISTICAL ANALYSES PROVE HUNDREDS OF THOUSANDS OF VOTES WERE LOST OR SHIFTED THAT COST PRESIDENT TRUMP AND THE REPUBLICAN CANDIDATES OF CONGRESSIONAL DISTRICTS 6 AND 7 THEIR RACES.

122.

As evidenced by numerous public reports, expert reports, and witness statements, Defendants egregious misconduct has included ignoring legislative mandates concerning mail-in and ordinary ballots and led to

33 Malkin Live: Election Update, Interview of Joe Oltmann, by Michelle Malkin, November 13, 2020, available at:

https://www.youtube.com/watch?v=dh1X4s9HuLo&fbclid=IwAR2EaJc1M9RT3DaUraAjsycM0uPKB3uM_-MhH6SMGrwNyJ3vNmlcTsHxF4

disenfranchisement of an enormous number of Georgia voters. Plaintiffs experts can show that, consistent with the above specific misrepresentations, analysis of voting data reveals the following:

(a) Regarding uncounted mail ballots, based on evidence gathered by Matt Braynard in the form of recorded calls and declarations of voters, and analyzed by Plaintiff's expert, Williams M. Briggs, PhD, shows, based on a statistically significant sample, **that the total number of mail ballots that voters mailed in, but were never counted, have a 95% likelihood of falling between 31,559 and 38,886 total lost votes.** This range exceeds the margin of loss of President Trump of 12,670 votes by at least 18,889 lost votes and by as many as 26,196 lost votes. (See Exh. 1, Dr. Briggs' Report, with attachments).

(b) Plaintiff's expert also finds that **voters received tens of thousands of ballots that they never requested.** (See Exh. 1). Specifically, Dr. Briggs found that in the state of Georgia, based on a statistically significant sample, the expected amount of persons that received an absentee ballot that they did not request ranges from 16,938 to 22,771. **This range exceeds the margin of loss of**

President Trump by 12,670 votes by at least 4,268 unlawful requests and by as many as 10,101 unlawful requests. *Id.*

(c) This widespread pattern, as reflected within the population of unreturned ballots analyzed by Dr. Briggs, reveals the unavoidable reality that, in addition to the calculations herein, third parties voted an untold number of unlawfully acquired absentee or mail-in ballots, which would not be in the database of unreturned ballots analyzed here. See O.G.C.A. 21-2-522. **These unlawfully voted ballots prohibited properly registered persons from voting and reveal a pattern of widespread fraud down ballot as well.**

(d) Further, as calculated by Matt Braynard, there exists clear evidence of 20,311 absentee or early voters in Georgia that voted while registered as having moved out of state. (See *Id.*, attachment to report). Specifically, these persons were showing on the National Change of Address Database (NCOA) as having moved, or as having filed subsequent voter registration in another state also as evidence that they moved and even potentially voted in another state. The 20,311 votes by persons documented as having moved exceeds the margin by which Donald Trump lost the election by 7,641 votes.

(e) Applying *pro-rata* the above calculations separately to Cobb County based on the number of unreturned ballots, a range of 1,255 and 1,687 ballots ordered by 3rd parties and a range of 2,338 and 2,897 lost mail ballots, plus 10,684 voters documented in the NCOA as having moved, **for a combined minimum of 14,276 missing and unlawful ballots, and maximum of 15,250 missing and unlawful ballots, which exceeds the statewide Presidential race total margin by a range of as few as 1,606 ballots and as many as 2,580 in the County of Cobb alone impacting the Cobb County Republican Party (“Cobb County Republicans”).**

123.

As seen from the **expert analysis of Eric Quinnell**, mathematical anomalies further support these findings, when in various districts within Fulton County such as vote gains that exceed reasonable expectations when compared to 2016, and a failure of gains to be normally distributed but instead shifting substantially toward the tail of the distribution in what is known as a platykurtic distribution. Dr. Quinell identifies numerous anomalies such as votes to Biden in excess of 2016 exceed the registrations that are in excess of 2016. Ultimately, he identifies the counties in order of their excess performance over what would have fit in a

normal distribution of voting gains, revealing a list of the most anomalous counties down to the least. These various anomalies provide evidence of voting irregularities. (See Exh.27, Declaration of Eric Quinnell, with attachments).

124.

In sum, with the expert analysis of William M. Briggs PhD based on recorded calls and declarations, the extent of missing AND unlawfully requested ballots create substantial evidence that the mail ballot system has fundamentally failed to provide a fair voting mechanism. In short, tens of thousands of votes did not count while the pattern of fraud makes clear that tens of thousands were improperly counted. This margin of victory in the election for Mr. Biden was only 12,670 and cannot withstand most of these criticisms individually and certainly not in aggregate.

125.

Cobb county, based on lost votes, unlawfully requested votes and NCOA data on these facts alone would consume more than the entire margin of the statewide difference in the Presidential race. These election results must be reversed.

126.

Applying *pro-rata* the above calculations separately to Cobb County based on the number of unreturned ballots, a range of 1,255 and 1,687 ballots

ordered by 3rd parties and a range of 2,338 and 2,897 lost mail ballots, plus 10,684 voters documented in the NCOA as having moved, **for a combined minimum of 14,276 missing and unlawful ballots, and maximum of 15,250 missing and unlawful ballots, which exceeds the statewide Presidential race total margin by a range of as few as 1,606 ballots and as many as 2,580 in the County of Cobb alone impacting the Cobb County Republican Party (“Cobb County Republicans”).** (See Exh. 1).

127.

Mr. Braynard also found a pattern in Georgia of voters registered at totally fraudulent residence addresses, including shopping centers, mail drop stores and other non-residential facilities³⁴.

128.

In sum, with the expert analysis of William M. Briggs PhD based on extensive investigation, recorded calls and declarations collected by Matt Braynard, (See attachments to Exh. 1, Briggs’ report) the extent of missing and unlawfully requested ballots create substantial evidence that the mail ballot system has fundamentally failed to provide a fair voting mechanism. In

³⁴ Matt Braynard, <https://twitter.com/MattBraynard/status/1331324173910761476>;
<https://twitter.com/MattBraynard/status/1331299873556086787?s=20>; (a)
<https://twitter.com/MattBraynard/status/1331299873556086787?s=20>

short, tens of thousands of votes did not count while the pattern of fraud and mathematical anomalies that are impossible absent malign human agency makes clear that tens of thousands were improperly counted. This margin of victory in the election for Mr. Biden was only 12,670 and cannot withstand most of these criticisms individually and certainly not in aggregate.

129.

Cobb county, based on lost votes, unlawfully requested votes and NCOA data on these facts alone would consume more than the entire margin of the statewide difference in the Presidential race.

130.

Russell Ramsland confirms that data breaches in the Dominion software permitted rogue actors to penetrate and manipulate the software during the recent general election. He further concludes that at least 96,600 mail-in ballots were illegally counted as they were not cast by legal voters.

131.

In sum, as set forth above, for a host of independent reasons, the Georgia certified election results concluding that Joe Biden received 12,670 more votes than President Donald Trump must be set aside.

COUNT I

**DEFENDANTS VIOLATED THE ELECTIONS CLAUSE AND 42 U.S.C. §
1983**

132.

Plaintiffs reallege all preceding paragraphs as if fully set forth herein.

133.

The Electors Clause states that “[e]ach State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors” for President. Art. II, § 1, cl. 2 (emphasis added). Likewise, the Elections Clause of the U.S. Constitution states that “[t]he Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.” Art. I, § 4, cl. 1 (emphasis added).

134.

The Legislature is “the representative body which ma[kes] the laws of the people.” *Smiley*, 285 U.S. at 193. Regulations of congressional and presidential elections, thus, “must be in accordance with the method which the state has prescribed for legislative enactments.” *Id.* at 367; *see also Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n*, 135 S. Ct. 2652, 2668 (2015).

135.

Defendants are not part of the General Assembly and cannot exercise legislative power. Rather, Defendants' power is limited to "tak[ing] care that the laws be faithfully executed." Pa. Const. Art. IV, § 2. Because the United States Constitution reserves for the General Assembly the power to set the time, place, and manner of holding elections for the President and Congress, county boards of elections and state executive officers have no authority to unilaterally exercise that power, much less to hold them in ways that conflict with existing legislation.

136.

Defendants are not the legislature, and their unilateral decision to create a "cure procedure" violates the Electors and Elections Clauses of the United States Constitution.

137.

The Secretary of State and the State Election Board are not the legislature, and their decision to permit early processing of absentee ballots in direct violation of the unambiguous requirements of O.C.G.A. § 21-2-386(a)(2) violates the Electors and Elections Clauses of the United States Constitution.

Many Affiants testified to many legal infractions in the voting process, including specifically switching absentee ballots or mail-in ballots for Trump to Biden. Even a Democrat testified in his sworn affidavit that before he was forced to move back to where he could not see, he had in fact seen, "*I also saw absentee ballots for Trump inserted into Biden's stack, and counted as Biden votes. This occurred a few times*". (See Exh. 18, Par. 12).

Plaintiff's expert also finds that voters received tens of thousands of ballots that they never requested. (See Exh. 1, Dr. Briggs' Report). Specifically, Dr. Briggs found that in the state of Georgia, based on a statistically significant sample, the expected amount of persons that received an absentee ballot that they did not request one ranges from 16,938 to 22,771. This range exceeds the margin of loss of President Trump by 12,670 votes by at least 4,268 unlawful requests and by as many as 10,101 unlawful requests.

This widespread pattern, as reflected within the population of unreturned ballots analyzed by Dr. Briggs, reveals the unavoidable reality that, in addition to the calculations herein, third parties voted an untold number of unlawfully acquired absentee or mail-in ballots, which would not

be in the database of unreturned ballots analyzed here. *See* O.G.C.A. 21-2-522. These unlawfully voted ballots prohibited properly registered persons from voting and reveal a pattern of widespread fraud.

141.

Further, as shown by data collected by Matt Braynard, there exists clear evidence of 20,311 absentee or early voters in Georgia that voted while registered as having moved out of state. Specifically, these persons were showing on the National Change of Address Database (NCOA) as having moved, or as having filed subsequent voter registration in another state also as evidence that they moved and even potentially voted in another state. The 20,311 votes by persons documented as having moved exceeds the margin by which Donald Trump lost the election by 7,641 votes.

142.

Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm unless the injunctive relief requested herein is granted. Defendants have acted and, unless enjoined, will act under color of state law to violate the Elections Clauses of the Constitution. Accordingly, the results for President and Congress in the November 3, 2020 election must be set aside. The results are infected with Constitutional violations.

COUNT II

**THE SECRETARY OF STATE AND GEORGIA COUNTIES VIOLATED
THE FOURTEENTH AMENDMENT U.S. CONST. AMEND. XIV, 42
U.S.C. § 1983**

DENIAL OF EQUAL PROTECTION

**INVALID ENACTMENT OF REGULATIONS AFFECTING
OBSERVATION AND MONITORING OF THE ELECTION**

143.

Plaintiffs refer to and incorporate by reference each of the prior paragraphs of this Complaint as though the same were repeated at length herein.

144.

The Fourteenth Amendment of the United States Constitution provides “nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. *See also Bush v. Gore*, 531 U.S. 98, 104 (2000)(having once granted the right to vote on equal terms, the State may not, by later arbitrary and disparate treatment, value one person’s vote over the value of another’s). *Harper v. Virginia Board of Elections*, 383 U.S. 663, 665 (1966) (“Once the franchise is granted to the electorate, lines may not be drawn which are inconsistent with the Equal Protection Clause of the Fourteenth Amendment.”).

145.

The Court has held that to ensure equal protection, a “problem inheres in the absence of specific standards to ensure its equal application. The formulation of uniform rules to determine intent based on these recurring circumstances is practicable and, we conclude, necessary.” *Bush v. Gore*, 531 U.S. 98, 106, 121 S. Ct. 525, 530, 148 L. Ed. 2d 388 (2000).

146.

The equal enforcement of election laws is necessary to preserve our most basic and fundamental rights. The requirement of equal protection is particularly stringently enforced as to laws that affect the exercise of fundamental rights, including the right to vote.

147.

In statewide and federal elections conducted in the State of Georgia, including without limitation the November 3, 2020, General Election, all candidates, political parties, and voters, including without limitation Plaintiffs, have a vested interest in being present and having meaningful access to observe and monitor the electoral process in each County to ensure that it is properly administered in every election district and otherwise free, fair, and transparent.

Moreover, through its provisions involving watchers and representatives, the Georgia Election Code ensures that all candidates and political parties in each County, including the Trump Campaign, have meaningful access to observe and monitor the electoral process to ensure that it is properly administered in every election district and otherwise free, fair, and transparent. *See, e.g.* In plain terms, the statute clearly prohibits opening absentee ballots prior to election day, while the rule authorizes doing so three weeks before election day. There is no reconciling this conflict. The State Election Board has authority under O.C.G.A. § 21-2-31 to adopt lawful and legal rules and regulations, but no authority to promulgate a regulation that is directly contrary to an unambiguous statute. Rule 183-1-14-0.9-.15 is therefore plainly and indisputably unlawful.

Plaintiffs also bring this action under Georgia law, O.C.G.A. § 21-2-522,

Grounds for Contest:

149.

A result of a primary or election may be contested on one or more of the following grounds:

150.

- (1) Misconduct, fraud, or irregularity by any primary or election official or officials sufficient to change or place in doubt the result;
 - (2) When the defendant is ineligible for the nomination or office in dispute;
 - (3) When illegal votes have been received or legal votes rejected at the polls sufficient to change or place in doubt the result;
 - (4) For any error in counting the votes or declaring the result of the primary or election, if such error would change the result; or
 - (5) For any other cause which shows that another was the person legally nominated, elected, or eligible to compete in a run-off primary or election.
- O.C.G.A. § 21-2-522.

151.

Several affiants testified to the improper procedures with absentee ballots processing, with the lack of auditable procedures with the logs in the computer systems, which violates Georgia law, and federal election law. See

also, 50 U.S.C. § 20701 requires the retention and preservation of records and papers by officers of elections under penalty of fine and imprisonment.

152.

The State Election Board re-adopted Rule 183-1-14-0.9-.15 on November 23, 2020 for the upcoming January 2021 runoff election.

153.

A large number of ballots were identical and likely fraudulent. An Affiant explains that she observed a batch of utterly pristine ballots:

14. Most of the ballots had already been handled; they had been written on by people, and the edges were worn. They showed obvious use. However, one batch stood out. It was pristine. There was a difference in the texture of the paper - it was if they were intended for absentee use but had not been used for that purposes. There was a difference in the feel.

15. These different ballots included a slight depressed pre-fold so they could be easily folded and unfolded for use in the scanning machines. There were no markings on the ballots to show where they had com~ from, or where they had been processed. These stood out.

16. In my 20 years of experience of handling ballots, I observed that the markings for the candidates on these ballots were unusually uniform, perhaps even with a ballot-marking device. By my estimate in observing these ballots, approximately 98% constituted votes for Joe Biden. I only observed two of these ballots as votes for President Donald J. Trump.” (See Exh. 15).

154.

The same Affiant further testified specifically to the breach of the chain of custody of the voting machines the night before the election stating:

we typically receive the machines, the ballot marking devices – on the Friday before the election, with a chain of custody letter to be signed on Sunday, indicating that we had received the machines and the counts on the machines when received, and that the machines have been sealed. **In this case, we were asked to sign the chain of custody letter on Sunday, even though the machines were not delivered until 2:00 AM in the morning on Election Day.** The Milton precinct received its machines at 1:00 AM in the morning on Election Day. This is unacceptable and voting machines should [not] be out of custody prior to an Election Day. *Id.*

155.

Defendants have a duty to treat the voting citizens in each County in the same manner as the citizens in other counties in Georgia.

156.

As set forth in Count I above, Defendants failed to comply with the requirements of the Georgia Election Code and thereby diluted the lawful ballots of the Plaintiffs and of other Georgia voters and electors in violation of the United States Constitution guarantee of Equal Protection.

157.

Specifically, Defendants denied the plaintiffs equal protection of the law and their equal rights to meaningful access to observe and monitor the electoral process enjoyed by citizens in other Georgia Counties by:

- (a) mandating that representatives at the pre-canvass and canvass of all absentee and mail-ballots be either Georgia barred

attorneys or qualified registered electors of the county in which they sought to observe and monitor;

(b) not allowing watchers and representatives to visibly see and review all envelopes containing official absentee and mail-in ballots either at or before they were opened and/or when such ballots were counted and recorded; and

(c) allowing the use of Dominion Democracy Suite software and devices, which failed to meet the Dominion Certification Report's conditions for certification.

158.

Instead, Defendants refused to credential all of the Trump Republican's submitted watchers and representatives and/or kept Trump Campaign's watchers and representatives by security and metal barricades from the areas where the inspection, opening, and counting of absentee and mail-in ballots were taking place. Consequently, Defendants created a system whereby it was physically impossible for the candidates and political parties to view the ballots and verify that illegally cast ballots were not opened and counted

159.

Many Affiants testified to switching absentee ballots or mail-in ballots for Trump to Biden, including a Democrat. He testified in his sworn affidavit, that before he was forced to move back to where he could not see, he

had in fact seen, “absentee ballots for Trump inserted into Biden’s stack, and counted as Biden votes. This occurred a few times”. (See Exh. 18, Par. 12).

160.

Other Georgia county boards of elections provided watchers and representatives of candidates and political parties, including without limitation watchers and representatives of the Republicans and the Trump Campaign, with appropriate access to view the absentee and mail-in ballots being pre-canvassed and canvassed by those county election boards and without restricting representatives by any county residency or Georgia bar licensure requirements.

161.

Defendants intentionally and/or arbitrarily and capriciously denied Plaintiffs access to and/or obstructed actual observation and monitoring of the absentee and mail-in ballots being pre-canvassed and canvassed by Defendants, depriving them of the equal protection of those state laws enjoyed by citizens in other Counties.

162.

Defendants have acted and will continue to act under color of state law to violate Plaintiffs’ right to be present and have actual observation and access to the electoral process as secured by the Equal Protection Clause of the United States Constitution.

163.

Defendants further violated Georgia voters' rights to equal protection insofar as Defendants allowed the Georgia counties to process and count ballots in a manner that allowed ineligible ballots to be counted, and through the use of Dominion Democracy Suite, allowed eligible ballots for Trump and McCormick to be switched to Biden or lost altogether. Defendants thus failed to conduct the general election in a uniform manner as required by the Equal Protection Clause of the Fourteenth Amendment and the Georgia Election Code.

164.

Plaintiffs seek declaratory and injunctive relief holding that the election, under these circumstances, was improperly certified and that the Governor be enjoined from transmitting Georgia's certified Presidential election results to the Electoral College. Georgia law forbids certifying a tally that includes any ballots that were not legally cast, or that were switched from Trump to Biden, through the unlawful use of Dominion Democracy Suite software and devices.

165.

Alternatively, Plaintiffs seek declaratory and injunctive relief holding that the election, under these circumstances, was improperly certified and that the Governor be required to recertify the results declaring that Donald

Trump has won the election and transmitting Georgia's certified Presidential election result in favor of President Trump.

166.

Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm unless the declaratory and injunctive relief requested herein is granted. Indeed, the setting aside of an election in which the people have chosen their representative is a drastic remedy that should not be undertaken lightly, but instead should be reserved for cases in which a person challenging an election has clearly established a violation of election procedures and has demonstrated that the violation has placed the result of the election in doubt. Georgia law allows elections to be contested through litigation, both as a check on the integrity of the election process and as a means of ensuring the fundamental right of citizens to vote and to have their votes counted accurately. O.C.G.A. § 21-2-520 et seq.

167.

In addition to the alternative requests for relief in the preceding paragraphs, hereby restated, Plaintiffs seek a permanent injunction requiring the County Election Boards to invalidate ballots cast by: 1) voters whose signatures on their registrations have not been matched with ballot, envelope and voter registration check; 2) all "dead votes"; and 4) all 900 military ballots in Fulton county that supposedly were 100% for Joe Biden.

COUNT III

FOURTEENTH AMENDMENT EQUAL PROTECTION CLAUSE U.S.
CONST. AMEND. XIV, 42 U.S.C. § 1983

DENIAL OF DUE PROCESS

DISPARATE TREATMENT OF ABSENTEE/MAIL-IN VOTERS AMONG
DIFFERENT COUNTIES

168.

Plaintiffs incorporate each of the prior allegations in this Complaint.

Voting is a fundamental right protected by the Fourteenth Amendment to the United States Constitution. The Fourteenth Amendment protects the right to vote from conduct by state officials which seriously undermines the fundamental fairness of the electoral process. *Marks v. Stinson*, 19 F.3d 873, 889 (3d Cir. 1994); *Griffin*, 570 F.2d at 1077-78. “[H]aving once granted the right to vote on equal terms, the State may not, by later arbitrary and disparate treatment, value one person’s vote over that of another.” *Bush*, 531 U.S. at 104-05.

169.

Defendants are not part of the General Assembly and cannot exercise legislative power. Rather, Defendants’ power is limited to executing the laws as passed by the legislature. Although the Georgia General Assembly may enact laws governing the conduct of elections, “no legislative enactment may

contravene the requirements of the Georgia or United States Constitutions.” *Shankey*, 257 A. 2d at 898.

170.

Federal courts “possess broad discretion to fashion an equitable remedy.” *Black Warrior Riverkeeper, Inc. v. U.S. Army Corps of Engineers*, 781 F.3d 1271, 1290 (11th Cir. 2015); *Castle v. Sangamo Weston, Inc.*, 837 F.2d 1550, 1563 (11th Cir. 1988) (“The decision whether to grant equitable relief, and, if granted, what form it shall take, lies in the discretion of the district court.”).

171.

Moreover, “[t]o the extent that a voter is at risk for having his or her ballot rejected due to minor errors made in contravention of those requirements, ... the decision to provide a ‘notice and opportunity to cure’ procedure to alleviate that risk is one best suited for the Legislature[,] . . . particularly in light of the open policy questions attendant to that decision, including what the precise contours of the procedure would be, how the concomitant burdens would be addressed, and how the procedure would impact the confidentiality and counting of ballots, all of which are best left to the legislative branch of Georgia’s government.” *Id.*

The disparate treatment of Georgia voters, in subjecting one class of voters to greater burdens or scrutiny than another, violates Equal Protection guarantees because “the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” *Reynolds*, 377 U.S. at 555. *Rice v. McAlister*, 268 Ore. 125, 128, 519 P.2d 1263, 1265 (1975); *Heitman v. Brown Grp., Inc.*, 638 S.W.2d 316, 319, 1982 Mo. App. LEXIS 3159, at *4 (Mo. Ct. App. 1982); *Prince v. Bear River Mut. Ins. Co.*, 2002 UT 68, ¶ 41, 56 P.3d 524, 536-37 (Utah 2002).

Defendants are not the legislature, and their unilateral decision to create and implement a cure procedure for some but not all absentee and mail-in voters in this State violates the Due Process Clause of the United States Constitution. Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm unless the injunctive relief requested herein is granted.

COUNT IV

FOURTEENTH AMENDMENT, U.S. CONST. ART. I § 4, CL. 1; ART. II, § 1, CL. 2; AMEND. XIV, 42 U.S.C. § 1983

DENIAL OF DUE PROCESS ON THE RIGHT TO VOTE

174.

Plaintiffs refer to and incorporate by reference each of the prior paragraphs of this Complaint as though the same were repeated at length herein.

175.

The right of qualified citizens to vote in a state election involving federal candidates is recognized as a fundamental right under the Fourteenth Amendment of the United States Constitution. *Harper*, 383 U.S. at See also *Reynolds*, 377 U.S. at 554 (The Fourteenth Amendment protects the “the right of all qualified citizens to vote, in state as well as in federal elections.”). Indeed, ever since the Slaughter-House Cases, 83 U.S. 36 (1873), the United States Supreme Court has held that the Privileges or Immunities Clause of the Fourteenth Amendment protects certain rights of federal citizenship from state interference, including the right of citizens to directly elect members of Congress. See *Twining v. New Jersey*, 211 U.S. 78, 97 (1908) (citing *Ex parte Yarbrough*, 110 U.S. 651, 663-64 (1884)). See also *Oregon v. Mitchell*, 400 U.S. 112, 148-49 (1970) (Douglas, J., concurring) (collecting cases).

The fundamental right to vote protected by the Fourteenth Amendment is cherished in our nation because it “is preservative of other basic civil and political rights.” *Reynolds*, 377 U.S. at 562. Voters have a “right to cast a ballot in an election free from the taint of intimidation and fraud,” *Burson v. Freeman*, 504 U.S. 191, 211 (1992), and “[c]onfidence in the integrity of our electoral processes is essential to the functioning of our participatory democracy.” *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006) (per curiam).

“Obviously included within the right to [vote], secured by the Constitution, is the right of qualified voters within a state to cast their ballots and have them counted” if they are validly cast. *United States v. Classic*, 313 U.S. 299, 315 (1941). “[T]he right to have the vote counted” means counted “at full value without dilution or discount.” *Reynolds*, 377 U.S. at 555, n.29 (quoting *South v. Peters*, 339 U.S. 276, 279 (1950) (Douglas, J., dissenting)).

“Every voter in a federal . . . election, whether he votes for a candidate with little chance of winning or for one with little chance of losing, has a right under the Constitution to have his vote fairly counted, without its being distorted by fraudulently cast votes.” *Anderson v. United States*, 417 U.S. 211, 227 (1974); see also *Baker v. Carr*, 369 U.S. 186, 208 (1962). Invalid or

fraudulent votes “debase[]” and “dilute” the weight of each validly cast vote. *See Anderson*, 417 U.S. at 227.

179.

The right to an honest [count] is a right possessed by each voting elector, and to the extent that the importance of his vote is nullified, wholly or in part, he has been injured in the free exercise of a right or privilege secured to him by the laws and Constitution of the United States.” *Anderson*, 417 U.S. at 226 (quoting *Prichard v. United States*, 181 F.2d 326, 331 (6th Cir.), *aff'd due to absence of quorum*, 339 U.S. 974 (1950)).

180.

Practices that promote the casting of illegal or unreliable ballots or fail to contain basic minimum guarantees against such conduct, can violate the Fourteenth Amendment by leading to the dilution of validly cast ballots. *See Reynolds*, 377 U.S. at 555 (“[T]he right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.”).

181.

In Georgia, the signature verification requirement is a dead letter. The signature rejection rate for the most recent election announced by the Secretary of State was 0.15%. The signature rejection rate for absentee ballot applications was .00167% - only 30 statewide. Hancock County, Georgia,

population 8,348, rejected nine absentee ballot applications for signature mismatch. Fulton County rejected eight. No other metropolitan county in Georgia rejected even a single absentee ballot application for signature mismatch. The state of Colorado, which has run voting by mail for a number of years, has a signature rejection rate of between .52% and .66%.³⁵ The State of Oregon had a rejection rate of 0.86% in 2016.³⁶ The State of Washington has a rejection rate of between 1% and 2%.³⁷ If Georgia rejected absentee ballots at a rate of .52% instead of the actual .15%, approximately 4,600 more absentee ballots would have been rejected.

COUNT V

THERE WAS WIDE-SPREAD BALLOT FRAUD.

OCGA 21-2-522

182.

Plaintiffs refer to and incorporate by reference each of the prior paragraphs of this Complaint as though the same were repeated at length herein.

³⁵ See <https://duckduckgo.com/?q=colorado+signature+rejection+rate&t=osx&ia=web> last visited November 25, 2020

³⁶ See <https://www.vox.com/21401321/oregon-vote-by-mail-2020-presidential-election>, last visited November 25, 2020.

³⁷ See <https://www.salon.com/2020/09/08/more-than-550000-mail-ballots-rejected-so-far-heres-how-to-make-sure-your-vote-gets-counted/> last visited November 25, 2020.

Plaintiffs contest the results of Georgia's election, with Standing conferred under pursuant to O.G.C.A. 21-2-521.

Therefore, pursuant to O.G.C.A. 21-2-522, for misconduct, fraud, or irregularity by any primary or election official or officials sufficient to change or place in doubt the result. The foundational principle that Georgia law “nonetheless allows elections to be contested through litigation, both as a check on the integrity of the election process and as a means of ensuring the fundamental right of citizens to vote and to have their votes counted accurately.” *Martin v. Fulton County Bd. of Registration & Elections*, 307 Ga. 193, 194, 835 S.E.2d 245, 248 (2019). The Georgia Supreme Court has made clear that Plaintiffs need not show how the [] voters would have voted if their [absentee] ballots had been regular. [] only had to show that there were enough irregular ballots to place in doubt the result.” See OCGA § 21-2-520 et seq., *Mead v. Sheffield*, 278 Ga. 268, 272, 601 S.E.2d 99, 102 (1994) the Supreme Court invalidated an election, and ordered a new election because it found that,

Thus, [i]t was not incumbent upon [the Plaintiff] to show how the [481] voters would have voted if their [absentee] ballots had been regular. He only had to show that there were enough irregular ballots to place in doubt the result. He succeeded in that task.

Id. at 271 (citing *Howell v. Fears*, 275 Ga. 627, 571 SE2d 392, (2002) (primary results invalid where ballot in one precinct omitted names of both qualified candidates).

185.

The "glitches" in the Dominion system—that seem to have the uniform effect of hurting Trump and helping Biden have been widely reported in the press and confirmed by the analysis of independent experts.

186.

Prima facie evidence in multiple affidavits shows specific fraudulent acts, which directly resulted in the flipping of the race at issue:

- a) votes being switched in Biden's favor away from Trump during the recount;
- b) the lack of procedures in place to follow the election code, and the purchase and use, Dominion Voting System despite evidence of serious vulnerabilities;
- c) a demonstration that misrepresentations were made about a pipe burst that sent everyone home, while first six, then three, unknown individuals were left alone until the morning hours working on the machines;

d) further a failure to demonstrate compliance with the Georgia's Election Codes, in maintaining logs on the Voting system for a genuine and sound audit, other than voluntary editable logs that prevent genuine audits. While the bedrock of this Democratic Republic rests on citizens' confidence in the validity of our elections and a transparent process, Georgia's November 3, 2020 General Election remains under a pall of corruption and irregularity that reflects a pattern of the absence of mistake. At best, the evidence so far shows ignorance of the truth; at worst, it proves a knowing intent to defraud.

187.

Plaintiff's expert also finds that voters received tens of thousands of ballots that they never requested. (See Exh. 1, Dr. Briggs' Report). Specifically, Dr. Briggs found that in the state of Georgia, based on a statistically significant sample, the expected amount of persons that received **an absentee ballot that they did not request ranges from 16,938 to 22,771**. This range exceeds the margin of loss of President Trump by 12,670 votes by at least 4,268 unlawful requests and by as many as 10,101 unlawful requests.

188.

This widespread pattern, as reflected within the population of unreturned ballots analyzed by Dr. Briggs, reveals the unavoidable reality that, in addition to the calculations herein, third parties voted an untold number of unlawfully acquired absentee or mail-in ballots, which would not be in the database of unreturned ballots analyzed here. See O.G.C.A. 21-2-522. These unlawfully voted ballots prohibited properly registered persons from voting and reveal a pattern of widespread fraud.

189.

Further, there exists clear evidence of 20,311 absentee or early voters in Georgia that voted while registered as having moved out of state. Specifically, these persons were showing on the National Change of Address Database (NCOA) as having moved, or as having filed subsequent voter registration in another state also as evidence that they moved and even potentially voted in another state. The 20,311 votes by persons documented as having moved exceeds the margin by which Donald Trump lost the election by 7,641 votes.

190.

Plaintiffs' expert Russell Ramsland concludes that at least 96,600 mail-in ballots were fraudulently cast. He further concludes that up to

136,098 ballots were illegally counted as a result of improper manipulation of the Dominion software. (Ramsland Aff).

191.

The very existence of absentee mail in ballots created a heightened opportunity for fraud. The population of unreturned ballots analyzed by William Briggs, PhD, reveals the probability that a far greater number of mail ballots were requested by 3rd parties or sent erroneously to persons and voted fraudulently, undetected by a failed system of signature verification. The recipients may have voted in the name of another person, may have not had the legal right to vote and voted anyway, or may have not received the ballot at the proper address and then found that they were unable to vote at the polls, except provisionally, due to a ballot outstanding in their name.

192.

When we consider the harm of these uncounted votes, and ballots not ordered by the voters themselves, and the potential that many of these unordered ballots may in fact have been improperly voted and also prevented proper voting at the polls, the mail ballot system has clearly failed in the state of Georgia and did so on a large scale and widespread basis. The size of the voting failures, whether accidental or intentional, are multiples larger than the margin of votes between the presidential candidates in the

state. For these reasons, Georgia cannot reasonably rely on the results of the mail vote.

193.

The right to vote includes not just the right to cast a ballot, but also the right to have it fairly counted if it is legally cast. The right to vote is infringed if a vote is cancelled or diluted by a fraudulent or illegal vote, including without limitation when a single person votes multiple times. The Supreme Court of the United States has made this clear in case after case. See, e.g., *Gray v. Sanders*, 372 U.S. 368, 380 (1963) (every vote must be “protected from the diluting effect of illegal ballots.”); *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 196 (2008) (plurality op. of Stevens, J.) (“There is no question about the legitimacy or importance of the State’s interest in counting only the votes of eligible voters.”); *accord Reynolds v. Sims*, 377 U.S. 533, 554-55 & n.29 (1964).

194.

Plaintiffs have no adequate remedy at law. As seen from the expert analysis of William Higgs, PhD, based on actual voter data, tens of thousands of votes did not count, and tens of thousands of votes were unlawfully requested.

The Fourteenth Amendment Due Process Clause protects the right to vote from conduct by state officials which seriously undermines the fundamental fairness of the electoral process. *Marks v. Stinson*, 19 F.3d 873, 889 (3d Cir. 1994); *Griffin v. Burns*, 570 F.2d 1065, 1077-78 (1st Cir. 1978).

Separate from the Equal Protection Clause, the Fourteenth Amendment's due process clause protects the fundamental right to vote against "the disenfranchisement of a state electorate." *Duncan v. Poynthress*, 657 F.2d 691, 702 (5th Cir. 1981). "When an election process 'reaches the point of patent and fundamental unfairness,' there is a due process violation." *Florida State Conference of N.A.A.C.P. v. Browning*, 522 F.3d 1153, 1183-84 (11th Cir. 2008) (*quoting Roe v. Alabama*, 43 F.3d 574, 580 (11th Cir.1995) (*citing Curry v. Baker*, 802 F.2d 1302, 1315 (11th Cir.1986))). *See also Griffin*, 570 F.2d at 1077 ("If the election process itself reaches the point of patent and fundamental unfairness, a violation of the due process clause may be indicated and relief under § 1983 therefore in order."); *Marks v. Stinson*, 19 F.3d 873, 889 (3d Cir. 1994) (enjoining winning state senate candidate from exercising official authority where absentee ballots were obtained and cast illegally).

Part of courts' justification for such a ruling is the Supreme Court's recognition that the right to vote and to free and fair elections is one that is preservative of other basic civil and political rights. *See Black*, 209 F.Supp.2d at 900 (quoting *Reynolds*, 377 U.S. at 561-62 ("since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.)); see also *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886) ("the political franchise of voting ... is regarded as a fundamental political right, because [sic] preservative of all rights.").

"[T]he right to vote, the right to have one's vote counted, and the right to have ones vote given equal weight are basic and fundamental constitutional rights incorporated in the due process clause of the Fourteenth Amendment to the Constitution of the United States." *Black*, 209 F. Supp. 2d at 900 (a state law that allows local election officials to impose different voting schemes upon some portions of the electorate and not others violates due process). "Just as the equal protection clause of the Fourteenth Amendment prohibits state officials from improperly diluting the right to vote, the due process clause of the Fourteenth amendment forbids state

officials from unlawfully eliminating that fundamental right.” *Duncan*, 657 F.2d at 704. “Having once granted the right to vote on equal terms, [Defendants] may not, by later arbitrary and disparate treatment, value one person's vote over that of another.” *Bush*, 531 U.S. at 104-05.

199.

In statewide and federal elections conducted in the State of Georgia, including without limitation the November 3, 2020 General Election, all candidates, political parties, and voters, including without limitation Plaintiffs, have a vested interest in being present and having meaningful access to observe and monitor the electoral process to ensure that it is properly administered in every election district and otherwise free, fair, and transparent.

200.

Moreover, through its provisions involving watchers and representatives, the Georgia Election Code ensures that all candidates and political parties, including without limitation Plaintiff, Republicans, and the Trump Campaign, shall be “present” and have meaningful access to observe and monitor the electoral process to ensure that it is properly administered in every election district and otherwise free, fair, and transparent.

Defendants have a duty to guard against deprivation of the right to vote through the dilution of validly cast ballots by ballot fraud or election tampering. Rather than heeding these mandates and duties, Defendants arbitrarily and capriciously denied the Trump Campaign and Republicans meaningful access to observe and monitor the electoral process by: (a) mandating that representatives at the pre- canvass and canvass of all absentee and mail-ballots be either Georgia barred attorneys or qualified registered electors of the county in which they sought to observe and monitor; and (b) not allowing watchers and representatives to visibly see and review all envelopes containing official absentee and mail-in ballots either at the time or before they were opened and/or when such ballots were counted and recorded. Instead, Defendants refused to credential all of the Trump Campaign's submitted watchers and representatives and/or kept Trump Campaign's watchers and representatives by security and metal barricades from the areas where the inspection, opening, and counting of absentee and mail-in ballots were taking place. The lack of meaningful access with actual access to see the ballots invited further fraud and cast doubt of the validity of the proceedings.

202.

Consequently, Defendants created a system whereby it was physically impossible for the candidates and political parties to view the ballots and verify that illegally cast ballots were not opened and counted.

203.

Defendants intentionally and/or arbitrarily and capriciously denied Plaintiffs access to and/or obstructed actual observation and monitoring of the absentee and mail-in ballots being pre-canvassed and canvassed by Defendants, and included the unlawfully not counting and including uncounted mail ballots, and that they failed to follow absentee ballot requirements when thousands of **voters received ballots that they never requested**. Defendants have acted and will continue to act under color of state law to violate the right to vote and due process as secured by the Fourteenth Amendment to the United States Constitution.

204.

Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm unless the injunctive relief requested herein is granted.

205.

When we consider the harm of these uncounted votes, and ballots not ordered by the voters themselves, and the potential that many of these

unordered ballots may in fact have been improperly voted and also prevented proper voting at the polls, the mail ballot system has clearly failed in the state of Georgia and did so on a large scale and widespread basis. The size of the voting failures, whether accidental or intentional, are multiples larger than the margin in the state. For these reasons, Georgia cannot reasonably rely on the results of the mail vote.

206.

Relief sought is the elimination of the mail ballots from counting in the 2020 election. Alternatively, the Presidential electors for the state of Georgia should be disqualified from counting toward the 2020 election.

207.

The United States Code (3 U.S.C. 5) provides that,

“[i]f any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

3 USCS § 5.

REQUEST FOR RELIEF

208.

Accordingly, Plaintiffs seek an emergency order instructing Defendants to de-certify the results of the General Election for the Office of President.

209.

In the alternative, Plaintiffs seek an emergency order prohibiting Defendants from including in any certified results from the General Election the tabulation of absentee and mailing ballots which do not comply with the Election Code, including, without limitation, the tabulation of absentee and mail-in ballots Trump Campaign's watchers were prevented from observing or based on the tabulation of invalidly cast absentee and mail-in ballots which (i) lack a secrecy envelope, or contain on that envelope any text, mark, or symbol which reveals the elector's identity, political affiliation, or candidate preference, (ii) do not include on the outside envelope a completed declaration that is dated and signed by the elector, or (iii) are delivered in-person by third parties for non-disabled voters.

210.

When we consider the harm of these uncounted votes, and ballots not ordered by the voters themselves, and the potential that many of these unordered ballots may in fact have been improperly voted and also prevented

proper voting at the polls, the mail ballot system has clearly failed in the state of Georgia and did so on a large scale and widespread basis. The size of the voting failures, whether accidental or intentional, are multiples larger than the margin in the state. For these reasons, Georgia cannot reasonably rely on the results of the mail vote. Relief sought is the elimination of the mail ballots from counting in the 2020 election. Alternatively, the electors for the state of Georgia should be disqualified from counting toward the 2020 election. Alternatively, the electors of the State of Georgia should be directed to vote for President Donald Trump.

211.

For these reasons, Plaintiff asks this Court to enter a judgment in their favor and provide the following emergency relief:

1. An order directing Governor Kemp, Secretary Raffensperger and the Georgia State Board of Elections to de-certify the election results;
2. An order enjoining Governor Kemp from transmitting the currently certified election results to the Electoral College;
3. An order requiring Governor Kemp to transmit certified election results that state that President Donald Trump is the winner of the election;

4. An immediate order to impound all the voting machines and software in Georgia for expert inspection by the Plaintiffs.
5. An order that no votes received or tabulated by machines that were not certified as required by federal and state law be counted.
6. A declaratory judgment declaring that Georgia Secretary of State Rule 183-1-14-0.9-.15 violates the Electors and Elections Clause, U.S. CONST. art. I, § 4;
7. A declaratory judgment declaring that Georgia's failed system of signature verification violates the Electors and Elections Clause by working a de facto abolition of the signature verification requirement;
8. A declaratory judgment declaring that current certified election results violates the Due Process Clause, U.S. CONST. Amend. XIV;
9. A declaratory judgment declaring that mail-in and absentee ballot fraud must be remedied with a Full Manual Recount or statistically valid sampling that properly verifies the signatures on absentee ballot envelopes and that invalidates the certified results if the recount or sampling analysis shows a sufficient number of ineligible absentee ballots were counted;

10. An emergency declaratory judgment that voting machines be Seized and Impounded immediately for a forensic audit—by plaintiffs' expects;
11. A declaratory judgment declaring absentee ballot fraud occurred in violation of Constitutional rights, Election laws and under state law;
12. A permanent injunction prohibiting the Governor and Secretary of State from transmitting the currently certified results to the Electoral College based on the overwhelming evidence of election tampering;
13. Immediate production of 36 hours of security camera recording of all rooms used in the voting process at State Farm Arena in Fulton County, GA from 12:00am to 3:00am until 6:00pm on November 3.
14. Plaintiffs further request the Court grant such other relief as is just and proper, including but not limited to, the costs of this action and their reasonable attorney fees and expenses pursuant to 42 U.S.C. 1988.

Respectfully submitted, this 25th day of November, 2020.

CALDWELL, PROPST & DELOACH, LLP

/s/ Harry W. MacDougald

Harry W. MacDougald
Georgia Bar No. 463076

CALDWELL, PROPST & DELOACH, LLP

Two Ravinia Drive, Suite 1600
Atlanta, GA 30346
(404) 843-1956 – Telephone
(404) 843-2737 – Facsimile
hmacdougald@cpdlawyers.com
Counsel for Plaintiffs

/s Sidney Powell*

Sidney Powell PC
Texas Bar No. 16209700
Julia Z. Haller *
Emily P. Newman*
Virginia Bar License No. 84265
2911 Turtle Creek Blvd, Suite 300
Dallas, Texas 75219

*Application for admission pro hac vice
Forthcoming

L. Lin Wood
GA Bar No. 774588
L. LIN WOOD, P.C.
P.O. Box 52584
Atlanta, GA 30305-0584
Telephone: (404) 891-1402

Howard Kleinhendler*
NEW YORK BAR NO. 2657120 Howard Kleinhendler Esquire
369 Lexington Avenue, 12th Floor
New York, New York 10017
Office (917) 793-1188
Mobile (347) 840-2188
howard@kleinhendler.com
www.kleinhendler.com

*Application for admission pro hac vice
Forthcoming

Attorneys for Plaintiffs

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 20-3371

DONALD J. TRUMP FOR PRESIDENT, INC.;
LAWRENCE ROBERTS; DAVID JOHN HENRY,

Appellants

v.

SECRETARY COMMONWEALTH OF PENNSYLVANIA;
ALLEGHENY COUNTY BOARD OF ELECTIONS; CENTRE COUNTY BOARD
OF ELECTIONS; CHESTER COUNTY BOARD OF ELECTIONS; DELAWARE
COUNTY BOARD OF ELECTIONS; MONTGOMERY COUNTY BOARD OF
ELECTIONS; NORTHAMPTON COUNTY BOARD OF ELECTIONS;
PHILADELPHIA COUNTY BOARD OF ELECTIONS

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. No. 4:20-cv-02078)
District Judge: Honorable Matthew W. Brann

Submitted Under Third Circuit L.A.R. 34.1(a)
on November 25, 2020

Before: SMITH, *Chief Judge*, and CHAGARES and BIBAS, *Circuit Judges*

(Filed: November 27, 2020)

OPINION*

* This disposition is not an opinion of the full Court and, under I.O.P. 5.7, is not binding precedent.

BIBAS, *Circuit Judge*.

Free, fair elections are the lifeblood of our democracy. Charges of unfairness are serious. But calling an election unfair does not make it so. Charges require specific allegations and then proof. We have neither here.

The Trump Presidential Campaign asserts that Pennsylvania's 2020 election was unfair. But as lawyer Rudolph Giuliani stressed, the Campaign "doesn't plead fraud. . . . [T]his is not a fraud case." Mot. to Dismiss Hr'g Tr. 118:19–20, 137:18. Instead, it objects that Pennsylvania's Secretary of State and some counties restricted poll watchers and let voters fix technical defects in their mail-in ballots. It offers nothing more.

This case is not about whether those claims are true. Rather, the Campaign appeals on a very narrow ground: whether the District Court abused its discretion in not letting the Campaign amend its complaint a second time. It did not.

Most of the claims in the Second Amended Complaint boil down to issues of state law. But Pennsylvania law is willing to overlook many technical defects. It favors counting votes as long as there is no fraud. Indeed, the Campaign has already litigated and lost many of these issues in state courts.

The Campaign tries to repackage these state-law claims as unconstitutional discrimination. Yet its allegations are vague and conclusory. It never alleges that anyone treated the Trump campaign or Trump votes worse than it treated the Biden campaign or Biden votes. And federal law does not require poll watchers or specify how they may observe. It also says nothing about curing technical state-law errors in ballots. Each of these defects is fatal,

and the proposed Second Amended Complaint does not fix them. So the District Court properly denied leave to amend again.

Nor does the Campaign deserve an injunction to undo Pennsylvania's certification of its votes. 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 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 too. That remedy would be grossly disproportionate to the procedural challenges raised. So we deny the motion for an injunction pending appeal.

I. BACKGROUND

A. Pennsylvania election law

In Pennsylvania, each county runs its own elections. 25 Pa. Stat. §2641(a). Counties choose and staff polling places. §2642(b), (d). They buy their own ballot boxes and voting booths and machines. §2642(c). They even count the votes and post the results. §2642(k), (l). In all this, counties must follow Pennsylvania's Election Code and regulations. But counties can, and do, adopt rules and guidance for election officers and electors. §2642(f). And they are charged with ensuring that elections are "honestly, efficiently, and uniformly conducted." §2642(g).

1. *Poll watchers and representatives.* Counties must admit qualified poll "watchers" to observe votes being tallied. 25 Pa. Stat. §2650(a). Poll watchers must be registered to vote in the county where they will serve. §2687(b). Each candidate can pick two poll watchers per election district; each political party, three. §2687(a). The poll watchers

remain at the polling place while election officials count in-person ballots. §2687(b). They can ask to check voting lists. *Id.* And they get to be present when officials open and count all the mail-in ballots. §3146.8(b). Likewise, candidates' and political parties' "representatives" may be present when absentee and mail-in ballots are inspected, opened, or counted, or when provisional ballots are examined. §§2602(a.1), (q.1), 3050(a.4)(4), 3146.8(g)(1.1) & (2); *see also* §3050(a.4)(12) (defining provisional ballots as those cast by voters whose voter registration cannot be verified right away).

Still, counties have some control over these poll watchers and representatives. The Election Code does not tell counties how they must accommodate them. Counties need only allow them "in the polling place" or "in the room" where ballots are being inspected, opened, or counted. §§2687(b), 3050(a.4)(4), 3146.8(g)(1.1) & (2). Counties are expected to set up "an enclosed space" for vote counters at the polling place, and poll watchers "shall remain outside the enclosed space." §2687(b). So the counties decide where the watchers stand and how close they get to the vote counters.

2. *Mail-in ballots.* For decades, Pennsylvania let only certain people, like members of the military and their families, vote by mail. *See, e.g.*, 25 Pa. Stat. §3146.1. But last year, as part of a bipartisan election reform, Pennsylvania expanded mail-in voting. Act of Oct. 31, 2019, Pub. L. No. 552, sec. 8, §1310-D, 2019 Pa. Legis. Serv. Act 2019-77 (S.B. 421). Now, any Pennsylvania voter can vote by mail for any reason. *See* 25 Pa. Stat. §§2602(t), 3150.11(a).

To vote by mail, a Pennsylvania voter must take several steps. First, he (or she) must ask the State (Commonwealth) or his county for a mail-in ballot. 25 Pa. Stat. §3150.12(a).

To do that, he must submit a signed application with his name, date of birth, address, and other information. §3150.12(b)–(c). He must also provide a driver’s license number, the last four digits of his Social Security number, or the like. §§2602(z.5), 3150.12b(a), (c). Once the application is correct and complete, the county will approve it. *See* §§3150.12a(a), 3150.12b.

Close to the election, the county will mail the voter a mail-in ballot package. §3150.15. The package has a ballot and two envelopes. The smaller envelope (also called the secrecy envelope) is stamped “Official Election Ballot.” §3150.14(a). The larger envelope is stamped with the county board of election’s name and address and bears a printed voter declaration. *Id.*

Next, the voter fills out the ballot. §3150.16(a). He then folds the ballot; puts it into the first, smaller secrecy envelope; and seals it. *Id.* After that, he puts the secrecy envelope inside the larger envelope and seals that too. *Id.* He must also “fill out, date and sign the declaration printed” on the outside of the larger envelope. §§3150.16(a), 3150.14(b). The declaration for the November 2020 election read thus:

I hereby declare that I am qualified to vote from the below stated address at this election; that I have not already voted in this election; and I further declare that I marked my ballot in secret. I am qualified to vote the enclosed ballot. I understand I am no longer eligible to vote at my polling place after I return my voted ballot. However, if my ballot is not received by the county, I understand I may only vote by provisional ballot at my polling place, unless I surrender my balloting materials, to be voided, to the judge of elections at my polling place.

[BAR CODE]

Voter, sign or mark here/Votante firme o mar[q]ue aqui

X _____

Date of signing (MM/DD/YYYY)/Fecha de firme (MM/DD/YYYY)

Voter, print name/Votante, nombre en letra de impreta

In re: Canvass of Absentee and Mail-in Ballots of November 3, 2020 General Election, Nos. 31–35 EAP & 29 WAP 2020, ___ A.3d ___, 2020 WL 6875017, at *4 (Pa. Nov. 23, 2020). Once the voter assembles the ballot packet, he can mail it back or deliver it in person. 25 Pa. Stat. §3150.16(a).

Not every voter can be expected to follow this process perfectly. Some forget one of the envelopes. Others forget to sign on the dotted line. Some major errors will invalidate a ballot. For instance, counties may not count mail-in ballots that lack secrecy envelopes. *Pa. Dem. Party v. Boockvar*, 238 A.3d 345, 378–80 (Pa. 2020). But the Election Code says nothing about what should happen if a county notices these errors before election day. Some counties stay silent and do not count the ballots; others contact the voters and give them a chance to correct their errors.

B. Facts and procedural history

On appeal from the dismissal of a complaint, we take the factual allegations as true:

1. *Mail-in voting*. For months, Pennsylvanians went to the polls, so to speak. The first batch of mail-in ballots went out to voters in late September. As they trickled back in, election officials noticed that some voters had not followed the rules. Some ballots were

not in secrecy envelopes, so those packages were lighter and thinner than complete ballot packages. Others had declarations that voters had not completed. Some counties did not notify voters about these defective ballots. Others, including the counties named in this suit, decided to reach out to these voters to let them cure their mistakes by voting provisionally on Election Day or asking for a replacement ballot.

2. *Election Day.* Though more than two million Pennsylvanians voted by mail, even more voted in person. On Election Day, November 3, the Campaign set up poll watchers at polling places around the Commonwealth. Appellees' election officials kept poll watchers and representatives away from where ballots were opened, counted, and tallied. In Philadelphia, for instance, poll watchers were kept six to twenty-five feet back from officials. In comparison, other, "Republican[-]controlled" counties did give the Campaign's poll watchers and representatives full access. Second Am. Compl. ¶¶ 151, 154.

In all, nearly seven million Pennsylvanians voted, more than a third of them by mail. *Unofficial Returns for the 2020 Presidential Election*, Pa. Dep't of State, <https://www.electionreturns.pa.gov/> (last visited Nov. 27, 2020). As of today, former Vice President Biden leads President Trump in Pennsylvania by 81,660 votes. *Id.*

Pennsylvania's counties certified their election results by the November 23 certification deadline. 25 Pa. Stat. §2642(k). The next morning, the Secretary of State (technically, Secretary of the Commonwealth) certified the vote totals, and the Governor signed the Certificate of Ascertainment and sent it to the U.S. Archivist. *Department of State Certifies Presidential Election Results*, PA Media, <https://www.media.pa.gov/Pages/State-details.aspx?newsid=435> (last visited Nov. 27, 2020). The certified margin of victory was 80,555 votes. *Id.*

3. *This lawsuit.* Almost a week after the election, the Campaign (as well as two voters) sued seven Pennsylvania counties and Secretary of State Kathy Boockvar. It alleged that they had violated the Due Process, Equal Protection, and Electors and Elections Clauses of the U.S. Constitution by taking two basic actions: First, the counties (encouraged by Secretary Boockvar) identified defective mail-in ballots early and told voters how to fix them. Second, they kept poll watchers and representatives from watching officials count all ballots.

So far, the Campaign has filed or tried to file three complaints. The original Complaint, filed November 9, set out six counts (plus a duplicate). After Boockvar and the counties moved to dismiss, on November 15 the Campaign filed a First Amended Complaint as of right, dropping four of the six counts (plus the duplicate), including all the counts relating to poll watchers and representatives. The Campaign sought a preliminary injunction to block certifying the election results. Boockvar and the counties again moved to dismiss. On November 18, the Campaign sought to file a Second Amended Complaint, resurrecting four dropped claims from the original Complaint and adding three more about how Philadelphia had blocked poll watching.

