

1

2

3

4 SELECT COMMITTEE TO INVESTIGATE THE  
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,  
6 U.S. HOUSE OF REPRESENTATIVES,  
7 WASHINGTON, D.C.

8

9

10

11 DEPOSITION OF: HEIDI STIRRUP

12

13

14

15

Monday, April 25, 2022

16

17

Washington, D.C.

18

19

20

The deposition in the above matter was held via Webex, commencing at 10:04

21

a.m.

1     Appearances:

2

3

4     For the SELECT COMMITTEE TO INVESTIGATE

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

6

7     [REDACTED] STAFF ASSOCIATE

8     [REDACTED] PROFESSIONAL STAFF MEMBER

9     [REDACTED] CHIEF CLERK

10    [REDACTED] PARLIAMENTARIAN

11    [REDACTED] INVESTIGATIVE COUNSEL

12    [REDACTED] PROFESSIONAL STAFF MEMBER

13    [REDACTED] OF COUNSEL TO THE VICE CHAIR

14

15

16    For the WITNESS:

17

18    CHRISTOPHER KACHOUROFF, ESQ.

19    McSweeney, Cynkar & Kachoureff, PLLC

20    13649 Office Place, Suite 101

21    Woodbridge, VA 22192

22

23

24

25

1 [REDACTED] Good morning.

2 This is a deposition of Heidi Stirrup, conducted by the House Select Committee to  
3 Investigate the January 6th Attack on the United States Capitol pursuant to House  
4 Resolution 503.

5 At this time, I'd like the witness to please state her full name and spell her last  
6 name for the record.

7 The Witness. I am Heidi Stirrup, last name spelled S-t-i-r-r-u-p.

8 [REDACTED] Thank you.

9 This will be a staff-led interview. My name is [REDACTED] and I'm a senior  
10 investigative counsel for the select committee as well as of counsel to the vice chair,  
11 Representative Liz Cheney.

12 And I'll let my colleagues introduce themselves.

13 [REDACTED] Good morning, Ms. Stirrup. My name is [REDACTED] I am  
14 an investigative counsel for the select committee.

15 [REDACTED] And good morning, Ms. Stirrup. My name is [REDACTED]  
16 and I'm a professional staff member with the committee.

17 [REDACTED] And members of the select committee may be joining us and leaving  
18 during the course of the discussion. If any of them so choose, they may of course ask  
19 questions. We will do our best to announce on the record when they join. Right now,  
20 it appears that there are no members on.

21 So, at this time, I'd like Ms. Stirrup's counsel to please state his name for the  
22 record.

23 Mr. Kachouroff. My name is Christopher Kachouroff. I am currently counsel for  
24 Ms. Stirrup.

25 [REDACTED] Great.

1 Under the House deposition rules, neither committee members nor staff may  
2 disclose the testimony you provide today unless the committee chairman approves the  
3 release of that information. You and your attorney will have an opportunity to review  
4 the transcript.

5 Now I'd like to ask that the court reporter please administer the oath to the  
6 witness.

7 The Reporter. Do you solemnly declare and affirm under the penalty of perjury  
8 that the testimony you are about to give will be the truth, the whole truth, and nothing  
9 but the truth?

10 The Witness. I do.

11 [REDACTED] I understand that the witness has an opening statement she'd like to  
12 make, but I'd propose that, before that, I'll just go over some ground rules for this  
13 deposition, and then I'll give the witness an opportunity to make her opening statement  
14 before I ask any questions.

15 As you know, there's an official reporter transcribing the record of this interview.  
16 You and your attorney will have an opportunity to review the transcript and suggest any  
17 corrections before it's finalized. This deposition is being videotaped and audio recorded,  
18 but the court reporter's transcript is the official record of the proceedings.

19 Please wait until each question is completed before you begin your response, and  
20 we'll try to wait until your response is complete before we ask our next question. The  
21 purpose of this, of course, is so the court reporter can get an accurate record. It's  
22 impossible for them to take down what two people are saying at the same time.

