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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.

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11 DEPOSITION OF: AUSTIN FERRER PIRAN BASUALDO

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Friday, April 8, 2022

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Washington, D.C.

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20 The deposition in the above matter was held via Webex, commencing at 10:01

21 a.m.

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Present: Representatives Aguilar, and Lofgren.

1 Appearances:

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4 For the SELECT COMMITTEE TO INVESTIGATE

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

6

7 [REDACTED], STAFF ASSOCIATE

8 [REDACTED] INVESTIGATIVE COUNSEL

9 [REDACTED] STAFF ASSOCIATE

10 [REDACTED] SENIOR INVESTIGATIVE COUNSEL

11 [REDACTED], CHIEF CLERK

12 [REDACTED] INVESTIGATIVE COUNSEL

13 [REDACTED], PROFESSIONAL STAFF MEMBER

14 [REDACTED], OF COUNSEL TO THE VICE CHAIR

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17 For WITNESS:

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19 DANIEL BENSON

20 JONATHAN GONZALES

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██████████ All right. Then let's go on the record. It's 10:01 a.m. on April 8th, 2022, and this is the deposition of Mr. Austin Ferrer conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol pursuant to House Resolution 503. At this time, I would ask you, Mr. Ferrer, to please state your full name and spell your last name for the record.

The Witness. Austin Gabriel Ferrer Piran Basualdo.

██████████ And can you spell your last name, please.

The Witness. Sure. F, as in Frank, e-r-r-e-r. Second last name, Piran. Third last name, B-a-s-u-a-l-d-o.

██████████ I appreciate that. Thank you. And, counsel, can you please introduce yourself and spell your last name for the record.

Mr. Benson. Daniel Benson, B-e-n-s-o-n. Kasowitz Benson Torres for the witness.

██████████. Excellent. I appreciate that. And I know Mr. Gonzales, Jonathan Gonzalez from your firm is on as well. Will you please introduce yourself and spell your last name, Mr. Gonzales.

Mr. Gonzales. Yeah, Jonathan Gonzales, litigation specialist, Kasowitz Benson. It's G-o-n-z-a-l-e-s.

██████████ Thank you very much. So this is going to be staff led deposition. If any members join, members of the select committee, which they can, you will see them pop up on the right-hand side most likely of the Webex platform there and the list of participants. And I will try to notify you if any members join so that you're aware, and so that your counsel, Mr. Benson, is aware as well. Others joining from the select committee are listed there, but I will introduce myself on the record for you. My name

1 is [REDACTED]. I am senior investigative counsel to the select committee. To my right
2 is [REDACTED], an investigative counsel for the select committee. And to her
3 right is [REDACTED], professional staff member to the committee.

4 Under the House deposition rules, which are the rules that we will be following
5 today, neither committee members nor any staff can discuss the substance of the
6 testimony you provide, unless the committee approves its release. And you and Mr.
7 Benson will have an opportunity to review the transcript of this deposition once it's
8 completed. And I'll speak with Mr. Benson about that after this is done.

9 But before we begin, there are a few other ground rules. Counsel for other
10 persons, meaning attorneys who are not yours, Mr. Ferrer, are not permitted to join. I
11 do know that you have Mr. Benson here today, and that's certainly fine. So please let us
12 know if, at any point, you anticipate anybody else joining this Webex deposition, so we
13 can make a note of it for the record, and then if we need to chat with Mr. Benson about
14 it. There is an official reporter -- there's actually three of them -- at the time listed on
15 the right-hand side of the Webex platform. They're going to be taking down the official
16 record of this deposition.

17 There's only one taking down at a time, but they will trade off. So you'll see
18 different names, and that's the reason for more than one. But please wait
19 before -- until each question is completed before you begin your response. It will make
20 it a lot easier for them to take down who's saying what. And then, in turn, we'll wait for
21 you to finish your answer until asking the next question. But, because it is being taken
22 down by a reporter, they can't record nonverbal responses, like shaking your head or
23 saying "uh-huh." So it's important that you answer each question with an audible,
24 verbal response. Does that make sense to you.

25 The Witness. It does.

1 ██████████ We do ask that you provide complete answers based on your best
2 recollection. I know it's been over a year since some of the things we've been talking
3 about. And if you don't know something or recall something, that's perfectly fine,
4 please just say so. And if a question that I ask or that ██████████ asks is not clear,
5 please ask us to rephrase it. We'd much rather you answer a question you understand
6 than try to answer a question that you don't.

7 You may only refuse to answer a question to preserve a privilege that's recognized
8 by the select committee. And if you refuse to answer a question based on a privilege,
9 we can either proceed with the deposition or seek a ruling from the chairman on the
10 objection. And if the chairman does overrule such an objection, you would be required
11 to answer the question.

12 I do want to remind you, too, that it's unlawful to deliberately provide false
13 information to Congress. And, of course, our proceeding today here is an official
14 proceeding of the select committee.

15 And since this deposition will also be under oath, I do want to remind you
16 providing false information could result in criminal penalties for perjury or false
17 statements. Do you understand everything we've gone over to this point, Mr. Ferrer?

18 The Witness. I do.

19 ██████████ All right. Then at this point, I would ask that you stand and raise
20 your right hand to be sworn.

21 The Reporter. Sir, do you solemnly declare and affirm under the penalty of
22 perjury that the testimony you are about to give will be the truth, the whole truth, and
23 nothing but the truth?

24 The Witness. I do.

25 The Reporter. Thank you.

1 with a BA in journalism and communications. Is that right?

2 A That's correct.

3 Q And then in October of 2017, it looks like you joined the White House as
4 associate director of special projects in the correspondence office. Is that right?

5 A I don't think so, sir. I joined in August.

6 Q You joined in August. Okay. Was it that position or a different position?

7 A It was that position.

8 Q How did you end up working in the White House?

9 A I started as an intern in May of 2017.

10 Q And when you joined in the correspondence office, officially, in August
11 of 2017, what were your responsibilities?

12 A To help draft and review the code and action letters that the President
13 would send out to families of servicemembers who have had -- lost their lives either
14 overseas or in training accidents.

15 Q Who did you report to?

16 A Desiree Sayle, she is the director of correspondence -- she was the director
17 of correspondence.

18 Q How big was your team?

19 A My personal team or Desiree's team?

20 Q The team you worked on, so I guess Desiree's team.

21 A About 20 staff members.

22 Q And at that point, did you have any interactions with the President, other
23 than meet-and-greet type interactions?

24 A No, sir.

25 Q I believe in roughly February of 2018, you joined the staff secretary's office.

1 Is that right?

2 A That's correct, sir.

3 Q What was your role there?

4 A It was to assist the acting staff secretary, Derek Lyons, in his duties.

5 Q What was your title there?

6 A I don't think I had an official title. It was essentially a test run when I went
7 over in February of 2018. I wasn't officially in the staff secretary's office, I don't think
8 until, perhaps May. I really don't know. It's it all kind of blends together.

9 Q You said were working with Mr. Lyons. What were your responsibilities?

10 A To assist him in his day-to-day duties. Like a general assistant, making sure
11 he is on track to his meetings, making sure his calendar is organized, making sure he is on
12 time for his scheduled appointments.

13 Q Okay. So more like a personal assistant rather than like staff
14 secretary-related functions. Is that fair?

15 A Early on, that's correct.

16 Q Did that change at some point?

17 A It did.

18 Q What responsibilities did you take on once it changed?

19 A Regular staff secretary team duties which, you know, organizing speeches,
20 press releases, memos.

21 Q As part of that job, did you interact with folks in what's referred to as the
22 outer Oval?

23 A I did.

24 Q Excuse me. Is that when you first began working with folks in the outer
25 Oval on a day-to-day basis?

1 A It wasn't every single day-to-day, but it did happen periodically.

2 Q And just so we're talking about the same thing, getting our definitions right,
3 what do you think of when I use the term "outer Oval"?

4 A It's the office space located right outside the Oval Office.

5 Q So like the President's personal secretary, the person who's referred to as
6 the body person who accompanies the President places?

7 A The body man, that's correct, sir.

8 Q And then I understand in October of 2019, or thereabouts, that's when your
9 responsibilities changed to take on a more substantive role in the staff secretary's office.
10 Is that correct?

11 A Around that time, sir.

12 Q And did you hold that job until about May 2020?

13 A That's correct.

14 Q What happened in May 2020?

15 A I moved to the outer Oval team.

16 Q Tell us about that. What was your title and your responsibilities when you
17 moved there in May 2020?

18 A I don't remember the official title. I believe there was Oval Office special
19 assistant maybe. And my duties were just to help Molly Michael and the body man, just
20 do, again, official duties, whatever they needed day-to-day.

21 Q Was the body man at that point Nick Luna when you moved there in
22 May 2020?

23 A That's correct, sir.

24 Q Was that your whole team, just you, Molly, and Mr. Luna?

25 A That's correct. That's the outer Oval team.

1 Q What about Dan Scavino? I understand that he sat at least around that
2 area. Was he part of that outer Oval team?

3 A Yes, Dan had his own office in the outer Oval.

4 Q Did you have any responsibilities for directing or supervising the outer Oval
5 team?

6 A I would say just strictly the, you know, proximity and natural hierarchy of the
7 White House, I considered Dan a boss. Though, I didn't directly report to him, but again
8 proximity in the office.

9 Q Who did you directly report to?

10 A Perhaps a couple of different people. Primarily, Nick Luna, the body man,
11 Molly Michael, Tony Ornato, the Chief of Staff, and, if necessary, the President.

12 Q The Chief of Staff being Mr. Mark Meadows?

13 A The Chief of Staff at the time. I don't remember when Mark Meadows
14 started, but whoever was the Chief of Staff, you know, during my entire time at the White
15 House I would consider them a boss.

16 Q Okay. And if you could just give me some examples of the work you would
17 do in that role in the outer Oval?

18 A Sure. I would be the first one to arrive in the morning. That just included
19 organizing the office, opening up the door to the Oval Office, the cabinet room, the
20 President's private dining area. After that, I had, you know, basic tasks. In the
21 morning, again, nothing that particularly stands out. Just making sure that the office
22 space is ready for when Molly, Nick, Dan, and the President arrived.

23 Q What time would you typically get there?

24 A Typically, 7:30.

25 Q Were you usually the first one there, it sounds like?

1 A Oftentimes.

2 Q Did you have any role with respect to the President's schedule?

3 A Can you elaborate?

4 Q Yeah, sure. Either -- well, I'll start here. Did you have any role in
5 scheduling appointments for the President or setting up meetings for the President?

6 A Under my own authority? Or is this just assisting, you know, meetings that
7 were already there? Does that mean waving people into the White House.

8 Q Either one. Yeah, whatever your responsibilities might have been with
9 respect to scheduling meetings or --

10 A No, I didn't direct the President's schedule or put meetings that I thought
11 would benefit the President. If meetings that were already in the schedule needed
12 assistance, perhaps somebody needed to be allowed into the White House, I could fill out
13 a WAVE link, assist them with that. Other than that, my duties were just to make sure
14 that the President's guests were inside the White House and where they needed to be
15 before they met with the President.

16 Q Would you meet them outside the White House and escort them in --

17 A Rarely --

18 Q -- or just one? I'm sorry?

19 A I'm sorry, I thought you were done. Go ahead.

20 Q Oh, no, please go ahead. So my question was would you meet them
21 outside, the guests, outside the White House and escort them in?

22 A Rarely.

23 Q When would you first interact with guests once they arrived at the White
24 House?

25 A When they would cross the Secret Service checkpoints.

1 Q Okay. So like once they got inside the White House -- I just think of the
2 inside and the outside. So once they're inside, that's when you would help out,
3 essentially?

4 A Got it. Once they crossed the Secret Service checkpoints, they would be
5 officially inside the White House. And then, if needed, I would greet them outside of the
6 West Wing, or outside of the East Wing, depending on which entrance they came in.

7 Q And what about -- aside from setting up meetings or appointments, what
8 about just making sure the President knew about his schedule or appointments? Did
9 you have any role in that?

10 A The President was given his schedule sometimes the night before,
11 sometimes the morning of, and he did a very good job of understanding of what his
12 day-to-day looked like.

13 Q Who gave him that schedule?

14 A A variety of people. Typically, the staff secretary's team would prepare a
15 schedule. And I don't know what happens upstairs once the President's in his private
16 areas, but perhaps the usher's team.

17 Q Would you have any role in printing it out and making sure the President had
18 a copy in his morning folder. And I'm just making things up here. But would you have
19 any role like that?

20 A During what time of my roles at the White House?

21 Q Yeah, no, great question. Very -- we're most focused on November of 2020
22 through January of 2021. So in that period, would you have any responsibility with
23 that?

24 A Not that I specifically recall. I may have printed a schedule a couple of
25 times, but that wasn't my day-to-day duties to print a schedule and deliver it to them.

1 Q What about briefing materials, if the President had big meeting or something
2 the following day, would you have any role in making sure that the President received
3 briefing materials the night before or the morning after?

4 A That was primarily the staff secretary's office duties.

5 Q Would you assist with that at all?

6 A If needed.

7 Q And I note for you, Mr. Ferrer and Mr. Benson, that Ms. Lofgren's
8 staff -- excuse me, a select committee member has just joined us. Good morning, Ms.
9 Lofgren, and thank you for joining.

10 To your knowledge, did anybody other than the President or his scheduling team
11 have to approve meetings with the President?

12 A Who do you consider the President's scheduling team?

13 Q Let me ask you. Who was on the team that was most responsible for
14 setting and accepting meetings for the President?

15 A I'm not aware of the specifics.

16 Q Who was the scheduler?

17 A I don't know if there was a specific scheduler.

18 Q All right. If you needed to set and get something onto the President's daily
19 schedule, who would you go to?

20 A I never had to do that.

21 Q If somebody needed to get that done, who would you point them to?

22 A It depends on who they were.

23 Q Okay. What about somebody outside, somebody like Mr. Rudy Giuliani, if
24 he wanted to get on the President's schedule, and he calls you and said, I need time with
25 the President, what would you do?

1 A That's a bit of a hypothetical. I consider Rudy a high-profile member. And
2 Rudy has never personally called me to ask me to put him on the schedule.

3 Q What --

4 A Sorry. Other than somebody -- when you meant somebody from the
5 outside, I thought you were going to say somebody as in the general public.

6 Q We can talk about that, too. But what about somebody like that,
7 somebody who is relatively, I guess, close to the President, or at least familiar with the
8 President who wants to get time with him, who would that call be directed to to get him
9 and entry on the President's schedule?

10 A I would probably -- again this is a hypothetical because it was extremely rare.
11 In fact, I can recall one time where a high-profile member reached out directly to me to
12 get on the President's schedule. If that hypothetical situation were to happen, I would
13 probably direct them to Molly Michael, who is my colleague in outer Oval.

14 Q Okay.

15 A But, again, that's not saying that she was the person who was in charge of
16 the President's schedule.

17 Q All right. So who would she work with? Who is that person in charge of
18 the President's schedule?

19 A I'm not sure.

20 Q You don't know anybody on the scheduling team who could put that kind of
21 information on the President's schedule?

22 A I could perhaps name, you know, 50 to 60 different people that work at the
23 White House, but I'm not sure if that's beneficial. Once it gets to Molly's duties, you
24 know, I really -- it was just my job to get Molly, in this specific case, the person, and then
25 she would take it from there. You may -- you know, it may be helpful to ask Molly,

1 because to be honest, my duty was just to get her names like that, and then I would be
2 hands-off. After that, it's, again, not my role.

3 Q Are you aware of whether Mr. Meadows, staying in that November to
4 January timeframe, had a role in approving or not approving certain meetings with the
5 President?

6 A I'm not sure.

7 Q Don't know. If we can pull up exhibit 34, please.

8 All right. Mr. Ferrer, can you see what we just pulled up on the screen?

9 A I can.

10 Q Are you able to read it? Is it big enough? Or would you like us to zoom in
11 a bit?

12 A It is. I don't know if I can see the entire document. I just see the bylines,
13 and it ends at Presidential appointments and scheduling.

14 Q Perfect. That's exactly where we're at. And we'll scroll down from there,
15 and other documents if we need to.

16 So this is an email from Office of Presidential Scheduling. It's sent to the staff
17 secretary as well as Mr. Luna. Hope, who I presume is Hope Hicks, and a few other
18 people, including on the last entry, or the second to the last entry in the CC line.
19 Austin.g.Ferrer@who.eop.gov. Is that the email you used when you worked in the
20 White House?

21 A That's correct.

22 Q Did you use any other email addresses for official business in the White
23 House?

24 A My official email got changed to Austin@who.eop.gov.

25 Q When did that happen?

1 A I don't recall.

2 Q Do you remember it being early in the administration that it went to
3 Austin@who.eop.gov, or was it closer to end?

4 A Closer to the second half of my time at the White House.

5 Q And did you still have access to this one, Austin.g.Ferrer?

6 A I'm not sure. Those were different.

7 Q Do you think they both went to the same place?

8 A That's correct.

9 Q Okay. So if somebody sent an email to this email address at the end of
10 December, do you think you would have received it?

11 A I'm not sure. I would think so, because I had access to all of my emails, so I
12 can't imagine that it wouldn't have.

13 Q Okay. Do you remember ever -- people telling you, I sent an email to this
14 address, why didn't you get it, for example?

15 A I don't recall that.

16 Q All right. And this was just about 22 days, 21 days before the end of the
17 administration. Do you remember your email address changing within 20 or so days of
18 the end of the administration?

19 A No, I think my email was Austin@who.eop.gov at that time. Which, again, I
20 think I would have received this email.

21 Q Okay. So the subject line for this email in exhibit 34 is the President's
22 Schedule Wednesday December 30th, 2020. Did you receive an email like this,
23 regularly, while you were working at the White House in the outer Oval?

24 A Similar emails, that's correct.

25 Q Do you think you would have received something like this every day, just

1 letting you know what's going on with the President's schedule?

2 A Almost every day.

3 Q The attachments to this are listed there, but one of them is called the
4 goldline schedule. One of them is called the pocket card. One is called the private
5 narrative, and the other is planning calendar. Can you just walk us through what those
6 different things are?

7 A No, because I really don't remember.

8 Q You don't remember the difference between a goldline schedule and like a
9 pocket card, for example?

10 A I would -- you know, I don't have the attachments. If you want to pull up
11 the attachments, I would be happy to lead you through them. But I believe a pocket
12 card is just the schedule and a pocket card dimension. And a goldline, I assume, is just
13 what we would -- it's a larger format.

14 Q Was the goldline a schedule that was given to the President?

15 A I'm not sure. Normally. This one, I don't know.

16 Q Fair enough, and we don't have the attachment to that. But, normally,
17 when you think of a goldline schedule, that's something that would go to the President?

18 A That's correct.

19 Q What about the private narrative. What does that refer to, typically,
20 understanding that you don't have this one in front of you?

21 A Do you have it that you can pull it up?

22 Q I don't.

23 A Okay.

24 Q Not for this entry.

25 A Got it. No, I -- I'm not certain.

1 Q What about a planning calendar?

2 A Aside from, you know, my context that I would derive from, a calendar that
3 they're planning events, I don't -- I don't recall.

4 Q Do you ever remember seeing like a calendar on a grid, you know, entry like
5 the entire month of, say, April, were presented to the President with his scheduling
6 materials?

7 A I do.

8 Q Okay. Is that what this planning calendar could refer to, typically, as you
9 understand these types of emails?

10 A It could, I don't -- again, I don't see the attachments. It could.

11 Q Right. What's your responsibilities, if any, when you receive an email like
12 this on a daily, or near daily basis?

13 A On this date?

14 Q No, not on this date, just generally.

15 A During which part of my time at the White House?

16 Q The period when you're working in outer Oval. Unless I say otherwise, it's
17 going to be November through January of 2020.

18 A Okay. Got it. I would have no responsibility then. I was strictly just
19 CC'd.

20 Q And this comes from the Office of Presidential Scheduling. You don't know
21 who led that office?

22 A I believe has Mike Haidet, but, again, I'm not certain during that time.

23 Q Could you spell that last name, please?

24 A No, I can't.

25 Q Okay. Could you repeat it more slowly?

1 A Sure. Haidet.

2 Q Thank you. All right. And then, while we still have this up.

3 NicholasFLuna@who.eop.gov, that's the person who you referred to earlier as the body
4 man in that period between November of 2020 and January 2021?