The District Court ended these volleys, denying leave to file the Second Amended Complaint. Instead, it dismissed the First Amended Complaint with prejudice and denied the Campaign's motion for a preliminary injunction as moot. *Donald J. Trump for President, Inc. v. Boockvar*, No. 4:20-cv-02078, ___ F. Supp. 3d ___, 2020 WL 6821992 (M.D. Pa. Nov. 21, 2020). In doing so, it held that the individual voters lacked standing. *Id.* at *5–

6. We commend the District Court for its fast, fair, patient handling of this demanding litigation.

4. *This appeal.* The Campaign filed this appeal on Sunday, November 22, and we granted its motion to expedite. The Campaign filed its brief and another motion November 23; opposing briefs and filings arrived the next day. We are issuing this opinion nonprecedentially so we can rule by November 27.

The Campaign does not challenge the District Court’s finding that the voters lacked standing, so we do not consider their claims. On appeal, it seeks only narrow relief: to overturn the District Court’s decision not to let it amend its complaint again. We address that claim in Part II. Separately, the Campaign asks us for an injunction to prevent the certified vote totals from taking effect. We address that claim in Part III.

II. THE DISTRICT COURT PROPERLY DENIED LEAVE TO AMEND THE COMPLAINT AGAIN

After one amendment, the District Court denied the Campaign’s motion to amend the complaint a second time. We review that denial for abuse of discretion. *Premier Comp. Sol., LLC v. UPMC*, 970 F.3d 316, 318–19 (3d Cir. 2020). But on any standard of review, the court got it right.

Courts should grant leave to amend “freely . . . when justice so requires.” Fed. R. Civ. P. 15(a)(2). In civil-rights cases, that means granting leave unless “amendment would be futile or inequitable.” *Vorchheimer v. Phila. Owners Ass’n*, 903 F.3d 100, 113 (3d Cir. 2018); *Cureton v. NCAA*, 252 F.3d 267, 272–73 (3d Cir. 2001) (giving undue delay as an example of inequity). Here, the Campaign’s request fails as both inequitable and futile.

A. The Campaign's delay was undue, given its stress on needing to resolve the case by November 23

When the Campaign was before the District Court, it focused its arguments on the need to resolve the case by Pennsylvania's deadline for counties to certify their votes: Monday, November 23. Indeed, all three iterations of the complaint focused their prayers for relief on blocking the certification of the vote tally. The Campaign said it could get no "meaningful remedy" after that date. Br. in Supp. of Mot. for TRO & PI, Dkt. 89-1, at 4.

The Campaign filed its First Amended Complaint on November 15, eight days before the certification deadline. In response to several pending motions to dismiss, it dropped many of the challenged counts from the original Complaint. It did not then move to file a Second Amended Complaint until November 18, when its opposition to the new motions to dismiss was due. And it did not file a brief in support of that motion until Friday, November 20. Certification was three days away.

As the District Court rightly noted, amending that close to the deadline would have delayed resolving the issues. True, delay alone is not enough to bar amendment. *Cureton*, 252 F.3d at 273. But "at some point, the delay will become 'undue,' placing an unwarranted burden on the court." *Id.* (quoting *Adams v. Gould, Inc.*, 739 F.2d 858, 868 (3d Cir. 1984)). The Campaign's motion would have done just that. It would have mooted the existing motions to dismiss and required new briefing, possibly new oral argument, and a reasoned judicial opinion within seventy-two hours over a weekend. That is too much to ask—especially since the proposed Second Amended Complaint largely repleaded many claims abandoned by the first one. *Cf. Rolo v. City Investing Co. Liquidating Tr.*, 155 F.3d 644, 654–

55 (3d Cir. 1998) (affirming denial of leave to amend because the movant sought largely to “replead facts and arguments that could have been pled much earlier”).

Having repeatedly stressed the certification deadline, the Campaign cannot now pivot and object that the District Court abused its discretion by holding the Campaign to that very deadline. It did not.

B. Amending the Complaint again would have been futile

The Campaign focuses on critiquing the District Court’s discussion of undue delay. Though the court properly rested on that ground, we can affirm on any ground supported by the record. Another ground also supports its denial of leave to amend: it would have been futile.

1. *The Campaign had to plead plausible facts, not just conclusory allegations.* Plaintiffs must do more than allege conclusions. Rather, “a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). “Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.” *Id.* The Second Amended Complaint does not meet *Twombly* and *Iqbal*’s baseline standard of specifics.

To start, note what it does not allege: fraud. Indeed, in oral argument before the District Court, Campaign lawyer Rudolph Giuliani conceded that the Campaign “doesn’t plead fraud.” Mot. to Dismiss Hr’g Tr. 118:19–20 (Nov. 17, 2020). He reiterated: “If we had alleged fraud, yes, but this is not a fraud case.” *Id.* at 137:18.

Though it alleges many conclusions, the Second Amended Complaint is light on facts. Take the nearly identical paragraphs introducing Counts One, Two, Four, and Six: “Democrats who controlled the Defendant County Election Boards engaged in a deliberate scheme of intentional and purposeful discrimination ... by excluding Republican and Trump Campaign observers from the canvassing of the mail ballots in order to conceal their decision not to enforce [certain ballot] requirements.” Second Am. Compl. ¶¶ 167, 193, 222, 252. That is conclusory. So is the claim that, “[u]pon information and belief, a substantial portion of the approximately 1.5 million absentee and mail votes in Defendant Counties should not have been counted.” *Id.* ¶¶ 168, 194, 223, 253. “Upon information and belief” is a lawyerly way of saying that the Campaign does not know that something is a fact but just suspects it or has heard it. “While legal conclusions can provide the framework of a complaint, they must be supported by factual allegations.” *Iqbal*, 556 U.S. at 679. Yet the Campaign offers no specific facts to back up these claims.

2. *The Campaign has already litigated and lost most of these issues.* Many of the Second Amended Complaint’s claims have already had their day in court. The Campaign cannot use this lawsuit to collaterally attack those prior rulings. On Counts One, Two, Four, and Six, the Campaign has already litigated whether ballots that lack a handwritten name, address, or date on the outer envelope must be disqualified. *See In re: Canvass of Absentee and Mail-in Ballots*, 2020 WL 6875017, at *1. The Pennsylvania Supreme Court ruled against the Campaign, holding: “[T]he Election Code does not require boards of elections to disqualify mail-in or absentee ballots submitted by qualified electors who signed the declaration on their ballot’s outer envelope but did not handwrite their name, their address,

and/or date, where no fraud or irregularity has been alleged.” *Id.* at *1. That holding undermines the Campaign’s suggestions that defective ballots should not have been counted.

Counts One and Two also challenge the requirement that poll watchers be registered electors of the county they wish to observe and that observers be Pennsylvania lawyers. But a federal district court has already held “that the county-residency requirement for poll watching does not, as applied to the particular circumstances of this election, burden any of [the Campaign’s] fundamental constitutional rights.” *Donald J. Trump for President, Inc. v. Boockvar*, No. 2:20-cv-966, ___ F. Supp. 3d ___, 2020 WL 5997680, at *66 (W.D. Pa. Oct. 10, 2020). The Campaign never appealed that decision, so it is bound by it.

Count Seven alleges that Philadelphia’s Board of Elections violated due process by obstructing poll watchers and representatives. But nothing in the Due Process Clause requires having poll watchers or representatives, let alone watchers from outside a county or less than eighteen feet away from the nearest table. The Campaign cites no authority for those propositions, and we know of none. (Ditto for notice-and-cure procedures.) And the Campaign litigated and lost that claim under state law too. The Pennsylvania Supreme Court held that the Election Code requires only that poll watchers be in the room, not that they be within any specific distance of the ballots. *In re Canvassing Observation Appeal of: City of Phila. Bd. of Electors*, No. 30 EAP 2020, ___ A.3d ___, 2020 WL 6737895, at *8–9 (Pa. Nov. 17, 2020).

The Campaign does not even challenge the dismissal of Counts Three, Five, and Nine, the Electors and Elections Clause counts. It concedes that under our recent decision, it lacks standing to pursue alleged violations of those clauses. *Bognet v. Sec’y Commonwealth of*

Pa., No. 20-3214, ___ F.3d ___, 2020 WL 6686120, at *6–9 (3d Cir. Nov. 13, 2020). Given its concession, we need not consider the issue any more.

The Second Amended Complaint thus boils down to the equal-protection claims in Counts Two, Four, Six, and Eight. They require not violations of state law, but discrimination in applying it. Those claims fail too.

3. *The Campaign never pleads that any defendant treated the Trump and Biden campaigns or votes differently.* A violation of the Equal Protection Clause requires more than variation from county to county. It requires unequal treatment of similarly situated parties. But the Campaign never pleads or alleges that anyone treated it differently from the Biden campaign. Count One alleges that the counties refused to credential the Campaign’s poll watchers or kept them behind metal barricades, away from the ballots. It never alleges that other campaigns’ poll watchers or representatives were treated differently. Count Two alleges that an unnamed lawyer was able to watch all aspects of voting in York County, while poll watchers in Philadelphia were not. It also makes a claim about one Jared M. Mellott, who was able to poll watch in York County. Counts Four and Six allege that poll watcher George Gallenthin had no issues in Bucks County but was barred from watching in Philadelphia. And Count Eight alleges that Philadelphia officials kept Jeremy Mercer too far away to verify that ballots were properly filled out. None of these counts alleges facts showing improper vote counting. And none alleges facts showing that the Trump campaign was singled out for adverse treatment. The Campaign cites no authority suggesting that an actor discriminates by treating people equally while harboring a partisan motive, and we know of none.

These county-to-county variations do not show discrimination. “[C]ounties may, consistent with equal protection, employ entirely different election procedures and voting systems within a single state.” *Donald J. Trump for President, Inc.*, 2020 WL 5997680, at *44 (collecting cases). Even when boards of elections “vary ... considerably” in how they decide to reject ballots, those local differences in implementing statewide standards do not violate equal protection. *Ne. Ohio Coal. for the Homeless v. Husted*, 837 F.3d 612, 635–36 (6th Cir. 2016); *see also Wexler v. Anderson*, 452 F.3d 1226, 1231–33 (11th Cir. 2006) (recognizing that equal protection lets different counties use different voting systems).

Nor does *Bush v. Gore* help the Campaign. 531 U.S. 98 (2000) (per curiam). There, the Florida Supreme Court had ratified treating ballots unequally. *Id.* at 107. That was because the principle it set forth, the “intent of the voter,” lacked *any* “specific standards to ensure its equal application.” *Id.* at 105–06. The lack of any standards at all empowered officials to treat ballots arbitrarily, violating equal protection. *Id.* Here, by contrast, Pennsylvania’s Election Code gives counties specific guidelines. To be sure, counties vary in implementing that guidance, but that is normal. Reasonable county-to-county variation is not discrimination. *Bush v. Gore* does not federalize every jot and tittle of state election law.

4. *The relief sought—throwing out millions of votes—is unprecedented.* Finally, the Second Amended Complaint seeks breathtaking relief: barring the Commonwealth from certifying its results or else declaring the election results defective and ordering the Pennsylvania General Assembly, not the voters, to choose Pennsylvania’s presidential electors. It cites no authority for this drastic remedy.

The closest the Campaign comes to justifying the relief it seeks is citing *Marks v. Stinson*, 19 F.3d 873 (3d Cir. 1994). But those facts were a far cry from the ones here. In *Marks*, the district court found that the Stinson campaign had orchestrated “massive absentee ballot fraud, deception, intimidation, harassment and forgery.” *Id.* at 887 (quoting district court’s tentative findings). It had lied to voters, deceived election officials, and forged ballots. *Id.* at 877. We remanded that case, instructing that “the district court should not direct the certification of a candidate unless it finds, on the basis of record evidence, that the designated candidate would have won the election but for wrongdoing.” *Id.* at 889. And that seemed likely: the Stinson campaign had gotten about 600 net absentee-ballot applications (roughly 1000 minus 400 that were later rejected), more than the 461-vote margin of victory. *Id.* at 876–77.

Here, however, there is no clear evidence of massive absentee-ballot fraud or forgery. On the contrary, at oral argument in the District Court, the Campaign specifically disavowed any claim of fraud. And the margin of victory here is not nearly as close: not 461 votes, but roughly 81,000.

Though district courts should freely give leave to amend, they need not do so when amendment would be futile. Because the Second Amended Complaint would not survive a motion to dismiss, the District Court properly denied leave to file it.

III. NO STAY OR INJUNCTION IS WARRANTED

We could stop here. Once we affirm the denial of leave to amend, this case is over. Still, for completeness, we address the Campaign’s emergency motion to stay the effect of certification. No stay or injunction is called for.

Though the Campaign styles its motion as seeking a stay or preliminary injunction, what it really wants is an injunction pending appeal. But it neither requested that from the District Court during the appeal nor showed that it could not make that request, as required by Federal Rule of Appellate Procedure 8(a)(2)(A). That failure bars the motion.

Even if we could grant relief, we would not. Injunctions pending appeal, like preliminary injunctions, are “extraordinary remed[ies] never awarded as of right.” *Winter v. NRDC*, 555 U.S. 7, 24 (2008). For a stay or injunction pending appeal, the movant must show both (1) a “strong” likelihood of success on the merits and (2) irreparable injury absent a stay or injunction. *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987). The first two factors are “the most critical.” *Nken v. Holder*, 556 U.S. 418, 434 (2009). After that, we also balance (3) whether a stay or injunction will injure other interested parties (also called the balance of equities) and (4) the public interest. *Hilton*, 481 U.S. at 776; *In re Revel AC, Inc.*, 802 F.3d 558, 568–71 (3d Cir. 2015). None of the four factors favors taking this extraordinary step.

A. The Campaign has no strong likelihood of success on the merits

As discussed, the Campaign cannot win this lawsuit. It conceded that it is not alleging election fraud. It has already raised and lost most of these state-law issues, and it cannot relitigate them here. It cites no federal authority regulating poll watchers or notice and cure. It alleges no specific discrimination. And it does not contest that it lacks standing under the Elections and Electors Clauses. These claims cannot succeed.

B. The Campaign faces no irreparable harm

The Campaign has not shown that denying relief will injure it. “Upon information and belief,” it suspects that many of the 1.5 million mail-in ballots in the challenged counties were improperly counted. Second Am. Compl. ¶¶ 168, 194, 223, 253. But it challenges no specific ballots. The Campaign alleges only that at most three specific voters cast ballots that were not counted. *Id.* ¶ 237 (one voter); First Am. Compl. ¶¶ 15–16, 112 (three). And it never alleges that anyone except a lawful voter cast a vote. Of the seven counties whose notice-and-cure procedures are challenged, four (including the three most populous) represented that they gave notice to only about 6,500 voters who sent in defective ballot packages. Allegheny Cty. Opp. Mot. TRO & PI 7–8, D. Ct. Dkt. No. 193 (Nov. 20, 2020). The Campaign never disputed these numbers or alleged its own. Even if 10,000 voters got notice and cured their defective ballots, and every single one then voted for Biden, that is less than an eighth of the margin of victory.

Without more facts, we will not extrapolate from these modest numbers to postulate that the number of affected ballots comes close to the certified margin of victory of 80,555 votes. Denying relief will not move the needle.

Plus, states are primarily responsible for running federal elections. U.S. Const. art. I, § 4, cl. 1; 3 U.S.C. § 5. Pennsylvania law has detailed mechanisms for disputing election results. 25 Pa. Stat. §§ 3261–3474. Because the Campaign can raise these issues and seek relief through state courts and then the U.S. Supreme Court, any harm may not be irreparable. *Touchston v. McDermott*, 234 F.3d 1130, 1132–33 (11th Cir. 2000) (per curiam) (en banc).

C. The balance of equities opposes disenfranchising voters

Nor would granting relief be equitable. The Campaign has already litigated and lost most of these issues as garden-variety state-law claims. It now tries to turn them into federal constitutional claims but cannot. *See Bognet*, 2020 WL 6686120, at *11.

Even if it could, it has delayed bringing this suit. For instance, in proposed Count Four, it challenges giving voters notice and letting them cure ballot defects as violating equal protection. The Campaign could have disputed these practices while they were happening or during the canvassing period. Instead, it waited almost a week after Election Day to file its original complaint, almost another week to amend it, and then another three days to amend it again. Its delay is inequitable, and further delay would wreak further inequity.

And the Campaign's charges are selective. Though Pennsylvanians cast 2.6 million mail-in ballots, the Campaign challenges 1.5 million of them. It cherry-picks votes cast in "Democratic-heavy counties" but not "those in Republican-heavy counties." Second Am. Compl. ¶8. Without compelling evidence of massive fraud, not even alleged here, we can hardly grant such lopsided relief.

Granting relief would harm millions of Pennsylvania voters too. The Campaign would have us set aside 1.5 million ballots without even alleging fraud. As the deadline to certify votes has already passed, granting relief would disenfranchise those voters or sidestep the expressed will of the people. Tossing out those ballots could disrupt every down-ballot race as well. There is no allegation of fraud (let alone proof) to justify harming those millions of voters as well as other candidates.

D. The public interest favors counting all lawful voters' votes

Lastly, relief would not serve the public interest. Democracy depends on counting all lawful votes promptly and finally, not setting them aside without weighty proof. The public must have confidence that our Government honors and respects their votes.

What is more, throwing out those votes would conflict with Pennsylvania election law. The Pennsylvania Supreme Court has long “liberally construed” its Election Code “to protect voters’ right to vote,” even when a ballot violates a technical requirement. *Shambach v. Bickhart*, 845 A.2d 793, 802 (Pa. 2004). “Technicalities should not be used to make the right of the voter insecure.” *Appeal of James*, 105 A.2d 64, 66 (Pa. 1954) (internal quotation marks omitted). That court recently reiterated: “[T]he Election Code should be liberally construed so as not to deprive, *inter alia*, electors of their right to elect a candidate of their choice.” *Pa. Dem. Party*, 238 A.3d at 356. Thus, unless there is evidence of fraud, Pennsylvania law overlooks small ballot glitches and respects the expressed intent of every lawful voter. *In re: Canvass of Absentee and Mail-in Ballots*, 2020 WL 6875017, at *1 (plurality opinion). In our federalist system, we must respect Pennsylvania’s approach to running elections. We will not make more of ballot technicalities than Pennsylvania itself does.

* * * * *

Voters, not lawyers, choose the President. Ballots, not briefs, decide elections. The ballots here are governed by Pennsylvania election law. No federal law requires poll watchers or specifies where they must live or how close they may stand when votes are counted. Nor does federal law govern whether to count ballots with minor state-law defects or let voters

cure those defects. Those are all issues of state law, not ones that we can hear. And earlier lawsuits have rejected those claims.

Seeking to turn those state-law claims into federal ones, the Campaign claims discrimination. But its alchemy cannot transmute lead into gold. The Campaign never alleges that any ballot was fraudulent or cast by an illegal voter. It never alleges that any defendant treated the Trump campaign or its votes worse than it treated the Biden campaign or its votes. Calling something discrimination does not make it so. The Second Amended Complaint still suffers from these core defects, so granting leave to amend would have been futile.

And there is no basis to grant the unprecedented injunction sought here. First, for the reasons already given, the Campaign is unlikely to succeed on the merits. Second, it shows no irreparable harm, offering specific challenges to many fewer ballots than the roughly 81,000-vote margin of victory. Third, the Campaign is responsible for its delay and repetitive litigation. Finally, the public interest strongly favors finality, counting every lawful voter's vote, and not disenfranchising millions of Pennsylvania voters who voted by mail. Plus, discarding those votes could disrupt every other election on the ballot.

We will thus affirm the District Court's denial of leave to amend, and we deny an injunction pending appeal. The Campaign asked for a very fast briefing schedule, and we have granted its request. Because the Campaign wants us to move as fast as possible, we also deny oral argument. We grant all motions to file overlength responses, to file amicus briefs, and to supplement appendices. We deny all other outstanding motions as moot. This Court's mandate shall issue at once.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

WILLIAM FEEHAN,

Plaintiff,

Case No. 20-cv-1771-pp

v.

WISCONSIN ELECTIONS COMMISSION,
COMMISSIONER ANN S. JACOBS,
MARK L. THOMSEN, JULIE M. GLANCEY,
COMMISSIONER MARGE BOSTELMANN,
COMMISSIONER DEAN KNUDSON,
ROBERT F. SPINDELL, JR. and TONY EVERS,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTIONS TO DISMISS
(DKT. NOS. 51, 53), DENYING AS MOOT PLAINTIFF'S AMENDED MOTION
FOR INJUNCTIVE RELIEF (DKT. NO. 6) AND DISMISSING CASE**

At 8:24 a.m. on Tuesday, December 1, 2020—twenty-eight days after the November 3, 2020 general Presidential election, thirteen days after President Donald J. Trump petitioned for a recount in Milwaukee and Dane Counties and one day after the Wisconsin Elections Commission and the Governor certified that Joseph R. Biden and Kamala D. Harris had received the highest number of votes following that recount—two plaintiffs filed this lawsuit in federal court for the Eastern District of Wisconsin. Although state law governs the election process, the plaintiffs brought the suit in a federal court, asking that federal court to order state officials to decertify the election results that state officials had certified the day before, order the Governor not to transmit to the Electoral

College the certified results he'd transmitted the day before and order the Governor to instead transmit election results that declared Donald Trump to be "the winner of this election."

The election that preceded this lawsuit was emotional and often divisive. The pleadings that have been filed over the past week are passionate and urgent. People have strong, deep feelings about the right to vote, the freedom and opportunity to vote and the value of their vote. They should. But the legal question at the heart of this case is simple. Federal courts have limited jurisdiction. Does a federal court have the jurisdiction and authority to grant the relief this lawsuit seeks? The answer is no.

Federal judges do not appoint the president in this country. One wonders why the plaintiffs came to federal court and asked a federal judge to do so. After a week of sometimes odd and often harried litigation, the court is no closer to answering the "why." But this federal court has no authority or jurisdiction to grant the relief the remaining plaintiff seeks. The court will dismiss the case.

I. Background

According to defendant the Wisconsin Elections Commission's November 18, 2020 canvass results, 3,297,352 Wisconsin residents voted in the November 3, 2020 general election for President. <https://elections.wi.gov/sites/elections.wi.gov/files/Statewide%20Results%20All%20Offices%20%28pre-Presidential%20recount%29.pdf>. Of those, 49.45%—1,630,673—voted for Biden for President and Harris for Vice-President. Id. Biden and Harris received

approximately 20,600 more votes than Donald J. Trump for President and Michael R. Pence for Vice-President. Id.

Under Wis. Stat. §9.01(1)(a)(1), any candidate in an election where more than 4,000 votes were cast for the office the candidate seeks and who trails the leading candidate by no more than 1 percent of the total votes cast for that office may petition for a recount. On November 18, 2020, Donald J. Trump filed a recount petition seeking a recount of “all ballots in all wards in every City, Village, Town and other voting unit in Dane and Milwaukee Counties.” https://elections.wi.gov/sites/elections.wi.gov/files/2020-11/WEC%20-%20Final%20Recount%20Order_0.pdf. The Wisconsin Elections Commission granted that petition and ordered a recount “using the ballot count method selected per Wis. Stat. § 5.90(1) unless otherwise ordered by a court per Wis. Stat. § 5.90(2).” Id. The WEC ordered the recount to be completed by 12:00 p.m. on December 1, 2020. Id.

The partial recount was completed on November 29, 2020. <https://elections.wi.gov/elections-voting/recount>. On November 30, 2020, the chair of the Wisconsin Elections Commission signed the statement of canvass certifying that Joseph R. Biden and Kamala D. Harris received the greatest number of votes and certified their electors. <https://elections.wi.gov/sites/elections.wi.gov/files/2020-11/Jacobs%20-%20Signed%20Canvass%20for%20President%20-%20Vice%20President.pdf>. The same day—November 30, 2020—Wisconsin Governor Tony Evers announced that he had signed the Certificate of Ascertainment for the electors for Biden and Harris.

<https://content.govdelivery.com/accounts/WIGOV/bulletins/2aef6ff>. The website for the National Archives contains the Certificate of Ascertainment signed by Evers on November 30, 2020, certifying that out of 3,298,041 votes cast, Biden and Harris and their electors received 1,630,866 votes, while Trump and Pence and their electors received 1,610,184 votes. <https://www.archives.gov/files/electoral-college/2020/ascertainment-wisconsin.pdf>.

On December 1, 2020, Donald J. Trump filed a petition for an original action in the Wisconsin Supreme Court. Trump v. Evers, Case No. 2020AP001971-OA (available at <https://wscca.wicourts.gov>). On December 3, 2020, the court denied leave to commence an original petition because under Wis. Stat. §9.01(6), appeals from the board of canvassers or the Wisconsin Elections Commission must be filed in circuit court. Dkt. No. 59-7. The same day—December 3, 2020—Donald J. Trump filed lawsuits in Milwaukee and Dane Counties. Trump v. Biden, Case No. 2020CV007092 (Milwaukee County Circuit Court; Trump v. Biden, Case No. 2020CV002514 (Dane County Circuit Court) (both available at <https://wcca.wicourts.gov>). Those cases have been consolidated and are scheduled for hearing on December 10, 2020 at 1:30 (or for December 11, 2020 at 9:00 a.m. if the parties are litigating in another court).

Meanwhile, on December 2, 2020, Donald J. Trump filed suit in federal court for the Eastern District of Wisconsin, suing the defendants in this case and others. Trump v. Wisconsin Elections Commission, et al., Case No. 20-cv-

1785-BHL (E.D. Wis.). There is an evidentiary hearing scheduled for December 10, 2020 at 9:00 a.m. by videoconference. Id. at Dkt. No. 45.

II. Procedural History of the Case

On December 1, 2020—the day after Governor Evers signed the Certificate of Ascertainment—William Feehan and Derrick Van Orden filed a complaint in the federal court for the Eastern District of Wisconsin. Dkt. No. 1. Feehan identified himself as a resident of La Crosse, Wisconsin, a registered voter and “a nominee of the Republican Party to be a Presidential Elector on behalf of the State of Wisconsin.” Id. at ¶23. Van Orden was identified as a resident of Hager City, Wisconsin and the 2020 Republican nominee for Wisconsin’s Third Congressional District Seat for the U.S. House of Representatives. Id. at ¶26. The complaint alleged that “Mr. Van Orden ‘lost’ by approximately 10,000 votes to the Democrat incumbent,” and stated that “[b]ecause of the illegal voting irregularities as will be shown below, Mr. Van Orden seeks to have a new election ordered by this court in the Third District, with that election being conducted under strict adherence with the Wisconsin Election Code.” Id. at ¶27.

The complaint alleged “massive election fraud, multiple violations of the Wisconsin Election Code, *see e.g.*, Wis. Stat. §§5.03, *et seq.*, in addition to the Election and Electors Clauses and Equal Protection Clause of the U.S. Constitution” based on “dozens of eyewitnesses and the statistical anomalies and mathematical impossibilities detailed in the affidavits of expert witnesses.” Dkt. No. 1 at ¶1. The plaintiffs alleged four causes of action: (1) violation of the

Elections and Electors Clauses and 42 U.S.C. §1983; (2) violation of the Equal Protection Clause of the Fourteenth Amendment, 42 U.S.C. §1983 and the “invalid enactment of regulations & disparate treatment of absentee vs. mail-in ballots”; (3) denial of the Fourteenth Amendment due process right to vote and 42 U.S.C. §1983; and (4) “wide-spread ballot fraud.” *Id.* at ¶¶106-138. The plaintiffs asked for the following emergency relief:

1. An order directing Governor Evers and the Wisconsin Elections Commission to de-certify the election results;
2. An order enjoining Governor Evers from transmitting the currently certified election results [sic] the Electoral College;
3. An order requiring Governor Evers to transmit certified election results that state that President Donald Trump is the winner of the election;
4. An immediate emergency order to seize and impound all servers, software, voting machines, tabulators, printers, portable media, logs, ballot applications, ballot return envelopes, ballot images, paper ballots, and all “election materials” referenced in Wisconsin Statutes §9.01(1)(b)11 related to the November 3, 2020 Wisconsin election for forensic audit and inspection by the Plaintiffs;
5. An order that no votes received or tabulated by machines that were not certified as required by federal and state law be counted;
6. A declaratory judgment declaring that Wisconsin’s failed system of signature verification violates the Electors and Elections Clause by working a de facto abolition of the signature verification requirement;
7. A declaratory judgment declaring that currently certified election results violate the Due Process Clause, U.S. Const. Amend. XIV;
8. A declaratory judgment declaring that mail-in and absentee ballot fraud must be remedied with a Full Manual Recount or statistically valid sampling that properly verifies the signatures on absentee ballot envelopes and that invalidates the certified results if

the recount or sampling analysis shows a sufficient number of ineligible absentee ballots were counted;

9. A declaratory judgment declaring absentee ballot fraud occurred in violation of Constitutional rights, Election laws and under state law;

10. A permanent injunction prohibiting the Governor and Secretary of State from transmitting the currently certified results to the Electoral College based on the overwhelming evidence of election tampering;

11. Immediate production of 48 hours of security camera recording of all rooms used in the voting process at the TCF Center¹ for November 3, 2020 and November 4, 2020;

12. Plaintiffs further request the Court grant such relief as is just and proper including but not limited to, the costs of this action and their reasonable attorney fees and expenses pursuant to 42 U.S.C. §1988.

Id. at 50.

With the complaint, the plaintiffs filed a motion for declaratory, emergency, and permanent injunctive relief, dkt. no. 2, and memorandum in support of that motion, dkt. no. 3. The motion stated that the specific relief the plaintiff requested was set out in an attached order, dkt. no. 2 at 1, but there was no order attached. The memorandum asked the court to grant the motion and enter the proposed order, dkt. no. 3 at 10; again, no proposed order was provided.

Later that day, the plaintiffs filed a corrected motion for declaratory, emergency, and permanent injunctive relief. Dkt. No. 6. The plaintiff did not file a memorandum in support of this motion but did file a proposed order. Dkt.

¹ The plaintiff may be referring to the TCF convention center in Detroit, Michigan; the court is unaware of a "TCF Center" in Wisconsin.

No. 1. The relief described in the proposed order was almost identical to the relief requested in the complaint, with a notable exception. Instead of the request for an order requiring production of forty-eight hours of security camera footage from the TCF Center, the plaintiffs asked for an order prohibiting “any wiping or alteration of data or other records or materials” from voting machines, tabulations machines, servers, software and printers, and any alteration or destruction of ballot applications, ballot return envelopes, ballot images, paper ballots, registration lists, poll lists or other election materials, “across the state of Wisconsin.” Dkt. No. 6-1 at 7-8.

Two days later, plaintiff Freehan filed an amended complaint removing Derrick Van Orden as a plaintiff. Dkt. No. 9. It differed from the original complaint only in the removal of Van Orden as a plaintiff.

Along with the amended complaint, the plaintiff filed a motion for temporary restraining order and preliminary injunction “to be considered in an expedited manner.” Dkt. No. 10. The plaintiff did not file a memorandum in support of the motion; his main purpose in filing the amended motion appears to have been to ask the court to rule on the motion quickly. The plaintiff attached a proposed briefing schedule, suggesting that the court should require the defendants to respond by 8:00 p.m. on Friday, December 4, 2020 and require him to file his reply by 8:00 p.m. on Saturday, December 5, 2020; he proposed to submit the matter on briefs without argument. Dkt. No. 10-1. The defendants objected to this severely truncated schedule. Dkt. Nos. 25

(defendant Evers), 26 (defendants Wisconsin Election Commission and its members).

Construing the amended motion as a Civil L.R. 7(h) expedited, non-dispositive motion for an expedited briefing schedule, the court granted the request on December 4, 2020, setting a schedule that, while not as expedited as the plaintiff requested, gave the parties a short leash. Dkt. No. 29.

Wisconsin voter James Gesbeck filed a motion to intervene, dkt. no. 14, and later an expedited motion to intervene, dkt. no. 33. The Democratic National Committee (DNC) also sought to intervene. Dkt. No. 22. The court denied both requests, dkt. nos. 41 (DNC), 74 (Gesbeck), but allowed both to file *amicus curiae* briefs by the December 7, 2020 deadline it had set for the defendants to oppose the plaintiff's motion for injunctive relief, dkt. nos. 37 (Gesbeck), 41 (DNC).

Recall that the plaintiff had not filed a memorandum in support of the December 1, 2020 corrected motion for injunctive relief or in support of the December 3, 2020 amended motion. On Sunday, December 6, 2020, the plaintiff filed an amended memorandum in support of the motion. Dkt. No. 42. In the first paragraph, the plaintiff indicated that he filed the amended memorandum to "avoid possible confusion from removal of Mr. Van Orden is [sic] plaintiff." Id. at 1. He said that the memorandum was identical to the original memorandum "except for amending references to plaintiffs to refer to Mr. Meehan [sic] only and correcting several inadvertent references to the State of Georgia." Id.

On Sunday, December 6, the plaintiff also filed a motion asking the court to schedule an evidentiary hearing “on the merits” for Wednesday, December 9, 2020 at 9:00 a.m. Dkt. No. 44. Although the plaintiff had not asked for a hearing in any prior motion, and had represented in the amended motion that he was submitting the matter on the briefs without argument, the plaintiff explained that he had changed his position based on the court’s December 4, 2020 order. Id. at ¶4. The court denied the motion in a telephonic hearing on December 8, 2020, explaining that before it could reach the merits of the motion for injunctive relief, it must resolve issues regarding justiciability. Dkt. Nos. 70, 71.

In opposing the plaintiff’s amended motion for injunctive relief, defendants Wisconsin Election Commission and its members argued that the case has jurisdictional and procedural defects that require dismissal. Dkt. No. 52 at 5. They asserted that the plaintiff lacks Article III standing, id. at 6, that the doctrine of laches bars consideration of his claims, id. at 8 and that the Eleventh Amendment shields them from the relief he seeks, id. at 10. They asserted that the complaint fails to state a claim for relief under the Election or Electors Clauses, id. at 11, or under the Equal Protection or Due Process Clauses, id. at 13, and they contended that the plaintiff’s purported evidence fails to meet basic evidentiary standards, id. at 20.

In his brief opposing injunctive relief, defendant Governor Evers argued that there is no evidence of fraud in Wisconsin’s election results, dkt. no. 55 at 10, that the plaintiff’s witnesses and experts lack qualifications and are

unreliable, id. at 12, and that the plaintiff has failed to state valid claims, id. at 22. Evers also argued that an adequate remedy at law exists because the recount procedures under Wis. Stat. §9.01 unambiguously constitute the “exclusive remedy” for challenging election results. Id. at 55. With respect to the balancing of harms, Evers argued that the requested relief would prejudice the defendants and “retroactively deprive millions of Wisconsin voters of their constitutional right to vote in the 2020 presidential election.” Id. at 32.

James Gesbeck, filing as friend of the court, opposed the motion for injunctive relief on the grounds that the plaintiff has not established subject matter jurisdiction and that the court should defer to the Wisconsin courts and Wisconsin’s procedural mechanism for resolving disputed elections. Dkt. No. 47 at 11, 12. Gesbeck applied the balancing analysis for injunctive relief, asserting that relief in this court would moot the Wis. Stat. §9.01 challenge pending in the Wisconsin courts. Id. at 17. He argued that this, in turn, would put the “insurmountable weight of the Federal Government on the election result in Wisconsin and would be unbalancing the scale created by the system of checks and balances that have been maintained since the Constitution was adopted.” Id. at 17.

Amicus DNC opposed the motion on many of the same grounds as the other defendants. Dkt. No. 57. The DNC argued that the plaintiff lacks standing, that the doctrine of laches bars the plaintiff’s claims, that the defendants are immune from suit under the Eleventh Amendment, that principles of federalism and comity require abstention, and that the plaintiff

fails to state a claim upon which relief can be granted. Dkt. No. 57. It asserted that the plaintiff cannot establish irreparable harm and has an adequate remedy of law. *Id.* at 36.

The defendants have filed motions to dismiss the case. The WEC and its members seek dismissal for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). Dkt. No. 53. Defendant Evers seeks dismissal for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1), failure to plead fraud with particularity under Fed. R. Civ. P. 9(b) and failure to state a claim under Fed. R. Civ. P. 12(b)(6).

The Wisconsin State Conference of the NAACP and three of its members (Dorothy Harrell, Wendell J. Harris, Jr. and Earnestine Moss) sought leave to file an *amicus* brief on the question of whether the court should dismiss the case. Dkt. No. 56. The court granted that motion. Dkt. No. 69.

III. Procedural Posture

From the outset, the plaintiff has sought to have the claims in the complaint resolved through a motion for injunctive relief under Fed. R. Civ. P. 65. The relief he requests in the second iteration of his motion for injunctive relief is the same relief he requests in the lawsuit itself. As defendant Evers points out in his motion to dismiss, the plaintiff's December 6, 2020 motion for an evidentiary hearing (which the court has denied) "makes clear that what [the plaintiff] seeks—without any discovery or basic adversarial development of evidence—is a trial and final adjudication on the merits." Dkt. No. 51 at 2.

Evers points to Fed. R. Civ. P. 12(i), which states that “[i]f a party so moves, any defense listed in Rule 12(b)(1)-(7)—whether made in a pleading or by motion—and a motion under Rule 12(c) must be heard and decided before trial unless the court orders a deferral until trial.” Because Evers has raised defenses under Rule 12(b)(1) and (b)(6), and because in asking for a hearing the plaintiff sought what would have been a trial on the merits of the causes of action raised in the complaint, the court must resolve the defenses before moving to the merits.

As the court stated in the hearing on December 8, that requirement is more than a procedural nicety. The defendants and the *amici* have raised questions about this federal court’s authority to decide the claims alleged in the amended complaint. If this court does not have jurisdiction to hear and decide those claims, any decision it might make regarding the merits of the claims would be invalid. For that reason, the court considers the motions to dismiss before considering the plaintiff’s request for injunctive relief.

IV. The Motions to Dismiss

A. Legal Standards

1. *Rule 12(b)(1)—Lack of Subject Matter Jurisdiction*

In evaluating a motion to dismiss for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1), “the court must first determine whether a factual or facial challenge has been raised.” Silha v. ACT, Inc., 807 F.3d 169, 173 (7th Cir. 2015) (citing Apex Dig., Inc. v. Sears, Roebuck & Co., 572 F.3d 440, 443 (7th Cir. 2009)). A *factual* challenge alleges that even if the pleadings are

sufficient, no subject matter jurisdiction exists. A *facial* challenge alleges that the complaint is deficient—that the plaintiff has not sufficiently alleged subject matter jurisdiction. Id. The difference matters—a court reviewing a factual challenge “may look beyond the pleadings and view any evidence submitted to determine if subject matter exists,” while a court reviewing a facial challenge “must accept all well-pleaded factual allegations as true and draw all reasonable inferences in favor of the plaintiff.” Id.

2. *Rule 12(b)(6)—Failure to State a Claim*

A motion to dismiss for failure to state a claim under Rule 12(b)(6) challenges the legal sufficiency of the complaint. A complaint must include “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). The complaint must contain enough facts, accepted as true, to “state a claim for relief that is plausible on its face.” Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)). “A claim has facial plausibility when the plaintiff pleads factual content that allows a court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” Id. (citing Twombly, 550 U.S. at 556). “[T]he plausibility determination is a context-specific task that requires the reviewing court to draw on its judicial experience and common sense.” W. Bend Mut. Ins. Co. v. Schumacher, 844 F.3d 670, 676 (7th Cir. 2016).

3. *42 U.S.C. §1983*

To state a claim for a civil rights violation under 42 U.S.C. §1983, a plaintiff must allege that someone deprived him of a right secured by the Constitution or the laws of the United States and that whoever deprived him of that right was acting under the color of state law. D.S. v. E. Porter Cty. Sch. Corp., 799 F.3d 793, 798 (7th Cir. 2015) (citing Buchanan–Moore v. Cty. of Milwaukee, 570 F.3d 824, 827 (7th Cir. 2009)).

B. Subject Matter Jurisdiction

“Federal courts are courts of limited jurisdiction.” Kokkonen v. Guardian Life Ins. Co. of America, 511 U.S. 375, 377 (1994). Subject matter jurisdiction has to do with “the courts’ statutory or constitutional *power* to adjudicate the case.” Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 89 (1998) (emphasis in the original). “Article III, §2, of the Constitution extends the ‘judicial Power’ of the United States only to ‘Cases’ and ‘Controversies.’” Id. at 102. The defendants raise a factual challenge to the court’s subject matter jurisdiction, arguing that regardless of the pleadings, subject matter jurisdiction does not exist. The court may look outside the four corners of the complaint in considering that challenge.

1. *Standing*

Article III standing is an “essential component of Article III’s case-or-controversy requirement,” and therefore a “threshold jurisdictional question.” Apex Dig., Inc., 572 F.3d at 443 (citing Lujan v. Defenders of Wildlife, 504 U.S. 555, 560 (1992)). “[N]o principle is more fundamental to the judiciary’s proper

role in our system of government than the constitutional limitation of federal-court jurisdiction to actual cases or controversies.” Raines v. Byrd, 521 U.S. 811, 818 (1997). “Standing to sue is part of the common understanding of what it takes to make a justiciable case.” Id. “Standing is an element of subject-matter jurisdiction in a federal civil action” Moore v. Wells Fargo Bank, N.A., 908 F.3d 1050, 1057 (7th Cir. 2018).

The “irreducible constitutional minimum of standing contains three requirements. *Lujan v. Defenders of Wildlife*, [504 U.S. 555], at 560 [1992]]. First and foremost, there must be (and ultimately proved) an “injury in fact”—a harm suffered by the plaintiff that is “concrete” and “actual or imminent, not ‘conjectural’ or ‘hypothetical.’” *Whitmore v. Arkansas*, [495 U.S. 149], at 149 [1990] (quoting *Los Angeles v. Lyons*, 461 U.S. 95, 101-102 . . . (1983)). Second, there must be causation—a fairly traceable connection between the plaintiff’s injury and the complained-of conduct of the defendant. *Simon v. Eastern Ky. Welfare Rights Organization*, 426 U.S. 26, 41-42 . . . (1976). And third, there must be redressability—a likelihood that the requested relief will redress the alleged injury. *Id.*, at 45-46 . . . ; see also *Warth v. Seldin*, 422 U.S. 490, 505 . . . (1975). This triad of injury in fact, causation, and redressability constitutes the core of Article III’s case-or-controversy requirement, and the party invoking federal jurisdiction bears the burden of establishing its existence. See *FW/PBS, Inc. v. Dallas*, 493 U.S. 215, 231 . . . (1990).

Steel Co., 523 U.S. at 102-104.

Regarding the “injury in fact” leg of the triad, the injury must be “particularized,” such that it “affect[s] the plaintiff in a personal and individual way.” Spokeo, Inc. v. Robins, ___ U.S. ___, 136 S. Ct. 1540, 1548 (2016) (citations omitted). The injury also must be “concrete”—it must be “real,” not “abstract.” Id. A plaintiff cannot show a particularized and concrete injury by showing “that he has merely a general interest common to all members of the public.” Ex parte Levitt, 302 U.S. 633, 634 (1937). A plaintiff may not use a

“federal court as a forum in which to air his generalized grievances about the conduct of government” United States v. Richardson, 418 U.S. 166, 174 (1974) (quoting Flast v. Cohen, 392 U.S. 83, 106 (1942)).

As for the redressability leg of the triad, “[r]elief that does not remedy the injury suffered cannot bootstrap a plaintiff into federal court; that is the very essence of the redressability requirement.” Steel Co., 523 U.S. at 107. The plaintiff must show that it is “likely,” not merely “speculative,” that the injury the plaintiff alleges will be “redressed by a favorable decision.” Lujan, 504 U.S. at 561 (quoting Simon, 426 U.S. at 38).

In addition to the Article III case-or-controversy requirement, there is a prudential limitation in Fed. R. Civ. P. 17(a), requiring that “[e]very action must be prosecuted in the name of the real party in interest,” Fed. R. Civ. P. 17(a), and “requir[ing] that the complaint be brought in the name of the party to whom that claim ‘belongs’ or the party who ‘according to the governing substantive law, is entitled to enforce the right.’” Rawoof v. Texor Petroleum Co., Inc., 521 F.3d 750, 756 (7th Cir. 2008) (quoting Oscar Gruss & Son, Inc. v. Hollander, 337 F.3d 186, 193 (2d Cir. 2003)); see also RK Co. v. See, 622 F.3d 846, 850 (7th Cir. 2010) (“the real party in interest rule is only concerned with whether an action can be maintained in the plaintiff’s name,” and is “similar to, but distinct from, constitutional ... standing”). The real party in interest is “the one who by the substantive law, possesses the right sought to be enforced, and not necessarily the person who will ultimately benefit from the recovery.” Act II Jewelry, LLC v. Wooten, 301 F. Supp. 3d 905, 910-911 (N.D.

Ill. 2018) (quoting Checkers, Simon & Rosner v. Lurie Corp., 864 F.2d 1338, 1343 (7th Cir. 1988) (internal citations omitted)). The purpose of the rule is to “protect the defendant against a subsequent action by the party actually entitled to recover.” RK Co., 622 F.3d at 850 (citing Fed. R. Civ. P. 17(a) advisory committee note (2009)).

The amended complaint alleges that the plaintiff has standing “as a voter and as a candidate for the office of Elector under Wis. Stat. §§ 5.10, *et seq* (election procedures for Wisconsin electors).” Dkt. No. 9 at 8. The defendants argue that the plaintiff lacks standing in either capacity. Dkt. No. 43 at 4-5; Dkt. No. 59 at 8-9.

a. Standing as a voter

The amended complaint does not assert that the plaintiff voted in the 2020 general Presidential election in Wisconsin. It says that he is a registered voter, but it does not affirmatively state that he voted in the election the results of which he asks the court to decertify. His counsel asserts in the brief in opposition to the defendants’ motion to dismiss—filed eight days after the original complaint and five days after the amended complaint—that the plaintiff “voted for President Trump in the 2020 General Election.” Dkt. No. 72 at 17. For the first time at the motion to dismiss stage, the plaintiff provided his own declaration, in which he attests that he voted for President Donald J. Trump in the November 3, 2020 election. Dkt. No. 72-1.

The plaintiff claims that the defendants failed to comply “with the requirements of the Wisconsin Election Code and thereby diluted the lawful

ballots of the Plaintiff and of other Wisconsin voters and electors in violation of the United States Constitution guarantee of Equal Protection.” Dkt. No. 9 at ¶116. He alleges that the defendants enacted regulations or issued guidance that, in intent and effect, favored Democratic absentee voters over Republican voters, and that these regulations and this guidance enable and facilitated voter fraud. *Id.* The plaintiff also asserts that he has a right to have his vote count and claims that a voter is injured if “the important of his vote is nullified.” *Id.* at ¶127.

Several lower courts have addressed the plaintiff’s theory that a single voter has standing to sue as a result of his vote being diluted by the possibility of unlawful or invalid ballots being counted. The district court for the Middle District of North Carolina catalogued a few of those decisions, all finding that the harm was too speculative and generalized—not sufficiently “concrete”—to bestow standing. These courts concluded that the vote dilution argument fell into the “generalized grievance” category. In Moore v. Circosta, the court wrote:

Indeed, lower courts which have addressed standing in vote dilution cases arising out of the possibility of unlawful or invalid ballots being counted, as Plaintiffs have argued here, have said that this harm is unduly speculative and impermissibly generalized because all voters in a state are affected, rather than a small group of voters. See, e.g., Donald Trump for President, Inc. v. Cegavske, Case No. 2:20-CV-1445 JCM (VCF), ___ F. Supp. 3d ___, ___, 2020 WL 5626974, at *4 (D. Nev. Sept. 18, 2020) (“As with other generally available grievances about the government, plaintiffs seek relief on behalf of their member voters that no more tangibly benefits them than it does the public at large.”) (internal quotations and modifications omitted); Martel v. Condos, Case No. 5:20-cv-131, ___ F. Supp. 3d ___, ___, 2020 WL 5755289, at *4 (D. Vt. Sept. 16, 2020) (“If every voter suffers the same incremental dilution of the franchise caused by some third-party’s fraudulent vote, then these voters have experienced a generalized injury.”); Paher v. Cegavske, 457 F. Supp.

3d 919, 926-27 (D. Nev. 2020) (“Plaintiffs’ purported injury of having their votes diluted due to ostensible election fraud may be conceivably raised by any Nevada voter.”); Am. Civil Rights Union v. Martinez-Rivera, 166 F. Supp. 3d 779, 789 (W.D. Tex. 2015) (“[T]he risk of vote dilution [is] speculative and, as such, [is] more akin to a generalized grievance about the government than an injury in fact.”)

Although “[i]t would over-simplify the standing analysis to conclude that no state-wide election law is subject to challenge simply because affects all voters,” Martel, __ F. Supp.3d at __, 2020 WL 5755289, at *4, the notion that a single person’s vote will be less valuable as a result of unlawful or invalid ballots being cast is not a concrete and particularized injury necessary for Article III standing. Compared to a claim of gerrymandering, in which the injury is specific to a group of voters based on their racial identity or the district in which they live, all voters in North Carolina, not just Individual Plaintiffs, would suffer the injury Individual Plaintiffs allege. This court finds this injury to generalized to give rise to a claim of vote dilution

Moore v. Circosta, Nos. 1:20CV911, 1:20CV912, 2020 WL 6063332, at *14,

The court agrees. The plaintiff’s alleged injuries are injuries that any Wisconsin voter suffers if the Wisconsin election process were, as the plaintiff alleges, “so riddled with fraud, illegality, and statistical impossibility that this Court, and Wisconsin’s voters, courts, and legislators, cannot rely on, or certify, any numbers resulting from this election.” Dkt. No. 9 at ¶5. The plaintiff has not alleged that, as a voter, he has suffered a particularized, concrete injury sufficient to confer standing.

The plaintiff argues that it is incorrect to say that his standing is based on a theory of vote dilution. Dkt. No. 72 at 19. He then proceeds to opine that he has shown in great detail how his vote and the votes of others who voted for Republican candidates was diluted. Id. at 19-20. He says the vote dilution did not affect all Wisconsin voters equally, asserting that it had a negative impact

on those who voted for Republican candidates and a positive impact on those who voted for Democratic candidates. Id. at 20. He asserts that he also has shown that the defendants sought to actively disenfranchise voters for Republican candidates. Id. These are the same arguments he made in the amended complaint and they still show no more than a generalized grievance common to any voter. Donald J. Trump carried some Wisconsin counties; the voters who voted for Joseph R. Biden in those counties could make the same complaints the plaintiff makes here.

The plaintiff says that his interests and injury are “identical to that of President Trump,” and cites to Bush v. Gore, 531 U.S. 98 (2000), which he characterizes as holding that “then-candidate George W. Bush of Texas had standing to raise the equal protection rights of Florida voters that a majority of the Supreme Court deemed decisive.” Id. at 21 (quoting Hawkins v. Wayne Twp. Bd. of Marion Cty., Ind., 183 F. Supp. 2d 1099, 1103 (S.D. Ind. 2002)). The court is stymied by the plaintiff’s assertion that his interests and injury are identical to that of President Trump. As the court will explain in the next section, contrary to his assertions, the plaintiff is not a “candidate” in the way that President Trump was a candidate for office. President Trump’s interest is in being re-elected, while the plaintiff has said that his interest is in having his vote count and not be diluted. If his interest is solely in getting President Trump re-elected, as opposed to having his vote be counted as part of a valid election process, the court is aware of no constitutional provision that gives him the right to have his candidate of choice declared the victor.

Nor does the decision in Bush v. Gore say what the plaintiff claims it says. As far as the court can tell, the word “standing” does not appear in the majority opinion. In the Indiana decision the plaintiff cites, then-district court judge David Hamilton wrote: “If candidate Hawkins did not have standing to raise equal protection rights of voters, it would be difficult to see how then-candidate George W. Bush of Texas had standing to raise equal protection rights of Florida voters . . . in *Bush v. Gore*.” Hawkins, 183 F. Supp.2d at 1103. But the Supreme Court in Bush v. Gore never explained how candidate Bush had standing, and even if it had, the plaintiff is not a candidate.

Nor has the plaintiff demonstrated redressability. He complains that his vote was diluted and that he wants his vote to count. But he asks the court to order the results of the election de-certified and then to order defendant Evers to certify the election for Donald J. Trump. Even if this *federal* court had the authority to order the governor of the *state* of Wisconsin to certify the results of a national presidential election for any candidate—and the plaintiff has presented *no* case, statute or constitutional provision providing the court with that authority—doing so would further invalidate and nullify the plaintiff’s vote. The plaintiff wants Donald J. Trump to be certified as the winner of the Wisconsin election *as a result of the plaintiff’s vote*. But what he asks is for Donald J. Trump to be certified the winner *as a result of judicial fiat*. That remedy does not redress the plaintiff’s alleged injury. Even the plaintiff concedes in his brief in opposition to dismissal that “[d]efendant Evers can . . . provide partial redress in terms of the requested injunctive relief, namely, by

refusing to certify or transmit the election results, and providing access to voting machines, records and other ‘election materials.’” Dkt. No. 72 at 21. The plaintiff is wrong in that regard, as the court will explain when it discusses the related doctrine of mootness; the point is that even from the plaintiff’s perspective, the remedy he seeks will not fully redress the injury he claims.

Circling back to Article III’s “case or controversy” requirement, the Supreme Court has held that “[t]he remedy must of course be limited to the inadequacy that produced the injury in fact that the plaintiff has established.” DaimlerChrysler Corp. v. Cuno, 547 U.S. 332, 353 (2006) (quoting Lewis v. Casey, 518 U.S. 343, 357 (1996)). In other words, “[a] plaintiff’s remedy must be tailored to redress the plaintiff’s particular injury.” Gill v. Whitford, ___ U.S. ___, 138 S. Ct. 1916, 1934 (2018) (citing Cuno, 547 U.S. at 353). Even if the plaintiff had alleged a particularized, concrete injury and even if the relief he seeks would redress that injury, that relief is not tailored to the alleged injury. As the Michigan court explained in King v. Whitmer, Case No. 20-13134 at Dkt. No. 62, page 25 (E.D. Mich. Dec. 7, 2020), “Plaintiffs’ alleged injury does not entitle them to seek their requested remedy because the harm of having one’s vote invalidated or diluted is not remedied by denying millions of others *their* right to vote.”

The plaintiff’s status as a registered voter does not give him standing to sue.

b. Standing as a nominee for elector

The amended complaint alleges that the plaintiff has standing to bring the suit “as a candidate for the office of Elector under Wis. Stat. §§ 5.10, et seq.” Dkt. No. 9 at ¶26. The amended complaint cites to “Wis. Stat. §§5.10, et seq.,” but the court is not sure what the “*et seq.*”—“and what follows”—contributes to the plaintiff’s belief that he has standing. Wis. Stat. §5.10 is followed by Wis. Stat. §5.15, which concerns the “Division of municipalities into wards,” as well as other sections concerning polling places and voting machines. The court assumes the plaintiff meant to reference only Wis. Stat. §5.10.