23 And, similarly, it's important that you give a verbal response to all questions rather  
24 than a gesture, nodding or shaking your head.

25 You are appearing today pursuant to a subpoena from the select committee dated

1 March 8, 2022. As you know, you're under oath, meaning that any knowing false  
2 statements that you make can constitute perjury as well as violation of 18 U.S.C. 1001, so  
3 it's important that you tell the truth at all times.

4 It's important that you understand our questions, so if a question isn't clear, either  
5 you or your counsel should feel free to say so, or if you can't hear us or don't understand  
6 the question, please let us know.

7 Similarly, if you don't know the answer to a question or can't recall, you can say  
8 so, but keep in mind that you're under oath so you have to be truthful. If you do, in fact,  
9 recall the answer to the question, you do need to tell us.

10 You may only refuse to answer a question to preserve a privilege recognized by  
11 the select committee. If you refuse to answer a question based on a privilege, the staff  
12 may either proceed with the deposition and have your objection noted on the record or  
13 seek a ruling from the chair on the objection. If the chair overrules such an objection,  
14 you'll be directed to answer the question.

15 Of course, if you need to consult with your counsel at any time during this  
16 interview, please feel free to say so. You can simply -- we can go off the record at that  
17 point, and you can turn off your audio and video so we can't see or hear you so you can  
18 have a private consultation.

19 Similarly, if you need just a rest break, please say so at any time.

20 So do you have any questions about those ground rules?

21 The Witness. No, I do not.

22 Mr. Kachouroff. I would just add, Counsel -- this is Chris Kachouroff for  
23 Ms. Stirrup -- you know, if I think something is violative of the First or Fourth Amendment,  
24 that's a right assertion as opposed to a privilege assertion. So I just -- I don't perceive  
25 that you're going to do that, but I just caution you in advance that, you know, if

1 something clearly falls within what I understand First Amendment case law to be, I'm  
2 going to object to it.

3 [REDACTED] Okay.

4 And, with that, Ms. Stirrup, would you like to give an opening statement?

5 The Witness. Yes, I would.

6 Good morning, Mr. Chairman and members of the select committee. I am  
7 Mrs. Heidi Stirrup. I appear this morning under subpoena. I therefore begin by noting  
8 the limitations on my testimony imposed by 28 CFR, section 16.22.

9 As indicated in the final paragraphs of this statement, I also have general  
10 objections to this proceeding. I reserve all objections here but offer my testimony  
11 subject to such objections in a good-faith effort to comply, to the extent I am able under  
12 these constraints, with the select committee's request.

13 My understanding of the scope of the subpoena and the specific topics on which  
14 the committee seeks information from me, as transmitted to me from the Department of  
15 Justice, comprise the following limited areas:

16 Number one, conversations with Department of Justice officials regarding the  
17 Department's investigations of allegations of fraud related to the November 2020  
18 elections.

19 Two, knowledge of purported efforts to replace Acting Attorney General Jeff  
20 Rosen with Assistant Attorney General Jeffrey Clark.

21 And, three, the appointment of Kenneth Klukowski and the appointments or  
22 attempted appointments of other individuals to the Department to the extent they relate  
23 to the select committee's focus and scope.

24 From what I can gather from the limited correspondence I've had with the  
25 Department, which is summarized below, the Department's consent to my testimony

1 pursuant to 28 CFR 16.22, is limited to providing testimony only on these three topics.

2 I also note for the record, the committee's document requests are impermissibly  
3 vague, and I find I must register an objection to these requests.

4 In particular, requests 1 through 6 and 8 through 22 contain language that is  
5 indefinite, vague, and incomprehensible. Among other deficiencies, it contains  
6 references to documents, quote, "related to, relating in any way, or about," end quote.

7 The definition of terms contained in paragraphs 1, 2, 8, and 16 are similarly  
8 deficient and also subject to objection.