5 A Sorry, was that a question?

6 Q It was, yeah. Is that right?

7 A That's correct.

8 Q Hope, who is that?

9 A I believe you said it was Hope Hicks, presumably.

10 Q Do you know that to be the email address that Hope Hicks used while you
11 were in the White House?

12 A No, I don't.

13 Q Who is William Dixon?

14 A I don't know.

15 Q There's a person there, Michael Haidet, H-a-i-d-e-t. Is that the person you
16 referred to earlier as person you thought might be the head of the scheduling office?

17 A That's correct.

18 Q And then Scavino at who.eop.gov, is that the email address for Dan Scavino
19 that you recall?

20 A I don't recall.

21 Q Who's Abigail Bacak, B-a-c-a-k? I'm sorry if I mispronounced that.

22 A I cannot recall. I think she was in the scheduling, if I had to give my best
23 guess.

24 Q What about Nicholas Clemens?

25 A Also in the scheduling office.

1 Q Who would typically keep track of the President's whereabouts for
2 recordkeeping purposes in that period of November 2020 through January 2021?

3 A What do you consider recordkeeping purposes?

4 Q I'll ask you. Your responsibilities with the White House, I understand
5 include making notes about what the President did and who the President called. Is that
6 right?

7 A Sometimes that was my duty.

8 Q Okay. Tell us about that duty. Who did you get that duty from? Who
9 told you that do that?

10 A I don't recall. I would have to presume it was Molly, that she was one of
11 my bosses, probably my closest boss on a day-to-day basis.

12 Q But you don't remember her ever asking you to take notes on what the
13 President was doing or who he was talking to?

14 A No, not specifically.

15 Q When you started in the outer Oval team, I assume that you would have met
16 with maybe Ms. Michael and others. Do you remember that being a job responsibility
17 that she or somebody else asked you to take on?

18 A No.

19 Q Did you think of this idea by yourself, that you're just going to take -- track or
20 keep track of the President's schedule or whereabouts and calls?

21 A No.

22 Q So you believe you received that from somebody, that job responsibility?

23 A That's correct. I believe my job evolved from May to January.

24 Q Okay. And did it not start out including that as a responsibility?

25 A Not that I recall.

1 Q But it did evolve. So once we get through the November through January
2 timeframe, it included you taking notes about what the President was doing or who he
3 was talking to?

4 A Again, it could have some days. That was not my primary or only duty, if it
5 was a duty at all.

6 Q Okay. Did other people share that duty with you?

7 A They could have.

8 Q You don't know?

9 A I'm not sure. It was not -- again, I did not have a training manual. I did
10 not have, you know, written out very specific responsibilities. So maybe somebody
11 could have done it before then or during my time at the White House and my time at the
12 outer Oval.

13 Q Yeah, sure, and in that period of November through January, it sounds like
14 that was a task, at least sometimes, that you performed. Is that -- that's right?

15 A That's correct.

16 Q And if there was a day when you weren't performing that task, would you let
17 somebody know? Hey, Molly, I can't do this today, we need to have somebody else do
18 it?

19 A No.

20 Q All right. So what about the days when you couldn't do it, who would be
21 responsible for picking that up?

22 A I'm not sure.

23 Q Would you communicate with anybody that you weren't able to take notes
24 about the President's activities or communications on a particular day? Like Mr.
25 Meadows, for example?

1 A No.

2 Q Would you tell Mr. Luna?

3 A No.

4 Q What was your understanding of why you did that, why you took notes
5 about what the President was doing, who he was meeting with, and talking to?

6 A To go above and beyond the records that the White House already captures.

7 Q What do you mean "above and beyond"?

8 A It would just be an added layer that the White House could use almost as a
9 beneficial layer on top of the records that they already capture.

10 Q And what would you do with those records?

11 A Give them to the Office of Records Management every single night --

12 Q Who in the Office of Records?

13 A -- if I had captured a record.

14 Q Okay. I appreciate that. And who in the Office of Records Management
15 would you give it to?

16 A A very small list, [REDACTED] and [REDACTED].

17 Q I'm sorry. I spoke over you at the beginning. So who in that office did you
18 give it to?

19 A [REDACTED] and [REDACTED].

20 The Reporter. Could you spell those names, please, sir.

21 The Witness. I cannot. I believe [REDACTED], again, that's my best
22 guess. I'm not sure. And [REDACTED].

23 BY [REDACTED]:

24 Q One of the people that ultimately collected some of these documents we
25 understand was the diarist who worked for the Archives but was a detail, I suppose, to

1 the White House. Do you know who that person was between November and January?

2 A I may have known the name at the time. I don't remember now. I believe
3 they just had a -- a -- just an email kind of inbox, a general one. I don't know if it was
4 attached to a name.

5 Q Was that general inbox on the distribution list for your -- the records that
6 you sent out to the people you just identified, [REDACTED] and [REDACTED]?

7 A Yeah, I didn't have a distribution list. I would have to input it manually
8 every single time. Oftentimes it was. I may have inadvertently left the diarist out
9 sometimes. But I had already communicated to the records management team that if I
10 did leave it off, it was inadvertent, because I was used to sending it just to [REDACTED] and [REDACTED].

11 Q When I say the name [REDACTED], does that sound familiar to you?

12 A I think so.

13 Q And does that sound familiar to you as the person we're talking about as
14 the -- the daily diarist -- the diarist, excuse me?

15 A I think so. Again, I'm not 100 percent certain, but I have definitely heard
16 that name.

17 Q I know you said you don't remember exactly who told you to start keeping
18 track of the President's activities and phone calls. But who, if you recall, gave you the
19 instructions or told you that you need to send this every night to this list of [REDACTED] or
20 [REDACTED], and sometimes this diarist inbox?

21 A I don't recall.

22 Q And give us a sense of timing on that. What time did you typically leave the
23 White House every night?

24 A After the President departed his residence.

25 Q Would you send the notes that you took on the President's activities that

1 same night, or would you do it, like, the next morning when you got in?

2 A It varied.

3 Q It could be either one?

4 A It could be days later. If I had compiled multiple, or if I didn't capture a
5 record, then the records management team already had the schedule.

6 Q Explain what you just meant a little bit more, if you don't mind. You said if
7 you didn't capture a record, the records management team already had the schedule.
8 What -- there could be things that happened that aren't on the President's schedule,
9 right?

10 A Perhaps, yeah.

11 Q Okay. So why wouldn't you also supplement that schedule that the records
12 management team receives with the notes, whatever notes that you have?

13 A Because, again, I haven't captured anything.

14 Q Did anybody ask you or follow up with you on days that you didn't submit
15 any notes like that, saying, you know, Mr. Ferrer we need your notes from -- I'm just
16 going to use an example, April 7th?

17 A Sure. [REDACTED] did a great job with that.

18 Q And would you ever tell him you don't have anything for using the same day,
19 April 7th?

20 A I don't recall.

21 Q Do you ever remember him asking you why you didn't have notes for any
22 particular day?

23 A No, I don't recall.

24 Q Do you remember him ever saying, you know, this is something we need to
25 be doing, we need something every day, maybe not [REDACTED], but anybody else in the

1 White House?

2 A No, I don't remember.

3 Q Where would you take notes -- I assume that some of these may be
4 handwritten notes. Is that fair?

5 A That's correct.

6 Q Did you have a notebook where you took these notes?

7 A No.

8 Q Where would you take them?

9 A On a piece of paper.

10 Q Any particular piece of paper, like the President's schedule or just a blank
11 piece of paper lying around?

12 A The President's schedule.

13 Q Is that where you -- where you took the handwritten notes about the
14 activities of the day most frequently on the President's schedule?

15 A Sometimes.

16 Q Do you remember ever doing it anywhere else, taking these notes?

17 A No, sometimes it was just in reference to if I did capture the notes.

18 Q And what would you do with these hardcopy documents after you took the
19 notes? How would you send them off to this distribution list -- or maybe it's not a
20 distribution list, that's not fair -- but the people you identified from the records office,
21 how would you send them to them?

22 A Scan and email.

23 Q What would you do with that hardcopy after you scanned it?

24 A I would place them in an Accordion folder and deliver them to Office of
25 Records Management once a month.

1 Q Did you ever shred them?

2 A Absolutely not.

3 Q Did you ever put them in a burn bag?

4 A Absolutely not.

5 Q All right. Do you ever just throw them in a trash can?

6 A No.

7 Q Are you aware of anybody else who did that?

8 A Absolutely not.

9 Q I think you said absolutely not to my question of whether anybody did any of
10 those things, meaning shred a bag or throw them in the trash. Is that correct?

11 A That's correct.

12 Q Was there ever a time where you or someone else, to your knowledge,
13 stopped recording meetings or phone calls -- excuse me, the President's meetings or
14 phone calls?

15 A No. And, again, that's -- like I mentioned earlier, there would be
16 oftentimes areas or gaps of time that it wouldn't happen if, again, the office was
17 particularly busy, or if we were understaffed, or if it was just a naturally chaotic day.

18 Q And in those circumstances, did you ever receive questions about why there
19 were no -- none of these handwritten notes --

20 A No.

21 Q -- about the President's activities?

22 A No.

23 Q So we understand that there are no records sent to the diarist, at least
24 between January 5th and January 20th of the President's activities or phone calls in the
25 handwritten notes that we've been discussing. Do you know why?

1 A Were records sent to the Office of Records Management?

2 Q I am sorry?

3 A Were records sent to the Office of Records Management?

4 Q I am just asking you if you know why these records weren't sent to the
5 diarist for that period, about 15 days between January 5th and January 20th?

6 A No, I'm not sure.

7 Q Do you remember not sending those daily emails or near daily emails to the
8 Office of Records Management and the diarist?

9 A Can you repeat the beginning part of the question?

10 Q Yeah. Do you remember that you did not send those handwritten notes on
11 the President's activities or phone calls for that period of January 5th through the 20th to
12 the records folks and the diarist?

13 A No, I don't remember that, and I'm not sure if I did or I did not.

14 Q In this period between November of 2020 and January 2021, were you ever
15 told not to make a record of some activity or phone call that the President had?

16 A No.

17 Q And during this period between November 2020 and January 2021, did
18 anybody ask you not to make a record of anything that the President did or who he talked
19 to?

20 A No.

21 Q Some of this we're going to look at more, specifically in the next few minutes
22 or hours, but I'll stop there and see whether anybody had any questions, first, if Ms.
23 Lofgren is still on. Okay. I believe she has left.

24 Would you, Mr. Ferrer, ever participate in the President's meetings?

25 A Very rarely.

1 Q What were the rare circumstances that you would? Why would you be in
2 with the President in a meeting?

3 A If I was inadvertently trapped in there at the beginning of a meeting. That
4 just means that the Oval Office door was closed and I didn't want to make a scene exiting.

5 Q Did the President ever ask you to stay in a meeting, or anybody else in the
6 White House, Mr. Meadows, White House Counsel's Office to stay in a meeting to take
7 notes?

8 A No. I don't recall.

9 Q And aside from this kind of informal gatherings or pleasantries, were you
10 ever asked to stay in a meeting for any other purpose, not just to take notes?

11 A No, I don't recall.

12 Q Did you receive readouts of the President's meetings, meaning summaries or
13 a description of what had happened for any job function that you had?

14 A It was the natural course that the White House press would send a readout.
15 Not specifically to me, but I would see it on Twitter, or any other news outlet.

16 Q I see, but before it hits the press or goes outside of the White House
17 grounds, did you receive readouts of the President's meetings for any reason?

18 A I don't recall.

19 Q Did you ever place calls for the President?

20 A Can you elaborate?

21 Q Yes, did the President ever ask you to call somebody and patch him through
22 or give the President your phone?

23 A To patch him through, yes, but I would never make a call on behalf of the
24 President. If the President asked for me to get a number on the phone for him, then I
25 would. And, no, he has never asked for my phone.

1 Q Okay. So I appreciated that distinction. So you would not call somebody
2 and relay a message, but you would connect the President to other people if he asked
3 you to. Is that correct?

4 A That's correct.

5 Q All right. Explain the process for doing that. If the President is in the Oval
6 Office, and he said he wants to get Mr. Benson on the phone -- sorry to use you as an
7 example, Mr. Benson -- but how would you do that, Mr. Ferrer?

8 A If I had Mr. Benson's number, I would dial it out from our office phone in the
9 outer Oval. Once I had Mr. Benson on the line, I would then place him on a brief hold,
10 transfer the call into the Oval Office, and shout to the President that Mr. Benson was on
11 the line.

12 Q And to make that call from you to Mr. Benson, would you go through a
13 switchboard operator, or would you just dial it directly from your desk?

14 A One out of 100 calls, I would go to the -- and, again, that's just a very
15 guesstimate range -- but it was extremely rare that I would use the White House
16 switchboard. That was our -- that was my final call if I didn't have Mr. Benson's number,
17 I would just check in with the switchboard to see if for any reason they did have it.

18 Q I see. So most of the time you would just dial directly if you had the
19 number then, and then connect the President once you had the other person on the line?

20 A That's correct.

21 Q All right. Let me ask you this: If somebody called you, using that method,
22 so you, Mr. Ferrer, directly calling Mr. Benson, do you know what would show up on
23 caller ID on the other end? So would it be like the White House outgoing line?

24 A I'm not sure. I don't think it would say White House outgoing line.
25 Oftentimes, it would come up empty, it would come up with a couple of zeros, it could

1 come up with just [xxx], it could come up with my desk line. And, again, I'm not sure.
2 Sometimes when we would call guests, whoever it might be, they would mention, Oh, I
3 almost didn't pick up because it was a [xxx] number, or there was no numbers, or it was a
4 random number.

5 Q Okay. That's very helpful. So one of the numbers you mentioned was
6 some zeros. I believe -- and I may not have this exactly right -- but one of the White
7 House numbers was [xxxxxxxxxxxx]. Does that sound right?

8 A That sounds right.

9 Q Okay. And are you aware of that phone number ever showing up if -- for
10 the recipient of a call from the White House?

11 A I'm not sure, because I was -- if I wasn't on the other end, oftentimes I would
12 be placing the call. But I do -- I do remember seeing that number, if somebody would
13 call my phone from the White House.

14 Q Perfect. That's exactly what I was getting at. And if they were calling you,
15 was that a call that typically went through the switchboard to get that [xxxx] number?

16 A I'm not sure.

17 Q All right. I understand there's another phone number associated with the
18 White House -- which there's probably a lot of them -- but another one ends in [xxxx]. I
19 think it's [xxxxxxxx]. Are you familiar with that number?

20 A No.

21 Q Okay. How about any number ending in [xxxx]?

22 A It does sound familiar, but I'm not sure why.

23 Q Do you know whether that's a switchboard number?

24 A I have no clue.

25 Q When you did place a call, going back to the hypothetical example, where

1 we'll use Mr. Benson, if the President asked to you make a call and you connected that
2 call, did you ever stay on that call for any reason?

3 A Never.

4 Q Were you ever asked to stay on to take notes or to take down a phone
5 number, for example, from the President?

6 A No, if that was necessary, the President would ask that we pick up.

7 Q Okay. Do you remember being asked to pick up and join any calls with the
8 President?

9 A No.

10 Q And just to be clear, I'm not saying, do you remember any particular calls
11 where you were asked to do that, but just generally? Do you remember the President
12 asking you to join a call for any reason while he was talking to somebody?

13 A No, absolutely not.

14 Q I think we mentioned earlier, but I just want to be clear here, you don't recall
15 ever using your cell phone to place a call for the President; in other words, you wouldn't
16 hand him your cell phone for him to talk to somebody on. Is that correct?

17 A Never.

18 Q Do you know if other people would do that?

19 A No.

20 Q And are you saying no because you don't know whether that happened, or
21 are you sure that it did not happen?

22 A No, I was just answering the question, I do not know.

23 Q Okay. Did part of your job responsibilities include answering calls that
24 were coming into outer Oval for the President or anybody else?

25 A Yes, because I had any own personal desk line.

1 Q Did people call you directly in order for to you connect them with the
2 President?

3 A Not that I recall.

4 Q Did people call you asking for the President?

5 A In need to find that oftentimes, it was just more of where was the President,
6 not asking -- go ahead.

7 Q And I'm sorry, Mr. Ferrer. Go ahead.

8 A Can you repeat the question?

9 Q Yeah. Who would be the people that are calling you looking for the
10 President or wondering where he might be?

11 A Nobody specifically. It would just be --

12 Q Would you -- would you get calls from Mr. Meadows?

13 A Very rarely. If I received one at all.

14 Q And, I'm sorry, this is my trouble. This is my fault. You're doing great, but
15 this is the trouble with these Webex platforms. So I will try to do a better job of taking
16 my own advice and waiting until you are complete. I'll stop there for a moment about
17 phone calls and see if anybody has any follow-up.

18 Did you ever send any emails on behalf of the President?

19 A Not that I recall.

20 Q Do you remember the President ever asking you to send materials or a note
21 or a certain message to anybody via email?

22 A No. Not that I recall.

23 Q If he wanted to get a message out to somebody via email, or send materials
24 electronically, do you know who he would ask to do that for him?

25 A He would more than likely ask Molly.

1 Q Do you know if he asked Molly to do that? Just generally, not any
2 particular occasions, but generally?

3 A Generally.

4 Q Would you ever receive emails intended for the President?

5 A Perhaps inadvertently. If it was just -- now, again, during my time that
6 you're referencing, November to January, no unless it was specifically addressed to the
7 President.

8 Q Did you control at all the documents that went to the President?

9 A What documents?

10 Q Anything at all. If somebody sends you a document to print out, for
11 example, and hand to the President, is that something that was part of your job?

12 A It wasn't part of my job.

13 Q Whose job was that?

14 A Many people handed documents to the President.

15 Q What about like folks from the campaign, for example? If Justin Clark or
16 Bill Stepien or Rudy Giuliani or anybody outside but working closely with the President or
17 his legal team wanted to get something to the President, how would he do that? Or
18 how would they do that, excuse me?

19 A They would not come to me.

20 Q Would they go to Ms. Michael?

21 A It's a much better choice.

22 Q Do you know if that happened?

23 A I'm not sure.

24 Q Did you have anybody reporting to you, Mr. Ferrer?

25 A During that November-to-January period? No, aside from an intern if we

1 had an intern.

2 Q Did the outer Oval have its own intern assigned to it?

3 A No, as soon as I said that, I remember that was just a staff secretary. Outer
4 Oval would never have an intern.

5 Q Do you remember whether any intern helped in the outer Oval or staff
6 secretary functions on January 6th?

7 A I'm not sure about the staff secretary's office, outer Oval, no.

8 Q Do you know who Johnny McEntee is?

9 A I do.

10 Q What was Mr. McEntee's role at the White House when you worked there,
11 particularly that November-through-January period we've been talking about?

12 A Yeah, during that period he was the assistant to the President and the
13 director of Presidential personnel.

14 Q What was his role, if any, with respect to outer Oval functions?

15 A No specific role.

16 Q Did you work with him for any reason between that period of November
17 through January?

18 A Nothing specific.

19 Q What about Mr. Meadows, did the outer Oval team work with Mr. Meadows
20 to fulfill its outer Oval responsibilities in that period?

21 A Mr. Meadows was our boss.

22 Q Did you ever --

23 A -- specifically, again --

24 Q Go ahead. Repeat that. I'm sorry.

25 A Yes, it's nothing, specifically, again, but Mr. Meadows was our boss.

1 Q Did you have regular meetings with Mr. Meadows, like a weekly meeting?

2 A I did not.

3

BY [REDACTED]

4 Q Mr. Ferrer, I believe you said earlier, was Mr. Tony Ornato one of your
5 bosses as well?

6 A Again, I would consider anybody that had either a deputy assistant to the
7 President, or an assistant to the President title, I would consider them my boss as they're
8 higher ranking in White House.