Wis. Stat. §5.10 states:

Although the names of the electors do not appear on the ballot and no reference is made to them, a vote for the president and vice president named on the ballot is a vote for the electors of the candidates for whom an elector’s vote is cast. Under chs. 5 to 12, all references to the presidential election, the casting of votes and the canvassing of votes for president, or for president and vice president, mean votes for them through their pledged presidential electors.

Relying on this section, the amended complaint directs the court’s attention to Carson v. Simon, 978 F.3d 1051, 1057 (8th Cir. 2020).² In Carson,

² The complaint also cites two Supreme Court cases: McPherson v. Blacker, 146 U.S. 1, 27 (1892) and Bush v. Palm Beach Cty. Canvassing Bd., 531 U.S. 70, 76 (2000) (*per curiam*). Neither address the Article III standing of an elector. In McPherson, the Court reviewed the Michigan supreme court’s decision on the constitutionality of the Michigan statute governing selection of electors. While the parties who brought the suit in state court were nominees for presidential electors, the Court did not address their standing (or lack of it). The petitioner in Bush was the then-Republican candidate, George W. Bush, who was challenging the Florida supreme court’s interpretation of its election statutes; again, the Court did not address (and had no need to address) the standing of an elector to sue.

two certified nominees of the Republican Party to be presidential electors sued the Minnesota secretary of state, challenging a consent decree that “essentially ma[de] the statutorily-mandated absentee ballot receipt deadline inoperative.” Id. at 1054. As a result of the decree, the secretary of state had directed election officials “to count absentee ballots received up to a week after election day, notwithstanding Minnesota law.” Id. The potential electors sought an injunction in federal court, but the district court found they lacked standing. Id.

The Eighth Circuit reversed, finding that the potential electors had standing as candidates “because the plain text of Minnesota law treats prospective presidential electors as candidates.” Id. at 1057. The court found that candidates suffered particularized and concrete injury from an inaccurate vote tally. Id. at 1058.

The plaintiff urges this court to reach the same conclusion. An Eighth Circuit decision is not binding on this court, but the question is whether the reasoning in that decision is persuasive. A member of the panel in Carson dissented from the majority opinion and expressed doubt about the potential electors’ standing. Circuit Judge Jane Kelley wrote:

. . . I am not convinced the Electors have Article III standing to assert claims under the Electors Clause. Although Minnesota law at times refers to them as “candidates,” see, e.g., Minn. Stat. § 204B.03 (2020), the Electors are not candidates for public office as that term is commonly understood. Whether they ultimately assume the office of elector depends entirely on the outcome of the state popular vote for president. Id. § 208.04 subdiv. 1 (“[A] vote cast for the party candidates for president and vice president shall be deemed a vote

for that party's electors.") They are not presented to and chosen by the voting public for their office, but instead automatically assume that office based on the public's selection of entirely different individuals. But even if we nonetheless assume the Electors should be treated like traditional political candidates for standing purposes, I question whether these particular candidates have demonstrated the "concrete and particularized" injury necessary for Article III standing. Lujan v. Defs. of Wildlife, 504 U.S. 555, 560 . . . (1992). To the contrary, their claimed injury—a potentially "inaccurate vote tally" . . .—appears to be "precisely the kind of undifferentiated, generalized grievance about the conduct of government: that the Supreme Court has long considered inadequate for standing. Lance v. Coffman, 549 U.S. 437, 442 . . . (2007) (examining standing in the context of a claim under the Elections Clause). Because the Electors, should they in fact assume that office, must swear an oath to mark their Electoral College ballots for the presidential candidate who won the popular vote, Minn. Stat. § 208.43 (2015), it is difficult to discern how they have more of a "particularized stake," Lance, 549 U.S. at 442 . . . , in Minnesota conducting fair and transparent elections than do the rest of the state's voters.

Id. at 1063.

Judge Kelly's reasoning is the more persuasive. Under Wisconsin law, a vote for the candidates of president and vice president is a vote for the electors of those candidates. Wis. Stat. § 5.65(3)(a). When the electors meet, they must vote for the candidates of the party that nominated the electors. Wis. Stat. §7.75(2). Like Minnesota electors, Wisconsin electors may be referred to as "candidates" by statute but they are not traditional political candidates presented to and chosen by the voting public. Their interest in seeing that every valid vote is correctly counted and that no vote is diluted is no different than that of an ordinary voter. And the court has concluded, as did Judge Kelly, that the plaintiff's status as a voter does not give him standing.

The amended complaint does not mention the Elections Clause or the Electors Clause of the Constitution in relation to standing. In his brief in

opposition to the motions to dismiss, the plaintiff alleges that he has standing under “Electors and Elections Clause.” Dkt. No. 72 at 17. He asserts that the Eighth Circuit found in Carson that electors had “both Article III and Prudential standing under the Electors and Elections Clauses.” Id. The plaintiff reads Carson differently than does this court. The Carson majority did not mention the Electors or Elections Clause in its discussion of Article III standing. The entire discussion of Article III standing was based on Minnesota law. See Carson, 978 F.3d at 1-57-1058. In its discussion of *prudential* standing, the Carson majority stated that “[a]lthough the Minnesota Legislature may have been harmed by the Secretary’s usurpation of its constitutional right under the Elector Clause, the Electors have been as well.” Id. at 1058-59.

This court has found that the plaintiff does not have Article III standing, but even if had not, it disagrees that the Elector Clause³ provides prudential standing to electors. Article II, Section 1, Clause 2 of the Constitution—known as the “Elector Clause”—states that “[e]ach State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of

³ The plaintiff cites the “Elector and Elections Clause” or “Clauses” in the same breath but does not discuss the text of either. It is not clear how the plaintiff sees the Elections Clause—Article II, Sec. 1, cl. 3—as providing him with standing and the plaintiff has not developed that argument. The court notes only that in Lance v. Coffman, the Supreme Court found that plaintiffs whose only alleged injury was that the Elections Clause had not been followed did not have standing because they alleged “precisely the kind of undifferentiated, generalized grievance about the conduct of government that we have refused to countenance in the past.” Lance, 549 U.S. at 442.

Trust or Profit under the United States, shall be appointed an Elector.” The clause confers on the *state* the right to appoint electors and confers on the *legislature* the right to decide the way those electors will be appointed. It confers no right on the *electors* themselves. Just a few months ago, the Supreme Court stated as much in Chiafalo v. Washington, ___ U.S. ___, 140 S. Ct. 2316, 2328 (July 6, 2020), in the context of considering whether a state could penalize an elector for breaking his pledge and voting for someone other than the candidate who won his state’s popular vote:⁴ “Article II and the Twelfth Amendment give States broad powers over electors, and give electors themselves no rights.” The Court went on to say,

Early in our history, States decided to tie electors to the presidential choices of others, whether legislatures or citizens. Except that legislatures no longer play a role, that practice has continued for more than 200 years. Among the devices States have long used are pledge laws, designed to impress on electors their role as agents of others. A State follows in the same tradition if, like [the state of] Washington, it chooses to sanction an elector for breaching his promise. Then, too, the State instructs its electors that they have no ground for reversing the vote of millions of its citizens. That direction accords with the Constitution—as well as with the trust of a Nation that here, We the People rule.

Id.

The plaintiff’s status as a nominee to be a Republican elector does not give him Article III or prudential standing.

⁴ Wisconsin’s “pledge law”—Wis. Stat. §7.75(1)—does not impose a penalty on a “faithless elector.”

2. *Mootness*

Mootness “has sometimes been called ‘the doctrine of standing set in a time frame.’” Chi. Joe’s Tea Room, LLC v. Vill. of Broadview, 894 F.3d 807, 812-13 (7th Cir. 2018) (quoting Friends of the Earth, Inc. v. Laidlaw Envtl. Services (TOC), Inc., 528 U.S. 167, 189 (2000)). A case becomes moot “when the issues presented are no longer “live” or the parties lack a legally cognizable interest in the outcome.” Already, LLC v. Nike, Inc., 568 U.S. 85, 91 (2013) (quoting Murphy v. Hunt, 455 U.S. 478, 481 (1982) (per curiam)). “Mootness strips a federal court of subject-matter jurisdiction.” Id. at 815 (citing DJL Farm LLC v. EPA, 813 F.3d 1048, 1050 (7th Cir. 2016)). This is because “[a] case that becomes moot at any point during the proceedings is ‘no longer a “Case” or “Controversy” for purposes of Article III.’” United States v. Sanchez-Gomez, ___ U.S. ___, 138 S. Ct. 1532, 1537 (2018) (quoting Already, LLC, 568 U.S. at 91).

The amended complaint states that the plaintiff brought this suit “to prohibit certification of the election results for the Office of President of the United States in the State of Wisconsin” Dkt. No. 9 at ¶27. The plaintiff asks the court to prohibit from occurring an event that already has occurred—an event that occurred the day before he filed this lawsuit and nine days before the court issues this order. He asks the court to enjoin defendant Evers from transmitting the certified election results, id. at ¶142—an event that already has occurred. He asks the court to order that certain votes not be counted, id., when the vote counting has been over since November 29.

The plaintiff himself demonstrates the mootness problem in his brief in opposition to dismissal. He states that defendant Evers can provide partial redress for his alleged injuries “by refusing to certify or transmit the election results.” Dkt. No. 72 at 21. But Evers already has certified and transmitted the elections results—he cannot refuse to do that which he already has done.

At the December 8 hearing, the plaintiff argued that there remains a live controversy because the electors have not yet voted and will not do so until Monday, December 14, 2020. Dkt. No. 70. This argument ignores the fact that several of the events that dictate which slate of nominees are certified to vote already have taken place and had taken place at the time the plaintiff filed his complaint. The votes have been counted. In two counties, they’ve been counted twice. The WEC chair has signed the canvass and certified electors for Biden/Harris. The governor has signed the Certificate of Ascertainment and the National Archive has that certificate.

In his brief in opposition to dismissal, the plaintiff points to this court’s own order earlier in this case, determining that the plaintiff had not demonstrated why the December 8, 2020 “safe harbor” deadline under 3 U.S.C. §5 was the date by which the plaintiff needed the court to issue a decision to preserve his rights. Dkt. No. 72 at 25 (citing Dkt. No. 29 at 7). The court noted in that order that the plaintiff’s brief in opposition to a motion to reassign another case erroneously referred to December 8 as the date that the College of Electors was scheduled to meet. Dkt. No. 29 at 7. The court pointed out that that was incorrect, and that December 8 was the deadline by which the state

would have to make its final determination of any election dispute in order to avoid congressional challenge. Id. The court then said, “Because the electors do not meet and vote until December 14, 2020, the court will impose a less truncated briefing schedule than the one the plaintiff proposes” Dkt. No. 29.

The plaintiff says that “[i]mplicit in this Court’s determination” is the assumption that “this Court can still grant some or perhaps all of the relief requested and this Plaintiff’s claims are not moot.” Dkt. No. 72 at 25. The plaintiff reads more into the court’s language than the court intended. In the plaintiff’s earliest pleadings—the first motion for injunctive relief, the “corrected” motion for injunctive relief, the “amended” motion for injunctive relief—the plaintiff failed to identify a date by which he needed the court to act. The first time he identified such a date was in his brief in opposition to a motion to reassign another case—and then, the reference was oblique. In his opposition brief, the plaintiff stated, “With the College of Electors scheduled to meet December 8, there could never be a clearer case of ‘justice delayed is justice denied.’” Dkt. No. 18 at 1. From that, the court deduced that the plaintiff needed the court to act by the date the College of Electors was scheduled to meet. But the College of Electors was not scheduled to meet December 8—it was (and is) scheduled to meet December 14. So the court set a briefing schedule that would give the defendants a chance to respond, but would complete briefing ahead of the event the plaintiff deemed important—the

electoral meeting and vote. That was not a decision by this court—implicit or explicit—on the mootness of the plaintiff’s claims.

The plaintiff also asserts that the “cutoff for election-related challenges, at least in the Seventh Circuit, appears to be the date that the electors meet, rather than the date of certification.” Dkt. No. 72 at 24. He cites Swaffer v. Deininger, No. 08-CV-208, 2008 WL 5246167 (E.D. Wis. Dec. 17, 2008). Swaffer is not a Seventh Circuit case, and the court is not aware of a Seventh Circuit case that establishes a “cutoff for election-related challenges.” And the plaintiff seems to have made up the “quote” in his brief that purports to be from Swaffer. The plaintiff asserts that these words appear on page 4 of the Swaffer decision: “even though the **election** has passed, the meeting of electors obviously has not, so plaintiff’s claim here is hardly moot.” Dkt. No. 72 at 24-25. The court has read page 4 of Swaffer—a decision by this court’s colleague, Judge J.P. Stadtmueller—three times and cannot find these words. In fact, Swaffer did not involve a challenge to a presidential election and it did not involve electors. Mr. Swaffer sought to challenge a Wisconsin statute requiring individuals or groups promoting or opposing a referendum to file a registration statement and take other actions. Swaffer, 2008 WL 5246167, at *1. The defendants argued that the election (in which the plaintiff had taken steps to oppose a referendum on whether to allow liquor sales in the Town of Whitewater) was over and that Swaffer’s claims thus were moot. Id. at 2. Judge Stadtmueller disagreed, finding that because Swaffer alleged that he intended

to violate the statutes at issue in the future, a credible threat of prosecution remained. Id. at 3.

Some of the relief the plaintiff requests may not be moot. For example, he asks for an immediate order seizing voting machines, ballots and other materials relating to the physical mechanisms of voting. And there remain five days until the electors vote—as the events of this year have shown, anything can happen. But most of the relief the plaintiff seeks is beyond this court’s ability to redress absent the mythical time machine.

3. *Conclusion*

The plaintiff does not have Article III standing to sue in federal court for the relief he seeks.

C. Other Arguments

Standing is the *sine qua non* of subject matter jurisdiction. Absent standing, the court does not have jurisdiction to consider the plaintiff’s claims on the merits. Arguably, it has no jurisdiction to consider the other bases the defendants and *amici* assert for why the court should dismiss the case. At the risk of producing dicta (and spilling even more ink on a topic that has received an ocean’s worth by now), the court will briefly address some of the other bases for the sake of completeness.

1. *Eleventh Amendment Immunity*

The defendants argue that the plaintiff’s claims are barred by the Eleventh Amendment. Dkt. No. 59 at 15; Dkt. No. 54 at 10. The Eleventh Amendment “bars most claims in federal court against a state that does not

consent to suit.” Carmody v. Bd. of Trs. of Univ. of Ill., 893 F.3d 397, 403 (7th Cir. 2018) (citations omitted). States are immune from suit in federal court “unless the State consents to the suit or Congress has abrogated their immunity.” Tucker v. Williams, 682 F.3d 654, 658 (7th Cir. 2012) (citing Seminole Tribe v. Florida, 517 U.S. 44 (1996)). This includes suits brought in federal court against nonconsenting states by their own citizens. See, e.g., Edelman v. Jordan, 415 U.S. 651, 663 (1974); Hans v. Louisiana, 134 U.S. 1, 15 (1890) (“Can we suppose that, when the eleventh amendment was adopted, it was understood to be left open for citizens of a state to sue their own state in the federal courts, while the idea of suits by citizens of other states, or of foreign states, was indignantly repelled?”).

The plaintiff has sued the Governor of Wisconsin, Tony Evers, in his official capacity; the Wisconsin Elections Commission and each member of the WEC in his or her official capacity. Before going too much further down the Eleventh Amendment road, the court notes that the vehicle for the plaintiff to bring his constitutional claims—his claims under the Elector Clause, the Elections Clause, the Equal Protection Clause and the Due Process Clause—is 42 U.S.C. §1983. Section 1983 prohibits a “person” acting under color of state law from violating another’s civil rights. The Wisconsin Elections Commission is not a “person.” It is an arm of the state of Wisconsin, Wis. Stat. §5.05, and “states are not suable ‘persons’ under 42 U.S.C. § 1983.” Phillips v. Baxter, 768 F. App’x 555, 559-560 (7th Cir. 2019) (citing Sebesta v. Davis, 878 F.3d 226, 231 (7th Cir. 2017)). See also, Will v. Mich. Dept. of State Police, 491 U.S. 58,

64 (1989) (“a State is not a person within the meaning of § 1983”). “Section 1983 provides a federal forum to remedy many deprivations of civil liberties, but it does not provide a federal forum for litigants who seek a remedy against a State for alleged deprivations of civil liberties.” Will, 491 U.S. at 66. The WEC is not the proper defendant for the plaintiff’s constitutional claims.

The plaintiff faces the same problem with his claims against the individual defendants, all of whom are state officials whom he sues in their official capacities.⁵

Obviously, state officials literally are persons. But a suit against a state official in his or her official capacity is not a suit against the official but rather is a suit against the official’s office. *Brandon v. Holt*, 469 U.S. 464, 471 . . . (1985). As such, it is no different from a suit against the State itself. See, e.g., *Kentucky v. Graham*, 473 U.S. 159, 165-66 . . . (1985); *Monell [v. New York City Dept. of Social Services]*, 436 U.S. 658], at 690 [(1978)].

Id. at 71. Arguably, *none* of the defendants are subject to suit under 42 U.S.C. §1983, which means that even if the plaintiff had standing, the court would have to dismiss Counts I, II and III of the amended complaint.

Circling back to the defendants’ Eleventh Amendment argument, “The Eleventh Amendment extends to state agencies and departments and, subject to the Ex Parte Young doctrine, to state employees acting in their official capacities.” Nelson v. LaCrosse Cty. Dist. Atty. (State of Wis.), 301 F.3d 820,

⁵ Had the plaintiff sued the individual defendants in their *personal* capacities, he could have sought relief against them under 42 U.S.C. §1983, assuming he had standing.

827 n.7 (7th Cir. 2002) (citing Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 123-24 (1984)).

There are three exceptions to Eleventh Amendment immunity: (1) congressional abrogation, Nuñez v. Ind. Dep't of Child Servs., 817 F.3d 1042, 1044 (7th Cir. 2016) (citing Alden v. Maine, 527 U.S. 706, 754-55 (1999)); (2) “a state’s waiver of immunity and consent to suit,” id. (citing College Savings Bank v. Fla. Prepaid Postsecondary Educ. Expense Bd., 527 U.S. 666, 675 (1999)); and (3) a suit “against state officials seeking only prospective equitable relief,” id. (citing Ex parte Young, 209 U.S. 123, 159-60 (1908)). None of the exceptions apply here.

Congress did not abrogate the sovereign immunity of the states when it enacted 42 U.S.C. §1983. Will, 491 U.S. at 66. Wisconsin has not waived its immunity from civil actions under §1983. See Shelton v. Wis. Dep't of Corr., 376 Wis. 2d 525, *2 (Table) (Ct. App. 2017) (citing Boldt v. State, 101 Wis. 2d 566, 584-85 (1981)). And the Ex parte Young doctrine does not apply when a plaintiff asserts a claim—regardless of the relief requested—against a state official based on *state* law. Pennhurst, 465 U.S. at 106 (“A federal court’s grant of relief against state officials on the basis of state law, whether prospective or retroactive, does not vindicate the supreme authority of federal law. On the contrary, it is difficult to think of a greater intrusion on state sovereignty than when a federal court instructs state officials on how to conform their conduct to state law.”). “In determining whether the Ex parte Young doctrine avoids an Eleventh Amendment bar to suit, a court need only conduct a ‘straightforward

inquiry’ into whether the complaint alleges an ongoing violation of federal law and seeks relief properly characterized as prospective.” Verizon Md., Inc. v. Pub. Serv. Comm’n of Md., 535 U.S. 635, 636 (2002) (quoting Idaho v. Coeur d’Alene Tribe of Idaho, 521 U.S. 261, 296 (1997); McDonough Assocs., Inc. v. Grunloh, 722 F.3d 1043, 1051 (7th Cir. 2013)).

Count IV of the amended complaint alleges “[w]ide-spread ballot fraud,” a *state-law* claim. The Eleventh Amendment bars that claim against the defendants in their official capacities. The Eleventh Amendment also bars the plaintiff’s federal claims to the extent that the plaintiff seeks retrospective relief. The Supreme Court has refused to extend the Ex Parte Young doctrine to claims for retrospective relief. Green v. Mansour, 474 U.S. 64, 68 (1985) (citing Pennhurst, 465 U.S. at 102-103). The amended complaint seeks (1) a “temporary restraining order instructing Defendants to de-certify the results of the General Election for the Office of President,” dkt. no. 9 at 47; (2) “an order instructing the Defendants to certify the results of the General Election for Office of the President in favor of President Donald Trump,” id.; (3) “a temporary restraining order” prohibiting the tabulation of unlawful votes,” id.; (4) an order preserving voting equipment and data, id.; (5) “the elimination of the mail ballots from counting in the 2020 election,” id. at 48; (6) the disqualification of Wisconsin’s electors from participating in the 2020 election, id.; and (7) an order directing Wisconsin’s electors to vote for President Donald Trump, id. As the court already has noted, with the possible exception of the

request for an order preserving voting equipment and data, the relief the plaintiff requests is retrospective.

The plaintiff disagrees—he characterizes the certification of the election results as “ongoing violations of federal law . . . ongoing violations of the Electors and Elections Clauses, the Equal Protection and Due Process Clauses, as well as likely violations of federal law including the Voting Rights Act and the Help America Vote Act.” Dkt. No. 72 at 25-26. The plaintiff has not brought claims under the latter two statutes and saying that a completed event is an ongoing violation doesn’t make it so.

2. *Exclusive Remedy/Exhaustion/Abstention*

Defendant Evers moves to dismiss because Wisconsin provides a remedy to address irregularities or defects during the voting or canvassing process: Wis. Stat. §9.01(11). Four days ago, the Wisconsin Supreme Court held that §9.01(6) requires that a party aggrieved after a recount must appeal by filing suit in circuit court. Trump v. Evers, No. 2020AP1971-OA, Order at *2 (Wis. Dec. 3, 2020). In a concurring opinion, Justice Hagedorn noted that Wis. Stat. §9.01(11) provides that §9.01 is the exclusive judicial remedy for an aggrieved candidate. Defendant Evers points out that President Trump has lawsuits pending in state circuit courts and argues that those cases raise many of the claims the plaintiff raises here. Dkt. No. 59 at 11. He argues that the process detailed in Wis. Stat. §9.01 is designed to allow an aggrieved candidate to resolve election challenges promptly, and that for this court to permit the

plaintiff to circumvent that process “would eviscerate Wisconsin’s careful process for properly and quickly deciding election challenges.” *Id.* at 11-12.

Of course, the plaintiff has no redress under Wis. Stat. §9.01, because he is not a “candidate” in the sense of that statute. But Evers argues that there was a form of state-law relief available to the plaintiff. He asserts that the plaintiff should have filed a complaint with the Wisconsin Elections Commission under Wis. Stat. §5.06. Dkt. No. 59 at 13. That statute allows a voter dissatisfied with the Wisconsin election process to file a written, sworn complaint with the elections board. Wis. Stat. §5.06(1). The statute states that no voter may “commence an action or proceeding to test the validity of any decision, action or failure to act on the part of any election official” without first filing a complaint under §5.06(1). Wis. Stat. §5.06(2). Evers points out that the plaintiff has not demonstrated that he followed this procedure and thus that the plaintiff did not exhaust his remedies before coming to federal court. Dkt. No. 59 at 14.

The plaintiff does not directly respond to the exhaustion argument. He simply maintains that he has a right to bring his constitutional claims in federal court, argues that there is no evidence that the statute Evers cites is an exhaustion requirement and asserts that the court has federal question jurisdiction under 28 U.S.C. §1331 and supplemental jurisdiction over any state-law claims under 28 U.S.C. §1367.⁶ Dkt. No. 72 at 27-28. He neatly

⁶ The court could exercise supplemental jurisdiction over state-law claims only if there remained federal claims to which those state-law claims related. As the court has noted, it likely would have been required to dismiss the federal

sidesteps the question of why he did not follow a procedure that would have allowed him to direct his concerns to the entity in charge of enforcing the state's election laws and in a way that likely would have brought those concerns to that entity's attention long before the election results were certified.

Because the court has concluded that the plaintiff does not have standing, and because the plaintiff has sued defendants who either are not suable under §1983 or are protected by Eleventh Amendment immunity, the court will not accept the invitations of the defendants and *amici* to wade into the waters of the various types of abstention. If this court does not have subject matter jurisdiction, there is no case or controversy from which it should abstain. The court agrees with the parties, however, that the relief the plaintiff requests—asking a federal judge to order a state governor to decertify the election results for an entire state and direct that governor to certify a different outcome—constitutes “an extraordinary intrusion on state sovereignty from which a federal court should abstain under longstanding precedent.” Dkt. No. 57 at 28.

3. *Laches*

The defendants argue that the equitable defense of laches requires dismissal, because the plaintiff “inexplicably waited until after the election, after the canvassing, after the recount, after the audit, after results were

claims because the plaintiff asserted them through §1983 against state officials in their official capacities, which in turn would have required dismissal of any state claims for lack of subject matter jurisdiction.

certified, and indeed until the eve of the electoral college vote, to bring his claim of state law violations and widespread fraud” Dkt. No. 52 at 11. See also, Dkt. No 59 at 17 (“the doctrine of laches bars [the plaintiff’s] claims because he has unreasonably delayed bringing his claims to the detriment not only of Defendants, but also of the nearly 3.3 million voters in Wisconsin who voted in this last election under the good-faith belief that they were following the correct procedures to have their votes counted.”).

The doctrine of laches “addresses delay in the pursuit of a right when a party must assert that right in order to benefit from it.” Hot Wax, Inc. v. Turtle Wax, Inc., 191 F.3d 813, 820 (7th Cir. 1999). “For laches to apply in a particular case, the party asserting the defense must demonstrate: (1) an unreasonable lack of diligence by the party against whom the defense is asserted and (2) prejudice arising therefrom.” Id. (citing Cannon v. Univ. of Health Scis./The Chicago Med. Sch., 710 F.2d 351, 359 (7th Cir. 1983)). “Timeliness must be judged by the knowledge of the plaintiffs as well as the nature of the right involved.” Jones v. v. Markiewicz-Qualkinbush, 842 F.3d 1053, 1061 (7th Cir. 2016).

“The obligation to seek injunctive relief in a timely manner in the election context is hardly a new concept.” Id. at 1060-61. In fact, the Seventh Circuit has held that such “claims must be brought expeditiously . . . to afford the district court sufficient time in advance of an election to rule without disruption of the electoral cycle.” Id. at 1061 (internal quotation marks and citations omitted).

The amended complaint asserts that the alleged problems with the Dominion voting machine software “have been widely reported in the press and have been subject to investigation.” Dkt. No. 9 at ¶12. It cites to exhibits from January and August of 2020. Dkt. No. 9 at 5 n.1. It cites to the WEC’s May 13, 2020 directive to clerks that they should not reject the ballots of “indefinitely confined” absentee voters. Id. at ¶40. It cites an October 18, 2016 memorandum issued by the WEC instructing clerks on how to handle absentee envelope certifications that did not bear the address of the witness. Id. at ¶44. It cites October 19, 2020 instructions by the WEC to clerks about filling in missing ballot information. Id. at ¶45.

Defendant Evers points out that the plaintiff’s own allegations demonstrate that he has known about the Dominion voting machine issues since long before the election. Dkt. No. 59 at 17-18. He argues that the WEC guidance about which the plaintiff complains came in directives issued in October 2016, May 2020 and October 2020. Id. He asserts that the plaintiff has made no effort “to offer a justifiable explanation for why he waited until weeks after the election to challenge” these issues. Id. at 18. The WEC defendants advise the court that the issue regarding “indefinitely confined” voters was litigated in state court almost eight months ago. Dkt. No. 54 at 9 (citing Pet. For Original Action dated March 27, 2020, Supreme Court of Wisconsin, No. 2020AP000557-OA). They assert that the plaintiff “waited to challenge widely-known procedures until after millions of voters cast their ballots in reliance on those procedures.” Id. at 6. They state that “[i]f the doctrine of laches means

anything, it is that Plaintiff here cannot overturn the results of a completed and certified election through preliminary relief in this late-filed case.” Id.

The plaintiff first responds that laches is a defense and shouldn't be raised on a motion to dismiss. Dkt. No. 72 at 22. He then claims that he could not have known the bases of any of these claims until after the election. Id. at 22-23. He says that because Wisconsin election officials did not “announce or publicize their misconduct,” and because, he alleges, they “prevented Republican poll watchers from observing the ballot counting and handling,” it took him time to gather the evidence and testimony he attached to the amended complaint. Id. at 23. Finally, he alleges that the delay post-November 3, 2020 is attributable to the defendants' failure to timely complete the election count. Id. He insists that he filed this suit at the earliest possible moment—the day after the certification. Id.

The court has determined that the plaintiff does not have standing. That means that the court does not have jurisdiction to assess the plaintiff's credibility, and it will refrain from doing so.

4. *Failure to state a claim upon which relief can be granted*

Both defendants asked the court to dismiss the case for failure to state a claim under Fed. R. Civ. P. 12(b)(6). Because the court does not have subject matter jurisdiction, it will not address the sufficiency of the substantive claims in the amended complaint.

5. *Requests for injunctive relief*

For the same reason, the court cannot address the merits of the plaintiff's request for preliminary injunctive relief.

V. Conclusion

This court's authority to grant relief is confined by the limits of the Constitution. Granting the relief the plaintiff requests would take the court far outside those limits, and outside the limits of its oath to uphold and defend the Constitution. The court will grant the defendants' motion to dismiss.

The court **GRANTS** Defendant Governor Tony Evers's Motion to Dismiss Plaintiff's Amended Complaint. Dkt. No. 51.

The court **GRANTS** Defendant Wisconsin Elections Commission and Its Members' Motion to Dismiss. Dkt. No. 53.

The court **DENIES AS MOOT** Plaintiff's Corrected Motion for Declaratory, Emergency, and Permanent Injunctive Relief. Dkt. No. 6.

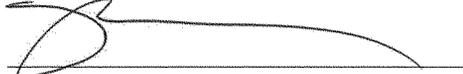
The court **DENIES AS MOOT** Plaintiff's Amended Motion for Temporary Restraining Order and Preliminary Injunction to be Considered in an Expedited Manner Dkt. No. 10.

The court **DISMISSES** the Amended Complaint for Declaratory, Emergency, and Permanent Injunctive Relief. Dkt. No. 9.

The court **ORDERS** that this case is **DISMISSED**.

Dated in Milwaukee, Wisconsin this 9th day of December, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge

King v. Whitmer

Decided Dec 2, 2020

Case No. 20-13134

12-02-2020

TIMOTHY KING, et al., Plaintiffs, v. GRETCHEN WHITMER, et al., Defendants.

Honorable Linda V. Parker

OPINION & ORDER GRANTING MOTIONS TO INTERVENE (ECF NOS. 5, 12, 14)

This matter is presently before the Court on three motions to intervene, filed by the City of Detroit, the Democratic National Committee and Michigan Democratic Party ("DNC/MDP"), and Robert Davis, an individual who cast his November 3, 2020 general election vote in Wayne County via absentee ballot. (ECF Nos. 5, 12, 14.) According to the movants, Plaintiffs concurred as to the DNC/MDP's and Davis' motions but denied concurrence as to the City of Detroit's motion. (See ECF No. 5 at Pg. ID 840; ECF No. 12 at Pg. ID 1861; ECF No. 14 at Pg. ID 1879.) In their response to the three motions, however, Plaintiffs neither mention the DNC/MDP or the City of Detroit nor proffer arguments opposing intervention by the two movants; but, Plaintiffs do oppose intervention by Davis. (ECF No. 25.) The movants indicate that Defendants concurred as to the *2 DNC/MDP's motion but denied concurrence as to Davis' motion.¹ (See ECF No. 12 at Pg. ID 1861; ECF No. 14 at Pg. ID 1879.)

¹ In its Motion to Intervene, the City of Detroit does not indicate whether it sought concurrence from Defendants. (See ECF No. 5 at Pg. ID 840.)

As neither party opposes the City of Detroit's or the DNC/MDP's motions to intervene, the Court grants those motions. *Boone v. Heyns*, No. 12-14098, 2017 WL 3977524, at *5 (E.D. Mich. Sept. 11, 2017) (finding that an "argument[] [is] deemed conceded and waived" where plaintiff did not refute it in his brief (citing *McPherson v. Kelsey*, 125 F. 3d 989, 995 (6th Cir. 1997))); see also *McPherson*, 125 F. 3d at 995 ("[I]ssues adverted to in a perfunctory manner, unaccompanied by some effort at developed argumentation, are deemed waived."). For the reasons that follow, the Court also grants Davis' motion.

APPLICABLE LAW & ANALYSIS

Intervention is governed by Federal Rule of Civil Procedure 24. Rule 24(a)(2) provides that on timely motion, the court "must permit" anyone to intervene who "claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest." Fed. R. Civ. P. 24(a)(2). Davis argues that "[his] interests are strong here because Plaintiffs' [C]omplaint [] seeks *3 an order . . . 'decertifying' [his] lawfully cast vote." (ECF No. 12 at Pg. ID 1867.) Davis "seeks to protect his lawfully cast vote" and "ensure it is properly counted and certified." (*Id.* at Pg. ID 1868.)

Notably, the City of Detroit and the DNC/MDP—as well as, presumably, Defendants Governor Gretchen Whitmer, Secretary of State Jocelyn Benson, and the Michigan Board of State Canvassers—aim to protect the same interests on behalf of all Wayne County voters, including Davis. (ECF No. 5 at Pg. ID 850-51; ECF No. 14 at Pg. ID 1901.) While the burden of demonstrating inadequate representation is minimal because the movant need not prove that the representation will in fact be inadequate, but only that it “may be” inadequate, *Jordan v. Michigan Conference of Teamsters Welfare Fund*, 207 F.3d 854, 863 (6th Cir. 2000) (citations omitted), the Sixth Circuit “has held that a movant fails to meet [this] burden . . . when 1) no collusion is shown between the existing party and the opposition; 2) the existing party does not have any interests adverse to the intervenor; and 3) the existing party has not failed in the fulfillment of its duty.” *Id.* (citing *Bradley v. Milliken*, 828 F.2d 1186, 1192 (6th Cir. 1987)). Davis does not contend that Defendants are colluding with Plaintiffs. In addition, though Davis points out that he has filed suit against Secretary Benson in various courts (ECF No. 12 at Pg. ID 1870-71), Davis neither argues nor explains how those lawsuits make Defendants’ interests adverse to his own. And while Davis ⁴ emphasizes that Defendants are busy defending other lawsuits similar to this one and “[m]anagement of such case load requires immediate and immense attention and effort,” (*id.* at Pg. ID 1870), Davis does not maintain that Defendants have thus far failed to actively and thoroughly litigate the issues in this case. Davis, therefore, cannot intervene as of right.

Under Rule 24(b), the court “may” permit anyone to intervene who files a timely motion and “has a claim or defense that shares with the main action a common question of law or fact,” provided the court considers “whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights” and “any other relevant factors.” Fed. R. Civ. P. 24(b); *Mich. State AFL-CIO v. Miller*, 103 F.3d 1240, 1248 (6th Cir. 1997).

Davis argues that he “lawfully voted by absentee ballot” and seeks to intervene in this action to avoid having his vote in the election de-certified or not counted.² (ECF No. 12 at Pg. ID 1872.) The Court presumes that Defendants will ⁵ vigorously defend this action to prevent the disenfranchisement of *any* lawful Michigan voter. The motions to intervene filed by the City of Detroit and the DNC/MDP reflect that they too will argue against Plaintiffs’ attempt to remove “hundreds of thousands of Detroit votes . . . from Michigan’s official tally.” (*See* City of Detroit Br., ECF No. 5 at Pg. ID 852 (“Plaintiffs have not hidden the fact that their ultimate goal is to have hundreds of thousands of Detroit votes removed from Michigan’s official tally.”)); (DNC/MDP Br., ECF No. 14 at Pg. ID 1900 (discussing “lawfully cast ballots”).

² Whether this assertion amounts to a defense is a close call. This is especially so when considering that, when a movant requests leave to intervene “based solely on their interest” in the property or transaction that is the subject of the action, the Sixth Circuit has held that the district court does not abuse its discretion in denying the movant’s motion for permissive intervention. *Reliastar Life Ins. Co. v. MKP Invs.*, 565 F. App’x 369, 374-75 (6th Cir. 2014). While more specificity regarding Davis’ defenses would have been helpful, the Court recognizes that the Sixth Circuit “take[s] a lenient approach to the requirements of Rule 24(c),” especially where the non-movant identifies no “prejudice [that] would result from granting the motion to intervene despite the failure to attach a pleading” and where the parties are “on notice as to [the movant’s] positions and arguments.” *Providence Baptist Church v. Hillandale Comm., Ltd.*, 425 F.3d 309, 314 (6th Cir. 2005). -----

Nevertheless, while “[t]he fact that [a movant’s] position is being represented counsels against granting permissive intervention,” *Bay Mills Indian Community v. Snyder*, 720 F. App’x 754, 759 (6th Cir. 2018) (citation omitted), the Court finds that Davis’ intervention will not unduly delay or prejudice the adjudication of the original Defendants’ rights. Davis will be subject to the same briefing schedule as Defendants, and Plaintiffs do not demonstrate that his participation will disrupt the schedule or otherwise delay the proceedings.

Moreover, even considering the complexity of the issues raised by the parties, the need for expeditious resolution of this case, and the need to preserve "judicial economy," *see League of Women Voters of Michigan v. Johnson*, 902 F.3d 572, *6 577 (6th Cir. 2018); (ECF No. 25 at Pg. ID 2126), Plaintiffs do not explain how permitting Davis to intervene would further complicate the issues, hamper expeditious resolution, or impede "judicial economy." Thus, the Court finds that the factors weigh in favor of granting permissive intervention.

Accordingly,

IT IS ORDERED that the City of Detroit's Motion to Intervene as a Defendant (ECF No. 5) is **GRANTED**.

IT IS FURTHER ORDERED that Robert Davis' Motion to Intervene Pursuant to Fed. R. Civ. P. 24(a)(2) and 24(b) (ECF No. 12) is **GRANTED**.

IT IS FURTHER ORDERED that the DNC/MDP's Motion to Intervene (ECF No. 14) is **GRANTED**.

IT IS FURTHER ORDERED that the Motion to Expedite Briefing, Scheduling and Adjudication of Proposed Intervenor Defendant Robert Davis' Emergency Motion to Intervene (ECF No. 17) is **DENIED AS MOOT**.

IT IS SO ORDERED.

s/ Linda V. Parker

LINDA V. PARKER

U.S. DISTRICT JUDGE Dated: December 2, 2020

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY KING, MARIAN ELLEN
SHERIDAN, JOHN EARL HAGGARD,
CHARLES JAMES RITCHARD,
JAMES DAVID HOOPER, and
DAREN WADE RUBINGH,

Plaintiffs,

v.

Civil Case No. 20-13134
Honorable Linda V. Parker

GRETCHEN WHITMER, in her official
capacity as Governor of the State of Michigan,
JOCELYN BENSON, in her official capacity as
Michigan Secretary of State, and MICHIGAN
BOARD OF STATE CANVASSERS,

Defendants,

and

CITY OF DETROIT, DEMOCRATIC
NATIONAL COMMITTEE and
MICHIGAN DEMOCRATIC PARTY, and
ROBERT DAVIS,

Intervenor-Defendants.

**OPINION AND ORDER DENYING PLAINTIFFS' "EMERGENCY
MOTION FOR DECLARATORY, EMERGENCY, AND PERMANENT
INJUNCTIVE RELIEF" (ECF NO. 7)**

The right to vote is among the most sacred rights of our democracy and, in turn, uniquely defines us as Americans. The struggle to achieve the right to vote is

one that has been both hard fought and cherished throughout our country’s history. Local, state, and federal elections give voice to this right through the ballot. And elections that count each vote celebrate and secure this cherished right.

These principles are the bedrock of American democracy and are widely revered as being woven into the fabric of this country. In Michigan, more than 5.5 million citizens exercised the franchise either in person or by absentee ballot during the 2020 General Election. Those votes were counted and, as of November 23, 2020, certified by the Michigan Board of State Canvassers (also “State Board”). The Governor has sent the slate of Presidential Electors to the Archivist of the United States to confirm the votes for the successful candidate.

Against this backdrop, Plaintiffs filed this lawsuit, bringing forth claims of widespread voter irregularities and fraud in the processing and tabulation of votes and absentee ballots. They seek relief that is stunning in its scope and breathtaking in its reach. If granted, the relief would disenfranchise the votes of the more than 5.5 million Michigan citizens who, with dignity, hope, and a promise of a voice, participated in the 2020 General Election. The Court declines to grant Plaintiffs this relief.

I. Background

In the weeks leading up to, and on, November 3, 2020, a record 5.5 million Michiganders voted in the presidential election (“2020 General Election”). (ECF

No. 36-4 at Pg ID 2622.) Many of those votes were cast by absentee ballot. This was due in part to the coronavirus pandemic and a ballot measure the Michigan voters passed in 2018 allowing for no-reason absentee voting. When the polls closed and the votes were counted, Former Vice President Joseph R. Biden, Jr. had secured over 150,000 more votes than President Donald J. Trump in Michigan. (*Id.*)

Michigan law required the Michigan State Board of Canvassers to canvass results of the 2020 General Election by November 23, 2020. Mich. Comp. Laws § 168.842. The State Board did so by a 3-0 vote, certifying the results “for the Electors of President and Vice President,” among other offices. (ECF No. 36-5 at Pg ID 2624.) That same day, Governor Gretchen Whitmer signed the Certificates of Ascertainment for the slate of electors for Vice President Biden and Senator Kamala D. Harris. (ECF No. 36-6 at Pg ID 2627-29.) Those certificates were transmitted to and received by the Archivist of the United States. (*Id.*)

Federal law provides that if election results are contested in any state, and if the state, prior to election day, has enacted procedures to decide controversies or contests over electors and electoral votes, and if these procedures have been applied, and the decisions are made at least six days before the electors’ meetings, then the decisions are considered conclusive and will apply in counting the electoral votes. 3 U.S.C. § 5. This date (the “Safe Harbor” deadline) falls on

December 8, 2020. Under the federal statutory timetable for presidential elections, the Electoral College must meet on “the first Monday after the second Wednesday in December,” 3 U.S.C. § 7, which is December 14 this year.

Alleging widespread fraud in the distribution, collection, and counting of ballots in Michigan, as well as violations of state law as to certain election challengers and the manipulation of ballots through corrupt election machines and software, Plaintiffs filed the current lawsuit against Defendants at 11:48 p.m. on November 25, 2020—the eve of the Thanksgiving holiday. (ECF No. 1.) Plaintiffs are registered Michigan voters and nominees of the Republican Party to be Presidential Electors on behalf of the State of Michigan. (ECF No. 6 at Pg ID 882.) They are suing Governor Whitmer and Secretary of State Jocelyn Benson in their official capacities, as well as the Michigan Board of State Canvassers.

On November 29, a Sunday, Plaintiffs filed a First Amended Complaint (ECF No. 6), “Emergency Motion for Declaratory, Emergency, and Permanent Injunctive Relief and Memorandum in Support Thereof” (ECF No. 7), and Emergency Motion to Seal (ECF No. 8). In their First Amended Complaint, Plaintiffs allege three claims pursuant to 42 U.S.C. § 1983: (Count I) violation of the Elections and Electors Clauses; (Count II) violation of the Fourteenth Amendment Equal Protection Clause; and, (Count III) denial of the Fourteenth

Amendment Due Process Clause. (ECF No. 6.) Plaintiffs also assert one count alleging violations of the Michigan Election Code. (*Id.*)

By December 1, motions to intervene had been filed by the City of Detroit (ECF No. 15), Robert Davis (ECF No. 12), and the Democratic National Committee and Michigan Democratic Party (“DNC/MDP”) (ECF No. 14). On that date, the Court entered a briefing schedule with respect to the motions. Plaintiffs had not yet served Defendants with their pleading or emergency motions as of December 1. Thus, on December 1, the Court also entered a text-only order to hasten Plaintiffs’ actions to bring Defendants into the case and enable the Court to address Plaintiffs’ pending motions. Later the same day, after Plaintiffs filed certificates of service reflecting service of the summons and Amended Complaint on Defendants (ECF Nos. 21), the Court entered a briefing schedule with respect to Plaintiffs’ emergency motions, requiring response briefs by 8:00 p.m. on December 2, and reply briefs by 8:00 p.m. on December 3 (ECF No. 24).

On December 2, the Court granted the motions to intervene. (ECF No. 28.) Response and reply briefs with respect to Plaintiffs’ emergency motions were thereafter filed. (ECF Nos. 29, 31, 32, 34, 35, 36, 37, 39, 49, 50.) Amicus curiae Michigan State Conference NAACP subsequently moved and was granted leave to file a brief in support of Defendants’ position. (ECF Nos. 48, 55.) Supplemental briefs also were filed by the parties. (ECF Nos. 57, 58.)

In light of the limited time allotted for the Court to resolve Plaintiffs’ emergency motion for injunctive relief—which Plaintiffs assert “must be granted in advance of December 8, 2020” (ECF No. 7 at Pg ID 1846)—the Court has disposed of oral argument with respect to their motion pursuant to Eastern District of Michigan Local Rule 7.1(f).¹

II. Standard of Review

A preliminary injunction is “an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008) (citation omitted). The plaintiff bears the burden of demonstrating entitlement to preliminary injunctive relief. *Leary v. Daeschner*, 228 F.3d 729, 739 (6th Cir. 2000). Such relief will only be granted where “the movant carries his or her burden of proving that the circumstances clearly demand it.” *Overstreet v. Lexington-Fayette Urban Cnty. Gov’t*, 305 F.3d 566, 573 (6th Cir. 2002). “Evidence that goes beyond the unverified allegations of the pleadings and motion papers must be presented to

¹ “[W]here material facts are not in dispute, or where facts in dispute are not material to the preliminary injunction sought, district courts generally need not hold an evidentiary hearing.” *Nexus Gas Transmission, LLC v. City of Green, Ohio*, 757 Fed. Appx. 489, 496-97 (6th Cir. 2018) (quoting *Certified Restoration Dry Cleaning Network, LLC v. Tenke Corp.*, 511 F.3d 535, 553 (6th Cir. 2007)) (citation omitted).

support or oppose a motion for a preliminary injunction.” 11A Mary Kay Kane, Fed. Prac. & Proc. § 2949 (3d ed.).

Four factors are relevant in deciding whether to grant preliminary injunctive relief: “(1) whether the movant has a strong likelihood of success on the merits; (2) whether the movant would suffer irreparable injury absent the injunction; (3) whether the injunction would cause substantial harm to others; and (4) whether the public interest would be served by the issuance of an injunction.” *Daunt v. Benson*, 956 F.3d 396, 406 (6th Cir. 2020) (quoting *Bays v. City of Fairborn*, 668 F.3d 814, 818-19 (6th Cir. 2012)). “At the preliminary injunction stage, ‘a plaintiff must show more than a mere possibility of success,’ but need not ‘prove his case in full.’” *Ne. Ohio Coal. for Homeless v. Husted*, 696 F.3d 580, 591 (6th Cir. 2012) (quoting *Certified Restoration Dry Cleaning Network, LLC v. Tenke Corp.*, 511 F.3d 535, 543 (6th Cir. 2007)). Yet, “the proof required for the plaintiff to obtain a preliminary injunction is much more stringent than the proof required to survive a summary judgment motion ...” *Leary*, 228 F.3d at 739.

III. Discussion

The Court begins by discussing those questions that go to matters of subject matter jurisdiction or which counsel against reaching the merits of Plaintiffs’ claims. While the Court finds that any of these issues, alone, indicate that Plaintiffs’ motion should be denied, it addresses each to be thorough.

A. Eleventh Amendment Immunity

The Eleventh Amendment to the United States Constitution provides:

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

U.S. Const. amend. XI. This immunity extends to suits brought by citizens against their own states. *See, e.g., Ladd v. Marchbanks*, 971 F.3d 574, 578 (6th Cir. 2020) (citing *Hans v. Louisiana*, 134 U.S. 1, 18-19 (1890)). It also extends to suits against state agencies or departments, *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 100 (1984) (citations omitted), and “suit[s] against state officials when ‘the state is the real, substantial party in interest[.]’” *id.* at 101 (quoting *Ford Motor Co. v. Dep’t of Treasury*, 323 U.S. 459, 464 (1945)).

A suit against a State, a state agency or its department, or a state official is in fact a suit against the State and is barred “regardless of the nature of the relief sought.” *Pennhurst State Sch. & Hosp.*, 465 U.S. at 100-02 (citations omitted). ““The general rule is that a suit is against the sovereign if the judgment sought would expend itself on the public treasury or domain, or interfere with the public administration, or if the effect of the judgment would be to restrain the Government from acting, or to compel it to act.”” *Id.* at 101 n.11 (quoting *Dugan v. Rank*, 372 U.S. 609, 620 (1963)) (internal quotation marks omitted).

Eleventh Amendment immunity is subject to three exceptions: (1) congressional abrogation; (2) waiver by the State; and (3) “a suit against a state official seeking prospective injunctive relief to end a continuing violation of federal law.” *See Carten v. Kent State Univ.*, 282 F.3d 391, 398 (6th Cir. 2002) (citations omitted). Congress did not abrogate the States’ sovereign immunity when it enacted 42 U.S.C. § 1983. *Will v. Mich. Dep’t of State Police*, 491 U.S. 58, 66 (1989). “The State of Michigan has not consented to being sued in civil rights actions in the federal courts.” *Johnson v. Unknown Dellatifa*, 357 F.3d 539, 545 (6th Cir. 2004) (citing *Abick v. Michigan*, 803 F.2d 874, 877 (6th Cir. 1986)). The Eleventh Amendment therefore bars Plaintiffs’ claims against the Michigan Board of State Canvassers. *See McLeod v. Kelly*, 7 N.W.2d 240, 242 (Mich. 1942) (“The board of State canvassers is a State agency ...”); *see also Deleeuw v. State Bd. of Canvassers*, 688 N.W.2d 847, 850 (Mich. Ct. App. 2004). Plaintiffs’ claims are barred against Governor Whitmer and Secretary Benson unless the third exception applies.

The third exception arises from the Supreme Court’s decision in *Ex parte Young*, 209 U.S. 123 (1908). But as the Supreme Court has advised:

To interpret *Young* to permit a federal-court action to proceed in every case where prospective declaratory and injunctive relief is sought against an officer, named in his individual capacity, would be to adhere to an empty formalism and to undermine the principle ... that Eleventh Amendment immunity represents a real

limitation on a federal court's federal-question jurisdiction. The real interests served by the Eleventh Amendment are not to be sacrificed to elementary mechanics of captions and pleading. Application of the *Young* exception must reflect a proper understanding of its role in our federal system and respect for state courts instead of a reflexive reliance on an obvious fiction.

Idaho v. Coeur d'Alene Tribe of Idaho, 521 U.S. 261, 270 (1997). Further, “the theory of *Young* has not been provided an expansive interpretation.” *Pennhurst State Sch. & Hosp.*, 465 U.S. at 102. ““In determining whether the doctrine of *Ex parte Young* avoids an Eleventh Amendment bar to suit, a court need only conduct a straightforward inquiry into whether [the] complaint alleges an ongoing violation of federal law and seeks relief properly characterized as prospective.”” *Verizon Md., Inc. v. Pub. Serv. Comm'n*, 535 U.S. 635, 645 (2002) (quoting *Coeur d'Alene Tribe of Idaho*, 521 U.S. 296 (O'Connor, J., concurring)).

Ex parte Young does not apply, however, to *state law* claims against state officials, regardless of the relief sought. *Pennhurst State Sch. & Hosp.*, 465 U.S. at 106 (“A federal court’s grant of relief against state officials on the basis of state law, whether prospective or retroactive, does not vindicate the supreme authority of federal law. On the contrary, it is difficult to think of a greater intrusion on state sovereignty than when a federal court instructs state officials on how to conform their conduct to state law.”); *see also In re Ohio Execution Protocol Litig.*, 709 F. App’x 779, 787 (6th Cir. 2017) (“If the plaintiff sues a state official under state law

in federal court for actions taken within the scope of his authority, sovereign immunity bars the lawsuit regardless of whether the action seeks monetary or injunctive relief.”). Unquestionably, Plaintiffs’ state law claims against Defendants are barred by Eleventh Amendment immunity.

The Court then turns its attention to Plaintiffs’ § 1983 claims against Defendants. Defendants and Intervenor DNC/MDP contend that these claims are not in fact federal claims as they are premised entirely on alleged violations of *state* law. (ECF No. 31 at Pg ID 2185 (“Here, each count of Plaintiffs’ complaint—even Counts I, II, and III, which claim to raise violations of federal law—is predicated on the election being conducted contrary to Michigan law.”); ECF No. 36 at Pg ID 2494 (“While some of [Plaintiffs’] allegations concern fantastical conspiracy theories that belong more appropriately in the fact-free outer reaches of the Internet[,] ... what Plaintiffs assert at bottom are violations of the Michigan Election Code.”) Defendants also argue that even if properly stated as federal causes of action, “it is far from clear whether Plaintiffs’ requested injunction is actually prospective in nature, as opposed to retroactive.” (ECF No. 31 at Pg ID 2186.)

The latter argument convinces this Court that *Ex parte Young* does not apply. As set forth earlier, “[i]n order to fall with the *Ex parte Young* exception, a claim must seek prospective relief to end a continuing violation of federal law.”

Russell v. Lundergan-Grimes, 784 F.3d 1037, 1047 (6th Cir. 2015) (quoting *Diaz v. Mich. Dep't of Corr.*, 703 F.3d 956, 964 (6th Cir. 2013)). Unlike *Russell*, which Plaintiffs cite in their reply brief, this is not a case where a plaintiff is seeking to enjoin the continuing enforcement of a statute that is allegedly unconstitutional. *See id.* at 1044, 1047 (plaintiff claimed that Kentucky law creating a 300-foot non-political-speech buffer zone around polling location violated his free-speech rights). Instead, Plaintiffs are seeking to undo what has already occurred, as their requested relief reflects.² (*See* ECF No. 7 at Pg ID 1847; *see also* ECF No. 6 at Pg 955-56.)

Before this lawsuit was filed, the Michigan Board of State Canvassers had already certified the election results and Governor Whitmer had transmitted the State's slate of electors to the United States Archivist. (ECF Nos. 31-4, 31-5.) There is no continuing violation to enjoin. *See Rios v. Blackwell*, 433 F. Supp. 2d 848 (N.D. Ohio Feb. 7, 2006); *see also King Lincoln Bronzeville Neighborhood Ass'n v. Husted*, No. 2:06-cv-00745, 2012 WL 395030, at *4-5 (S.D. Ohio Feb. 7, 2012); *cf. League of Women Voters of Ohio v. Brunner*, 548 F.3d 463, 475 (6th Cir. 2008) (finding that the plaintiff's claims fell within the *Ex parte Young* doctrine

² To the extent Plaintiffs ask the Court to certify the results in favor of President Donald J. Trump, such relief is beyond its powers.

where it alleged that the problems that plagued the election “are chronic and will continue absent injunctive relief”).