9 In keeping with this understanding of the scope of the committee's inquiry, I offer  
10 my testimony under the following conditions:

11 Number one, the Department knows and understands the scope and relevance of  
12 my testimony on these topics and has offered all requisite permissions under 28 CFR,  
13 section 16.22, so limited.

14 Two, the committee agrees that the limitations on the scope of my testimony as  
15 described in the Department's April 21, 2022, letter (see exhibit 1) are correct and that  
16 the scope of questioning and responses will be limited accordingly.

17 And, three, I will object to any question where I have doubts concerning either my  
18 own obligations under 28 CFR, section 16.22 or to the substance of any question that  
19 might compromise my rights under the Constitution and the laws of the United States.

20 Specifically, my objections are as follows:

21 Neither the committee nor the Department of Justice has given me sufficient  
22 notice under 28 CFR, section 16.22. Twenty-eight CFR, section 16.22 contains a general  
23 prohibition on the production or disclosure of documents from the Department of Justice  
24 in a proceeding in which the United States is not a party. This is such a proceeding.

25 Both the committee and the Department are bound by the process set out in 28

1 CFR, section 16.22, which defines the parameters of any testimony I am compelled by the  
2 subpoena to provide. Because I'm a former employee of the Department, 28 CFR,  
3 section 16.22(a) precludes me from producing any material contained in Department files  
4 or from disclosing any information related to or based upon material contained in those  
5 files.

6 It also precludes my disclosure of any information or producing any material  
7 acquired as part of the performance of my official duties or official status without prior  
8 approval of the proper official from the Department. The required approval process  
9 does not produce a pro forma or blanket consent but, rather, is subject to the  
10 requirements of 28 CFR, sections 16.24 and 16.25.

11 In my view, neither the committee nor the Department has adequately complied  
12 with these requirements.

13 Although I requested that the Department approve my appearance and provide  
14 access to the official records I need to respond to the committee's subpoena, neither the  
15 committee nor the Department have, in my opinion, complied with 28 CFR, section  
16 16.22(a). (See April 20, 2022, letter to the Department, attached as exhibit 2, and the  
17 letter from the Department of April 21, 2022, attached as exhibit 1.)

18 In particular:

19 One, the purpose of my testimony before the committee.

20 An essential part of the information I need to comply with 28 CFR, 16.22(a) is the  
21 purpose of my testimony. In furtherance of discerning the purpose, I've specifically  
22 requested access to the correspondence between the Department and your committee  
23 regarding facts the committee seeks to explore with my testimony. The response was  
24 that I'm not entitled to such information. I disagree.

25 The Department graciously but disingenuously offered as a, quote, "courtesy" that



1 it first learned, quote, "of the subpoena after it was issued." That piece of information  
2 is, among other possible descriptions, neither helpful nor responsive, nor does it reflect  
3 compliance with 28 CFR, 16.22(a). The committee and the Department are  
4 unquestionably in regular communication regarding former Department officials from  
5 whom the committee is seeking testimony.

6 Because there's no way for me to determine whether I have reviewed all materials  
7 relevant to the select committee's inquiry, I will assume that the materials I have  
8 reviewed are the only relevant documents and will limit my testimony accordingly.

9 Two, areas of authorized testimony.

10 Under 28 CFR, 16.24(c) and (d), the committee must provide a summary of the  
11 testimony sought from me and disclose its relevance to this proceeding. I have asked  
12 for such a statement but have not received one. Again, this reflects purposeful  
13 noncompliance with lawful requirements.

14 All I know from the Department is that my testimony is to be restricted to three  
15 areas:

16 One, conversations with Department of Justice officials regarding the  
17 Department's investigations of allegations of fraud related to the November 2020  
18 election.

19 Two, knowledge of purported efforts to replace Acting Attorney General Jeff  
20 Rosen with Assistant Attorney General Jeffrey Clark.

