1

2

3

4 SELECT COMMITTEE TO INVESTIGATE THE

5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,

6 U.S. HOUSE OF REPRESENTATIVES,

7 WASHINGTON, D.C.

8

9

10

11 INTERVIEW OF: JOHN MICHAEL "MICK" MULVANEY

12

13

14

15 Thursday, July 28, 2022

16

17 Washington, D.C.

18

19

20 The interview in the above matter was held in Room 5480, O'Neill House Office

21 Building, commencing at 2:02 p.m.

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

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

1

2 Appearances:

3

4

5 For the SELECT COMMITTEE TO INVESTIGATE

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

7

8 [redacted], STAFF ASSOCIATE

9 [redacted], INVESTIGATIVE COUNSEL

10 [redacted], SENIOR COUNSEL

11 [redacted] SENIOR INVESTIGATIVE COUNSEL

12 [redacted], CHIEF INVESTIGATIVE COUNSEL

13 [redacted], SENIOR COUNSELOR TO THE VICE CHAIR

14 [redacted], CHIEF CLERK

15 [redacted], INVESTIGATIVE COUNSEL

16 [redacted], PROFESSIONAL STAFF MEMBER

17

18 For the COMMITTEE ON HOUSE ADMINISTRATION:

19

20 [redacted] COUNSEL

21

22 For JOHN MICHAEL "MICK" MULVANEY:

23

24 ROBERT "BOB" DRISCOLL

25 MCGLINCHEY STAFFORD PLLC

1

2 [redacted] All right. Mr. Mulvaney, good afternoon.

3 Mr. Mulvaney. Hey, [redacted]

4 [redacted] This is a transcribed interview of Mick Mulvaney conducted by the

5 House Select Committee to Investigate the January 6th Attack on the United States

6 Capitol pursuant to House Resolution 503.

7 Mr. Mulvaney, can you please state your full name and spell your last name for

8 the record?

9 Mr. Mulvaney. My name is John Michael Mulvaney. The last name is M-u-l-v,

10 like in Victor, -a-n, like in Nancy, -e-y.

11 [redacted] Great. Welcome.

12 And, counsel, could you please identify yourself for the record?

13 Mr. Driscoll. Sure. I'm Bob Driscoll from the McGlinchey firm, representing Mr.

14 Mulvaney.

15 [redacted] My name is [redacted] I'm the chief investigative counsel for

16 the select committee. With me today are [redacted] who is counsel to the vice chair,

17 Ms. Cheney; [redacted] senior investigative counsel; [redacted], who is here

18 as an investigative counsel; [redacted], professional staff.

19 I think we also have the vice chair, Ms. Cheney, and Mrs. Murphy, two members

20 of the committee who are both participating virtually.

21 Ms. Cheney and Mrs. Murphy, good afternoon.

22 Ms. Cheney. Good afternoon, Mick. Thanks for coming.

23 Mr. Mulvaney. Hey, Liz.

24 [redacted] So, Mr. Mulvaney, this will be a staff-led interview, but as our

25 members are present, they may decide to ask questions and will participate virtually.

1 There's an official reporter who is transcribing the record of the interview.
2 Please wait until each question is asked before you begin your response, and I will try to
3 wait until your response before asking you the next question.
4 The court reporter cannot record nonverbal responses such as shaking your head,
5 so it's important that you answer each question with an audible, verbal response.
6 We ask that you provide complete answers based on your best recollection. If
7 the question isn't clear, please just ask for clarification, and if you don't know the answer,
8 then just say so.
9 And although this interview is not under oath, I want to remind you that it is
10 unlawful to deliberately provide false information to Congress. This is not something
11 specific to you, it's something we tell all witnesses.
12 Do you understand all of those guidelines?
13 Mr. Mulvaney. Yes, I do.
14 [redacted] Okay, great. And if at any time you need a break, just let us know,
15 and we're happy to accommodate that.
16 EXAMINATION
17 [redacted]
18 Q So let's start, Mr. Mulvaney, by just clarifying that you're here voluntarily,
19 not pursuant to a subpoena or any legal process. Is that right?
20 A That's correct. I'm here in response to what I thought was an invitation.
21 You asked me to be here, and I'm happy to do it.
22 But, yes, I did not ask to be under subpoena. I'm happy to be here.
23 Q Yeah. And we did invite you and we appreciate your willingness to come
24 speak to us.
25 When we invited you, we also notified the current White House Counsel's Office

1 of our interest. They have provided what is in your binder as exhibit No. 1.

2 It's a letter from Richard Sauber, who is a special counsel to the President, that

3 reflects that in the view of the White House, in light of the unique and extraordinary

4 nature of the matters under investigation, an assertion of executive privilege is not in the

5 national interest and is, therefore, not justified.

6 Do you have any questions about the position of the White House with respect to

7 executive privilege?

8 A I do not.

9 Q Okay. Can you just give us quickly, Mr. Mulvaney, just a brief overview of

10 your professional background? I understand you went to Georgetown and UNC. From

11 there forward, just sort of walk us through your --

12 A Practiced law at a firm in Charlotte, North Carolina, from 1992 to roughly

13 1997. Then started my own firm 1997 till probably in the early 2000s, before completely

14 stopping the practice of law.

15 I also was involved in my family's home building and real estate development

16 business. Ultimately, that part of my business got bigger and the law firm got smaller,

17 so there's an overlap of a couple of years.

18 I stopped practicing law in the early 2000s and was in the real estate and home

19 building business until 2008, 2009, during the great financial -- during the financial crisis,

20 global financial crisis. Was in the restaurant business for a while during that period of

21 time.

22 Had been elected to the State legislature in 2006, beginning a term in 2007, and

23 ultimately ran for Congress in 2010. Joined Congress in 2011.

24 Served there until my Senate confirmation for the Director of the Office of

25 Management and Budget in February of '17. Served as the Director of the Office of

1 Management and Budget technically until March, I believe, of 2020.

2 During the time that I was serving as Director of the Office of Management and

3 Budget, I also served for about a year as the Acting Director of the Consumer Financial

4 Protection Bureau. And then I was the acting chief of staff from roughly late December,

5 early January '19 -- excuse me -- '18 into '19, until I was replaced by Mark Meadows.

6 I think the announcement was made March 5th, 6th, 7th, or something like that,

7 of 2020, at which time I became a special government employee in a role as the

8 President's Special Envoy and Ambassador to Northern Ireland.

9 I served there. And under the SGE rules, also allowed to have a private life. So I

10 went into a small consulting business. And served as the Special Envoy until the -- I

11 talked to Mike Pompeo the evening of the 6th of January.

12 I think I officially tendered my resignation early the next morning or late that

13 night. But around the 6th or the 7th of January resigned as Special Envoy and have been

14 a private citizen since then.

15 Q Got it. And we'll get into that, the circumstances of your resignation, in a

16 little while.

17 So to be clear, your government service, your most recent government service

18 ceased late on January 6th or early January 7th of 2021?

19 A I believe -- that's correct, yes, sir.

20 Q Okay.

21 A 2021, that's right, yeah.

22 Q Yeah. Well, let's talk about that day, about January 6th. Where were you

23 during the day on January 6th?

24 And I'll note, excuse me, before you answer that, that Mrs. Luria, I believe,

25 another member of committee, has joined us remotely.

1 A You want me to just walk you through the day?

2 Q Yeah.

3 A Would that be the best way?

4 Q Please.

5 A I began the day -- I came up, I believe, the night before, for the purpose of

6 speaking to a group of mostly freshmen Republican Members of Congress on the morning

7 of the 6th. I had been invited, I believe, by the chief of staff to Nancy Mace.

8 That chief of staff, Dan Hanlon, used to work for me both in Congress and in the

9 administration. And I think it was Dan who invited me to come and just sort of give an

10 introduction to some new Members of Congress.

11 Q And that was a scheduled meeting for the morning of the 6th?

12 A It was, 9 o'clock, 10 o'clock in the morning on the 6th.

13 Q Okay. Up on the Hill?

14 A Yeah. It was in the Capitol Visitor Center.

15 Q Okay.

16 A So came in, spoke, hung around for a little bit. There were folks that I had

17 known, so it was not just freshmen Members. There were some folks who had been

18 there before who I knew, I had been colleagues with. And stuck around for, I don't

19 know, an hour or two.

20 I then left the building to have lunch with a friend of mine, and had the intention

21 of going back to sit on the floor to watch the certification of the vote. But it had been

22 such a pain in the ass to get in the building that morning, because I had forgotten my pin,

23 that I didn't want to go through that hassle again. So I went home to my condo in D.C.

24 to watch the certification online, on streaming.

25 Q I see. Okay. Did you -- so it sounds like you didn't attend the rally on the

1 Ellipse at which President Trump spoke?

2 A I did not.

3 Q Did you watch it on television?

4 A I did not.

5 Q Did you have any sense, in advance of the 6th, as to potential security

6 threats or the possibility of violence at the Capitol or elsewhere that day?

7 A I did not. I'm not even sure I was aware there was going to be a rally that

8 day. So I was not engaged in that, wasn't watching that.

9 Q Your understanding was that the joint session would proceed much as it had

10 historically?

11 A That was my impression, yes.

12 Q All right. Had you heard discussion of -- specific discussion of objections

13 being made by Members of Congress, or a potentially long, drawn-out joint session?

14 A I have no recollection of any sort of awareness that there was going to be a

15 challenge. I was going to go sit on the floor and watch it because I thought it would be

16 historic.

17 There had been some challenges, I think, in '17, some objections and so forth. So

18 if someone had told me there was going to be objections, that would not have stood in

19 my mind as something that would be outrageous or something that would be unusual,

20 because you always get a couple of folks that sort of do stuff that's unusual on that day

21 and the day stilled proceeds per usual.

22 Q Yeah. Did you have any expectation that the President, himself, might

23 come to the Capitol at any point during -- before or during the joint session?

24 A None whatsoever.

25 Q Okay. How did you first become aware that there was unrest or violence at

1 the Capitol?

2 A I was sitting in my condo watching it online, and James Lankford was

3 speaking on the floor of the Senate. That was -- I don't remember what point of time

4 that was or how long I had been watching. I was doing other work, texting, sending

5 emails, and so forth, and sort of had it on in the background.

6 Q So it was clearly after 1 o'clock when the joint session started?

7 A Yeah. James was speaking, I know James. And I wasn't watching, but I

8 heard -- it might've been Leahy, I can't remember who was the presiding officer at that

9 particular day -- say, the Senator for Oklahoma will suspend, and then they say the magic

10 words to stop the Senate.

11 And I knew enough to know that it was very rare to have a Senator interrupted.

12 So that's when I started paying attention, and that's when I started actually watching the

13 events of the day as opposed to just listening in the background.

14 Q I see. So no understanding at all that there was any violence until you

15 actually heard the presiding officer interrupt Senator Lankford?

16 A That's correct.

17 [redacted] All right. Mr. Kinzinger, I believe, has joined us now as well.

18 Ms. Cheney, I see your camera is on. Please go ahead.

19 Ms. Cheney. Thank you, [redacted]

20 Mick, I just wanted to ask, so you mentioned that you were speaking to a group of

21 freshmen Republicans. Where was that? Where were you speaking to them?

22 Mr. Mulvaney. Liz, it was mostly freshmen because I remember there was a

23 couple of folks there who might've been in their second term because I knew who they

24 were. It was in one of the basement offices at the CVC is my recollection.

25 Ms. Cheney. At the Capitol Visitor Center?

Mr. Mulvaney. Yeah, you know the houses that are between the House and the Senate, in that maze down there, you can never find the right room?

Ms. Cheney. Yeah.

Mr. Mulvaney. Yeah.

Ms. Cheney. Okay. And then so you were in there. And then you mentioned that you left to have lunch with a friend. Who did you go to have lunch with?

Mr. Mulvaney. I had lunch that day with Eric Blankenstein. Eric had worked with me at the CFPB and was also working with me on some side consulting jobs that we had.

Ms. Cheney. Okay. And so you didn't have any conversations with anybody that day about the objections or about what was going to happen that day?

Mr. Mulvaney. I don't remember any conversations along those lines, no, ma'am.

Ms. Cheney. All right. Thank you.

Mr. Mulvaney. Thank you.

[redacted] Thank you, Ms. Cheney.

[redacted]

Q So once you noticed on the screen violence, tell me, just sort of walk me forward. What, if any, action did you take, who did you reach out to as that violence continued to evolve?

A I will answer the question, but I don't have a specific timeline in my head as to what went first.

I know that over the course of the next several hours I had started to engage in a text thread with a group of my former colleagues, mostly from the Office of Management and Budget.

1 I had reached out at some point. I believe I tried to call Mark Meadows. I
2 believe I tried to call Dan Scavino. I know that I texted Mark Meadows.
3 And I know that I did something I was not very familiar with, which was I
4 tweeted -- I had never done a lot of that before -- and I tweeted, I think, three or four
5 times, and was engaged in sort of that back and forth on a text thread during all of this,
6 because I remember running some of my proposed tweet language past my colleagues,
7 and then they asked -- they gave me advice on how to tweet at somebody, which I had
8 never done before.
9 So it was -- again, I don't have a specific timeline as to what went first, but that's
10 what was happening during those several hours that the riots were going on.
11 Q I appreciate that.
12 You mentioned that you tried to call Mark Meadows and Dan Scavino. Were you
13 able to actually reach either of them?
14 A Yeah, again, my recollection was that I tried. I know that I did not speak to
15 them.
16 Q I see. Did you speak to anyone in the White House on the telephone that
17 afternoon?
18 A I don't remember talking to anybody in person at all.
19 Q Did you try to call anyone else besides Meadows and Scavino?
20 A No. The only two people that I would've tried to call at that point I think
21 would've been Mark and Dan. Those were my two sort of closest relationships at that
22 point.
23 Q I see. So didn't make any effort to reach the President himself --
24 A No.
25 Q -- that afternoon? All right. And you said you had --

1 A Well, reach the President. I was told, and understand as I sit here today
2 that when you tweet at somebody they sort of -- it makes it more likely that they will see
3 it.
4 So when you say to try and reach the President, yes, I did try and reach the
5 President, but it was through Twitter, not through a phone communication.
6 Q I see. And we're going to go through your specific tweets in just a little
7 while. I'm just trying to get a general sense.
8 You said that there were some text threads with some friends or some colleagues
9 from OMB. Do you recall who specifically you were in text communication with that
10 afternoon?
11 A That group typically would've included Emma Doyle, who worked for me at
12 the OMB and the White House.
13 I believe Rob Blair. Again, worked for me at OMB and the White House.
14 John Czwartacki, who had worked for me at OMB. I don't remember if John for
15 worked me in the White House or not. He did work for me at CFPB.
16 James Galkowski, who worked for me at OMB and again in the White House.
17 Meghan Burris, who also worked comms for me at OMB and then worked in the
18 White House, but not directly for me.
19 That was -- I may have forgotten a couple names, but that's our group. That was
20 our -- the folks that I would typically communicate with on something like this.
21 Q I see. And did any of those individuals, via text or any other means, give
22 you information that you didn't have, things that they had heard about action at the
23 Capitol or the White House? Or were they like you, just on the outside trying to figure
24 out what was going on?
25 A My recollection is that none of them were there, for sure, and that we were

1 all watching it on TV, commenting on how awful it was.

2 And then we were talking about, collectively, what I, we, but since I was the senior

3 person, what I might be able to do to help, to get involved, to do something. And

4 that's -- that was the back-and-forth during the several hours.