9 Q And how did you work with Mr. Ornato in the November 2020 to January
10 2020 -- 2021 timeframe?

11 A I did not work, specifically, with Mr. Ornato. He was just the -- and I don't
12 recall the title, but he was -- he directed all operations, essentially all travel, so he was an
13 integral part of making sure the White House ran properly. But, again, I did not work
14 specifically with Mr. Ornato during that time period.

15 Q And earlier when you said you considered Mr. Meadows to be a boss, what
16 did you mean by a boss?

17 A He is the Chief of Staff. He directs all White House personnel.

18 Q So meaning he could tell you -- if he told you something, you would take that
19 as an instruction and presumably do whatever he asked?

20 A Not whatever he asked, but if Mr. Meadows gave me direction that I knew
21 would perform a function of the White House, I would complete it.

22 Q Did he ever ask you to do something that you did not think would be
23 something that you should do in the White House?

24 A Absolutely not.

25 Q Okay.

1 BY [REDACTED]:

2 Q Did he ever give you an instruction that you didn't follow?

3 A Not that I recall. I hope not.

4 Q Okay. The reason we're asking you, as you can imagine, is because you said
5 you wouldn't follow every instruction from him or whatever he would ask. I don't want
6 to put words in your mouth, and --

7 A [REDACTED] just asked me if I would do whatever the Chief of Staff asked. So
8 I didn't want to assume, you know, that you guys could take that into whatever he said.
9 If again, that's why I said if the Chief of Staff, Mark Meadows, would ask me to perform a
10 duty that was part of the White House function, then I would do it, which happens to be
11 every single duty that he ever asked me to do that I recall.

12 Q Great. Perfect. And I appreciate that clarification. So getting back to
13 the phone system, very quickly, the President had a phone on his desk in the Oval Office,
14 right?

15 A He had two phones on his desk.

16 Q Okay. So one being a classified phone or a secure phone, the other being
17 just a normal phone that could reach the outside world. Is that right?

18 A That's correct.

19 Q As far as the, what I'll call it normal phone, meaning not the secure phone,
20 could the President place calls directly to somebody outside the White House without
21 going through the switchboards, to the best of your knowledge?

22 A I'm not sure.

23 Q Did you ever use his phone to call anybody outside of the White House?

24 A Absolutely not.

25 Q Do you know if anybody else did?

1 A No. I'm not sure.

2 Q Was there a phone in the dining room attached to the Oval Office?

3 A I'm not sure because there was a phone back there, but it could have been
4 moved. I don't know what they do with the phones overnight. I don't know the dining
5 area very well to be honest.

6 Q Okay. But at some point there is -- at least at some point, there was a
7 phone, a White House phone in the dining room that you're aware of attached to the
8 Oval Office?

9 A That's correct. The White House phone.

10 Q Are you aware of any phones in the White House that were not capable of
11 reaching outside the White House, other than maybe the secure phone, we're not talking
12 about that system?

13 A No, I don't even know what that means.

14 Q If you needed to place a call to somebody outside the White House, were
15 there any phones that you couldn't use to do that, to your knowledge?

16 A I don't even know -- I don't even know if you can do it on a classified phone.
17 I assume not, but I'm not sure.

18 Q Okay.

19 A But to answer your question, I really don't know. I don't know of any
20 phone that can reach the outside world.

21 Q All right. I want to be very clear on this point. So you just said you don't
22 know of any phone that can reach outside the White House?

23 A No, that cannot reach the outside.

24 Q Thank you. I misheard you. I appreciate that. And we understand that
25 the President had an official cell phone as well issued by the White House

1 Communications Agency, are you familiar with that?

2 A I'm not familiar with that. I know the President had his White House
3 phone, but I don't know -- you know, it's just in a case. It's just an iPhone.

4 Q Do you know if he had more than one cell phone or iPhone?

5 A No. I know they would keep a -- you know, for emergency, I believe, there
6 was a phone in the football, for example, that was never opened. But other than that,
7 no, I don't think the President had any other phone.

8 Q And the football being, just for the record, the secure briefcase that
9 accompanied the President for specific emergency uses?

10 A That's correct.

11 Q Do you recall that the President's cell phone number would change from
12 time to time?

13 A I don't know the President's cell phone number.

14 Q Understood. I'm not asking if you know what it is, but do you remember it
15 ever changing?

16 A No, because I never knew the President's phone number before or after it
17 changed -- if it did change.

18 Q So that gets to my next question which is -- I assume I know the answer to
19 this, but I don't want to assume -- did you ever call the President on his official cell phone,
20 the iPhone that you referred to earlier?

21 A Never.

22 Q Do you remember the President ever calling you from that phone?

23 A I do not.

24 Q Do you know if the President ever sent text messages from that phone?

25 A I don't know.

1 Q Do you know if that iPhone that the President had was capable of connecting
2 to the internet?

3 A I have no clue.

4 Q Do you know if the President was able to send tweets from that phone that
5 he had, the iPhone?

6 A I have no clue.

7 Q Did the President have his own email account within the White House?

8 A I don't know.

9 Q Do you know if he had a personal email account not through the White
10 House?

11 A I don't know.

12 Q Did you ever travel with the President during the period of November 2020
13 through January 2021?

14 A I did.

1

2 [10:59 a.m.]

3

BY [REDACTED]

4

Q Would you go with him on every trip or just certain trips?

5

A Not every trip. Only trips I was assigned to.

6

Q What trips do you remember going on in that period, the post-election

7

period?

8

A It's a blur, so I really don't remember. Perhaps one trip to Dallas. Not

9

even Dallas. One trip to Texas.

10

I don't recall.

11

Q Do you remember going to Mar-a-Lago with the President in that period?

12

A I did not go with the President to Mar-a-Lago.

13

Q I'm talking specifically about a trip the President took around Christmastime

14

and before New Year's. You were not with him for that trip to Mar-a-Lago?

15

A I was not.

16

Q Did you go with him to Georgia during that period?

17

A I don't think so.

18

Q I'm going to pause there and see if anybody has any questions on what

19

we've just been over.

20

When you worked at the White House, did you have an official cell phone?

21

A I did.

22

Q And do you remember the last four digits of your phone number?

23

A I don't.

24

Q Do you remember the cell phone number beginning with 202-881?

25

A That's all I remember.

1 Q All right. You don't remember the last four?

2 A Unfortunately not.

3 Q How many cell phones did you have through the White House?

4 A One.

5 Q Did you do any work with the campaign, either in the period roughly
6 October -- we're going to extend it a month -- October 2020 through January of 2021?

7 A No.

8 Q So you never had a campaign email account or cell phone issued to you?

9 A Absolutely not.

10 Q That cell phone that you had through the White House, were you able to use
11 it to send text messages?

12 A I don't recall. It was a period of time where the White House enabled text
13 messaging. It was kind of a pilot feature. I don't know when it happened.

14 Q And whenever that pilot program did take off, were you one of the people
15 who had the ability to send and receive text messages?

16 A I did.

17 Q What did you do with that cell phone? Did you turn it in at the end of the
18 administration?

19 A That's correct.

20 Q Before you turned it in, did you send yourself any information from the cell
21 phone?

22 A No.

23 Q Didn't forward any photos or text messages or emails to yourself?

24 A From that cell phone?

25 Q Correct.

1 A No.

2 Q I assume you also had a personal cell phone at the time? Now we're
3 talking, again, about November through January.

4 A That's correct.

5 Q Did you use that to talk to anybody over text messages in the White House?

6 A I did.

7 Q All right. Who did you use it to talk to?

8 A During which period?

9 Q November 2020 through January 2021.

10 A Could've been colleagues. You said people in White House, so --

11 Q Do you remember using it to talk to Ms. Michael?

12 A A couple of times at most. We would normally not talk, but, if anything, it
13 was texting.

14 Q What about Mr. Luna?

15 A I don't recall.

16 Q I believe we've got a few text messages from you with Johnny McEntee.
17 Did you use your personal phone to talk with Mr. McEntee?

18 A I did.

19 Q Who else in the White House do you remember communicating with over
20 your personal cell phone in that period, November through January?

21 A I'm not sure.

22 Q Okay. I'll just give you a few names. You just say yes or no.
23 Stephen Miller?

24 A I don't remember.

25 Q Vince Haley?

- 1 A Don't remember.
- 2 Q Ross Worthington?
- 3 A Don't remember.
- 4 Q Madison Porter, I believe her name is, staff secretary?
- 5 A Probably.
- 6 Q Mark Meadows?
- 7 A No.
- 8 Q Tony Ornato?
- 9 A No. And you're saying from my personal phone, correct?
- 10 Q That's right. All of those questions were from your personal phone.
- 11 Kayleigh McEnany?
- 12 A Not sure.
- 13 Q Ben Williamson?
- 14 A No.
- 15 Q Okay. Did you ever use any messaging applications, like Signal, Telegram,
- 16 WhatsApp, Facebook Messenger, to communicate with anybody who worked in the
- 17 White House during that period?
- 18 A I don't think so.
- 19 Q Did you have Facebook Messenger as a means of communicating with
- 20 people during that period?
- 21 A I'm not sure.
- 22 Q Did you have Signal during that period?
- 23 A I don't think so.
- 24 Q Did you have WhatsApp during that period?
- 25 A Doubt it.

1 Q Did you have Telegram during that period?

2 A Don't know what Telegram is.

3 Q So with the subpoena -- and we can pull up exhibit No. 1 again -- we sent you
4 a schedule of document requests that asked you to look for documents in your
5 possession or information in your possession between the period we've been talking
6 about, November 2020 and January of 2021. And that would include information you
7 had on your personal cell phone.

8 Did you look through your cell phone for all of that information that's listed and
9 requested for the time period that's indicated?

10 A I did.

11 Q And did you produce all of the information that was responsive --

12 A I did.

13 Q -- to the select committee?

14 A I did.

15 Q Okay. And the only thing you found, I believe, were four screenshots of
16 text messages. Is that right?

17 A That's correct.

18 Q You didn't have any other text messages with the people we just ran
19 through, for example, for that period of November through January?

20 A I did not.

21 Q Do you have a practice of deleting text messages from your phone?

22 A No.

23 Q Did you change phones between the time you left the administration and
24 now, meaning your personal phone?

25 A I'm not sure.

1 Q But you still had at least these messages that you provided to us, those that
2 were taken directly from the phone you're using now?

3 A That's correct. I may have upgraded my iPhone, but I do a pretty good job
4 of keeping everything connected to the iCloud.

5 Q The White House email address that you used, the one we looked at earlier
6 and the other one that you mentioned, the austin@who.eop.gov, do you remember
7 forwarding yourself or sending yourself to your personal accounts any emails from your
8 White House accounts?

9 A I don't, but I'm sure I did, especially photos, so I could capture it in my
10 personal records.

11 Q And did you search your personal email accounts --

12 A No.

13 Q -- for anything that -- okay. And you didn't find anything that was
14 responsive to the select committee's subpoena?

15 A Just the email on January 6th.

16 Q Did you provide that email to Mr. Benson?

17 A I believe I have. But I believe that you had pointed it out to Mr. Benson, so
18 I don't know if it was shared again with you. I did not find any additional emails aside
19 from the one that you had shared with Mr. Benson.

20 [REDACTED] Okay.

21 And, Mr. Benson, perhaps during a break we can chat about that. I don't know
22 that we received anything. But if it's my fault, then certainly follow up and identify what
23 Mr. Ferrer is talking about.

24 Mr. Benson. Okay. I think it was the same email that you had asked me about.

25 [REDACTED] Okay. We'll follow up during a break on that.

1

BY [REDACTED]

2

Q Other than the Gmail account that I provided to Mr. Benson to ask you to

3

look through -- which I won't put on the record, but it's a Gmail account -- do you have

4

any other personal accounts that you're aware of that may have information relevant to

5

the select committee's subpoena?

6

A No.

7

Q And do you just use that one personal email account that we sent to you

8

through Mr. Benson?

9

A Primarily.

10

Q You have others, though?

11

A I do.

12

Q All right. Are they other Gmail accounts?

13

A No.

14

Q Okay. Did you search those other accounts?

15

A I searched every email account I have.

16

Q Did you ever keep any hard copy documents -- notebooks, printouts -- from

17

your time at the White House?

18

A No, aside from certificates and stuff that I was given personally.

19

Q Okay. And we're not asking about those, but I appreciate you identifying

20

that for completeness.

21

Anything related to the events or the President's schedule, for example, or the

22

notes that you would take related to the President's activities, you didn't make copies or

23

keep anything like that?

24

A No, absolutely not. Most I've kept is a trip book that included my name.

25

And, again, that's not a -- that's very standard for the person who receives it to keep it.

1 Q Does that trip book contain information about the President's activities?

2 A It does.

3 Q And you still have a copy of that?

4 A That's correct.

5 Q Does it include information about the President's activities between
6 November 2020 and January 2021?

7 A No.

8 Q When does it stop, the information in that book that you have?

9 A It's just a trip book for one of the trips I took in a motorcade back in 2018.

10 Q Oh, I see. So not a trip book where you take notes, but it's the planning
11 materials for --

12 A No. It's just a list of materials, paper clipped, to show where -- which
13 vehicle you sit in, where the President's going.

14 Q Understood. Thank you.

15 A And to clarify, nothing's written in that document. Once you receive it,
16 there's no records, no documents written on it. What you receive is what you keep.

17 Q What about any electronically stored documents? So aside from emails or
18 the hard copy documents that we've talked about, did you send yourself or keep for
19 yourself any electronic Word documents, presentations, Excel files, notes that you may
20 have taken at the White House?

21 A Photos.

22 Q How did you keep a copy of those?

23 A Just forwarded it from my White House account, I believe, to my Gmail, and
24 then I would save it on my desktop.

25 Q Are there any photos that you saved or sent to yourself from January the

1 6th?

2 A No.

3 Q And have you destroyed, deleted, or otherwise manipulated any documents
4 or information that was responsive to the requests in the select committee's subpoena?

5 A No.

6 Q All right. We're going to move on to specific dates, but I'll stop here, see if
7 anybody has any questions.

8 Okay. So we're going to start, Mr. Benson, and walk you -- or, excuse me,
9 Mr. Ferrer -- with January the 5th, the day before January the 6th, obviously.

10 But what do you recall about that day? When did you get to work, if you
11 remember?

12 A I don't recall that day.

13 Q You don't recall anything about January the 5th?

14 A No, sir.

15 Q All right.

16 If we can pull up exhibit 38, please.

17 Can you see that, Mr. Ferrer?

18 A I can.

19 Q All right. So exhibit 38 is an email from you. That is how your name was
20 reflected on emails. Is that correct?

21 A That's correct.

22 Q So that was from you on January the 4th. And I'll represent to you that the
23 time stamps on some of these records -- and I'll identify when this happens -- but are
24 usually off. They're in Universal or Greenwich Time, so that's approximately 5 hours
25 earlier. So this would be around noon.

1 But January the 4th at noon you sent an email to Mr. Lewandowski, and it was
2 about -- you copied Ms. Michael. Subject, "Tomorrow at 11:30 Confirmed," and you
3 attach the White House entrance map.

4 You also sent Mr. Lewandowski a WAVES link and asked him about parking on the
5 complex.

6 Do you remember Mr. Lewandowski coming to the White House on January the
7 5th?

8 A I do not.

9 Q Okay. Do you remember sending this email to Mr. Lewandowski so that he
10 could come to the White House on the 5th?

11 A I do not.

12 Q Do you have any recollection of why you were emailing Mr. Lewandowski on
13 January 4th?

14 A To grant him access into the White House, it looks like.

15 Q What's your understanding of why he was coming?

16 A I'm not sure.

17 Q It looks like this email responded to -- or was a forward from Ms. Michael,
18 saying to Mr. Lewandowski that "Austin will send you a WAVES link."

19 Do you remember Ms. Michael asking you to help arrange a meeting for
20 Mr. Lewandowski?

21 A No, I do not.

22 Q Do you remember Mr. Lewandowski meeting with the President on January
23 the 5th?

24 A No, I do not.

25 Q Do you remember whether the President ever spoke to Mr. Lewandowski

1 during the period that you worked in the White House, in specifically November 2020
2 through January of 2021?

3 A No, I do not.

4 Q Do you remember ever talking to Mr. Lewandowski?

5 A No, I don't.

6 Q If we can go to exhibit 2, please.

7 Can you see exhibit 2 there, Mr. Ferrer?

8 A Just the top of the email, yes.

9 Q Perfect. So that's an email at the top from Joanna Miller to you directly,
10 asking -- or excuse me -- the subject line is, "Forward, can you send me the report from
11 Peter?" and attaching "The Art of the Steal" looks like, twice, one in a Word format and
12 one in a PDF format.

13 Do you remember receiving this email from Ms. Miller?

14 A No, I don't remember receiving this email.

15 Q Do you remember anything about the report that she's talking about, "The
16 Art of the Steal," which I'll represent to you is a report that at least Mr. Navarro was
17 involved in drafting, along with Ms. Miller?

18 A Not at all.

19 Q Do you remember the President asking you for any documents or
20 information from Ms. Miller or Mr. Navarro?

21 A No, I do not.

22 Q Do you remember Ms. Michael asking you to obtain Mr. Navarro's report for
23 any reason?

24 A No, I do not.

25

BY [REDACTED]

1 Q Do you know why Ms. Miller forwarded this email to you?

2 A I have no clue.

3 Q Do you remember if you did anything with -- after she forwarded you this
4 email?

5 A No, I don't.

6 Q Had you interacted with Joanna Miller before, or is this the first time you'd
7 ever received an email from her?

8 A I don't know who she is, so I don't think I've ever interacted with her.

9 Q Do you remember talking to Molly Michael, asking her what this email was
10 about and why you might've received it from Ms. Miller?

11 A No, I don't.

12

BY [REDACTED]

13 Q If we can go to exhibit 2a. This is one of the attachments to this email.
14 If you scroll down, it says "The Art of the Steal, Volume Two of the Navarro
15 Report." It's dated January the 5th, 2021.

16 Do you remember ever seeing this document before?

17 A No, I do not.

18 Q Do you remember ever reading this document?

19 A I don't remember reading the document, nor do I think I read the document.

20 Q Do you know who Peter Navarro is?

21 A Just as a colleague.

22 Q What did he do in the White House?

23 A I don't remember his title. He was an assistant to the President and
24 director of trade and manufacturing, maybe.

25 Q Did you ever talk to him about anything with respect to the election or

1 January 6th?

2 A Absolutely not.

3 Q Do you remember him sending you anything related to the election?

4 A No, I don't.

5 Q Do you ever remember hearing anything about what Mr. Navarro was doing
6 related to the election?

7 A No, I don't.

8 Q And when I ask you those questions, just so you're aware, I know in court
9 hearsay is not really a favorable thing, but here it's okay. So even if you heard about
10 what Mr. Navarro was doing from somebody else, that's okay, and we're asking for that
11 specifically as well. Do you understand that?

12 A I do understand that.

13 Q Okay.

14 Do you know whether Mr. Navarro ever met with President Trump about the
15 election?

16 A I don't.

17 Q Do you know if Mr. Navarro ever met with President Trump about
18 January 6th and the joint session of Congress?

19 A I don't know.

20 Q All right. We can go to exhibit 3, please.

21 This is an email. And can you see that, Mr. Ferrer?

22 A I can.

23 Q All right. So this is the email from Ross Worthington. Same time
24 limitations there. So this is actually sent on January the 5th at around 7:46 p.m. -- at
25 least that's my understanding -- and Ross Worthington is sending you directly and

1 Ms. Porter an email, copying the staff secretary, Ms. Michael, Mr. Gabriel, Stephen Miller,
2 and Mr. Haley, with the subject line, "11 a.m. Speech," along with the attachment "Save
3 America March."

4 Then in his email, he says, "Draft attached -- please confirm receipt and delivery.
5 Thank you."

6 And he's responding to an email, if you scroll down just a little bit, from you on
7 January the 5th at 7:40 p.m. And you sent this email to Mr. Haley, Ms. Porter,
8 Mr. Worthington, and Ms. Michael. Subject, same thing, "11 a.m. speech," and you say,
9 "Checking in. Any chance we can get it before 8?"