21 And, three, the appointment of Kenneth Klukowski and the appointments or  
22 attempted appointments of other individuals to the Department to the extent they relate  
23 to the House select committee's focus and scope.

24 These are direct representations from the Department, not the committee.  
25 Because the committee has not disclosed to me the nature and relevance of information

1 other than these topics, I will assume that these are the only authorized topics and will  
2 limit my responses accordingly.

3 Three, document production.

4 Inextricably bound up with the legal constraints on my testimony and on any  
5 documents subject to a request for production, the Department must make available to  
6 me any and all records of whatever form maintained by the Department that I created,  
7 received, or viewed in my official capacity at the Department. I am not in the  
8 possession or control of any such documents. The Department has them.

9 Moreover and most important, I am not the arbiter of the universe of such  
10 documents as defined, particularly those described as having been, quote, "received or  
11 viewed," end quote, in my official capacity at the Department. Although I have  
12 requested access to all documents that fit the foregoing descriptions and while the  
13 Department has represented to me that I have access to all such documents, I have no  
14 assurance that this indeed is the case.

15 Of particular concern is my request that the Department identify all documents  
16 that fit the above description and that have already -- I'm sorry -- quote, that  
17 have -- quote, "already made available to the select committee that may relate to or be  
18 based on my materials," end quote.

19 Because I have not seen the materials that the Department has made available to  
20 this committee, I cannot determine in advance how or if any of these documents will be  
21 relevant to the questions the committee will pose.

22 I will therefore scrutinize each document presented to me with great care.  
23 Unless I can recall having seen it during the course of my review of Department  
24 documents, I cannot and will not address its contents.

25 The powers, jurisdiction, and process of the select committee.

1 I am making the following general objections to this hearing and to the process  
2 the select committee has established for its operations. For the record and in full  
3 reservation of my rights under the Constitution and laws of the United States, I object as  
4 follows:

5 A. The select committee as constituted is not authorized by the rules of the  
6 House of Representatives.

7 B. By the express terms of House Resolution 503, the majority of the House has  
8 already determined that all of those who have voiced objections to the conduct of the  
9 November 2020 Presidential election are, quote, "insurrectionists and domestic  
10 terrorists," end quote, who must be indicted and punished.

11 As a result, this committee and the Department of Justice are colluding in an  
12 investigative process that is not limited to legitimate issues of congressional concern,  
13 such as security, preparedness, and coordination of law enforcement efforts, but, rather,  
14 are conducting a law enforcement investigation into the, quote, "facts, circumstances,  
15 and causes relating to the January 6, 2021, domestic terrorist attack upon the United  
16 States Capitol Complex, hereinafter referred to as the 'domestic terrorist attack on the  
17 Capitol,' and relating to the interference with the peaceful transfer of power and the  
18 influencing factors that fomented such an attack on American representative democracy  
19 while engaged in a constitutional process."

20 Taking a page from the infamous Judge Roy Bean, it seems to me that the  
21 committee's conclusions and subsequent acts reflect a conclusion of guilt before trial.  
22 See House Resolution 503, section 3, paragraphs 1, 2, 3.

23 This mindset is also reflected in remarks any some committee members reflecting  
24 a prejudgment of guilt by those asserting their constitutional rights under the Fifth  
25 Amendment.

1           C. For the foregoing reasons, I object to my compelled participation in this  
2 investigation, which violates my rights under the Bill of Attainder Clause and the First and  
3 Fifth Amendments to the Constitution of the United States.

4           That ends my opening statement.

5           ██████████ Okay. Your statement is now on the record.

6           I'd like to show you exhibit 1, which we'll pull up, and this is the subpoena dated  
7 March 8, 2022, which obviously you have seen.

8           Exhibit 2 will be the March 25, 2022, letter sent to you by the Department of  
9 Justice, which you referenced in your statements.