5 Q Understood. You, at some point, and I don't recall how recently this was,

6 but you told CBS that on January 6th, quote, "no one would return my calls, no one would

7 return my texts. I tweeted at the President of the United States to try and get

8 somebody to engage."

9 Tell us more what you meant by no one would return your calls and you were

10 trying to get somebody to engage?

11 A Again, my recollection was that I called Meadows and Scavino. I'm fairly

12 certain that neither one of them -- I don't remember talking to either one of them. In

13 fact, I would say that they didn't call me back, so that's where that statement comes

14 from, is that I made those calls and no one returned my calls, so --

15 Q Okay. If you turn to exhibit 4, this is actually a printout of all of your texts

16 with Mr. Meadows. And there's one specifically at 2:35 p.m. if you look down --

17 A Where is the time slot?

18 Q Yeah, the time slot is on the far left. So if you turn, this is actually all the

19 way back to --

20 A Is this the last one?

21 Q -- the very last entry. Looks like 2:35 p.m. You text Mark, "Mark, he

22 needs to stop this now. Can I do anything to help?"

23 Do you recall sending that text? And if so, what did you -- what was your intent

24 at the time?

25 A I do recall sending the text, and my intent was to do exactly what it says,

1 which is that if there's something I can do, let me know.

2 I'm not sure what I could've done, but I knew -- I know a little bit about how the

3 President thinks, and if it was a circumstance where a -- if enough voices sort of spoke to

4 him on topic X, it might influence his decisionmaking.

5 Q In your own head, Mr. Mulvaney, when you were thinking about what you

6 might do, were you thinking about what you might do to quell the violence, to influence

7 the President of the United States, to do something either publicly or privately?

8 Give us a sense as to what sort of options you considered were available to you.

9 A I don't know if there were options. I was like so many people, I was

10 outraged at what was happening. I wanted it to stop. And I thought the President

11 could help make it stop. So that when I said that's why I want to -- what can I do to help,

12 what can I help do to accomplish that?

13 Q Yeah.

14 A What does it take to get the President -- I think this was -- do you have my

15 tweets? Is this after my tweets or before or --

16 Q This is actually, I believe your first tweet is just around the same time. Your

17 first tweet is at 2:31, and this is just 4 minutes later.

18 A And what did I say? I don't -- which number is that, do you know?

19 Q Yeah. Number 5, exhibit 5, the very next page, is your first tweet, which is,

20 "Peaceful protests are one thing, illegally storming the Capitol is another thing entirely.

21 The President needs to discourage any violence immediately."

22 A So my text to Mark would've been consistent with that, which is, how can I

23 help get the President to discourage any violence?

24 Q Yeah. Was it your view that at this time, 2, whatever the text was, 2:35,

25 that the President wasn't doing enough, had not yet taken action that in your mind was

1 appropriate?

2 A My recollection may be faded with time. I don't think the President had

3 taken any steps, at least publicly, by this time.

4 Q Right. What he had done just about 10 minutes before this was issued his

5 first tweet of the day, which indicated that, "Mike Pence didn't have the courage to do

6 what should have been done to protect our country and our Constitution, giving States a

7 chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which

8 they were asked to previously certify. USA demands the truth."

9 Do you recall the President tweeting that Mike Pence didn't have the courage to

10 do what needed -- what should have been done before you reached out to

11 Mr. Meadows?

12 A Yeah, I know this might sound surprising to some people. I never follow

13 the President on Twitter, even when I worked in the White House. So it's possible that I

14 did not see that tweet.

15 It may have been that it was reported. I don't remember. But I don't

16 remember seeing that tweet directly because I do not follow the President and have

17 never followed the President on Twitter.

18 Q I see. So it sounds like your outreach to Mark Meadows and your tweet are

19 not a direct reaction to the President's tweet but an independent desire to motivate

20 some statement.

21 A I do not remember the tweet that you just mentioned that the President put

22 out influencing my outreach to Mark Meadows.

23 Q When you ultimately heard about it, whenever it was, what was your

24 reaction to that 2:24 tweet from the President about Mike Pence?

25 A Yeah, honestly, I don't remember the first time I heard about that tweet.

1 It's sort of been reinforced in my head because it's come up several times in this hearing,
2 but I don't remember the first time I heard about the tweet.
3 Obviously I know about it now, but I do not recall the first time that I was aware
4 that that tweet was sent, if it was that day, later that day, was it in the days afterwards,
5 or was it at any point between then and the beginning of the hearings.
6 Q Okay. I'm going to get to your tweets in just a moment, but before we
7 leave outreach efforts, do you recall -- besides Meadows and Scavino -- did you reach out
8 to any members of the President's Cabinet or other officials who, like you, were serving in
9 government at the time, during the violence that afternoon?
10 A I don't remember reaching out to any member of the Cabinet. I don't recall
11 any conversations to anybody else in there or attempts to communicate with anybody
12 inside the White House.
13 So, no, sir, I don't -- I don't have --
14 Q Okay.
15 A The ones I remember were the Scavino and Meadows.
16 Q How about Members of Congress? Called any -- tried to reach any of them
17 that afternoon?
18 A No. I don't believe that I did.
19 Q You must have a lot of friends and former colleagues there.
20 A Uh-huh.
21 Q Did any of them reach out to you, give you a sense of what was going on
22 from their perspective?
23 A While it was happening, no. I don't remember any conversations with any
24 of my colleagues reaching out to me.
25 Of course, I was gone out of the White House by then. So if you wanted to get a

1 message to the President, I wouldn't be first on your list of people to call.

2 Q Yeah.

3 A And I don't mean to sound insensitive to what was happening, but we didn't

4 finish the day. And the day finished -- at some point in time towards the end of the riot,

5 I believe it was after the President -- I believe I was still in Washington when the President

6 gave the video speech from the Rose Garden. But there was discussion on the media

7 about a curfew going into place.

8 Q Yeah.

9 A I had no interest in being in Washington, D.C., during a curfew, especially if

10 there were riots going on. So I immediately got up and went to the airport and went

11 home.

12 Q I see. Home in South Carolina?

13 A Yes, sir.

14 Q I see. Tell me how quickly were you able to get out of here?

15 A I was -- [redacted] I remember I was home in time for dinner, so it would've been

16 the type of -- there's several flights a day from National to Charlotte. So I got an -- I

17 called an Uber, went straight to the airport, and got on the next plane home.

18 Q I see. Let's go back. I want to get to that point, because there was a

19 statement in the Rose Garden, as you said.

20 But let's now turn to your specific statements. We just looked at exhibit 5.

21 That was your first tweet of the day.

22 Just tell me generally at this point, how frequently were you tweeting, or what did

23 you use the platform to do before there was a riot at the Capitol?

24 A Yeah. I don't remember tweeting much before this. I'm sure I knew how

25 to do it, but as with many folks my generation, I was not adept at it. I had a

1 communications staff at OMB.

2 On the Hill we used Twitter a little bit when I was in Congress. Someone else

3 handled that account for me. Same is true at OMB, and the same is true in the White

4 House.

5 So this may have been -- it was one of the earliest times that I tweeted on my

6 own.

7 Q I see. When you say you tweeted on your own, it sounds like that you did

8 have some discussion with your former colleagues at OMB. Tell us more about that.

9 Were they informing language? Or was it more sort of the threshold question as to

10 whether to issue a tweet?

11 A No. I cannot remember if I went on there first on my own and did it or if I

12 decided to tweet and then ran them by some language or if we were communicating via

13 the text thread and, like, "What can I do?" and someone said, "Tweet." I don't

14 remember.

15 But it was a communal sort of effort, as it would've been when I was at OMB and

16 would've been when I was in the White House. It was I relied on my staff to help me get

17 messaging out. The same is true here, even though they were no longer formally my

18 staff.

19 Q When you say in the tweet, "The President needs to discourage any violence

20 immediately," is this an example, Mr. Mulvaney, of what you said before about how

21 you're trying to engage him, or he is the audience for this message?

22 A Well, I knew that Dan Scavino monitored Twitter. And, again, if you're

23 making phone calls and no one's returning them, you try another way to communicate.

24 So I was hoping that somebody would see this. And I would hope -- was hopeful that it

25 would possibly add to a group of voices that might be delivering the same message.

1 Q I see. So the intention was you add your voice to an urgency that the
2 President needs to, as you say, discourage violence immediately.
3 A The intention was that Mark Meadows might be able to get my text and walk
4 in and say, "Mr. President, I just heard from Mulvaney, and he says you need to do
5 something as well."
6 Q Understand. Okay.
7 Very soon after this tweet, the President -- you actually just 2 minutes later,
8 exhibit 6, if you turn to your next page, say, "Now is the time for the President to be
9 Presidential."
10 Tell us what prompted that tweet and what you meant by those words.
11 A I know what prompted them. There was an ongoing sort of effort to try
12 and encourage the President to act and act appropriately.
13 In my mind, what did I mean by being Presidential? Is by doing everything you
14 can to stop an attack on the Capitol.
15 Q I see. So in your view, being Presidential would've meant actually call for
16 rioters to stand down, to leave the Capitol, to cease.
17 A That could've been one of several things to do. That would've been a nice
18 thing to do. It would've been the right thing to do.
19 Q Okay. The President, himself, did subsequently tweet just a few minutes
20 later, at 2:38 p.m., "Please support our Capitol Police and law enforcement. They are
21 truly on the side of our country. Stay peaceful."
22 Did that tweet, in your view, do what it needed to do -- discourage violence, get
23 people to leave the Capitol?
24 A Well, what time is that one?
25 Q That was at 2:38. And I don't know that you have that as an exhibit.

1 A I don't see it. That's fine. But is it fair to say that the tweet behind No. 7
2 is my next tweet?
3 Q Yes.
4 A Okay.
5 Q So between yours, "be Presidential," and then your next one, which is at
6 3:01, the President essentially says: Support law enforcement and stay peaceful.
7 My question is, was that, in your view, sufficient? What was your reaction to
8 that statement that the President, himself, made at 2:38 p.m.?
9 A Here again I think that my tweet speaks for itself. Given the timeline, it's
10 perfectly reasonable to assume that my tweet at 3:01 was somehow in response to the
11 President's. I guess if the 2:38 was his only tweet between 2:38 and this --
12 Q Yes.
13 A So it makes sense then that this would be responding to his tweet, saying,
14 that's not enough.
15 Q Yeah. Exhibit 7 -- you're anticipating my next question -- is your next tweet,
16 Mr. Mulvaney, where you say, "The President's tweet is not enough. He can stop this
17 now and needs to do exactly that. Tell these folks to go home."
18 Your language is getting sort of more directive and more urgent. Tell us about
19 your state of mind at this time, what you're thinking about at 3:01 when you say the
20 President's tweet is not enough.
21 A Yeah. My state of mind was that, again, I was outraged to see what was
22 happening, and I did feel it was in the President's power to stop what was happening and
23 that he could do that by going on and telling folks to stop what they were doing. So I
24 believed that to be the case, and that's what motivated this tweet.
25 Q And much like my question about your previous tweet, Mr. Mulvaney, was

1 this directed at him? Was this an attempt to add your voice to encouraging him to say
2 more?
3 A This would've been for an audience of one.
4 I'm not even sure how many Twitter followers I had at that time. It certainly
5 wasn't that many.
6 Q Yeah, I understand.
7 All right. Just a few minutes later, if you could keep turning the page, you go
8 from 3:08 -- actually, I'm sorry, an hour later. Your next tweet is at 4:07. And it's, "The
9 best thing @RealDonaldTrump could do right now is to address the Nation from the Oval
10 Office and condemn the riots. A peaceful transition of power is essential to the country
11 and needs to take place on 1/20."
12 And you're actually -- this is called tagging, where you're actually referencing
13 @RealDonaldTrump in your tweet. Tell us both about the language and about the
14 decision to include the tag to President Trump.
15 A My recollection was that we were still communicating as a group, with my
16 former colleagues from OMB and the White House, and one of them mentioned that if
17 we really wanted to make sure that Trump had seen what I was putting out and that it
18 would register was to do what you just called tagging. I thought it was tweeting at
19 somebody, but the same thing.
20 Q Yeah.
21 A So that would've been based on input I got from that group, because I had
22 no idea what that meant or how to do that before that time.
23 Q I understand. So the group of OMB folks with whom you were consulting
24 said if you put @RealDonaldTrump in the tweet it's more likely to get his attention or
25 more likely to be elevated.

1 A That's my recollection. And that Dan Scavino -- that if the President didn't
2 have his phone in his hand, that Dan would either have his phone or Dan would be
3 monitoring this account in the ordinary course of business.
4 Now, whether or not January 6th was the ordinary course of business and what
5 was happening in the building, I have no idea. But the chances of the President seeing
6 this would, in my mind, have gone up by taking this step to tag him.
7 Q Understood.
8 You shift here, Mr. Mulvaney, from, the President needs to issue a forceful
9 statement to actually specifically recommending an Oval Office address.
10 Tell us what your thinking was about a very specific direction about how he could
11 communicate with the Nation.
12 A Yeah. That was based on experience. We had had an experience, I think
13 it was during the government shutdown, where the President sat down at the Oval Office
14 to talk to the camera. And I thought, and the team thought at the time, that he was
15 very effective in doing that, one of the times that we thought he looked the most
16 Presidential. It was a little more formal, had more of a sense of place and gravity, that if
17 you were behind the Resolute Desk looking at the camera, that that would be the most
18 Presidential thing you could do.
19 So that's why I thought at the time an ordinary statement would not be preferred
20 to something that was really the, "Good evening, my fellow Americans, I'm speaking to
21 you from the Oval Office," that type of gravity that would come with that. That's what
22 my motivation was behind that.
23 Q Understood, that a tweet is not as -- there's less gravitas or insufficiently
24 Presidential compared to an Oval Office address.
25 A I think that's fair. It's also a broader audience, right? Because, again, I

1 didn't follow the President on Twitter. I know my wife didn't follow the President on
2 Twitter. I know my parents didn't follow the President on Twitter. And that if the
3 whole Nation was watching, tweeting wouldn't speak to as many people as you possibly
4 could.
5 I knew what the ratings were like when we had Oval Office addresses before, and
6 certainly I would think if he had spoken from the desk that day it would've gone out to a
7 lot of people.
8 Q Yeah. Right around this time, you issued this tweet at 4:07, just a few
9 minutes before that, President-elect Biden had come out behind a podium and addressed
10 the Nation, and that was broadcast.
11 I'm wondering if your recommendation here in the tweet, that there be an Oval
12 Office address, was in some way connected to the fact that the President-elect had issued
13 a similar sort of video as opposed to a tweet.
14 A I don't have any specific recollection of a connection between those two
15 things. I don't know -- I don't remember Biden seeing it, I'm not saying that I didn't, but
16 I don't remember saying, "Oh, Joe Biden did it, he has to do this."
17 It was more thinking back to previous times when he'd addressed the Nation in an
18 effective manner and how it would've been preferable, in my mind, to go to the Oval
19 Office for this statement.
20 Q Understand. Also, your language about the violence gets stronger. You
21 say it's important for the President to, quote, "condemn the riots," compared to what you
22 had said previously, "discourage any violence immediately."
23 Is that a reflection, Mr. Mulvaney, of your view that this -- the situation had
24 escalated, that this was a riot, that this was an increasingly violent and dangerous
25 situation at the Capitol?