10 Do you recall this exchange that you had with Mr. Worthington and others about
11 the speech?

12 A No, I do not.

13 Q You don't recall anything about an exchange with respect to the President's
14 speech that he was expected to give the following day?

15 A No, I do not.

16 Q Okay. And sitting here looking at it, does this refresh your memory at all
17 about an exchange you had with these folks, people on the Presidential speechwriting
18 team, about his speech scheduled for the 6th at the Ellipse?

19 A No, it does not.

20 Q Who is Mr. Haley?

21 A He's a member on the speechwriting team.

22 Q Who is Mr. Worthington?

23 A Also a member of the speechwriting team.

24 Q If you go all the way to the bottom of this exhibit, exhibit No. 3, this is the
25 first email in the chain that we have -- again, this one's from you -- around 5 o'clock,

1 saying, "Vince and Ross -- is a draft available for POTUS' speech tomorrow a.m.? Thank
2 you! Austin."

3 Do you remember asking the speechwriting team for a draft of the President's
4 speech the next day, on the 6th?

5 A No, I don't.

6 Q Based on this email exchange, it seemed like getting the speech ready and
7 together before 8, per your request, was pretty important. You don't remember
8 anything at all about the President's -- preparing the President's speech on January the
9 5th?

10 A No, I do not.

11 BY [REDACTED]:

12 Q Do you remember why you were asking for a copy of the speech?

13 A No, I don't.

14 Q Would it be for you to personally review it?

15 A No.

16 Q Do you think you would've given it to someone?

17 A Aside from the President, no.

18 Q Do you think you likely gave the copy of the speech to the President that
19 night, on the 5th?

20 A I don't remember receiving the speech on the night of the 5th.

21 Q Well, if you look at the first, the top email, you can see that Ross
22 Worthington does send you a Save America March.docx attachment. Do you see that?

23 A I do see that. And do you know if I confirmed receipt and delivery?

24 Q You might have. I can tell you that if you go to exhibit 3 is a copy of the
25 speech.

1 A Got it.

2 Q Are you saying you might not have received it?

3 A I don't remember receiving it that night.

4 Q Okay.

5 A Especially if it was at 1 a.m. on the morning of January 6th.

6 BY [REDACTED]

7 Q And that's a time issue that we talked about earlier, so this actually came
8 through at around 7:45.

9 A 7:46. Got it.

10 Q Yep.

11 Let me ask you this, Mr. Ferrer. The attachment is called "Save America March."

12 Do you know what the Save America March is?

13 A No, I don't. I presume it's the Ellipse rally on the morning of the 6th.

14 Q Why do you presume that?

15 A Given the time stamps. I don't know if the President had any other
16 speaking engagements that morning.

17 BY [REDACTED]

18 Q In your email -- if you go back to the email exchange -- you had asked to get
19 the speech before 8. Do you remember why you would want to get the speech before
20 8 p.m.?

21 A No.

22 Q Do you think it would be before the President went up to the residence?

23 A I'm not sure.

24 Q Would it be to -- would you need to have -- I'll say this. Did the President
25 have materials prepared for him -- I think we discussed maybe briefing materials -- each

1 morning or most mornings?

2 A Did he have materials prepared for him in the morning?

3 Q Yeah, that you would help compile, that would be --

4 A No, I would not --

5 Q -- you know, on his desk?

6 A No, I would not help compile the materials.

7 BY [REDACTED]:

8 Q And I don't know if [REDACTED] asked you this, but do you remember the
9 President asking you for a copy of his speech the day before he was supposed to give it on
10 January 6th?

11 A No, I don't.

12 Q Separate from this email, do you remember any discussions at the White
13 House on January the 5th about the President's speech and what was going to be
14 expected of the President's speech the next day?

15 A No, I don't.

16 Q Do you remember the President offering any suggestions for what he
17 wanted to say in his speech the next day?

18 A No, I don't.

19 Q Do you remember Dan Scavino ever offering suggestions about what the
20 President would say the next day?

21 A No, I don't.

22 Q Do you remember Mr. Miller -- Stephen Miller -- or Mr. Worthington or
23 Mr. Haley ever discussing what the President would say in his speech on January the 6th?

24 A No, I don't.

25 Q Do you remember ever receiving different versions of the speech that the

1 President gave on -- or was supposed to give, excuse me -- on January the 6th?

2 A No, I do not.

3 Q Okay. If we can go to exhibit No. 4, please.

4 So we understand that the President met with a number of people from the
5 communications or press shop on the evening of January the 5th. Do you remember the
6 people in the press shop or communications office meeting with the President that
7 evening?

8 A I don't know if this is a meeting. And I don't remember, aside from looking
9 at this photo, who these people are.

10 Q Okay. Fair enough. We don't need to call it a meeting as in, like, a
11 scheduled meeting, but there's a gathering. And I'll represent to you that this happened
12 on the evening of January 5th.

13 So do you remember the press people or communications people gathering with,
14 meeting, whatever you want to call it, with the President in the Oval Office on January the
15 5th?

16 A No. But this looks very similar to what a photo line drop by would look like.

17 Q What does that mean?

18 A People would step in very quickly to the Oval, get a quick photo with the
19 President, and leave out the other door.

20 Q Did you have anything to do in getting the press people or communications
21 people into the Oval on January 5th for a photo line or any other reason?

22 A No. Not that I recall.

23 Q Now, you can see that the door directly in the middle of the picture there is
24 open. We've heard from various people that the President wanted it open that night,
25 and he was listening and could hear people outside on the Mall or otherwise in Freedom

1 Plaza and the gatherings that were happening.

2 Do you remember the President ever doing any of that, opening the door,
3 listening to what was going on outside on January the 5th?

4 A No, I don't.

5 Q Do you remember people talking about that?

6 A No, I don't.

7 Q Okay. We understand that the President specifically asked people from
8 outer Oval to do that, to come in, open the door and listen to what was happening. You
9 don't know anything about that? You never heard anything about that?

10 A That's correct.

11 Q Do you remember anything that the President did on January the 5th?

12 A On January 5th, no.

13 Q Do you remember seeing the President on January 5th?

14 A No.

15 Q Do you remember hearing anything about planning or getting ready for the
16 Ellipse rally that would take place the next day?

17 A No, I don't.

18 Q Okay.

19 [REDACTED] Do you remember if you were in the office that day, meaning
20 the office being the White House?

21 The Witness. What day was January 5th?

22 [REDACTED] Tuesday?

23 [REDACTED] Tuesday.

24 The Witness. I presume I was in the office, but I really don't know.

25 BY [REDACTED]

1 Q Do you remember ever talking to the President about January 6th
2 beforehand?

3 A No, I don't.

4 Q Did you have any role in helping to plan or coordinate or prepare for the
5 President's appearance at the rally on January the 6th?

6 A No.

7 Q We understand that the day before the Vice President is in the West
8 Wing -- so that would've been Monday -- and meeting with the President.

9 Do you remember the Vice President coming to the White House in the days
10 leading up to January the 6th?

11 A No, I don't.

12 Q Do you remember anybody with his staff, the Vice President's staff, coming
13 to the White House in the days leading up to January 6th, so Marc Short, Greg Jacob,
14 anybody?

15 A No, I don't.

16 Q Do you remember anybody at all coming to the White House to meet with
17 the President about the joint session of Congress or his appearance on the Ellipse in the
18 days before January the 6th?

19 A No, I don't.

20 Q I assume it takes a large team of people to put on an event like this and get
21 the President to an offsite location to give a speech. Is that right, it takes more than,
22 say, two or three people to do that, correct?

23 A That's correct.

24 Q Okay. Do you remember anybody who was involved in that effort to get
25 the President to the rally or planning to get the President to the rally on January 6th?

1 A No, I don't.

2 Q As you sit here today and thinking back on it, who would be the people who
3 would be responsible for that, based on your experience working in the White House?

4 A I don't recall.

5 Q Do you know the name Bobby Peede?

6 A I know the name.

7 Q Do you know the name Max Miller?

8 A Know the name.

9 Q Would they have any involvement typically in offsite events that the
10 President would speak at?

11 A I'm not sure.

12 Q What about Ms. Michael, personal secretary to the President, would she
13 help get him briefing materials or papers or draft speeches for offsite events where he
14 would attend and speak at?

15 A I'm not sure.

16 Q You never saw that?

17 A No, I don't recall seeing that.

18 Q All right. If we can go to exhibit No. 5, please.

19 This is an email from Ms. Michael on January the 6th -- again, time stamp issue,
20 this is at 2:51 a.m., so this actually, I guess that would've been, what, 9 or 10 the night
21 before -- sent to the staff secretary email address as well as you, copying the duty usher,
22 with the subject, "Forward: Final letter to Vice President Pence," and attaching a
23 document called "Pence docs 01-05-21," a PDF.

24 Ms. Michael says in this email to you and others, "Also adding this to the early
25 morning (if possible) list. If we could please print this for POTUS tomorrow morning,

1 that would be great!"

2 So my first question is, is just generally, do you know what Ms. Michael is referring
3 to when she uses the word "early morning list"?

4 A I do not.

5 Q Are you aware of any effort on any day you worked in the White House
6 between November and January 5th to get materials ready for the President first thing
7 the next morning?

8 A No, I'm not aware.

9 Q There's no briefing binders or packages that would go up nightly or
10 semi-regularly for the President about his day's activities the next day?

11 A Not during that time. At least not from me.

12 Q Okay. So now this email specifically, if we go to exhibit 5a, let you take a
13 look at that, but this came from somebody named Doug Mastriano, and it was a letter
14 dated January 5th to Vice President Pence. Talks about various election purported
15 irregularities and issues.

16 And he asks the Vice President "to comply with our reasonable request to afford
17 our nation more time to properly review the 2020 election by postponing the
18 January 6th." Opening and counting of electoral votes for at least 10 days.

19 And then if you go to page 2 of this exhibit, and continued on to page 3, there are
20 a number of State legislators from Pennsylvania, Georgia, Arizona, Wisconsin, and
21 Michigan who are listed.

22 Do you recall ever receiving this email from Ms. Michael, which included a letter
23 from a State senator, about the joint session of Congress?

24 A I do not.

25 Q Do you know who Doug Mastriano is?

1 A No, I do not.

2 Q You never heard of him before?

3 A No. I've just heard the name, but I have no clue who he is.

4 Q Where did you hear the name?

5 A When it was just mentioned. I believe you said State senator.

6 Q That's right. You never heard the name Doug Mastriano before I just
7 mentioned it?

8 A No, I had, and it just rung a bell, but I have no clue who he is.

9 Q Okay. When did you first hear it before now?

10 A Don't remember.

11 Q Do you remember hearing it when you worked in the White House?

12 A No.

13 Q So Ms. Molly Michael sent this directly to you and the staff secretary. Why
14 would Ms. Michael send a letter from State senators and State legislators to you,
15 Mr. Ferrer?

16 A I'm not sure.

17 Q Do you remember doing anything with letters drafted to Mike Pence but
18 that were sent to you or Ms. Michael or anybody else in the President's team?

19 A No, I do not.

20 Q If you go to exhibit 5a, page 4. This is included with the letter that we just
21 looked at. And it's a report that includes an image of Mr. Zuckerberg. It says, "Bought
22 and Sold for Big Tech Gold."

23 And the bottom shows that it was at least put out with coordination with The
24 Amistad Project, including written by a man named Phill Kline.

25 Did you ever hear of The Amistad Project?

1 A Never.

2 Q Have you ever heard the name Phill Kline?

3 A No.

4 Q Do you remember ever seeing this report?

5 A No.

6 BY [REDACTED].

7 Q So when Ms. Michael is asking to "please print this for POTUS," do you think
8 that would be directed to you or the staff secretary or someone else?

9 A I don't remember.

10 Q Okay. Do you remember ever printing documents for the President to put
11 on his desk in the morning?

12 A No, I don't.

13 Q Would Ms. Michael do that, to the best of your knowledge?

14 A I'm not sure.

1

2

BY [REDACTED]

3

Q All right. Let's go to exhibit No. 6, please.

4

Can you see exhibit No. 6, Mr. Ferrer?

5

A I can.

6

Q All right. So this is an email from Ms. Michael directly to you. Nobody

7

else is included on this one.

8

And if you go down just a bit, [REDACTED].

9

This is from Maria Ryan to Molly Michael. That's what she sends ultimately to

10

you. And the subject line is "AZ House - Resolution to Reclaim Electors." And there's

11

other information on the filing as well.

12

Ms. Ryan asks Molly to "print for POTUS and share with VP at breakfast meeting."

13

And then Ms. Michael sends it to you.

14

It says, "One of many email attachments to have on POTUS desk after he returns,

15

all with," quote, and in capital letters, 'FROM RUDY,'" unquote.

16

Do you know who Maria Ryan is?

17

A No, I do not.

18

Q Have you ever heard that name before?

19

A I have not.

20

Q Okay. Her email address is from an email ending in @giulianipartners.

21

Do you know who Mr. Giuliani is?

22

A Only by name.

23

Q Did you ever talk to Mr. Rudy Giuliani?

24

A Maybe if he was in the White House. I don't remember.

25

Q Do you remember him being in the White House?

1 A No, I don't.

2 Q You don't remember ever seeing Mr. Rudy Giuliani in the White House
3 between November of 2020 and January of 2021?

4 A No, not during that time.

5 Q So Ms. Michael instructs you -- there's nobody else on this email -- it says,
6 "One of many email attachments to have on POTUS desk after he returns," with that
7 "FROM RUDY."

8 Do you remember receiving this?

9 A No, I don't.

10 Q Do you remember Ms. Michael at any point on January the 6th asking you to
11 compile information to put on the President's desk after he returned from the rally on the
12 Ellipse?

13 A No, I don't remember that.

14 Q Okay. And since you're the only person on this email, would you have
15 followed her instruction to print out and put it on the President's desk when he got back?

16 A Again, I don't remember receiving this email.

17 Q Do you ever remember not following her instructions to do something like
18 this?

19 A I'm not sure.

20 Q Is there any reason, as you sit here today, to think that you did not do what
21 Ms. Michael asked in this email?

22 A Yeah. If I missed the email. Again, I don't remember receiving this.

23 Q Seems like you don't remember receiving a lot of the emails or anything that
24 we've gone over so far, but that this was, you know, the email address where you're
25 receiving information.

1 So, again, I'll just ask, other than not receiving this email, is there any reason that
2 you can think of that you wouldn't have followed Ms. Michael's instructions to print this
3 out and put it on the President's desk?

4 A No, I don't.

5

BY [REDACTED]

6 Q On the email, it says "One of many email attachments to have on POTUS
7 desk after he returns."

8 Do you know where the President was?

9 A Is this time stamp correct?

10 Q No. I believe it's off around 5 hours. So she would've sent this in the
11 morning, so around 9:30 a.m. on the 6th.

12 A Then I don't know. Then I don't know where the President was.

13 Q Okay. Do you remember if he was in the Oval Office at that time?

14 A Don't remember.

15 Q Don't remember if he was in the residence?

16 A I don't remember where the President was during that time.

17 Q Do you remember if you were in the White House by 9:30 in the morning on
18 the 6th?

19 A No, I don't remember.

20 Q Do you remember what time you got into the -- and we'll get into this
21 more -- but do you remember what time you got into the White House on January 6th?

22 A No, I do not.

23

BY [REDACTED]

24 Q In this email, Ms. Ryan says, "Please print for POTUS to share with VP at
25 breakfast meeting."

1 Do you remember whether the President was scheduled to have a breakfast
2 meeting with the Vice President on January the 6th?

3 A No, I do not.

4 Q Do you ever remember hearing any discussions about the possibility that the
5 President would have a breakfast meeting with the Vice President on January the 6th?

6 A No, I do not.

7 Q All right. I'll stop there and see if anybody has any further questions.

8 BY [REDACTED]

9 Q [REDACTED] if you go could go up?

10 So the attachment refers to, "Resolution to Reclaim Electors." Do you know
11 what that refers to?

12 A No, I do not.

13 Q Did you ever hear anyone in the White House talk about reclaiming electors?

14 A No.

15 Q Ever hear anyone in the White House talk about working with State
16 legislators to pass resolutions pertaining to electors?

17 A No.

18 [REDACTED] Just to follow up on that, do you remember any discussions at all
19 about electoral college electors in the period between November 2020 and January 2021
20 from inside the White House? Not talking about news or public reporting.

21 The Witness. No, I do not.

22 [REDACTED] All right. We've been going about an hour and 40 minutes. I
23 think now would be a good time for a brief break.

24 Mr. Ferrer, would a 5-minute break sound good?

25 The Witness. Sure, if you guys would like to take a break.

1 [REDACTED] Mr. Benson, is that enough time?

2 Mr. Benson. Sure.

3 [REDACTED] Okay. Then let's go off the record for a brief break.

4 [Recess.]

5 [REDACTED] Let's go back on the record. It's 11:48. And we're resuming the
6 deposition of Mr. Austin Ferrer.

7 BY [REDACTED]

8 Q So I want to talk to you now about day of January 6th.

9 Were you aware that the President was going to be speaking at the Ellipse on
10 January the 6th?

11 A I believe so.

12 Q When did you first learn about it?

13 A I don't remember.

14 Q What did you expect to happen on January the 6th, as far as the President's
15 speech on the Ellipse?

16 A I had no expectation.

17 Q And I believe you mentioned that you never talked to the President about
18 what he expected or what he planned for the 6th. Is that right?

19 A That's correct.

20 Q Do you remember talking to anybody else in the White House about the
21 President's appearance at the Ellipse to speak on January the 6th?

22 A No, I do not.

23 Q Did you know that the Vice President was going to be at the Capitol to
24 preside over the joint session of Congress on the 6th?

25 A No, I don't remember.

1 Q Were you aware that the Congress would be meeting in a joint session that
2 day?

3 A No. Again, I don't remember.

4 Q Prior to January 6th, did you ever hear the President say that he wanted to
5 go to the Capitol on the 6th?

6 A No. And I don't know if I heard it on January 6th.

7 Q Okay. Did you ever hear the President say that he wanted rally attendees
8 to go to the Capitol on January the 6th?

9 A Can you repeat the beginning part of the question, please?

10 Q Yeah. Did you ever hear the President say that he wanted rally attendees
11 or protesters, people who gathered in Washington, D.C., to go to the Capitol on January
12 the 6th?

13 A No, I don't remember hearing that.

14 Q Do you remember any concerns that there could be violence on January 6th
15 in Washington, D.C.?

16 A What was the beginning part again? Sorry.

17 Q Did you ever hear any concerns or discussions about potential violence on
18 January 6th in Washington, D.C.?

19 A No, aside from news outlets.

20 Q Okay. Did you ever hear concerns or discussions about violence between
21 protesters and counterprotesters in Washington on January the 6th?

22 A No, not aside from major news outlets.

23 Q Do you remember hearing those types of things, about violence or clashes
24 between protesters and counterprotesters, did you hear that on the news before
25 January 6th or afterwards?

1 A I don't remember.

2 Q Do you remember how -- or, excuse me. Let me rephrase this.

3 Do you know how it was decided -- terrible question. I'm going to start over for
4 a third time.

5 Do you know who decided who would be speaking at the rally on the Ellipse on
6 January the 6th?

7 A No, I do not.

8 Q Do you remember any meetings or conversations about who would be
9 speaking at the rally on the 6th?

10 A No.

11 Q Can we go to exhibit 37, please?

12 So exhibit No. 37 is an email from you on January the 4th, it says at 4:58 p.m.,
13 though likely 5 hours earlier, to haileycbraun [REDACTED], blind copying Molly Michael.
14 It says, "Link for today @t 3:30," with an attachment of a White House entrance map.

15 And then you say, "Hi Katrina, here's a link to submit vitals. Also attached is an
16 entrance map. Thank you! Austin."

17 Do you know who Katrina Pierson is?

18 A No, I don't.

19 Q Do you know who the person you're emailing in this email at exhibit No. 37
20 is?

21 A No, I don't know a Hailey C. Braun.

22 Q Okay. Do you know who Katrina is? You addressed it as, "Hi Katrina."

23 A No, I don't.

24 Q Do you know why you sent this email and blind copied Molly Michael on
25 January the 4th?

1 A No, I don't remember why. It looks like to have a Katrina submit vitals.

2 Q Do you remember any meetings between the President and anybody else
3 about planning for the rally on the Ellipse that took place or was scheduled to take place
4 on January 4th before -- or, excuse me -- after you sent this email?