For these reasons, the Court concludes that the Eleventh Amendment bars Plaintiffs’ claims against Defendants.

B. Mootness

This case represents well the phrase: “this ship has sailed.” The time has passed to provide most of the relief Plaintiffs request in their Amended Complaint; the remaining relief is beyond the power of any court. For those reasons, this matter is moot.

“Under Article III of the Constitution, federal courts may adjudicate only actual, ongoing cases or controversies.” *Kentucky v. U.S. ex rel. Hagel*, 759 F.3d 588, 595 (6th Cir. 2014) (quoting *Lewis v. Cont’l Bank Corp.*, 494 U.S. 472, 477 (1990)). A case may become moot “when the issues presented are no longer live or the parties lack a legally cognizable interest in the outcome.” *U.S. Parole Comm’n v. Geraghty*, 445 U.S. 388, 396, 410 (1980) (internal quotation marks and citation omitted). Stated differently, a case is moot where the court lacks “the ability to give meaningful relief[.]” *Sullivan v. Benningfield*, 920 F.3d 401, 410 (6th Cir. 2019). This lawsuit was moot well before it was filed on November 25.

In their prayer for relief, Plaintiffs ask the Court to: (a) order Defendants to decertify the results of the election; (b) enjoin Secretary Benson and Governor

Whitmer from transmitting the certified election results to the Electoral College; (c) order Defendants “to transmit certified election results that state that President Donald Trump is the winner of the election”; (d) impound all voting machines and software in Michigan for expert inspection; (e) order that no votes received or tabulated by machines not certified as required by federal and state law be counted; and, (f) enter a declaratory judgment that mail-in and absentee ballot fraud must be remedied with a manual recount or statistically valid sampling.³ (ECF No. 6 at Pg ID 955-56, ¶ 233.) What relief the Court could grant Plaintiffs is no longer available.

Before this lawsuit was filed, all 83 counties in Michigan had finished canvassing their results for all elections and reported their results for state office races to the Secretary of State and the Michigan Board of State Canvassers in accordance with Michigan law. *See* Mich. Comp. Laws § 168.843. The State Board had certified the results of the 2020 General Election and Governor Whitmer had submitted the slate of Presidential Electors to the Archivists. (ECF

³ Plaintiffs also seek an order requiring the impoundment of all voting machines and software in Michigan for expert inspection and the production of security camera footage from the TCF Center for November 3 and 4. (ECF No. 6 at Pg ID 956, ¶ 233.) This requested relief is not meaningful, however, where the remaining requests are no longer available. In other words, the evidence Plaintiffs seek to gather by inspecting voting machines and software and security camera footage only would be useful if an avenue remained open for them to challenge the election results.

No. 31-4 at Pg ID 2257-58; ECF No. 31-5 at Pg ID 2260-63.) The time for requesting a special election based on mechanical errors or malfunctions in voting machines had expired. *See Mich. Comp. Laws §§ 168.831, 168.832* (petitions for special election based on a defect or mechanical malfunction must be filed “no later than 10 days after the date of the election”). And so had the time for requesting a recount for the office of President. *See Mich. Comp. Laws § 168.879*.

The Michigan Election Code sets forth detailed procedures for challenging an election, including deadlines for doing so. Plaintiffs did not avail themselves of the remedies established by the Michigan legislature. The deadline for them to do so has passed. Any avenue for this Court to provide meaningful relief has been foreclosed. As the Eleventh Circuit Court of Appeals recently observed in one of the many other post-election lawsuits brought to specifically overturn the results of the 2020 presidential election:

“We cannot turn back the clock and create a world in which” the 2020 election results are not certified.
Fleming v. Gutierrez, 785 F.3d 442, 445 (10th Cir. 2015).
And it is not possible for us to delay certification nor meaningful to order a new recount when the results are already final and certified.

Wood v. Raffensperger, -- F.3d --, 2020 WL 7094866 (11th Cir. Dec. 5, 2020).

And as one Justice of the Supreme Court of Pennsylvania advised in another 2020 post-election lawsuit: “there is no basis in law by which the courts may grant Petitioners’ request to ignore the results of an election and recommit the choice to

the General Assembly to substitute its preferred slate of electors for the one chosen by a majority of Pennsylvania’s voters.” *Kelly v. Commonwealth*, No. 68 MAP 2020, 2020 WL 7018314, at *3 (Pa. Nov. 28, 2020) (Wecht, J., concurring); *see also Wood v. Raffensperger*, No. 1:20-cv-04651, 2020 WL 6817513, at *13 (N.D. Ga. Nov. 20, 2020) (concluding that “interfer[ing] with the result of an election that has already concluded would be unprecedented and harm the public in countless ways”).

In short, Plaintiffs’ requested relief concerning the 2020 General Election is moot.

C. Laches

Defendants argue that Plaintiffs are unlikely to succeed on the merits because they waited too long to knock on the Court’s door. (ECF No. 31 at Pg ID 2175-79; ECF No. 39 at Pg ID 2844.) The Court agrees.

The doctrine of laches is rooted in the principle that “equity aids the vigilant, not those who slumber on their rights.” *Lucking v. Schram*, 117 F.2d 160, 162 (6th Cir. 1941); *see also United States v. Clintwood Elkhorn Min. Co.*, 553 U.S. 1, 9 (2008) (“A constitutional claim can become time-barred just as any other claim can.”). An action may be barred by the doctrine of laches if: (1) the plaintiff delayed unreasonably in asserting his rights and (2) the defendant is prejudiced by this delay. *Brown-Graves Co. v. Central States, Se. and Sw. Areas Pension Fund*,

206 F.3d 680, 684 (6th Cir. 2000); *Ottawa Tribe of Oklahoma v. Logan*, 577 F.3d 634, 639 n.6 (6th Cir. 2009) (“Laches arises from an extended failure to exercise a right to the detriment of another party.”). Courts apply laches in election cases. *Detroit Unity Fund v. Whitmer*, 819 F. App’x 421, 422 (6th Cir. 2020) (holding that the district court did not err in finding plaintiff’s claims regarding deadline for local ballot initiatives “barred by laches, considering the unreasonable delay on the part of [p]laintiffs and the consequent prejudice to [d]efendants”). *Cf. Benisek v. Lamone*, 138 S. Ct. 1942, 1944 (2018) (“[A] party requesting a preliminary injunction must generally show reasonable diligence. That is as true in election law cases as elsewhere.”).

First, Plaintiffs showed no diligence in asserting the claims at bar. They filed the instant action on November 25—more than 21 days after the 2020 General Election—and served it on Defendants some five days later on December 1. (ECF Nos. 1, 21.) If Plaintiffs had legitimate claims regarding whether the treatment of election challengers complied with state law, they could have brought their claims well in advance of or on Election Day—but they did not. Michigan’s 83 Boards of County Canvassers finished canvassing by no later than November 17 and, on November 23, both the Michigan Board of State Canvassers and Governor Whitmer certified the election results. Mich. Comp. Laws §§ 168.822, 168.842.0. If Plaintiffs had legitimate claims regarding the manner by which

ballots were processed and tabulated on or after Election Day, they could have brought the instant action on Election Day or during the weeks of canvassing that followed—yet they did not. Plaintiffs base the claims related to election machines and software on “expert and fact witness” reports discussing “glitches” and other alleged vulnerabilities that occurred as far back as 2010. (*See e.g.*, ECF No. 6 at Pg ID 927-933, ¶¶ 157(C)-(E), (G), 158, 160, 167.) If Plaintiffs had legitimate concerns about the election machines and software, they could have filed this lawsuit well before the 2020 General Election—yet they sat back and did nothing.

Plaintiffs proffer no persuasive explanation as to why they waited so long to file this suit. Plaintiffs concede that they “would have preferred to file sooner, but [] needed some time to gather statements from dozens of fact witnesses, retain and engage expert witnesses, and gather other data supporting their Complaint.” (ECF No. 49 at Pg ID 3081.) But according to Plaintiffs themselves, “[m]anipulation of votes was apparent *shortly after the polls closed on November 3, 2020.*” (ECF No. 7 at Pg ID 1837 (emphasis added).) Indeed, where there is no reasonable explanation, there can be no true justification. *See Crookston v. Johnson*, 841 F.3d 396, 398 (6th Cir. 2016) (identifying the “first and most essential” reason to issue a stay of an election-related injunction is plaintiff offering “no reasonable explanation for waiting so long to file this action”). Defendants satisfy the first element of their laches defense.

Second, Plaintiffs' delay prejudices Defendants. See *Kay v. Austin*, 621 F.2d 809, 813 (6th Cir. 1980) ("As time passes, the state's interest in proceeding with the election increases in importance as resources are committed and irrevocable decisions are made, and the candidate's claim to be a serious candidate who has received a serious injury becomes less credible by his having slept on his rights.") This is especially so considering that Plaintiffs' claims for relief are not merely last-minute—they are after the fact. While Plaintiffs delayed, the ballots were cast; the votes were counted; and the results were certified. The rationale for interposing the doctrine of laches is now at its peak. See *McDonald v. Cnty. of San Diego*, 124 F. App'x 588 (9th Cir. 2005) (citing *Soules v. Kawaiians for Nukolii Campaign Comm.*, 849 F.2d 1176, 1180 (9th Cir. 1988)); *Soules*, 849 F.2d at 1180 (quoting *Hendon v. N.C. State Bd. Of Elections*, 710 F.2d 177, 182 (4th Cir. 1983)) (applying doctrine of laches in post-election lawsuit because doing otherwise would, "permit, if not encourage, parties who could raise a claim to lay by and gamble upon receiving a favorable decision of the electorate and then, upon losing, seek to undo the ballot results in a court action").

Plaintiffs could have lodged their constitutional challenges much sooner than they did, and certainly not three weeks after Election Day and one week after certification of almost three million votes. The Court concludes that Plaintiffs' delay results in their claims being barred by laches.

D. Abstention

As outlined in several filings, when the present lawsuit was filed on November 25, 2020, there already were multiple lawsuits pending in Michigan state courts raising the same or similar claims alleged in Plaintiffs' Amended Complaint. (*See, e.g.*, ECF No. 31 at Pg ID 2193-98 (summarizing five state court lawsuits challenging President Trump's defeat in Michigan's November 3, 2020 General Election).) Defendants and the City of Detroit urge the Court to abstain from deciding Plaintiffs' claims in deference to those proceedings under various abstention doctrines. (*Id.* at Pg ID 2191-2203; ECF No. 39 at Pg ID 2840-44.) Defendants rely on the abstention doctrine outlined by the Supreme Court in *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976). The City of Detroit relies on the abstention doctrines outlined in *Colorado River*, as well as those set forth in *Railroad Commission of Texas v. Pullman Co.*, 312 U.S. 496, 500-01 (1941), and *Burford v. Sun Oil Co.*, 319 U.S. 315 (1943). The City of Detroit maintains that abstention is particularly appropriate when resolving election disputes in light of the autonomy provided to state courts to initially settle such disputes.

The abstention doctrine identified in *Colorado River* permits a federal court to abstain from exercising jurisdiction over a matter in deference to parallel state-court proceedings. *Colorado River*, 424 U.S. at 813, 817. The exception is found

warranted “by considerations of ‘proper constitutional adjudication,’ ‘regard for federal-state relations,’ or ‘wise judicial administration.’” *Quackenbush v. Allstate Ins. Co.*, 517 U.S. 706, 716 (1996) (quoting *Colorado River*, 424 U.S. at 817). The Sixth Circuit has identified two prerequisites for abstention under this doctrine. *Romine v. Compuserve Corp.*, 160 F.3d 337, 339-40 (6th Cir. 1998).

First, the court must determine that the concurrent state and federal actions are parallel. *Id.* at 339. Second, the court must consider the factors outlined by the Supreme Court in *Colorado River* and subsequent cases:

(1) whether the state court has assumed jurisdiction over any res or property; (2) whether the federal forum is less convenient to the parties; (3) avoidance of piecemeal litigation; ... (4) the order in which jurisdiction was obtained; ... (5) whether the source of governing law is state or federal; (6) the adequacy of the state court action to protect the federal plaintiff’s rights; (7) the relative progress of the state and federal proceedings; and (8) the presence or absence of concurrent jurisdiction.

Romine, 160 F.3d at 340-41 (internal citations omitted). “These factors, however, do not comprise a mechanical checklist. Rather, they require ‘a careful balancing of the important factors as they apply in a give[n] case’ depending on the particular facts at hand.” *Id.* (quoting *Moses H. Cone Mem’l Hosp. v. Mercury Constr. Corp.*, 460 U.S. 1, 16 (1983)).

As summarized in Defendants’ response brief and reflected in their exhibits (see ECF No. 31 at Pg ID 2193-97; see also ECF Nos. 31-7, 31-9, 31-11, 31-12,

31-14), the allegations and claims in the state court proceedings and the pending matter are, at the very least, substantially similar, *Romine*, 160 F.3d at 340 (“Exact parallelism is not required; it is enough if the two proceedings are substantially similar.” (internal quotation marks and citation omitted)). A careful balancing of the factors set forth by the Supreme Court counsel in favor of deferring to the concurrent jurisdiction of the state courts.

The first and second factor weigh against abstention. *Id.* (indicating that the weight is against abstention where no property is at issue and neither forum is more or less convenient). While the Supreme Court has stated that “the presence of federal law issues must always be a major consideration weighing against surrender of federal jurisdiction in deference to state proceedings[,]” *id.* at 342 (quoting *Moses H. Cone*, 460 U.S. at 26), this “factor has less significance where the federal courts’ jurisdiction to enforce the statutory rights in question is concurrent with that of the state courts.”⁴ *Id.* (quoting *Moses H. Cone*, 460 U.S. at 25). Moreover, the Michigan Election Code seems to dominate even Plaintiffs’ federal claims. Further, the remaining factors favor abstention.

“Piecemeal litigation occurs when different courts adjudicate the identical issue, thereby duplicating judicial effort and potentially rendering conflicting

⁴ State courts have concurrent jurisdiction over § 1983 actions. *Felder v. Casey*, 487 U.S. 131, 139 (1988).

results.” *Id.* at 341. The parallel proceedings are premised on similar factual allegations and many of the same federal and state claims. The state court proceedings were filed well before the present matter and at least three of those matters are far more advanced than this case. Lastly, as Congress conferred concurrent jurisdiction on state courts to adjudicate § 1983 claims, *Felder v. Casey*, 487 U.S. 131, 139 (1988), “[t]here can be no legitimate contention that the [Michigan] state courts are incapable of safeguarding [the rights protected under this statute],” *Romine*, 160 F.3d at 342.

For these reasons, abstention is appropriate under the *Colorado River* doctrine. The Court finds it unnecessary to decide whether abstention is appropriate under other doctrines.

E. Standing

Under Article III of the United States Constitution, federal courts can resolve only “cases” and “controversies.” U.S. Const. art. III § 2. The case-or-controversy requirement is satisfied only where a plaintiff has standing to bring suit. *See Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016), *as revised* (May 24, 2016). Each plaintiff must demonstrate standing for each claim he seeks to press.⁵

⁵ Plaintiffs assert a due process claim in their Amended Complaint and twice state in their motion for injunctive relief that Defendants violated their due process rights. (*See* ECF No. 7 at Pg ID 1840, 1844.) Plaintiffs do not pair either statement with anything the Court could construe as a developed argument. (*Id.*) The Court finds it unnecessary, therefore, to further discuss the due process claim.

DaimlerChrysler Corp. v. Cuno, 547 U.S. 332, 352 (2006) (citation omitted) (“[A] plaintiff must demonstrate standing separately for each form of relief sought.”).

To establish standing, a plaintiff must show that: (1) he has suffered an injury in fact that is “concrete and particularized” and “actual or imminent”; (2) the injury is “fairly . . . trace[able] to the challenged action of the defendant”; and (3) it is “likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision.” *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-62 (1992) (internal quotation marks and citations omitted).

1. Equal Protection Claim

Plaintiffs allege that Defendants engaged in “several schemes” to, among other things, “destroy,” “discard,” and “switch” votes for President Trump, thereby “devalu[ing] Republican votes” and “diluting” the influence of their individual votes. (ECF No. 49 at Pg ID 3079.) Plaintiffs contend that “the vote dilution resulting from this systemic and illegal conduct did not affect all Michigan voters equally; it had the intent and effect of inflating the number of votes for Democratic candidates and reducing the number of votes for President Trump and Republican candidates.” (ECF No. 49 at Pg ID 3079.) Even assuming that Plaintiffs establish

McPherson v. Kelsey, 125 F.3d 989, 995 (6th Cir. 1997) (“Issues adverted to in a perfunctory manner, unaccompanied by some effort at developed argumentation, are deemed waived.”).

injury-in-fact and causation under this theory,⁶ their constitutional claim cannot stand because Plaintiffs fall flat when attempting to clear the hurdle of redressability.

Plaintiffs fail to establish that the alleged injury of vote-dilution can be redressed by a favorable decision from this Court. Plaintiffs ask this Court to decertify the results of the 2020 General Election in Michigan. But an order decertifying the votes of approximately 2.8 million people would not reverse the dilution of Plaintiffs' vote. To be sure, standing is not "dispensed in gross: A plaintiff's remedy must be tailored to redress the plaintiff's particular injury." *Gill*, 138 S. Ct. at 1934 (citing *Cuno*, 547 U.S. at 353); *Cuno*, 547 U.S. at 353 ("The remedy must of course be limited to the inadequacy that produced the injury in fact that the plaintiff has established." (quoting *Lewis v. Casey*, 518 U.S. 343, 357 (1996))). Plaintiffs' alleged injury does not entitle them to seek their requested remedy because the harm of having one's vote invalidated or diluted is not remedied by denying millions of others *their* right to vote. Accordingly, Plaintiffs have failed to show that their injury can be redressed by the relief they seek and thus possess no standing to pursue their equal protection claim.

⁶ To be clear, the Court does not find that Plaintiffs satisfy the first two elements of the standing inquiry.

2. Elections Clause & Electors Clause Claims

The provision of the United States Constitution known as the Elections Clause states in part: “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof[.]” U.S. Const. art. I, § 4, cl. 1. “The Elections Clause effectively gives state governments the ‘default’ authority to regulate the mechanics of federal elections, *Foster v. Love*, 522 U.S. 67, 69, 118 S. Ct. 464, 139 L.Ed.2d 369 (1997), with Congress retaining ‘exclusive control’ to ‘make or alter’ any state’s regulations, *Colegrove v. Green*, 328 U.S. 549, 554, 66 S. Ct. 1198, 90 L.Ed. 1432 (1946).” *Bognet*, 2020 WL 6686120, *1. The “Electors Clause” of the Constitution states: “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors” U.S. Const. art. II, § 1, cl. 2.

Plaintiffs argue that, as “nominees of the Republican Party to be Presidential Electors on behalf of the State of Michigan, they have standing to allege violations of the Elections Clause and Electors Clause because “a vote for President Trump and Vice-President Pence in Michigan ... is a vote for each Republican elector[], and ... illegal conduct aimed at harming candidates for President similarly injures Presidential Electors.” (ECF No. 7 at Pg ID 1837-38; ECF No. 49 at Pg ID 3076-78.)

But where, as here, the only injury Plaintiffs have alleged is that the Elections Clause has not been followed, the United States Supreme Court has made clear that “[the] injury is precisely the kind of undifferentiated, generalized grievance about the conduct of government that [courts] have refused to countenance.”⁷ *Lance v. Coffman*, 549 U.S. 437, 442 (2007). Because Plaintiffs “assert no particularized stake in the litigation,” Plaintiffs fail to establish injury-in-fact and thus standing to bring their Elections Clause and Electors Clause claims. *Id.*; see also *Johnson v. Bredesen*, 356 F. App’x 781, 784 (6th Cir. 2009) (citing *Lance*, 549 U.S. at 441-42) (affirming district court’s conclusion that citizens did not allege injury-in-fact to support standing for claim that the state of Tennessee violated constitutional law).

⁷ Although separate constitutional provisions, the Electors Clause and Elections Clause share “considerable similarity,” *Ariz. State Leg. v. Ariz. Indep. Redistricting Comm’n*, 576 U.S. 787, 839, (2015) (Roberts, C.J., dissenting), and Plaintiffs do not at all distinguish the two clauses in their motion for injunctive relief or reply brief (ECF No. 7; ECF No. 49 at Pg ID 3076-78). See also *Bognet v. Sec’y Commonwealth of Pa.*, No. 20-3214, 2020 WL 6686120, at *7 (3d Cir. Nov. 13, 2020) (applying same test for standing under both Elections Clause and Electors Clause); *Wood*, 2020 WL 6817513, at *1 (same); *Foster*, 522 U.S. at 69 (characterizing Electors Clause as Elections Clauses’ “counterpart for the Executive Branch”); *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 804-05 (1995) (noting that state’s “duty” under Elections Clause “parallels the duty” described by Electors Clause).

This is so because the Elections Clause grants rights to “the Legislature” of “each State.” U.S. Const. art. I, § 4, cl. 1. The Supreme Court interprets the words “the Legislature,” as used in that clause, to mean the lawmaking bodies of a state. *Ariz. State Legislature*, 135 S.Ct. at 2673. The Elections Clause, therefore, grants rights to state legislatures and to other entities to which a State may delegate lawmaking authority. *See id.* at 2668. Plaintiffs’ Elections Clause claims thus belong, if to anyone, Michigan’s state legislature. *Bognet v. Secy. Commonwealth of Pa.*, -- F.3d. --, 2020 WL 6686120, *7 (3d Cir. Nov. 13, 2020). Plaintiffs here are six presidential elector nominees; they are not a part of Michigan’s lawmaking bodies nor do they have a relationship to them.

To support their contention that they have standing, Plaintiffs point to *Carson v. Simon*, 78 F.3d 1051 (8th Cir. 2020), a decision finding that electors had standing to bring challenges under the Electors Clause. (ECF No. 7 at Pg ID 1839 (citing *Carson*, 978 F.3d at 1057).) In that case, which was based on the specific content and contours of Minnesota state law, the Eighth Circuit Court of Appeals concluded that because “the plain text of Minnesota law treats prospective electors as candidates,” it too would treat presidential elector nominees as candidates. *Carson*, 78 F.3d at 1057. This Court, however, is as unconvinced about the majority’s holding in *Carson* as the dissent:

I am not convinced the Electors have Article III standing to assert claims under the Electors Clause. Although

Minnesota law at times refers to them as “candidates,” *see, e.g.*, Minn. Stat. § 204B.03 (2020), the Electors are not candidates for public office as that term is commonly understood. Whether they ultimately assume the office of elector depends entirely on the outcome of the state popular vote for president. *Id.* § 208.04 subdiv. 1 (“[A] vote cast for the party candidates for president and vice president shall be deemed a vote for that party’s electors.”). They are not presented to and chosen by the voting public for their office, but instead automatically assume that office based on the public’s selection of entirely different individuals.

78 F.3d at 1063 (Kelly, J., dissenting).⁸

Plaintiffs contend that the Michigan Election Code and relevant Minnesota law are similar. (See ECF No. 49 at Pg ID 3076-78.) Even if the Court were to

⁸ In addition, at least one Circuit Court, the Third Circuit Court of Appeals, has distinguished *Carson*’s holding, noting:

Our conclusion departs from the recent decision of an Eighth Circuit panel which, over a dissent, concluded that candidates for the position of presidential elector had standing under *Bond* to challenge a Minnesota state-court consent decree that effectively extended the receipt deadline for mailed ballots. . . . The *Carson* court appears to have cited language from *Bond* without considering the context—specifically, the Tenth Amendment and the reserved police powers—in which the U.S. Supreme Court employed that language. There is no precedent for expanding *Bond* beyond this context, and the *Carson* court cited none.

Bognet, 2020 WL 6686120, at *8 n.6.

agree, it finds that Plaintiffs lack standing to sue under the Elections and Electors Clauses.

F. The Merits of the Request for Injunctive Relief

1. Likelihood of Success on the Merits

The Court may deny Plaintiffs' motion for injunctive relief for the reasons discussed above. Nevertheless, the Court will proceed to analyze the merits of their claims.

a. Violation of the Elections & Electors Clauses

Plaintiffs allege that Defendants violated the Elections Clause and Electors Clause by deviating from the requirements of the Michigan Election Code. (*See, e.g.*, ECF No. 6 at Pg ID 884-85, ¶¶ 36-40, 177-81, 937-38.) Even assuming Defendants did not follow the Michigan Election Code, Plaintiffs do not explain how or why such violations of state election procedures automatically amount to violations of the clauses. In other words, it appears that Plaintiffs' claims are in fact state law claims disguised as federal claims.

A review of Supreme Court cases interpreting these clauses supports this conclusion. In *Cook v. Gralike*, the Supreme Court struck down a Missouri law that required election officials to print warnings on the ballot next to the name of any congressional candidate who refused to support term limits after concluding that such a statute constituted a “‘regulation’ of congressional elections,” as used in

the Elections Clause. 531 U.S. 510, 525-26 (2001) (quoting U.S. Const. art. I, § 4, cl. 1). In *Arizona State Legislature v. Arizona Independent Redistricting Commission*, the Supreme Court upheld an Arizona law that transferred redistricting power from the state legislature to an independent commission after concluding that “the Legislature,” as used in the Elections Clause, includes any official body with authority to make laws for the state. 576 U.S. 787, 824 (2015). In each of these cases, federal courts measured enacted state election laws against the federal mandates established in the clauses—they did not measure *violations* of enacted state elections law against those federal mandates.

By asking the Court to find that they have made out claims under the clauses due to alleged violations of the Michigan Election Code, Plaintiffs ask the Court to find that any alleged deviation from state election law amounts to a modification of state election law and opens the door to federal review. Plaintiffs cite to no case—and this Court found none—supporting such an expansive approach.

b. Violation of the Equal Protection Clause

Most election laws will “impose some burden upon individual voters.” *Burdick v. Takushi*, 504 U.S. 428, 433 (1992). But “[o]ur Constitution leaves no room for classification of people in a way that unnecessarily abridges this right [to vote].” *Reynolds v. Sims*, 377 U.S. 533, 559 (1964) (quoting *Wesberry v. Sanders*, 376 U.S. 1, 17-18 (1964)). Voting rights can be impermissibly burdened “by a

debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." *Id.* (quoting *Reynolds*, 377 U.S. at 555).

Plaintiffs attempt to establish an Equal Protection claim based on the theory that Defendants engaged in "several schemes" to, among other things, "destroy," "discard," and "switch" votes for President Trump, thereby "devalu[ing] Republican votes" and "diluting" the influence of their individual votes. (ECF No. 49 at Pg ID 3079.)

But, to be perfectly clear, Plaintiffs' equal protection claim is not supported by any allegation that Defendants' alleged schemes caused votes for President Trump to be changed to votes for Vice President Biden. For example, the closest Plaintiffs get to alleging that physical ballots were altered in such a way is the following statement in an election challenger's sworn affidavit: "I believe some of these workers were changing votes that had been cast for Donald Trump and other Republican candidates."⁹ (ECF No. 6 at Pg ID 902 ¶ 91 (citing *Aff. Articia*

⁹ Plaintiffs allege in several portions of the Amended Complaint that election officials improperly tallied, counted, or marked ballots. But some of these allegations equivocate with words such as "believe" and "may" and none of these allegations identify which presidential candidate the ballots were allegedly altered to favor. (*See, e.g.*, ECF No. 6 at Pg ID 902, ¶ 91 (citing *Aff. Articia Bomer*, ECF No. 6-3 at Pg ID 1008-10 ("I *believe* some of these ballots *may* not have been properly counted." (emphasis added))); Pg ID 902-03, ¶ 92 (citing *Tyson Aff.* ¶ 17) ("At least one challenger observed poll workers adding marks to a ballot where there was no mark for any candidate.")).

Bomer, ECF No. 6-3 at Pg ID 1008-1010).) But of course, “[a] belief is not evidence” and falls far short of what is required to obtain any relief, much less the extraordinary relief Plaintiffs request. *United States v. O’Connor*, No. 96-2992, 1997 WL 413594, at *1 (7th Cir. 1997); see *Brown v. City of Franklin*, 430 F. App’x 382, 387 (6th Cir. 2011) (“Brown just submits his belief that Fox’s ‘protection’ statement actually meant “protection from retaliation. . . . An unsubstantiated belief is not evidence of pretext.”); *Booker v. City of St. Louis*, 309 F.3d 464, 467 (8th Cir. 2002) (“Booker’s “belief” that he was singled out for testing is not evidence that he was.”).¹⁰ The closest Plaintiffs get to alleging that election machines and software changed votes for President Trump to Vice

¹⁰ As stated by the Circuit Court for the District of Columbia Circuit:

The statement is that the complainant believes and expects to prove some things. Now his belief and expectation may be in good faith; but it has been repeatedly held that suspicion is not proof; and it is equally true that belief and expectation to prove cannot be accepted as a substitute for fact. The complainant carefully refrains from stating that he has any information upon which to found his belief or to justify his expectation; and evidently he has no such information. But belief, without an allegation of fact either upon personal knowledge or upon information reasonably sufficient upon which to base the belief, cannot justify the extraordinary remedy of injunction.

Magruder v. Schley, 18 App. D.C. 288, 292, 1901 WL 19131, at *2 (D.C. Cir. 1901).

President Biden in Wayne County is an amalgamation of theories, conjecture, and speculation that such alterations were *possible*. (See e.g., ECF No. 6 at ¶¶ 7-11, 17, 125, 129, 138-43, 147-48, 155-58, 160-63, 167, 171.) And Plaintiffs do not at all explain how the question of whether the treatment of election challengers complied with state law bears on the validity of votes, or otherwise establishes an equal protection claim.

With nothing but speculation and conjecture that votes for President Trump were destroyed, discarded or switched to votes for Vice President Biden, Plaintiffs' equal protection claim fails.¹¹ See *Wood*, 2020 WL 7094866 (quoting *Bognet*, 2020 WL 6686120, at *12) (“[N]o single voter is specifically disadvantaged’ if a vote is counted improperly, even if the error might have a ‘mathematical impact on the final tally and thus on the proportional effect of every vote.’”).

¹¹ “[T]he Voter Plaintiffs cannot analogize their Equal Protection claim to gerrymandering cases in which votes were weighted differently. Instead, Plaintiffs advance an Equal Protection Clause argument based solely on state officials’ alleged violation of state law that does not cause unequal treatment. And if dilution of lawfully cast ballots by the ‘unlawful’ counting of invalidly cast ballots were a true equal-protection problem, then it would transform every violation of state election law (and, actually, every violation of every law) into a potential federal equal-protection claim requiring scrutiny of the government’s ‘interest’ in failing to do more to stop the illegal activity. That is not how the Equal Protection Clause works.” *Bognet*, 2020 WL 6686120, at *11.

2. Irreparable Harm & Harm to Others

Because “a finding that there is simply no likelihood of success on the merits is usually fatal[.]” *Gonzales v. Nat’l Bd. of Med. Examiners*, 225 F.3d 620, 625 (6th Cir. 2000) (citing *Mich. State AFL-CIO v. Miller*, 103 F.3d 1240, 1249 (6th Cir. 1997)), the Court will not discuss the remaining preliminary injunction factors extensively.

As discussed, Plaintiffs fail to show that a favorable decision from the Court would redress their alleged injury. Moreover, granting Plaintiffs’ injunctive relief would greatly harm the public interest. As Defendants aptly describe, Plaintiffs’ requested injunction would “upend the statutory process for election certification and the selection of Presidential Electors. Moreover, it w[ould] disenfranchise millions of Michigan voters in favor [of] the preferences of a handful of people who [are] disappointed with the official results.” (ECF No. 31 at Pg ID 2227.)

In short, none of the remaining factors weigh in favor of granting Plaintiffs’ request for an injunction.

IV. Conclusion

For these reasons, the Court finds that Plaintiffs are far from likely to succeed in this matter. In fact, this lawsuit seems to be less about achieving the relief Plaintiffs seek—as much of that relief is beyond the power of this Court—and more about the impact of their allegations on People’s faith in the democratic

process and their trust in our government. Plaintiffs ask this Court to ignore the orderly statutory scheme established to challenge elections and to ignore the will of millions of voters. This, the Court cannot, and will not, do.

The People have spoken.

The Court, therefore, **DENIES** Plaintiffs' "Emergency Motion for Declaratory, Emergency, and Permanent Injunctive Relief" (ECF No. 7.)

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: December 7, 2020

(ORDER LIST: 592 U.S.)

FRIDAY, DECEMBER 11, 2020

ORDER IN PENDING CASE

155, ORIG. TEXAS V. PENNSYLVANIA, ET AL.

The State of Texas's motion for leave to file a bill of complaint is denied for lack of standing under Article III of the Constitution. Texas has not demonstrated a judicially cognizable interest in the manner in which another State conducts its elections. All other pending motions are dismissed as moot.

Statement of Justice Alito, with whom Justice Thomas joins:
In my view, we do not have discretion to deny the filing of a bill of complaint in a case that falls within our original jurisdiction. See *Arizona v. California*, 589 U. S. ____ (Feb. 24, 2020) (Thomas, J., dissenting). I would therefore grant the motion to file the bill of complaint but would not grant other relief, and I express no view on any other issue.

CERTIORARI GRANTED

20-222 GOLDMAN SACHS GROUP, ET AL. V. AR TEACHER RETIREMENT, ET AL.

The petition for a writ of certiorari is granted.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONALD J. TRUMP, in his capacity
as a candidate for President of the
United States,**

Plaintiff,

v.

**BRIAN P. KEMP, in his official
capacity as Governor of the State of
Georgia; BRAD
RAFFENSPERGER, in his official
capacity as Georgia Secretary of
State,**

Defendants.

CIVIL ACTION FILE

NO. 1:20-CV-5310-MHC

ORDER

This matter is before the Court on Plaintiff's Motion for Expedited and Declaratory and Injunctive Relief [Doc. 2]. After considering the briefs of the parties and with the benefit of argument at a hearing conducted by the Court on January 5, 2021,¹ it is hereby **ORDERED** that Plaintiff's motion is **DENIED**.

¹ Plaintiff's Motion for Expedited Hearing [Doc. 2] was granted and a hearing was held on January 5, 2021.

I. BACKGROUND AND PROCEDURAL HISTORY

On Tuesday, November 3, 2020, an election for President of the United States was conducted in the United States, including the State of Georgia. Defendant Brad Raffensperger is the Secretary of State of Georgia, serves as the “chief election official” of Georgia, and is required by law to certify the votes cast for all presidential candidates “not later than 5:00 P.M. on the seventeenth day following the date on which such election was conducted.” O.C.G.A. §§ 21-2-50(b); 20-2-499(b). It is undisputed that Secretary Raffensperger performed this statutory duty in a timely manner and certified the results of the presidential election in Georgia on November 20, 2020.² Georgia law also requires Defendant Governor Brian P. Kemp “to certify the slates of presidential electors receiving the highest number of votes . . . no later than 5:00 P.M. on the eighteenth day following the date on which such [presidential] election was conducted.” *Id.*

² Prior to this certification, Secretary Raffensperger directed a “risk-limiting audit” in accordance with Georgia law, which entailed a full hand recount of all ballots cast in the presidential election. *See* O.C.G.A. § 21-2-498. Because the margin after this first recount still was less than one-half of one percent, Plaintiff’s campaign requested a second recount within two days after the certification of the election results in accordance with Georgia law. *See* O.C.G.A. § 21-2-495(c)(1). The second recount was completed and Secretary Raffensperger re-certified the results of the November 3, 2020, presidential election on December 7, 2020. Both recounts upheld the original outcome of the presidential race, which was that Joseph R. Biden, Jr. was the winner in Georgia.

§ 21-2-499(b). It is undisputed that Governor Kemp performed his duty in a timely manner and certified Georgia's slate of presidential electors on November 21, 2020.

Georgia law provides a procedure upon which a result of an election may be contested. Under O.C.G.A. § 21-2-524(a), a petition to contest the result of an election must be filed with the clerk of the superior court having jurisdiction within five (5) days after the certification of the election. On December 4, 2020, Plaintiff, along with others not parties to this lawsuit, filed a "Verified Petition to Contest Georgia's Presidential Election Results for Violations of the Constitution and Laws of the State of Georgia, and Request for Emergency Declaratory and Injunctive Relief" in the Superior Court of Fulton County, Georgia, naming Secretary Raffensperger as a respondent along with the members of the State Election Board and a number of county elections officials. Trump v. Raffensperger, Super. Ct. of Fulton Cnty., No. 2020CV343255 ("Trump I") [Doc. 1-1 at 12-75]. However, on December 8, 2020, the petitioners in Trump I voluntarily withdrew their motion for emergency injunctive relief. Id., Voluntary Withdrawal of Mot. for Emergency Inj. Relief, filed Dec. 8, 2020.³ Based upon the withdrawal of the petitioners'

³ Although this particular filing was not attached to Plaintiff's Complaint, the Court may take judicial notice of records filed on the docket in state court cases.

motion for emergency relief in Trump I, Fulton Superior Court Judge Constance C. Russell issued an order indicating that the election contest “shall proceed in the normal course.” Id., Dec. 9, 2020, Order on Case Status [Doc. 1-4 at 7].

The petitioners in Trump I then filed a Notice of Emergency Request to Appoint an Administrative Law Judge to hear their election contest case, a notice of appeal of Judge Russell’s Order on Case Status to the Supreme Court of Georgia, and a Second Motion for Emergency Injunctive Relief. Id., Dec. 10, 2020, Notice of Emergency Request to Appoint Administrative Law Judge [Doc. 1-4 at 8-12]; Dec. 11, 2020, Notice of Appeal and Intention to Seek Writ of Certiorari to the Supreme Ct. of Ga. [Doc. 1-4 at 13]; Dec. 11, 2020, Second Mot. for Emergency Inj. Relief [Doc. 1-4 at 98-110]. On December 12, 2020, the Supreme Court of Georgia dismissed the petitioner’s “Emergency Petition for Writ of Certiorari” which sought emergency injunctive relief. Trump v. Raffensperger, Supreme Ct. of Ga., No. S21M0561 [Doc. 1-4 at 17-18]. However, the petitioners did not dismiss their notice of appeal. On December 29, 2020, Chief Fulton County Superior Court Judge Christopher S. Brasher issued a status order which indicated the court would not act on the petitioners’ emergency request to appoint

Paez v. Sec’y, Fla. Dep’t of Corr., 947 F.3d 649 (11th Cir. 2020) (citing FED. R. EVID. 201(b)(2)).

an administrative law judge until the appeal was resolved or withdrawn. Trump I, Dec. 29, 2020, Status of Request to Appoint Administrative Law Judge [Doc. 1-4 at 19]. The petitioners in Trump I then filed a renewed request for the superior court to appoint an administrative law judge, indicating their intent to withdraw their notice of appeal. Id., Dec. 29, 2020, Renewed Request to Immediately Appoint Administrative Law Judge [Doc. 1-4 at 20-26]. On December 30, 2020, Chief Judge Brasher entered an order re-assigning Trump I to another judicial administrative district, Senior Judge Adele Grubbs was then appointed to hear the petitioner's election contest and, on December 31, 2020, Senior Judge Grubbs set the matter for hearing and trial on January 8, 2021, at 10:00 A.M. Id., Dec. 30, 2020, Order Reassigning Case to Seventh Judicial Administrative District; Dec. 30, 2020, Order Directing the Clerk to Accept & File the Order Appointing Senior Judge Grubbs; Dec. 31, 2020, Rule Nisi Order.⁴

Plaintiff's motion for expedited declaratory and injunctive relief asks this Court to take the unprecedented action of decertifying the results of the presidential election in Georgia and directing the Georgia General Assembly to

⁴ See n.3, *supra*.

appoint presidential electors. Pl.'s Mem. of Law in Supp. of Mot. for Expedited Declaratory and Injunctive Relief ("Pl.'s Br.") [Doc. 2-1] at 11.

II. LEGAL STANDARD

In order to obtain a preliminary injunction, Plaintiff must demonstrate: (1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that entry of the relief would not be adverse to the public interest. Scott v. Roberts, 612 F.3d 1279, 1290 (11th Cir. 2010); Schiavo ex rel. Schindler v. Schiavo, 403 F.3d 1223, 1225-26 (11th Cir. 2005). "The burden of persuasion in all of the four requirements is at all times upon the plaintiff." Ne. Fla. Chapter Ass'n of Gen. Contractors of Am. v. City of Jacksonville, 896 F.2d 1283, 1285 (11th Cir. 1990) (quotation omitted). A preliminary injunction is "an extraordinary and drastic remedy" and should be granted only when the movant clearly carries the burden of persuasion as to the four prerequisites. Four Seasons Hotels & Resorts v. Consorcio Barr, 320 F.3d 1205, 1210 (11th Cir. 2003); Morgan Stanley BW, Inc. v. Frisby, 163 F. Supp. 2d 1371, 1374 (N.D. Ga. 2001).

III. DISCUSSION

A. Standing

As a threshold matter, the Court must first consider Plaintiff's standing to bring his claims in this Court. Plaintiff's two-count Complaint alleges that: (1) in certifying the November 3, 2020, election results for President, Defendants violated the "Electors Clause" of the United States Constitution, which provides that "[e]ach State shall appoint, in such Manner as the Legislature thereof may direct, a Number of [Presidential] Electors, U.S. CONST. art. II, § 1, cl. 2 (Count I); and (2) Defendants violated the Fourteenth Amendment's Due Process Clause by "improperly certif[y]ing the November General Election results while a statutory election contest was pending[.]" (Count II). Compl. ¶¶ 70-75.

The doctrine of "standing is an essential and unchanging part of the case-or-controversy requirement of Article III." Lujan v. Defs. of Wildlife, 504 U.S. 555, 560 (1992). "The law of Article III standing, which is built on separation-of-powers principles, serves to prevent the judicial process from being used to usurp the powers of the political branches." Clapper v. Amnesty Int'l USA, 568 U.S. 398, 408 (2013). "No principle is more fundamental to the judiciary's proper role in our system of government than the constitutional limitation of federal-court

jurisdiction to actual cases or controversies.” Raines v. Byrd, 521 U.S. 811, 818 (1997) (quotation and citation omitted).

“In essence the question of standing is whether the litigant is entitled to have the court decide the merits of the dispute or of particular issues.” Warth v. Seldin, 422 U.S. 490, 498 (1975). To demonstrate standing, a plaintiff “must prove (1) an injury in fact that (2) is fairly traceable to the challenged action of the defendant and (3) is likely to be redressed by a favorable decision.” Jacobson v. Fla. Sec’y of State, 974 F.3d 1236, 1245 (11th Cir. 2020) (citation omitted). The elements of standing are “an indispensable part of the plaintiff’s case.” Lujan, 504 U.S. at 561. “[A] plaintiff must demonstrate standing for each claim he seeks to press and for each form of relief that is sought.” Town of Chester, N.Y. v. Laroe Estates, Inc., 137 S. Ct. 1645, 1647 (2017) (quotation and citation omitted).

1. Claim Pursuant to the Electors Clause

Count One of Plaintiff’s Complaint alleges that Defendants violated the Electors Clause by certifying the November 3, 2020, election results when the election “was not conducted in accord with election laws established by the Legislature.” Compl. ¶ 71. The Electors Clause grants the right to prescribe the manner in which presidential electors are selected to each state legislature, in this case the Georgia General Assembly. Id. Therefore, Plaintiff’s Electors Clause

claim belongs, if it belongs to anyone, only to the Georgia General Assembly. See Bognet v. Sec’y Commonwealth of Pa., 980 F.3d 336, 350 (citation omitted) (“Plaintiffs here are four individual voters and a candidate for federal office; they in no way constitute the General Assembly, nor can they be said to comprise any part of the law-making processes of Pennsylvania. Because Plaintiffs are not the General Assembly, nor do they bear any conceivable relationship to state lawmaking processes, they lack standing to sue over the alleged usurpation of the General Assembly’s rights under the Elections and Electors Clauses.”).

Accordingly, the Court finds that Plaintiff does not have standing to bring a claim under the Electors Clause based on the facts alleged in his Complaint.

2. Claim Alleging Fourteenth Amendment Due Process Violation

Count Two of Plaintiff’s Complaint alleges that Defendants violated his Fourteenth Amendment Due Process rights by improperly certifying

the November 3 General Election results while a statutory election contest was pending, and which nearly four weeks after filing, is still pending without even the assignment of a judge or assignment of a court, or the setting of a hearing date for a hearing on the merits. Defendant’s certification of final results without Plaintiff being afforded his statutory right to an election contest violates Due Process.

Compl. ¶ 73. The crux of the claim is Plaintiff’s allegation that he has not been afforded his right to an election contest. Id.

Plaintiff's claim fails to meet the causation and redressability prongs of Article III standing. "To satisfy the causation requirement of standing, a plaintiff's injury must be 'fairly traceable to the challenged action of the defendant, and not the result of the independent action of some third party not before the court.'"⁵ Jacobson, 974 F.3d at 1253 (quoting Lujan, 504 U.S. at 560). In this case, Plaintiff has failed to establish that Plaintiff's alleged injury was tied to any alleged action on the part of Defendants. To the extent that Plaintiff has been deprived of his ability to contest the general election pursuant to O.C.G.A. § 21-2-524, that deprivation is due to Plaintiff's own dilatory actions or the action (or inaction) of the Fulton County Superior Court and has nothing to do with Defendants in this case. Plaintiff has not made one allegation of any act on the part of Defendants that thwarted his ability to seek relief in the superior court pursuant to O.C.G.A. § 21-2-524. Plaintiff's claim similarly is deficient with regard to redressability as Plaintiff is seeking an opportunity to contest the general election pursuant to O.C.G.A. § 21-2-524, but Defendants are not capable of providing this relief.

⁵ Plaintiff's brief in support of his motion does not address the causation or redressability prongs, and Plaintiff's argument that "there is a direct causal connection between Plaintiff's injury and the relief sought" fundamentally misunderstands the standard. Compl. ¶ 54.

Additionally, to the extent Plaintiff alleges that his Fourteenth Amendment Due Process deprivation is based on the allegation that the general election was “improperly certified” because “illegal votes” were cast and counted, see Compl. ¶ 74, Plaintiff’s claim still fails to meet the causation and redressability prongs of Article III standing. In Jacobson, the Eleventh Circuit considered whether voters and organizations could challenge a statute governing the order in which candidates appeared on the ballots. Jacobson, 974 F.3d at 1241. The defendant in that case was the Florida Secretary of State. Id. In analyzing the plaintiffs’ standing to bring a lawsuit for, *inter alia*, the violation of their Fourteenth Amendment rights, the court found that the plaintiffs did not have standing because any injury they might suffer was neither fairly traceable to the Secretary of State nor redressable by any judgment against the Secretary of State:

Even if the voters and organizations had proved an injury in fact, they would still lack standing because any injury would be neither traceable to the Secretary nor redressable by relief against her. Instead, any injury would be traceable only to 67 Supervisors of Elections and redressable only by relief against them. The voters and organizations’ failure to join the Supervisors as defendants is an independent reason that they lack standing to maintain this action.

To satisfy the causation requirement of standing, a plaintiff’s injury must be fairly traceable to the challenged action of the defendant, and not the result of the independent action of some third party not before the court. The voters and organizations contend that they are injured because Republicans, not Democrats, appear first on the ballot in Florida’s general elections. So for them to have standing, the order in

which candidates appear on the ballot must be traceable to the Secretary—the only defendant in this action. The problem for the voters and organizations is that Florida law tasks the Supervisors, independently of the Secretary, with printing the names of candidates on ballots in the order prescribed by the ballot statute. The Secretary is responsible only for certifying to the supervisor of elections of each county the names of persons nominated. The voters and organizations have offered no contrary evidence to establish that the Secretary plays any role in determining the order in which candidates appear on ballots. Because the Secretary didn't do (or fail to do) anything that contributed to their harm, the voters and organizations cannot meet Article III's traceability requirement.

Jacobson, 974 F.3d at 1253 (quotations and citations omitted, internal punctuation accepted).

Similarly, in this case, to the extent that Plaintiff's Fourteenth Amendment injury is alleged to have been caused by the counting of allegedly illegal votes in the November 3, 2020, general election, Plaintiff has failed to trace that harm to any action on the part of Defendants. This very issue in the context of alleged irregularities associated with the processing of Georgia absentee ballots in the November 3, 2020, general election recently was decided in Ga. Republican Party, Inc. v. Sec'y of State for Ga., No. 20-14741-RR, 2020 WL 7488181, at *2 (11th Cir. Dec. 21, 2020). Relying on the holding in Jacobson, the Eleventh Circuit found that the plaintiffs did not meet the traceability or redressability standing requirements:

Here, as in Jacobson, the Campaigns did not sufficiently allege a redressable injury to establish standing. Like in Jacobson, the Campaigns sued the Secretary of State. They alleged that the Secretary is the state’s chief election officer, that he has the authority and responsibility to manage Georgia’s electoral system, and that he, along with the election board members, has the duty to promulgate rules and regulations to obtain uniformity in the practices of election officials and to ensure a fair, legal, and orderly conduction of elections. But, just as in Jacobson, the absentee ballot statute puts the duty to “compare the signature” and accept or reject a ballot on the “registrar or clerk”—not the Secretary of State.

Other than being the chief election officer responsible for election laws, there is no allegation that the Secretary controls the local supervisors or has control over the signature verification process. While the Secretary has rulemaking authority, as in Jacobson, this power is limited to rules and regulations that are “consistent with law.” O.C.G.A. § 21-2-31(2). And the law gives the authority to conduct the signature-verification process to local supervisors, not the Secretary. Id. § 21-2-386(a)(1)(B). The Campaigns’ motion for injunction asks us to do what we said could not be done in Jacobson: order a nonparty county official to do something contrary to state law. Since the Secretary and the election board do not conduct the signature matching process, are not the election officials that review the voter’s signature, and do not control whether the signature matching process can be observed, the Campaigns’ alleged injury is not traceable to the Secretary. And the Secretary does not have the authority to redress it.

Id., 2020 WL 7488181, at *2.

This case is directly analogous. Under Georgia election law, county election officials are solely responsible for processing, validating, and tabulating both absentee and in-person ballots. See O.C.G.A. §§ 21-2-386, 21-2-493. Therefore, because Defendants did not have any role in the counting of any allegedly illegal

votes, Plaintiff is unable to show that any injury he suffered was fairly traceable to any action on the part of Defendants or redressable by any judgment against Defendants.

Accordingly, the Court finds that Plaintiff does not have standing to bring his claim alleging the violation of his Due Process rights under the Fourteenth Amendment.

B. Jurisdiction and Preliminary Injunction Factors

Assuming that Plaintiff does have standing to bring his claims, the Court now evaluates those claims to determine whether this Court has jurisdiction to hear them and, if so, whether Plaintiff has satisfied the four factors to obtain a preliminary injunction.

1. This Court Lacks Jurisdiction to Grant the Relief that Sought by Plaintiff.

As a remedy for the alleged constitutional violations alleged in Plaintiff's two-count Complaint, Plaintiff seeks an order from this Court (1) declaring that violations of state and constitutional law occurred during the November 3, 2020, election in Georgia that render the election results that were certified null and void and (2) directing the Defendants to decertify the election results. See Compl.

¶¶ 67-68, Prayer for Relief; Pl.’s Br. at 10-11. However, this Court is without jurisdiction to grant the relief sought by Plaintiff.

a. Plaintiff’s Attempt to Effectively “Remove” the Election Contest Presently Pending in the Superior Court of Fulton County Must Fail.

Georgia law provides that “[a] petition to contest the result of a primary or election shall be filed in the office of the clerk of the superior court having jurisdiction within five days after the official consolidation of the returns of that particular office or question and certification thereof.” O.C.G.A. § 21-2-524(a). Federal courts “do not intervene in state election contests for the purpose of deciding issues of state law.” Hubbard v. Ammerman, 465 F.2d 1169, 1181 (5th Cir. 1972).⁶ Plaintiff filed an election contest case before the state court having exclusive jurisdiction to hear that case, the Superior Court of Fulton County, raising all of the allegations of fraud that he attempts to bring before this Court. Plaintiff does not challenge the state law providing for the filing of an election contest; in fact, Trump I is still pending in superior court with a hearing set for later this week. The sole reason for Plaintiff’s attempt to “remove” Trump I to this

⁶ In Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc), the United States Court of Appeals for the Eleventh Circuit adopted as binding precedent all decisions of the former Fifth Circuit issued before October 1, 1981.

Court is the purported failure of the superior court to consider his election contest as expeditiously as he would prefer. Compl. at 11-17. But the delay is Plaintiff's own doing:

- Although Secretary Raffensperger certified the presidential election results on November 20, 2020, Plaintiff waited until December 4, 2020, to file his election contest.
- Plaintiff never sought an order from a judge of a superior court in Georgia to alter the statutory deadline for Secretary Raffensperger to certify the results for the presidential election; see O.C.G.A. § 21-2-499(b) ("Notwithstanding the deadlines specified in this Code section, such times may be altered for just cause by an order of the judge of superior court of this state.").
- Plaintiff voluntarily withdrew his motion for emergency relief in superior court on December 8, 2020, which sought to stop the re-certification of the election results.
- Plaintiff filed a notice of appeal of Judge Russell's procedural order on case status on December 11, 2020 (which would have not been filed had Plaintiff not withdrawn his original request for emergency

relief), effectively depriving the superior court of jurisdiction to consider his second motion for emergency injunctive relief.

- Plaintiff did nothing for over two weeks after the Supreme Court of Georgia denied his emergency petition for writ of certiorari on December 12, 2020.
- After Chief Judge Brasher reminded Plaintiff on December 29, 2020, that as long as his notice of appeal was pending, the superior court could not hear his election contest, Plaintiff then withdrew his notice of appeal on December 30, 2020, after which the superior court promptly appointed a judge from outside the judicial district to hear the election contest this week.

Plaintiff offers no authority to support a federal court hijacking a pending state election contest case under any circumstances, and certainly not when the failure to expedite was the result of Plaintiff's own actions.⁷

b. The Sole Remedy for Objecting to the Counting of Electoral Votes After Certification Lies with the Congress of the United States.

⁷ In fact, even if jurisdiction over this claim existed, it would be within this Court's discretion to abstain under Colorado River Water Conservation Dist. v. United States, 424 U.S. 800 (1976). In Colorado River, the Supreme Court affirmed the district court's dismissal of a case with parallel state court proceedings for the primary purpose of avoiding piecemeal litigation over the issue.