1 A I don't remember what the motivation was behind that specific line. I do
2 know that it's now 3 hours or so, or 2 hours at least since I've known about the riots.
3 And I didn't get the impression, at least from watching TV, that things were getting any
4 better. So that may have gone into the thinking behind that part of the tweet.
5 Q Okay. So throughout all this period of time, did you get any feedback at all
6 from anyone inside the White House, a response from Meadows or Scavino, either a text
7 or a call? Or were you continuing to just sort of speak out because of lack of response
8 from anyone in the White House?
9 A No, I don't remember any response at all from the West Wing.
10 Q Nobody saying, "Hey, thanks for your message," or, "We're working on it," or
11 anything like that?
12 A I don't remember any communication from the White House to myself that
13 day.
14 Q Okay. So about 10 minutes after your tagged tweet, the President does
15 post on Twitter this Rose Garden address that you referenced before. And I won't read
16 the whole thing to you, but essentially it sort of says, I know your pain, I know your hurt,
17 talks about the landslide election that was stolen, and then says, "We have to have peace,
18 so go home. We love you. You're very special."
19 Did you see the video when it was posted? It was posted at 4:17 p.m.
20 A I don't remember if I saw the video while it was happening, if I saw the video
21 at the airport, or if I saw the video when I got home, but I do remember seeing the video
22 that day.
23 Q What was your reaction whenever you first saw it?
24 A I didn't think it was particularly compelling.
25 Q Why not?

1 A I didn't think it was particularly credible.

2 Q Tell me more.

3 A I know a little bit how the President operates and thinks and speaks, and the

4 line -- I remember thinking to myself, the line "We love you" was probably not, in my

5 experience -- it was a guess but an educated guess -- probably not in the text.

6 Q Something that he would've likely ad-libbed?

7 A That was my -- that's my recollection. That was my reaction when I heard

8 that line, is that there's no way someone wrote that down for him to say. That's him.

9 That's him speaking.

10 Q Yeah. And when you say it was not credible, do you mean insincere, that

11 he didn't really mean it when he told the people to go home? I don't want to put words

12 in your mouth. I'm just curious to hear more what you thought.

13 A That would be a fair characterization of my emotional reaction to that

14 speech, was that I didn't believe it.

15 Q And, Mr. Mulvaney, is that based on your prior experience with him

16 yourself? Tell me more of the basis of your view that it was not credible.

17 A It's just an understanding of -- again, go back to I've seen the President speak

18 more than once, and I can sort of tell when he's reading a line and when he's ad-libbing.

19 And I got the distinct impression -- I could be wrong, I've never seen the text, I don't know

20 what was on the teleprompter that day -- but my recollection was that the line "We love

21 you" was him.

22 And my reaction was, no, we don't. We don't love people who riot on the

23 Capitol. That was my immediate emotional reaction to his comments.

24 Q I appreciate that. Did you talk about that, your reaction, compare it to the

25 reaction of others? Were there conversations at any time about the efficacy or sincerity

1 of the President's ultimate video statement that day?

2 A I remember talking about it with my family later that evening, but I don't

3 remember talking about it with the group or texting and so forth as to whether or not I

4 had a reaction to the video that I shared with anybody on my former team.

5 Q Okay. And it sounds like -- I don't want to belabor this -- but you didn't

6 have any information about how the video address came to be, who was involved in

7 crafting it, or anything like that.

8 A None.

9 Q Okay. Now, at what point over the course of the day did you think about

10 resignation?

11 A I didn't think about resignation till I got home with my family.

12 Q Okay. What prompted you to think about resignation?

13 A Because of COVID, several of the kids -- [redacted] or it was

14 just -- it was because of where it fell on the calendar -- I have triplets, I have 22-year-old

15 triplets who were all in college at the time, and more than one of them was home that

16 night for dinner. I can't remember if it was all three of them or if it was just two of

17 them, but some of them were there, and we talked about what had happened and we

18 talked about how outraged and bothered I was by it.

19 And at some point during the conversation -- it was a long conversation -- one of

20 my kids asked me what I was going to do about it. And I said, "Really the only thing you

21 can do when you're in my position is to resign." And one of them said, "Why don't you

22 do that?" And I said, "You know what? That's a good idea." And I went over and I

23 started -- I think I texted Mike Pompeo that evening.

24 Q Tell us --

25 A Mike Pompeo was technically my boss.

1 Q Yeah. Tell us about that. Was he the first person to whom you reached
2 out about the option of resignation?
3 A That's my recollection, yes.
4 Q Once you texted him, did he get back to you? Did you have a conversation?
5 A Yeah, I did talk to Mike that night, and Mike said, you know, "Send me a
6 statement."
7 We did not have a long conversation. I didn't -- I don't remember Mike giving me
8 any reaction at all other than, "Mick, send me a statement."
9 Q Did he talk about the possibility of him resigning as well?
10 A I don't remember him saying anything about that.
11 Q Did he say anything about his reaction to the events of the day?
12 A No, I don't -- what I remember about the phone conversation is, "Mike, I
13 have to resign." "Mick, send me a statement."
14 I'm sure there was more to the conversation than that, but I don't have specific
15 recollection other than those -- I know that part happened.
16 Q Did he try to talk to you out of it or try to argue, "Hey, you should stay, we
17 have a lot to do in the couple of weeks," anything like this?
18 A He did not.
19 Q Okay. Who else did you talk to about your thoughts about resignation
20 before it was actually made official, besides Secretary Pompeo?
21 A Nobody. Because I went straight from the dinner table to talk to Mike.
22 And, again, I can't remember if I sent him -- I wrote a handwritten statement of
23 resignation, and I scanned it and emailed it to him. I can't remember if I did that that
24 night or the next morning. But I didn't talk -- I don't remember talking to anybody else
25 before that happened.

1 Q I see. So this wasn't a long, deliberate process where you needed to
2 consult with a lot of people? You made up your mind on that conversation with your
3 family?
4 A My practice, being collaborative with my staff, would have been that at
5 some point I would've said either, "Guys, I just did this," or, "I'm going to do this." But I
6 don't remember participating in the same type of exchange with them as I had during the
7 tweets.
8 I did not ask them, that I can recall, "Do you think I should resign?" I made up
9 the decision at the dinner table.
10 Q Okay. There were a lot of other people who resigned, a couple of members
11 of the President's Cabinet. Did you talk to anyone else about his or her parallel
12 decisions to yours about resignation?
13 A I did not.
14 Q You wrote an op-ed in USA Today where you explained this. I believe that
15 was more recently, in June of this year. You said you resigned because you thought
16 Trump failed to be the leader the Nation needed at one of its most critical moments.
17 At the time, on January 7th, you tweeted, "We didn't sign up for what you saw
18 yesterday. The President has a long list of successes that we can be proud of, but all of
19 that went away yesterday."
20 Tell us more about -- explain more, if you can, those statements that you put in
21 that USA Today op-ed.
22 A Was one of those a tweet and one of those an op-ed?
23 Q Yeah.
24 A Or which one do you want?
25 Q Well, the op-ed quotes your tweet.

1 A Okay.

2 Q It's essentially the President did not do what needed to be done at one of

3 the critical moments, he has a long list of accomplishments, but all of that went away

4 yesterday. I'm curious for you to tell us more about your views on that.

5 A Yeah. I mean, go back to my tweet behind No. 6 at 2:33 about now is the

6 time for the President to be Presidential. I thought he failed at doing that. I thought

7 he failed at a critical time to be the sort of leader that the Nation needed.

8 And this was part of my conversation with my family. When you are a relatively

9 low-level employee at the time -- yes, I had been the chief of staff, I had been in the

10 Cabinet and so forth -- but at this time I'm a special envoy, so it's not exactly, you know,

11 it's not a Cabinet member.

12 Q Yeah.

13 A You know, the way you can articulate your displeasure with the way things

14 have gone down is to resign. It was the appropriate step to take. So that's what got

15 into that.

16 As about his legacy, yeah, I mean, I think I said on television the next morning that

17 we had all these successes, had all these policy advances, and you don't get to offset

18 great tax policy against a riot.

19 Q Right.

20 A The riot will always be the legacy of the first term of the Trump

21 administration.

22 Q You did say that the next morning.

23 Going back to your resignation, though, Mr. Mulvaney, did you try to reach

24 President Trump or Mark Meadows to convey directly to them your decision about

25 resignation?

A I don't remember doing that at all.

Q Do you remember talking to anyone else, officially, besides Secretary Pompeo, about your decision?

A I think I may have sent a text to two other people. One was Elizabeth Trudeau, who was the deputy chief of mission, or the charge. I can't remember her title. She was our senior staff person in Belfast.

Q I see.

A And then there was another gentleman, a staffer that I had been assigned at the State Department, and I feel awful, but his name escapes me.

Q Yeah.

A But he had been very helpful to me and had been a good colleague, and I wanted him to hear it from me as well.

So I may have communicated with those two people privately after I had already talked to Mike.

Q Understood. And those are folks with whom you were working on the specific Northern Ireland issues, either in country or back here?

A That's correct.

Q I see.

[redacted] All right. Let me stop and see if Ms. Cheney or Mrs. Luria or Mrs. Murphy have any questions before I proceed on to sort of post-January 6th stuff.

Ms. Cheney, anything from you?

Ms. Cheney. I don't have anything. Thanks, [redacted]

[redacted] Okay. Mrs. Luria or Mrs. Murphy?

Mrs. Luria. Nothing here. Thanks, [redacted]

Mr. [redacted]. Okay.

1

2 [redacted]

3 Q Then let's turn to January 7th, because as you said, Mr. Mulvaney, you did

4 have-- you did some press that day, and I'm just reading a couple of things that you said.

5 In an interview with CNBC, you said you had spoken with others who were

6 choosing to stay in the administration because they were worried that President Trump

7 might put someone worse in.

8 When you said that, did you have anything in particular in mind of people that you

9 think stayed because of that concern that, hey, if they left, there could be someone worse

10 installed in their place?

11 A I don't remember who I was referring to in that comment to CNBC. I

12 remember having that sentiment, but that may be clouded by the fact that during the last

13 hearing, or the penultimate hearing that you guys had, there was that comment about, I

14 think it was Pat Cipollone who said that if he had left, he was worried about who would

15 take his place.

16 Q Yes.

17 A So I don't -- I know that's not the first time I've heard that, it's the first time

18 I've heard it in my own head. But I don't remember who I was referring to in that

19 comment to CNBC.

20 Q Okay. You also said, and it may have been in that same interview, that the

21 President is not the same as he was 8 months ago. You sort of observed that you think

22 there had been a change in President Trump. Tell us more what informed that and what

23 you meant by that.

24 A I was surprised that -- I was stunned by the violence and was stunned by the

25 President's apparent indifference to the violence.

1 My experience with President Trump led me to believe that that was a very, very
2 different sort of reaction to the circumstance that I would've expected of him when I was
3 the chief of staff.
4 The President -- and I believe I wrote this in a part of my Wall Street Journal
5 piece -- I had seen the President have the opportunity to do what people might think to
6 be unorthodox things, and after floating an idea or thinking out loud or having a
7 conversation, say, "No, I'm not going to do that. That's not Presidential." I had seen
8 that more than one time and I believe that to be the case.
9 At this time, I had already written the Wall Street Journal thing, right?
10 Q I think you had. That was actually prior to January 6th.
11 A Yeah. So I think what I wrote in that piece was my recollection of the
12 President, which is that he would yell and scream and fight and do whatever, but at the
13 end of the day, when push finally came to shove, he would be Presidential because that's
14 what I had seen before.
15 Now, there's a lot of folks who don't think he was ever Presidential to begin with.
16 I disagree with that.
17 I had seen him float ideas and shoot ideas down. Again, the President thinks out
18 loud sometimes. But I had never seen him actually come close to going through with
19 something that even approached what happened on January 6th.
20 Q I see. You used the word "indifference," and I'm curious if you could talk
21 more about that. Is that based on things that you heard about what he was saying or
22 doing on January 6th or just the lack of condemnation or prompt response that you were
23 encouraging?
24 A [redacted] I don't mean to dodge your question, but it's hard for me to say
25 because it's a combination of things. It's what I saw on the day, but it's also been

1 combined now with things that I've seen during the January -- during your hearings, right?
2 I know a lot more about what was happening now on the day than I did then. But I think
3 there's evidence of indifference during my tweet series on the 6th itself.
4 Q Right.
5 A So I guess the answer is probably both.
6 Q Yeah.
7 A Again, I'm not trying to be difficult. I'm just not really sure how to answer
8 your question best.
9 Q No, look, I appreciate the care with which you're approaching the answer,
10 because it is hard sometimes to separate personal knowledge from real time to what you
11 have heard and read about later.
12 "Indifference" is an important word. And beyond what you heard about in the
13 hearings, it sounds like you're saying his lack of urgency or response during the day is
14 what informs that?
15 A I quit because of his lack of urgency of response.
16 Q Did you -- have you heard anything in the weeks and months since from
17 others who were involved in those discussions in the White House further evidence of his
18 indifference? Talked to the Pat Cipollones or Eric Herschmanns of the world about that?
19 A I don't think I've had direct conversations with any of those folks. The
20 additional information I have, subsequent to the actual day itself and what I saw and
21 experienced firsthand, is what I've seen through these hearings.
22 Q How about Mark Meadows, have you talked to him about what happened
23 that day?
24 A I don't think I have talked to Mark Meadows since long before -- well, I may
25 have talked to him around the election. I have not talked to Mark in a long time.

1 I bumped into Mark in the airport a month ago, and he said hello and I said hello,
2 and that was the end of it. I have never talked to Mark Meadows about what happened
3 on January 6th.
4 Q I see. So no substantive discussion with him about his experience that day,
5 about his discussions with the President that day?
6 A No. Not talked to him, not talked to Pat. I crossed paths a couple times
7 with Herschmann, but I don't have a relationship with him.
8 Q Okay.
9 A So, no, I have not talked to anybody, I don't think, who was on the inside.
10 Q Yeah. Fairly obvious question, but let me ask it anyway. If you were
11 White House chief of staff on January 6th, what would you have been doing immediately
12 upon the evidence of violence at the Capitol? What would've been your approach, your
13 advice, your direction, attempted direction of the President?
14 A It would've been the same as the tweets, right? But it would've been in a
15 different manner.
16 Again, as I mentioned to you, you understand a little bit about how the President
17 communicates and how he receives information. What I would've been doing is to try
18 and figure out a way to get you and you and you and you -- and by "you," I mean Sean
19 Hannity and Steve Scalise and Mick Mulvaney and Jared Kushner, and everybody to sort
20 of get on the same page of sheet music to sort of present, "I agree with this,
21 Mr. President, I agree with this, Mr. President." That's sort of -- that would've been how
22 I would've -- think I would've handled it.
23 Q And who would be on the list of people in your experience, Mr. Mulvaney,
24 that you think would have credibility with the President, whose views, whose
25 perspectives would be influential?