5 A No, I do not.

6 Q Did you ever hear anybody in the White House express concerns about
7 particular people who were considered speakers for the event on January the 6th?

8 A No, I don't remember discussions about the event on January 6th.

9 Q Do you remember anybody talking about a person named Ali Alexander in
10 the days leading up to January the 6th?

11 A No, I do not.

12 Q Do you remember ever hearing anybody talk about somebody named Alex
13 Jones?

14 A No, I do not.

15 Q Do you remember hearing anybody talk about Roger Stone?

16 A No, I do not.

17 Q Do you know whether any of those people I just mentioned -- Ali Alexander,
18 Alex Jones, or Roger Stone -- ever came and met with White House employees in
19 December or January in that time frame?

20 A No, I do not know.

21 Q Do you remember ever WAVEing them in, to use that term, of clearing them
22 through the White House?

23 A I do not remember doing that. If I did do it.

24 Q Going into January 6th, do you recall any meetings or conversations about
25 the Vice President's role or authority during the joint session of Congress?

1 A No, I don't.

2 Q Were you aware that there was a disagreement between the President and
3 the Vice President in the days before January the 6th?

4 A Not aside from hearing it from major news outlets.

5 Q And do you remember hearing that at the time or after January the 6th?

6 A I don't remember.

7 Q Okay. What do you remember hearing about that?

8 A I don't remember hearing about it aside from just a lot of chatter, which was
9 not uncharacteristic during my entire three and a half years at the White House.

10 [REDACTED] Okay. And I'll note that Mr. Aguilar has just joined us.

11 Thank you for being here, Mr. Aguilar.

12 Mr. Aguilar. Good morning.

13 [REDACTED]. Good morning.

14 BY [REDACTED]:

15 Q So the chatter you just mentioned, what do you mean by -- when you use
16 the word "chatter"?

17 A It was not unusual for the media to put members of the administration at
18 odds, whether it was true or not.

19 Q Okay. And do you remember hearing any discussions in the White House
20 at all about whether this reported disagreement between the President and Vice
21 President was true?

22 A No.

23 Q All right. On January 6th, what time do you remember getting to the White
24 House?

25 A I don't remember getting to the White House that morning.

1 Q You were at the White House on January the 6th, though, right?

2 A I was.

3 Q All right. And earlier you mentioned that you'd typically get there around
4 7:30, sometimes 8 in the morning, to kind of open up the West Wing. I'm paraphrasing
5 here. But do you remember doing that on the 6th?

6 A I was just opening up the outer Oval and the Oval Office areas, but I don't
7 remember doing that, that morning.

8 Q Do you remember being the first one or one of the first ones to arrive at the
9 West Wing that day?

10 A No, I don't.

11 Q When was the first time that you saw or spoke with President Trump that
12 day, January the 6th?

13 A I don't remember.

14 Q Do you remember seeing him in the morning before he left for the rally on
15 the Ellipse?

16 A No, I don't.

17 Q Were you working at your desk that day in the outer Oval Office?

18 A I'm sure I was at my desk a period of that day.

19 Q Do you remember being there in the morning before the President left for
20 the rally on the Ellipse?

21 A No, I don't.

22 Q Where else would you have been?

23 A Anywhere in the White House complex.

24 Q Do you remember going anywhere else in the White House complex that
25 morning?

1 A No.

2 Q Do you remember any meetings or conversations that you had with people
3 in the White House that morning about the President's appearance and the rally on the
4 Ellipse?

5 A No, I don't.

6 Q Do you remember seeing Mr. Meadows that morning before the President
7 went to the rally?

8 A No, I'm not sure I saw Mr. Meadows that morning.

9 Q Do you remember seeing Ms. Michael?

10 A No, I don't.

11 Q Do you remember seeing Mr. Luna?

12 A No, I don't.

13 Q Do you remember seeing anybody at all that morning before the President
14 spoke at the rally on the Ellipse?

15 A No, I don't. Again, I traveled to the Ellipse on that morning, but I don't
16 remember who I saw. It's a bit of a blur, not to mention it's been quite a few months.

17 Q Are you aware of any meetings or phone calls that the President had on the
18 morning of January the 6th?

19 A No, I'm not.

20 Q And aside from specific people he may have met with or spoken to, do you
21 remember whether the President, in fact, had any meetings or phone calls on the
22 morning of January the 6th?

23 A Not aside from what I've heard from major news outlets recently.

24 Q Did you help him make any phone calls that morning before he left for the
25 rally on the Ellipse?

1 A I don't remember.

2 Q Did you receive any phone calls for him that morning before he left for the
3 rally on the Ellipse?

4 A No, I don't remember.

5 Q Okay. Let's pull up exhibit No. 7, please.

6 All right. Can you see exhibit No. 7 there, Mr. Ferrer?

7 A I can.

8 Q All right. So at the top of that, it says "The Daily Diary of President Donald
9 J. Trump." And I'm not -- first I'm just going to ask you generally, not about this
10 document, but do you recognize what this document or documents like it are, meaning
11 "The Daily Diary"?

12 A No, I don't.

13 Q Have you ever seen a daily diary before we sent this one to you?

14 A No.

15 Q But you do know that there was a daily diary for the President, you just had
16 never seen it? Is that right?

17 A No, that's not right. I would compile some documents, send it to the White
18 House diarist. And, again, I have no clue what she did with them.

19 Q Okay. At 8:34 that morning -- it's the third entry -- it says the President
20 spoke with Mr. Kurt Olson.

21 Do you know who Mr. Kurt Olson is?

22 A No, I do not.

23 Q At 8:37, it says the President spoke with Steve Bannon.

24 Do you know who Steve Bannon is?

25 A Only by name.

1 Q Have you ever talked to Steve Bannon?

2 A Never.

3 Q Have you ever seen him in the White House?

4 A No.

5 Q Do you know what the President spoke to Mr. Bannon about that morning?

6 A I have no clue.

7 Q It says -- the next entry is that the President spoke with Mr. Giuliani.

8 Do you know what the President spoke with Mr. Giuliani about that morning?

9 A No, I do not.

10 Q At 9:16, which is four entries from the bottom of the first page, it says the
11 President asked the operator to place a call to Senator Mitch McConnell.

12 Do you know why the President wanted to speak with Mitch McConnell that day?

13 A No, I have no clue.

14 Q The President also apparently placed or tried to place calls to Representative
15 Jim Jordan, Senator Josh Hawley, which are the last two entries on the first page there.

16 Do you know why the President wanted to speak with any Members of Congress
17 on the morning of January the 6th?

18 A No, I don't.

19 Q At 9:52, on page 2 of this exhibit -- it's the third entry from the top -- it says
20 the President spoke for about 26, 25 minutes, with Mr. Stephen Miller.

21 Do you know why the President spoke with Mr. Miller that morning?

22 A No, I don't.

23 Q Obviously, Mr. Miller is part of the speechwriting team. Do you know if the
24 President was working on his remarks for the rally on the Ellipse before he gave them on
25 January the 6th?

1 A I'm not sure what the President was doing with the remarks, if he was doing
2 anything with the remarks.

3 Q Do you know if the President ever offered any views, insights, suggestions,
4 edits to the remarks that Mr. Miller and his team had drafted for him before the rally?

5 A No, not that I recall.

6 Q All right. At 10:32, the President spoke with your outer office -- or outer
7 Oval office mate, Mr. Luna.

8 Do you know why the President spoke with Mr. Luna?

9 A No, I don't.

10 Q Did Mr. Luna ever tell you about his communications with the President that
11 morning?

12 A Not that I remember.

13 Q All right. So it says here at the bottom of page 2, at 11:08, the President
14 went to the Oval Office.

15 Do you remember the President coming down from the residence and going to
16 the Oval Office around 11 a.m. on the morning of January 6th?

17 A No, I don't.

18 Q Do you have any reason to doubt that that's true?

19 A Aside from the asterisk, I don't.

20 Q At 11:11 a.m., it says the President met with Donald J. Trump Jr., Eric F.
21 Trump, Ivanka Trump, Lara Trump, Kimberly Guilfoyle, and Stephen Miller.

22 Do you remember any of those people being at the White House the morning of
23 January the 6th?

24 A No, I don't.

25 Q It's a fairly large gathering of the President's family.

1 Would you have had any role in setting up or arranging the President's meeting
2 with his family in the Oval Office that day?

3 A Not that I remember.

4 Q Was it unusual in your time, between November and January, for the
5 President to meet with all of those people in his family in the Oval Office?

6 A It wasn't usual or unusual. The President met with many people, including
7 his family.

8 Q We understand that that morning the President reached out to the Vice
9 President to speak with him.

10 Did you have any role in setting up the call that the President made to the Vice
11 President on the morning of January the 6th?

12 A No, I don't remember if I had a role in that.

13 Q Okay. Do you know that it happened, that the President reached out and
14 spoke with or tried to reach the Vice President that morning?

15 A No, I'm not sure if it did happen.

16 Q Do you know if Ms. Michael- -- or, excuse me -- Mr. Luna had any role in
17 setting up that call?

18 A No, I'm not sure if that call happened or who had a role in it.

19 Q All right. If we can go to exhibit No. 8, please.

20 Can you see exhibit No. 8?

21 A I can.

22 Q All right. So this, in typewritten letters, says, "Private, Wednesday, January
23 6th, 2021."

24 Based on your experience working in the White House, what does this look like it
25 is?

1 A The President's schedule. I can't see the full document, but the top half
2 looks like a private schedule for the President.

3 Q And earlier you mentioned that part of your job you keep notes about the
4 President's activities and calls on the President's schedule.

5 Is that the same type of schedule that we're looking at here?

6 A That's correct.

7 Q You see at the top there's a bunch of handwriting in blue, the first of which
8 has an apparent time stamp of around 11:10.

9 Do you recognize that handwriting?

10 A That's my handwriting.

11 Q And tell us about these notes that you were taking.

12 A I was trying to document, looks like at 11:10, that Eric, Don, Kimberly,
13 Ivanka, chief of staff, Eric Herschmann, and General Kellogg, looks like they may have
14 walked into the Oval Office.

15 Q Do you remember that happening?

16 A No, I don't.

17 Q You have no recollection at all of those people going in as reflected by your
18 note?

19 A No, I don't.

20 Q And why did you take that note?

21 A Again, it wasn't unusual for me to try to capture, if I had a lot of free time,
22 was doing nothing at my desk, to capture entrance into the Oval Office.

23 Q 11:17, it says "c with Sen. Kelly Loeffler." Tell us about that note.

24 A Yeah. The c, then w slash, Senator Kelly Loeffler, looks like would've been a
25 call starting at 11:17, presumably ending around 11:20.

- 1 Q And how do you know that that happened?
- 2 A I don't know if it did happen. I'm just going according to what I wrote.
- 3 Q Would you have written something down that didn't happen?
- 4 A No, I can't imagine I would.

1

2 [12:06 p.m.]

3

BY [REDACTED]

4

Q And how would you know the time when it started and ended?

5

A There was a red button on my phone, and if I had the President's line in my
6 phone, which I think I did -- or if I did, I actually don't remember if I did or not, but I could
7 tell on Molly's line if the President was on the phone. So that's why I put around 11:20.
8 Looks like I might have glanced over at that time. If I didn't see a red button on the
9 President's line, means I presumed that the call was over.

10

Q How did you know who he, being the President, was talking to, in this case
11 Senator Kelly Loeffler?

12

A I couldn't have been certain.

13

Q What kind of information would you rely on to have that information to at
14 least take notes of it?

15

A Looks like at 11:17, somebody must have patched a call, at that time, I would
16 have thought was Senator Loeffler. And then, again, I don't know what happened
17 between those 3 minutes, whenever I came back, looked at the clock around 11:20, the
18 President was no longer on the phone. I assumed he ended his call with Senator Kelly
19 Loeffler. But again, I'm not sure.

20

Q Did you have any role in connecting the President with Senator Loeffler?

21

A I don't remember.

22

Q Do you remember whether you listened to the call that the President had
23 with Senator Loeffler?

24

A No, I don't remember.

25

Q It says that at 11:20, using that same notation, I assume that means call with

1 the Vice President. Is that right?

2 A That's correct.

3 Q Okay. What do you remember about that?

4 A I don't remember anything about that.

5 Q What makes you think that there was a call with the Vice President at 11:20?

6 What information would you have had that you relied on to take this note?

7 A I don't remember.

8 Q So none of the events here that are reflected by your notes do you

9 remember as you sit here today?

10 A No, I do not.

11 BY [REDACTED]:

12 Q Would listening, overhearing the President speak, would that help inform

13 who he was talking to?

14 Do you remember ever hearing him address the person on the other line, and, so

15 you're like, Oh, that must be so and so, and write it down?

16 A No, I would not do that.

17 Q Okay. So would it be either you helped place the call, or someone told you,

18 that could be a way how you knew who he was speaking to on the phone?

19 A I don't remember.

20 Q When we were speaking about the call with Senator Kelly Loeffler, you said

21 something along the lines of when you got back, you would have seen that the President

22 wasn't on the phone anymore.

23 Do you remember leaving outer Oval or leaving your desk, and then seeing that he

24 wasn't on the phone?

25 A No. I don't remember what I did between that 11:17 and 11:20 time.

1 Q Okay. So you could have been seated at your desk, you didn't necessarily
2 go somewhere?

3 A Or I could have been gone.

4 Q You just -- you don't remember?

5 A I don't remember.

6 Q Okay.

7 BY [REDACTED]

8 Q You said earlier that you would take these kind of notes when you had a lot
9 of free time.

10 Did you have a lot of free time the morning of the 6th?

11 A No.

12 Q But you took the notes anyway, clearly, right that are reflected here on
13 exhibit 8?

14 A I tried my best, as you can see. Didn't do -- you know, open parentheses
15 means I didn't capture it.

16 Q All right. I'll represent to you, Mr. Ferrer, that these notes -- events, excuse
17 me, that are reflected in your notes, are not included in the daily diary for January the
18 6th.

19 Do you remember whether you sent this document to the management -- the
20 records management team that we discussed earlier?

21 A Sorry. Can you go back to the daily diary?

22 Q Yeah. Of course. Please pull up exhibit No. 7.

23 A Just stop at 11 -- yeah, 11:11.

24 Q Yeah.

25 A Okay. Is there no mark on 11:20?

1 Q So 11:11, it does have some entries of people in the Oval, but it does not
2 include, for example, General Kellogg or Eric Herschmann.

3 At 11:17, it just says the President spoke with an unidentified person. And then
4 there's no entry for 11:20.

5 So do you remember whether you sent these notes that you took to the records
6 folks following the events of January the 6th?

7 A I don't remember what I did with those notes.

8 Q Were you ever asked not to send these notes that we're looking at in
9 exhibit 8 to the records or the folks or the diarist that we talked about earlier?

10 A No, not that I remember.

11 BY [REDACTED]:

12 Q Can we go real quick back to exhibit 8?

13 Mr. Ferrer, at the top, if you see below 11:10, it looks like a half -- like an open
14 parentheses. I'm not sure.

15 Is that what that looks like to you?

16 A The document cuts off, at least at my end.

17 Q Yeah. It does on ours too.

18 A It doesn't look like it captured it in full. So I have no clue. I can't even
19 confirm General Kellogg -- I have no clue what that means then.

20 Q Sorry. No clue what what means?

21 A What the open parentheses -- again, I don't know if General Kellogg was a
22 continuation of 11:10. I don't know why there's open parentheses there. But I believe
23 Mr. George says that I didn't send these. But at 11:11, it looks like those were
24 participants, at least most were captured by the diarist.

25 Q Yeah. There are a few, and we can compare that, are not listed, and

1 General Kellogg is one.

2 But I just had a question about that open parentheses, because it did look like
3 something was cut off, but I wasn't sure what that would be.

4 A Yeah. I have no clue.

5 Q Okay. Thank you.

6 BY [REDACTED]

7 Q As far as the participants, one of them looks to be cut off at the top there,
8 COS?

9 Is that your notation for the Chief of Staff, Mr. Meadows?

10 A I can't see the form notation. It would have been.

11 Q So if you used the letters "COS," you would have been referring to
12 Mr. Meadows, at that period of time anyway?

13 A I'm not sure. That's sounds -- that's a good assumption.

14 Q Okay. Is there anybody else you would notate as COS that you can
15 remember from your time at the White House?

16 A Not that I can remember, but I used abbreviations quite a bit.

17 Q Do you remember anybody else who used the abbreviation COS?

18 A No, not that I remember.

19 Q So the call with the Vice President that's reflected in your notes here at
20 11:20, we understand to have been -- I'll use my own words here -- but, tense, maybe
21 somewhat heated, a disagreement.

22 Do you remember anything about any such conversation between the President
23 and the Vice President the morning of the 6th?

24 A No. I don't remember that call occurring.

25 Q Do you know what phone in the White House, whether it's a cell phone, the

1 President's desk line, or a phone that you or somebody else used to connect the
2 President was used for his call with the Vice President at 11:20 that morning?

3 A I have no clue.

4 Q I am not aware of any other notes that looks to be the same handwriting
5 from January 6th.

6 Do you remember taking any other notes about the President's activities or calls
7 on January 6th other than those reflected in exhibit 8?

8 A No, I do not.

9 Q Do you know why you didn't take any other notes during the day of
10 January 6th other than those that are reflected in exhibit 8?

11 A No, I have no clue.

12 Q Did anybody ask you not to take notes of the President's activities or calls on
13 January 6th after these?

14 A No, not that I remember.

15 Q So you said you went to the Ellipse. Tell us about that. When did you
16 leave? How did you get there?

17 A I don't remember what time we left, and I got there via the motorcade.

18 Q So you rode with the group of White House staffers that accompanied the
19 President to the Ellipse?

20 A I don't remember who I rode with.

21 Q Was the President in the same motorcade that you were in?

22 A He was in the same stream of vehicles, I presume.

23 Q Were you in different car than the President?

24 A I was.

25 Q What happened when you got there? Where did you go?

1 A I don't remember.

2 Q Okay. Did you go out and stand among the crowd in front of the stage to
3 be able to watch the speeches?

4 A No, I did not. I don't remember where I went.

5 Q Do you remember going to a tent where the President and his family, other
6 White House staff went?

7 A That jogs my memory, yeah.

8 Q What do you remember about that tent?

9 A Not much at all. It's essentially what we call a hold space while the
10 President's interacting in activities. It's where staffers, including myself, would have
11 held.

12 Q What was the President doing in that tent while you were holding?

13 A I have no clue. I don't know if the President was in the tent.

14 Q Who were you talking to in that tent?

15 A I don't remember talking to anybody in the tent.

16 Q Do you remember any discussions with the President's family in the tent
17 before the President spoke at the rally on the Ellipse?

18 A Not for myself, no.

19

BY [REDACTED]

20 Q Why did you go to Ellipse rally?

21 A I was scheduled to be the President's body man that morning, and there was
22 a last-minute change, I believe, for me not to be the body man.

23 Q Who served as the body man, to the best of your recollection, during the
24 Ellipse rally?

25 A I think it was Nick, but I'm not sure.

1 Q Okay. So did you fulfill some other function when you no longer were
2 going to serve as the body man?

3 A No, not that I remember aside from provide assistance to Nick if he needed
4 anything.

5 Q Do you remember providing assistance to Mr. Luna during the Ellipse rally?

6 A No, I don't.

7 BY [REDACTED]

8 Q How did you get back to the White House after the rally in the Ellipse?

9 A I don't remember, but I assume the White House motorcade.

10 Q Did you stay for the President's speech at the rally?

11 A I believe I left when the President left, but I don't remember when.

12 Q Did you listen or hear the President speak at the rally January 6th?

13 A Not intently.

14 Q Did you hear parts of it?

15 A No, not specifically.

16 Q Did you hear the part where he said, we're going to walk down Pennsylvania
17 Avenue and go to the Capitol?

18 A No, I did not hear that part.

19 Q You don't recall hearing it, or you just did not hear it?

20 A I don't recall hearing it.

21 Q Okay. What about the part where he said -- the President said, when fight,
22 we fight like hell, and if you don't fight like hell, you're not going to have a county
23 anymore.