Plaintiff seeks an order from this Court decertifying the November 3, 2020, election results. See Compl., Prayer for Relief ¶¶ A, D; Pl.’s Br. at 11 (requesting, *inter alia*, that the Court issue an injunction decertifying the electors certified and directing the Georgia General Assembly to appoint a new slate of electors). 3 U.S.C. § 15 provides the only process by which the electoral votes are to be counted and potentially challenged. Specifically, when Congress is in session on the sixth day of January following a presidential election, after each state’s electoral votes are read to the members of the Senate and the House of Representatives, “the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives.” 3 U.S.C. § 15. The objections are to be submitted to both the Senate and the House, and “the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified.” Id. Plaintiff has failed to cite any statute or case that provides for any mode of challenging electoral votes already certified and counted by the Electoral

College outside the congressional method outlined in 3 U.S.C. § 15.⁸ Thus, this Court finds no grounds upon which to independently order the decertification of Georgia's election results.

2. Plaintiff Fails to Establish a Substantial Likelihood of Success of His Claim Under the Electors Clause (Count I).

Count I of Plaintiff's Complaint alleges in conclusory fashion that Defendants' certification of the November 3, 2020, election, which Plaintiff alleges was not performed in accordance with Georgia election laws, was in violation of Article II, Section 1, clause 2 of the United States Constitution. Compl. ¶ 71 (citing U.S. CONST. art. II, § 1, cl. 2). The Complaint does not elaborate specifically how the Electors Clause was violated. Plaintiff's brief in support of his Motion for Expedited Declaratory and Injunctive Relief does little to clarify the matter. See Pl.'s Mem. of Law in Supp. of Mot. for Expedited Declaratory and Injunctive Relief ("Pl.'s Br.") [Doc. 2-1] at 6-8. Plaintiff argues in conclusory fashion that because Defendants violated the Georgia Election Code they thereby

⁸ The Court notes that Plaintiff could have petitioned a judge of the superior court of this state to alter the time under which Governor Kemp was required to certify the slates of presidential electors, but Plaintiff failed to do so. See O.C.G.A. § 21-2-499(b).

violated the Electors Clause.⁹ Id. By certifying an election conducted in violation of Georgia election law, “Defendants infringed on the exclusive province of the [Georgia] Legislature under the Electors Clause.” Id. at 7.

The Electors Clause directs state legislatures to appoint presidential electors in a manner of their choosing. U.S. CONST. art. II, § 1, cl. 2. The Supreme Court has described this clause as “conveying the broadest power of determination” over who becomes an elector. Chiafalo v. Washington, 140 S. Ct. 2316, 2324 (2020) (quoting McPherson v. Blacker, 146 U.S. 1, 27 (1892)). The manner of appointment among the states is largely uniform as all states use an appointment process tied to the popular vote, with political parties fielding presidential candidates having the responsibility to nominate slates of presidential electors. Id. at 2321-22. The Georgia General Assembly’s decision to appoint the state’s presidential electors by popular vote is contained in O.C.G.A. § 21-2-499:

The Secretary of State shall also, upon receiving the certified returns for presidential electors, proceed to tabulate, compute, and canvass the votes cast for each slate of presidential electors and shall immediately lay them before the Governor. Not later than 5:00 P.M. on the seventeenth day following the date on which such election was conducted, the Secretary of State shall certify the votes cast for all candidates described in subparagraph (a)(4)(A) of Code Section 21-2-

⁹ Plaintiff also argues that Defendants violated the Elections Clause, but the Complaint fails to allege a violation of the Elections Clause, U.S. CONST. art. I, § 4, cl. 1. Pl.’s Br. at 6.

497 and upon all questions voted for by the electors of more than one county and shall no later than that same time lay the returns for presidential electors before the Governor. The Governor shall enumerate and ascertain the number of votes for each person so voted and shall certify the slates of presidential electors receiving the highest number of votes. The Governor shall certify the slates of presidential electors no later than 5:00 P.M. on the eighteenth day following the date on which such election was conducted. Notwithstanding the deadlines specified in this Code section, such times may be altered for just cause by an order of a judge of superior court of this state.

O.C.G.A. § 21-2-499(b).

Plaintiff argues that Defendants' alleged violation of Georgia election laws means that the "manner" for choosing electors established by the legislature was not followed and is in violation of Article II of the U.S. Constitution. Pl.'s Br. at 6-8. This argument confuses and conflates the "manner" of appointing presidential electors—by popular election—with underlying rules of election administration. The former implicates the Electors Clause while the latter implicates the Elections Clause. As used in the Electors Clause, the word "manner" refers to the "[f]orm" or "method" of selection of the Presidential Electors. Chiafalo, 140 S. Ct. at 2330 (Thomas, J., concurring) (citations omitted). It "requires state legislatures merely to set the approach for selecting Presidential electors." Id. Put another way, it refers simply to "the mode of appointing electors—consistent with the plain meaning of the term." Id.

The method for appointing presidential electors chosen by the Georgia General Assembly is by general ballot at the general election and requires the Governor to certify the slate of electors for the candidate who receives the “highest number of votes.” O.C.G.A. § 21-2-499(b). There is no dispute that this is precisely how Defendants determined the appointment of Georgia’s presidential electors. Absent proof that Defendants failed to follow this “manner” of determining the state’s presidential electors, Plaintiff has not and cannot show a violation of the Electors Clause.

Although it is clear that Plaintiff has not alleged a violation of the Elections Clause in his Complaint, see Count I, the argument asserted in support of his Motion for Expedited Declaratory and Injunctive Relief indicates that he may be relying on an alleged violation of the Elections Clause in support of his argument that he is entitled to injunctive relief. Premitting any discussion on whether the absence of any allegation in the Complaint precludes Plaintiff from relying on such an argument in this Motion, the Court finds that Plaintiff has failed to demonstrate a substantial likelihood of success on the merits of any such claim.

The Elections Clause, U.S. CONST. art. I, § 4, cl. 1, provides that “[t]he Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.” This provision vests

authority in the individual states to regulate the mechanics of federal elections. Foster v. Love, 522 U.S. 67, 69 (1997). Plaintiff alleges that Defendants ignored the “Georgia Legislature’s express directions regarding the collection, handling, processing, canvassing, and counting of absentee ballots, and related activities and/or through improper certification of elections and/or electors and related activities by and through implementation of an unconstitutional settlement agreement,”¹⁰ in violation of the Georgia Election Code and “thereby also violated the Electors and Elections Clauses.” Pl.’s Br. at 6. Put another way, Plaintiff argues Defendants usurped the role of the Georgia General Assembly—and thereby violated the United States Constitution—by implementing a settlement agreement that provided additional safeguards regarding absentee ballots not found in the Georgia Election Code.

As Georgia’s Secretary of State, Defendant Raffensperger is “the state’s chief election official.” Compl. ¶ 3; O.C.G.A. § 21-2-50 (recognizing that the Secretary of State is the “state’s chief election official.”). In this position, he is

¹⁰ The “settlement agreement” refers to “a March 2020 ‘Compromise and Settlement Agreement and Release’ . . . agreed to by Secretary Raffensperger and the State Election Board in response to litigation filed by Democratic Party of Georgia, Inc., the Democratic Senatorial Campaign Committee, and the Democratic Congressional Campaign Committee” that dealt with the process by which absentee votes are verified. Compl. ¶ 13.

permitted “[t]o formulate, adopt, and promulgate such rules and regulations, consistent with law, as will be conducive to the fair, legal, and orderly conduct of primaries and elections.” O.C.G.A. § 21-2-31. A similar challenge to the settlement agreement was recently considered and rejected in this district. As Judge Steven D. Grimberg found, the implementation of the settlement agreement “is a manifestation of Secretary Raffensperger’s statutorily granted authority. It does not override or rewrite state law. It simply adds an additional safeguard to ensure election security by having more than one individual review an absentee ballot’s information and signature for accuracy before the ballot is rejected.” Wood v. Raffensperger, No. 1:20-CV-04651-SDG, 2020 WL 6817513, at *10 (N.D. Ga. Nov. 20, 2020), aff’d, 981 F.3d 1307 (11th Cir. 2020). State legislatures “possess the authority to delegate their authority over elections to state officials in conformity with the Elections and Electors Clauses” like the Georgia General Assembly did in giving the Georgia Secretary of State authority to enter into the settlement agreement under O.C.G.A. § 21-2-31. See id. at *10 (citing Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n, 576 U.S. 787, 816 (2015) (“The Elections Clause [] is not reasonably read to disarm States from adopting modes of legislation that place the lead rein in the people’s hands . . . it is characteristic of our federal system that States retain autonomy to establish their own governmental

processes.”); see also Corman v. Torres, 287 F. Supp. 3d 558, 573 (M.D. Pa. 2018) (“The Elections Clause, therefore, affirmatively grants rights to state legislatures, and under Supreme Court precedent, to other entities to which a state may, consistent with the Constitution, delegate lawmaking authority.”). This Court agrees with Judge Grimberg’s analysis.

Accordingly, the Court finds that Plaintiff has failed to demonstrate a substantial likelihood of success of any claim under the Electors or Elections Clauses.

3. Plaintiff Fails to Establish a Substantial Likelihood of Success of His Fourteenth Amendment Claim (Count II).

Count II of Plaintiff’s Complaint alleges that Defendants violated due process by improperly certifying the November 3, 2020, general election results while a statutory election contest was pending. Compl. ¶ 73. The Complaint does not indicate if Plaintiff’s due process challenge is procedural or substantive and his brief filed in support the Motion for Expedited Declaratory and Injunctive Relief does not clarify the matter. Pl.’s Br. at 8. Plaintiff argues that the election contest filed in Trump I “alleges there are enough illegal votes sufficient to either change the outcome or to place the result of that election in doubt, as well as constitutional claims under equal protection and due process clauses of State Constitutions.” Id. But, once again, Plaintiff fails to show that the election contest process in superior

court does not provide him with available relief should he present sufficient evidence as to the presence of sufficient illegal votes. As previously discussed, any delay in having the superior court render a decision in Trump I is due to Plaintiff's own actions in that litigation.

B. Irreparable Injury

Plaintiff has not shown that he is likely to suffer the irreparable harm required to merit injunctive relief. "The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies." Beacon Theatres, Inc. v. Westover, 359 U.S. 500, 506–07 (1959). Here, there is a clear, legal remedy for the injuries alleged, and it does not lie with this Court. Pursuant to 3 U.S.C. § 15, Congress will convene in Joint Session on January 6, 2021, and it will count and certify the electoral votes. The same statute provides the means for members of Congress to object to the count and reject any electoral votes deemed to be invalid. 3 U.S.C. § 15. Plaintiff asserts that harm will be irreparable if this Court does not act before Congress is given the opportunity to carry out its statutorily mandated duty, but this argument presumes that the federal statutory remedy under 3 U.S.C. § 15 is inadequate.

Moreover, as discussed by the Court, Plaintiff's delay in seeking injunctive relief in this Court principally was due to his failure to: (1) file an election contest

petition right after Secretary Raffensperger's certification on November 20, 2020; (2) request that a superior court judge delay the certification of the election and/or the slate of presidential electors; and (3) withdraw a notice of appeal which prevented the superior court from conducting a hearing on his election contest on a more expedited basis. See Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1249 (11th Cir. 2016) (finding that delay in seeking a preliminary injunction goes to the irreparable harm prong). The Complaint also fails to explain how, even if this Court granted the relief requested, Plaintiff will avoid any specific harm. The State of Georgia has sixteen (16) votes in the electoral college. If this Court did grant the relief requested, it would not change the result of the November 3, 2020, Presidential Election that Joseph R. Biden, Jr. obtained the 270 or more electoral votes needed for election as President.

C. Balance of Equities and Public Interest

The Court finds that the threatened injury to Defendants as state officials and the public at large far outweigh any burden on Plaintiff. Plaintiff seeks an extraordinary and unprecedented remedy: the decertification of the votes cast in the presidential election, after millions of people lawfully cast their ballots. To interfere with the result of an election that has already concluded and has been audited and certified on multiple occasions would be unprecedented and harm the

public in countless ways. See Wood, 2020 WL 6817513, at *13 (citing Sw. Voter Registration Educ. Project v. Shelley, 344 F.3d 914, 919 (9th Cir. 2003)).

Granting injunctive relief here would breed confusion, undermine the public's trust in the election, and potentially disenfranchise of millions of Georgia voters.

IV. CONCLUSION

For the foregoing reasons, it is hereby **ORDERED** that Plaintiff's Motion for Expedited Declaratory and Injunctive Relief [Doc. 2] is **DENIED**.

IT IS SO ORDERED this 5th day of January, 2021.



MARK H. COHEN
United States District Judge

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

WISCONSIN VOTERS ALLIANCE, *et al.*,

Plaintiffs,

v.

**VICE PRESIDENT MICHAEL R.
PENCE, *et al.*,**

Defendants.

Civil Action No. 20-3791 (JEB)

MEMORANDUM OPINION

Plaintiffs' aims in this election challenge are bold indeed: they ask this Court to declare unconstitutional several decades-old federal statutes governing the appointment of electors and the counting of electoral votes for President of the United States; to invalidate multiple state statutes regulating the certification of Presidential votes; to ignore certain Supreme Court decisions; and, the *coup de grace*, to enjoin the U.S. Congress from counting the electoral votes on January 6, 2021, and declaring Joseph R. Biden the next President.

Voter groups and individual voters from the states of Wisconsin, Pennsylvania, Georgia, Michigan, and Arizona have brought this action against Vice President Michael R. Pence, in his official capacity as President of the Senate; both houses of Congress and the Electoral College itself; and various leaders of the five aforementioned states. Simultaneous with the filing of their Complaint, Plaintiffs moved this Court to preliminarily enjoin the certifying of the electors from the five states and the counting of their votes. In addition to being filed on behalf of Plaintiffs without standing and (at least as to the state Defendants) in the wrong court and with no effort to even serve their adversaries, the suit rests on a fundamental and obvious misreading of the

Constitution. It would be risible were its target not so grave: the undermining of a democratic election for President of the United States. The Court will deny the Motion.

I. Background

To say that Plaintiffs' 116-page Complaint, replete with 310 footnotes, is prolix would be a gross understatement. After explicitly disclaiming any theory of fraud, see ECF No. 1 (Complaint), ¶ 44 ("This lawsuit is not about voter fraud."), Plaintiffs spend scores of pages cataloguing every conceivable discrepancy or irregularity in the 2020 vote in the five relevant states, already debunked or not, most of which they nonetheless describe as a species of fraud. E.g., id., at 37–109. Those allegations notwithstanding, Plaintiffs' central contention is that certain federal and state election statutes ignore the express mandate of Article II of the Constitution, thus rendering them invalid. Id. at 109–12. Although the Complaint also asserts causes of action for violations of the Equal Protection and Due Process Clauses, those are merely derivative of its first count. Id. at 112–15.

In order to provide an equitable briefing and hearing schedule on a very tight timetable, this Court immediately instructed Plaintiffs to file proofs of service on Defendants so that they could proceed on their preliminary-injunction Motion. See 12/23/20 Min. Order; Fed. R. Civ. P. 65(a)(1) ("The court may issue a preliminary injunction only on notice to the adverse party."). Twelve days later, Plaintiffs have still not provided proof of notice to any Defendant, let alone filed a single proof of service or explained their inability to do so.

II. Legal Standard

"A preliminary injunction is an extraordinary remedy never awarded as of right." Winter v. NRDC, 555 U.S. 7, 24 (2008). "A plaintiff seeking a preliminary injunction must establish [1] that he is likely to succeed on the merits, [2] that he is likely to suffer irreparable harm in the

absence of preliminary relief, [3] that the balance of equities tips in his favor, and [4] that an injunction is in the public interest.” Sherley v. Sebelius, 644 F.3d 388, 392 (D.C. Cir. 2011) (quoting Winter, 555 U.S. at 20). “The moving party bears the burden of persuasion and must demonstrate, ‘by a clear showing,’ that the requested relief is warranted.” Hospitality Staffing Solutions, LLC v. Reyes, 736 F. Supp. 2d 192, 197 (D.D.C. 2010) (citing Chaplaincy of Full Gospel Churches v. England, 454 F.3d 290, 297 (D.C. Cir. 2006)).

Before the Supreme Court’s decision in Winter, courts weighed these factors on a “sliding scale,” allowing “an unusually strong showing on one of the factors” to overcome a weaker showing on another. Davis v. Pension Ben. Guar. Corp., 571 F.3d 1288, 1291–92 (D.C. Cir. 2009) (quoting Davenport v. Int’l Bhd. of Teamsters, 166 F.3d 356, 361 (D.C. Cir. 1999)). Both before and after Winter, however, one thing is clear: a failure to show a likelihood of success on the merits alone is sufficient to defeat the motion. Ark. Dairy Coop. Ass’n, Inc. v. USDA, 573 F.3d 815, 832 (D.C. Cir. 2009) (citing Apotex, Inc. v. FDA, 449 F.3d 1249, 1253–54 (D.C. Cir. 2006)); Archdiocese of Wash. v. Wash. Metro. Area Transit Auth., 281 F. Supp. 3d 88, 99 (D.D.C. 2017), aff’d on other grounds, 897 F.3d 314 (D.C. Cir. 2018).

III. Analysis

Given that time is short and the legal errors underpinning this action manifold, the Court treats only the central ones and in the order of who, where, what, and why. Most obviously, Plaintiffs have not demonstrated the “irreducible constitutional minimum of standing.” Lujan v. Defs. of Wildlife, 504 U.S. 555, 560 (1992). Although they claim to have been “disenfranchised,” ECF No. 4 (PI Mem.) at 37, this is plainly not true. Their votes have been counted and their electors certified pursuant to state-authorized procedures; indeed, any vote nullification would obtain only were their own suit to succeed. To the extent that they argue

more broadly that voters maintain an interest in an election conducted in conformity with the Constitution, id. at 38, they merely assert a “generalized grievance” stemming from an attempt to have the Government act in accordance with their view of the law. Hollingsworth v. Perry, 570 U.S. 693, 706 (2013). This does not satisfy Article III’s demand for a “concrete and particularized” injury, id. at 704, as other courts have recently noted in rejecting comparable election challenges. See Wood v. Raffensperger, 981 F.3d 1307, 1314–15 (11th Cir. 2020); Bowyer v. Ducey, No. 20-2321, 2020 WL 7238261, at *4–5 (D. Ariz. Dec. 9, 2020); King v. Whitmer, No. 20-13134, 2020 WL 7134198, at *10 (E.D. Mich. Dec. 7, 2020). Plaintiffs’ contention that the state legislature is being deprived of its authority to certify elections, moreover, cannot suffice to establish a distinct injury-in-fact to the individuals and organizations before this Court. Finally, to the extent that Plaintiffs seek an injunction preventing certain state officials from certifying their election results, see PI Mem. at 1, that claim is moot as certification has already occurred. Wood, 981 F.3d at 1317.

Moving on from subject-matter jurisdiction, the Court must also pause at personal jurisdiction. Plaintiffs cannot simply sue anyone they wish here in the District of Columbia. On the contrary, they must find a court or courts that have personal jurisdiction over each Defendant, and they never explain how a court in this city can subject to its jurisdiction, say, the Majority Leader of the Wisconsin State Senate. Absent personal jurisdiction over a particular Defendant, of course, this Court lacks authority to compel him to do anything.

Even if the Court had subject-matter and personal jurisdiction, it still could not rule in Plaintiffs’ favor because their central contention is flat-out wrong. “Plaintiffs claim that Article II of the U.S. Constitution provides a voter a constitutional right to the voter’s Presidential vote being certified as part of the state legislature’s post-election certification of Presidential electors.

Absence [*sic*] such certification, the Presidential electors' votes from that state cannot be counted by the federal Defendants toward the election of President and Vice President." Compl., ¶ 32 (emphasis added); see also PI Mem. at 1. More specifically, "Plaintiffs [*sic*] constitutional claims in this lawsuit are principally based on one sentence in Article II of the U.S. Constitution." Compl., ¶ 54; see also PI Mem. at 1. That sentence states in relevant part that the President "shall hold his Office during the Term of four Years, and . . . be elected[] as follows: [¶] Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors . . ." U.S. Const., art. II, § 1.

Plaintiffs somehow interpret this straightforward passage to mean that state legislatures alone must certify Presidential votes and Presidential electors after each election, and that Governors or other entities have no constitutionally permitted role. See Compl., ¶ 55. As a result, state statutes that delegate the certification to the Secretary of State or the Governor or anyone else are invalid. Id., ¶ 58. That, however, is not at all what Article II says. The above-quoted language makes manifest that a state appoints electors in "such Manner as the Legislature thereof may direct." So if the legislature directs that the Governor, Secretary of State, or other executive-branch entity shall make the certification, that is entirely constitutional. This is precisely what has happened: in each of the five states, the legislature has passed a statute directing how votes are to be certified and electors selected. See Ariz. Rev. Stat. Ann. § 16-212(B); Ga. Code Ann. § 21-2-499(b); Mich. Comp. Laws Ann. § 168.46; Wis. Stat. Ann. § 7.70(5)(b); 25 Pa. Stat. § 3166.

For example, Georgia requires its Secretary of State to "certify the votes cast for all candidates . . . and lay the returns for presidential electors before the Governor. The Governor shall enumerate and ascertain the number of votes for each person so voted and shall certify the

slates of presidential electors receiving the highest number of votes.” Ga. Code Ann. § 21-2-499(b). Similarly, under Michigan law, “the governor shall certify, under the seal of the state, to the United States secretary of state, the names and addresses of the electors of this state chosen as electors of president and vice-president of the United States.” Mich. Comp. Laws Ann. § 168.46. Plaintiffs’ theory that all of these laws are unconstitutional and that the Court should instead require state legislatures themselves to certify every Presidential election lies somewhere between a willful misreading of the Constitution and fantasy.

Plaintiffs readily acknowledge that their position also means that the Supreme Court’s decisions in Bush v. Gore, 531 U.S. 98 (2000), and Texas v. Pennsylvania, No. 155 (Orig.), 2020 WL 7296814 (U.S. Dec. 11, 2020), “are in constitutional error.” Compl., ¶ 76. They do not, however, explain how this District Court has authority to disregard Supreme Court precedent. Nor do they ever mention why they have waited until seven weeks after the election to bring this action and seek a preliminary injunction based on purportedly unconstitutional statutes that have existed for decades — since 1948 in the case of the federal ones. It is not a stretch to find a serious lack of good faith here. See Trump v. Wis. Elections Comm’n, No. 20-3414, 2020 WL 7654295, at *4 (7th Cir. Dec. 24, 2020).

Yet even that may be letting Plaintiffs off the hook too lightly. Their failure to make any effort to serve or formally notify any Defendant — even after reminder by the Court in its Minute Order — renders it difficult to believe that the suit is meant seriously. Courts are not instruments through which parties engage in such gamesmanship or symbolic political gestures. As a result, at the conclusion of this litigation, the Court will determine whether to issue an order to show cause why this matter should not be referred to its Committee on Grievances for potential discipline of Plaintiffs’ counsel.

IV. Conclusion

As Plaintiffs have established no likelihood of success on the merits here, the Court will deny their Motion for Preliminary Injunction. A contemporaneous Order so stating will issue this day.

/s/ James E. Boasberg
JAMES E. BOASBERG
United States District Judge

Date: January 4, 2021

Trump and Justice Dept. Lawyer Said to Have Plotted to Oust Acting Attorney General

[nytimes.com/2021/01/22/us/politics/jeffrey-clark-trump-justice-department-election.html](https://www.nytimes.com/2021/01/22/us/politics/jeffrey-clark-trump-justice-department-election.html)

January 23, 2021



WASHINGTON — The Justice Department’s top leaders listened in stunned silence this month: One of their peers, they were told, had devised a plan with President Donald J. Trump to oust Jeffrey A. Rosen as acting attorney general and wield the department’s power to force Georgia state lawmakers to overturn its presidential election results.

The unassuming lawyer who worked on the plan, [Jeffrey Clark](#), had been devising ways to cast doubt on the election results and to bolster Mr. Trump’s continuing legal battles and the pressure on Georgia politicians. Because Mr. Rosen had refused the president’s entreaties to carry out those plans, Mr. Trump was about to decide whether to fire Mr. Rosen and replace him with Mr. Clark.

The department officials, convened on a conference call, then asked each other: What will you do if Mr. Rosen is dismissed?

The answer was unanimous. They would resign.

Their informal pact ultimately helped persuade Mr. Trump to keep Mr. Rosen in place, calculating that a furor over mass resignations at the top of the Justice Department would eclipse any attention on his baseless accusations of voter fraud. Mr. Trump’s decision came

only after Mr. Rosen and Mr. Clark made their competing cases to him in a bizarre White House meeting that two officials compared with an episode of Mr. Trump's reality show "The Apprentice," albeit one that could prompt a constitutional crisis.

The previously unknown chapter was the culmination of the president's long-running effort to batter the Justice Department into advancing his personal agenda. He also pressed Mr. Rosen to appoint special counsels, including one who would look into Dominion Voting Systems, a maker of election equipment that Mr. Trump's allies had falsely said was working with Venezuela to flip votes from Mr. Trump to Joseph R. Biden Jr.

This account of the department's final days under Mr. Trump's leadership is based on interviews with four former Trump administration officials who asked not to be named because of fear of retaliation.

Mr. Clark said that this account contained inaccuracies but did not specify, adding that he could not discuss any conversations with Mr. Trump or Justice Department lawyers because of "the strictures of legal privilege." "Senior Justice Department lawyers, not uncommonly, provide legal advice to the White House as part of our duties," he said. "All my official communications were consistent with law."

Mr. Clark categorically denied that he devised any plan to oust Mr. Rosen, or to formulate recommendations for action based on factual inaccuracies gleaned from the internet. "My practice is to rely on sworn testimony to assess disputed factual claims," Mr. Clark said. "There was a candid discussion of options and pros and cons with the president. It is unfortunate that those who were part of a privileged legal conversation would comment in public about such internal deliberations, while also distorting any discussions."

Mr. Clark also noted that he was the lead signatory on a Justice Department request last month asking a federal judge to reject a lawsuit that sought to pressure Vice President Mike Pence to overturn the results of the election.

Mr. Trump declined to comment. An adviser said that Mr. Trump has consistently argued that the justice system should investigate "rampant election fraud that has plagued our system for years."

The adviser added that "any assertion to the contrary is false and being driven by those who wish to keep the system broken." Mr. Clark agreed and said that "legal privileges" prevented him from divulging specifics regarding the conversation.

A Justice Department spokesman declined to comment, as did Mr. Rosen.

When Mr. Trump said on Dec. 14 that Attorney General William P. Barr was leaving the department, some officials thought that he might allow Mr. Rosen a short reprieve before pressing him about voter fraud. After all, Mr. Barr would be around for another week.

Instead, Mr. Trump summoned Mr. Rosen to the Oval Office the next day. He wanted the Justice Department to file legal briefs supporting his allies' lawsuits seeking to overturn his election loss. And he urged Mr. Rosen to appoint special counsels to investigate not only unfounded accusations of widespread voter fraud, but also Dominion, the voting machines firm.

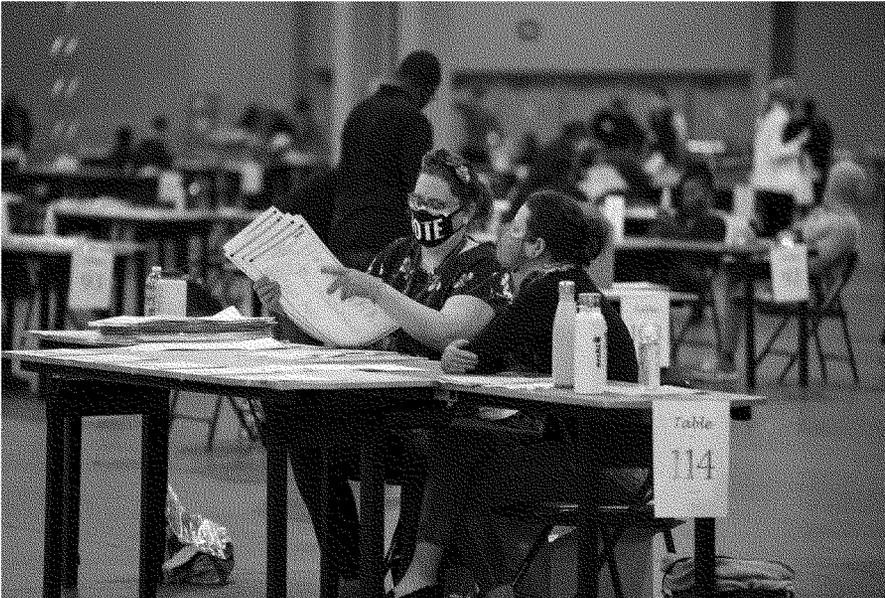
(Dominion has sued the pro-Trump lawyer Sidney Powell, who inserted those accusations into four federal lawsuits about voter irregularities that were all dismissed.)

Mr. Rosen refused. He maintained that he would make decisions based on the facts and the law, and he reiterated what Mr. Barr had privately told Mr. Trump: The department had investigated voting irregularities and found no evidence of widespread fraud.

But Mr. Trump continued to press Mr. Rosen after the meeting — in phone calls and in person. He repeatedly said that he did not understand why the Justice Department had not found evidence that supported conspiracy theories about the election that some of his personal lawyers had espoused. He declared that the department was not fighting hard enough for him.

As Mr. Rosen and the deputy attorney general, Richard P. Donoghue, pushed back, they were unaware that Mr. Clark had been introduced to Mr. Trump by a Pennsylvania politician and had told the president that he agreed that fraud had affected the election results.

Image



Election workers performing a recount in Atlanta in November. Mr. Trump focused on Georgia's election outcome after he lost the state. Credit...Nicole Craine for The New York Times

Mr. Trump quickly embraced Mr. Clark, who had been appointed the acting head of the civil division in September and was also the head of the department's environmental and natural resources division.

As December wore on, Mr. Clark mentioned to Mr. Rosen and Mr. Donoghue that he spent a lot of time reading on the internet — a comment that alarmed them because they inferred that he believed the unfounded conspiracy theory that Mr. Trump had won the election. Mr. Clark also told them that he wanted the department to hold a news conference announcing that it was investigating serious accusations of election fraud. Mr. Rosen and Mr. Donoghue rejected the proposal.

As Mr. Trump focused increasingly on Georgia, a state he lost narrowly to Mr. Biden, he complained to Justice Department leaders that the U.S. attorney in Atlanta, Byung J. Pak, was not trying to find evidence for false election claims pushed by Mr. Trump's lawyer Rudolph W. Giuliani and others. Mr. Donoghue warned Mr. Pak that the president was now fixated on his office, and that it might not be tenable for him to continue to lead it, according to two people familiar with the conversation.

That conversation and Mr. Trump's efforts to pressure Georgia's Republican secretary of state to "find" him votes compelled Mr. Pak to abruptly resign this month.

Mr. Clark was also focused on Georgia. He drafted a letter that he wanted Mr. Rosen to send to Georgia state legislators that wrongly said that the Justice Department was investigating accusations of voter fraud in their state, and that they should move to void Mr. Biden's win there.

Mr. Rosen and Mr. Donoghue again rejected Mr. Clark's proposal.

On New Year's Eve, the trio met to discuss Mr. Clark's refusal to hew to the department's conclusion that the election results were valid. Mr. Donoghue flatly told Mr. Clark that what he was doing was wrong. The next day, Mr. Clark told Mr. Rosen — who had mentored him while they worked together at the law firm Kirkland & Ellis — that he was going to discuss his strategy with the president early the next week, just before Congress was set to certify Mr. Biden's electoral victory.

Unbeknownst to the acting attorney general, Mr. Clark's timeline moved up. He met with Mr. Trump over the weekend, then informed Mr. Rosen midday on Sunday that the president intended to replace him with Mr. Clark, who could then try to stop Congress from certifying the Electoral College results. He said that Mr. Rosen could stay on as his deputy attorney general, leaving Mr. Rosen speechless.

Unwilling to step down without a fight, Mr. Rosen said that he needed to hear straight from Mr. Trump and worked with the White House counsel, Pat A. Cipollone, to convene a meeting for early that evening.

Image

Mr. Clark asked Mr. Trump to oust Jeffrey A. Rosen, the acting attorney general. Credit...Ting Shen for The New York Times

Even as Mr. Clark's pronouncement was sinking in, stunning news broke out of Georgia: State officials had recorded an hourlong call, [published by The Washington Post](#), during which Mr. Trump pressured them to manufacture enough votes to declare him the victor. As the fallout from the recording ricocheted through Washington, the president's desperate bid to change the outcome in Georgia came into sharp focus.

Mr. Rosen and Mr. Donoghue pressed ahead, informing Steven Engel, the head of the Justice Department's office of legal counsel, about Mr. Clark's latest maneuver. Mr. Donoghue convened a late-afternoon call with the department's remaining senior leaders, laying out Mr. Clark's efforts to replace Mr. Rosen.

Mr. Rosen planned to soon head to the White House to discuss his fate, Mr. Donoghue told the group. Should Mr. Rosen be fired, they all agreed to resign en masse. For some, the plan brought to mind the so-called Saturday Night Massacre of the Nixon era, where Attorney General Elliot L. Richardson and his deputy resigned rather than carry out the president's order to fire the special prosecutor investigating him.

The Clark plan, the officials concluded, would seriously harm the department, the government and the rule of law. For hours, they anxiously messaged and called one another as they awaited Mr. Rosen's fate.

Around 6 p.m., Mr. Rosen, Mr. Donoghue and Mr. Clark met at the White House with Mr. Trump, Mr. Cipollone, his deputy Patrick Philbin and other lawyers. Mr. Trump had Mr. Rosen and Mr. Clark present their arguments to him.

Mr. Cipollone advised the president not to fire Mr. Rosen and he reiterated, as he had for days, that he did not recommend sending the letter to Georgia lawmakers. Mr. Engel advised Mr. Trump that he and the department's remaining top officials would resign if he fired Mr. Rosen, leaving Mr. Clark alone at the department.

Mr. Trump seemed somewhat swayed by the idea that firing Mr. Rosen would trigger not only chaos at the Justice Department, but also congressional investigations and possibly recriminations from other Republicans and distract attention from his efforts to overturn the election results.

After nearly three hours, Mr. Trump ultimately decided that Mr. Clark's plan would fail, and he allowed Mr. Rosen to stay.

Mr. Rosen and his deputies concluded they had weathered the turmoil. Once Congress certified Mr. Biden's victory, there would be little for them to do until they left along with Mr. Trump in two weeks.

They began to exhale days later as the Electoral College certification at the Capitol got underway. And then they received word: The building had been breached.

Maggie Haberman contributed reporting from New York.

Russian Media Pushes the Lie That Capitol Rioters Were Antifa

thedailybeast.com/russian-media-pushes-the-lie-that-capitol-rioters-were-antifa

January 15, 2021



In a last-ditch attempt to defend the [outgoing U.S. President Donald J. Trump](#), Russian-speaking participants in the [recent mob at the Capitol](#) flooded the airwaves of the Kremlin-controlled Russian state television. They claimed that the pro-Trump insurrectionists were merely “peaceful demonstrators” and blamed “antifa” for [the violence that took place in Washington, DC](#) on January 6, 2021.

Russian state media propagandists and their mouthpieces apparently didn’t get the memo that even the Republicans no longer pursue that false narrative. [Congressman Kevin McCarthy spoke on the House floor](#) ahead of a vote on Trump’s second impeachment and asserted: “Some say the riots were caused by antifa. There is absolutely no evidence of that.”

But the truth never stopped the Kremlin’s propaganda networks from continuing to disseminate a convenient fable. Russian-speaking eyewitnesses were shown intermittently—or some might argue interchangeably—with clips from Fox News, featuring Tucker Carlson, Marco Rubio and other Trump apologists. Appearing on state TV channel *Rossiya-24*, two Russian-speakers living in the United States were [identified](#) as “those who participated in the events” on Capitol Hill and later took part in numerous shows on Russian state television.

Anchor Stas Natanzon asked Elena Nikitskaya of Greenville, South Carolina and Alexander Schneider of Boston, Massachusetts whether they're facing persecution in the United States for supporting Donald Trump.

READ THIS LIST

The Georgia Dad Who Said That He Wanted to Kill Nancy Pelosi

[newyorker.com/news/us-journal/the-georgia-dad-who-said-that-he-wanted-to-kill-nancy-pelosi](https://www.nytimes.com/news/us-journal/the-georgia-dad-who-said-that-he-wanted-to-kill-nancy-pelosi)

Charles Bethea



Cleveland Grover Meredith, Jr., who goes by Cleve, grew up in a wealthy suburb of Atlanta in the nineteen-seventies and eighties. His father owns a hundred-year-old company that makes utility poles, and his mother was a homemaker who later became an interior decorator. He had two sisters, one of whom died young, of brain cancer. He attended the prestigious Lovett School, in north Atlanta, where nearly all his classmates were white, and where, a few of those classmates told me recently, the N-word was occasionally heard in the hallways—making it “depressingly similar,” one said, to many schools in the area at the time. Meredith was an upbeat kid. One of his classmates, Dean Temple, who is now a stage actor, recalled a class trip to the U.S. Capitol. Most of the details were fuzzy, Temple said, but he could still recall “the smile on Cleve’s face.”

In high school, Meredith twice led Lovett to cross-country championships. “He was so damn fast, he seemed to be on his own,” a former teacher at Lovett told me, adding that Meredith “set himself apart and above others.” “He was a popular and good-looking guy,” Matt Arnett, who’s now a music producer in Atlanta, said. A former family friend told me, “He was about cars, running, and ego.” He drove a Datsun 280ZX, and won the “best car” award in his senior year. He started a detailing business, Temple said, mainly so that he could drive fancy vehicles, and he painted flames down the side of the family station wagon. Patrick Brown,

who became a lifelong friend, described a trip to the Grand Canyon during which Meredith, goofing off with other kids, slathered himself with ketchup and lay down in the middle of the road. “The first people to pull up were the fucking game wardens,” Brown said. “I still have the citation. But that was Cleve. He loved to pull pranks.” Brown went on, “I don’t see him as a violent person. Just a high-energy guy. ‘Electric’ is the word I’d use. Tries to suck the marrow out of life.” He added, “At the end of the day, I don’t know if there’s a joke element to it.”

By “it,” Brown meant Meredith’s espousal, in the past decade, of extreme and increasingly paranoid right-wing views, including the set of wild delusions that circulate among those who believe in the QAnon conspiracy, which holds that many Democrats in Washington and Hollywood are satanists and pedophiles. Meredith has shared those views on Facebook and elsewhere; at times, there appeared to be an element of trolling involved. But he could also seem deadly serious. Last week, Meredith was one of the first thirteen people charged in connection with the violence that followed a rally on January 6th for Donald Trump in Washington, D.C. The next day, House Speaker Nancy Pelosi held a press conference calling on Vice-President Mike Pence to invoke the Twenty-fifth Amendment. Meredith allegedly texted an acquaintance, “Thinking about heading over to Pelosi CUNT’s speech and putting a bullet in her noggin on Live TV.” He appended the purple devil emoji. He allegedly had two firearms and thousands of rounds of ammo in his trailer.

Brown, who voted for Trump but said he didn’t believe that there’d been widespread election fraud and that “there’s no place for violence at any of these demonstrations,” told me that he’s still trying to make sense of it all. When we spoke, he was not yet aware that Meredith evidently never made it to the Capitol. “Maybe he desecrated that place,” Brown said, of his friend, “and if he did I’d beat the shit out of him.” He went on, “But if I was gonna go to battle and war for this country, I would want him on my side, next to me, in the trench. He’s a warrior, in a way.”

Before graduating from Lovett, in 1986, Meredith served on the homecoming court, and he was active in vestry, a group connected with the school’s chapel that did volunteer work and assisted in worship services. “Always carrying that cross,” the family friend told me. For his yearbook page, he chose a quote from “Life in the Fast Lane,” by the Eagles: “Blowin’ and burnin’, blinded by thirst, didn’t see the stop sign, took a turn for the worst.” After Lovett, he went to Sewanee, an Episcopal liberal-arts college in the hills of Tennessee. He had not been especially interested in politics in high school, and didn’t seem to be at Sewanee, either, Arnett said. “It’s not exactly a bastion of militant conservatism,” he added. “I don’t think he changed much there.”

After college, he opened a car wash north of Atlanta. He got married and had two sons. He enjoyed driving “Jet Skis and motorcycles and big trucks and trailers,” Arnett said. “I never got the impression that all that was funded by the car wash. I think he had family money.” In recent years, Meredith raced Porsches and drove speedboats. “He loved his toys,” Brown said. On Facebook, Meredith posted pictures of those toys, and began sharing his opinions

about the state of the country. After Barack Obama was elected President, those posts became “exceptionally racist,” a former classmate told me. She recalled one that referred to Obama as a “porch monkey”—she added, of the slur, “I thought that was of a vintage before my time.” She unfollowed Meredith but still occasionally saw his posts. It seemed to her that he “was disturbed by a world that had changed.”

Temple thought so, too. “I confronted him about his outspoken hatred of Muslims,” he said. It struck him as “a clichéd, right-wing-media, knee-jerk take on the ills of the world.” Meredith, to Temple’s surprise, responded with a seemingly open mind. “I thought, ‘Huh, that went well.’ But he really turned into a troll, and kind of a cult member, eventually.”

Arnett, who tends to vote for Democrats, told me that his own Facebook page was “a place where people from the right and left would debate. And Cleve was one of those people that would jump in with just the craziest, most outlandish things.” One of Meredith’s recurring themes was that the Confederate flag represented “heritage, not hate,” he said. Meredith made a version of this argument after a white man named Dylann Roof killed nine members of a Black church in Charleston—at which point, Arnett said, he unfriended him. “His posts just became so virulently racist and unmoored from fact, I drew the line,” he said. Meredith was upset by the unfriending, and the two men had a long private exchange about it through Facebook. “Honestly,” Meredith wrote, “I think the only way to solve these major issues and I’m not talking about just racial/social issues, I’m talking about the whole gamut (economic, military, debt, etc) is to flush everybody (both sides of course) out of Washington and start over . . . to hit the reset button. . . . Just not sure how we do that.”

A few weeks before Meredith sent that message, Donald Trump announced that he was running for President. Meredith was thrilled. “Somebody like Cleve was the perfect target for Trump’s rhetoric,” Arnett told me. “It’s much easier to understand why, perhaps, lower-income people would be susceptible to that talk,” he added. “But I think there are people of greater means, like Cleve, who see the way of life changing from white control of everything that has made them very comfortable.” Meredith also enjoyed “Trump’s owning of the libs,” Arnett said.

Though Meredith lost a few friends and followers on Facebook, he also gained new ones. Suleiman Fetrat, an Afghan-American former defense contractor, who has a degree in political science, is a few years older than Meredith—“old enough,” he told me, “to have been fooled by both sides.” A mutual friend connected him with Meredith in late 2015, and Fetrat described to me a warm online relationship that transcended their divergent politics. (An ardent Bernie Sanders supporter, Fetrat sat out the 2016 election, then voted reluctantly for Joe Biden in 2020.) They never met in person, though, and Fetrat took notice of Meredith’s evolution with a degree of detachment, watching him parrot the Gateway Pundit, Trump’s Twitter feed, Fox News, and, eventually, QAnon supporters—and finding it all more fascinating than frightening. “He took the red pill with the Q stuff,” Fetrat said. “I was grateful for that. My specialty is political ideology. I was an observer of this whole thing.” Fetrat knew many Trump supporters, “but Cleve was beyond that,” he told me, adding, “I

hesitate to say this, but he and others like him are like the American Taliban.” The difference, Petrat believed, was that Meredith’s tough talk was, in his view, basically bluster. He enjoyed tweaking Meredith, and being his “libtard” pal. “I don’t think Cleve would ever hurt anybody,” he said. “He’s all naïve braggadocio. Bark, no bite.” He added, “We always promised to meet each other. He would always say, ‘When it all goes down, I’ll protect your children.’ As much as we disagreed, he had my back.”

In the spring of 2018, Meredith put up a billboard near his business, Car Nutz Car Wash, that read, simply, “#QANON.” The *Atlanta Journal-Constitution* ran a story about it; Meredith told the paper that he was “a patriot among the millions who love this country.” Then he put the hashtag on the car wash’s marquee. A real-estate appraiser named Chris got into an argument with him about it, and later wrote about the exchange in a private Facebook group. “I told him that it is dumb to have the name of a batty insane organization flashing on their sign, that it drives away customers like me and makes them look like idiots,” Chris wrote. “Oh so you must be a Hillary supporter,” Meredith said to him, according to Chris’s account. “I bet you are on welfare, and you are unemployed.” Meredith “continued to yell at me as other customers were in their cars in line, hearing all of it,” Chris wrote. Soon afterward, Meredith began driving a blue two-door Saab decorated with a giant law-enforcement star bearing the name Donald Trump. He posted pictures of the vehicle on Facebook with the caption “There’s a new Sheriff in town.”

It was around this time that Meredith and his wife separated, and he moved from Cobb County—a once conservative area just north of Atlanta that has lately turned blue—to Hiawassee, a small, deeply conservative town in the north Georgia mountains. (His ex-wife did not reply to an interview request.) Meredith’s parents had, at this point, become concerned enough about their son to call the Hiawassee Police Department to give them a heads-up. “They wanted me to be aware of his involvement with Q, and the social-media posts he’d been making,” Paul Smith, Hiawassee’s chief of police, told me. (Meredith’s mother declined to comment for this story. His father could not be reached.) They described their son as “a great person who had fallen from grace into far-right-extremist territory,” Smith said, adding, “They were letting me know that he seems like he could be dangerous and he’s living in your city now.” Meredith’s parents told Smith that they had communicated with the F.B.I., and the Hiawassee police passed along word to the Georgia Bureau of Investigation. Smith said that there was an investigation but that he didn’t know the details.

In March, 2019, Meredith showed up at Lovett in his unmistakable Saab to protest an appearance by the Pulitzer Prize-winning historian Jon Meacham, who was there to speak about current affairs. “Fairly anodyne stuff,” one of Meredith’s old classmates told me, of Meacham’s talk. But Meredith ended up skirmishing with campus security. “It got kind of scuffly,” the classmate said. Security escorted Meredith from the event—one classmate heard a rumor from friends that they took him to the OK Café, which, until recently, prominently displayed a carving of the old Georgia flag. “What’d they do,” this classmate speculated, laughing, “go prop him under a Confederate flag for some fried chicken?” Meredith was

banned from Lovett after the incident. By March of last year, he was posting angry comments on his class's Facebook page. "This was a page that has nothing to do with politics," the woman who unfollowed him told me. "Meredith was posting things like, *Democrats are idiots, they're destroying America*. Blah, blah, blah," she said. "The page is devoted to who got married, who had a baby, who got a job! So it was weird."

Advertisement

After the coronavirus pandemic hit Georgia, Meredith became a strident opponent of mask-wearing, and his Facebook posts started earning him temporary suspensions from the platform. After his first suspension, Fetrat told me, "He became more and more vitriolic, less willing to share where he got his info. Posting fewer links." He was also posting pictures of increasingly aggressive activity on his toys, Fetrat said: "The last picture I saw on his Facebook feed, he'd flipped a Bobcat front-end loader. At a certain point, you stop doing that kind of stupid thing. But he didn't. He's immature."

In June, after George Floyd was murdered by police in Minneapolis, a group of Hiawassee residents held a demonstration in the town about police brutality. Meredith showed up in loafers and khaki shorts holding a IWI Tavor X95 rifle. Witnesses say that he held it up in a menacing way. The *North Georgia News* spoke to Meredith for a story about the demonstration; he told the paper that he was a "fifth-generation Atlantan" who supported "America, freedom and President Donald Trump." As for the protest, he said, "It's basically a political stunt done by the higher ups, just paying people to screw everything up." He added, "I sincerely believe the New World Order, Cabal, Deep State—whatever you want to call it—wants society to devolve into a race war so that it's much easier to take over." In August, after an Illinois teen-ager named Kyle Rittenhouse killed two protesters for racial justice and injured another with an AR-15-style rifle in Wisconsin, Meredith posted a photoshopped "Robocop" poster bearing Rittenhouse's face and the tagline "PART KID, PART COP, ALL PATRIOT."

As summer turned to fall, Meredith's Facebook page seemed to reflect a growing fixation with eradicating Trump's enemies. "Dearest POTUS," Meredith wrote before the election, "We Patriots will gladly clean up our little internal mess, just say when." A month later, he wrote, "I genuinely hope POTUS labels the scum in our country as enemy combatants so that I can legally start collecting heads." On November 21st, Meredith attended a Stop the Steal rally at the Georgia state capitol. The Georgia Bureau of Investigation told me that they were contacted, that day, by a "concerned citizen" who was troubled by "conversations with Meredith and his alleged planned activities at the protest." The G.B.I. spoke with Georgia State Patrol, then tried to locate Meredith and discovered that he had recently moved to North Carolina. They tracked down his address a few days later, in Clay County. He was "interviewed and no criminal activity was identified," a spokesperson for the G.B.I. told me, adding that all information learned from Meredith was shared with the F.B.I.

On Facebook, Meredith wrote about wanting to “eradicate” and “obliterate” the enemy; one post suggested that it would soon be “hunting season” on “SATANIC SCUMBAGS.” He posted a quotation from Ulysses S. Grant: “There are but 2 parties now; Traitors and PATRIOTS.” A Facebook friend commented, “Grant was in the wrong and was a tool of the traders.” Meredith replied, “Yes, but it is relevant today.” On December 19th, Meredith posted another message on Facebook: “GOAT POTUS calls for PROTEST in D.C. on January 6, 2021...he’ll be giving us PATRIOTS our licenses .”

The week before the rally at the Capitol, Meredith took his sons on a skiing trip to Crested Butte, Colorado. “Forty-hour drive!” Brown, who said he hasn’t spoken to Meredith in at least six months, marvelled. “To spend time with his sons.” It seems that Meredith was planning to go straight from Colorado to D.C. On January 4th, according to a pretrial memo that was filed by the government, Meredith sent a text message declaring, “We’re gonna surround DC and slowly constrict.” He appears to have believed that the F.B.I. was already surveilling him. “I’m harmless,” he texted, adding, “I won’t fire until ordered SIR!”

But on his way to Washington Meredith seems to have had car trouble. According to an F.B.I. affidavit, he sent a text on January 6th that read, “I’m trying but currently stuck in Cambridge, OH with trailer lights being fixed, crappers.” Later, he wrote, “Just fixed...headed to DC with a shit ton of 5.56 armor piercing ammo .” An acquaintance sent him word that rioters were clashing with police at the Capitol building. “Burn DC to the FKG ground,” he replied. When an acquaintance texted, “Pence blew it,” Meredith answered, “War time” and then “I’m gonna collect a shit ton of Traitors heads.”

In Washington, Meredith booked a room at a Holiday Inn. He’d missed the rally, and its immediate aftermath. An affidavit submitted to the Superior Court of D.C. in support of a search warrant alleges that, the next day, Meredith head-butted someone to the ground, and then assaulted that person again before fleeing in his vehicle. At a hearing this week, a lawyer for the government described it as a road-rage incident involving a double-parked car, and said that a witness heard Meredith use the N-word. (Meredith’s lawyer did not respond to a request for comment.) According to the F.B.I. affidavit, after Meredith texted an acquaintance about shooting Pelosi on live TV, the acquaintance replied, “That comment you made about Pelosi, what the fuck are you thinking. Get real nephew.” Meredith answered, “Psychological warfare. I’ve been on the radar for a while now, they now I’m harmless.” Another acquaintance wrote, “Cleve, be careful! I’m worried about you,” to which he responded, “Lol, jus havin fun. My Spy name is: DoubleODipshit.” In another text, he wrote, “I may wander over to the Mayor’s office and put a 5.56 in her skull, FKG cunt,” adding, “I hope you’re reading this Mr. FBI agent, FK U.”

Judging from the affidavit, it seems likely that one of the people with whom Meredith was texting sent screenshots of texts to the F.B.I. Agents went to the Holiday Inn, where they say that they found Meredith in possession of THC edibles, a vial of testosterone, and, in his

trailer, multiple firearms, none of which were registered in D.C. The government memo in support of pretrial detention describes Meredith as “a habitual drug user with a history of mental illness.”

Arnett heard the news the next day. He wasn’t surprised, he told me. “Five years ago, his comments were abhorrent on social media,” he said. “Two years after that, he put up a QAnon billboard. Now we’re three years beyond that.” He went on, “You factor in whatever mental-health situation he was in five years ago, and the toxicity of Trump and OAN and InfoWars and Breitbart and all of that.” The classmate who unfriended Meredith on Facebook said, “Would I have predicted that he’d have problematic views as he got older? Absolutely. Would I have predicted, five years ago, that he’d storm the Capitol? Probably.” She added, “I wouldn’t expect bombs and guns. But him being there, yeah.” Arnett and Brown both spotted a photo in the *New York Times* of a man in a nice leather jacket and a flag around his neck, with what Arnett described as “fake buck teeth” and a “fake mustache,” and were convinced that it was Meredith in disguise. (The man was later identified as a Metro-North employee, from New York, who’d called in sick to take part in the riot.)

Fetrat acknowledged the limitations of getting to know a person solely through the Internet, but he offered a confident assessment nonetheless. “I can’t imagine him opening gunfire on people,” he told me. “He’s got sons. He’s immature, that’s what I think. A sheltered boy from the northern suburbs of Atlanta pretending he’s tough. Just stupid. Nothing more.” Meredith was, he felt, “a cosplaying patriot.”

On Thursday afternoon, the government argued in U.S. District Court that Meredith’s threats constituted a “crime of violence,” and that he should be detained prior to trial. At one point, Ahmed Baset, an assistant U.S. Attorney, cited “sensitive aspects about Mr. Meredith’s health condition that I believe should not be made public,” and the lawyers joined the judge, G. Michael Harvey, in a private breakout room. Back in the open session, Meredith’s lawyer offered a defense similar to what Fetrat had told me—that the texts were intended in jest, and that Meredith, a father of two involved with his local church, did not pose a real threat. He’d brought the weapons to D.C. only incidentally, his lawyer argued, on the way back home to North Carolina. “Without admitting any guilt,” the lawyer said, “Mr. Meredith is definitely remorseful for his conduct and these actions.” Baset noted that F.B.I. agents had asked Meredith if he posted things on social media “for reaction, or if he believed the things he was saying,” and that Meredith had allegedly answered “a little of both.” Baset also suggested that Meredith’s belief in QAnon could make him less likely to abide by the conditions of his release, and warned Judge Harvey that, if Meredith were not detained, “access to things like social media could further make his ideological bent more serious.” Harvey sided with the government. “If I have had a more concerning threats case come before me,” he said, “I don’t remember it.”