1 A Pretty much anybody on FOX News, not the least of which would be Sean
2 Hannity and Lou Dobbs.
3 The family members, especially Don Jr. and Ivanka, not to dismiss Eric or Jared and
4 that, but I'm just trying to figure out what order that might be in.
5 Some of his business friends. Bob Kraft would be on the list. Fred Smith might
6 be on the list, the CEO of FedEx.
7 Lawmakers that he liked and enjoyed being around, including members of the
8 House Freedom Caucus. Kevin McCarthy would be on the list.
9 That would sort of be -- that's the cast of characters, that's the usual suspects.
10 Q So if you wanted the President to do something or take a position, fair to say
11 you would try to get some of those influencers or people whose views he valued to
12 support your position, to weigh in with the President directly?
13 A That's correct. And by the way, and the White House Counsel Office would
14 be on that as well.
15 Q Okay. Okay.
16 Do you recall, either January 7th or anytime thereafter, any discussion with
17 anyone about the potential invocation about the 25th Amendment?
18 A I don't remember any conversations along those lines. And it wouldn't
19 have been appropriate. I wasn't in the Cabinet anymore.
20 Q Yeah. But when you, yourself, said, the President is not the same as he was
21 8 months ago, did you hear others -- that sentiment coming from others, that perhaps
22 there was some concern about the President's mental stability?
23 A No, I do not remember conversations along those lines.
24 Q Okay. And I know you weren't involved in them yourself, but did you hear
25 that such discussions were going on, not from the press but directly?

1 A No.

2 Q It looks like you spoke with Chris Wallace on January the 10th, just a few

3 days after. Wallace asked you if you supported mechanisms to remove President Trump

4 from office. You said, "The 25th Amendment is a very clumsy tool, and we've never

5 used it under these circumstances." And you added, "I can assure you, there would

6 members of both parties who would look at it very, very differently than they did last

7 year."

8 Again, explain, when you say look at it very differently, both parties look at it very

9 differently from last year, what do you mean?

10 A Yeah. My recollection is the 25th Amendment had come up in some

11 fashion previously, and I can't remember the circumstances under which it was, but that

12 is when I had -- I believe I was chief of staff at the time. I might've just been at OMB and

13 a curious, sort of interested onlooker. But that's when you sort of educate yourself as to

14 what the 25th Amendment was.

15 I don't remember, as I sit here, exactly how it works, but I remember thinking to

16 myself that could take a while. If you ever needed to use it in general, it's not the type

17 of thing that -- there's an appeal process. I can't remember exactly how it works out.

18 Q Very clumsy tool.

19 A So that was -- I had formed that opinion about the 25th Amendment before

20 January 6th.

21 Q I see. Now, beyond the 25th Amendment, did you have any discussions

22 with anyone about other ways that President Trump's decisionmaking could be

23 managed -- should be managed or checked between January 6th and January 20th?

24 A Other than what? I'm sorry.

25 Q Like Secretary Scalia, for example, proposed a Cabinet meeting at which

1 there would be -- the Cabinet's involvement in major decisions would be contemplated or
2 would be required.
3 A I don't remember --
4 Q Any discussion about that?
5 A I don't remember any participation or any discussion. But keep in mind, by
6 this time, again, not only was I gone from the Cabinet, I was gone from Washington, D.C.
7 Q You had resigned?
8 A So there's no reason for Gene to call me.
9 Q Okay. All right.
10 Now, earlier this year, you have been on CBS pursuant to your work as a
11 commentator, and you have said a few things that I want to ask about.
12 You said in watching one of the committee's hearings, you said that you texted
13 someone who was working in the White House back at the time of January 6th, and you
14 said, "You know, if I listen to Cassidy Hutchinson closely, it sounds like Mark was either
15 completely incompetent at the job or was having a nervous breakdown."
16 And the person with who you were reporting, you're having this text exchange,
17 said, "It was a little bit of both."
18 Tell us, if you can, who was the person with whom you were having that text
19 exchange, and what did you mean by, "It sounds like Mark was either incompetent or was
20 having a nervous breakdown."
21 A Yeah. It was Alyssa Farah. She has a different last name now, I don't
22 know if she's been married, I don't know what her name is. And I would not have
23 reached out to Alyssa, so she must've reached out to me on something else.
24 It was either during Cassidy's testimony or right after or something like that.
25 Maybe she was watching my tweets about Cassidy's testimony.

1 I have since discovered -- I thought Alyssa was still in the White House on
2 January 6th. I have since come to learn she left shortly before that.
3 But I did ask her, I said, you know, when Cassidy told the story about Mark sitting
4 on the sofa, I can visualize that because I don't think Mark moved the sofa from when I
5 had it there. I know where the doorway is. I know where Mark would be sitting.
6 Q It was your office.
7 A It was facing the door. And if my executive assistant, which is essentially, I
8 think, the role that she filled -- it was -- she wasn't John Fleming. I think John was his
9 chief deputy, the role that Emma Doyle filled for me.
10 But if, you know, if James Galkowski came to my door and said, "Boss, there's riots
11 at the Capitol," and then Pat Cipollone came in and said, "Yeah, we've got to do
12 something," and I just sat there and texted, that visual made me wonder what was going
13 on in Mark's head at the time, and was he completely detached in an unusual way. And
14 that's what prompted that exchange with Alyssa.
15 Q Yeah. The two options you conveyed to Alyssa are he's either incompetent
16 or having a nervous breakdown. Tell me more about what made you think he might be
17 incompetent beyond that vignette that Ms. Hutchinson testified about?
18 A Not capable of understanding what the job is. There's a reason that the
19 White House Counsel is coming to you. There's a reason that your staff is coming to
20 you. There's a reason that Sean Hannity is calling you. There's a reason that former
21 chiefs of staff are calling you. Because you are the gatekeeper, and if they talk to you,
22 it's supposed to be like talking to the President.
23 And so that, the fact that he's not doing that, makes you wonder if he understood
24 what the job was, at least in that moment. He may have understood it previous, but in
25 that moment, he's clearly not playing that role.

1 As to having a nervous breakdown, that was just the visual I had in my head of
2 tweeting while Rome burnt. And I just didn't know -- I had no insight as to what was
3 going on in Mark's head, so I asked Alyssa because -- again, she reached out to me first, I
4 believe, because I thought she might have some insight.
5 Q I guess my question is, were there other things that you had seen or heard
6 about Mr. Meadows' approach to the job that informed your suspicion that, again, either
7 he didn't appreciate the gatekeeper role or was having some sort of nervous breakdown?
8 Was that a common theme, in other words?
9 A There was one other thing that Cassidy said -- it was double hearsay, so take
10 it for what it's worth -- about when -- the story she heard from Ornato supposedly
11 through Engel about what happened in the limousine right after the rally, that I believe
12 Cassidy's testimony was the President was still under the impression that the trip to the
13 Capitol was possible because Mark told him so and that Bobby Engel would have more
14 information. And then the testimony was that Bobby then said, "Mr. President, we can't
15 do this."
16 To me, as a former chief of staff, that's a giant red flag, because in my mind I
17 interpret that as meaning that Mark didn't have the guts to tell the President no, and that
18 everybody in the building knew that the President wasn't going up to the Capitol, and
19 that Mark should've been the one to deliver that message and wasn't.
20 Q I see. Fair to say that the chief of staff, to be effective, has to be able to tell
21 the President no or convey information that will be inconsistent with what he wants?
22 A The chief of staff's job is to tell the President things he doesn't like to hear.
23 Q Right. And did you have -- did you suspect that Mr. Meadows was not
24 always consistent to that role?
25 A During Cassidy's testimony is when that became -- I started worrying about

1 that generally.

2 I mean, you always worry about it because it's tough to tell the President of the

3 United States things -- everybody will tell you that. Every old chief will tell you that.

4 And that's what the previous chiefs had told me when I took the job.

5 So you always have that general concern. But the two pieces of testimony she

6 gave about the texting on the sofa and the exchange in the limousine made me wonder if

7 that was being done in this White House.

8 Q Understood. Tell me a little bit more about your experience with

9 Ms. Hutchinson when she worked with you.

10 A Very little. As I think I've tried to say, I don't pretend to know Cassidy very

11 well. In fact, I had to ask of my team, I said, "I recognize her. What did she do for us?"

12 She was a junior person at the Office of Legislative Affairs. I think she was in

13 what we used to call the white glove service or something like that.

14 She was in charge of, amongst other things, shepherding dignitaries, including

15 Members of Congress, around the White House complex when they came to visit. But I

16 didn't have any direct relationship with her. She would have worked for Eric Ueland.

17 Q Yeah. You've said a couple of times on television that you believe her, that

18 you always felt like she was credible, she was competent, she was someone whose

19 capabilities you respected. Just give you a chance to elaborate on that.

20 A Sure. I mean, when she started the testimony, you know, again, I was

21 going back and forth with my colleagues. And I'm, like, "Who is she again?" And

22 somebody says, "Oh, she's such and such. She's at OLA. And she used to work for

23 Scalise." I'm like, okay, that's where I could remember her from, because I was in the

24 House with Steve.

25 So I knew her background was with Steve Scalise, and to me, that's a pretty good

1 track record. I learned during the hearing that she also worked for Ted Cruz.

2 So I had no reason to believe that she was a Democrat plant or a never Trumper.

3 Q Last question along these lines. Another thing you have said is that the

4 system fell apart under Mark's watch. Again, I'm not sure if that was in -- exactly which

5 of your appearances on CBS.

6 Just wondering what you meant by that, when you said -- is that based on what

7 Cassidy said about those two vignettes, or is there a broader sort of foundation for your

8 statement that the system fell apart under Mark's watch?

9 A Cassidy's testimony would be the primary stuff for that, but you guys offered

10 a lot of evidence of other things happening that, as a chief of staff, you go, "Oh, shit."

11 The meeting with the lawyers in the Yellow Oval that the White House Counsel Office

12 didn't know about, that's a sign of a breakdown.

13 So I don't remember the other experiences. But generally speaking, every time

14 you folks put on another hearing about what's going on in the White House, I'm like,

15 that's not how it's supposed to be working.

16 Q Yeah. We've put on a lot of evidence over the course of the hearings and

17 we've developed a lot of evidence about people that had had increasing access to the

18 President, people beyond the White House staff.

19 I'm wondering how you managed that when you were chief of staff, sort of the

20 gatekeeping role of people from the outside who wanted to talk to the President that you

21 may not have thought were helpful. What was your approach to that?

1

2 [3:02 p.m.]

3 Mr. Mulvaney. It was difficult. The President did not really want a traditional

4 gatekeeper. He did not like -- he did not like people being excluded from the Oval

5 Office, from a meeting or whatever. He liked big meetings. He liked a variety of

6 opinions. When we had the trade meetings, he would have people who were hawkishly,

7 you know, protectionist and then free marketers. So he liked that sort of collaborative

8 approach. And he didn't like the concept of people being excluded.

9 So I found as Chief of Staff it was very difficult for me, not impossible, but difficult

10 for me to exclude people who wanted to be -- really wanted to be in there. And the way

11 I handled it was to try and balance it so that every time I had the protectionist Peter

12 Navarro come in to talk about a trade issue, I also got Steve Mnuchin or Gary Cohn or

13 Larry Kudlow to sort of balance, so that the President wasn't getting just one side of the

14 story.

15 [redacted]

16 Q So not exclude X, include Y as a counterpoint?

17 A Correct.

18 Q I see. All right. A couple of wrap-up questions about January 6th. Have

19 you talked to anyone else at any time, between then and now, Mr. Mulvaney, whose

20 given you anymore insight about what was going on inside the White House that day?

21 A That day?

22 Q Yeah.

23 A I'm sorry, ask your question again.

24 Q Have you talked to -- I'm just looking for it now, general conversations that

25 you have had about January 6th in the months since then that formed the views that you

1 have expressed today or give you any other insight about it?

2 A I had a conversation at some point in the day or week after the riot with

3 Kevin McCarthy?

4 Q Tell us about that conversation.

5 A Very similar to what you've heard from other witnesses. That he had

6 talked with -- I think -- who was it? The Member of Congress from Washington State?

7 Q Jaime --

8 A Jaime.

9 Q -- Herrera.

10 A Yeah, it was very similar to what Jaime had, the conversation she had retold

11 about how we called and asked the President to get them to stop. And the President

12 told them something along the lines of, Kevin, maybe these people are just more angry

13 about this than you are. Maybe they're more upset. I had a conversation similar to

14 that with Kevin in the day to week after the riot.

15 Q I want to be clear, Leader McCarthy indicated much like he had to

16 Representative Herrera Beutler, that the President made a statement, like, Kevin, maybe

17 these people are more certain about the election than you are.

18 A That is my recollection, yes.

19 Q Okay. Was that on the phone or in person?

20 A That would have been on the phone.

21 Q All right. And you say within the week of the days immediately after

22 January 6th?

23 A I believe that to the case, yes.

24 Q Did he call you, or did you call him?

25 A I don't know. Kevin and I have a good relationship, and we would speak

1 regularly. It's not unusual for us to talk. So I do remember it was on the phone,
2 though, because I'm pretty sure I was in South Carolina.
3 Q Okay. Did you talk to any other Members of Congress about their
4 experience on January 6th?
5 A I'm sure over the course of the last year and a half, I've talked to my former
6 colleagues about it, but I don't have any specific recollection of anything that stands out
7 about being unusual or anything different than anything else you've heard.
8 Q Okay. How about Mr. Meadows, did you ever talk to him at all in the days
9 from then till now?
10 A I believe my only interaction with Mark would have been at the security
11 checkpoint at National Airport last month.
12 Q How about President Trump himself, did you talk to him at all?
13 A Yes.
14 Q Yes.
15 A Yes. Okay. But your question about the communications with Mark were
16 after the riot, correct?
17 Q Yes. Tell us about the communication you may have had with him before?
18 A It's actually got -- right shortly after he took over, we had a dinner together
19 because it was COVID, and because you had to eat outside at the time in Washington. It
20 was sort of hard to keep it private. So we were up on 14th Street someplace. And we
21 had been photographed, as you always are in this town.
22 Q I see. I appreciate that, Bob. Yeah, no, that's interesting, and I appreciate
23 that. But nothing with him since January 6th other than the brief exchange?
24 A I don't remember any conversations with him since January 6th.
25 Q How about the President, have you talked to him about anything since you

1 left, you resigned on January 6th?

2 Mr. Mulvaney. You okay with me answering that?

3 Mr. Driscoll. Yeah.

4 Mr. Mulvaney. This is going to sound crazy. Do you all know when Phil

5 Mickelson won the PGA championship?

6 [redacted]

7 Q Not offhand.

8 A Okay. I think it was the summer of 2021. I could be wrong after that.

9 That would make it after the riots.

10 Q Okay.

11 A And I remember reaching out to him on that occasion to encourage him, not

12 only to call Mickelson, because Mickelson was a big fan of his. They played golf

13 together. I knew he was going to do that, but I also called Louie Oosthuizen and

14 congratulate him on placing second, because Louie was a fan of the President as well and

15 had played with him at Mar-a-Lago.

16 Q I see.

17 A So that, I believe, is the only conversation I've had with the President that is

18 after January 6th, if that is in fact after January 6th.

19 Q Yeah.

20 A And I believe it is. I think it's summer of 2021 when Mickelson won the

21 tournament.