24 Do you remember hearing that?

25 A No. I do not recall hearing any of the speech.

1

BY [REDACTED]

2

Q So we've heard from a lot of White House staff that after the President said

3

multiple times that he was going to go to Capitol, it caused a lot of people to chat about it

4

because they were kind of surprised that the President would want to go to the Capitol?

5

Do you remember having any conversations or hearing chatter in the tent that the

6

President wanted to go to the Capitol on the 6th?

7

A No, I don't.

8

BY [REDACTED]

9

Q What about when you returned to the White House?

10

Did you hear anything about the President saying he wanted to go to the Capitol

11

that day?

12

A No, not that I recall.

13

Q Do you remember anybody making any plans or looking into whether it was

14

even possible for the President to go to the Capitol on January 6th?

15

A I do not.

16

Q All right. So you returned to the White House with the motorcade, so far as

17

you recall; is that right, Mr. Ferrer?

18

A That's correct, as far as I recall.

19

Q Where did you go when you got back?

20

A I don't remember.

21

Q Did you go to your desk?

22

A I'm not sure.

23

Q Do you remember being at your desk in the afternoon of January the 6th at

24

all?

25

A No, I don't.

1 Q Okay. Where else would you have been?

2 A Any variety of offices in the White House. Could have been in the staff
3 secretary's office, or I could have been at my desk. I don't remember that part of the
4 day. Or I could have been running errands around the White House.

5 Q You don't remember anything about the afternoon of January 6th during
6 attack on the United States Capitol?

7 A No, aside from it being just a pretty chaotic, busy day.

8 Q All right. Let's talk about that.

9 Do you remember being in the Oval Office at all on the afternoon of January the
10 6th?

11 A No, I do not remember being in the Oval.

12 Q Do you remember ever going into the dining room where the President was
13 sitting during the afternoon of January the 6th?

14 A I'm not sure if the President was seated back there, you know, and I
15 definitely don't remember being in there with him.

16 Q You mentioned that you could have been in the staff secretary's office.
17 Why would you have been there?

18 A Some of my closest friends work in the staff secretary's office where I
19 formally worked.

20 Q Who is that?

21 A A variety of the colleagues.

22 Q Could you identify them, please?

23 A Could have been Derek Lyons, could have been Madison Porter, Shane
24 Harris.

25 Q Mr. Lyons, we understand, had left the White House on December 19th.

1 Do you remember that he was not there on the 6th, or do you think that he was
2 there?

3 A No, now that you mention it, I think Derek was gone by that time.

4 Q Okay. Do you remember talking to the other people, Ms. Porter and the
5 other individual you identified on the afternoon of the 6th?

6 A No. Again, that entire afternoon is a pretty big blur. I was just trying to
7 be helpful to see where I might have been.

8 Q One thing you did say is that you remember it being chaotic. Please
9 describe why you say that it was chaotic.

10 A I would probably say that almost every single day working at the White
11 House is incredibly busy. Chaotic was just a stronger word because there was more
12 major media news attention. Obviously, United States was a -- sorry, the January 6th
13 event was a pretty, again, "chaotic" was the right word to use, event. So aside from
14 that, it was a pretty blurry day for me.

15 Q So certainly the event at the Capitol, chaotic, but how did that translate into
16 chaos at the White House?

17 A I don't think I said there was chaos at the White House. I just used that to
18 describe kind of what a blurry scene was like, similar to what the summer of 2020 was
19 when those riots outside -- blurry in that sense that there's a lot, you know, commotion
20 on the news, and that kind of feeds your adrenaline.

21 Q Okay. So the news was kind of driving the mood of what was happening at
22 the White House; is that right?

23 A I don't know if it was driving the White House. I was strictly speaking of my
24 own emotions and feelings witnessing January 6th similar to the summer of 2020, just like
25 any other, you know, extra commotion-filled day.

1 Q Okay. So it was just like another commotion-filled day at the White House,
2 nothing in particular that you remember that makes you say it was chaotic?

3 A I don't like to speak to the White House in general terms. Again, I can only
4 speak of how I felt during that time.

5 Q Yeah. Absolutely. No. And we don't want you to speak for any reason
6 other than what you saw and what you heard and experienced, but, of course, you, Mr.
7 Ferrer, were somewhat unique in that not a lot of people worked at the White House,
8 and not a lot of people were at the White House on January the 6th. So we're just trying
9 to understand what you saw and what you heard.

10 Did you see anything in particular related to the events at the Capitol that day at
11 the White House?

12 A Not aside from what was on TV.

13 Q Okay. Just what was on TV. So nothing that Mark Meadows was doing
14 makes you say that it was a particular chaotic day at the White House?

15 A Nobody that anybody was doing at the White House forced me to say that it
16 was chaotic.

17 Q Do you remember anyone reaching out to law enforcement to address what
18 was happening at the Capitol that day?

19 A No, I don't remember events the afternoon of January 6th.

20 Q Okay. Do you remember anybody reaching out to Department of Defense
21 about the events that was happening at the Capitol on January 6th?

22 A No, I don't remember.

23 Q Okay. Do you remember anybody reaching out to the Department of
24 Homeland Security about what was happening at the event at the Capitol on January 6th?

25 A No, I don't remember that.

1 Q Do you remember anybody reaching out to Capitol Police about what was
2 happening on January 6th?

3 A I don't remember that.

4 Q Do you remember anybody in the White House reaching out to the Vice
5 President or his chief of staff about what was happening at the Capitol where he was on
6 January the 6th?

7 A No, I don't remember that.

8 Q Did you talk to the President at all on the afternoon of January 6th after you
9 returned from the rally on the Ellipse?

10 A I don't remember that afternoon.

11 Q You said you didn't know whether the President was in the Oval Office or
12 not. You sat right outside the Oval Office, and I understand that oftentimes when the
13 President was in the office, there would be kind of more of a footprint, so to speak, of,
14 like, a military aide or Secret Service or somebody else that would indicate he was there.

15 Is that your accurate, based on your understanding of working at the White
16 House?

17 A No. That doesn't sound familiar at all.

18 Q Okay. So on days when the President is not there, it's just the same as far
19 as, like, a protective detail or other people who are around as when he was there. Is
20 that your understanding?

21 A I think you mentioned a military aide or Secret Service near kind of where
22 my area would have been between the outer Oval and the Oval Office, and again, I don't
23 remember anything specific about that.

24 Q So you don't know whether the President was in the Oval or the Oval dining
25 room January 6th?

1 A No, not minute by minute.

2 Q Okay. What about just generally? I don't need minute by minute, but just
3 at all?

4 A I'd be taking a guess of where the President was on the afternoon of
5 January 6th.

6 Q Yeah. And I'm going to ask you to guess only based on your unique
7 experience working in the White House and knowing how things operate.

8 Where do you think he was?

9 A I don't think it's right to take a guess. I don't know where the President
10 was on the afternoon of January 6th.

11 Q Do you think he was in the residence?

12 A He could have been in the residence. He could have been in the residence.
13 He could have been in the Oval Office, which is his office, or his private dining area. He
14 could have also been in a myriad of places on that afternoon as the White House is pretty
15 large.

16 Q But you, having a desk outside the Oval, don't know where he was that
17 afternoon?

18 A I'm not sure what the President was that afternoon minute by minute.

19 Q Again, I'm not asking for minute by minute. I'm just asking where do you
20 know that he was, even at any minute? He went between here and there?

21 A I don't remember.

22 Q Okay.

23 Mr. Benson. [REDACTED], is this a controversial issue or something that you don't
24 know already? I mean, if the witness said he doesn't know, so why don't we move on?

25 [REDACTED] Yeah. No. I'm just trying to get an understanding and a better

1 appreciation for Mr. Ferrer's recall or what he doesn't recall about January the 6th in his
2 unique position at the White House. But I am going to move on. If we could pull up
3 exhibit 43, please.

4 BY [REDACTED]

5 Q So 43, these are text messages, Mr. Ferrer, that you provided to the
6 Committee all from January 6th. And some, I believe, the day before and the day after.

7 Fist one is on page 1. It says initials "MC" with the words "Mrs." Who's that?

8 A It's Mrs. Julie Cecil. If it's possible, I don't know if you guys could zoom out
9 so I could see the whole document in one. Again, not sure if it's possible.

10 Q We can zoom out a little bit. That emoji is the last one in this particular
11 screen shot.

12 So you mentioned Mrs. Julie Cecil?

13 A That's correct.

14 Q Who's that?

15 A It's a family friend.

16 Q January 6th, 2021, at 5:49 you said, "sad times," and she responds, "yes,
17 doesn't make any sense, I'm so sorry it's ending this way," and then you send -- I don't
18 know how to describe that emoji -- a face looking down, kind of solemn, I suppose.

19 What did you mean when you said sad times January 6th?

20 A It was a response to the previous message.

21 Q Okay. And what did you mean when you said sad times in response to the
22 previous message?

23 A I don't remember.

24 BY [REDACTED]

25 Q Well, Mr. Ferrer, the previous message was January 5th, so you're saying you

1 were responding from a message from January 5 over, I don't know, 12 hours later, sad
2 times?

3 A Looks like it was over 24 hours later. I was pretty delayed in responding.
4 I think it was more just responding to somebody's outreach. I inadvertently said it was
5 to the message. What I meant was just responding to a -- you know somebody reaching
6 out to me via text message.

7 BY [REDACTED]:

8 Q We go to next page, page 2 of exhibit 43. This is a text exchange with
9 somebody named John with the initials "JM."

10 Who is that?

11 A I believe it's John McEntee.

12 Q Now, from looking at these and the timing, and we'll walk through them, but
13 it looks like the timing may be off by about 3 hours.

14 Do you know if your phone was in a different time zone when you captured these
15 or saved them?

16 A Why do you say the timing is off on my text messages?

17 Q Well, let's walk through them and maybe that will make clear, but on
18 January the 6th starting at 11:08, or at least the time stamp 11:08, you say, still need me,
19 I'm back.

20 And then this person -- I assume this is John McEntee. Is that right?

21 A That's correct. I think.

22 Q Okay. You think. Do you know?

23 A I believe it's John McEntee.

24 Q Okay. Says, "no, sir, wanted to BS," and then another kind of downward
25 looking face.

1 So you say, "I'm back."

2 Do you remember sending that message after you returned from the Ellipse to
3 Johnny McEntee?

4 A I think it's an assumption that I returned from the Ellipse at that time. I
5 have no clue where I went, or why I was missing whenever Johnny was looking for me.

6 Q Okay. And so that's the reason I'm asking about the time stamp issue,
7 because I believe you would have returned with the motorcade around 1:20 that
8 afternoon. So this looks to me it could have been around 2 o'clock rather than
9 11 o'clock.

10 Does that make sense to you?

11 A No, because that's assuming I didn't go anywhere else. And I don't know if
12 Johnny was looking for me that morning. Perhaps I was in the bathroom. I have no
13 clue.

14 Q Fair enough. All right. So let's go on to the next message. It says,
15 "What's the boss saying, ha ha," and at 12:23, according to this, it says, "In the back, don't
16 know, apparently he's not liking what he's seeing."

17 Our understanding is that at that time, the President was at the Ellipse at 12:23.
18 So again, I guess, I'm just trying to get a better understanding -- not suggesting anything
19 here, just get a better understanding of why the time may not work out, or maybe there's
20 another explanation for these messages too?

21 A I have no clue, to be honest.

22 Q When Johnny McEntee asks you about the boss, who do you think he's
23 referring to?

24 A I would assume the President.

25 Q You say, "in the back." What did you mean by that?

1 A Don't remember.

2 Q You say, I don't know, apparently he's not liking what he's seeing.

3 What did you mean when you said that on January 6th?

4 A I don't remember.

5 Q Mr. McEntee then follows up and says, "Aw darn, it's epic, is he gonna give
6 an address or statement or something," and then according to this at 1:13, you say "a
7 video's coming out soon."

8 I'll represent to you that a video was released by the President from the Rose
9 Garden, a Rose Garden address, at around 4:17 or thereabouts that afternoon.

10 Does that -- is that what you're referring to when you say video coming out soon,
11 the Rose Garden address?

12 A I'm not sure what I was referring to.

13 Q If we can go to page 3.

14 This is a message with somebody named Carter.

15 Who's Carter?

16 A Carter Ray is a friend from college.

17 Q You say -- he says to you, "Hey, Austin, things seem to have gotten a little
18 chaotic, if it's poor timing or unsafe for us to come, let me know, we can cancel, fingers
19 crossed, rearrange plans."

20 You say, "What a wild time, I don't think it's smart to come, sad day."

21 Tell us about that exchange.

22 A I don't remember that exchange.

23 Q Was Mr. Carter planning on visiting you in Washington or at the White
24 House that day?

25 A I can only assume so from this text message, but I don't remember.

1 Q You say, "sad day." Why did you say sad day on January 6th?

2 A I don't remember.

3 Q We go to page 4 of this exhibit, again, still the text messages you provided to
4 the committee. This was somebody named Dr. Jay Strack? Who's that?

5 A He's a mentor.

6 Q Did he work in the White House?

7 A No.

8 Q He says on January 6th, "Praying hard for pres and especially for you."

9 You say, "tough and very sad day," which is consistent with some of the other
10 messages we looked at.

11 What did you mean when you say "tough and very sad day" to Dr. Strack?

12 A I don't remember.

13 Q He says, "Are you okay, let me know if I can do anything for you."

14 You say, "I'm fine, thank you, it's just been a deflating time, hard to watch at
15 times."

16 What did you mean by that?

17 A Don't remember.

18 [REDACTED] I'll stop there to see if anybody has any questions about what we've
19 gone over.

20 BY [REDACTED]:

21 Q If we could go quickly to page 3 of the text message exchange, and this is
22 with Carter -- can't recall his last name?

23 Towards the bottom, if you can go down a bit, you write at 17:43:00 hours,
24 "Absolutely dude, I'm sorry this timing was bad."

25 Do you remember why the timing was bad?

1 A No, I don't.

2 Q Is there anything that you recall sitting here today why you would say what a
3 wild time and that it was a sad day with Mr. Carter?

4 A No, I don't recall sending that message or why I would have said that.

5 Q Did you have control of your phone on January 6th?

6 A I don't remember. I assume so.

7 Q So you think you sent these messages to Carter?

8 A That's a good assumption.

9 [REDACTED] I don't know if Mr. Aguilar is still with us. He's not. Okay.

10 BY [REDACTED]:

11 Q Moving on, if we could pull up exhibit No. 11. All right.

12 So exhibit No. 11, can you see that there, Mr. Ferrer?

13 A I can.

14 Q Very good. That is a tweet from the President saying, "Mike Pence didn't
15 have the courage to do what should have been done to protect our country and our
16 Constitution, giving states a chance to certify a corrected set of facts not the fraudulent or
17 inaccurate ones, which they were asked to previously certify. USA demands the truth."

18 That was sent on January 6th at 2:24 p.m. Do you remember when this tweet
19 went out?

20 A No, I don't.

21 Q Do you remember seeing this tweet from the President?

22 A No, I don't remember seeing that tweet.

23 Q Do you remember the President ever saying anything about Mike Pence and
24 his role in the joint session of Congress?

25 A No, I do not.

1 Q Do you remember hearing in the White House that the President was not
2 pleased with Mike Pence on January the 6th?

3 A No, I do not.

4 Q Do you ever remember hearing in the White House that the President
5 thought that Mike Pence should do something during the joint session that would affect
6 the counting of electoral votes?

7 A No, I don't know if that occurred, and I don't remember hearing that.

8 Q Do you remember hearing anything at all related to the President and the
9 Vice President on January 6th?

10 A No, I do not.

11 Q Did you have anything to do with writing this tweet?

12 A Not that I recall.

13 Q Who typically did help draft the President's tweets to your knowledge?

14 A Don't recall.

15 Q Do you remember if Mr. Dan Scavino had any role in the President's tweets?

16 A I don't recall.

17 Q Do you know where Mr. Scavino was on the afternoon of January 6th?

18 A No, I don't remember that afternoon very well.

19 Q And his office was near where your desk was, right?

20 A That's correct.

21 Q Do you remember him being in his office that afternoon?

22 A I don't know where Mr. Scavino was that day.

23 Q That's fine. I'm just asking you whether you remember him being in his
24 office that afternoon?

25 A I don't remember where Mr. Scavino was that day.

1 Q I'm going to ask you again. Do you remember him being in his office that
2 day?

3 A Sure, and I'll respond again, I don't remember where Mr. Scavino was that
4 day.

5 Q Okay. I understand that. Okay. I mean, we have to take that as a no,
6 you don't remember him being in his office, but if you want to say it that way, that's fine.

7 A I don't remember where Mr. Scavino was that day, whether he was in his
8 office, his home, or anywhere on the White House complex.

9 Q Thank you. I appreciate that.

10 We understand that around 2:26 p.m. the President placed a call to Lee -- to
11 Senator Mike Lee, excuse me, and he intended to call Senator Tuberville.

12 Did you have any role connecting the President that afternoon to either Senator
13 Lee or Senator Tuberville?

14 A No. I don't know that assumption, and I don't remember those calls, and I
15 don't remember having any action in making those calls happen, if they did happen.

16 Q Do you remember whether Ms. Michael or Mr. Luna assisted the President
17 in connecting any calls to Senators on the afternoon of January the 6th?

18 A No, I do not.

19 Q Do you know if Mr. Luna or Ms. Michael had any role in connecting the
20 President to Members of the House of Representatives that afternoon on the 6th?

21 A No, I don't.

22 Q Are you aware of anybody else who may have assisted the President in
23 placing calls to Members of Congress in the afternoon of January 6th?

24 A No, I am not.

25 Q Do you know whether the President made such calls to Members of

1 Congress in the afternoon of January the 6th?

2 A I'm not sure what calls the President made if he made any calls in the
3 afternoon of January 6th.

4 Q And you don't remember ever taking any notes of calls that the President
5 had with Members of Congress on the 6th; is that fair?

6 A Not aside from the calls that we discussed.

7 Q All right. If we can go to exhibit No. 12, please.

8 Do you see exhibit No. 12?

9 A I do.

10 Q This is a tweet that President Trump sent on January the 6th at 2:38 p.m.

11 Says, "Please support our Capitol Police and law enforcement, they are truly on
12 the side of our country, stay peaceful."

13 Did you have any role in drafting, editing, or providing comments on this tweet
14 that the President sent at out at 2:38 p.m.?

15 A Not that I recall.

16 Q Do you remember seeing drafts of this tweet before it went out?

17 A No, I don't remember seeing any drafts of this tweet.

18 Q Do you know why the President sent this tweet, saying "Please support our
19 Capitol Police and law enforcement"?

20 A No, I don't know why he sent this tweet.

21 Q Do you know what the President was doing around that the time this tweet
22 went out in the 2 o'clock hour on January 6th?

23 A No, I do not.

24 Q So we understand that a number of people were going in and out of the Oval
25 Office in the afternoon of January 6th, and some of whom had conversations in the outer

1 Oval Office near your and Mr. Luna and Ms. Michael's desks.

2 Do you remember any conversations that Ms. Kayleigh McEnany had, for example,
3 near your desk in the outer Oval Office in the afternoon of January 6th?

4 A No. I'm not sure if she had any conversations near our desks, and I don't
5 remember any.

6 Q Do you remember any conversations that General Kellogg may have had
7 near your desk in the afternoon of January 6th?

8 A No. I'm not sure if he had conversations near my desk.

9 Q Do you remember any conversations that Ms. Trump, Ivanka Trump, excuse
10 me, had near your desk on the afternoon of January 6th?

11 A No, I do not.

12 Q Do you remember any conversations at all happening near your desk outside
13 the Oval Office on the afternoon of January 6th?

14 A No, I do not.

15 Q Did you talk to anybody about what was happening at the Capitol in the
16 afternoon of January 6th besides the text messages we just looked at?