I asked Patrick Brown what he made of his friend’s mental state. Was he in control of his faculties? “He is a little crazy,” he said. “All of us are crazy. But I’m not privy to that other side, if it’s there. Misguided or not, he was looking for his sense of truth.” Temple told me,

“It’s tragic. But he’s not Hamlet. He’s ‘Taxi Driver.’ ” That film’s protagonist, Travis Bickle, is a paranoid Vietnam veteran whose fantasies of cleansing the streets culminate in a murder spree. (John Hinckley, Jr., who attempted to assassinate Ronald Reagan, in 1981, said that he had seen the movie more than a dozen times.) One of Meredith’s former classmates blamed the President. “Trump fucked Cleve’s life,” he said, adding, “Lost his family, his marriage, his mind, and now his freedom.” Arnett told me, “I blame Cleve, but it didn’t happen. . . .” He trailed off. “He did it to himself, but he had a lot of help.”

This post has been updated to include comments from the Georgia Bureau of Investigation.

Read More About the Attack on the Capitol

- Donald Trump, the Inciter-in-Chief.
- He must be held accountable.
- An Air Force combat veteran was part of the mob in the Senate.
- The invaders enjoyed the privilege of not being taken seriously.
- The crisis of the Republican Party has only begun.
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US takes back its assertion that Capitol rioters wanted to 'capture and assassinate' officials

 [cnn.com/2021/01/15/politics/capitol-capture-assassinate-elected-officials/index.html](https://www.cnn.com/2021/01/15/politics/capitol-capture-assassinate-elected-officials/index.html)

January 15, 2021



(CNN)Justice Department prosecutors have formally walked back their assertion in a [court filing](#) that said Capitol rioters sought to "capture and assassinate elected officials."

A federal prosecutor in Arizona asked a magistrate judge in a hearing on Friday to strike the line in a recent court filing about defendant Jacob Anthony Chansley, a man who is alleged to have led some in the crowd in the first wave into the Capitol with a bullhorn while carrying a spear and wearing a fur headdress.

Key arrests so far from the Capitol riot

The entire line the prosecutors want to omit from their court filing is: "Strong evidence, including Chansley's own words and actions at the Capitol, supports that the intent of the Capitol rioters was to capture and assassinate elected officials in the United States Government."

The stunning move comes a few hours after the Michael Sherwin, the acting US attorney in Washington, DC, [said at a press conference](#) there was "no direct evidence of kill and capture teams" at this time in the siege of the Capitol building.

RELATED: Key arrests so far from the Capitol riot

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In court, Todd Allison, a line prosecutor for the Justice Department in Arizona, said DOJ may want to argue that type of assertion if Chansley goes to trial, but cannot say that at the moment.

275 cases open in Capitol riot investigation, US prosecutors say

"We do not want to mislead the court by discussing the strength of any specific evidence" related to his intent, Allison said.

Chansley will remain in jail as he awaits trial, a judge decided on Friday, after the Justice Department portrayed him as a particularly belligerent leader among the rioters. Chansley's case eventually will move to the federal court in DC.

The line was a chilling description yet of rioters who seized the Capitol last week, writing in a court filing that the intention was "to capture and assassinate elected officials."

Justice Department lawyers have begun describing in more alarming terms what transpired.

In a separate case, prosecutors in Texas court alleged that a retired Air Force reservist who carried plastic zip tie-like restraints on the Senate floor may have intended to restrain lawmakers.

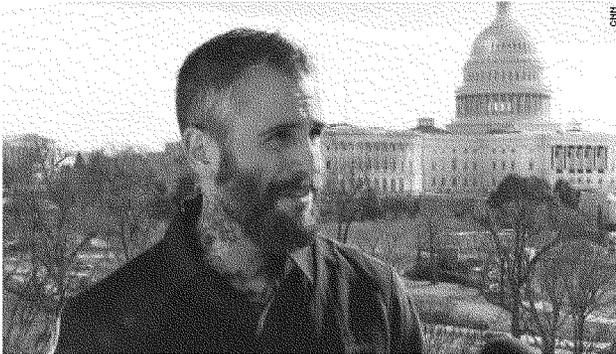
Members of Congress fear for their lives and security after deadly riot, sources say

Chansley's attorney said he is not violent.

"He loved Trump, every word. He listened to him. He felt like he was answering the call of our president," Chansley's attorney Al Watkins, appearing on CNN Thursday night, said. "My client wasn't violent. He didn't cross over any police lines. He didn't assault anyone." Watkins said Chansley also hopes for a presidential pardon.

Prosecutors describe those who took over the Capitol as "insurrectionists" and offer new details about Chansley's role in the violent siege last week, including that after standing at the dais where Vice President Mike Pence had stood that morning, Chansley wrote a note saying "it's only a matter of time, justice is coming."

Chansley later told the FBI he did not mean the note as a threat but said the Vice President was a "child-trafficking traitor" and went on a long diatribe about Pence, Biden and other politicians as traitors.



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Washington, DC officers speak out following Capitol riot 04:56

Before he was arrested, Chansley told the FBI he wanted to return to Washington for the inauguration to protest.

Prosecutors accuse Chansley of being a flight risk who can quickly raise money through non-traditional means as "one of the leaders and mascots of QAnon, a group commonly referred to as a cult (which preaches debunked and fictitious anti-government conspiracy theory)." They also said Chansley suffers from mental illness and is a regular drug user, according to prosecutors' detention memo.

Former Air Force reservist carried plastic zip tie-like restraints on the Senate floor

A body armor-clad retired Air Force reservist who carried plastic zip tie-like restraints on the Senate floor may have intended to restrain lawmakers, federal prosecutors argued in a Texas court on Thursday.

Prosecutors say Larry Rendell Brock, a 53-year-old retired Air Force Reserve officer who was arrested in Texas, was photographed roaming the Senate chamber clutching a white flex cuff, which is used by law enforcement to restrain or detain subjects.

In court, prosecutors "argued that Mr. Brock intended to use the zip-ties to restrain those he viewed as enemies -- presumably, federal lawmakers, who had moments before been evacuated from the chamber," said Erin Dooley, a spokeswoman for the United States Attorney's Office, in the Northern District of Texas.

Brock was arrested January 10. He was charged with one count of knowingly entering or remaining in any restricted building or grounds without lawful authority, and one count of violent entry and disorderly conduct on Capitol grounds, according to court records.

Now-viral photos show the man prosecutors have identified as Brock sporting a military helmet, green tactical vest and black-and-camo jacket. His ex-wife had identified him to the FBI after seeing him in a photo from the insurrection, according to an FBI agent's affidavit supporting Brock's arrest.

A magistrate judge on Thursday released Brock to home confinement with electronic monitoring and limits on interacting with others involved in the riot and barred him from possessing guns or accessing social media.

[Key arrests so far from the Capitol riot](#)

According to court filings, prosecutors allege that Brock posted on Facebook about buying body armor and a helmet for a "civil war" and believed the US election was being certified by a "hostile governing force."

In an [interview with the New Yorker](#), Brock denied that he holds racist views. He repeated President Donald Trump's baseless assertions of election fraud.

Brock told the magazine that vandalism to the Capitol building "was not my intent." He said he had picked the restraints off the ground and intended to give them back to a police officer. *This story and headline have been updated with DOJ's walk-back of the "capture and assassinate" allegations.*

www.cnn.com/2021/01/21/us/capitol-riot-samuel-camargo-florida-arrest/index.html

Florida man accused of being in Capitol riots was arrested at the inauguration, Justice Department says

Amir Vera and Katelyn Polantz, CNN

3-3 minutes

(CNN)A Florida man knew he was wanted by authorities for being at the US Capitol riots but returned to Washington, DC, to attend the inauguration, the Justice Department said in a court filing Thursday.



Samuel Camargo, 26, was arrested Wednesday in Washington, prosecutors said. The name of Camargo's attorney wasn't immediately available Thursday. He has not yet formally entered a plea.

Camargo faces four charges related to the January 6 riots that include civil disorder; knowingly entering or remaining in any restricted building or grounds without lawful authority; knowingly engaging in disorderly or disruptive conduct in any restricted building or grounds; and violent entry and disorderly conduct on Capitol grounds, according to the criminal complaint.



Camargo appeared Thursday in DC District Court, where a judge ordered he stay detained as he awaits trial. The judge agreed with the Justice Department that Camargo was a flight risk.

"Frankly this country is very large and there are many different places a defendant could hide within it," US Magistrate Judge Zia Faruqui said at the hearing.

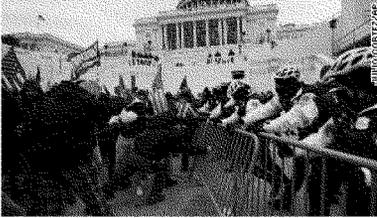
Washington prosecutors wrote in a court filing Thursday that Camargo was seen in video at one of the doorways of the Capitol on January 6 "using his mobile phone to video tape his struggle with the U.S. Capitol Police over opening a door to the U.S. Capitol Building."

Camargo later apologized on social media for his actions that day "while at the Capitol in D.C.," prosecutors wrote.

On January 7, when contacted by an FBI agent about his actions, Camargo admitted he was in Washington the day of the riot and returned to his home in Broward County, Florida.

1/22/2021

Florida man accused of being in Capitol riots was arrested at the inauguration, Justice Department says :: Reader View



"Then he became uncooperative and questioned the agent's loyalty to the constitution before saying he had no more information to provide," prosecutors wrote. "Following this interview, the defendant then posted on social media 'Just finished speaking to an FBI agent, I believe I've been cleared.'"

Authorities tried to arrest Camargo on Tuesday at his home in Florida, but he was gone, prosecutors said. He was found the next day in Washington.

Camargo told investigators after his arrest that he knew he was wanted by the Justice Department in connection with his actions at the Capitol and "decided that he should attempt to attend the Inauguration rather than turn himself into authorities," prosecutors wrote in the court filing on Thursday.

www.politico.com/news/2021/01/21/senate-republicans-uniting-impeachment-defense-461217

Senate Republicans uniting behind impeachment defense

Andrew Desiderio

8-10 minutes

Sen. Lindsey Graham (R-S.C.), a top Trump ally, has been pushing for a vote to dismiss the former president's impeachment trial at its outset. | Alex Edelman-Pool/Getty Images

Senate Republicans are coalescing around a long-shot bid to dismiss the impeachment trial of former President Donald Trump before it even begins, relying on a disputed legal argument that says putting an ex-president on trial is unconstitutional.

Interviews with more than a dozen GOP senators revealed broad support for the claim that the Senate has no constitutional authority to put a private citizen on trial, which could translate into a substantial number of votes to scrap the trial altogether. The issue came up several times during a Senate GOP conference call Thursday afternoon, according to multiple senators.

Senate Minority Whip John Thune (R-S.D.) said in an interview that concerns about the constitutionality of putting a former officeholder on trial were top of mind among GOP senators — even those who are open to voting to convict Trump on the House's charge that he incited the insurrection at the Capitol on Jan. 6 that left five people dead.

"Our members, irrespective of what they might think about the merits, just believe that this is an exercise that really isn't grounded constitutionally and, from a practical standpoint, just makes no sense," Thune said.

But critics — including scholars from the conservative Federalist Society and other right-leaning organizations — maintain that the argument is on flimsy legal ground. Moreover, federal courts have consistently deferred to Congress' "sole power" to set its own rules and procedures, including over impeachment proceedings.

Still, Republicans' contention is shaping up to be a central theme of the ex-president's defense strategy in the Senate's upcoming trial, with several GOP senators publicly echoing it in recent days even as they signal increased hostility toward Trump over the attack on the Capitol.

"I think the key point is, is it constitutional to do this when somebody is out of office — and then, is it purely retribution when you try to push it forward," Sen. Mike Braun (R-Ind.) said. "[That's] not to dismiss any of the enormity of the day itself."

"I think it is one of the most potent arguments [for Trump], absolutely," added Sen. Lindsey Graham (R-S.C.), a top Trump ally who has been pushing for a vote on dismissing the trial at its outset.

Indeed, the Senate has never put a former president on trial on impeachment charges, though in 1876 the Senate tried former Secretary of War William Belknap after he had already resigned. Supporters of the Senate's authority to try an ex-official have pointed to the Belknap trial to underscore that a president or any other person subject to impeachment could simply resign or otherwise leave office to evade punishment.

"If an official could only be disqualified while he or she still held office, then an official who betrayed the public trust and was impeached could avoid accountability simply by resigning one minute before the Senate's final conviction vote," a bipartisan group of legal scholars, including prominent conservatives, wrote on Thursday.

Senate Majority Leader Chuck Schumer (D-N.Y.) and Minority Leader Mitch McConnell (R-Ky.) still need to iron out a framework, which will outline the rules and procedures of the trial. McConnell on Thursday also proposed delaying the start of the trial by two weeks to allow Trump to prepare his defense strategy, though it's unclear if Schumer will agree.

The framework will spell out whether to allow for a motion to dismiss the trial at its outset — a vote that could signal the likelihood of the Senate convicting Trump. Seventeen Republicans would need to join all Democrats for Trump to be convicted. Some senators said they are considering supporting such a motion, if one is offered, as a way of voicing their objections to putting a former president on trial.

"I don't think, once a person has left office, that impeachment is available. I think it's a moot issue at that point," Sen. Mike Rounds (R-S.D.) said. "Constitutionally, it's the wrong thing to do."

In this case, as Republicans note, there is no office from which to remove Trump, though convicting him could lead to other punishments such as barring him from seeking federal office in the future.

"Let the voters decide whether they want President Trump to run again," Sen. Ron Johnson (R-Wis.) said. "There's nothing I see in the Constitution that allows you to impeach a president after he's already left office."

Johnson said he would "definitely" vote to dismiss the trial, adding that the House's impeachment article "shouldn't even be sent over here." Transmitting the article from the House to the Senate triggers the beginning of the trial.

But Democrats, who now control the Senate, are intent on holding a trial, even as Speaker Nancy Pelosi has not yet formally transmitted the impeachment article to the other side of the Capitol. Schumer declared as much after the House impeached Trump last week, though Democrats have not yet decided how long the trial should last, which will be dictated by whether they decide to call witnesses as part of the proceedings.

Top lawmakers from both parties, though, are predicting a relatively short trial. Trump's first impeachment trial lasted three weeks, but that was only after a weeks-long impeachment inquiry in the House that yielded hundreds of pages of evidence and legal arguments. Rep. Jamie Raskin (D-Md.), the House's lead impeachment manager, said Thursday that the upcoming trial will not last as long as the previous one.

That's in part because, this time, the House did not conduct a formal investigation, and several senators have said calling witnesses is not necessary because lawmakers were all witnesses to the siege on the Capitol and because Trump's actions and statements were on full public display.

"It's not like we need much information on the merits of the case," Braun said. "We were here."

"I guess the public record is your television screen," Graham quipped. "I don't see why this would take a long time."

Apart from the constitutional arguments, Republicans are questioning why Democrats want to put Trump on trial while President Joe Biden is emphasizing unity and bipartisanship, noting that an impeachment trial is among the most divisive undertakings on Capitol Hill.

"I'm not sure why it helps the Dems either. I know there's an awful lot of antipathy for the former president. But they've got a new lease on life," Thune said. "They've got the White House, they've got the majority in the Senate. They've got a lot of stuff they want to do. They want to rehash the last four years, and it doesn't seem like it makes a lot of sense."

Republicans have been urging Biden to step in to halt or otherwise impede the Senate trial on the grounds that it will delay consideration of Biden's Cabinet nominees as well as his legislative agenda, which includes another round of Covid-19 relief.

"It'll be incredibly divisive for the country if we go through that," Sen. Marco Rubio (R-Fla.) said. "We're in the middle of this massive pandemic. We've got all these nominations that we need to do. We've got all these threats around the world that we've got to be focused on. There's a lot to be done. The notion that we're going to spend a week or two weeks on a trial on somebody who's not even in office — it sounds to me like a waste of time."

Pelosi pushed back against that contention earlier Thursday, saying bluntly: "The president of the United States committed an act of incitement of insurrection. I don't think it's very unifying to say, 'Oh, let's just forget it and move on.' That's not how you unify."

Burgess Everett contributed to this report.

www.cnn.com/2021/01/21/politics/capitol-attack-probe-biden-doj/index.html

Feds briefed Biden's interim DOJ leaders on Capitol attack probe

Evan Perez and Christina Carrega, CNN

4-5 minutes

(CNN) Federal investigators leading the probe into the January 6 Capitol riot briefed interim Biden administration leaders at the Justice Department on Wednesday -- their first day on the job -- as the sprawling nationwide hunt for suspects continues, an official briefed on the matter said.

Prosecutors have charged more than 120 people, as of Thursday, and have taken steps to bring more serious charges, including charging a group of alleged attackers with conspiracy. The charges range from unlawfully entering the US Capitol grounds to assaulting police -- and a few defendants face more serious counts of conspiracy or threatening a public official.

The FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives on Wednesday increased the reward to \$75,000 for tips about the pipe bombs found near the Capitol on the day of the attacks -- a sign that investigators are still struggling to identify the perpetrators.

That elusiveness may indicate the person or people behind the bombs were more sophisticated in their operation, a law enforcement official said. Investigators have looked through hours of surveillance video and combed through cellphone site data to try to find those responsible.

Acting US Attorney for DC Michael Sherwin has publicly outlined a push to bring sedition charges against some of those involved. The briefing Wednesday for top Justice Department officials included Sherwin and FBI officials.

The department quickly changed leadership hours before President Joe Biden's inauguration Wednesday when acting Attorney General Jeffrey Rosen announced his resignation.

Later that day, Monty Wilkinson -- a career Justice Department lawyer and deputy chief of staff to former Attorney General Eric Holder -- was named acting attorney general until Judge Merrick Garland is confirmed by the Senate, people briefed on the matter said.

Wilkinson is deputy assistant attorney general for human resources and administration. For a few hours -- until Biden signs an executive order appointing Wilkinson -- John Demers, assistant attorney general for the national security division, will serve as acting attorney general.

John Carlin, who served as the top national security prosecutor during the Obama administration, was selected on Wednesday to serve as the acting deputy attorney general. Carlin will remain in the role until Biden's pick, Lisa Monaco, is confirmed.

The rest of the department's leadership team took shape on Thursday as they announced filling a critical role in the solicitor general's office. After previously serving as an assistant in the office, Elizabeth Prelogar was named the acting solicitor general.

Her job will be to represent the government before the Supreme Court, and she will face an enormous workload both reversing Trump administration legal positions and developing a defense strategy as Biden's executive actions come under inevitable legal challenge.

All the announced acting positions within the agency will remain in place until Garland's confirmation, according to a memo obtained by CNN, written by Assistant Attorney General for Administration Lee J. Lofthus.

"Please be advised that the list of assignments will change as additional appointments or designations are made. Also, for your information, all remaining United States Attorneys and United States Marshals have been asked by the incoming administration to continue to serve for the time being," the memo notes.

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Feds briefed Biden's interim DOJ leaders on Capitol attack probe :: Reader View

FBI Director Christopher Wray, Demers, Inspector General Michael Horowitz, Director of the Bureau of Prisons Michael Carvajal and Director of the US Marshals Service Donald Washington, all of whom have termed positions, will remain until further notice, the memo said.

CNN's Jessica Schneider and Kara Scannell contributed to this report.

www.politico.com/news/2021/01/21/trump-impeachment-attorney-461240

Trump starts taking his second impeachment seriously

Gabby Orr, Meredith McGraw

5-6 minutes

Butch Bowers served as an attorney in 2009 for Mark Sanford while a state House subcommittee considered the former South Carolina governor's impeachment. | Virginia Postic/AP Photo

Donald Trump appears to be finally getting serious about his upcoming impeachment trial.

The former president has hired Butch Bowers, a longtime Republican attorney with experience in election law, to represent him when the Senate considers an article of impeachment, likely in a matter of days or weeks.

The hiring comes after Trump opted against building out a war room or communications infrastructure to push back against impeachment when it was considered by the House. The former president had also initially struggled to find someone to lead his impeachment defense, as attorneys who previously represented him declined to sign on for a second trial and suggested his political opponents had a stronger case this time.

"This is political theater and I am neither a politician or an actor. I don't see a role for me as a lawyer," said Alan Dershowitz, the Trump-allied attorney who joined Trump's impeachment defense team last January.

Unlike Dershowitz, who's faced scrutiny from bipartisan lawmakers over his ties to the late convicted sex trafficker Jeffrey Epstein, Trump's new defense attorney received praise on Thursday from some of his former Republican clients. The South Carolina-based attorney previously represented former Govs. Nikki Haley and Mark Sanford, and serves as a judge advocate general officer for the South Carolina National Guard.

"Butch is a good friend and a fine lawyer. President Trump is fortunate to have him on his team," Haley said through a spokesperson.

Sanford, who was represented by Bowers during his own battle with impeachment after he fled to Argentina with a mistress during his term as South Carolina governor, described Bowers as "ethical and competent."

"Butch is a first-class human being. In the fifteen years ... where I've worked with Butch in different capacities, it was just sort of run of the mill. He was perfunctory and professional," Sanford said, adding that he does not believe Bowers will use his position on Trump's defense team to amplify the ex-president's baseless voter fraud allegations.

The news of Bowers hire was first reported by Punchbowl News.

Some Trump allies believe the president plans to use his trial to further his baseless claims that the election was stolen from him, according to two former aides familiar with his strategy. One of the aides cautioned that no defense strategy had been definitively agreed upon, though.

Bowers' history suggests that the ex-president is keen on focusing on how votes were cast and counted during the 2020 cycle. Bowers served under President George W. Bush as special counsel for voting matters in the Justice Department, and worked as counsel in Florida for John McCain's 2008 presidential run.

"All I can say is based on the Butch Bowers I know and respect, I would hope that he wouldn't be sucked in as a tool in advancing the president's conspiracy theories," Sanford said.

Trump's push to bolster his defense team comes one week after House Democrats impeached him for a second time on charges of inciting an insurrection at the U.S. Capitol on Jan. 6. Hundreds of pro-Trump

1/22/2021

Trump starts taking his second impeachment seriously :: Reader View

demonstrators stormed the building — injuring law enforcement officials and forcing the evacuation of members of Congress — after rallying with the ex-president outside the White House.

During that rally, Trump encouraged protesters “to walk down to the Capitol” — a phrase likely to become a focal point of his impeachment trial. Less than two hours after Trump made the remark, hundreds of his supporters burst through a security perimeter outside the building and eventually made their way inside.

Trump’s decision to hire Bowers was announced by his ally Sen. Lindsey Graham (R-S.C.) during a Senate GOP meeting on Thursday. Senate Minority Leader Mitch McConnell (R-Ky.) has asked for Trump to receive two weeks to prepare his legal case for trial. A spokesman for Senate Majority Leader Chuck Schumer said they had received a proposal from McConnell “that only deals with pre-trial motions” and that they would “review it and discuss it with him.”

Graham, who said he has known Bowers for “a long time,” said Trump is still putting together his legal team. “Butch Bowers I think will be the sort of the anchor tenant,” Graham said.

Trump, Graham told reporters, believes a post-presidential impeachment is “unconstitutional and damages his presidency.” Legal scholars disagree with that assessment arguing that one form of punishment that Trump could receive—a prohibition from running for future office—makes clear that the founders envisioned impeachment as a tool that could be applied to current and former presidents.

Bowers could not be reached for comment.

Daniel Lippman contributed reporting.

United States Senate
WASHINGTON, DC 20510

January 21, 2021

The Honorable Christopher Coons, Chairman
The Honorable James Lankford, Vice Chairman
Senate Committee on Ethics
220 Hart Building
U.S. Senate
Washington, DC 20510

RE: Investigation Request for Senators Ted Cruz and Josh Hawley

Dear Chairman Coons and Vice Chairman Lankford,

When Senators Ted Cruz and Josh Hawley announced they would object to the counting of state-certified electors on January 6, 2021, they amplified claims of election fraud that had resulted in threats of violence against state and local officials around the country. While Congress was debating Senator Cruz's objection, a violent mob stormed the Capitol. These insurrectionists ransacked the building, stole property, and openly threatened Members of Congress and the Vice President.¹ Dozens of police officers were injured,² five people died, including U.S. Capitol Police Officer Brian Sicknick.³ By proceeding with their objections to the electors after the violent attack, Senators Cruz and Hawley lent legitimacy to the mob's cause and made future violence more likely.

Senators Hawley and Cruz's actions have been denounced by individuals across the political spectrum. The Senate has the exclusive power to determine whether these actions violated its ethics rules, to investigate further conduct of which we may not be aware that may have violated these rules, and to consider appropriate discipline. The question the Senate must answer is not whether Senators Hawley and Cruz had the right to the object to the electors, but whether the senators failed to "[p]ut loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department"⁴ or engaged in "improper conduct reflecting on the Senate"⁵ in connection with the violence on January 6. The Senate Ethics Committee should

¹ See, e.g., Matthew S. Schwartz, *As Inauguration Nears, Concern Of More Violence Grows*, NPR (Jan. 9, 2021), <https://www.npr.org/sections/insurrection-at-the-capitol/2021/01/09/955289141/as-inauguration-nears-concern-grows-of-more-violence-to-come>.

² Peter Hermann & Julie Zauzmer, *Beaten, sprayed with mace and hit with stun guns: police describe injuries to dozens of officers during assault on U.S. Capitol*, Wash. Post (Jan. 11, 2021), https://www.washingtonpost.com/local/public-safety/police-capitol-injures-trump/2021/01/11/ca68c3e2-5438-11eb-a08b-f1381ef3d207_story.html.

³ Schwartz, *supra* note 1.

⁴ Code of Ethics for Government Service, H. Con. Res. 175, 85th Cong. (2d Sess. 1958).

⁵ Senate Ethics Manual 432 (108th Cong. 2003 ed.).

investigate their conduct to fully understand their role. The actions of which we know demand an investigation and a determination whether disciplinary action is warranted. Until then, a cloud of uncertainty will hang over them and over this body.

I. Facts

A. Senators Hawley and Cruz Declared Their Intention to Object to the Vote Amidst Violent Threats

Senators Cruz and Hawley’s objections on January 6 were part of an ongoing effort by President Trump and his allies to obstruct the counting of electoral votes that would confirm his defeat. The President filed dozens of meritless lawsuits;⁶ made direct threats to state and local officials;⁷ and issued false public statements alleging election fraud. President Trump’s efforts culminated in an attempt to convince Congressional allies and Vice President Pence to reject groundlessly the electors from six states when Congress met to count the Electoral College votes on January 6.⁸ Senators Cruz and Hawley became leaders of that effort.

At the time the senators announced their support for President Trump’s scheme, his rhetoric had already incited threats of violence. By early December, President Trump’s false fraud claims had provoked numerous threats against state and local election officials⁹ and employees of voting machine companies.¹⁰ On December 1, 2020, Gabriel Sterling, a Republican election official at the Georgia Secretary of State’s office, stated that the false claims of election fraud by President Trump were “inspiring people to commit potential acts of violence.”¹¹ He called on the President, as well as Senators Kelly Loeffler and David Perdue, to “step up” and “condemn” these threats.¹² Instead, President Trump continued to repeat the baseless claims. He called on

⁶ William Cummings, et al., *By the numbers: President Donald Trump's failed efforts to overturn the election*, USA Today (Jan. 6, 2021), <https://www.usatoday.com/in-depth/news/politics/elections/2021/01/06/trumps-failed-efforts-overturn-election-numbers/4130307001/>.

⁷ Michael D. Shear & Stephanie Saul, *Trump, in Taped Call, Pressured Georgia Official to 'Find' Votes to Overturn Election*, N.Y. Times (Jan. 3, 2021), <https://www.nytimes.com/2021/01/03/us/politics/trump-raffensperger-call-georgia.html>.

⁸ Peter Baker, Maggie Haberman, & Annie Karni, *Pence Reached His Limit With Trump. It Wasn't Pretty*, N.Y. Times (Jan. 12, 2021), <https://www.nytimes.com/2021/01/12/us/politics/mike-pence-trump.html>; Michael S. Schmidt, *Trump Says Pence Can Overturn His Loss in Congress. That's Not How It Works*, N.Y. Times (Jan. 5, 2021), <https://www.nytimes.com/2021/01/05/us/politics/pence-trump-election.html>.

⁹ Michael Wines, *Here Are the Threats Terrorizing Election Workers*, N.Y. Times (Dec. 3, 2020), <https://www.nytimes.com/2020/12/03/us/election-officials-threats-trump.html>; Celine Castronuovo, *Fears of violence grow amid threats to election officials, lawmakers*, The Hill (Dec. 12, 2020), <https://thehill.com/homenews/campaign/529911-fears-of-violence-grow-amid-threats-to-election-officials-lawmakers>.

¹⁰ Bente Berkeland & Miles Parks, *The Toll Of Conspiracy Theories: A Voting Security Expert Lives In Hiding*, NPR (Dec. 23, 2020), <https://www.npr.org/2020/12/23/948828692/the-toll-of-conspiracy-theories-a-voting-security-expert-lives-in-hiding>.

¹¹ Stephen Fowler, *'Someone's Going To Get Killed': Ga. Official Blasts GOP Silence On Election Threats*, NPR (Dec. 1, 2020), <https://www.npr.org/sections/biden-transition-updates/2020/12/01/940961602/someones-going-to-get-killed-ga-official-blasts-gop-silence-on-election-threats>.

¹² *Id.*

his supporters to “Come to D.C. January 6th to ‘StopTheSteal.’” On December 19, he tweeted: “Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. Be there, will be wild!”¹³

Senators Ted Cruz and Josh Hawley lent legitimacy to President Trump’s false statements about election fraud by announcing that they would object to the certification of electors on January 6. On December 30, Sen. Hawley became the first Senator to state that he would object.¹⁴ In a pair of Tweets later that day, Sen. Hawley explained: “Millions of voters concerned about election integrity deserve to be heard. I will object on January 6 on their behalf,”¹⁵ and “Somebody has to stand up.”¹⁶ On January 2, Sen. Cruz announced that he and ten other Senators would “reject the electors from disputed states . . . unless and until [an] emergency 10-day audit is completed.”¹⁷ Sen. Hawley responded by Tweeting: “Glad to see more Senators joining the fight on #JAN6”¹⁸ and “It’s time to STAND UP.”¹⁹

At the time Senators Hawley and Cruz announced their intent to object to the electors, Sen. Lindsay Graham, the Chairman of the Senate Judiciary Committee, noted that Sen. Cruz’s proposed audit had “zero chance of becoming reality.”²⁰ Both Senators Hawley and Cruz argued that the public perception of fraud justified their actions. This perception was created by President Trump’s baseless claims, and was magnified by Sens. Cruz and Hawley’s repetition of those claims. It is probable that Sens. Cruz and Hawley knew those claims to be false.

B. The Events on January 6 Were Coordinated, and May Have Been Coordinated With Members of Congress.

On January 6, as Congress was preparing to certify the election results, President Trump held an event dubbed the “Save America Rally.” The event was orchestrated by a network of groups who obtained permits, provided funding and equipment, and actively recruited participants. The

¹³ Donald J. Trump (@realDonaldTrump), Twitter (Dec. 19, 2020, 1:42 AM) (online and searchable at <https://www.thetrumparchive.com>).

¹⁴ Press Release, Sen. Hawley Will Object During Electoral College Certification Process On Jan 6, Dec. 30, 2020, <https://www.hawley.senate.gov/sen-hawley-will-object-during-electoral-college-certification-process-jan-6>.

¹⁵ Josh Hawley (@HawleyMO), Twitter (Dec. 30, 2020, 10:40 AM), <https://twitter.com/HawleyMO/status/1344307458085412867>.

¹⁶ Josh Hawley (@HawleyMO), Twitter (Dec. 30, 2020, 11:48 PM), <https://twitter.com/HawleyMO/status/1344505790854553602>.

¹⁷ Press Release, Joint Statement from Senators Cruz, Johnson, Lankford, Daines, Kennedy, Blackburn, Braun, Senators-Elect Lummis, Marshall, Hagerty, Tuberville, Jan. 2, 2021, https://www.cruz.senate.gov/?p=press_release&id=5541.

¹⁸ Josh Hawley (@HawleyMO), Twitter (Jan. 2, 2021, 12:33 PM), <https://twitter.com/HawleyMO/status/1345422983385538563>.

¹⁹ Josh Hawley (@HawleyMO), Twitter (Jan. 2, 2021, 10:45 AM), <https://twitter.com/HawleyMO/status/1345426114538307584>.

²⁰ Lindsey Graham (@LindseyGrahamSC), Twitter (Jan. 3, 2021 11:36 AM), <https://twitter.com/LindseyGrahamSC/status/1345771122470621186?s=20>.

March to Save America website listed eleven groups as rally sponsors.²¹ Many of these groups conscripted their members to attend the rally: Women for America First's Facebook pages show the group calling on supporters to be part of a "caravan" to Washington.²² Turning Point Action, an arm of Turning Point USA, paid for 350 students to attend,²³ and the so-called policy arm of the Republican Attorneys General Association, the Rule of Law Defense Fund, sent robocalls encouraging people to march on the Capitol.²⁴ Ali Alexander, one of the rally organizers, said the goal of the event was "putting maximum pressure on Congress while they were voting so that . . . we could change the hearts and the minds of Republicans who were in that body hearing our loud roar from outside."²⁵ It also created a situation in which chaos was likely.

The extent, if any, of communication or coordination between Sens. Hawley and Cruz and the organizers of the rally remains to be investigated. Three members of the House of Representatives who coordinated with Senators Hawley and Cruz to object to the electors, Reps. Andy Biggs, Paul Gosar, and Mo Brooks, have been identified as alleged co-architects of the rally.²⁶ Further investigation is necessary to determine whether and to what extent Senators Cruz and Hawley were also aware of these groups' activities or coordinated with their efforts.

C. Senators Hawley and Cruz Continued Their Objections to the Electors After the Attack on the Capitol, Escalating the Crisis

On January 6, at 1:00 PM, the House and the Senate met in a Joint Session of Congress, with the Vice President presiding, to count the Electoral College's votes.²⁷ On his way into the Capitol, Senator Hawley raised his fist in support of protestors who had already gathered there.²⁸

Inside the Capitol, Rep. Gosar filed a written objection signed by Sen. Cruz challenging Arizona's electors.²⁹ Outside the Capitol, Trump supporters attending the "Save America" rally attempted to breach the security barriers protecting the building.³⁰ Some members of the mob

²¹ Jamie Corey, *Republican Attorneys General Dark Money Group Organized Protest Preceding Capitol Mob Attack*, Documented (Jan. 7, 2021), <https://documented.net/2021/01/republican-attorneys-general-dark-money-group-organized-protest-preceding-capitol-mob-attack/>.

²² Brian Schwartz, *Pro-Trump dark money groups organized the rally that led to deadly Capitol Hill riot*, CNBC (Jan. 9, 2021), <https://www.cnbc.com/2021/01/09/pro-trump-dark-money-groups-organized-the-rally-that-led-to-deadly-capitol-hill-riot.html>.

²³ Ewan Palmer, *Charlie Kirk Says Not Everyone in Capitol Mob Was an Insurrectionist*, Newsweek (Jan. 12, 2021), <https://www.newsweek.com/charlie-kirk-insurrection-buses-washington-tweet-1560727>.

²⁴ Corey, *supra* note 21.

²⁵ Ron Blitzer, *GOP lawmakers distance themselves from Capitol protest organizer after claim they helped plan march*, Fox News (Jan. 13, 2021), <https://www.foxnews.com/politics/capitol-protest-organizer-gosar-brooks-biggs-planning>.

²⁶ *Id.*

²⁷ Domenico Montanaro, *Timeline: How One Of The Darkest Days In American History Unfolded*, NPR (Jan. 7, 2021), <https://www.npr.org/2021/01/07/954384999/timeline-how-one-of-the-darkest-days-in-american-history-unfolded>.

²⁸ Manuel Quinones (@ManuelQ), Twitter (Jan. 6, 2021, 3:17 PM), <https://twitter.com/ManuelQ/status/1346913744736157714?s=20>

²⁹ Montanaro, *supra* note 27.

³⁰ *Id.*

carried firearms and spears; others had Molotov cocktails in nearby vehicles.³¹ Many displayed racist symbols.³² Within minutes, the mob breached the Capitol, forcing Members and staff to barricade themselves in offices or evacuate to secure locations, thus suspending the count.³³ The mob stormed Member offices, vandalized and smashed property, overturned furniture, and stole electronics.³⁴ They threatened and assaulted Capitol police and staff.³⁵ These events were reported in real time by major media organizations and on social media.

By the time the Capitol was secured and the count resumed, four insurrectionists had died.³⁶ It had also been widely reported that numerous police officers had been injured. When the Senate reconvened to debate Sen. Cruz's objection to Arizona's electors, several senators who had planned on joining the objection changed course. Although Sen. Loeffler said she had "fully intended to object to the certification of the electoral votes . . . , the events that have transpired today have forced me to reconsider, and I cannot now, in good conscience, object to the certification of these electors."³⁷ Six of the senators who had announced their intent to join Sen. Cruz's objection—Senators Lankford, Braun, Johnson, Daines, Blackburn, and Hagerty—also did not challenge the electors.

Rather than following their colleagues' example, Senators Cruz and Hawley continued to amplify the claims of fraud that they likely knew to be baseless and that had led to violence earlier that day. Sen. Cruz continued his objection to Arizona's electors, and voted against certifying the results in that state. Although Sen. Hawley acknowledged the disruption that had taken place, he also voted against certifying Arizona's electors. He also signed a written objection to Pennsylvania's electors,³⁸ and both he and Sen. Cruz voted against certifying the results in that state. By continuing to object to the electors after the insurrection, Senators Cruz and Hawley lent legitimacy to the mob's cause.

Violent action provoked by false fraud claims remains a persistent threat. On January 13, the FBI issued a Joint Intelligence Bulletin warning of a continued threat of violence from extremists

³¹ Special Agent Lawrence Anyaso Affidavit (Jan. 7, 2021) at 1, available at <https://www.justice.gov/opa/press-release/file/1351661/download>.

³² Matthew Rosenberg & Ainara Tiefenthaler, *Decoding the Far-Right Symbols at the Capitol Riot*, N.Y. Times (Jan. 13, 2021), <https://www.nytimes.com/2021/01/13/video/extremist-signs-symbols-capitol-riot.html>

³³ Montanaro, *supra* note 27.

³⁴ Jack Brewster & Andrew Solender, *Clyburn's Ipad, Laptop From Pelosi's Office: Items Stolen, Destroyed In Capitol Attack*, Forbes (Jan. 7, 2021), <https://www.forbes.com/sites/jackbrewster/2021/01/08/clyburns-ipad-laptop-from-pelosis-office-items-stolen-destroyed-in-capitol-attack/?sh=13d0df845963>; Kel McClanahan, *The MAGA Insurrection in the Capitol Created a Huge New National-Security Threat*, Daily Beast (Jan. 8, 2021), <https://www.thedailybeast.com/the-maga-insurrection-in-the-capitol-created-a-huge-new-national-security-threat>; Senator Jeff Merkley (@SenJeffMerkley), Twitter (Jan. 6, 2021 11:36 PM), <https://twitter.com/SenJeffMerkley/status/1347039504528498688>.

³⁵ E.g. Katie Shephard, *Video shows Capitol mob dragging police officer down stairs. One rioter beat the officer with a pole flying the U.S. flag*, Wash. Post (Jan. 11, 2021), <https://www.washingtonpost.com/nation/2021/01/11/police-beating-capitol-mob/>.

³⁶ Ted Barrett et al., *US Capitol secured, 4 dead after rioters stormed the halls of Congress to block Biden's win*, CNN (Jan. 7, 2021), <https://www.cnn.com/2021/01/06/politics/us-capitol-lockdown/index.html>.

³⁷ 167 Cong. Rec. S21 (daily ed. Jan. 6, 2021) (statement of Sen. Loeffler).

³⁸ Doha Madani, *Hawley Objects to Pennsylvania Certification*, NBC News (Jan. 7, 2021), <https://www.nbcnews.com/politics/congress/live-blog/electoral-college-certification-updates-n1252864/ncrd1253215#blogHeader>.

emboldened by the January 6 attack and motivated by a “shared false narrative of a ‘stolen’ election.”³⁹ On January 14, FBI Director Christopher Wray announced that his agency was seeing “an extensive amount of concerning online chatter” about events with the potential for violence surrounding the inauguration of President-elect Joe Biden, including “potential armed protests and activity leading up to the inauguration.”⁴⁰ Vice President Pence⁴¹ and Members of Congress⁴² have been the subject of numerous death threats.

D. As Violence Was Threatened and Consumed the Capitol, Senators Hawley and Cruz Engaged in Fundraising Efforts

In the days leading up to January 6, both Sen. Cruz and Sen. Hawley touted their plan to challenge the electors to drum up campaign contributions. Sen. Cruz sent fundraising emails on January 3 and January 4 claiming he was “leading the charge” to challenge the electors.⁴³ In the week before the certification, Sen. Hawley sent a fundraising solicitation, asking donors to support his efforts to challenge the electors.⁴⁴ One hour before the count of the electoral votes began, Sen. Hawley’s campaign sent an email asking for donations.⁴⁵

These solicitations continued during and after the insurrection. At 3:33 p.m. on January 6, after the mob had entered the Capitol, the Cruz campaign sent an automated fundraising text message.⁴⁶ His campaign sent a similar email approximately 10 minutes later.⁴⁷ Around the same time, Hawley’s campaign sent a fundraising text message stating that Hawley was “leading the charge to fight for free and fair elections.”⁴⁸ On January 8, the Senate Conservatives Fund sent out a fundraising email arguing that Sen. Hawley’s “decision to object to the election results

³⁹ John Eligon et al., *FBI Urges Police Chiefs Across U.S. to Be on High Alert for Threats*, N.Y. Times (Jan. 13, 2021), <https://www.nytimes.com/2021/01/13/us/fbi-police-threats-inauguration.html>

⁴⁰ Brett Samuels, *FBI chief says agency tracking ‘extensive’ online chatter about potential inauguration threats*, The Hill (Jan. 14, 2021), <https://thehill.com/policy/national-security/534328-fbi-director-says-agency-tracking-extensive-online-chatter-about>.

⁴¹ Bradford Betz, *Secret Service investigating death threats against Pence*, Fox News (Jan. 11, 2021), <https://www.foxnews.com/politics/secret-service-investigative-death-threats-against-pence>.

⁴² Joan E. Greve & Joanna Walters, *Congress briefed on fresh security threats ahead of Biden inauguration*, The Guardian (Jan. 12, 2021), <https://www.theguardian.com/us-news/2021/jan/12/congress-security-threats-biden-inauguration>.

⁴³ Email from Sen. Ted Cruz, I’m objecting (Jan. 3, 2021 3:01 AM), <https://politicalemails.org/messages/331969>; Email from Sen. Ted Cruz, FW: I’m objecting (Jan. 4, 2021 10:01 PM), <https://politicalemails.org/messages/332750>.

⁴⁴ Nicholas Fandos, *With Objection to Biden’s Win, Josh Hawley Puts His Party in a Bind*, N.Y. Times (Jan. 4, 2021), <https://www.nytimes.com/2021/01/04/us/politics/josh-hawley-republican-party.html?searchResultPosition=4>.

⁴⁵ Bryan Lowry, *Hawley sent fundraising email on election objection as Capitol descended into chaos*, Kansas City Star (Jan. 6, 2021), <https://www.kansascity.com/news/politics-government/article248316415.html>.

⁴⁶ Text Message from Sen. Ted Cruz (Jan. 6, 2021, 3:33 PM), <https://pbs.twimg.com/media/ErK2hHW8AojWnq?format=jpg&name=medium>.

⁴⁷ Email from Sen. Ted Cruz, Prepared to OBJECT – tune in shortly, (Jan. 6, 2021, 3:46 PM), <https://politicalemails.org/messages/333741>.

⁴⁸ *Id.*

showed tremendous courage.”⁴⁹ As of January 14, OANN, a conservative news network, continued to encourage donations to both senators on a page entitled “OAN Call to Action: How to Donate to Lawmakers Who Stayed True to President Trump.”⁵⁰ Investigation may reveal further connection or coordination with donors supporting the rally and the assault on the Capitol.

II. Argument

The Senate has a duty to determine whether the actions of Senators Cruz and Hawley constitute “improper conduct” or other violations of the Senate code of ethics. Only then will this body restore public trust.

Congress has the exclusive power to punish and expel its Members. Under Article I of the Constitution, “Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.”⁵¹ The Senate has delegated this authority to the Ethics Committee (formerly the Committee on Standards and Conduct), which is empowered to investigate “violations of the Senate Code of Official Conduct” and recommend to the Senate by report or resolution appropriate disciplinary action.⁵²

The Senate has disciplined Members for conduct that it has deemed unethical or improper, regardless of whether it violated any written law or Senate rule or regulation, as well as violations of law.⁵³ According to the Senate Ethics Manual, “[s]uch conduct has been characterized as improper conduct that may reflect upon the Senate.”⁵⁴ The rule is intended to protect the integrity and reputation of the Senate as a whole,⁵⁵ and has been the basis for discipline on several occasions.⁵⁶

The Senate Ethics Committee may also investigate and discipline senators for violations of the Code of Ethics for Government Service.⁵⁷ The Code requires, among other things, that elected officials “[p]ut loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department” and “[u]phold these principles, ever conscious that public

⁴⁹ Marianne Levine, Holly Otterbein, & Burgess Everett, *Election gambit blows up on Hawley and Cruz*, Politico (Jan. 9, 2021), <https://www.politico.com/news/2021/01/09/hawley-cruz-2024-capitol-riots-456671>.

⁵⁰ *OAN Call to Action: How to Donate to Lawmakers Who Stayed True to President Trump*, OANN, <https://www.oann.com/oan-call-to-action-how-to-donate-to-lawmakers-who-stayed-true-to-president-trump/> (last visited Jan. 14, 2021).

⁵¹ U.S. Const. art. I, § 5, cl. 2.

⁵² S. Res. 338, § 2(a)(1), 88th Cong., 2d Sess. (1964), amended by S. Res. 110, 95th Cong., 1st Sess. (1977), § 2(a)(2); S. Rpt. 95–49.

⁵³ U.S. Senate Election, Expulsion and Censure Cases From 1793 to 1990, S. Doc. 103–33, (103d Cong. 1995); Senate Ethics Manual, *supra* note 5, at 432.

⁵⁴ Senate Ethics Manual, *supra* note 5, at 432.

⁵⁵ *Id.*

⁵⁶ *Id.* at 434–35.

⁵⁷ *Id.* at 7–8.

office is a public trust.”⁵⁸ The House has disciplined Members for violations of the Code on several occasions.⁵⁹

Further investigation is necessary to develop a complete account of Senators Cruz and Senator Hawley’s involvement in the events of January 6. Because several of the House members who objected to the electors coordinated with the organizers of the “Save America” rally, it is not unreasonable to assume that Senators Cruz and Hawley may also have been involved. A Senate Ethics Committee investigation should seek to determine, among other things:

1. Whether Senators Cruz and Hawley, and/or their staff or campaigns or fundraisers, were in contact or coordinated with the organizers of the rally;
2. Whether Senators Cruz and Hawley were aware of other Members’ contacts with the organizers;
3. What Senators Cruz and Hawley, and/or their staff knew about the plans for the event, through public or private sources, or are otherwise accountable for the violence or for their failure to warn the Senate and the public about the risk of violence;
4. Whether Senators Cruz and Hawley received funding from organizations or donors that also funded the rally;
5. Whether Senators Hawley or Cruz took any action that encouraged the insurrectionists’ actions, and whether the insurrectionists cited Senators Hawley or Cruz as part of their rationale for storming the Capitol;⁶⁰ and
6. Whether Senators Cruz and Hawley and/or their offices, fundraisers, or campaigns otherwise engaged in criminal conduct, or unethical or improper behavior.

The Senate Ethics Committee should ask both senators to preserve all relevant emails and documents in order to ensure that a thorough investigation can occur.

The public record is already replete with information that predicates an investigation and possible discipline as may be appropriate. While it was within Senators’ rights to object to the electors, the conduct of Senators Cruz and Hawley, and potentially others, went beyond that. Both senators announced their intention to object to the electors after baseless claims of election fraud, which upon information and belief they knew to be baseless, had led to threats of violence. Both senators persisted in their objections after those threats came to fruition. Their actions lend credence to the insurrectionists’ cause and set the stage for future violence. And both senators used their objections for political fundraising. Their actions have been condemned by the

⁵⁸ 104 Cong. Rec. 13556–57 (1958), 72 Stat. B12 (1958).

⁵⁹ Senate Ethics Manual, *supra* note 5, at 7-8.

⁶⁰ In one recording from January 6, insurrectionists are shown rifling through and filming papers at senators’ desks inside the Senate chamber. Luke Mogelson, *Among the Insurrectionists*, *New Yorker* (Jan. 25, 2021), <https://www.newyorker.com/magazine/2021/01/25/among-the-insurrectionists>. One of these men states, “I think Cruz would want us to do this... So I think we’re good.” *Id.*

public⁶¹ and rejected by members of their own party.⁶² As former Senator John Danforth argued, “Lending credence to Trump’s false claim that the election was stolen is a highly destructive attack on our constitutional government.”⁶³

The Senate Ethics Committee should determine if Senators Cruz and Hawley failed in their duty to “[p]ut loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department”⁶⁴ or otherwise engaged in improper conduct.⁶⁵ Multiple crimes were committed on January 6, for which culpability may be assessed under doctrines of conspiracy, aiding and abetting, accessory, or providing aid and comfort. Disciplinary action may be necessary to protect the integrity of the Senate and ensure public trust and safety. The Senate Ethics Committee has jurisdiction over such determinations.

III. Conclusion

For the foregoing reasons, the Senate Ethics Committee should open an investigation into the actions of Senators Hawley and Cruz, and perhaps others as investigation may reveal, in order to

⁶¹ Marina Pitofsky, *Kansas City paper says Hawley has blood on his hands*, The Hill (Jan. 7, 2021), <https://thehill.com/homenews/news/533071-hawley-hometown-paper-says-he-has-blood-on-his-hands> (“No one other than President Donald Trump himself is more responsible for Wednesday’s coup attempt at the U.S. Capitol than one Joshua David Hawley, the 41-year-old junior senator from Missouri, who put out a fundraising appeal while the siege was underway.”); Maria Recio, *Calls grow for Cruz to be punished for his role challenging electors*, Austin Am.-Statesman (Jan. 12, 2021), <https://www.statesman.com/story/news/politics/2021/01/12/calls-grow-ted-cruz-punished-challenging-electors/6645215002/> (“Two major Texas papers, the Houston Chronicle and the San Antonio Express-News, called on Cruz to leave office . . . ‘Resign, Senator Cruz, your lies cost lives,’ stated the Chronicle, and the Express-News asked, ‘Have you no decency, Sen. Cruz?’”); Jason Lemon, *Ted Cruz, Josh, Hawley, Other GOP Objectors Face Donation Boycott from Major Business*, Newsweek (Jan. 10, 2021), <https://www.newsweek.com/ted-cruz-josh-hawley-other-gop-objectors-face-donation-boycott-major-businesses-1560333> (Marriott International, Blue Cross Blue Shield and Commerce Bancshares withholding donations), <https://www.newsweek.com/ted-cruz-josh-hawley-other-gop-objectors-face-donation-boycott-major-businesses-1560333>).

⁶² Alex Woodward, *Hawley and Cruz Campaigns sent fundraising emails to supporters as Capitol under siege*, Independent (Jan. 7, 2021), <https://www.independent.co.uk/news/world/americas/us-politics/hawley-cruz-email-washington-riot-b1784117.html> (Tom Cotton condemned “some senators who, for political advantage, were giving false hope to their supporters, misleading them into thinking that somehow yesterday’s actions in Congress could reverse the results of the election or even get some kind of emergency audit . . . That was never going to happen, yet these senators, as insurrectionists literally stormed the Capitol, were sending out fundraising emails.”); (“Catie Edmondson, *Hawley Faces Blowback for Role in Challenging Election Results*, N.Y. Times (Jan. 8, 2021), <https://www.nytimes.com/2021/01/08/us/politics/josh-hawley-capitol-riot.html?searchResultPosition=3> (“Senator Hawley was doing something that was really dumbass,”’ Senator Ben Sasse, Republican of Nebraska, told NPR. “This was a stunt. It was a terrible, terrible idea. And you don’t lie to the American people. And that’s what’s been going on.”); Levine, *supra* note 46 (“Sen. Pat Toomey (R-Pa.) accused Cruz and Hawley of ‘directly’ undermining peoples’ rights to elect their leaders. Sen. Mitt Romney (R-Utah) said election objectors ‘will forever be seen as being complicit in an unprecedented attack against our democracy.’”); Maggie Astor, et. al., *Senator Cruz’s Communications Director Resigns*, N.Y. Times (Jan. 12, 2021), <https://www.nytimes.com/2021/01/12/us/ted-cruz-communications-director.html> (“A person familiar with [the communications director’s] decision said she had made it because of Mr. Cruz’s actions last week, when he and Senator Josh Hawley . . . formally challenged [Biden’s] victories in Arizona and Pennsylvania, promoting false claims of election fraud even as a pro-Trump mob motivated by those claims stormed the Capitol.”).

⁶³ Fandos, *supra*, note 41.

⁶⁴ Code of Ethics for Government Service, H. Con. Res. 175, 85th Cong. (2d Sess. 1958).

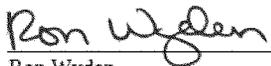
⁶⁵ Senate Ethics Manual, *supra* note 5, at 432.

protect the integrity, safety, and reputation of the Senate. The Committee should also offer recommendations for strong disciplinary action, including up to expulsion or censure, if warranted by the facts uncovered.

Sincerely,



Sheldon Whitehouse
United States Senator



Ron Wyden
United States Senator



Tina Smith
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Tim Kaine
United States Senator



Sherrod Brown
United States Senator

WWW.CNN.COM /2021/01/22/politics/senate-republicans-trump-impeachment-case/index.html

Prospects of convicting Trump erode as GOP grows vocal against Senate impeachment proceedings

Manu Raju, Ted Barrett and Jeremy Herb, CNN

8-10 minutes

(CNN)The path in the Senate to convict Donald Trump is extremely slim, with a growing number of Republicans expressing confidence that the party will acquit the former President on a charge that he incited the deadly insurrection aimed at stopping President Joe Biden's electoral win.

After Democratic leaders announced they would kick off the process to begin the impeachment trial on Monday, Republicans grew sharply critical about the proceedings — and made clear that they saw virtually no chance that at least 17 Republicans would join with 50 Democrats to convict Trump and also bar him from ever running from office again.