10           I will just say for the record, rather than responding to any of the descriptions that  
11 you made of those two documents, that the documents are in the record and speak for  
12 themselves.

1

2

## EXAMINATION

3

BY [REDACTED]

4

Q So, going to exhibit 1, which is the subpoena, you understand you're

5

appearing here today pursuant to that subpoena. Is that correct?

6

A Yes.

7

Q And you understand that the subpoena asks for not only your testimony,

8

which we're getting today, but also for the production of documents. Your counsel has

9

indicated you don't have any responsive documents.

10

Can you confirm for the committee that you have done a reasonable search for

11

any responsive documents and found no responsive documents in your possession,

12

custody, or control?

13

A That's correct.

14

Q Okay.

15

Did you use any personal email accounts for official business while you worked at

16

the Department of Justice?

17

A No.

18

Q Did you use a personal cell phone, as opposed to a

19

Department-of-Justice-issued cell phone, for any Department of Justice work while you

20

worked at the Department of Justice?

21

A No.

22

Q Did you use any other messaging applications, like Signal, Telegram,

23

WhatsApp, or any others, for any Department of Justice work?

24

A No.

25

Q Okay.

1           Did you keep any handwritten or electronic notes while you worked at the  
2 Department of Justice?

3           A    No.

4           Q    Okay.

5           Could you please tell us how you got hired to work at the Department of Justice?

6           A    From the Office of Presidential Personnel.

7           Q    Okay.  And who was that specifically?

8           A    Spencer Chretien.

9           Q    And how did it come about?  Well, first, where were you working  
10 immediately before the Department of Justice?

11          A    The Department of Health and Human Services.

12          Q    And how did it come about that you moved from the Department of Health  
13 and Human Services to the Department of Justice?

14          A    The Office of Presidential Personnel was preparing for the second term of  
15 the Trump administration and was considering political appointments in all of the  
16 departments as to, you know, where they should be or where they could be or making  
17 any changes, again, in preparation for the second term.

18          Q    And did anyone in the Office of Presidential Personnel give you an  
19 explanation of why they thought you should be White House liaison at the Department of  
20 Justice?

21          A    Well, I was the deputy White House liaison at Health and Human Services,  
22 and they believed that I would be a good fit at the Department of Justice in that capacity.

23          Q    Okay.

24               As part of that process of appointing you to be White House liaison at the  
25 Department of Justice, did anyone at the White House discuss with you what role, if any,

1 you should have in the Department's litigation of election-related cases?

2 A No.

3 Q Similarly, did anyone at the White House discuss with you what role you  
4 should have in the Department of Justice's investigation of election fraud allegations?

5 A No.

6 Q And when did you start at the Department of Justice?

7 A October 25, 2021 -- I'm sorry -- 2020.

8 Q And when was your last day?

9 A January 20, 2021.

10 Q Okay. So you stayed -- and by that, your last day at the Department of  
11 Justice --

12 A Yes.

13 Q -- not in -- okay. So you stayed at the Department of Justice all the way  
14 until the inauguration of President Biden?

15 A Correct.

16 Q Okay.

17 While you were at the Department of Justice, did you have any conversations with  
18 any Department of Justice attorneys regarding their investigations of election fraud?

19 A Yes.

20 Q With whom did you have those conversations?

21 A The chief of staff, Will Levi.

22 Q Anyone else?

23 A The Attorney General himself.

24 Q And that was Bill Barr?

25 A Yes.

1 Q What about the Acting Attorney General, Jeff Rosen, after Mr. Barr left?

2 A No. Not on that topic, no.

3 Q Okay. And when you say "not on that topic," the topic being  
4 election-related investigations by the Justice Department?

5 A Correct.

6 Q Okay.

7 Did you have conversations about DOJ's election-related investigations with  
8 anybody at DOJ other than Will Levi and Bill Barr?

9 A Not that I can recall.

10 Q Okay. Did you have any conversations with anybody at the White House  
11 about DOJ's election-related investigations?