17 A No, not that I recall.

18 Q When you said you may have been in the staff secretary's office maybe
19 talking with some of your closest friends in the White House, do you remember ever
20 talking about what was happening at the Capitol with your closest friend at the White
21 House?

22 A I'm not sure where I was that afternoon. I was, again, strictly trying to be
23 helpful, but I don't remember any conversations I had that morning or afternoon on
24 January 6th.

25 BY [REDACTED]:

1 Q Were you aware that something was going on at the Capitol during the
2 afternoon of the 6th?

3 A Yes, through major news outlets.

4 Q Okay. And is that through the television, through the internet? How did
5 you know through major news outlets what was happening at the Capitol?

6 A Yeah. Could have been through print, TV, radio, or web.

7 Q You said print? Like a newspaper in the afternoon of January 6th?

8 A I was just generalizing all sorts of news outlets. I don't remember the
9 specifics. I imagine it was through TV or through the internet.

10 Q Was there a TV in outer Oval area?

11 A I believe there was, but I don't remember.

12 Q Do you remember if there -- so you don't remember whether or not there
13 was a TV in that outer Oval area when you worked there?

14 A I think there was. There was quite a few changes to the outer Oval area.

15 Q Changes that involved taking out a television?

16 A Or furniture.

17 Q Okay.

18 BY [REDACTED]:

19 Q All right. Around 2:44 that afternoon, we know that somebody was shot
20 inside the Capitol?

21 Did you ever hear about that during the afternoon of January the 6th?

22 A No, I don't remember hearing that.

23 Q We know that at least one handwritten message was given to -- or excuse
24 me, passed around in the White House, at least among a couple people.

25 Do you ever remember hearing anybody saying that they needed to get a message

1 to the President that somebody had been shot, killed in the Capitol that afternoon?

2 A No, I don't remember hearing that.

3 Q Do you remember hearing about the President's reaction when he found out
4 that somebody had been killed in the Capitol?

5 A No, I don't remember that.

6 Q If we can go to exhibit 13, please?

7 A Nor do I know if the President was informed that somebody was shot and
8 killed at the Capitol.

9 Q Do you know whether the President was aware of the activity at the Capitol
10 on the afternoon of the 6th, specifically referring to violence and breaking into the
11 Capitol?

12 A I'm not sure what the President was aware of on that morning or afternoon.

13 Q All right. So we pulled up exhibit 13. This is on White House card stock, is
14 a note that says, "one X civilian gunshot wound to chest at door of House Chamber."

15 Do you recognize this?

16 A No, I do not.

17 Q Have you ever seen it?

18 A No, I have not.

19 Q Recognize the handwriting at all?

20 A No, I do not.

21 Q Do you know whether that card stock or that note was ever given to the
22 President?

23 A I have no clue. I've never seen that note before.

24 Q If we can go to exhibit 14, please.

25 Can you see exhibit 14 there, Mr. Ferrer?

1 A I can.

2 Q All right. That is a tweet sent by the President at 3:13 on the afternoon of
3 January the 6th.

4 It says, "I'm asking for everyone at the U.S. Capitol to remain peaceful, no
5 violence. Remember, we are the party of law and order, respect the law and our great
6 men and women in blue, thank you."

7 Did you have any role in drafting, editing, commenting on, or making any
8 suggestions related to this tweet at 3:13 p.m.?

9 A No. I do not recall having any role in drafting, editing, or sending out any
10 tweets on January 6th.

11 Q Okay. Do you remember any conversations about the need to have the
12 President say something about what was happening at the Capitol on January 6th?

13 A No, I do not.

14 Q Did you ever make any suggestions to anybody that the President needs to
15 make a statement about what was happening at the Capitol?

16 A Not that I recall.

17 Q Do you know why -- I assume I know the answer to this, but I've got to ask
18 the question.

19 Do you know why the President sent this approximately a half an hour after he
20 had sent that earlier tweet we looked at related to the events at the Capitol?

21 A No, I have no clue.

22 Q We understand that during the afternoon of January 6th, the President
23 talked to Representative Kevin McCarthy, and asked him to publicly and very forcefully
24 call off the riot at the Capitol.

25 Do you know anything about the call that the President had with Representative

1 McCarthy?

2 A I do not know about that call.

3 Q Based on previous answers, I think I know the answer, but again, I can't
4 assume; did you have any role in connecting the President with Leader McCarthy on the
5 afternoon of the 6th?

6 A No, not that I recall.

7 Q Do you know who did?

8 A I do not.

9 Q If we go to exhibit No. 7, please.

10 This is the daily diary, again, on page 3, shows an entry, or two entries, for the
11 Rose Garden video that we had discussed earlier.

12 It says At 4:03, the President went to the Rose Garden.

13 At 4:03 to 4:07, the President participated in a videotaping session of a message
14 to supporters asking them to leave the U.S. Capitol.

15 When did you first learn about an idea for the President to release a video
16 message about the events at the Capitol that day?

17 A I don't remember learning about that idea.

18 Q Whose idea was it to record a video?

19 A I have no clue.

20 Q Do you remember the President ever going out to the Rose Garden that
21 afternoon?

22 A No, I do not.

23 Q Reports are that the President -- or some of the reports were that he was
24 resistant to recording a video and sending that message.

25 Do you know anything about the President being resistant at all to sending any

1 messages on January 6th?

2 A No, I do not.

3 Q Do you know anything about the preparation of a script, remarks that the
4 President may deliver in this Rose Garden address?

5 A No, not that I recall.

6 Q Witnesses have told us that your computer was used in connection with
7 drafting remarks or editing remarks for the video and the recording that the President did
8 in the Rose Garden.

9 Are you familiar with that?

10 A What witnesses have mentioned that?

11 Q I'm not going to mention who. But I'm just telling you that some have told
12 us that your computer was used for that.

13 Do you remember your computer being used to draft or edit remarks?

14 A No, I don't.

15 Q I'm sorry. Go ahead?

16 A No, I do not.

17 Q Were you with the President when he recorded the video in the Rose
18 Garden that afternoon?

19 A I don't remember where I was that afternoon.

20 Q Do you remember being at the White House that afternoon, even if you
21 don't remember where exactly you were in the White House?

22 A No, I do not.

23 Q Do you remember being home, wherever home is for you, on the afternoon
24 of January 6th, as opposed to being at the White House?

25 A No, I don't.

1 Q So you don't remember whether you were at home or at the White House in
2 the afternoon of January 6th, 2021?

3 A Again, that day was very blurry. I would have to assume I was at work, but
4 I try not to assume in a deposition.

5 Q We can go to exhibit No. 16, please.

6 Can you see exhibit No. 16 there, Mr. Ferrer?

7 A Partially, yeah.

8 Q Okay. So the top of that, says "remarks." It's bolded and underlined, and
9 then it starts with, "I urge all of my supporters to do exactly as 99.9 percent of them have
10 already been doing, express their passions and opinions peacefully."

11 Do you recognize these remarks?

12 A No, I do not.

13 BY [REDACTED]:

14 Q If we go down a bit on this document, further down, further down all the
15 way to the bottom. You see a 1 there.

16 Would there -- do you remember ever using, like, paginations to indicate page
17 numbers on documents how it says 1 here?

18 A No, I don't remember doing that.

19 Q Okay. Did you -- when you would type documents, would it be in that font,
20 or that big?

21 A I don't remember typing a document like this.

22 Q Okay. But I'm just saying, generally, when you would type things, would it
23 be written that big, that big of font?

24 A No, not that I remember.

25 Q Okay.

1 BY [REDACTED]:

2 Q If we can go to exhibit No. 17.

3 Can you see exhibit 17?

4 A I can.

5 Q So that is from Austin Ferrer at your gmail address. Is that your gmail
6 address?

7 A That is my gmail address.

8 Q That was sent to your White House email address; is that right?

9 A Looks like it, yup.

10 Q And this was on January 6th, and with the 5-hour difference, that's at 3:51 in
11 the afternoon. You sent yourself remarks that said, "I urge all of my supporters to do
12 exactly as 99.9 percent have already been doing, express their passions and opinions
13 peacefully. Let me be perfectly clear," and then it goes on to say at the end, "nobody
14 should be using violence or threats of violence to express themselves, especially at the
15 U.S. Capitol. Let's respect our institutions, and let's all do better."

16 What is the gmail that you sent to yourself on the afternoon of January 6th?

17 A I don't remember this email.

18 Q Do you remember the remarks that are in this email?

19 A No, aside from the previous exhibit that you just showed me.

20 Q Yeah. I was going to ask you, it looks a lot like some of the draft remarks
21 that were created in the White House that afternoon.

22 So does this help refresh your memory as to any involvement that you may have
23 had in circulating draft remarks on behalf of anybody else or suggesting remarks yourself?

24 A No, it does not.

25 Q And is this the email we talked about earlier when you searched your

1 account for records responsive to the Select Committee's subpoena, is this the email that
2 you found and gave to Mr. Benson?

3 A That is.

4 BY [REDACTED]:

5 Q Mr. Ferrer, did you have access to gmail on your work computer that you can
6 remember?

7 A I can't remember having access to my gmail.

8 Q Okay. How about on any of your cell phones that you had, your personal or
9 White House issued cell phone, did you have access to your gmail address?

10 A No, I don't think I did.

11 Q Okay. I'm just wondering how you may have sent a gmail -- an email from
12 your gmail account on January 6th, how you'd have access to your email account?

13 A I'm not sure.

14 Q Okay.

15 BY [REDACTED]:

16 Q Do you remember receiving any remarks like those that are in this email you
17 sent to yourself from anybody else, like Jared Kushner, Stephen Miller, Vince Haley at all?

18 A No, I don't remember receiving these remarks, or sending this email.

19 BY [REDACTED]:

20 Q Does this look like something you would have drafted yourself?

21 A No, it does not.

22 Q Okay. But you don't have a recollection of anyone dictating anything to
23 you, or, you know, passing you something to transcribe?

24 A No, I do not.

25 BY [REDACTED]:

1 Q If we could pull up exhibit No. 19, please.

2 Can you see exhibit No. 19?

3 A I can.

4 Q All right. So this is a tweet that the President sent at 6:01 p.m. on
5 January 6th.

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

10 Did you have any role with respect to this tweet, either before it was sent or
11 sending it?

12 A No, I do not recall having any role in January 6th tweets the President may
13 have sent.

14 Q Do you remember the President coming to the outer Oval Office and asking
15 for opinions about this tweet in particular?

16 A No, I do not recall if that happened.

17 Q Do you know anybody who had any role in drafting or editing the message
18 that the President sent out in this tweet?

19 A No, not that I recall.

20 Q We understand that around 5 or 6 p.m. that afternoon, Mr. Meadows and
21 Mr. Ornato instructed White House staff to go home.

22 Do you remember getting any instructions like that when you were working at the
23 White House on the 6th?

24 A No. I don't recall on the afternoon of the 6th.

25 Q Do you remember leaving the White House, just to use a moment in time,

1 whether it was dark or whether it was still light outside?

2 A I don't remember leaving the White House on January 6th.

3 Q Just to clarify, you don't remember when you left the White House on the
4 6th, right, not that you didn't leave at all? You did go home at some point on the 6th,
5 I'm assuming?

6 A I assume.

7 Q Did you ever talk to anybody on the Vice President's staff on the afternoon
8 of January 6th?

9 A No, I don't recall.

10 [REDACTED] Stop there, and see if anybody has any questions about the rest of
11 January 6th?

12 BY [REDACTED]:

13 Q Oh, the last question I have is -- I'm sorry -- do you remember leaving before
14 or after the President went up to the residence that afternoon or evening?

15 A I don't recall leaving on the afternoon of January 6th.

16 Q Okay.

17 BY [REDACTED]:

18 Q Is there anything from January 6th that you recall that we haven't talked
19 about?

20 A No.

21 Mr. [REDACTED]. All right. It's getting to be 1 o'clock. We're about to shift into a
22 different part of this. So perhaps, now would be a good time to take a brief lunch break.
23 That is fine. We don't need much time on our end.

24 Does that work for you, Mr. Ferrer, Mr. Benson?

25 Mr. Benson. It's okay with me.

1 The Witness. Yup. It's fine with me.

2 Mr. [REDACTED]. Okay. So why don't we go off the record.

3 [Recess.]

1

2 [1:21 p.m.]

3 [REDACTED]. It's 1:21, and we're resuming the deposition of Mr. Austin Ferrer.

4

BY [REDACTED]

5 Q Hi, Mr. Ferrer. We're going to go back in time a bit, starting the November
6 time period.

7 From around November 3, 2020, to January 20th, 2021, do you remember hearing
8 or participating in any conversations with President Trump or others in the White House
9 about allegations of election fraud?

10 A No, I do not.

11 Q Okay. Do you have any information as to why President Trump did not
12 concede in connection with the 2020 election?

13 A I do not have information.

14 Q Let's go to exhibit 23.

15 Can you see that, Mr. Ferrer, the email from November 11, 2020?

16 A I can.

17 Q So this is an email from your White House email address sent to someone
18 named William Levi. Not quite sure, parentheses "OAG, subject, documents, from
19 POTUS November 11, 2020."

20 You write to him, "Hi, Will, attached are two documents the President wanted the
21 AG to have for his review. Will you please make sure they get to him, thank you,
22 Austin."

23 Do you remember this email?

24 A I do not.

25 Q Do you know who Mr. Levi is?

1 A No, I do not.

2 Q Okay. Do you know how you would have sent -- known to send an email to
3 William Levi?

4 A No, I don't know why I went this email.

5 Q Do you know where Mr. Levi works?

6 A No. I can only assume, parentheses, OAG.

7 Q Okay. And it says in the email, the AG, do you understand that to be the
8 Attorney General, Department of Justice?

9 A I'm not sure.

10 Q Okay. The subject is, "documents from POTUS," and this is an email from
11 you.

12 What did you mean by documents from POTUS?

13 A I'm not sure. I don't remember sending this email.

14 Q Okay. In general, do you remember ever sending emails -- something from
15 POTUS?

16 A No, I do not.

17 Q Okay. Do you think you would send documents to someone saying
18 documents from POTUS if it wasn't from what I take to be the President of the United
19 States?

20 A No, I'm not sure.

21 Q Okay. Do you remember ever talking to Mr. Levi in connection with this
22 email?

23 A No, I don't know if I spoke to Mr. Levi about this email.

24 Q Okay. Do you know whether the Attorney General reviewed the
25 documents that you sent to Mr. Levi?

1 A I have no clue.

2 Q Okay. Do you know if the President ever spoke with the Attorney General
3 about these documents that you sent to Mr. Levi?

4 A No, I don't know.

5 Q Okay. Let's go to the first attachment, exhibit 23A.

6 So this is one of the documents that you sent to Mr. Levi. Can you see that, Mr.
7 Ferrer?

8 A I can.

9 Q Okay. So it says at the top, you can see the State of Texas, and Report of
10 review of Dominion Voting Systems Democracy Suite 5.5-A.

11 Do you recognize this document?

12 A No, I do not recognize the document.

13 Q Do you remember ever reviewing or printing this document out?

14 A No, I don't know if I reviewed or printed this document.

15 Q Do you remember ever talking to President Trump about this document?

16 A No, I do not.

17 Q Do you know what Dominion Voting Systems refers to?

18 A No, I don't.

19 Q Okay. Do you remember ever hearing President Trump talk about
20 Dominion in your time at the White House?

21 A No, I don't remember hearing that.

22 Q Okay. Let's go to exhibit 23B. This is the second attachment that you
23 sent to Mr. Levi. Okay.

24 So this appears to be a tweet, and I say that because I see the little bird on the
25 left. Looks to be a screen shot from Twitter. Do you recognize this document?

1 A No, I do not recognize the document.

2 Q Did you have access to Twitter in the November 3rd to January 20, 2021
3 timeframe?

4 A Specifically, on all devices?

5 Q On any advice -- excuse me, any device, did you have access or use Twitter?

6 A I don't recall.

7 Q Do you remember where you got the presumably -- I'm saying you because
8 you sent this email to Mr. Levi -- this printout of what appears to be a tweet from Alpha
9 OmegaEnergy?

10 A No, I don't.

11 Q Do you recognize this tweet or this Twitter user, Alpha OmegaEnergy?

12 A No, I do not. I don't recognize the tweet or the user.

13 Q Okay. Do you remember why you sent this tweet to Mr. Levi?

14 A No, I do not.

15 Q Okay.

16 Mr. Benson. Pardon, this is just a suggestion. Obviously, I don't want to tell
17 you how to do what you're doing, but if he says he doesn't remember, is it possible that if
18 he doesn't remember a document, is it possible to move on instead of continuing to ask
19 him questions about a document that he's testified he doesn't remember? Just a
20 suggestion.

21 [REDACTED] We appreciate that. We're hoping that something will jog Mr.
22 Ferrer's memory, maybe a content of a document. You know, I understand that Mr.
23 Ferrer doesn't recall a lot of this, so we're hoping just hoping that anything will on some
24 of the issues that are important to the Select Committee.

25 BY [REDACTED]:

1 Q Mr. Ferrer, do you recall ever hearing about an effort in the White House to
2 contact members of certain State legislatures in connection with the 2020 election?

3 A No, I do not.

4 Q We understand that President Trump met with members of the
5 Pennsylvania State legislature on November 25, 2020, at the White House.

6 Do you remember that meeting?

7 A I don't know if that meeting occurred, and I don't remember that meeting.

8 Q Okay. Do you recall any meetings between President Trump and any State
9 lawmakers between November 3, 2020, and January 6, 2021?

10 A No, I do not.

11 Q We understand do you recall any phone calls between President Trump and
12 any State lawmakers between November 3, 2020, and January 6th, 2021?

13 A No, I do not.

14 Q Okay. Let's go to exhibit 24.

15 Can you see that, Mr. Ferrer?

16 A I can now.

17 Q Great. So this is an email that you sent on December 14, 2020, to
18 Davebossie [REDACTED], and you say, Hi Dave, in this email. Do you know who Dave
19 Bossie is?

20 A No, I do not.

21 Q Do you remember sending this email to Mr. Bossie?

22 A I do not.

23 Q Do you remember in this email you reference, the subject, you can see, it
24 says, Meeting with POTUS tomorrow at 11:45 a.m.

25 Do you remember a meeting Mr. Bossie might have had December 15, 2020?

1 A No, I don't know if that meeting occurred, and I don't remember Mr. Bossie
2 coming to the White House, and I don't remember sending this email.

3 Q Okay. Let's go to exhibit 30.

4 Can you go down just a little bit? Okay.

5 Actually, you can go up a little.

6 Mr. Ferrer, can you see this email? Looks like from Molly Michael to Nicholas
7 Luna and yourself at the top?

8 A I can.

9 Q Great. You can see the bottom the initial email, says from Sydney Powell
10 to Molly Michael, and when Ms. Michael forwards it to you and Mr. Luna, an attachment
11 is Antrim County Forensics report.

12 Do you remember receiving this email from Ms. Michael?

13 A No, I do not.

14 Q Do you know what Antrim County Forensics Report refers to?

15 A I have no clue.

16 Q You never recall President Trump's refer to a report from Antrim County, or
17 concerning Antrim County?

18 A No, I don't recall that.

19 Q Do you remember if you did anything with this email that was forwarded to
20 you by Ms. Michael?

21 A No, I don't remember receiving this email, any instructions given to me, or
22 anything I would have done with this email.

23 Q Okay. Exhibit -- let's go to exhibit 31.

24 Can you see that, Mr. Ferrer?

25 A I can.

1

2 [1:32 p.m.]

3

BY [REDACTED]

4

Q So this is an email from you to someone named Lindee D. Rose, and you

5

attach Antrim County Forensics Report.

6

Do you remember sending this email to Ms. Rose?

7

A Are there any -- is there anything else -- sorry -- is there a text or is this the

8

full email?

9

Q This is the full email. There's no text in the actual email?

10

A No, I don't remember sending this.

11

Q And if we go just quickly to the attachment to see if it refreshes your

12

recollection. This is that attachment for Antrim County Forensic Report. You can see it

13

says Allied Security Operations Group.

14

Do you recognize this document?

15

A No, I don't recall ever seeing this document.

16

Q So you sent this document to Ms. Rose.

17

Who's Lindee Rose?