In interviews with more than a dozen GOP senators, the consensus was clear: Most Republicans are likely to acquit Trump, and only a handful are truly at risk of flipping to convict the former President — unless more evidence emerges or the political dynamics within their party dramatically change. Yet Republicans are also signaling that as more time has passed since the riot, some of the emotions of the day have cooled and they're ready to move on.

"The chances of getting a conviction are virtually nil," said Sen. Roger Wicker, a Mississippi Republican.

"I don't know what the vote will be but I think the chance of two-thirds is nil," said Sen. John Cornyn, a Texas Republican and member of his party's leadership who called the Democratic push to begin the trial "vindictive."

"From listening to the dynamic -- and everything to this point -- it's going to be tough to get even a handful," said Sen. Mike Braun, an Indiana Republican, referring to possible GOP defectors. "I think so many are getting confused by the fact that we're doing this - and everybody has views that it's kind of a constitutional concern."

The GOP arguments are now coming into sharper focus, claiming the proceedings are unconstitutional to try a former President and contending that the trial is moving on too short of a timeframe to give due process to Trump, claims that Democrats resoundingly reject. But those arguments, Republicans believe, will allow them a way out of convicting Trump without endorsing his conduct in the run up to the deadly mob that ransacked the Capitol on January 6. And Senate Minority Leader Mitch McConnell is likely to land in the same spot as much of his conference, GOP senators believe, although the Republican leader has said he would listen to the arguments first before deciding how to vote.

Politically, most Republicans are not eager to break ranks and draw the kind of attacks that came the way of the 10 House Republicans who voted to impeach Trump last week for the second time in his presidency, this time on a charge of inciting an insurrection.

"Many view it as a game of shirts and skins," said one GOP senator, referring to how many of his colleagues view the proceedings as a strictly partisan affair.

For the Democrats, the calculation is also tricky. If they seek a longer trial -- even as long as the 21 days of Trump's first impeachment trial in 2020 -- with witnesses, they could satisfy some Republicans who are arguing that the trial must give adequate opportunity for Trump to make his case. Yet, doing so could eat away at the first full month of the Biden presidency, while a shorter trial would alienate some Republicans.

"I'm not for any witch hunts," said Cornyn, who noted he'd be less likely to convict if it were a short trial with no witnesses. "This needs to be a fair and respectable process because whatever we do, it's not just about President Trump. This is about setting a new precedent and as you know, once we do things around here and there is a precedent for it, then that's the rule for the next time this happens."

1/22/2021

Prospects of convicting Trump erode as GOP grows vocal against Senate impeachment proceedings :: Reader View

Among the most likely GOP defectors are Sens. Mitt Romney of Utah, Susan Collins of Maine, Ben Sasse of Nebraska, Lisa Murkowski of Alaska and Pat Toomey of Pennsylvania. But Republican leaders who monitor their conference closely don't see much of a chance that the list will swell to 17 senators unless something dramatically changes or more is learned about Trump's role in stoking the violent mob.

"There's less than a handful of Republicans in play," said Sen. Lindsey Graham, the South Carolina Republican who is lobbying his colleagues to stick with Trump or risk "destroying" their party.

And even some who had been viewed as possible swing votes are critical of Democrats for trying to start the trial immediately, rather than abiding by the timeline proposed by McConnell to push off the floor proceedings until later in February.

"It's very problematic, I would say, for the folks who are bringing this right now from a timing standpoint," said Senate Minority Whip John Thune, the No. 2 Republican, who has been critical of Trump's conduct and also is up for reelection in 2022. "I think it's going to be very important whether or not there's due process."

Added Murkowski: "I think what McConnell laid down was eminently reasonable, in terms of making sure that we got process. Got to have process and the process has to be fair."

Collins, the Maine Republican who has been sharply critical of Trump's conduct, said that she is consulting with "constitutional scholars" about the proceedings. Asked about the GOP senators' assessment that Trump almost certainly won't get convicted, she said: "That's not an unreasonable conclusion, but I just don't know."

McConnell himself has privately viewed Trump's handling of the riots with disdain and has told people they amounted to at least an impeachable offense, while even saying the mob was "provoked" by the former President. But McConnell has made clear to his colleagues that he is undecided -- and several Republicans told CNN this week that he could be at risk of losing his perch atop the Senate GOP conference if he votes to convict Trump.

And in the last two days, McConnell has publicly made the case to give Trump's team more time to prepare. With much of the GOP conference now lining up against conviction, Republicans speculate that the GOP leader will likely vote to acquit as well.

One of the key hurdles the House Democratic managers will have with Republicans is convincing them that a trial is constitutional, as a group of Senate Republicans have argued in recent days that a trial for an ex-president who is now a private citizen is unconstitutional. Such an argument could give Republicans a reason for voting to acquit Trump without addressing his conduct surrounding the insurrection at the Capitol earlier this month.

"I think it's obvious that the post-presidential impeachment has never occurred in the history of the country for a reason, that it's unconstitutional, that it sets a bad precedent for the presidency and it continues to divide the nation," Graham said Friday.

It's a debate that enters into unprecedented territory, as the Senate has never held an impeachment trial for a President who has left office because such a scenario never arose. But Democrats have pointed to legal scholars on both ends of the political spectrum who say a trial is constitutional. [Legal analysts say there's precedent for a Senate impeachment trial of a former official, as the Senate tried Secretary of War William Belknap in 1876 after he resigned just before the House voted to impeach him.](#)

"It makes no sense whatsoever that a president — or any official — could commit a heinous crime against our country and then be permitted to resign so as to avoid accountability and a vote to disbar them from future office," Schumer said Friday.

Republican defenders of Trump push back.

Sen. Josh Hawley, a Missouri Republican who has generated blowback for joining with House Republicans to try to overturn Pennsylvania's election results, distanced himself from Trump's remarks at the January 6 rally where he urged his supporters to go to the Capitol that day, calling them "inflammatory" and "irresponsible."

But when asked how they should hold Trump accountable, Hawley said: "Breaking the Constitution and using an unconstitutional process is not the way to do it."

CNN's Ali Zaslav, Ali Main and Olanma Mang contributed to this report.

www.huffpost.com /entry/eric-munchel-lisa-eisenhart-weapons-capitol-attack_n_600a0668c5b69dcc096769b9

'Zip Tie Guy' And His Mom Discussed Stashing Weapons Outside Capitol: Court Filing

Mary Papenfuss

3-4 minutes

Eric Munchel, the man known as the "zip tie guy" who was arrested with his mother after the Capitol attack, apparently stashed firearms outside before storming the building, Justice Department lawyers stated in a pretrial memo.

Munchel's own cell phone, which was taped to his chest to record the attack, filmed a discussion about the weapons, according to the court filing.

Munchel, 30, and his 57-year-old mother, Lisa Eisenhart, were arrested in Nashville, Tennessee, this month after they were videotaped inside the breached Senate chamber on Jan. 6. Munchel, dressed in military fatigues, was photographed swinging zip ties, often used for hand restraints, as he jumped among the seats. Both Munchel and Eisenhart wore bulletproof vests. The court filing said Munchel carried a Taser in a holster on his hip.

The Justice Department memo filed Wednesday argued that the weapons discussed and a cache found in Munchel's home demonstrate that he is a "serious danger to the community" and a flight risk, and should not be released on bail.

The memo didn't specify what kind of weapons were allegedly stashed outside the Capitol during the attack. But the document listed 15 firearms that the FBI found in Munchel's home later, including "assault rifles," a "sniper rifle," a "drum-style magazine" that can be used for rapid firing, and "hundreds of rounds of ammunition."

The mother and son were captured on Munchel's video discussing weapons shortly before entering the Capitol, according to the court filing. Eisenhart warned they could go to federal prison if they went into the building with firearms, the memo stated. Munchel responded: "Yeah, that's why I'm not going in there," according to the memo. Eisenhart allegedly responded: "We can put em' in the backpacks." They were then filmed apparently hiding a "tactical bag and other items," according to the memo. Authorities apparently did not recover what was hidden.

Munchel was also seen on the video greeting and "fist-bumping" a member of the anti-government extremist Oath Keepers, the memo stated.

At one point, on their way into the Capitol, Munchel is recorded saying: "We ain't playing fucking nice no god damn more," the court filing recounts. Eisenhart replies: "That's right."

Munchel and his mom have been charged with illegally entering the Capitol and federal conspiracy. Eisenhart told the London Sunday Times after she was photographed in the Capitol that she would "rather die as a 57-year-old woman than live under oppression."

Munchel told a reporter the day the Capitol was stormed that he was ready to "rise up" and "fight if necessary," according to the court memo.

Munchel could not immediately be reached for comment.

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www.washingtonpost.com/national-security/trump-atlanta-us-attorney-inspector-general/2021/01/21/2cc24d1e-5c39-...

Justice Dept. watchdog to examine abrupt departure of Atlanta U.S. attorney whom Trump appeared to criticize

Matt Zapotosky

4-5 minutes

The Justice Department inspector general has begun examining the abrupt departure this month of the U.S. attorney in Atlanta after then-President Donald Trump complained officials in Georgia were not doing enough to find election fraud, according to people familiar with the matter.

The investigation into the sudden resignation of Byung J. "BJay" Pak by Inspector General Michael Horowitz appears to be in its early stages. Investigators have not yet talked to Pak, and it is unclear how broad their inquiry will be, the people familiar with the matter said. Like others, they spoke on the condition of anonymity to discuss an ongoing probe.

Pak unexpectedly announced Jan. 4 that he was stepping down that day as the U.S. attorney for the Northern District of Georgia, surprising many in his office. Trump then bypassed Pak's top deputy in selecting a temporary replacement, raising questions among legal observers about the possibility of political interference in law enforcement work.

Pak's resignation came a day after *The Washington Post* reported on an extraordinary call in which Trump urged Republican Brad Raffensperger, the Georgia secretary of state, to "find" enough votes to overturn his election defeat in that state. Legal scholars said the request from Trump was an obvious abuse of power that might warrant criminal investigation. In the same conversation, Trump cited a "never-Trumper U.S. attorney" in Georgia — seemingly a reference to Pak — and hinted vaguely and baselessly that Raffensperger's refusal to act on his unfounded fraud claims constituted a "criminal offense."

Pak declined to comment for this story, as did a spokeswoman for Horowitz. On Thursday, the law firm Alston & Bird announced that Pak would be joining as a partner in its litigation and trial practice group in the Atlanta office. He had worked at the firm previously and had served as a state lawmaker before Trump appointed him as a U.S. attorney in 2017.

The circumstances of Pak's departure remain something of a mystery. Two people familiar with the matter said Pak received a call from a senior Justice Department official in Washington that led him to believe he should resign. Trump had been upset with what he perceived as the agency's lack of action on his unfounded claims in Georgia and across the country, people familiar with the matter said at the time.

Trump then appointed Bobby Christine, the top federal prosecutor in the Southern District of Georgia, to replace Pak, and Christine brought with him to the new office two prosecutors who had recently been assigned to monitor possible election fraud. Spokespeople for the U.S. attorney's offices in the Northern and Southern Districts of Georgia declined to comment.

The moves further alarmed legal observers. By default, the job would have passed to Kurt Erskine, a longtime federal prosecutor and Pak's deputy. And some observers questioned the need to bring in prosecutors from a smaller district to help in Atlanta.

If Christine intended to make some move to support Trump's claims of voter fraud, though, that effort appears to have petered out. According to an audio recording obtained by the *Atlanta Journal-Constitution*, he declared on a call with his staff before Trump left office that "there's just nothing to" the few claims of fraud the office was examining.

"Quite frankly, just watching television, you would assume that you got election cases stacked from the floor to the ceiling," Christine said, according to the Atlanta newspaper. "I am so happy to find out that's not the case, but I didn't know coming in."

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Justice Dept. watchdog to examine abrupt departure of Atlanta U.S. attorney whom Trump appeared to criticize :: Reader View

A Justice Department official said the prosecutors he brought in — Joshua S. Bearden and Jason Blanchard — have since returned to their home office. It was unclear whether the inspector general would examine their actions or Christine's as part of the probe surrounding Pak's departure. A Justice Department memo issued Wednesday said all the Trump-appointed U.S. attorneys who remained in their jobs — which would include Christine — have been asked to stay on "for the time being."

thehill.com /policy/healthcare/535202-head-of-fringe-medical-group-who-met-with-pence-arrested-in-connection-with

Doctor that promoted false hydroxychloroquine claims arrested in connection with Capitol riot | TheHill

Zack Budryk

2-3 minutes

Federal officials this weekend arrested the head of a fringe medical group that has promoted false claims about vaccines and the antimalarial drug hydroxychloroquine in connection with the deadly Jan. 6 riot at the U.S. Capitol.

The Justice Department said in charging documents that it had charged Simone Gold, head of America's Frontline Doctors, with violent entry, disorderly conduct and entering a restricted building. John Strand, the group's communications director, was also charged in connection with the riot, with the Justice Department including images of both inside the building.

Gold confirmed to The Washington Post on Jan. 12 that she was present at the riot and does "regret being there," but told the newspaper, "I can certainly speak to the place that I was, and it most emphatically was not a riot." However, the affidavit indicates that a video of a police officer who was pulled down by a member of the mob during the riot landed in front of Strand and Gold.

In 2020, the group was one of the most vocal in promoting the unproven use of hydroxychloroquine as a



treatment for the coronavirus, a claim then-President Trump's leader vows 'revenge,' posting an image resembling Trump Former Sanders spokesperson: Biden 'backing away' from 'populist offerings' Justice Dept. to probe sudden departure of US attorney in Atlanta after Trump criticism MORE repeatedly hyped. Numerous studies have indicated the drug is not effective against the virus.

Another doctor associated with the group, Stella Immanuel, has been widely mocked for suggesting treatments for the virus involve alien DNA.

Earlier this month the group promoted unsubstantiated claims about health risks from coronavirus vaccines, with Gold herself drawing a misleading distinction between vaccines and "experimental vaccines," according to MedPageToday.

After the group held a press conference in front of the Supreme Court in July, a video of which Trump retweeted, then-Vice President Pence met with members of the group. Gold was present at the meeting, where she said participants "discussed the recent censorship of doctors on social media platforms."

The Hill has reached out to Gold for comment.

www.vanityfair.com/news/2021/01/embedding-with-pentagon-leadership-in-trumps-chaotic-last-week

"The President Threw Us Under the Bus": Embedding With Pentagon Leadership in Trump's Chaotic Last Week

Adam Ciralsky

29-37 minutes

In the hours before **Donald Trump's** last flight aboard Air Force One—and **Joe Biden's** inauguration on the steps of the reclaimed and restored Capitol—many Americans and TV anchors wondered what the hell the 45th president and his inner circle had been doing, or undoing, in his waning days. Until Biden took the oath of office, the country had held its collective breath. Trump, in those final weeks in office, hadn't simply dented the guardrails of governance. He'd demolished them. In order to watch things up close, I sought and secured a front-row seat to what was happening inside the Department of Defense, the only institution with the reach and the tools—2.1 million troops and weapons of every shape and size—to counter any moves to forestall or reverse the democratic process. I came away both relieved and deeply concerned by what I witnessed.

On the evening of January 5—the night before a white supremacist mob stormed Capitol Hill in a siege that would leave five dead—the acting secretary of defense, **Christopher Miller**, was at the White House with his chief of staff, **Kash Patel**. They were meeting with President Trump on "an Iran issue," Miller told me. But then the conversation switched gears. The president, Miller recalled, asked how many troops the Pentagon planned to turn out the following day. "We're like, 'We're going to provide any National Guard support that the District requests,'" Miller responded. "And [Trump] goes, 'You're going to need 10,000 people.' No, I'm not talking bullshit. He said that. And we're like, 'Maybe. But you know, someone's going to have to ask for it.'" At that point Miller remembered the president telling him, "'You do what you need to do. You do what you need to do.' He said, 'You're going to need 10,000.' That's what he said. Swear to God."

I could not recall the last time a contingent that large had been called up to supplement law enforcement at all, much less at a demonstration—the Women's March and the Million Man March sprang to mind—and so I asked the acting SECDEF why Trump threw out such a big number. "The president's sometimes hyperbolic, as you've noticed. There were gonna be a million people in the street, I think was his expectation." Miller maintained that initial reports on the anticipated crowd size were all over the map—anywhere from 5,000 to 40,000. "Park Police—everybody's so hesitant to give numbers. So I think that was what was driving the president."

On the morning of January 6, as Miller recounted, he was hopeful that the day would prove uneventful. But decades in special operations and intelligence had honed his senses. "It was the first day I brought an overnight bag to work. My wife was like, 'What are you doing there?' I'm like, 'I don't know when I'm going to be home.'" To hear Patel tell it, they were on autopilot for most of the day: "We had talked to [the president] in person the day before, on the phone the day before, and two days before that. We were given clear instructions. We had all our authorizations. We didn't need to talk to the president. I was talking to [Trump's chief of staff, **Mark Meadows**], nonstop that day."

The security posture and response on January 6 did not occur in a vacuum. June 1, 2020, had been a perilous precedent. On that day federal police had expelled peaceful protesters from Lafayette Square to facilitate the president's saunter over to St. John's Church for a publicity stunt. But the brute force displayed to clear out the area proved a national embarrassment and allegedly influenced Washington mayor **Muriel Bowser's** view, come January, about how the capital should be policed—and by whom. On the day before all hell broke loose on the Hill, she made it clear the D.C. police (MPD) would be running the show on the 6th, though 340 unarmed National Guard troops had been requested to help with traffic: "The District of Columbia is not requesting other federal law enforcement personnel and discourages any additional deployment without immediate notification to, and consultation with, MPD."

Miller told me that when Trump made him head of the Pentagon, in November, "the bar was pretty low." He had three goals. "No military coup, no major war, and no troops in the street," before observing dryly, "The 'no troops in the street' thing changed dramatically about 14:30.... So that one's off [the list]."

The day began with a lull. "We had meetings upon meetings. We were monitoring it. And we're just like, Please, God, please, God. Then the damn TV pops up and everybody converges on my office: [Joint Chiefs of Staff] chairman [Mark Milley], Secretary of the Army [Ryan] McCarthy, the crew just converges." And as intelligence started cycling in, things went from watch and see to "a current op." Miller recalled, "We had already decided we're going to need to activate the National Guard, and that's where the fog and friction comes in."

Rioters and police clash on the east side of the Capitol on January 6th.

By Christopher Morris/vii/Redux.

"The D.C. mayor finally said, 'Okay, I need more.'" Kash Patel would tell me. "Then the Capitol police—a federal agency and the Secret Service made the request. We can support them under Title 10, Title 32 authorities for [the] National Guard. So [they] collectively started making requests, and we did it. And then we just went to work."

What did Miller think of the criticism that the Pentagon had dragged its feet in sending in the cavalry? He bristled. "Oh, that is complete horseshit. I gotta tell you, *I cannot wait* to go to the Hill and have those conversations with senators and representatives." While Miller confessed that he hadn't yet emotionally processed the day's events, he said, "I know when something doesn't smell right, and I know when we're covering our asses. Been there. I know for an absolute fact that historians are going to look...at the actions that we did on that day and go, 'Those people had their game together.'"

Miller and Patel both insisted, in separate conversations, that they neither tried nor needed to contact the president on January 6; they had already gotten approval to deploy forces. However, another senior defense official remembered things quite differently, "They couldn't get through. They tried to call him"—meaning the president. The implication: Either Trump was shell-shocked, effectively abdicating his role as commander in chief, or he was deliberately stiff-arming some of his top officials because he was, in effect, siding with the insurrectionists and their cause of denying Biden's victory.

As for **Mike Pence**, Miller disputed reports that the vice president was calling the shots or was the one who sent in the Guard. The SECDEF stated that he did speak with Pence—then in a secure location on the Hill—and provided a situation report. Referring to the Electoral College certification that had been paused when the mob stormed the building, Miller recalled Pence telling him, "We got to get this thing going again," to which the defense secretary replied, "Roger. We're moving." Patel, for his part, said that those assembled in Miller's office also spoke with congressional leaders **Nancy Pelosi**, **Chuck Schumer**, and **Mitch McConnell**. "We were called upon to do our job, and we executed because we had the reps and sets built into our process to get the troops where they were requested, to put up a fence, to secure a perimeter, and to help clear the Capitol compound. I mean, that's just what we do." Others, of course, believe reinforcements came far too late that day, possibly serving to embolden extremists for years to come.

Ezra Cohen, another of Miller's top confidants, believes that his colleagues' words and deeds may be well and good, but are beside the point: "The president threw us under the bus. And when I say 'us,' I don't mean only us political appointees or only us Republicans. He threw America under the bus. He caused a lot of damage to the fabric of this country. Did he go and storm the Capitol himself? No. But he, I believe, had an opportunity to tamp things down and he chose not to. And that's really the fatal flaw. I mean, he's in charge. And when you're in charge, you're responsible for what goes wrong."

Continuous, real-time access to a Trump cabinet member—especially during that tumultuous period—was rare. But on January 4, two days before the bloody assault on the U.S. Capitol, I made an overture to Pentagon officials. Could I spend the remaining days of the Trump administration embedded with Miller? I also requested face time with his two closest aides, who were known throughout Washington as staunch Trump loyalists, highly critical of the so-called deep state: Kashyap "Kash" Patel, Miller's 40-year-old chief of staff, who'd been an aide to Congressman **Devin Nunes** (R-Calif.), another Trump acolyte, and Ezra Cohen, 34, the under secretary of defense for intelligence (USDI), who came aboard on National Security Adviser **Mike Flynn**'s watch and was later fired by NSC chief **H.R. McMaster**.

Miller agreed, and I raced to Washington for COVID testing so I could join his entourage. Like many others, I had been worried that Donald Trump, using domestic havoc or a foreign military skirmish as pretext, might move to delay Biden's inauguration—or actually attempt a putsch by invoking martial law. Having worked in the Office of the Secretary of Defense and later as an attorney for the CIA (before I began my career in journalism), I understood the national security wiring diagram. And I recognized that in the absence of the vice president invoking the 25th Amendment, Secretary Miller was the one person standing between an unhinged president and a full-scale national meltdown.

1/22/2021

"The President Threw Us Under the Bus": Embedding With Pentagon Leadership in Trump's Chaotic Last Week :: Reader View

While waiting to begin my reporting in earnest, I sought a gut check from a senior national security official. "If I was writing your headline," he advised me, "it would be, 'Who really is the secretary of defense? Chris Miller? Kash Patel? Ezra Cohen? Or [Chairman] Mark Milley?' I don't know how to answer that, frankly. The scuttlebutt is that Miller is the good guy who's the frontman and it's Cohen and Patel who are calling all the shots."

What happened on January 6 made the assignment feel even more pressing. With the president missing in action, who was protecting the republic? Was Miller—with his command of America's troops and nukes—still receiving orders from the vestigial president? And what to make of Cohen and Patel, who in some corners of the Pentagon were referred to as *zampolit*, a term the Soviets used to describe political enforcers who were deployed to strategic locations to ensure loyalty to the Kremlin?

As the dust from the insurrection was still settling and as talk of impeachment gained momentum, I tagged along with Miller and his team as they went about their last days in office (Tuesday, January 12, to Tuesday, January 19). In addition, it was agreed that virtually everything would be on the record and on tape: Miller, Cohen, and Patel wore lapel microphones during our conversations.

"When we came in here, they literally expected Ezra and Kash to have blood dripping from their mouths because they just, like, ripped the throat out of a baby," Miller told me as we sat in the living room of his well-appointed Virginia home. "Then all of a sudden, they're like, 'Jeez, they're actually willing to take on the machine.'"

Chris Miller—55, with a shock of white hair—neither acts nor speaks like a prototypical cabinet member. First off, he had commanded an airborne Special Forces battalion and fought in some of the earliest combat operations in Afghanistan and Iraq. (Three current officials I consulted, who asked for anonymity due to the sensitivity of the subject matter, confirmed that Miller had also served with Task Force Orange, a military intelligence unit so secret that its name is rarely uttered.)

Acting Secretary of Defense Christopher Miller aboard his plane January 14, 2021.

Courtesy of the author.

Miller was a little-known careerist who had labored in relative obscurity for decades. That is, until November 9, 2020, when President Trump tweeted: "I am pleased to announce that Christopher C. Miller, the highly respected Director of the National Counterterrorism Center (unanimously confirmed by the Senate), will be Acting Secretary of Defense, effective immediately." Trump added, "**Mark Esper** has been terminated. I would like to thank him for his service." (Secretary Esper's dismissal had been brewing since the summer, when he issued a mealy-mouthed apology for participating in a June 1 stroll with the president across Lafayette Square. Upon his departure, three top aides left with him.)

When I pressed Miller about the perception that he must be a loyalist or a yes-man—given the timing of his appointment, just two days after the election had been called for Biden—Miller's answer was anything but party line. "I'll just be straight up. My family's not huge fans of the Trump administration." He added, "It's really bothered my daughters and my wife. My son, he'll be like, 'Holy cow, they called you a stuffed-shirt moron today.'" He then directed his ire at the cottage industry of retired military officers who questioned his fitness in the press, including some of those who had trained him, earned his loyalty, and shaped his character: "You fucking assholes. If I fail, you failed." One highly placed source worried less about Miller himself and more about his having "to navigate around" Cohen and Patel—"these Svengalis chained to him by the White House to make sure that he doesn't do too much completely honest, forthright stuff."

Cohen was promoted to a more senior role and Patel brought into the Pentagon in the wake of Miller's appointment, adding to the view that they were Trump watchmen implanted to keep a keen eye on things. Both had drawn scads of media attention—Patel, in particular, for trying to help discredit **Robert Mueller's** Russia investigation and for his appearance in the Ukraine controversy that led to Trump's first impeachment. People across the national security spectrum said: You don't have to like, respect, or agree with Cohen and Patel, but you underestimate their drive and Machiavellian prowess at your own peril.

Undersecretary of Defense for Intelligence Ezra Cohen in flight.

Courtesy of Cohen.

Just as Trump had filled his cabinet with people who had long antagonized the departments they would oversee (think of his secretaries of energy, interior, and education, for example), this trio, according to some observers, was made up of anti-deep-staters who, once Trump had decapitated the Pentagon

leadership, were going to come in and try to cut the fat, show the Chinese and Iranians who's boss, pull American troops out of war zones, and allow the president to deploy forces when and where he damn well pleased—even if they only had a couple of months to do it. And yet, as the president stewed over how to overturn his loss to Joe Biden, it's a safe assumption that he was not all that focused on his new defense secretary and his lieutenants.

Ezra Cohen, sometimes referred to as ECW (for Ezra Cohen-Watnick), was a highflier. He'd worked in human intelligence, and he rose through the ranks of the Defense Intelligence Agency (DIA). He'd been caught in the crossfire after reports surfaced that he'd provided classified documents to Congressman Devin Nunes to help the then chair of the House Permanent Select Committee on Intelligence make the case that American intelligence agencies had spied on Trump and his associates—an assertion Cohen vigorously denied. His boss, H.R. McMaster, canned him. But ever the survivor, Cohen returned to the fold last April. Seven months later he was named USDI, overseeing his former employer (DIA), along with the alphabet soup that comprises America's largest intelligence-gathering enterprise: NSA, NGIA, NRO, and DCSA.

His promotion was fodder for trolls of every stripe. "To the left I became this horrible person that enabled the president, attacking [Obama officials] and all this other stuff like that," Cohen contended as we sat in his kitchen and later drove through a Chick-fil-A before tooling around northern Virginia. "And then to the crazy people on the right—that are dangerous people that did the horrible, antidemocratic behavior with the Capitol—these nutjobs are saying that I am QAnon."

Kash Patel's road to the Pentagon was less linear than Cohen's. The son of Indian immigrants, he got a law degree from Pace and became a public defender. After helping prosecute terror suspects at home and abroad for the Obama Justice Department, he was assigned to aid units such as Delta Force and SEAL Team Six as they hunted down what he referred to as "the global rack and stack of bad guys, determined the order, established find/fix/finish options, and then executed." Accustomed to the rough-and-tumble, he soon was working for Nunes as senior counsel on the House Intelligence Committee—just as Nunes, siding with the president, was trying to throw sand in the gears of Mueller's Russia probe. Patel soon joined the NSC and was leading White House counterterrorism efforts—a gig he'd landed after Fox News host **Sean Hannity** took him to meet Trump in the Oval.

Kash Patel with President Trump in the White House Situation Room the night of October 26, 2019 after the killing of ISIS leader Abu Bakr al-Baghdadi.

Courtesy of Patel.

"Kash had a meteoric rise," a senior administration official explained. "He gets hired for the Russia collusion [investigation], and that put him at the president's doorstep. For the past year Kash has swung the biggest dick in D.C. because he could just say, 'Oh, I'm going to go to the president.' And we were on emails with him where he's telling four-star generals, 'Hey, this is a White House priority. Don't make me go talk to the president, because I will.' And the generals always rolled over."

Patel and I grabbed drinks at an outdoor bar in Blagden Alley in Washington's Shaw neighborhood. The day before, a *Washington Post* photographer had captured **Michael Lindell**, the MyPillow CEO and one of Trump's fringiest allies, walking into the West Wing carrying a piece of paper that included the instruction: "Move Kash Patel to CIA Acting." Sipping an IPA and wearing a baseball cap—bearing the insignia of a British special forces unit—Patel seemed utterly unfazed. He said he'd never met or communicated with the MyPillow guy.

I asked Patel about an Axios story that broke just before we sat down to talk. It asserted that CIA director **Gina Haspel** threatened to resign after learning that Trump planned to install Patel as her deputy. "I'm not going to comment on what the president wanted to do or didn't want to do, but there's no conversations of that now or this week or this year," he replied. But he seemed to be playing coy. The CIA gambit took place *last* year. In fact, when I had spoken with Cohen about the matter, he had told me, "The idea was to put Kash in as the deputy, which doesn't require Senate approval, and then to fire Gina the next day, leaving Kash in charge.... **Robert O'Brien**, [Trump's national security adviser], is the one who deep-sixed it." When I pressed Patel further about these machinations, which had occurred in December, I saw him turn lawyerly: "That stuff is between me and the boss. That's the only thing I don't comment on. Ever. It's executive privilege."

At 8 a.m. on January 11, we went wheels up from Joint Base Andrews aboard Chris Miller's C-32, the military version of a Boeing 757. Patel was on the plane, along with a retinue of bodyguards, communications specialists, intelligence analysts, and those charged with safeguarding the zippered bags containing some of the nation's most closely guarded secrets. Miller, even as we toured sensitive

military and nuclear installations, was low-key, sporting hiking pants, a dry-fit shirt, a waterproof jacket, and a baseball cap. He looked and sounded like someone you'd meet at Home Depot.

We stopped in Oak Ridge, Tennessee, home to the Y-12 National Security Complex, a sprawling site that has been nicknamed the Secret City. Wearing Geiger counters to gauge their radiation exposure, Miller, Patel, and Energy Secretary **Dan Brouillette** visited a building where nuclear weapon components are assembled and disassembled. The stated purpose for the visit: to assess the viability of America's nuclear arsenal. While we were on the ground, President Trump was en route to Alamo, Texas, for what he considered his own national security event of sorts: checking out the border wall, which he promised would keep Mexican "rapists" at bay.

By the time we arrived at an airfield near Nashville, law enforcement officials back in Washington were warning of armed protests planned in all 50 state capitals. In Smyrna, at a meeting with members of the Tennessee National Guard, Miller worked the room like a stand-up comic. Only minutes after the event had started, however, a military aide solemnly approached Miller, who was seated on the edge of the stage, and whispered in his ear. That was the moment, Miller later told me, when he gave the order to arm the National Guardsmen protecting the Capitol and members of Congress. "I have responsibility for everything, remember. Something goes wrong, I own it completely, 110%." He also acknowledged the need to delegate. "You want to push [authorization down to] the people on the ground that are seeing things happen when I'm sitting at the Pentagon or in my plane. So I made that decision to push it down to Secretary of the Army McCarthy so that they could move faster." In short order the Guard's presence in Washington and other capitals ballooned.

That evening, over beers and a two-for-\$20 special at an Applebee's near Fort Campbell, Patel was reflective. "They thought we'd blow the place up," he recalled. "But we're just getting shit done. Ended three wars. Went to Damascus for [American journalist and hostage] **Austin Tice**." And even during a lame-duck stewardship of the Pentagon, he added, "Chris and I said, 'We're going to fly every week. Fuel the jet.'" In truth the troops may be fewer, but the battles are far from over; and Austin Tice is still not home.

The following morning Miller, Patel, and crew flew to STRATCOM, at Offutt Air Force Base. It was January 12, and the House was beginning to debate articles of impeachment. Offutt, located on the outskirts of Omaha, is home to the U.S. Strategic Command, which oversees hundreds of intercontinental ballistic missiles, over a dozen "boomers" (stealthy submarines), and dozens more long-range bombers. Exactly a week after the Capitol attack, as I sat inside STRATCOM—whose mission is to deter and, if necessary, annihilate America's foreign adversaries—it was not lost on me that we had become a nation under threat from *within*.

Trump boards Marine One at Joint Base Andrews in Maryland to return to the White House, after visiting the U.S.-Mexico border wall in Harlingen, Texas, U.S., January 12, 2021.

By Carlos Barria/Reuters.

At one point Miller described for me the paranoid national security decision-making environment he encountered when he took the job. "There was this thought that, like, Oh, my God, if we present options, the batshit-crazy president's going to go *Dr. Strangelove* on us, and we're going to end up in a major war." But for all of Trump's shortcomings, he at least deserves credit, in Miller's mind, for moving to end what had become "forever wars" in Afghanistan and Iraq. Miller said that he earned the respect of DOD's interagency partners—and a long leash from the president—by coming to the table with a range of solutions to thorny threats. Many of his predecessors, he argued, came to the table with limited options. "We'd be like, 'A, B, C, D, E, F—we can go from everything from thermonuclear war to absolutely doing information operations. What are you thinking?'"

Following a briefing on nuclear readiness, we taxied out and paused short of the runway as an E-4B "doomsday plane" took off in front of us. It felt like an omen. After all, the plane had earned its moniker for its ability to withstand a nuclear blast and to provide a secure aerial command center for defense secretaries. Roughly 30 minutes into our flight, the video flashed the breaking news. America's commander in chief had been impeached...again. But those on board seemed to take little notice. They simply continued reading sensitive documents and operating communications gear, consumed with the yeomen's work of the security state.

That evening I went to Miller's suite at the Broadmoor, in Colorado Springs, a hotel located at the base of Cheyenne Mountain—home to the blast-proof bunker known as the Cheyenne Mountain Complex, featured in films like *WarGames* and *Interstellar*. With his boss in legal and political jeopardy, I asked Miller how he was feeling. "Focused, obviously. Have to compartmentalize because it's like being in

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combat. When you take casualties, you're just like, it's horrible. But I'll think about that later over some drinks when I get home." He seemed remarkably calm: "I refuse to take the bait and get panicky. I have to portray that this is the Department of Defense. That's my **Bill Belichick**. Do your damn job. And I'm not going to go out and make some statement.... Right now the country just needs to take a quaalude."

On the leg back to D.C., Miller invited me up to his cabin. I asked him about the \$1.5 trillion F-35 Joint Strike Fighter (a deeply flawed system I had covered at length for *Vanity Fair*)—a **purportedly off-the-record conversation that someone in the Pentagon decided to simply post on the Defense Department's website**. What did this costly, badly flawed aircraft—27 years in the making—say about the Pentagon's spending priorities? Miller started laughing before letting loose: "I cannot wait to leave this job, believe me. Talk about a wicked problem! I wanted to take that one on. F-35 is the case study.... [T]hat investment, for that capability that we're never supposed to use...I'm like, 'We have created a *monster*.'"

On Friday evening Miller greeted me in a suit and tie at his front door. He explained that he and Patel had been to the Oval Office a few hours before. CNN, the day before, had reported: "Mike Pence is acting like a de facto president right now, going to a FEMA briefing [while the president sits in the White House and] 'has a pity party.'" Other news outlets, noting the number of officials resigning, would describe the president as isolated, despondent, and mainly talking to like-minded sycophants. I inquired whether anyone was running the White House.

Miller insisted the president had been in good spirits. "I know the media portrays it a little differently," he insisted, though he might have been putting on his game face with me. "I got to take the guy's temperature, you know. Make sure that we're in a good place. And I'm very, very comfortable, very confident." I then showed him the long-lens photo of the MyPillow CEO, Lindell, coming into the White House—with a memo referencing "martial law." He laughed, quickly did the math, and figured he and Patel left the grounds before the picture was taken. When I inquired about the meaning of the words "Move Kash Patel to CIA Acting" on Lindell's briefing papers, he chuckled: "Maybe he's got a new job then, right? Get out of my hair. That's funny. That's MyPillow guy? Huh, okay."

Sitting on his couch at the end of a surreal week, he finally took off the gloves. His target? The Defense Department itself, the largest organization in the world—and one he has served in various ways since he was 18. "This fucking place is rotten. It's rotten." Miller's gravest concern, he said, involved a bedrock principle of American democracy: civilian control of the military. "When the system is weighted towards the Joint Staff and the geographic combatant commanders against civilian control, you know, we've got to rethink this." He expressed a belief that by "idolizing and fetishizing" the top brass, members of Congress had ignored an erosion over time in the chain of command.

"We're in a crisis mode," Cohen had told me earlier. He said he and others had discovered that the Joint Chiefs were creating their own "security compartments" containing operational planning details "for the express purpose of hiding key information from career civilian and political leaders in the Pentagon"—up to and including the secretary of Defense. Talk about a deep state. "That means that policymakers were basing their decisions on partial information. It's very dangerous and irresponsible, and that's something I've actually highlighted in my conversations with [Biden's] transition team." I'll admit it sounded loopy. To me it had all the elements of a Trump fever dream: The military and intelligence establishment was somehow scheming against the renegades. That is, until two other senior national security officials—with Miller and company—confirmed Cohen's assertion.

"The entire system," Miller stated, "the intelligence community [included], is complicit in setting up all these compartments—so that only very select people actually have perspective and access to the entire picture. And then your question is, 'Well, who are these people that have the complete picture?' I felt like I finally did as acting SECDEF—to a point. I'm sure there's still some stuff that was being compartmented. But I don't know that for a fact."

Congressional hearings and blue-ribbon commissions may inch us closer to the truth of what happened during Trump's roller-coaster term in office—especially what happened on January 6, 2021. Then again, amid the detritus the president left behind, truth is ephemeral. So, too, are the reputations of those who have served in this administration. Already, the tide is turning against many loyal Trumpers—even those who left their posts in the administration's closing weeks.

As Secretary Miller and I were winding up our conversation, his wife, **Kate**, who had overheard bits and pieces, walked in, visibly upset. She had apparently been doomscrolling in the other room, watching news reports about Miller's frank comments—prompted by my question about the F-35—that had been posted on the Pentagon's website. Turning toward me, she said, "Forgive me for speaking frankly, but this is very upsetting for me. You see where we live. His reputation is all that we have. And I am very concerned that he's being exploited right now. He's done his job. He's done a very good job. Nobody

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gives a shit." She then addressed her husband, "I think we need to just put a line under it and say, 'We're done.'"

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GOP senators say only a few Republicans will vote to convict Trump

BY ALEXANDER BOLTON - 01/22/21 06:00 AM EST

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Republicans say the chances that former President Trump will be convicted in an impeachment trial are plummeting, despite lingering anger among some Republicans over his actions.

Only five or six Republican senators at the most seem likely to vote for impeachment, far fewer than the number needed, GOP sources say.

A two-thirds majority vote would be necessary for a conviction, something that would require at least 17 GOP votes if every Democrat votes to convict Trump.

Senators say a few things have moved in Trump's favor.

One significant development is that Trump decided not to pardon any of the individuals charged with taking part in the Capitol riot, which would have lost him more Republican support.

"I thought if he pardoned people who had been part of this invasion of the Capitol, that would have pushed the number higher because that would have said, 'These are my guys,'" said one Republican senator, who requested anonymity to speak about how GOP senators are likely to vote.

GOP senators are also worried about a political backlash from the former president's fervent supporters.

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GOP senators say only a few Republicans will vote to convict Trump | The Hill

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They have observed the angry response to House Republican Conference Chairwoman Liz Cheney (R-Wyo.), who is facing calls to resign from the House GOP leadership team after voting last week to impeach Trump.

A second Republican senator said the Republican Party needs to rebuild and warned it will be tough to bring Trump's base into the party tent ahead of the 2022 midterm elections and the 2024 presidential election if GOP senators vote in large numbers to convict Trump.

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"I do think his supporters would be very upset," the lawmaker said.

At the same time, this lawmaker warned of the dangers of the party being too beholden to Trump.

"The Republican Party is going to have to have a discussion about its future. At some point it's going to have to become about something more than a person," the lawmaker said.

Graham pushes Schumer for vote to

Senate Minority Leader Mitch McConnell (R-Ky.) on Thursday proposed delaying the start of the trial until mid-February. He is asking for the House impeachment managers to wait until Thursday to present the article of impeachment to the Senate. He wants to give Trump's legal team until Feb. 11 to submit its pre-trial brief.

The Lincoln Project co-founder says post-Trump

This represents a third factor that could blunt political momentum among Republicans to convict Trump, as with each passing day his presidency recedes further and further into the past.

"For the most part, there is a real strong consensus among our members that this is after the fact. He's out of office and impeachment is a remedy to remove somebody from office, so there's the constitutional question," the second GOP senator said.

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"That's my sense of where most of our members are going to come down," the source added.

A fourth factor is growing doubt about whether Supreme Court Chief Justice John Roberts will preside over a Senate trial.

Murkowski didn't vote for Trump, won't join

Republicans say if Roberts doesn't preside and the chair is instead occupied by Vice President Harris — who as a California senator voted to convict Trump on two articles of impeachment last year — or Senate President Pro Tempore Pat Leahy (D-Vt.), the process will appear like a partisan exercise.

"It starts losing its legitimacy," the first Republican senator said of an impeachment trial without the chief justice in the chair.

A third Republican senator said there are "five or six, maybe" votes to convict Trump, arguing there's no point in casting a vote that would further divide the country when the president is already out of office.

"If people like me vote no, then there are only five or six," the senator added. "What would it do to the country?"

"I don't want to tell my constituents you can't vote for him. They're grownups," the lawmaker added.

Democrats say a major reason to hold a trial even though Trump is now a private citizen is to bar him from running for president again.

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The Senate would need to vote to convict Trump on the pending article of impeachment and then hold a separate simple-majority vote to bar him from future office.

A fourth Republican senator also said the number of expected Republican votes to convict Trump will be fewer than 10.

"I'd say certainly less than 10, and I'd say five or six is probably about right," the lawmaker said.

Republican senators say that colleagues who have publicly declared that Trump has committed impeachable offenses or have blamed him for inciting the mob that stormed the Capitol are most likely to vote to convict Trump.

Sens. Ben Sasse (R-Neb.) and Pat Toomey (R-Pa.) have said they believe Trump likely committed impeachable offenses.

Sens. Mitt Romney (R-Utah) and Susan Collins (R-Maine) publicly blamed him for inciting the crowd.

Trump impeachment trial to begin week of Feb. 8
The Hill's 12:30 Report: Next steps in the Trump impeachment

And Sen. Lisa Murkowski (R-Alaska) called on him to resign from office early.

There have been reports that McConnell himself has confided to associates that he believes Trump committed impeachable offenses, and the GOP leader has not said how he would vote.

But many believe McConnell would not vote to convict Trump if doing so would hurt a number of his colleagues up for reelection in 2022, when Republicans hope they can again gain control of the Senate.

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www.theguardian.com /us-news/2021/jan/22/ilhan-omar-capitol-attack-congress-trump

'I didn't know if I would make it out that day': Ilhan Omar on the terror of the Capitol attack

Oliver Laughland

5-6 minutes

Representative **Ilhan Omar** began to fear for her life as soon as the evacuation began.

She had watched from a balcony as a mob of insurrectionists invaded the US Capitol on 6 January, incited by the president of the United States. As she was escorted to a secure area, she made a phone call to her ex-husband, the father of her children.

"I didn't know if I would make it out that day and [I] just ... made a request to him to make sure he would continue to tell my children that I loved them if I didn't make it out."

Omar, the Democratic congresswoman from Minnesota's fifth district, a famed member of the progressive movement, and the first Somali American elected to Congress, has long endured threats and racist abuse from Donald Trump and his supporters. But it's clear, during an interview with the Guardian on Zoom, that the events of 6 January have left a lasting and unique trauma.

She takes long pauses as she recalls the details.

"It was a very traumatizing experience, and all of us will be traumatized by it for a really long time," she says. "The face of the Capitol will forever be changed. They didn't succeed in stopping the functions of democracy, but I do believe they succeeded in ending the openness of our democracy."

Omar says she was evacuated to a secure location usually reserved only for senior congressional leaders. She says law enforcement believed "my life was at risk in the same way that congressional leadership's life was at-risk" - citing a significant uptick in death threats in the two months before the presidential election, but adding: "For the better half of the last two years, the president has singled me out and has incited direct death threats against my life."

The 38-year-old who was first elected in 2018, was placed in the same room as the House speaker, Nancy Pelosi, and the Republican Senate leader, Mitch McConnell, along with other senior figures from both parties.

"Leaders from both sides seemed to be terrorised by what was taking place," she says. "I don't think any of them ever expected to be witnessing an insurrection against our government. And I think that watching the response from the president was completely unsettling for them as well ... I think the fear of what we were dealing with grew and you could see that in the faces of all of them."

The day after the mob violence, Omar was among the first House Democrats to draft articles of impeachment, which were eventually voted through (with only 10 Republicans siding), marking a historic second impeachment of the former president. She is now urging the Senate to begin trial proceedings as top Republicans look to stall the process into next month.

Although Omar is talking through Zoom but it's clear she is distinctly uneasy as she remembers the events of 6 January, a marked contrast to her affable demeanor on the occasions we have spoken in the past. Is she still in a state of shock?

"I don't know if I would use the word shock," she says. "I would say it all feels exhausting."

She levels this exhaustion not just at Trump but at the many Republicans who have essentially continued to support the former president by voting against impeachment or to challenge the 2020 election result.

"There's a set of expectations in functioning as a part of a long-existing democracy, and to have allowed a president to degrade our traditions and norms, make a mockery of our laws, our constitution and oaths

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["I didn't know if I would make it out that day": Ilhan Omar on the terror of the Capitol attack :: Reader View](#)

of office. And then to still deal with people who are 'two-siding' every conversation, who don't have an ability to understand the gravity of what we are dealing with ... is pretty exhausting."

Omar attended Joe Biden's inauguration on Wednesday in a city under partial military lockdown following the insurrection. Like other colleagues in the progressive caucus of the party, including Alexandria Ocasio-Cortez, she had endorsed Bernie Sanders in the Democratic presidential primary and did not always pull her punches when criticizing Biden's primary run.

Nonetheless, she expresses resolute optimism about the next four years and beams when discussing Biden's first 48 hours in office, in which he has rescinded the permit for the Keystone XL pipeline and rejoined the Paris climate agreement.

"There are things we've all been fighting for the last couple of years and to see a lot of that get done in the first day makes us all feel very optimistic and excited about what's to come," she says. "You know there will be plenty of time for us to disagree and fight some of our policy differences, but at the moment, as a progressive and as Whip of the progressive caucus, most of us are pretty pleased."

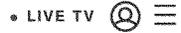
Still, she drifts back to reflections on the events of 6 January and worries about what she believes is potentially irreparable damage to the democratic process.

"It dawned on me that my reality and the reality of many of the people who have served with both in the Minnesota house and in Congress is forever going to be shaped by these events," she says. "In a free democracy, where we thrive on vigorous debate and discussion, without resorting to violence, [that] was no longer going to be part of our reality and that is truly shocking and disturbing and unsettling."

McConnell privately says he wants Trump gone as Republicans quietly lobby him to convict

By Michael Warren and Jamie Gangel, CNN

Updated 1:51 PM ET, Fri January 22, 2021



Learned that dozens of influential Republicans around Washington -- including former top Trump administration officials -- have been quietly lobbying GOP members of Congress to impeach and convict Donald Trump. The effort is not coordinated but reflects a wider battle inside the GOP between those loyal to Trump and those who want to sever ties and ensure he can never run for President again.

The lobbying started in the House after the January 6 attack on the Capitol and in the days leading up to impeachment. But it's now more focused on Sen. Mitch McConnell, the powerful minority leader who has signaled he may support convicting Trump.

"Mitch said to me he wants Trump gone," one Republican member of Congress told CNN. "It is in his political interest to have him gone. It is in the GOP interest to have him gone. The question is, do we get there?"

McConnell had proposed delaying the trial until February, but with the articles coming to the Senate on Monday, the process will likely be set in motion sooner. It would take 17 Republicans to join all 50 Democrats in order to convict. While the bar is high, some GOP sources think there is more of an appetite to punish the former President than is publicly apparent.

"There were 10 House Republicans who voted for impeachment. There were probably over 150 who supported it," said Charlie Dent, a former Republican congressman and CNN contributor.

The ongoing Republican whisper campaign, according to more than a dozen sources who spoke to CNN, is based on a shared belief that a successful conviction is critical for the future of the Republican party. Multiple sources describe this moment as a reckoning for the party.

"Trump created a cult of personality that is hard to dismantle," said a former senior Republican official. "Conviction could do that."

The lobbying effort has included behind-the-scenes pressure by Republican donors, calls from former top Trump White House officials, and a set of talking points circulating among Republicans arguing for Trump's impeachment.

The 9-point memo charges that "it is difficult to find a more anti-conservative outburst by a U.S. president than Donald Trump the last two months." Other points include that Trump "urged supporters from across the nation to come to Washington, DC, to disrupt" Congress on January 6 and egged on the crowd, which was "widely understood to include people who were planning to fight physically, and who were prepared to die in response to his false claims of a 'stolen election.'"

The memo goes on to point out Trump "tweeted and made other statements against the Vice President as the Secret Service was being forced to rush Mike Pence out of the Senate chamber and into a protective bunker." It's unclear how widely disseminated the memo is among Republicans in Washington.

'A fight for the party'

The U.S. Capitol on Friday, Jan. 22, 2021.

McConnell is also facing pressure from a faction of Senate Republicans to stick with Trump, with some telling CNN that support for conviction could threaten McConnell's leadership.

"No, no, no," Sen. Ron Johnson, a Wisconsin Republican and Trump ally, told CNN when asked if he could support McConnell if he voted to convict Trump, calling such a vote a "dangerous precedent" and adding: "I don't even think we should be having a trial."

"If you're wanting to erase Donald Trump from the party, you're going to get erased," Sen. Lindsey Graham of South Carolina said on Fox News Wednesday. "This idea of moving forward without Donald Trump in the Republican Party is a disaster for the Republican Party."

There have also been public appeals for Republican lawmakers to take action against Trump. Former White House chief of staff John Kelly told CNN if it was up to him, he would vote to remove Trump. Former Attorney General Bill Barr accused the President of "orchestrating a mob to pressure Congress" and went on to call his conduct a "betrayal of his office."

Among some former Trump administration officials, the President's actions around the January 6 riot aroused feelings of disgust.

"I almost threw up when I saw the President tweeting against Mike Pence," said one former senior Trump official.

In addition, more than 30 former Republican members of Congress signed a letter urging House members to vote to impeach. At the same time, current and former Senate aides are encouraging their bosses to seriously consider voting to convict.

And in the days after January 6, a handful of House staffers whose bosses supported Trump resigned, including a senior GOP staffer on the House Armed Services Committee and aides to Reps. Lauren Boebert and Jim Jordan.

"A lot of people view this as a fight for the party," said one former Republican Hill aide.

Others are hoping more Senate Republicans will step up.

1/22/2021

McConnell privately says he wants Trump gone but faces backlash—CNN obtains 9-point memo to get rid of Trump - CNNPolitics

"In the Senate, there is more institutional respect and understanding of the long-term consequences," said former Trump administration appointee Gabriel Noronha. "There is also real resentment of Trump and the damage he has done, and awareness of what this means in the next four to eight years."

Noronha recently made news when he was fired by the White House for a tweet condemning Trump's actions on January 6.

Signals from McConnell



LIVE TV

Senate Minority Leader Mitch McConnell, center, wears a protective mask while walking to his office from the Senate Chamber at the U.S. Capitol in Washington, D.C., U.S., on Thursday, Jan. 21, 2021.

The consensus among the Republicans who spoke to CNN is that McConnell's decision on conviction will sway others. On Tuesday, in his most forceful comments yet, McConnell tied Trump's actions to the attack itself during a speech on the Senate floor.

"The mob was fed lies," McConnell said. "They were provoked by the President and other powerful people. And they tried to use fear and violence to stop a specific proceeding of the first branch of the federal government which they did not like. But we pressed on."

Since he is known as restrained and deliberate, McConnell's words gave hope to Republicans who would like the party to split from Trump.

"I hope Mitch's institutional reverence for the Senate will overcome his natural political caution and will lead him to the conclusion that Trump is in the way of the party's future," said the former senior GOP official.

The legal arguments

Former President Donald Trump speaks to members of the media while departing the White House on Tuesday, Jan. 12, 2021.

Other Republican senators who have said they will vote to acquit cite a Jan. 12 op-ed in The Washington Post by former federal judge and conservative legal luminary J. Michael Luttig. Luttig writes an impeachment trial after Trump left office would be unconstitutional.

"I think a lot of people would like a reason not to convict," said a former Republican Senate staffer.

But other Republican legal experts are pushing back with GOP senators.

"It feels like the weight of the energy in Washington with legal conservatives is pretty strongly in favor of impeachment," said Gregg Nunziata, a former counsel to the Senate Republican conference who has reached out to senators himself.

However the fear of reprisal from Trump's allies in the media -- Fox News hosts Sean Hannity and Laura Ingraham have already criticized McConnell's condemnation of Trump -- and Trump's base may prevail.

The former senior Republican official who would like to see Trump convicted characterized it as an internal war within the party and expressed pessimism that enough senators would rise to the occasion.

"I have learned through sad experience that no one has lost money betting on the seemingly bottomless capacity of congressional R's for self-abasement and cowardice," said the former official.

CNN's Pamela Brown and Manu Raju contributed to this story.



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www.cnn.com /2021/01/24/politics/capitol-police-riot-coronavirus/index.html

38 Capitol Police officers test positive for Covid-19 after Capitol riot

Nadia Kounang and Whitney Wild

3-4 minutes

*(CNN)*More than three dozen Capitol Police officers have tested positive for coronavirus since the Capitol riot on January 6, the union representing the Capitol Police told CNN Sunday.

It's unclear how many of the 38 officers may have been on duty during the attack or when they contracted the virus. But health officials have worried that the mass of largely unmasked people, many shouting and pushing, would result in the spread of the virus. Several police officers were directly assaulted during the insurrection.

By Friday, 19 Capitol Police officers had tested positive in the more than two weeks since the attack, Gus Papathanasiou, chair of the United States Capitol Police Labor Committee, told CNN in an email. The union could also not confirm that those officers were on duty the day of the attack.