22 Q Got it. It sounds like you never talked to the President about January 6th?

23 A I have never talked to the President about January 6th.

24 Q About your resignation or what informed it?

25 A I've never talked to the President about my resignation.

1 Q Okay. All right. Any other conversation with anyone about January 6th
2 that you think is -- might be interesting or relevant to us at any point between then and
3 now?
4 A I can't think of any. And if I had, I probably would have mentioned it in the
5 press. So if you have seen my press clippings, you probably got them, but I don't have
6 any -- I don't have any specific recollection of any meaningful conversations other what I
7 probably had with a dozen Members of Congress over, Were you here that day? Where
8 were you? Those types of conversations.
9 Q Understood?
10 A Nothing substantive.
11 Q Okay. Let me stoop and see if any of our members have any questions
12 before we sort of move on to election-related stuff. Ms. Cheney, I see you
13 coming -- yeah, please.
14 Ms. Cheney. Thank you. I wanted to ask about -- you mentioned Sean Hannity
15 a couple of times. Can you just give us your sort of assessment about his relationship
16 with President Trump and the role that he played in advising the President?
17 Mr. Mulvaney. I think it's safe to say, Liz, that he was an informal advisor of the
18 President who turned to a lot of, to a variety of sources to get information to help him
19 form opinions on policies, and so forth. And I don't think it's any secret to say that he
20 watched a good bit of Fox News. He watched a lot of cable news. And that he had a
21 close relationship with Hannity, and with Lou Dobbs as well. And that they would be -- I
22 would consider them to be informal advisors to the President. Just like you and I have
23 informal advisors to our congressional offices who really aren't staff, but we appreciate
24 their opinions.
25 Ms. Cheney. And were there any -- would you say the President consulted with

1 Hannity on a variety of issues or any particular issues?

2 Mr. Mulvaney. It would be a variety of issues. You know, what do you think

3 about this, Sean? I saw this on your program last night, what do you think about that?

4 It wasn't -- it wasn't -- it wasn't, Oh, today, if we got immigration, I got to talk to Hannity.

5 That's not how it worked. It was very informal and free-flowing.

6 Ms. Cheney. Okay. And then in terms of other Members of Congress, did you

7 talk to Jim Jordan before the 6th, in the days leading up to the 6th?

8 Mr. Mulvaney. I do not recall talking to Jimmy at all since probably before the

9 election.

10 Ms. Cheney. And so when you got up to Washington, did you come up on the

11 5th in order to do the Nancy Mace.

12 Mr. Mulvaney. That's what I recall. That would be -- again, I don't know, and I

13 haven't looked at my flight arrangements. If it would make that big a difference, I could

14 certainly do that. But my recollection -- the tip of my practice is to come up the night

15 before these things because I don't like spending a lot of time here. So I come up the

16 night before, and so that I can have a morning meeting. I may have come in a day or

17 two early. But I think that was a Tuesday.

18 [redacted] A Wednesday.

19 Mr. Mulvaney. It was a Wednesday? Yeah, but my recollection is I came up the

20 night before.

21 Ms. Cheney. Okay. And so, you just don't recall, for example, one of the

22 dinners that a number of us frequently have at the Capitol Hill Club, for example, the

23 night before?

24 Mr. Mulvaney. Was I at that dinner?

25 Ms. Cheney. No, I was just asking if you recall if you did have dinner at the

Capitol Hill Club the night before.

Mr. Mulvaney. Liz, I don't remember having dinner the night before. I've had dinner there literally 100 times, but I don't -- if I do, it doesn't stand out as being unusual in any fashion.

Ms. Cheney. Okay.

Mr. Mulvaney. Would I go to the Capitol Hill Club the night before, the night I get in? Yes, especially if I get could get Gowdy to pick up the tab because I think his account was still open there at that time. But I don't -- if I had been there that night, I don't remember anything meaningful happening.

Ms. Cheney. Okay. And so, again, just no discussions with anybody who was involved in the objections the next day?

Mr. Mulvaney. I don't remember talking to anybody about objections. It doesn't stand out in my mind at all.

Ms. Cheney. Okay. Thank you.

Mr. Mulvaney. Okay.

[redacted] Thanks, Ms. Cheney. Anyone else on the line? Mrs. Luria or Mrs. Murphy? Mrs. Murphy may have dropped off. If not, let me turn to the room. Yeah, [redacted] go ahead.

[redacted] You mentioned you had a conversation with Kevin McCarthy shortly after the riot at this point. Aside from his discussion with the President that he relayed to you, did he talk to you about his own experience on the 6th at all, what it was like, what he or your staff went through?

Mr. Mulvaney. I remember having a conversation with somebody at some point about running through the hallways and so forth, but I don't remember if it was Kevin or not.

1 [redacted] Okay. Thanks.

2 [redacted] Dan, how about you?

3 [redacted]

4 Q Yeah, just a few names to follow up on the discussions you may have had

5 around the time of the 6th or any time after. What about Mr. Scavino, did you ever talk

6 to him about January 6th?

7 A After?

8 Q Correct.

9 A No, I don't think I've talked to Dan since January 6th.

10 Q How about Representative Scalise?

11 A I don't talk to Scalise as much as I talked to McCarthy. I have talked to

12 Stevie, but I don't remember a specific conversation with him about his experiences on

13 that day.

14 Q Okay. And just to back up to the 6th itself, your text message to Mr.

15 Meadows on the 6th said that he needs to stop this now, "he" being the President. Your

16 tweets talked about the President's needing to discourage violence. You even tweeted

17 at the President himself at some point that afternoon. So I guess my question is, why

18 did you think the rioters would listen to the President and stop the attack on the Capitol if

19 he spoke?

20 A Well, I was under the impression those were his folks. I have been to

21 Presidential rallies before. I have been to probably more than a dozen Trump rallies.

22 Maybe two dozen. I know who goes to those things. Are there some interlopers?

23 Yeah. Are there some folks who don't like the President there? Yeah. But 98 percent

24 of the folks who are there are there because they're big Trump fans. And I assumed that

25 was the same group of people that had come to the rally on the 6th.

1 Q And based on your experience, Chief of Staff within the administration
2 seeing those type of rallies and the way the President sent his messages to supporters,
3 was it your view then that they would listen, his supporters would listen and stop the
4 attack if he, in fact, spoke on the afternoon of the 6th strongly saying to stop?
5 A I was under the distinct impression that if he had asked them to stop and
6 leave the Capitol, that they would listen to that, yes. I could be wrong about that, but
7 that was my experience having seen him interact with his supporters before.
8 Q Thank you.
9 [redacted] Sure. Do you have follow-up?
10 [redacted]
11 Q Mr. Mulvaney, earlier when we walked you through your tweets, including
12 tweeting at the President, I think that you said something along the lines that you wanted
13 to add your name to the chorus of voices to President Trump, and that was your hope.
14 Did you, in fact, know -- setting aside what you know now, maybe for our hearings, if
15 there were a chorus of voices --
16 A No.
17 Q -- at President Trump trying to get him to talk down the rioters?
18 A No. In fact, one of the things I learned now from the hearings is that many
19 of the names that I gave you of people that I would be trying to get to speak to the
20 President are people that actually spoke to the President. But I didn't have any
21 awareness at the time that anybody else was talking to him.
22 Q So it was just an assumption that people would, of course, be trying to get
23 the President to do something?
24 A An educated guess based upon my experience working in the Oval Office.
25 Q Okay. Thank you.

1 [redacted] All right. We want to move on to just a few things about the
2 election. We maybe have 30, 40 minutes left. Do you want to take a break before we
3 do that?
4 Mr. Driscoll. We can go.
5 [redacted] I appreciate that. All right. I'm going to turn to [redacted] to
6 march you -- now we're going to go back in time to right around the election.
7 [redacted]
8 Q So focusing a little bit more on 2020, were you involved at all in President
9 Trump's re-election campaign either before or after Election Day?
10 A Yes, before, and yes, after.
11 Q Okay. So describe your involvement first before and then after Election
12 Day?
13 A Before Election Day, I was the -- I guess my title, I had a title, it was the
14 Chairman of Catholics for Trump. It sounds a lot more impressive than it is. It was
15 mostly me and one other person, and we canvassed -- we went up and down the
16 Midwest from Pennsylvania all the way through to Minnesota speaking to Catholic groups
17 as part of the campaign.
18 Q And who did you -- did you work with anyone from the campaign in
19 connection with that role?
20 A Yes, I did. And please don't tell her I can't remember her name because
21 she did a really wonderful job, and I have no idea what her name is.
22 Q Okay.
23 A But it was another staffer, I can get that for you folks afterwards. But she
24 was the permanent staffer. She worked for the campaign. I believe her salary was
25 paid by the campaign. I think her expenses were paid by the campaign. She was

1 essentially my executive assistant. I was the -- I gave the speeches. I showed up for
2 the rallies. I asked for money. I encouraged people to vote for President Trump, and
3 she did all the real work.
4 Q Did you have any involvement in terms of which States to focus on,
5 outreach, any specific dates, get any access to early polling, or anything like that?
6 A You know, we were left pretty much on our own, but it's not rocket science
7 as to where the large Catholic communities are in swing States. So we went to Philly
8 and Pittsburgh and Minneapolis and Milwaukee.
9 So I don't know if there was -- is she coordinated with the campaign on doing that
10 or not. She called up and she said, I have set something else up for us next week in
11 Milwaukee, can you do it? I would do it. Did we have access to polling? Yeah, I think
12 we probably did. Again, she was a paid staffer, I believe. So she would have had
13 access to most of the stuff that other staffers had.
14 Q Did you have the campaign email address?
15 A That's a really good question. I don't remember. I'm pretty sure she did.
16 I don't remember if I did or not.
17 Q You might have used her personal email address?
18 A Possible.
19 Q Okay. Do you remember any discussions about mail-in voting or how that
20 could affect election night, Election Day?
21 A Not really. I mean we -- there was -- generally speaking, people were
22 aware of what was happening in Pennsylvania and other States because of COVID and the
23 changing rules, and so forth, but I don't remember ever having any coordinated
24 conversations with the campaign hierarchy about how are we going to address this issue.
25 I was aware it was an issue, but I don't remember. It didn't factor into what we were

1 doing in the groups we were meeting with.

2 Q What about just informal conversations, setting aside coordinated?

3 A Possible. I mean, I talked with some folks on the campaign from time to

4 time, but I was not involved in any sort of strategy over how to handle mail-in voting and

5 the lack of signatures on voting or drop boxes. That was not in my portfolio.

6 Q Do you remember any conversations? It sounds like you have maybe a

7 vague recollection.

8 A Again, it's a vague recollection because it was being discussed nationally in

9 the press at that time because the rules were changing and so forth. I believe there had

10 been some lawsuits filed. So, you know, if you read the Drudge report or The Wall

11 Street Journal or watch CNBC, there's going to be information about what happening in

12 the run-up to the election. It could have been there just as easily from a conversation

13 with somebody on the team.

14 Q Do you recall if you had any discussions about election night and what

15 President Trump should say that night?

16 A No. If you're referring to the he is going to declare victory, and everyone

17 has said all that, no, I was not -- he was not involved in any of those conversations.

18 Q So you don't remember hearing anything like, Oh, it looks like we're up, we'll

19 just say that we won?

20 A No, I never heard that. I thought we were up because I was watching the

21 returns come in, and I was, I think, sending out some tweets at the time. But I don't

22 remember -- I did not -- I don't believe I participated in any sort of strategy of how the

23 President would handle what was going on.

24 Q Were you at the White House on election night?

25 A No. I was either in Key West, Florida, over my parents' house or in South

1 Carolina at my home. And I believe I was at my house because I had the television that
2 night.
3 Q And I'll just note, I believe Mr. Aguilar has joined us. Welcome, Mr. Aguilar.
4 You mentioned you had a role, it seems like, or involvement in the election, or
5 excuse me, President Trump's campaign post-Election Day. Tell us about that.
6 A Yeah, it wasn't official. I had started weighing in on some of the issues with
7 accounts and the status of the accounting. I remember one State, in particular, I was
8 paying attention to, which was Arizona. I had friends there. David Schweikert, he is a
9 Member of Congress from there. David and I were texting about the results; texting
10 about how they counted votes in Arizona, what the status of the various votes were.
11 So I was involved in sort of keeping an eye on what was happening from afar, just
12 media reports and whatever I can get from the ground from Mr. Schweikert. I did some
13 media, I believe, as a surrogate, as I had done during the run-up to the campaign over,
14 you know, how things were going on in Arizona and how accounts weren't finished yet,
15 and how the account might break to the point where the President could still win Arizona,
16 et cetera. So that was my involvement in the days after the race, after the election.
17 Q Were you involved in any campaign calls about strategy for counting other
18 States? You mentioned you seem like kind of informal discussions about Arizona?
19 A No, I was involved with one -- I recall one conversation with the campaign in
20 the days after the election. I don't remember exactly when, but I do know that this
21 conversation took place when I was in Key West, Florida. So it was not on Election Day.
22 At some point afterwards, I went down to Key West to see my parents. And I had a
23 phone conversation, it was a surrogate call, with Stepien and Justin Clark.
24 Q Okay. And tell us what you remember about that call?
25 A I had -- you guys, I think I've got some of the texts back and forth. And I

1 can't remember what happened first, the phone conversations or the texts or the
2 surrogate call. But if you put them all together, what happened was there was
3 discussions at the time -- I was out saying I thought we still had a chance in Arizona based
4 upon the information I had, and the math of the returns I had seen so far. All of it
5 publicly available. You could go to Arizona, the Secretary of State, I think, website, and
6 find out how many votes had been counted, what the last tally was they updated a couple
7 of times a day, or once a day, at the end of the day. So you could go there and get that
8 information.
9 I was on TV, I believe, talking about that. And then I had a conversation or text, I
10 believe, it was a text exchange that Ronna McDaniel was involved with. And she said
11 something to the extent of, We couldn't win Arizona. And that surprised me because I
12 was looking at the math, and I thought we had a chance to see Arizona or win Arizona.
13 And I was out telling people I thought we could win Arizona. And my recollection is that
14 at that time, I reached out to somebody else in the campaign and said, what can you guys
15 give me? I'm on TV. If I'm the only one who thinks we can win this, please tell me
16 because I don't want to look like an idiot. And somehow I got connected with a
17 surrogate call either that day or the next day that Stepien and Clark ran.
18 At the call, I talked to them directly before the mass phone call, and they said
19 Mick, don't worry. Get on the phone call. We got a lot of great information. I got on
20 the phone call. They didn't have anything. And I remember them going through the
21 various lawsuits at the time. There was a lot of lawsuits going on at the time. I was
22 expecting -- I was expecting numbers. I was expecting something as someone who was
23 defending the math in Arizona, give me something I can use. You know, give me -- don't
24 give me platitudes. You know, don't give me, Go team. Give them -- there's 274,000
25 votes left to count in Wisconsin. There's 165,000 votes left in -- we just got past a

1 motion for summary judgment in this lawsuit and they had none of that. And I
2 remember calling them back after the phone conversation. I said, So what you guys are
3 telling me is you've got nothing. And I believe it was -- there was a pause, and I believe
4 it was Stepien who said, well, Mick, thanks for being such a team player. And I recall
5 losing my temper with Mr. Stepien. And that was the last time I think we spoke about
6 the election.
7 Q So if we can put that conversation in perspective. We had the text
8 messages --
9 A Yeah.
10 Q -- I think you're referencing. If you go to tab 4. I believe you can look
11 at -- it would be around -- if you look at November 9th.
12 A Uh-huh.
13 Q You are texting with -- it looks like Mark Meadows. And you reference a
14 conversation with Ronna McDaniel. It looks like, if you can see that text message, which
15 you mention in passing that we couldn't win Arizona, which was entirely different from
16 what the campaign is telling people, including me, and what I am telling people.
17 A Yeah.
18 Q If you go to, let's see, exhibit 4-A, which is page 3. You had sent this photo,
19 I'll represent to you, of this text message to Mark Meadows the night before
20 November 8th?
21 A Can I interrupt you and ask a question?
22 Q Of course.
23 A Is that the -- on your exhibit 4-A --
24 Q Yeah.
25 A -- is that the attachment to the previous, the first text to Mark Meadows at

1 the top of that page?