18

A She was a press assistant.

19

Q Okay. In what capacity would you interact with Lindee Rose as part of your

20

work at the White House?

21

A I don't remember interacting with Lindee.

22

Q Okay. And just to confirm, you don't remember even sending this email to

23

her?

24

A That's correct.

25

Q And did Ms. Rose work with Kayleigh McEnany?

1 A I don't know what Ms. Rose did at the White House.

2 Q Other than work, did you say, with the press shop?

3 A That's correct.

4 Q We understand that there was a meeting in the Oval Office on December
5 18th involving several individuals, including Sidney Powell, General Michael Flynn, and
6 others.

7 Do you remember that meeting at the White House?

8 A I don't know if that meeting occurred, and I certainly don't remember it.

9 Q Okay. Let's turn to exhibit 25.

10 BY [REDACTED]:

11 Q Before we get to that, do you remember General Michael Flynn ever being at
12 the White House?

13 A No, I do not.

14 Q Do you remember General Michael Flynn ever seeking any meetings with the
15 President?

16 A No, I do not.

17 Q Do you remember talking or communicating with General Flynn about the
18 election November of 2020?

19 A No, I don't remember talking to Mr. Flynn, nor do I know Mr. Flynn.

20 Q What about Patrick Byrne? He's a former Overstock.com CEO. Do you
21 remember him ever being at the White House?

22 A I don't know Mr. Byrne. I don't recall him being at the White House.

23 Q Do you remember ever communicating with him via email, phone, or
24 otherwise about the election?

25 A No, I don't remember any interaction I've had with Mr. Byrne and certainly

1 not about the election.

2 Q What about Mike Lindell, do you know who that is?

3 A Only by name.

4 Q Do you remember him ever being at the White House?

5 A No, I do not.

6 Q Do you remember communicating with him about a meeting or a phone call
7 with the President?

8 A I don't recall communicating with Michael, no.

9 BY [REDACTED]:

10 Q Okay. So, quickly, to exhibit 25.

11 And if you can zoom out just a bit just so Mr. Ferrer can see kind of the first page
12 of the document. Is that possible? Okay. Just a little bit.

13 If you can see that Mr. Ferrer?

14 And then zoom in a little bit to the title of the document. It's dated
15 December 16th, 2020.

16 Can you see that, Mr. Ferrer?

17 A I can.

18 Q So it says "Presidential findings to preserve, collect, and analyze national
19 security information regarding the 2020 general election."

20 I'll represent to you this is a draft executive order to seize and inspect voting
21 machines, and specifically empowering the Secretary of Defense.

22 Do you remember ever seeing or hearing a document like this that we're looking
23 at?

24 A No, I don't recall seeing a document similar to this at all.

25 Q And you don't recall hearing about any sort of draft executive order that

1 empowered anyone to seize and inspect voting machines?

2 A No, I do not recall that.

3 Q Okay.

4 [REDACTED]. Separate from the executive order context, do you remember any
5 conversations at all, whether you were a part of them or heard about them, related to
6 seizing voting machines after the election?

7 The Witness. No, I do not.

8 [REDACTED]. Do you remember participating in or hearing about any
9 conversations related to forensic analysis of the software used for voting machines?

10 The Witness. No, I do not.

11 BY [REDACTED]

12 Q Let's go to exhibit 32.

13 So this is a blown-up version of a tweet from @realDonaldTrump, Donald J.
14 Trump, sent December 19th.

15 If you go down, [REDACTED].

16 It was at 1:42 a.m. I don't know if you can see that on the bottom left corner.

17 The tweet itself says, "Peter Navarro releases 36-page report alleging election
18 fraud 'more than sufficient' to swing victory to Trump." Provides a link. "A great
19 report by Peter. Statistically impossible to have lost the 2020 election. Big protest in
20 D.C. on January 6th. Be there, will be wild!"

21 Do you recall seeing this tweet around the time that President Trump sent it?

22 A Is that time stamp correct?

23 Q Yes, it's 1:42 a.m. on December 19th?

24 A No, I don't recall seeing this tweet.

25 Q Okay. It mentions a big protest in D.C. on January 6th.

1 In the December time frame, December 2020, do you recall hearing about a
2 protest in D.C. on January 6th?

3 A No, I don't recall hearing about that.

4 Q Did you have -- do you know -- do you have any information related to the
5 preparation of this tweet?

6 A No, I do not.

7 Q Okay. And do you know what President Trump meant when he said, "Be
8 there, will be wild!"

9 A I do not know what the President meant.

10 BY [REDACTED]:

11 Q Before we take that down, are you aware of any discussions about the
12 President's tweet afterwards -- so in the days or weeks between this tweet and
13 January 6th -- about what he said and "will be wild!"?

14 A Sorry, what was the first part?

15 Q Yeah, do you remember any discussions at the White House, after this tweet
16 was sent out, between December 19th and January 6th, regarding this tweet or what
17 would follow from this tweet?

18 A No, I don't recall any conversations of that nature.

19 Q Do you remember any conversations at all about the President saying, "will
20 be wild!" in a tweet?

21 A No, I do not.

22 BY [REDACTED]:

23 Q Okay. We're aware of a meeting on December 21st, 2020, in which
24 President Trump and Vice President Pence met with Members of Congress, including
25 Representative Biggs, Representative Brooks, and Representative Gaetz.

1 Do you remember that meeting in the White House?

2 A I'm not aware of that meeting.

3 Q Okay. Do you remember any meetings in the White House regarding
4 challenging the electoral votes from certain States on January 6th?

5 A No, I don't recall such meetings.

6 Q Are you familiar with a call --

7 [REDACTED] Can I?

8 [REDACTED]. Excuse me.

9 [REDACTED] I'm going to butt in. I'm sorry for doing that.

10 BY [REDACTED]

11 Q But just really quickly, related to that, do you remember any meetings with
12 Members of the Congress at the White House related to the election?

13 A No, I don't.

14 Q Okay. Mark Meadows at one point tweeted about a meeting that was
15 taking place related to the joint session with Members of the House Freedom Caucus,
16 among others. You're nodding your head. Do you remember that?

17 A No, I don't recall that tweet.

18 Q Okay. And not specifically the tweet, but do you remember the meeting
19 that he tweeted about, I'll represent to you that he tweeted about?

20 A No, I don't recall the tweet -- I don't recall any tweets that the chief of staff
21 may have sent out. I don't recall any tweets about planning for the January 6th or
22 meetings with Members of Congress or meetings with State representatives.

23 Q Okay. And separate from the issue of recalling the tweets themselves, do
24 you remember any meetings that took place in the White House, whether formal or
25 informal, just gatherings, with Members of Congress related to the election?

1 A No, I do not.

2 BY [REDACTED]:

3 Q We understand that on December 23rd, 2020, President Trump called
4 someone within the Georgia secretary of state's office named Frances Watson.

5 Do you have any information relating to that call?

6 A I don't know if that called occurred, and I don't recognize that name, and I
7 don't recall any -- anything about that call if it did happen.

8 Q Okay. So we understand that between November 3rd, 2020, and
9 January 2nd, 2021, someone -- or potentially multiple people -- at the White House tried
10 to contact the Georgia secretary of state at least 18 times.

11 Are you aware of those attempts to contact the Georgia secretary of state?

12 A I don't know who made those attempts. I'm not aware of any attempts to
13 reach out to the Georgia secretary of state office.

14 Q So you don't recall having any involvement in making any of those calls to
15 the Georgia secretary of state?

16 A No, I don't recall any such actions by myself.

17 [REDACTED]. Just to be clear, [REDACTED] is mentioning the Georgia secretary
18 of state. That's Brad Raffensperger.

19 Were you or anybody in outer Oval, to your knowledge, ever asked to connect the
20 President with Secretary Raffensperger.

21 The Witness. No, not that I can recall.

22 [REDACTED]. Were you or anybody in the outer Oval that you're aware of asked
23 to make calls to Mr. Raffensperger's office?

24 The Witness. Not that I recall.

25 BY [REDACTED]:

1 Q And we understand that on January 2nd, President Trump, Chief of Staff
2 Mark Meadows, and others had a call with Mr. Raffensperger.

3 Any information relating to that phone call?

4 A No, I don't recall if that phone call happened, and I don't recall any
5 information from it.

6 Q Are you aware of any outreach by President Trump with any State
7 secretaries of state between November 3rd, 2020, and January 20th, 2021?

8 A No, I don't recall any of that.

9 Q Okay. Let's go to exhibit 36. And the top email is from Ms. Michael to
10 you, Mr. Ferrer, on January 4th. This is another time stamp issue. So likely sent
11 around 3:14 p.m.

12 Do you see that, Mr. Ferrer?

13 A I do.

14 Q Okay. So if we go down a bit, look down a bit, right before Ms. Molly
15 Michael sent that email to you. It's an email from Christina Bobb to Ms. Michael.

16 Do you know who Christina Bobb is?

17 A No, I do not.

18 Q And she writes that, "COS," which I believe stands for chief of
19 staff -- "Meadows requested a copy of the memo that we (Rudy Giuliani's team) sent to
20 Senator Graham. It's attached here. Could you please print this for Mr. Meadows?
21 Professor Eastman is on his way."

22 Did you ever hear about a memo that Rudy Giuliani's team sent to Senator
23 Graham?

24 A No, I don't recall hearing about that, nor do I recall receiving this from
25 forward it looks like from Molly, maybe.

1 Q Yeah. If we go up, the email was Ms. Michael forwarded it to you.

2 Do you know why Ms. Michael sent -- forwarded this email chain to you, including
3 the attachments?

4 A No, I have no clue why.

5 Q So the email that Ms. Michael forwarded from Ms. Bobb, it says, "Could you
6 please print this for Mr. Meadows?"

7 Do you know whether Ms. Michael or you printed this email or the attachments?

8 A No, I do not.

9 Q Okay. Do you know why Mr. Meadows requested a copy of the memo that
10 Mr. Giuliani's team sent to Senator Graham?

11 A I have no clue why.

12 Q If we go to exhibit 36d. So this is the last attachment that was sent to you.
13 We want to see if this refreshes your recollection at all.

14 So this is the memo that -- a memo that was prepared by, you see, Rudy Giuliani
15 to Senator Lindsey Graham.

16 Have you ever seen this document?

17 A No, I have not seen this document. Not that I recall at least.

18 Q Okay. And you don't recall printing this document?

19 A I'm not sure if I printed that document. I certainly don't recall.

20 Q Okay. If you go back to the -- that initial email that was forwarded to you
21 by Ms. Molly Michael. In the email from Christina Bobb on January 4th, 3:08 p.m., she
22 mentions that, "Professor Eastman is on his way."

23 Do you know who Professor Eastman is?

24 A No, I do not.

25 Q Do you know who John Eastman is?

1 A No, I do not.

2 Q You don't recall ever hearing that name in connection with your time at the
3 White House?

4 A No, I don't recall hearing the name John Eastman or Professor Eastman.

5 Q Okay. Do you -- she says -- Ms. Bobb, that is -- "Professor Eastman is on his
6 way." And that is January 4th.

7 I think I know the answer, but I just want to confirm. Do you know whether
8 Professor Eastman came to the White House on January 4th?

9 A I don't know where he was headed on January 4th.

10 Q Okay. If we turn to exhibit 44.

11 So this is the chain -- part of the email chain we just looked it. And it looks like
12 you forwarded it to -- back to Ms. Michael on January 11th. The time stamp indicates
13 it's 3:10 p.m.

14 Do you remember why you forwarded this email chain to Ms. Michael?

15 A No, I don't recall this chain, nor do I recall forwarding this chain back to
16 Molly.

17 Q Okay. And do you remember why you included that email address,
18 christina@cgbstrategies.com?

19 A No, I don't recall seeing it at all.

20 Q Okay. And you don't -- do you remember ever discussing Ms. Bobb with
21 Ms. Michael any time between November 3rd, 2020, and January 20, 2021?

22 A No, I don't recall discussing Ms. Bobb or Christina Bobb with Molly.

23 Q And this is just to see if this refreshes your recollection. Christina Bobb, my
24 understanding at the time is she worked for One America News Network.

25 Does that refresh your recollection at all as to who Christina Bobb is?

1 A No, it does not.

2 Q Okay. Let's go to exhibit 35.

3 So if we go to the -- oh, can you see the document on your screen, Mr. Ferrer?

4 A I can.

5 Q So if we go down to the bottom of this email, just to see the initial email, it's
6 from you to someone named Daniel E. Hansen, CC Molly Michael.

7 On January 4th, 2021, you write, "Dan -- will you please help us track down any
8 photos of John Eastman on July 18, 2019. He was in the Oval around 5:30 p.m. for an
9 hour on July 18, 2019?"

10 Do you remember sending this email to Daniel Hansen --

11 A No.

12 Q -- on January 4th.

13 A No, I don't remember sending this email.

14 Q Who is Daniel Hansen?

15 A I believe he was a staffer in the White House photo office.

16 Q Okay. So you don't recall what prompted you to send this email about
17 tracking down any photos of John Eastman?

18 A No, and I don't recall sending this email either.

19 Q Okay. If we go to the attachment real quick, the second attachment that is,
20 that's a photo of John Eastman and President Trump, John Eastman being on the right.

21 Do you ever recall seeing that man in the White House?

22 A No, I don't recall seeing that man in the White House.

23 Q Okay. And then you don't remember what prompted you to send this?

24 A That's correct.

25 Q So we understand that Professor Eastman met with President Trump, Vice

1 President Pence, Marc Short, Greg Jacob in the Oval Office on January 4th.

2 Does that refresh your recollection at all as to Mr. Eastman and how he might
3 have been in the White House on January 4th?

4 A No, I don't know if those meetings happened, and I don't recall Mr. Eastman
5 being in the White House or having that meeting which you referenced to.

6 Q And you have no information relating to that January 4th meeting with
7 President Trump, Vice President Pence, Marc Short, Greg Jacob, and Professor Eastman?

8 A Yeah, I don't know if that meeting happened, and I certainly don't have
9 information about it.

10 Q Let's go to exhibit 41.

11 So can you see a document, it says "Privileged and Confidential" at the top, Mr.
12 Ferrer?

13 A I can.

14 Q Okay. And if we zoom out a bit, just so you can kind of see how it looks
15 like, the structure of the document. And you can take a second to look at it.

16 My question just is, do you recognize this document?

17 A No, I don't recognize the document.

18 Q Okay. Do you ever remember printing this document, reviewing it, or
19 discussing it with anyone?

20 A No, I don't know if I printed that document, and I don't recall discussing it
21 with anybody in the White House, or reviewing it.

22 Q Or reviewing it?

23 A No.

24 Q Do you know who prepared this document?

25 A I have no clue who prepared the document.

1 Q Okay. So if you go to exhibit 42, we're going to have similar questions. If
2 you can just take a second to review it. It also says, "Privileged and confidential," at the
3 top, but it is a different document. And if you go a little bit to the top again just so you
4 can see how it looks.

5 Mr. Ferrer, do you recognize this document?

6 A Would you mind scrolling to the bottom of the document?

7 Q And if we can go to the second page as well, and it has different States.
8 You saw Georgia, Pennsylvania, Wisconsin, Michigan, Arizona, Nevada, seven pages -- six
9 pages, excuse me. Definitely take your time to review it if you would like to.

10 A No, I would just like to see the last page, if possible.

11 Q Absolutely.

12 A Is that the end of the document?

13 Q That's right. Yeah. It doesn't have a signatory.

14 A Got it. No, I don't recall seeing this document.

15 Q Okay. And you don't recall any conversations, nor anything about this
16 document?

17 A That's correct.

18 Q Okay. Between November 3rd, 2020, and January 20th -- well, let me ask
19 this. When was your last day in the White House?

20 A I don't recall specifically.

21 Q Okay. Do you remember if you stayed until the last day of the
22 administration or if you left before?

23 A I don't recall.

24 Q Okay. Between November 3rd, 2020, and January 20th, 2021, did you ever
25 hear President Trump acknowledge that he lost the 2020 election?

1 A Sorry, what was the first part of the question?

2 Q Between November 3rd, 2020, and January 20th, 2021, did you ever hear
3 President Trump acknowledge that he lost the 2020 election?

4 A No, I don't recall.

5 Q Did President Trump extend an offer to you to work for him in Florida?

6 A Not that I recall.

7 Q Do you know whether he extended offers to anyone in the outer Oval to join
8 him in Florida?

9 A I don't know if the President made such offers, and I certainly don't recall.

10 Q Okay.

11 BY [REDACTED]

12 Q Where do you work now, Mr. Ferrer?

13 A In Bradenton, Florida.

14 Q Are you still in touch with the former President?

15 A I am not.

16 Q How about any staff -- and I'll just give you a narrow timeframe, the staff
17 that worked in the White House in January of 2021 -- are you in touch with anybody from
18 the White House still?

19 A Not regularly.

20 Q Have you -- yeah, we sent you a subpoena, the select committee. Other
21 than conversations you may have had with Mr. Benson or any other lawyer you may have
22 engaged for the purpose of representing you before the select committee, have you
23 talked to anybody about your testimony before the select committee?

24 A I have not.

25 Q Have you talked to Molly Michael about your subpoena with the select

1 committee?

2 A I have.

3 Q Okay. Tell us about that. What did you talk to her about?

4 A Not details about the subpoena. It was strictly that I received a subpoena,
5 and if she could just give me some guidance on what to do next. I figured by now the
6 January 6th Committee had sent out plenty of these, so I figured they might have kind of
7 a staple run-of-the-mill checklist to do now that I had received one.

8 Q And did she give you any guidance that you sought?

9 A Not direct guidance. She just said that somebody would be reaching out.

10 Q Did you talk to anybody else?

11 A After that I received a phone call from a gentleman named Alex. I believe
12 his last name is Cannon. He just had a couple of brief questions. None that I
13 remember specifically. And then after that --

14 Q I'll stop you, only because I understand Mr. Cannon is a lawyer. So if you
15 were having a legal conversation, I don't want to get into that.

16 A I don't remember the conversation.

17 Q Okay. What about anybody else, other than Mr. Cannon and Ms. Michael?
18 Did you talk to Mr. Luna about it? I know he worked in the outer Oval with you.

19 A Not that I recall.

20 Q Anybody else? Anybody from the speechwriting team or the friends you
21 mentioned from the staff secretary's office?

22 A About my subpoena?

23 Q Correct.

24 A No, not that I recall.

25 Q Okay. What about your -- more narrowly focused now -- testimony and

1 documents. Did you talk to anybody, other than Mr. Benson or even Mr. Cannon, about
2 the documents that you should or should not produce to the select committee pursuant
3 to the subpoena?

4 A No, I have not.

5 Q Okay. Has anybody suggested to you any responses that you would give to
6 the select committee in response to questions asked today, other than Mr. Benson or
7 another attorney?

8 A No.

9 Q Okay. So has anybody suggested to you that you say you don't recall or
10 don't remember anything in response to the select committee's questions?

11 A No.

12 Q Has anybody reached out to you in an effort to influence your testimony or
13 document production to the select committee?

14 A No, they have not.

15 [REDACTED] So no conversations about what you should and shouldn't say
16 to the select committee other than with your attorneys?

17 The Witness. That's correct.

18 [REDACTED]. Have you talked to the former President about your appearance
19 here today?

20 The Witness. I have not.

21 [REDACTED] How about just the fact that you received a subpoena?

22 The Witness. I have not.

23 [REDACTED] Can you just give us one moment?

24 [Discussion off the record.]

25 [REDACTED] Okay. Is there anything, Mr. Ferrer, that you think the select

1 committee should know as we go about and complete our investigation into what
2 happened in the attack on the Capitol on January the 6th and how to prevent something
3 like this from happening again that we haven't already discussed with you?

4 The Witness. No, I do not.

5 [REDACTED]. Mr. Benson, is there anything you would like to put on the record
6 before we go off?

7 Mr. Benson. No, there is not.

8 [REDACTED]. Okay. Very good.

9 Then, at this time, let's go off the record.

10 [Discussion off the record.]

11 [REDACTED]. And just to be clear for the reporters, the record will be closed.

12 [Whereupon, at 1:59 p.m., the deposition was concluded.]

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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