"I do think you have to anticipate that this is another surge event. You had largely unmasked individuals in a non-distanced fashion, who were all through the Capitol," former US Centers for Disease Control and Prevention director Dr. Robert Redfield said in an [interview](#) earlier this month with the McClatchy newspaper group.

Several lawmakers tested positive in the wake of the attack, with some Democrats [saying they tested positive](#) after sheltering in place with other members of Congress who were not wearing masks.

"Following the events of Wednesday, including sheltering with several colleagues who refused to wear masks, I decided to take a Covid test. I have tested positive," New Jersey Rep. Bonnie Watson Coleman tweeted on January 11.

A statement from her office said that the congresswoman "believes she was exposed during protective isolation in the US Capitol building as a result of insurrectionist riots. As reported by multiple news outlets, a number of members within the space ignored instructions to wear masks."

CNN has [previously reported](#) that six House Republicans were captured on video refusing masks offered by a colleague during the US Capitol insurrection.

Lawmakers and Capitol staff received a memo from the Capitol's attending physician warning of a possible risk of Covid-19 exposure after a large group of lawmakers were forced to gather in a secure location during the breach of the US Capitol.

"On Wednesday January 6, many members of the House community were in protective isolation in (a) room located in a large committee hearing space. The time in this room was several hours for some and briefer for others. During this time, individuals may have been exposed to another occupant with coronavirus infection," Dr. Brian P. Monahan wrote in the January 10 memo.

Clare Foran and Daniella Diaz contributed to this report.



Boycott sham impeachment

BY SEN. RAND PAUL (R-KY), OPINION CONTRIBUTOR — 01/24/21 04:00 PM EST
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Just In...

Schumer suggests Biden should declare climate emergency

SENATE — 2M 21S AGO

Fauci was concerned people would do 'dangerous and foolish' things after Trump suggested injecting disinfectant

NEWS — 30M 26S AGO

Judge orders video of Patriots owner in massage parlor be destroyed

BLOG BRIEFING ROOM — 46M 24S AGO

Former head of US Agency for Global Media hired two law firms costing \$4M over five-months: report

ADMINISTRATION — 1H 6M AGO

Senate to vote Tuesday on Biden's secretary of State pick

SENATE — 1H 14M AGO

McConnell: Power-sharing deal can proceed after Manchin, Sinema back filibuster

SENATE — 1H 30M AGO

Ex-TSA agent sentenced to jail for tricking woman into showing breasts at security



X

Sometimes in Washington, the powers that be will embark on a little bit of political theater. You can always spot it, though, if you look closely enough at what's real and what's not.

In the last days of the presidency of Donald Trump, the Democrats and a handful of Never Trumpers banded together to insist he be impeached, again.

The first impeachment of Donald Trump in 2019 was a witch hunt filled with fabricated charges, unsupported evidence and partisan rancor disguised as legal concern.

I worked against this impeachment, but I will grant it one thing — while wrongheaded, the Democrats had every right to do it and at least pursued it as dictated and foreseen by the Constitution.

Fast-forward to January 2021. A national tragedy occurred when militants, agitators and zealots were convinced and allowed to believe that Jan. 6 could produce any result other than the certification of the electors of President Joe Biden.

I stood firmly on the side of those who believe that Congress should not overturn state-certified electors, that to do so might destroy the Electoral College.

Did President Trump push to have Congress overturn those electors? Yes.

Did some of my colleagues perform a little play for their supporters in which they claimed to be fighting for a different outcome they all knew

1/25/2021

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BLOG BRIEFING ROOM
— 1H 57M AGO

Twitter suspends account that tweeted threat to Trump

ADMINISTRATION — 2H 33S AGO

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Majority in new poll says Trump did not 'Make

'Leslie Knope' trends as fans remember Biden's

couldn't happen? Yes.

Did the combination of an out-of-control crowd and absolutely atrocious decisions by those in charge of our security lead to an unfortunate event on Jan. 6? Also yes.

But to argue that any politician that tells a crowd to "fight to take back your country" is somehow guilty of incitement is absurd.

If we are to blame politicians for the most violent acts of their craziest supporters, then many of my colleagues would face some pretty harsh charges themselves. I've been shot at, assaulted and harassed by supporters of the left, including some who directly said the words of politicians moved them to this violence.

I was there at the ballfield when a deranged Bernie Sanders supporter almost killed Steve Scalise and seriously wounded several others. At the time, Democrats were arguing that the GOP plan for health care was "you get sick, then they let you die." Is it any wonder an insane left-wing gunman took that rhetoric to heart and concluded, "If the GOP is going to let me die, then maybe I'll just kill them first"?

Interestingly, though, not one Republican stepped up to blame Bernie Sanders or suggest he be impeached or held responsible for the attempted assassination of more than 20 congressmen.

I certainly did not accuse Bernie Sanders of stoking the violence at the ball field. I don't think Donald Trump should be held responsible for violence any more than Bernie Sanders. I just wish the other side had an even approach to this topic.

But what of this exercise the House started and the Senate is about to take up, which some will dutifully report as "impeachment?"



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BY TENNESSEE VALLEY AUTHORITY

Well, impeachment is a tool to remove someone from office. That's it. The Constitution specifically forbids any legal action that targets any one private individual.

President Trump left office peacefully on Jan. 20, as the Constitution provides. Those who voted for President Biden were victorious, and the transfer of power happened as it should and must.

Whatever this exercise is that the Democrats began and insist on continuing, it's not impeachment.

How do we know that for sure? Look closely.

The Constitution says two things about impeachment — it is a tool to remove the officeholder, and it must be presided over by the chief justice of the Supreme Court.

1/25/2021

Boycott sham impeachment | TheHill

Neither one of those things will happen. President Trump is gone, and Justice John Roberts, properly noticing the absence of an officeholder being impeached, is declining to preside.

That settles it for me.

Biden says Trump's impeachment trial 'has to happen'
Most in new poll support Trump impeachment, want Senate conviction

If Justice Roberts is not presiding over this, then it is not impeachment. This charade will be nothing more than bitter partisanship and political theater.

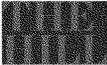
I am more than willing to work with Democrats to find common ground on protecting civil liberties or ending some of our many foreign military interventions, but no unity or common ground will be found while Democrats continue to fight the last election. This so-called impeachment is a farce and should be dismissed before it is even allowed to begin.

Paul is the junior senator from Kentucky.

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www.cnbc.com /2021/01/25/capitol-riots-garret-miller-says-he-was-following-trumps-orders-apologizes-to-aoc.html

Capitol rioter Garret Miller says he was following Trump's orders, apologizes to AOC for threat

Dan Mangano

10-12 minutes

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DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

FOR IMMEDIATE RELEASE
January 25, 2021

Department of Justice Office of the Inspector General Announces Initiation of Investigation

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today that:

The DOJ Office of the Inspector General (OIG) is initiating an investigation into whether any former or current DOJ official engaged in an improper attempt to have DOJ seek to alter the outcome of the 2020 Presidential Election. The investigation will encompass all relevant allegations that may arise that are within the scope of the OIG's jurisdiction. The OIG has jurisdiction to investigate allegations concerning the conduct of former and current DOJ employees. The OIG's jurisdiction does not extend to allegations against other government officials.

The OIG is making this statement, consistent with DOJ policy, to reassure the public that an appropriate agency is investigating the allegations. Consistent with OIG policy, we will not comment further on the investigation until it is completed. When our investigation is concluded, we will proceed with our usual process for releasing our findings publicly in accordance with relevant laws, and DOJ and OIG policies.

###

[www.washingtonpost.com /politics/2021/01/25/after-objecting-election-results-kevin-mccarthy-says-all-americans-bea...](https://www.washingtonpost.com/politics/2021/01/25/after-objecting-election-results-kevin-mccarthy-says-all-americans-bea...)

After objecting to the election results, Kevin McCarthy says all Americans bear responsibility for the deadly Capitol riot

JM Rieger

3-3 minutes

As a pro-Trump mob stormed the U.S. Capitol on Jan. 6, House Minority Leader Kevin McCarthy (R-Calif.) called in to ABC News from a secure location.

"As a nation, I know we sit back and we're appalled by what we're seeing," McCarthy said. "But I want everybody to take a deep breath and understand: We all have some responsibility here."

McCarthy was among the Republicans who had spread false claims of widespread presidential election fraud for weeks, which motivated the mob on Jan. 6.

You can watch what McCarthy has previously said about who bears responsibility for the Capitol siege in the video above.

While states were counting votes on Nov. 4, McCarthy told reporters that he would accept the election results once they the states certified them.

Two days later, while states were still counting, McCarthy falsely told Fox News Channel that Donald Trump had won the election and that his supporters should "not be silent about" Joe Biden's victory. "We cannot allow this to happen before our very eyes," he said.

One month later, McCarthy signed on to a Texas lawsuit to overturn the election results in four states that Biden won, even though each of those states had certified their election results weeks before.

And hours after the pro-Trump mob stormed the Capitol, McCarthy voted to reject the certified election results from Arizona and Pennsylvania.

On Jan. 13, McCarthy said Trump bore "responsibility" for the Capitol attack, only to water down those remarks the following week.

"I don't believe he provoked it, if you listen to what he said at the [Jan. 6] rally," McCarthy told reporters Jan. 21.

On Sunday, McCarthy tried to further clarify his previous comments.

"I thought the president had some responsibility when it came to the response," McCarthy said. "If you listen to what the president said at the rally, he said, 'Demonstrate peacefully.' And then I got a question later about whether did he incite them. I also think everybody across this country has some responsibility."

Six hours after the 2016 election was called for Trump, McCarthy congratulated the then-president-elect.

On Jan. 8, McCarthy released a similar statement recognizing Biden, 62 days after the election was called for the new president-elect.

AP source: Lawmakers threatened ahead of impeachment trial

AP apnews.com/article/lawmakers-trump-impeachment-trial-b9a44a269d6cfeee28e79b46572d28a6

January 25, 2021



ADVERTISEMENT

By MICHAEL BALSAMO January 25, 2021 GMT

FILE - In this Wednesday, Jan. 6, 2021 file photo, Trump supporters try to break through a police barrier at the Capitol in Washington. Right-wing extremism has previously mostly played out in isolated pockets of America or in smaller cities. In contrast, the deadly attack by rioters on the U.S. Capitol targeted the very heart of government. It brought together members of disparate groups, creating the opportunity for extremists to establish links with each other. (AP Photo/Julio Cortez, File)

FILE - In this Wednesday, Jan. 6, 2021 file photo, Trump supporters try to break through a police barrier at the Capitol in Washington. Right-wing extremism has previously mostly played out in isolated pockets of America or in smaller cities. In contrast, the deadly attack by

rioters on the U.S. Capitol targeted the very heart of government. It brought together members of disparate groups, creating the opportunity for extremists to establish links with each other. (AP Photo/Julio Cortez, File)

WASHINGTON (AP) — Federal law enforcement officials are examining a number of threats aimed at members of Congress as the second trial of former President Donald Trump nears, including ominous chatter about killing legislators or attacking them outside of the U.S. Capitol, a U.S. official told The Associated Press.

The threats, and concerns that armed protesters could return to sack the Capitol anew, have prompted [the U.S. Capitol Police and other federal law enforcement](#) to insist thousands of National Guard troops remain in Washington as the Senate moves forward with plans for Trump's trial, the official said.

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The shocking insurrection at the Capitol by a pro-Trump mob prompted federal officials to rethink security in and around its landmarks, resulting in an unprecedented lockdown for Biden's inauguration. Though the event went off without any problems and armed protests around the country did not materialize, the threats to lawmakers ahead of Trump's trial exemplified the continued potential for danger.

Similar to those intercepted by investigators ahead of Biden's inauguration, the threats that law enforcement agents are tracking vary in specificity and credibility, said the official, who had been briefed on the matter. Mainly posted online and in chat groups, the messages have included plots to attack members of Congress during travel to and from the Capitol complex during the trial, according to the official.

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- [– Trump impeachment goes to Senate, testing his sway over GOP](#)
- [– Growing number of GOP senators oppose impeachment trial](#)
- [– Kentucky GOP group rejects push to have McConnell back Trump](#)

The official was not authorized to discuss an ongoing investigation publicly and spoke Sunday to the AP on condition of anonymity.

Law enforcement officials are already starting to plan for the possibility of armed protesters returning to the nation's capital when Trump's Senate trial on a charge of inciting a violent insurrection begins the week of Feb. 8. [It would be the first impeachment trial of a former U.S. president.](#)

Though much of the security apparatus around Washington set up after the Jan. 6 riot and ahead of Biden's inauguration — it included scores of military checkpoints and hundreds of additional law enforcement personnel — is no longer in place, about 7,000 members of the

National Guard will remain to assist federal law enforcement, officials said.

Gen. Dan Hokanson, chief of the National Guard Bureau, said Monday that about 13,000 Guard members are still deployed in D.C., and that their numbers would shrink to 7,000 by the end of this week. John Whitley, the acting secretary of the Army, told a Pentagon news conference that this number is based on requests for assistance from the Capitol Police, the Park Police, the Secret Service and the Metropolitan Police Department. Whitley said the number is to drop to 5,000 by mid-March.

Thousands of Trump's supporters descended on the Capitol on Jan. 6 as Congress met to certify Biden as the winner of the 2020 presidential race. More than 800 are believed to have made their way into the Capitol during the violent siege, pushing past overwhelmed police officers. The Capitol police said they planned for a free speech protest, not a riot, and were caught off guard despite intelligence suggesting the rally would descend into a riot. Five people died in the melee, including a Capitol police officer who was struck in the head with a fire extinguisher.

At least five people facing federal charges have suggested they believed they were taking orders from Trump when they marched on Capitol Hill to challenge the certification of Biden's election victory. But now those comments, captured in interviews with reporters and federal agents, are likely to take center stage as Democrats lay out their case.

Full Coverage: [Impeachments](#)

More than 130 people have been charged by federal prosecutors for their roles in the riot. In recent weeks, others have been arrested after posting threats against members of Congress.

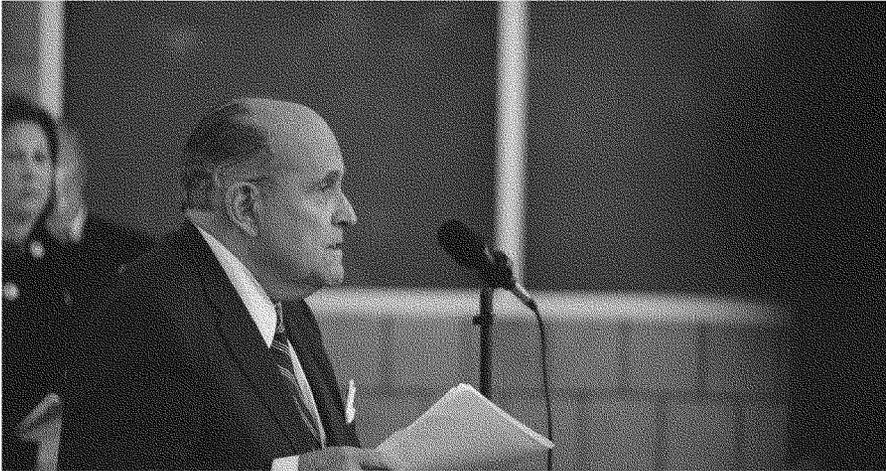
They include a Proud Boys supporter who authorities said threatened to deploy "three cars full of armed patriots" to Washington, threatened harm against Sen. Raphael Warnock, D-Ga., and who is accused of stockpiling military-style combat knives and more than 1,000 rifle rounds in his New York home. A Texas man was arrested this week for taking part in the riot at the Capitol and for posting violent threats, including a call to assassinate Rep. Alexandria Ocasio-Cortez, D-N.Y.

Associated Press writer Lolita C. Baldor contributed to this report.

Rudy Giuliani Sued by Dominion Voting Systems Over False Election Claims

 [nytimes.com/2021/01/25/us/politics/rudy-giuliani-dominion-trump.html](https://www.nytimes.com/2021/01/25/us/politics/rudy-giuliani-dominion-trump.html)

January 25, 2021



Dominion Voting Systems filed a defamation lawsuit on Monday against Rudolph W. Giuliani, the lawyer for Donald J. Trump and former mayor of New York City who played a key role in the former president's monthslong effort to subvert the 2020 election.

The 107-page lawsuit, filed in the Federal District Court in Washington, accuses Mr. Giuliani of carrying out "a viral disinformation campaign about Dominion" made up of "demonstrably false" allegations, in part to enrich himself through legal fees and his podcast.

The suit seeks damages of more than \$1.3 billion and is based on more than 50 statements Mr. Giuliani made at legislative hearings, [on Twitter](#), on his podcast and in the conservative news media, where he spun a fictitious narrative of a plot by one of the biggest voting machine manufacturers in the country to flip votes to President [Biden](#).

Mr. Giuliani, one of Mr. Trump's closest advisers and confidants, has faced continuing fallout for his highly visible efforts to reverse the election outcome. This month, the chairman of the New York State Senate's judiciary committee [formally requested](#) that the state court system strip Mr. Giuliani of his law license.

In a statement released by text message late Monday morning, Mr. Giuliani said that the lawsuit amounted to intimidation and that he was contemplating a countersuit.

“Dominion’s defamation lawsuit for \$1.3B will allow me to investigate their history, finances, and practices fully and completely,” Mr. Giuliani said. “The amount being asked for is, quite obviously, intended to frighten people of faint heart. It is another act of intimidation by the hate-filled left-wing to wipe out and censor the exercise of free speech, as well as the ability of lawyers to defend their clients vigorously. As such, we will investigate a countersuit against them for violating these Constitutional rights.”

On his radio show on Monday afternoon, Mr. Giuliani seemed to welcome a trial.

“We’ll have a nice fight, a real fight, and by fight, I don’t mean, don’t mean any words of violence,” Mr. Giuliani said. “I fight in the courtroom, you know? That’s what I always mean when I talk about fight. We fight in the courtroom. We fight in the debate hall. I got a pretty good record in court. And I’m a damn good investigator.”

Taken together with a lawsuit the company [filed this month against Sidney Powell](#), another lawyer who was allied with Mr. Trump, the suit represents a point-by-point rebuke of one of the more outlandish conspiracy theories surrounding last year’s election. The president’s allies had contended that the voting machine company — which was also used in states during Mr. Trump’s victory in the 2016 election, has been tested by government agencies, and was used in states Mr. Trump carried in 2020 — was somehow involved in a rigged election, partly as a result of ties to a long-deceased Venezuelan dictator.

“Dominion was not founded in Venezuela to fix elections for Hugo Chávez,” the suit says. “It was founded in 2002 in John Poulos’s basement in Toronto to help blind people vote on paper ballots.” The suit later adds that the headquarters for the company’s United States subsidiary is in Denver.

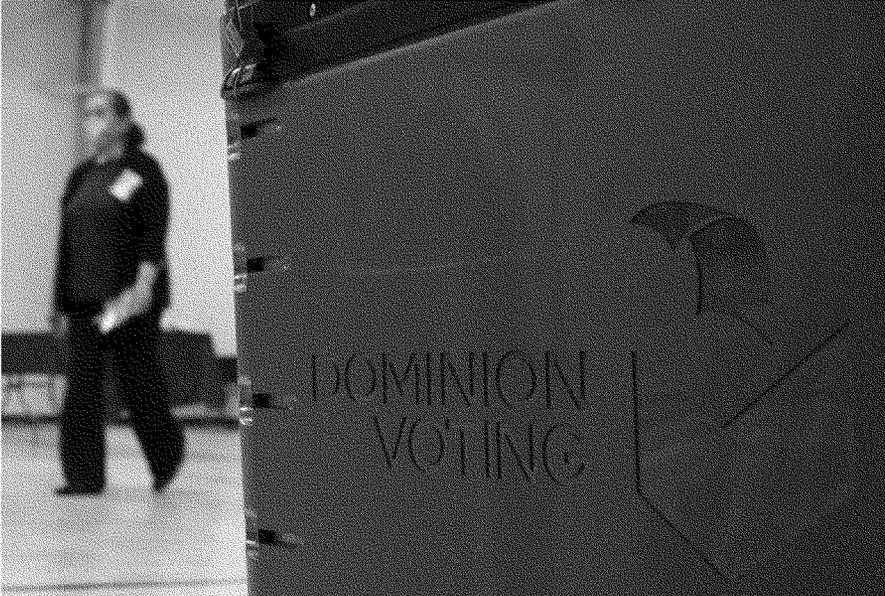
Laying out a timeline of Mr. Giuliani’s comments about Dominion on Twitter, his podcast and Fox News, the company notes that Mr. Giuliani avoided mentioning Dominion in court, where he could have faced legal ramifications for falsehoods. “Notably, not a single one of the three complaints signed and filed by Giuliani and other attorneys for the Trump Campaign in the Pennsylvania action contained any allegations about Dominion,” the lawsuit says.

The lawsuit also links Mr. Giuliani’s false statements about Dominion to the riot at the Capitol on Jan. 6, noting that he mentioned the company in his speech at a rally for Mr. Trump before the attack, as well as numerous times on social media as the Capitol was breached.

“Having been deceived by Giuliani and his allies into thinking that they were not criminals — but patriots ‘Defend[ing] the Republic’ from Dominion and its co-conspirators — they then bragged about their involvement in the crime on social media,” the suit states.

Thomas A. Clare, a lawyer representing Dominion, said that the riot had not factored into the decision to sue Mr. Giuliani, but that it did show just how seriously Mr. Trump’s followers had taken the falsehoods told about the election.

Image



A Dominion Voting Systems ballot scanner was used at a polling location in Gwinnett County, Ga. The company is one of the largest voting machine manufacturers in the country. Credit...Ben Gray/Associated Press

“From a defamation law perspective, it just demonstrates the depth to which these statements sink in to people,” Mr. Clare said in an interview. “That people don’t just read them and tune them out. It goes to the core of their belief system, which puts them in a position to take action in the real world.”

John Poulos, the chief executive officer of Dominion, said that his company had taken legal action against Mr. Giuliani both to correct the record about Dominion and restore trust in American electoral systems.

“Not only have these lies damaged the good name of my company,” Mr. Poulos said of Mr. Giuliani’s false claims, “but they also undermined trust in American democratic institutions, drowning out the remarkable work of elections officials and workers, who ensured a transparent and secure election. The thousands of hand recounts and audits that proved machines counted accurately continue to be overshadowed by disinformation.”

Dominion is a major manufacturer of voting machine equipment in the United States, second only to Election Systems & Software. Different models of Dominion machines were used in more than two dozen states — red, blue and battleground — during the 2020 election.

The company had previously warned Mr. Giuliani, sending a letter in late December that told him to preserve all records of his claims and stop making false statements, and warned that legal action was imminent. But Mr. Giuliani continued with his false claims of fraud, even arguing on Twitter days after receiving the letter that “phony Dominion voting machines” needed to be investigated.

As recently as last week, Mr. Giuliani was on his New York City-based radio show saying that “so long as you have Dominion, there is clear and present danger” that election results could be rigged. He added that he had “boxes of evidence to support his claims.”

Dominion has indicated that it plans to file more lawsuits. The suit against Mr. Giuliani says he acted with other prominent conservatives and news networks, including Mike Lindell, Lou Dobbs, Fox News, Fox Business, Newsmax and One America News Network.

Mr. Clare, Dominion’s lawyer, left open the possibility of litigation against Mr. Trump.

“We’re not ruling anybody out,” he said. “Obviously, this lawsuit against the president’s lawyer moves one step closer to the former president and understanding what his role was and wasn’t.”

The threats from Dominion have prompted some conciliatory responses from conservative news outlets hoping to avoid a legal battle. This month, the American Thinker, a conservative website, posted an apologetic note saying that its reports about Dominion “are completely false and have no basis in fact” and that “it was wrong for us to publish these false statements.”

Mr. Giuliani was one of the main public faces of the effort to reverse the election results, with Mr. Trump rarely appearing in public and preferring to send out broadsides on Twitter against the democratic process.

Dominion argues that Mr. Giuliani profited significantly from his false claims, noting that he “reportedly demanded \$20,000 per day” for his legal services to Mr. Trump and “cashed in by hosting a podcast where he exploited election falsehoods to market gold coins, supplements, cigars and protection from ‘cyberthieves.’”

The lawsuit notes just how quickly and widely the lies and false narratives had spread leading up to the riot at the Capitol. “Over a three-hour period on December 21, 2020, the terms ‘dominion’ and ‘fraud’ were tweeted out together by more than 2,200 users with over 8.75 million total followers,” the suit says.

The reach of the disinformation about the company brought countless threats of violence against employees, the suit claims. One employee received text messages stating: “We are already watching you. Come clean and you will live.” A voice mail message to customer support said, “We’re bringing back the firing squad.”

Because of these threats, Dominion has spent \$565,000 on personal security, according to the lawsuit. The company claimed to have incurred \$1.17 million in total expenses relating to the disinformation campaign after the election.

“Giuliani’s statements,” the suit states, “were calculated to — and did in fact — provoke outrage and cause Dominion enormous harm.”

Alan Feuer and Azi Paybarah contributed reporting.

www.politico.com/newsletters/huddle/2021/01/25/triggering-the-impeachment-trial-491514

Triggering the impeachment trial

By OLIVIA BEAVERS

13-17 minutes

House Democrats will officially kick off the Senate impeachment trial today by transmitting the article to the upper chamber, but the proceedings won't begin just yet.

Ahead of the trial, Democrats have some big questions weighing on them: Can they hold a contentious trial and successfully pull off Biden's ambitious legislative agenda, which includes Covid relief and plans to revive the pandemic-stricken economy?

More on that lower down, but first...

SCOOP: House Republicans are looking for ways to connect with corporations and associate PACs amid the current halt on giving PAC money, your Huddle host has learned.

Following the deadly insurrection, [a long list](#) of corporations put their PAC dollars on pause, with some explicitly ceasing their donations to GOP members who challenged the 2020 election results.

One fundraising consulting company – which represents six anti-certification members including Arizona GOP Reps. Andy Biggs, Debbie Lesko, David Schweikert – is offering access to these GOP lawmakers, their clients, at no cost. While this isn't the first time free events like this have been offered, it offers a **preview** of how these members are going to try to adapt to this new, tough political environment.

"My clients want to be accessible to you and garner your input with the goal of making 2021 a better year," the head of Twelve Oaks Consulting company wrote, per an email obtained by your Huddle host. "As a result, I will be hosting virtual discussions with each of my Members. No contribution is required or expected to participate in these events."

Another email acknowledged the PAC ban, while trying to push donors to contribute to PACs of members of Congress who did not participate in the election objection vote.

A WALK OUT: A senior staffer for Rep. Tom Cole has left his office after the Oklahoma Republican challenged the election results in Arizona, your Huddle host has learned.

Cole's office says they don't comment on personnel matters. And while Maria Bowie, who worked for his office since 2011, did not return requests for comment as to why she left her role as Cole's deputy chief-of-staff, a GOP source familiar with the office dynamics said it came about as some staffers were upset that Cole sided with objectors. An email bounceback from her government email says she has retired from the House.

Cole is a longtime establishment Republican, who formerly served as the NRCC chief and is currently the top Republican on the House Rules Committee. His vote challenging Arizona's Electoral College votes was surprising to many on the Hill. And he has suffered some blowback for this decision, including choosing to relinquish an honorary degree after students at Grinnell College began to petition to rescind it.

There's also been other other staff dissensions, including a [staffer](#) for Rep. Lauren Boebert (R-Colo.) resigning shortly after Jan. 6. Your Huddle Host also hears there are likely more to come.

TRIGGERED: House Democrats will transmit the article of impeachment charging Trump with willfully inciting a riot to the Senate tonight, triggering the start of the trial. BUT because Dems and Republicans struck an agreement, the actual trial arguments won't start until the week of Feb. 8.

Democrats said yes to Senate Minority Leader Mitch McConnell's request for more time before the trial starts. And while they are doing it a week earlier than the Kentucky Republican initially proposed, McConnell's office has praised the agreement as a win for fairness.

Both sides get some of what they want. McConnell says Donald Trump's defense team is getting the time to properly prepare for the trial. And Democrats will be able to push forward with confirming some of President Joe Biden's nominations as his administration seeks to get their footing amid the Covid pandemic, with Biden saying Friday this delay will help them "get up and running."

The Schedule:

-Today: House Democrats will formally walk over the impeachment article to the Senate at roughly 6:55 p.m. Then, Rep. Jamie Raskin, the lead impeachment manager, will read the article of impeachment on the Senate Floor.

-Tomorrow: The senators will be sworn in, the summons will be issued to Trump.

-Feb. 2: Trump's answer to the impeachment article and the House brief is due.

-Feb. 8: Trump's pre-trial brief is due, and the House also needs to submit its response to Trump.

-Feb. 9: The House must submit their rebuttal pre-trial brief...THEN the trial can begin.

Marianne and Sarah with the story: <http://politi.co/2MjPQMw>

THE SPEED BUMP: Democrats and Republicans have yet to reach a power sharing agreement on how the split 50-50 Senate will operate these next two years, which is creating its own [set of complications](#) as the Senate remains in limbo.

And Biden is already facing early headwinds on his Covid stimulus plan, from both Democrats and Republicans (more on that just a wee bit down).

Related Reads: Chuck Schumer's 99 problems by Burgess and Marianne: <http://politi.co/3c2k15M> | Fight over the rules grinds the Senate to a halt, imperiling Biden's legislative agenda by WaPo's Mike DeBonis and Seung Min Kim: <http://wapo.st/2M1fcz0> | AP source: Lawmakers threatened ahead of impeachment trial by Michael Balsamo: <http://bit.ly/2Ye4mrK>

HAPPY MONDAY! Welcome to Huddle, the play-by-play guide to all things Capitol Hill on this Jan. 25, where Mondays just feel like perfect days to focus on [pups in politics](#).

FRIDAY'S MOST CLICKED: The Post & Courier's [story](#) about Butch Bowers joining Trump's impeachment defense team was the big winner.

COVID PAINS: A bipartisan group of senators told White House officials on Sunday that the \$1,400 direct payments to Americans in Biden's coronavirus relief plan gives too much money to high-income earners, marking an early setback in the Biden administration's push to nail down another pandemic proposal with Congress.

The senators, who requested the White House provide more data on how it filled out its plan, were on board with some things like more money for vaccine distributions, but they balked at the stimulus payments, instead encouraging the White House to focus that money towards people who are more in need.

"I was the first to raise that issue, but there seemed to be a lot of agreement ... that those payments need to be more targeted," Sen. Susan Collins (R-Maine) said in an interview, noting that she questioned why families making \$300,000 would be eligible. Laura Barrón-López and Burgess with the scoop scoop: <http://politi.co/3pf3nUn>

Related Read: Moderates vow to 'be a force' under Biden by The Hill's Jordain Carney: <http://bit.ly/3ptuBqt>

FILIBUSTED: Anti-abortion group Susan B. Anthony List is spending \$200,000 in West Virginia to pressure Joe Manchin to keep the filibuster, according to details shared with Huddle. It will include radio, digital and a phone call campaign.

The radio ad script thanks Manchin for "protecting the filibuster and the Supreme Court from abortion extremists." SBA List President Marjorie Dannenfelser said this of Manchin: He "has been the voice of reason in his party, urging preservation of the filibuster. We thank him for his leadership."

Related Reads: Bernie Sanders: Dems will use reconciliation to pass Covid relief 'as soon as we possibly can': <http://politi.co/3prQSoe> | Dick Durbin calls absolute protection of Senate filibuster 'a non-

starter': <http://politi.co/3plRtt0>

TAKE THAT: GOP Sen. Josh Hawley is hitting back at the seven Democrats who filed an ethics complaint against him last week over his and Sen. Ted Cruz's objections of the 2020 election certification by filing a counter ethics complaint on Monday against those Dem colleagues.

He went after the Democrats for -- what he calls -- attempts to silence, censure and remove him over disagreeing with his view, calling their actions "utterly antithetical to our democracy. Quint Forgy with the story: <http://politi.co/2L.Srv/n.>

ANOTHER CEILING UNSHATTERED: Rep. Brenda Lawrence, who lost her leadership race by a single vote, is sounding the alarm that there still remains a ceiling in Congress for Black women, citing how it has been 44 years since a Black woman was last elected to sit at Dem's leadership table in the House.

"When the vote is taken by our body, Black women don't win," Lawrence (D-Mich.) said in an interview.

And other black women in the House say this matter needs to be addressed. Sarah and Heather with the story: <http://politi.co/3sVRMM8>

TEX IN THE 2022 MIX: Republicans are eagerly eying going after three traditionally deep-blue districts in the Rio Grande Valley in an effort to win back control of the House in 2022, after seeing a noticeable surge among Latinos and rural voters along Texas' southern border.

Democrats spent millions trying to win more seats in Texas' suburbs, but they failed to win new seats. Rather, Republicans are tickled to see that these seats are in play over the big drop in support for Biden compared to Hillary Clinton a few years earlier.

In the danger zone: Reps. Vicente Gonzalez, Filemón Vela and Henry Cuellar. Our Ally Mutnick has the details: <http://politi.co/2NB69BH>

CONCERNED CITIZEN?: GOP leader Kevin McCarthy in an interview with Gray TV's Greta Van Susteren over the weekend says he supports Rep. Liz Cheney but has "concerns" over her impeachment vote, claiming he didn't receive any heads up about her decision. Evan Semones has more: <http://politi.co/3c3pzwS>

Related Read: Kevin McCarthy's rude awakening by Axios' Alayna Treene: <http://bit.ly/3iKHxWe>

ON GUARD: The National Guard is planning to leave behind as many as 5,000 troops in Washington through mid-March as a result of security concerns tied to Trump's upcoming Senate impeachment trial, after federal law enforcement officials told lawmakers they needed the extra force. Andrew, Lara Seligman and Natasha Bertrand have more. <http://politi.co/3iK0YhH>

A MEMBER YOU SHOULD KNOW: Just over a week and a half of serving in Congress, Rep. Peter Meijer (R-Mich.) was asked to decide whether to impeach the president of his own party. Meijer, who replaced former Rep. Justin Amash (I-Mich.), ultimately joined 10 other House Republicans in voting to impeach Trump. He was the only freshman to do so.

Here are some highlights from your Huddle host's interview with him:

-One big takeaway: Meijer puts a lot of emphasis on how serving his country drives him, citing his time in the military and relief missions abroad. **His biggest fear?** "Getting too absorbed and away from being able to operate with that sort of conscience grounding, and ultimately becoming a hypocrite."

-Are you considering leaving the GOP: "I have no interest whatsoever in changing parties. This is the party of Lincoln, of Teddy Roosevelt." While he noted some are now calling on him to leave the party, he is focused on rebuilding the GOP into "a party that lives up to -- and is in a position -- to defend and promote the conservative values that have built this country."

-What is the biggest misconception about you since you became involved in politics? "The sort of pigeonholing or stereotype of just being some rich kid." He acknowledged that he has had a fortunate upbringing (one side of his family started the midwest Meijer grocery store chain), but he says this has "made it impossible for me to just enjoy, without feeling that there was something earned rather than inherited."

-What is your pet issue? Repealing the post 9/11 and subsequent authorizations for the use of military force. "The fact that our military has basically been on over pilot with minimal congressional approval or

1/25/2021

Triggering the impeachment trial :: Reader View

oversight for close to two decades, is worrying and troubling."

-Which lawmaker do you look up to who is currently in the House or the Senate? "I've been strongly impressed by the leadership that Liz Cheney has shown," Meijer said, while also noting the "thoughtful" election certification arguments made by Reps. Chip Roy and Thomas Massie.

ICYMI over the weekend:

-Pennsylvania lawmaker played key role in Trump's plot to oust Acting AG by NYT's Katie Benner and Katie Edmonson: <http://nyti.ms/2YbDkKY>

-Julia Letlow, widow of Luke Letlow, to run for husband's 5th Congressional District seat by The Advocate: <http://bit.ly/3c7FhHp>

-GOP congressman who voted to overturn election results admits 2020 race not fraudulent by CNN's Kelly Mena and Caroline Kenny: <http://cnn.it/3a1TaUQ>

-Menendez to renew push for protecting Venezuelans from deportation by our Sabrina Rodriguez: <http://politi.co/39auHgQ>

Charli Huddleston is joining Rep. Jodey Arrington's office as his comms director. Huddleston most recently was the associate director of media affairs for the Trump campaign, and she is also a Jordan and Comer alum.

Sen. Susan Collins (R-Maine) announced her senior leadership team for this Congress. **Steve Abbott**, who has served as Collin's campaign manager, will be returning to serve as her Chief of Staff; **Betsy McDonnell** will also serve as her Deputy COS; and **Katie Brown** has been appointed as Collin's LD. **Annie Clark** will continue to serve as comms director, and **Darci Greenacre** will continue to serve as Director of Scheduling.

The House meets at 1:30 p.m. in a pro forma session.

The Senate is back in session at 3:00 p.m.

3 p.m.: The Senate is scheduled to convene at 3 p.m., where it will proceed to executive session to begin consideration of the nomination of Janet Yellen as Biden's Treasury secretary.

The procession: At roughly 6:55 p.m., there will be the procession of the impeachment Article and House impeachment managers walking by Will Rogers, then Statuary Hall, and then the Rotunda.

6 p.m.: Senate Foreign Relations Committee is slated to have a full committee markup of pending business.

FRIDAY'S WINNER: Jack Howard was the first person to guess that Margaret Chase Smith of Maine was defeated by William Hathaway.

TODAY'S QUESTION: From Jack: There are a lot of quirky coincidences between Presidents Kennedy and Lincoln (both were elected to the House in years ending in 46 and to the Presidency in years ending in 60). What speaking invitation did JFK turn down to instead travel to Dallas in November 1963 and at whose request?

The first person to correctly guess gets a mention in the next edition of Huddle. Send your answer to obeavers@politico.com.

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www.politico.com/newsletters/playbook/2021/01/25/republicans-feel-the-squeeze-on-impeachment-491510

POLITICO Playbook: Republicans feel the squeeze on impeachment

By TARA PALMERI, RACHAEL BADE, RYAN LIZZA and EUGENE DANIELS

17-21 minutes

REPUBLICANS ARE UNDER INTENSE PRESSURE to acquit **DONALD TRUMP** — whether they think he committed an impeachable offense or not. At this point, it's all about self-preservation.

When **MITCH MCCONNELL** signaled the trial vote would be one of conscience for members — and that he wouldn't be whipping the issue — he was, some would argue, giving Republicans room to break with the ex-president. But Senate sources tell us activists and typical Republican primary voters are pushing them in the opposite direction. Some donors fear if more than a handful of Republicans vote to convict, there is a real threat of a third-party MAGA uprising.

Which is to say: This is not an easy vote even for Republicans who want Trump gone for good.

CASE IN POINT: During a GOP Conference call last week, Sen. **KEVIN CRAMER** (R-N.D.) was among several senators who said he was flooded with calls from constituents demanding he acquit Trump. He also said he was hearing from donors — including at least one from the McConnell-aligned Senate Leadership Fund super PAC — who wanted the GOP to do more to defend Trump, according to a person on the call.

Other GOP senators on the line — including **RON JOHNSON** (Wis.), **JOHN KENNEDY** (La.), **RICK SCOTT** (Fla.) and **JAMES RISCH** (Idaho) — complained that they were even holding an impeachment trial. They peppered McConnell with questions about their options for getting out of it, including possibly appealing to the Supreme Court to throw out the case.

McConnell's staff explained to the senators that the chamber would not likely have standing to stop this in court. And McConnell made clear he did not view it as his job to help Trump with his strategy. Talk to Trump ally **LINDSEY GRAHAM** if you have advice, the Republican leader told senators floating ideas to assist Trump.

One potential early test: A single Republican could attempt to force a vote to dismiss the case, putting the conference on record whether they support even having a trial. **The AP** has more on the GOP's move toward acquittal.

Privately, even pro-Trump Republicans say they can't defend Trump's conduct on Jan. 6. Doing so would only further alienate voters who accuse them of pandering to the former president. That's why they've been focusing their pushback on process, arguing that the move to oust Trump is unconstitutional because he is no longer president. Sen. **RAND PAUL** (R-Ky.) declared as much in *The Hill* on Sunday. But notice that Republicans aren't calling this a "witch hunt" like they did the first impeachment.

Meanwhile, Trump allies aren't being shy about warning fellow Republicans that they'll pay if they vote to convict — possibly with their careers. Rep. **MATT GAETZ** (R-Fla.) is heading to Wyoming on Tuesday to denounce House Republican Conference Chair **LIZ CHENEY** in her own state for her vote to impeach. **STEVE BANNON** promoted the candidacy of **TOM NORTON** — a primary challenger to newly elected Rep. **PETER MEIJER** (R-Mich.) — on his podcast.

Is time on Trump's side? Most Republicans in Washington say each day that puts separation between them and the horrors of Jan. 6 makes GOP senators more comfortable with acquitting Trump. But one Trump confidant told us he's not sure that the two weeks until the trial starts benefit Trump: Yes, he has more time to prepare, but it also gives prosecutors time to further investigate Trump's conduct leading up to the riot. The drip drip drip of news can't help either.

FINALLY: WaPo reports that the intra-GOP debate over Trump's fate was a hot topic of discussion among RNC members over the weekend. A majority has his back.

ALL OVER BUT THE YELLEN: The House is out this week, but the Senate will be a flurry of activity as it moves to confirm Biden nominees. Senators will vote on **JANET YELLEN'S** nomination to become Treasury secretary at 5:30 p.m. Then, at 7 p.m., House impeachment managers will make the ceremonial walk to the other chamber to deliver the article of impeachment. **ANTONY BLINKEN**, the nominee for secretary of State, could get a vote as early as Tuesday. Democrats are hoping they'll get a few others approved this week, too, including **ALEJANDRO MAYORKAS** at Homeland, **PETE BUTTIGIEG** at Transportation, **MERRICK GARLAND** at Justice and **XAVIER BECERRA** at HHS.

'THIS ISN'T MONOPOLY MONEY' — It's not the type of bipartisanship **JOE BIDEN** was hoping for: A group of 16 moderate-minded Senate Republicans and Democrats on Sunday told Biden officials that the president's \$1.9 trillion pandemic relief package is too costly. In a 75-minute phone call — in the middle of the Buccaneers-Packers game, no less — the group argued that Biden's plan provides too much money to high-income Americans, our *Laura Barrón-López* and *Burgess Everett* scooped.

Other nuggets from the story:

— Sen. **SUSAN COLLINS** (R-Maine) "pressed the Biden officials on why families making \$300,000 would be eligible and urged a focus on lower-income workers." Democrats agreed the proposal should be more targeted. "This isn't monopoly money," Sen. **ANGUS KING** (I-Maine), who caucuses with Democrats, told our colleagues of the overall price tag.

— There was a "consensus" on a need to pass something quickly to facilitate vaccine distribution — and that those ideas need to take precedence over things like the \$15 minimum wage proposed in the plan, which Republicans oppose.

The bipartisan resistance is significant. Democrats have been working on a Plan B to use "reconciliation" to try to jam Biden's plan through on a party-line vote should the GOP refuse to compromise. But the call readout suggests that **CHUCK SCHUMER** might have some wrangling to do with his own rank-and-file should he go in that direction — at least for Biden's opening salvo. In a 50-50 Senate, he can't lose a single one of them if Republicans unite in opposition.

FIRST IN PLAYBOOK — Former Transportation Secretary **ELAINE CHAO** is rejoining the Hudson Institute as a distinguished fellow. She'll head a public policy program focused on labor and transportation policy — the two Cabinet departments she's led — and economic leadership.

BIDEN'S MONDAY — The president and VP **KAMALA HARRIS** will receive the President's Daily Brief at 9:30 a.m., and meet with the Defense secretary and Joint Chiefs of Staff chair at 11:30 a.m. in the Oval Office. Harris will swear in **LLOYD AUSTIN** as Defense secretary at 12:30 p.m. in the Roosevelt Room. At 3:45 p.m., Biden will speak about American manufacturing and sign an executive order at the South Court Auditorium, with Harris in attendance.

— Press secretary **JEN PSAKI** will brief at 1 p.m.

CORONAVIRUS

THE TRACKER: The U.S. reported **1,940** Covid-19 deaths and **143,000** new coronavirus cases Sunday. That's the lowest new case number since Dec. 1, excepting Christmas (when reporting was wonky), per the Covid Tracking Project.

ANOTHER TRAVEL BAN: "Biden to impose South Africa travel ban to combat new COVID-19 variant - CDC," Reuters: "Biden on Monday is also reimposing an entry ban on nearly all non-U.S. travelers who have been in Brazil, the United Kingdom, Ireland and 26 countries in Europe that allow travel across open borders. ... Then-President Donald Trump directed on Jan. 18 those restrictions on Brazil and Europe be lifted effective Tuesday but Biden's proclamation will rescind that decision. ..."

"Centers for Disease Control and Prevention director (CDC) head Rochelle Walensky will sign a separate order Monday requiring masks on all airplanes, ferries, trains, subways, buses, taxis, and ride-share vehicles for all travelers two and older, officials said. The new requirements are set to take effect in the coming days ... On Tuesday, new CDC rules take effect requiring all international air travelers 2 and older to present a negative coronavirus test taken within three calendar days of travel or proof of recovery from COVID-19 to enter the United States."

FAUCI SPEAKS: "Fauci on What Working for Trump Was Really Like." NYT: "He would take just as seriously their opinion — based on no data, just anecdote — that something might really be important. It wasn't just hydroxychloroquine, it was a variety of alternative-medicine-type approaches. It was always, "A guy called me up, a friend of mine from blah, blah, blah." That's when my anxiety started to escalate."

...

“**After a TV interview or a story in a major newspaper**, someone senior, like **MARK MEADOWS**, would call me up expressing concern that I was going out of my way to contradict the president. ... **PETER NAVARRO**, for some strange reason, had a thing about me.”

RELATED READ: “Why Vaccines Alone Will Not End the Pandemic,” NYT

THE WHITE HOUSE

DE-TRUMPIFICATION: “Biden expected to repeal Trump’s transgender military ban as soon as Monday.” CBS: “[A] senior Defense official told CBS News the repeal will be through executive order signed by President Joe Biden. The announcement is expected to take place at a ceremony with newly confirmed Defense Secretary Lloyd Austin ... The new order will direct the branches of the military to outline an implementation plan.”

SOME TRUMP APPOINTEES STAY: “Biden is firing some top Trump holdovers, but in some cases, his hands may be tied,” WaPo: “The Biden team, showing a willingness to cut tenures short, moved quickly last week to dump several high-profile, Senate-confirmed Trump appointees whose terms extended beyond Inauguration Day — in some cases by several years. ...

“**But other, lower-profile Trump loyalists**, some of whom helped carry out his administration’s most controversial policies, are scattered throughout Biden’s government in permanent, senior positions. And identifying them, let alone dislodging them, could be difficult for the new leadership.”

CONGRESS

MORE CALLS TO REMOVE CHENEY: The Washington Examiner writes about the pressure campaign some House Republicans are mounting to oust **LIZ CHENEY** from their leadership. The story notes Gaetz’s trip to Wyoming, then quotes a Cheney spox with this spicy rejoinder: “**Rep. Gaetz can leave his beauty bag at home. In Wyoming, the men don’t wear make-up.**”

Gaetz, whose Twitter feed has been filled with anti-Cheney content all weekend, responded by noting that Cheney has previously supported a primary challenge to a fellow House GOP incumbent.

LAWMAKERS TARGETED — “AP source: Lawmakers threatened ahead of impeachment trial”: “Federal law enforcement officials are examining a number of threats aimed at members of Congress as the second trial of former President Donald Trump nears, including ominous chatter about killing legislators or attacking them outside of the U.S. Capitol, a U.S. official told The Associated Press.

“**The threats, and concerns that armed protesters could return to sack the Capitol anew**, have prompted the U.S. Capitol Police and other federal law enforcement to insist thousands of National Guard troops remain in Washington as the Senate moves forward with plans for Trump’s trial, the official said.”

JAN. 6

HAWLEY: THE TEENAGE YEARS — “‘Bamboozled.’ Hawley mentors stunned by conduct, but early warning signs were there.” Kansas City Star: “Josh Hawley was a precocious 15-year-old in 1995, writing a regular column for his hometown paper, The Lexington News ... Hawley warned against depicting all militia members as domestic terrorists after the Oklahoma City bombing ...

“**Since the Capitol rampage**, Hawley’s mentors have disavowed him. Donors have demanded refunds. Colleagues have called for his resignation or expulsion. And those who helped guide his career are asking themselves if they missed something essential about their former mentee. ... But the Lexington columns suggest that Hawley’s ideology took root long before he entered public life, and that his passage from Roosevelt scholar to Trump’s ideological heir was not entirely unforeseen.”

THE LAW ENFORCEMENT-FAR RIGHT NEXUS — “After Capitol riot, police chiefs work to root out officers with ties to extremist groups,” WaPo: “[T]he selfie photos that off-duty officers took inside the Capitol during the violent siege, which left one police officer dead and dozens of others injured, [were] a wake-up call for many who have long denied the extent of the problem within policing. ...

“**Law enforcement leaders across the nation** are talking to cadets and veteran officers about the need to report colleagues who have aligned themselves with white supremacists or far-right militants. The leaders are considering policies that would expressly prohibit officers from affiliating with such groups. They are also discussing ways to conduct deeper background checks on recruits.”

KNOWING THE INSURRECTIONISTS — "Judge says 'Zip Tie Guy' to stay in custody, transported to D.C.," WSMV

ABROAD

TOP-ED — "The Biden administration's Saudi problem," by WaPo's David Ignatius: "As the Biden administration seeks a better pathway in the U.S.-Saudi relationship, one obstacle is the case of two young Saudis imprisoned by Crown Prince Mohammed bin Salman to pressure their father, a former top Saudi intelligence official."

SPACE RACE — "How Space Became the Next 'Great Power' Contest Between the U.S. and China," NYT: "Beijing's rush for antisatellite arms began 15 years ago. Now, it can threaten the orbital fleets that give the United States military its technological edge. Advanced weapons at China's military bases can fire warheads that smash satellites and can shoot laser beams that have a potential to blind arrays of delicate sensors."

"And China's cyberattacks can, at least in theory, cut off the Pentagon from contact with fleets of satellites that track enemy movements, relay communications among troops and provide information for the precise targeting of smart weapons."

— "China Overtakes U.S. as World's Leading Destination for Foreign Direct Investment," WSJ: "China overtook the U.S. as the world's top destination for new foreign direct investment last year, as the Covid-19 pandemic amplifies an eastward shift in the center of gravity of the global economy."

"New investments by overseas businesses into the U.S., which for decades held the No. 1 spot, fell 49% in 2020, according to U.N. figures released Sunday, as the country struggled to curb the spread of the new coronavirus and economic output slumped."

DON'T CALL IT A COMEBACK: A source close to Trump told us that the deplatformed ex-president spent the weekend in Palm Beach huddling with advisers and discussing which tech platform he'll use to spread his message. Many in the MAGA diaspora booted off of Twitter, Facebook and YouTube have fled to Telegram and Parler. Trump, according to the source, is looking at "products on the market and products not yet introduced." FWW, we're told Telegram is not being considered. No word on whether Cameo is in the mix.

BUT MAYBE HE'LL GET BACK ON FACEBOOK: Ben Smith looks at the creepy global council that will decide Trump's fate. NYT

FIRST FAMILIES ARE JUST LIKE US (HUNGRY): After his first church service as commander-in-chief, Biden's family stopped by Call Your Mother, the D.C. bagelry with consistently long lines at all three locations (and co-owned by Biden Covid czar **Jeff Zients**). According to the pool report, the Biden motorcade idled outside the Georgetown location while **Hunter Biden** hopped out to grab some food. In response, Call Your Mother tweeted: "Thrilled to have an admin again who will love all that DC has to offer — starting with sesame bagels."

FIRST IN PLAYBOOK — **Lee Satterfield** will be the new president and COO of the Meridian International Center, heading daily operations, partnerships and strategic initiatives/planning. She has been with Meridian since 2015, most recently as EVP and COO. She also is an Obama State Department alum and former deputy chief of protocol of the U.S.

— Retired Army Lt. Gen. **Doug Lute** will join BGR Group as chair of its international and defense practices. He previously was U.S. ambassador to NATO in the Obama administration.

STAFFING UP — **Martha Gimbel** is now senior adviser at the Council of Economic Advisers. She most recently was senior manager of economic research at Schmidt Futures. ... **Aviva Aron-Dine** is now executive associate director at OMB. She previously was VP for health policy at the Center on Budget and Policy Priorities. ... **Danny Yagan** is now chief economist at OMB. He's on leave from UC Berkeley. ...

... **Tyler Cherry** is now press secretary and spokesperson for the Interior Department. He previously was director of rapid response for the Biden-Harris Arizona coordinated campaign. ... **Meaghan Lynch** is now press secretary at HUD. She previously was deputy comms director for Kamala Harris in the Senate.

WHITE HOUSE DEPARTURE LOUNGE — **Jalen Drummond** is now media relations manager at Leidos. He most recently was an assistant press secretary in the Trump White House.

1/25/2021

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TRANSITIONS — **Lucinda Guinn** is joining Ralston Lapp as a partner to form Ralston Lapp Guinn. She most recently was executive director of the DCCC. ... **Charli Huddleston** is now comms director for Rep. Jodey Arrington (R-Texas). She most recently was associate director of media affairs for the Trump campaign, and is a House Oversight alum. ... **Steve Abbott** is returning to Sen. Susan Collins' (R-Maine) office as chief of staff, after most recently managing her reelect ... Oh, yeah, and **Sarah Huckabee Sanders** is running for governor of Arkansas.

HAPPY BIRTHDAY: Reps. **Bill Pascrell** (D-N.J.) and **Andy Harris** (R-Md.) ... NYT's **Jeremy Peters** ... WaPo's **Michael Scherer** ... NBC's **Emily Passer** ... **Nancy Gibbs** ... **Joe Conason** ... **Ken Davis** ... **Ashley Jones** of White House legislative affairs ... **Luke Graeter**, legislative assistant for Rep. Brad Wenstrup (R-Ohio) ... **Tina Tchen**, president and CEO of Time's Up ... POLITICO's **Alessandro Sciapari** and **Chris Parisi** ... Ukrainian President **Volodymyr Zelensky** ... **Alicia Keys**

Got a document to share? A birthday coming up? Do you know what Biden's second legislative priority will be? Drop us a line at politicoplaybook@politico.com or individually: Eugene Daniels, Ryan Lizza, Tara Palmeri, Rachael Bade.

*Playbook couldn't happen without our editor **Mike Zapler** and producers **Allie Bice**, **Eli Okun** and **Garrett Ross**.*

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