2 Q That's right.

3 A Okay. I couldn't figure out what that was.

4 Q Okay. So you sent that to him around November, it looks like

5 November 8th?

6 A At a quarter of 9:00 at night. Okay. And then I followed it. Okay.

7 Thank you. That's helpful.

8 Q Okay. So why don't you first -- how about you explain this, the picture of

9 this text message that went to Ronna, someone named Tommy that might be from the

10 RNC to Jared Kushner, Bill Stepien, Justin Clark?

11 A I think it pretty much speaks for itself. I don't know why I was in a phone

12 conversation with them, but apparently I was, or something had happened. And that

13 was my sentiment, which is why do I feel like I'm the only one who thinks that we can win

14 this?

15 Q And it makes it seem like everyone other than me thinks we have lost this

16 election. So it wasn't just Ronna, it was other individuals as well?

17 A That is my recollection.

18 Q Okay. So would that have been from surrogate call with --

19 A It could have been.

20 Q -- Justin Clark?

21 A Again, I don't remember the batting order of what the call came first or if

22 this text came first. I honestly don't remember. In my mind, it's all jumbled, but it was

23 all -- do you have a date for this, by the way?

24 Q So this --

25 A 11/8, okay.

1 Q Yes. This would have been November 8th. And just timeline perspective,
2 November 7th was when many media outlets had called the election for Joe Biden?
3 A And I also see that the text to Ronna, Tommy, Jared, Bill, and Justin is 8:43,
4 and then 5 minutes later I sent it to Meadows.
5 Q Yes.
6 A Okay.
7 Q And I know -- from the surrogate call, do you recall, was it -- which States
8 were discussed? You mentioned Arizona. Were there other States that you had that
9 you were looking at?
10 A No, I don't remember. I remember it was a wide-ranging conversation.
11 Because they talked about -- there was something truly absurd in Wisconsin that they
12 said was going to be the Peace to Resistance. And I remember thinking to myself, that's
13 a joke, but I can't remember what it was. It was a -- I can't remember. It was
14 something -- they said something that somebody locally was going to do, I believe, in
15 Wisconsin, and that was their ace in the hole. And I was thinking to myself, that's -- only
16 a child would think that that's actually got a chance of winning.
17 If that's our -- if that's why you wanted me to tune into this conversation so you
18 could reassure me that we really had a chance, you've just failed at doing so. But I
19 cannot remember the specifics of what that example was. But to your question, it
20 would have been a variety of States.
21 Q And it sounds -- were they just talking litigation strategy during this call?
22 A My recollection was it was counting, it was votes uncounted, and lawsuits.
23 So the whole panacea of things that you might bring to mind when you are challenging
24 elections.
25 Q And it sounds like -- correct me if I'm wrong -- you were also expecting

1 evidence? Is that right? Like some sort of evidence of fraud?
2 A I was expecting something more than I got.
3 Q Okay. To the evidence of fraud point, can you just explain on what you're
4 expecting to hear?
5 A Well, listen, if you're going to allege fraud, I have run for office four times. I
6 have had lawsuits. I know what happens when machines break. I know what happens
7 when doors don't get unlocked at the gym in time. I know what happens when people
8 go to the wrong precinct, or if they get the wrong ballot. I know a little bit about this.
9 And so, you say you have got -- you want to bring a fraud claim, I'm like, Okay, why do
10 you think there was fraud? What is the evidence that you think makes your case for
11 fraud? And I just -- my recollection is that I didn't get any of that on that phone call.
12 Q Did you hear them making allegations that, or expressing an intent that they
13 were going to bring lawsuits about fraud?
14 A My recollection is that by this time there may have been already lawsuits
15 filed. And I don't know if they were talking additional lawsuits, or they're talking -- they
16 could have been talking about both. So I don't have a specific recollection to your
17 question.
18 Q But it sounds like you left the call seeing there's nothing here?
19 A I was displeased with the phone call and the lack of specificity that, as a
20 surrogate, I needed in order to be able to credibly continue to challenge the outcome of
21 the election.
22 Q And your impression that there could have been something there, what
23 would that have been based off of?
24 A The impression -- I'm sorry?
25 Q Your impression -- it sounds like you wanted to see there was something

1 there, why were you waiting if there was evidence of fraud?

2 A Well, I would assume that they'd -- I had no evidence of fraud. I was sitting

3 in South Carolina, right?

4 Q Right.

5 A At this time, I'm probably in Key West, Florida. I assume that people who

6 are running the campaign, if they say there's been fraud, or the folks who have the

7 evidence of the fraud, I assume that if they think there's still a chance for a recount in

8 Arizona, as I did --

9 Q Uh-huh.

10 A -- they would know how many votes were -- they might tell the group, you

11 know, we've got 264,000 votes outstanding. If they break away the last 250,000 votes

12 went, the President will win. I was expecting something tangible, and I did not get that.

13 Q And aside from maybe just people on TV talking, do you remember

14 conversations from folks at the campaign or in the White House that there had been, that

15 there was fraud in the election?

16 A I did not have a lot of exchange with the campaign team. I don't remember

17 talking to anybody inside the White House at all. Obviously, I text with Mark. But my

18 verbal conversations that I recall, based upon reviewing this stuff, would have been with

19 Ronna and Tommy, like you mentioned, and with Stepien. Was it the same phone call?

20 It could have been. It could have been a separate phone call. But, no, it wasn't like I

21 was talking to them six times a day. It was infrequent communication.

22 Q Okay. Do you remember any discussions in this post-Election Day period

23 about State legislators or legislatures, like the importance of them in the election and

24 potentially changing the outcome?

25 A I do not remember anything along those lines.

1 Q Okay. How about convenient alternate slate of electors?

2 A I don't remember that term ever coming up.

3 Q What about the role of the Vice President?

4 A I don't remember that coming up either.

5 Q Okay. Now, I know you mentioned earlier that you didn't always -- you

6 weren't very active on Twitter, but I want to just walk through a few of your tweets. If

7 you go to exhibit 2. And this would have predated the text messages that we've just

8 went through. So this is November 6th, the day before the media outlets called the

9 election for Joe Biden.

10 A Can I interrupt you for a second?

11 Q Yes.

12 A What day was the election? Was it the 3rd?

13 [redacted] The 3rd, and this is Friday the 6th.

14 Mr. Mulvaney. Thank you.

15 [redacted]

16 Q So just a few days later. We need to be calm and take our time with the

17 next election, the legal challenge, the country. Please be confident that the winner of

18 this election is the real winner. We need to prove that the election wasn't stolen by

19 anyone. And you tweet a link to Cavuto's website. And I'll represent to you it's just his

20 website. I'm guessing you made an appearance, but it doesn't appear there anymore.

21 So I couldn't pull that up for you. Do you remember tweeting this message?

22 A I don't. I don't deny that it is. It is clearly my account. And I don't have

23 any problem with the message. I just don't remember that particular Cavuto

24 appearance, and I don't remember sending this tweet. It doesn't bother me.

25 Q Can you just explain this tweet a little bit more? What were you thinking at

1 the time?

2 A Again, I think the tweet speaks for itself. I was thinking what was here

3 which is that we were a couple days after the election. It was -- there was -- you know,

4 it hadn't been determined yet. And I think this is probably sage advice to be calm and

5 take our time. I don't think anybody would disagree with those statements.

6 Q Well, I'll focus here on the last sentence -- we approve that the election

7 wasn't stolen by anyone. So why did you think it was important to prove that the

8 election wasn't stolen versus that it was stolen?

9 A I think it's -- that's a general nature, right? You would always want to know

10 no one stole an election.

11 Q Okay.

12 A So I'm not -- my guess is, and it's an educated guess, is that this time there

13 was some discussion in the ether about whether or not the election was stolen. I was

14 probably not the first person to use that word.

15 Q From the campaign or anyone else, had you seen evidence or anything that

16 suggested to you or seemed persuasive to you that the election could have been

17 compromised in any way?

18 A At this point, I had not -- again, I was focusing on Arizona, which was mostly

19 math, and the number of votes that were uncounted. I can't remember when -- if I can

20 skip ahead, on my text exchange with Mark is the 9th, which is -- okay. So at this time, I

21 was still under the impression that there were enough votes out in Arizona to change the

22 outcome of the election. And so, I was calm, take your time, count the votes, do

23 whatever, we'll figure out this sooner or later.

24 Q Do you remember any discussions with anyone involved in the campaign

25 about messaging about the election, like, what to say about the election?

1 A I don't have a specific recollection. That's the type of thing that comes up
2 in a surrogate call --
3 Q Okay.
4 A -- but I don't remember what the specific messaging was, if we discussed it
5 that day. But that would be typical for a surrogate call.
6 Q Do you remember if anyone ever said you should say that the election had
7 been stolen, rigged, compromised, or that Trump was going to have a second term?
8 A No, I have no recollection of that, and I don't remember saying that myself.
9 Q Do you remember having any conversations with anyone in the White
10 House, including President Trump who expressed to you that the election had been
11 stolen or rigged post-Election Day period?
12 A No recollection of conversations like that.
13 Q Okay. Let's go to tab 3 --
14 A Uh-huh.
15 Q -- exhibit 3. And this is a tweet you sent on November 7th. So the
16 day -- the end of the media outlet to call the election for Joe Biden.
17 A Uh-huh.
18 Q And you tweeted a link to The Wall Street Journal op-ed and said you
19 mentioned a few times today where, you know, among other things, you say the
20 President will be presidential if it turns out that he lost. And I'll reference to you this
21 isn't the only time in this period that you made comments about this. You predicted
22 that, you know, that President Trump's a fighter, but he would -- you could guarantee a
23 peaceful transfer of power. So I'm just hoping -- I know you touched on it a little bit
24 today. If you could explain to us a little bit more of your comments in November 2020
25 that the President would be presidential and would participate in a peaceful transfer of

1 power if he were to lose?

2 A Yeah, two things: That was my experience, as I mentioned to you. The
3 behavior that I saw on January 6th was different from the behavior I saw when I was the
4 Chief of Staff. As to the specifics of this article, this was an audience of one. I knew
5 how the President digested information. I knew he read the opinion pages of The Wall
6 Street Journal. I know he wanted to read them cover to cover. They were one of his
7 first things to consume every single day. And I knew that if I wanted to get a message to
8 him, this would be a good way to do it, and that's what this was. This was advising the
9 President on the proper way to act over the course of the next several weeks.

10 Q And why did you feel the need to advise him if you weren't his Chief of Staff
11 at the time?

12 A Oh, you know, once you've advised a President, it's always nice to think that
13 they still listen to you every now and then.

14 Q Yeah, I appreciate that. Were you concerned that he wouldn't participate
15 in a peaceful transfer of power? I mean, it seems sort of obvious. I don't know if other
16 Chiefs of Staff had written op-eds to their Presidents.

17 A I was -- I was not concerned about violence. I was never concerned about
18 violence. I was concerned about the President leaving office in such a fashion that
19 would tarnish his legacy. Because his legacy was also mine, and everybody who worked
20 for him. And I wanted to make sure that when he left, he didn't ruin the legacy. I was
21 very proud of the policies that we had been able to accomplish. And I didn't want the
22 President to end up doing something like not meeting Joe Biden when he came into the
23 office, or taking all the Ws off the keyboards, like I think the Clintons did back in 2000.
24 That type of petty stuff. I didn't want that. I wanted him to go out on a high note.
25 And I thought this was the most effective way to deliver that message to him.

1 Q So why was that your concern? Was there some sort of behavior? I
2 mean, you've talked a lot about how, you know, you were Chief of Staff, you know him,
3 why was that even a thought?
4 A The President doesn't like losing. A lot of people don't. And I've never
5 been around him when he lost. So -- I shouldn't say that. We've lost a bunch of battles
6 on the Hill, but he didn't like it. And I was worried that he might not be as gracious in
7 departing as he should be.
8 Q And do you have a specific example in mind, or had you seen other times
9 where he had, you know, lost and acted out in a certain way?
10 A No, in fact, my experience was the exact opposite was, as I had mentioned
11 to you before, there had been times where we had, we floated ideas that were not
12 Presidential, and he said that I don't think that's very Presidential. And I mentioned that
13 in the piece. But still, it's tough to lose a Presidential election. It's tough to be a
14 one-term President. And to the extent that I might be able to encourage him to see the
15 big picture, recognize that even if he lost, he still had a political future, he could run again
16 in four years, I still -- it struck in my mind Al Gore's speech in 2000 when he finally
17 conceded the election.
18 I remember saying to myself as I watched that, number one, if he had given that
19 speech during the campaign, he probably would have won the election. And, number
20 two, by virtue of giving that speech, he is now the leading contender in 2004. If you take
21 those types of situations and do them properly, you can actually turn them into a political
22 positive. That's what I wanted to see for Trump if he had lost the election.
23 Q Did you have a concern that he wasn't getting that kind of advice from his
24 advisors at the time?
25 A I didn't have insight as to what was going on inside the White House. So

1 this is just me advising the President the best way I knew how at the time.

2 Q So it sounds like, you say didn't predict any sort of violence, but potentially,

3 maybe some sort of petty or other lashing out you thought he could participate in if he

4 lost the election?

5 A I was concerned -- I'm sorry. Ask your question again.

6 Q It sounds like you didn't predict violence, right?

7 A Correct.

8 Q You didn't predict January 6th would happen, but you thought potentially he

9 could act out another way that would be detrimental to his legacy. Is that fair?

10 A I think that's fair, yeah.

11 Q So you're relying on here your experience working for him and knowledge of

12 his temperament as to the way he thinks, how he takes in information?

13 A I think that's fair, yes.

14 Q And why -- I know you talked about it a little bit, but why provide this advice

15 in an op-ed? It's public for everyone to see, right, versus just calling him up on the

16 phone, calling outer Oval and having a conversation with him, or meeting him in the Oval

17 Office?

18 A It's a great question. This carried more weight. It just did. When the

19 President saw it in print, it was in The Wall Street Journal, he respected that outlet. It

20 carried more weight than a phone call. If he saw it on television for Sean Hannity or Lou

21 Dobbs, it carried more weight. So just looking for what I considered to be the most

22 effective way to communicate my sentiments.

23 Q Do you know if President Trump read your op-ed?

24 A I do not.

25 Q Did you ever hear from anyone about your op-ed, anyone from the White

House?

A I don't think so. I don't remember. I don't have a specific of anybody calling me and saying thanks for doing that, or I saw this, you're an idiot, or yea, team. I don't remember any specific recollection.

Q So you don't remember any reaction from anyone in the White House in response to your op-ed?

A No.

Q Okay.

[redacted] Before we go on, can we go off the record?

[Discussion off the record.]

[redacted]

Q We are back on the record. Mr. Mulvaney, I wanted to go back to exhibit 4, which are the text messages --

A Uh-huh.

Q -- that we have between you and Mr. Meadows. And we touched on this briefly. But back to that November 9th text about your exchange with Ronna, you say, which was entirely different from what the campaign is telling people, including me and what I am telling people. If you could go on that specific statement. Did you think that the campaign was misleading the public about the chances of success at the time?

A I was concerned that -- that exactly, again, the text, I think, pretty much speaks for itself. That's probably my best reflection, my thinking at the time was that I got the impression they knew something I didn't, and I don't like that very much.

Q Okay. And that something being that there actually weren't -- there wasn't a great chance of success?

A Ronna, in passing, mentioned that we couldn't win Arizona. That was news

1 to me.

2 Q Aside from these text messages, do you remember having a separate

3 conversation with Mr. Meadows about this? You know, you see a text message

4 response specific to Arizona, but do you remember any phone calls?

5 A I don't remember any phone calls with Meadows about this. Texting would

6 be a more typical way for us to communicate. That's not to say we never spoke on the

7 phone but I don't have a recollection of phone conversations.

8 Q And why reach out to Mr. Meadows? Do you remember why you

9 contacted him about this concern?

10 A Yeah, that's a good question. I know, because he wasn't on the call. And I

11 knew he was in the White House, so I knew he should have been well-plugged in. And if

12 there was something going on, he might be a good person to tell me. And Mark and I

13 had a relationship, so it seemed like the appropriate person to reach out to.

14 Q Did you have any understanding of how he was involved in President

15 Trump's reelection campaign?

16 A Not really.

17 Q Let's go to -- let's see page 2 of these messages at the top, November 23rd.

18 So a couple of weeks later, and you say, random thought, as to your quiver, executive

19 order creating a bipartisan commission on election fraud won't solve the problems now,

20 but may, one, prevent them in 2024 and two, who knows, vindicate what he has been

21 saying all along. Can you explain your random thought to Mr. Meadows?

22 A Yeah, I don't remember where this idea came from. I may have heard of it

23 on the internet or in the news, or a friend of mine may have mentioned it to me. I don't

24 remember coming up with this one on my own. But I remember thinking to myself,

25 Okay, that actually made some sense to the point where I'll reach out to Meadows.

1 But at this point, I assume the election is lost, and what could the President do to
2 try and save face? Could make a bipartisan commission; we do an investigation; might
3 vindicate him after the fact; would help him in 2024. You saw the next line that I didn't
4 think that Biden would have the courage to undo it anyway. I don't think that he would
5 have. How do you undue a bipartisan commission into election integrity? It's the type
6 of thing that nobody would get rid of once it exist. So I thought it was a good idea and
7 something they should consider.
8 Q It sounds like, was this more about saving face? It seems like you haven't
9 seen evidence of election fraud. So a commission to investigate it, what would that
10 accomplish?
11 A Keep in mind, at that point, I don't remember when -- there were how many
12 lawsuits?
13 Q Fifty.
14 A Fifty-some. I don't know if all the lawsuits were finished at that time. I
15 don't remember what the status was.
16 Q Yeah?
17 A So, but I remember thinking this was a way out. You saving face is
18 one word. You know, you could also look at it as a way to sort of preserve future
19 election integrity. You could have a lot of benefits to it. But it seemed to me like an
20 intriguing idea that might have some merit.
21 Q And do you know -- you write, prevent them in 2024. Do you know what
22 that means?
23 A Well, problems.
24 Q Okay. So prevent -- yeah, so it won't solve the problems now, but may
25 prevent problems in 2024. Okay. Then vindicate what he has been saying that the

1 election had been stolen or --

2 A Yeah, if it turns out -- for example, if you did a bipartisan commission, it

3 turns out, yeah, there was -- was massive voting harvesting in Georgia, or yes, there was

4 massive signature fraud in Pennsylvania that for some reason, the

5 committee was -- excuse me, the campaign wasn't able to find, but a bipartisan

6 committee might. That was my thinking.

7 Q So, basically, do a downsize?

8 A It was a good idea.

9 Q Okay. Do you know if Mr. Meadows passed on your recommendation to

10 anyone?

11 A I have no idea.

12 Q Okay. And I don't know if this helps with your recollection. The day you

13 sent this tweet -- or excuse me, this text is when GSA ascertained that Biden won, do you

14 remember if that had anything to do with you sending this recommendation?

15 A No, I have no recommendation of those two things. I remember the

16 ascertainment. I remember sending this text, but I don't remember the two things

17 being linked.

18 Q You said one other thing. You mentioned this commission. Did you -- did

19 you see that the courts were not adequately addressing, you know, any purported

20 election fraud?

21 A No. I have faith in the courts. I think if there was a weakness, it was most

22 likely on -- not on the part of the courts, it would be on the part of the campaign for not

23 actually having done the job to preserve the integrity of the elections to begin with.

24 When you run an election, when you have your own election, you are responsible for

25 making it. That's your duty, especially to your voters, to make sure that there is no

1 misbehaving, that the curtain falls on the campaigns themselves. So I don't think the
2 courts had been wrong in any way. I think if there was any fault, it would rely on the
3 campaigns.
4 Q And you had that impression at the time that the campaign --
5 A I've always liked that, yeah.
6 Q Do you remember talking to anyone at the campaign that you didn't think
7 that they were doing enough or --
8 A Not anybody at the campaign. I've had conversations with other private
9 individuals about who I -- how I thought the campaigns failed to preserve the -- if there
10 was -- you have a chance in this system to defend yourself. And if you think you've been
11 wronged, you go to court, and you have your day in court. That's due process. If you
12 get thrown out of court for not having evidence, either that means there was no
13 evidence, or there was evidence, and you didn't bring it into court. Those are the two
14 ways I look at it.
15 Q And do you have a sense of which one it was? What it was --
16 A No, I honestly don't. There's fraud in every election. There just is. We
17 run massive elections with massive number of people voting. It's done largely by
18 volunteers in schools, gymnasiums, and churches, and firehouses, right? So it's never
19 going to be perfect. But I have no evidence that there was any fraud significant to
20 overturn any of the outcomes.
21 Q You watched your hearing. You have probably heard testimony from
22 others. At a certain point, when they came to conclude that President Trump had lost
23 the election, did you come to a similar conclusion in 2020, or maybe it was 2021?
24 A Yeah, I don't remember when it was, but, yeah, I had stopped going on TV to
25 say that he had won the election. I had stopped going on TV to say that he could win

1 Arizona. I had stopped sort of being a surrogate for the campaign. I don't remember
2 when that was to be honest with you. But, yeah, at some point there, I was like, Okay, is
3 it over. Time to move on.
4 Q So you do not recall what led you to that decision?
5 A Not really.
6 Q Okay. Do you remember when you started to take any steps towards
7 transition or life after the administration? You've heard of people moving or finding a
8 new place?
9 A Are you talking about me personally?
10 Q Yeah, you personally.
11 A Well, I had already left, right, because I had left Washington, D.C. in March
12 when I left the Chief of Staff's office.
13 Q Okay.
14 A The Special Envoy position is unique. It's not a resident position. You
15 don't have an embassy in Belfast because it's not a separate country. The embassy for
16 Belfast is in London, cause Belfast is part of the United Kingdom. So there wasn't no
17 residence. It wasn't a residence job. Ordinarily, you would travel a good bit back and
18 forth, but with COVID, that sort of went away. So I was in South Carolina the whole time
19 I was -- I think I was in Belfast 4 days.
20 Q And part of my ignorance, I just don't know as part of your position as
21 Special Envoy, was there a transition? Did you engage in that process? I don't believe
22 anyone currently has that position in the Biden administration, so I'm not sure.
23 A Transition in or out?
24 Q In. Into the, you know, helping the incoming?
25 A Oh, you mean -- no, no. Yeah, no, it is unusual position. You are right.

1 It's not like being Secretary of State where you might do a hand-over. We didn't fill the
2 position for 3 years. The Biden administration has not filled the position for the first 2
3 years. That's not unusual.
4 Q Okay.
5 A So I'd actually had talked to Ron Klain and encouraged him during the
6 transition to appoint somebody to my seat, to my position fairly quickly. And then I
7 would be happy to help turn it over to them, especially with Bright Zip (ph) which was a
8 big deal then and still a big deal now. But they had chosen not to fill the seat.
9 Q Do you remember when you talked to Mr. Klain?
10 A It would have been during transition. There was a conversation we
11 had -- there's a -- I think I talked to him twice. There was a group phone call with all of
12 the old Chiefs of Staff who want to come in and sort of give the new person advice. And
13 I participated in that along with John Kelly and Dick Cheney. And then there was a
14 separate conversation I had with Mr. Klain about Northern Ireland and about having mass
15 on the campus.
16 Q Do you recall if that was before or after January 6th?
17 A I do not.
18 Q Okay. Do you recall any conversations you had with President Trump or
19 anyone else in the White House more generally about the results of the 2020 election?
20 A No, I think what you've got is my communication. I would have typically
21 done more communication via text than by phone calls.
22 Q And it sounds like you didn't have any private conversations with President
23 Trump post-Election Day to January 20th?
24 A I had a conversation with the President at some point. I believe it was after
25 the election. I don't remember if it was before January 6th. I know I was gone from

1 Washington by the time because I took the call in South Carolina. So it was a chance it
2 was before the election. But I know I was in South Carolina when I took the call. The
3 President called me and told me he was returning my phone call. I had not called the
4 President. Okay? And he said, no, I've got it here. It's an 803 number. I'm looking
5 at it. Okay. I had not called the President.
6 My recollection is that as the President said, It was great to talk to you. If he
7 didn't call, he was like how are you doing? How is that Belfast thing working out? I
8 guess that was the conversation we had. You know, it was our typical conversation.
9 And I remember then reaching out to either Mark or Tony or both of them in an attempt
10 to either tell them what had just happened. Very unusual, under those circumstances,
11 for that to happen. Guys, either my phone has been hacked and someone is using it to
12 call the President or someone's hacked the President's phone. But I needed to let you
13 guys know that this just happened. That is a conversation I had with the President that
14 might answer your question -- that responsive to your question about talking to
15 President. But I did not talk to him about the outcome of the election.
16 Q Okay. And do you remember him making any offhand comments about the
17 election?
18 A No, I do not.
19 Q Did you find out if your phone had been hacked.
20 A No, in fact I'm not sure I even heard back from anybody on it. But I just
21 remember it stood out because it was really, really strange. And when you're in that
22 position, you become hypersensitive to those type of things.
23 Q It sounds like you were in contact with some folks in the campaign, maybe a
24 little bit of people in the White House. Did anyone ever share with you that President
25 Trump had ever privately acknowledged that he had lost the election?

1 A Not the election, but a State.

2 Q Okay. And which State was that?

3 A Arizona.

4 Q Okay. Who told you that?

5 A What's his name? He was our ambassador to Germany and then

6 temporary national security advisor.

7 Mr. Driscoll. Mr. Grenell.

8 Mr. Mulvaney. Rick Grenell.

9 [redacted]

10 Q Tell us what you remember about that conversation?

11 A I had a conversation with Rick Grenell at some point after the election. I

12 don't remember if it was 2 days or 2 months. But we were talking about the President's

13 state of mind, and he -- my recollection is that he told me that he told the President early

14 on in the days after the election that we had really lost Arizona, and that it was his

15 impression, as he had articulated to me, that the President wasn't happy about that, but

16 grudgingly accepted it.

17 Q Did he say what that meant, grudgingly accept it?

18 A I think my recollection is that Rick laid out for him that Rick had looked at 15

19 different ways. That they had sent Rick out, I think, to Arizona to examine, you know, to

20 sort of manage the investigation, or whatever they were doing out there. He was the

21 President's guy. He was lead on whatever the campaign was doing in Arizona. And

22 then he came back and said Mr. President -- you know, in fact, I get my recollection is not

23 going to be exact terms, was that they did not have anything, and they had, in fact, lost

24 Arizona.

25 Q And was this a phone call, or in-person conversation text with Mr. Grenell?

1 A I don't recall. I don't recall. I don't remember why I would have been
2 talking to Rick. It could have been face-to-face conversation at the Trump Hotel. Or it
3 was either face-to-face or on the phone. It was a conversation. It was not text or an
4 email exchange.
5 Q And you mentioned that he talked about the President's State of mind.
6 What do you remember him saying about President Trump's State of mind?
7 A That when Rick told me to the effect of when I told the President he
8 grudgingly accepted it.
9 Q Anything else? Do you remember about that conversation or his
10 impressions of President Trump at the time?
11 A Well, no, then he went on to say that the President then got information
12 from other people and had changed his mind.
13 Q Okay. So he had even though he --
14 A By the time Rick and I were talking, the President was taking -- still taking the
15 position that Arizona had been stolen.
16 Q Okay. Do you know who else President Trump was receiving information
17 from?
18 A I do not. I assume it's the same cast of characters that you guys have shed
19 some light on.
20 Q Okay. Do you have any questions on that?
21 [redacted] No.
22 [redacted]
23 Q Do you remember any conversations with anyone elsewhere where they
24 share their impressions of President Trump in the post-Election Day period?
25 A I do not.

1 Q Did you ever have any conversations with anyone at the White House or
2 involved in the campaign where you advised that he should be focusing on legacy versus
3 relitigating the election?
4 A No. Did I have any conversations with anybody at the White House about
5 that?
6 Q Yeah.
7 A No. That was just sort of the tenor of my Wall Street Journal piece, but
8 that was not coordinated with anybody, and I did not have any conversations like that
9 with folks in the White House.
10 Q Did you ever advise anyone that you thought that President Trump should
11 concede the election?
12 A I don't remember articulating that to anybody.
13 Q Do you remember anyone ever sharing with you that they had advised the
14 President that he should concede?
15 A I do not.
16 Q So since January 6th, you have spoken out about your impression of how the
17 White House was running, the days and weeks before January 6th, you called it chaos,
18 anarchy, a clown show. I think some of this is in response to our hearing, but I'll explore
19 that. Then you said with folks like Rudy Giuliani and Lynn Wood and Peter Navarro in
20 the Oval Office. Before January 6th, setting aside what you might have heard since
21 then, did you have concerns about the quality of advice President Trump was receiving?
22 A Ever, or in what --
23 Q Just in the -- I would say from Election Day to January 6th?
24 A Did I have concerns? Yeah, I don't remember articulating them to anybody
25 in the White House. I remember seeing Mike Lindell walking out of the front -- there

1 was a picture in the press about him walking out with something about the Insurrection
2 Act maybe. I think maybe that wasn't him. That Peter Navarro had written a 36-page
3 brief. And that was unsettling to me that those were the folks who were advising the
4 President. But I don't remember articulating that to anybody inside the White House.
5 Q But at least internally, you did have concerns based off of -- it looks -- it
6 seems like press reports what you were saying was happening in the Oval Office?
7 A That was my source of my information. I wasn't talking. Again, I don't -- I
8 didn't have regular conversations with folks inside the White House.
9 Q So what exactly was your concern? You know, if you saw Mike Lindell or
10 Peter Navarro's report?
11 A Mike Lindell sells pillows. Peter Navarro is a trade advisor. I mean, this is
12 the most -- this is the single most important election law issue in my adult life probably up
13 and including 2000. There are specialists who do this. I know that. Everybody knows
14 that. There's hundreds of lawyers, if not more, who make a living specializing in election
15 law because we have a lot of lawsuits related to election law. There's folks who were
16 really, really good at this. And I didn't see those people going into the White House. I
17 saw Mike Lindell and Peter Navarro.
18 Q It sounds like you hadn't seen, you know, evidence that the election had
19 been stolen, but I'm sure that you saw that the President continued to promote that.
20 Did you have concerns that he was still saying that election was stolen or rigged?
21 A Did I have concerns? Yeah. I thought it was a distraction from the legacy.
22 Again, my firsthand information from talking to the campaign team was they did not have
23 any evidence. Was it possible they had evidence that I didn't know about at some point
24 in time? Yeah, I suppose it was. But what I had based upon my own interaction was
25 they didn't have anything.

1 Q But you didn't express this to anyone, at least not anyone in the White
2 House or a campaign?
3 A I don't remember. Again, I did not have -- I was not already in
4 communication with anybody in the White House by that time.
5 Q How about other administration officials or in the cabinet or otherwise in a
6 political appointee?
7 A No, not that I recall.
8 Q Do you have anything on that?
9 [redacted] No.
10 [redacted]
11 Q So I'll switch gears just to update. Are you familiar with two rallies that
12 happened in D.C. before January 6th? There was one on November 14th, and another
13 one on December 12th?
14 A Not off the top of my head.
15 Q Okay. So there is an organization called Women for America First. They
16 listed you as a prospective speaker in documents that they submitted to the National Park
17 Service. And I was wondering if you were aware of that?
18 A I wasn't aware of it. I think I can explain this.
19 Q Okay.
20 A Was my niece one of the people involved with Women For America First?
21 Q She was later for the 5th and the 6th --
22 A Okay.
23 Q -- was my understanding, but not actually earlier on in November and
24 December --
25 A Okay.

1 Q -- at least that was my understanding.

2 A Yeah, because that name rings a bell -- that organization rings a bell.

3 Q Okay.

4 A And it wouldn't be unusual for Maggie to fill in the blank and say, I put you

5 down. Can you speak that day? But I don't remember anybody approaching me about

6 speaking at that rally.

7 Q Okay. So, no, you don't recall anyone saying, Hey, can you speak at one of

8 these rallies?

9 A I do not remember being asked to do that.

10 Q No involvement in the planning or organization of either of those rallies?

11 A None whatsoever.

12 Q So you have heard our questions today. Is there anything else --

13 [redacted]

14 Q I have a few follow-ups before we get to that one, if you don't mind.

15 Taking you back to the call you had with Leader McCarthy after January 6th. So

16 it's been reported that Leader McCarthy had a call with the President where the President

17 accepted some degree of responsibility for January 6th. Do you remember Leader

18 McCarthy telling you anything about that, his call with the President following

19 January 6th?

20 A I don't remember Kevin telling me about that phone call.

21 Q Okay. You just mentioned Tony Ornato. You mentioned Tony. I assume

22 you're talking about Tony Ornato?

23 A That's correct.

24 Q Have you talked to him since January 6th?

25 A I have not.

1 Q Okay. So he has never reached out to you or told you anything about his
2 experiences or anything he saw on January 6th?
3 A I do not think I talked to Tony since I left Washington.
4 Q Okay.
5 A Excuse me, I should take that back. Again, I think I left him the message
6 about the strange phone call, but I don't remember actually talking to him about that.
7 Well, maybe I did. Again, texting would have been a more typical way for me to talk.
8 But, no, I have not talked to Tony recently.
9 Q Okay. Do you remember any texts you had with Tony Ornato and Mark
10 Meadows in this post-election November 3rd through January 6th period?
11 A Again, I don't remember when I had that strange phone call. But that
12 would have been a time that I would have reached out to Tony.
13 Q Okay. Do you remember reaching out to him about anything else?
14 A I do not.
15 Q Peter Navarro, you also just mentioned him, and specifically, the report that
16 he wrote on the election. Did you ever learn about why Mr. Navarro was writing the
17 report that he was on the election?
18 A I do not know why he was.
19 Q Do you know anything about the process that he went through, or the
20 people he worked with filing this report?
21 A I do not have any insight to Mr. Navarro's work.

1

2 [4:04 p.m.]

3 [redacted]

4 Q As a former chief of staff in the White House, working for the President of

5 the United States, do you have any idea why a trade adviser would be working on an

6 election fraud report inside the White House?

7 A I have no idea why Mr. Navarro was involved in this at all.

8 Q And was Mr. Navarro there when you worked at the White House?

9 A He was indeed.

10 Q Did his, for lack of a better term, book of business, or responsibilities, include

11 anything to do with elections or election fraud or cleaning up elections?

12 A It did not.

13 [redacted] Is there anything else we haven't asked about today that you

14 think is relevant to our understanding of the 6th or the events surrounding it?

15 Mr. Mulvaney. Is that the end of -- I'll answer if you ask. Is that the end of your

16 prepared stuff? Because I do want to talk to my counsel about one thing --

17 [redacted] Yes, please.

18 Mr. Mulvaney. -- before I say yes or no to that question.

19 [redacted] Yes, please.

20 Mr. Mulvaney. So if we could step out for a second.

21 [Recess.]

22 [redacted] Go back on the record.

23 Mr. Mulvaney. Do you want to ask me the question again?

24 [redacted]

25 Q Sure. Is there anything else that we haven't asked you about today that

1 you think is relevant to our understanding of January 6th or the events surrounding it?
2 A Maybe. I think you asked me a question, and I answered your question
3 specifically, but if you'd asked more generally, I would've given an additional answer.
4 You asked me about concerns I had about the President leaving office, and I think
5 you limited it in a space of time.
6 I had a conversation with Josh Bolten -- it's been reported in a book, I have not
7 read the book, but I know it's out there someplace -- and it's somewhat accurate in that I
8 talked to Josh Bolten sometime in the fall of 2020. I believe it was before the election,
9 but I'm not entirely sure, okay? And the conversation was about what might happen if
10 there was a problem with the transition of authority, transition of power.
11 Josh, by the way, was the chief of staff to Bush II.
12 One of the -- I think in the fall there had been some discussion about a possible tie
13 in the electoral college. It comes up from time to time in close elections and so forth.
14 And anytime in a close election you worry a little bit about will there be a fight like there
15 was in 2000.
16 And I remember saying to Josh, "Do you think there would be value in us putting
17 together a bipartisan group of former chiefs, not elected officials, so not McConnell and
18 Schumer, not McCarthy and Pelosi, but unelected officials from both parties who had
19 served several White Houses, who might, if things get -- if there are difficulties
20 post-election, that might be able to sort of calm things down and be a voice of reason in a
21 tumultuous time?"
22 Josh agreed to talk about that. He was going to reach out, I believe, to Mack
23 McLarty. I don't remember talking to Mack about this specifically. I had a relationship
24 with Mack. He was a good adviser to me. He was the chief of staff to Clinton, I think,
25 in the early parts of his tenure.

1 So there was a concern about possible hiccups in the transition of power. And
2 for that reason, I did reach out to Josh.
3 I only remember talking to him once, maybe twice, about the topic, and we never
4 took it to the point of meeting or developing a plan or doing anything. But we did have
5 discussions along those lines. And I did want you to -- I didn't want to not be fully
6 responsive to your question in case you had limited in time to after the election, and that
7 that conversation was before the election.
8 Q No, and I appreciate that. Just to ask a follow-up. You said that it seems
9 like this was, you said prompted by -- if there was a possible tie in the election?
10 A It was prompted by a bunch of different things, which is that we knew it was
11 going to be close, and we knew things were acrimonious. Even for American politics,
12 they were getting acrimonious, right? You'd seen the debates, you understood the level
13 of public -- vitriol in public discourse, right? And that if you ended up with a situation
14 like you had in 2000, would it go as smoothly as it went in 2000? I'm not sure everybody
15 would say 2000 was all that smooth.
16 So we were -- I was just trying to think a couple moves down the chessboard. Is
17 there anything we could do now, as a group, on a bipartisan basis, to maybe be a
18 resource to help ameliorate that circumstance if it ever arose?
19 So it wasn't just a tie, it was just something that was really close. Remember, the
20 Clinton team, I don't think, conceded the election in 2016 the night of the election.
21 There's a bunch of folks in March -- or in the spring of 2017 -- who still didn't think
22 Trump was validly elected. So I was worried about that general atmosphere and
23 environment.
24 Q Do you remember who reached out to whom?
25 A I reached out to Josh.

1 Q Okay. Around this time, and I don't know if this was contemporaneous or
2 before or after, President Trump had been asked multiple times about if he would
3 commit to a peaceful transfer of power and kind of, I would say, deferred, didn't quite
4 answer the question directly.
5 Do you know if that was in any way your thought here? Was that connected in
6 any way to his comments about whether or not he would commit to a peaceful transfer
7 of power?
8 A I remember the comments. I don't remember where they fall on the
9 timeline. But it would not be -- it's possible that -- I remember -- I remember exactly
10 what you're talking about now. It was possible that I may have seen that and thought,
11 okay, maybe it's a good time to talk to Josh. But I couldn't -- I don't have a specific
12 recollection of where that falls in the timeline.
13 Q And do you recall if Mr. Bolten, Josh Bolten, had similar concerns that Joe
14 Biden would not participate in some sort of transition or --
15 A I don't recall Mr. Bolten's reaction other than that he said that he would
16 reach out to Mack.
17 Q Okay. It sounds like this was -- was this just one conversation, or was there
18 more than one?
19 A It was either one or two. Again, we didn't take it to the next step of
20 meeting or developing a strategy or a plan of action.
21 Q And did you talk to anyone else about this idea?
22 A I talked to some of my -- the same group of OMB colleagues, my former
23 staffers, and so forth.
24 Q Do you remember what they said about the idea?
25 A I don't. Again, you know, I probably talked to them about it before I talked

1 to Josh. So, you know, ordinarily when I have a really, really stupid idea, they tell me
2 and I forget about it. So my guess is I didn't get much pushback.
3 Q Do you remember if you talked to Mr. Meadows as he was chief of staff at
4 the time?
5 A Oh, no, I would not -- wouldn't -- no, I doubt very seriously I'd talk to Mark
6 about that.
7 Q And you'd doubt why?
8 A I didn't talk to Mark much. It's not just -- the relationship was not like that.
9 Chiefs of staff -- I don't remember a former chief of staff ever calling me. I call a former
10 chief of staff, and that's how it worked, right? You would call your predecessors for
11 advice. But you'd never be a former chief of staff unsolicitly calling a current chief of
12 staff and going, "Here's what I think you should do," or, "Here's a question I've got."
13 That's just not -- that's not the system that I've experienced.
14 Q So we talked about your op-ed in November. It sounds like this happened
15 before election day. Is this kind of the same thought process, though, again, you had
16 concerns that President Trump wouldn't commit to a peaceful transfer of power?
17 A If that was the timeline, if the conversation with Josh was before the
18 election, which I think that it was, but, again, I'm not a hundred percent sure, it may have
19 factored into some of -- one of the other reasons to write the op-ed, consistent, though,
20 with the same thing about preserving the legacy.
21 Q And I know you said you didn't have a fully thought-out plan, but what did
22 you think the possibilities could look like, that former chiefs, this bipartisan group, could
23 do?
24 A Yeah. That if you ended up in a situation like in 2000, where there was a
25 flurry of media activity and people wondering, you know, who's going to be the President,

1 all the instability that comes with an election that's very, very close, or contested, that
2 would there be any value to having a Republican and a Democrat chief of staff go on
3 television and talk about why we're going to get through this, or, we've been through this
4 before, yes, it looks really messy right now, but there's going to be smooth transition,
5 we'll work through the court system, just to sort of try and lower the temperature and
6 calm things down.
7 Q And you might not have thought about this, but as part of this group, would
8 any of them -- would it involve talking to the principals, meaning, you know, Joe Biden
9 and President Trump, right? Because you could go out on TV, but you're not the ones
10 participating in the peaceful transfer of power at this point.
11 A Yeah. Again, I don't -- I don't -- we didn't formulate a specific plan.
12 Q Okay.
13 A That seems like a reasonable step if you were going to do that. But I don't
14 think we ever talked about -- at the end we didn't, other than making some vague
15 references to television, I don't think we talked about, you know, who would talk to, and
16 would it be a campaign adviser, would it be the principal, would it be governors. We
17 didn't get to that level.
18 Q And it sounds like you didn't talk to anyone from the Trump campaign about
19 this idea?
20 A I did not.
21 [redacted] Okay. Do you have any?
22 [redacted]
23 Q Just a few follow-ups.
24 Has anyone reached out to you since January 6th about pardons, either seeking
25 pardons, wanting help to get pardons, or just what they were hearing about people

1 asking for pardons?

2 A No. I read the same stuff in the media that you guys did about people who

3 were selling pardons or allegedly selling pardons or whatever, and people asking for

4 pardons and paying a lot of money and not getting them.

5 But I have no firsthand experience with anybody calling me. I don't think

6 anybody ever called me about a pardon. If they did, I did not pursue it. I didn't solicit a

7 pardon on anybody's behalf. But I don't remember anybody asking me to do so.

8 Q Okay.

9 A And I have no insight into the process other than I knew it was White House

10 Counsel and Jared who were heavily involved in the pardons that took place while I was

11 chief of staff.

12 Q You've been fairly public as the committee's work has been going on and as

13 hearings have been going on. Has Mr. Trump or any of his associates, people close to

14 him, tried to reach out to you at all about the committee or the committee's work?

15 A No. I read a news report that they were fishing around South Carolina,

16 trying to find information to undercut my credibility, but I've not had any direct

17 communication with anybody from the Trump team.

18 Q Okay. And it's been reported -- this is related -- but it's been reported that

19 you were coming in to speak with us. Has anybody, regardless of whether it's

20 Mr. Trump or any of his associates, has anybody reached out to you about your testimony

21 or you coming into the committee?

22 A Anybody?

23 Q Aside from news reports, people asking?

24 A I've had a lot of press inquiries.

25 Yeah, I mean, I talked with my -- I talked with my team about it a little bit last

1 night. Obviously talked to counsel.

2 But, no, no one from the Trump team has reached out to me at all since

3 January 6th in general or in the last 24 hours in particular about the testimony here or

4 about my reaction to this committee.

5 Q Okay. One of the things we talked about obviously is your decision to

6 resign. Did you ever hear about any other Trump officials and their contemplating

7 whether to resign?

8 A Just what I've heard about through your committee work, and what I saw.

9 Obviously Betsy resigned and Elaine resigned, and I didn't realize Pottinger resigned that

10 day until the committee came up, and a couple other folks.

11 But no, I have no specific information aside from what I've seen in the media and

12 your reports.

13 Q And you've now heard our questions today and you have seen, it sounds like,

14 some of our hearings. Is there anybody else that you can think of that we should talk to

15 in order to get additional information on these topics?

16 A I don't know. I don't know who you've talked to.

17 Q Sure, yes. Anybody stand out to you as this is somebody you definitely

18 want to, regardless of whether you think we --

19 A No, I think you guys have got all the likely suspects, so --

20 Q Okay.

21 A I didn't realize till I sat here today about the conversation I had with Grenell.

22 I didn't recall that until we were sitting here. Obviously you're going to reach out to him

23 now, I understand that.

24 But, no, I mean, you know who the campaign people are. There's no secret

25 people in the wings that I know about that you don't know about, I don't think.

1 [redacted] Okay.

2 [redacted] Okay. That's it from us.

3 Thank you so much, Mr. Mulvaney.

4 Mr. Mulvaney. Thank you all very much. Appreciate it.

5 [redacted] Off the record.

6 [Whereupon, at 4:17 p.m., the interview was concluded.]

Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

_____

Witness Name

_____

Date