12 A If I did, it would've been with Spencer Chretien, and just -- nothing  
13 substantive. I mean, nothing substantive; just opinion, right? I mean, just to  
14 say -- because I was curious what the Department would be doing with regard to looking  
15 at the allegations of fraud that, at the time, in the immediate aftermath of the election,  
16 that were swirling around in the public domain.

17 Q To the best of your recollection, what did you say to Mr. Chretien?

18 A I'm sorry, Mr. who?

19 Q Oh. Spencer -- what's his last name?

20 A Chretien.

21 Q Chretien. Okay. To the best of your recollection, what did you say to Mr.  
22 Chretien?

23 A Well, I can't really recall. I think it was just sort of an expression of  
24 exasperation over what I saw on election night as the results were coming in and I went  
25 to sleep and I woke up the next morning to find out that it wasn't how I anticipated the



1 election would turn out. And so that, to me, was very troubling.

2 Q Okay. I guess I was asking not so much about your views on the 2020  
3 Presidential election as specifically any conversations you had with him about DOJ's role.

4 A So the kinds of conversations I would have with Spencer, as he was the  
5 Department of Justice liaison for political appointments and I was the White House liaison  
6 for the Department of Justice, I would speak with Spencer Chretien about potential  
7 appointments to the Department -- in other words, personnel matters, political  
8 appointment only, not career. The White House liaison and political appointees have no  
9 role in career civil service appointments, transfers, promotions, nothing of the sort.

10 So I would speak to Spencer Chretien about political appointments -- potential  
11 political appointments at the Department. The White House would make  
12 recommendations for certain candidates, and I would follow up with an interview or  
13 paperwork, mostly administrative in nature.

14 Q So that's helpful to understand your role and the employment process. But  
15 in any of those conversations with Mr. Chretien, did you discuss the Department of  
16 Justice's activities related to investigation of election fraud?

17 A No.

18 Q Okay.

19 Did you have conversations with anybody at the Trump campaign regarding the  
20 Department of Justice's investigation of election fraud?

21 A No.

22 Q Okay. Did you have any conversations with President Trump himself  
23 regarding the Department of Justice's investigation of election fraud?

24 A No. I've never had a conversation with President Trump in my life.

25 Q So can you just walk us through the conversation with Will Levi that you

1 described? How did it come about, and what do you recall saying to him?

2 A It came about at my initiative. As the White House liaison, I felt free to talk  
3 to fellow political appointees at the highest level -- in that case, it was Will Levi -- to  
4 express my concern about what I believed went wrong or was not correct or was, you  
5 know, potentially fraudulent activity concerning the election.

6 I went to him to find out what the Department or anyone that he knew at the  
7 Department was doing to look into and investigate fraud. And he told me that they -- he  
8 wasn't specific by naming people. He just said they looked into every allegation that  
9 was brought forward and found no evidence of fraud.

10 And I was in disbelief, I mean, over the fact that there was no fraud. So he  
11 suggested that -- did I want to discuss this with the Attorney General himself, and I said,  
12 okay, sure. And so he arranged for a meeting with the Attorney General -- me, the  
13 Attorney General, and Will to express my concerns. And so --

14 Q And before we -- I don't know if you were about to turn to that meeting, but  
15 before we do, I just had some questions about your meeting with Mr. Levi.

16 Do you remember roughly when that was?

17 A So it would probably -- it was either the Friday after -- no. It would've been  
18 the Monday after -- because one of the points that Will made was that he worked on a  
19 memo over the weekend. And he was very upset over all the amount of time that he  
20 was having to devote to these questions and concerns about the election. He was very  
21 agitated and exasperated and exhausted, and he was complaining that he hadn't spent  
22 time with his wife or family. And this was -- you could just tell that he was extremely  
23 agitated.

24 And so I was not privy to that, you know, creation or writing of the memo, so I  
25 didn't realize. I was not working over the weekend. And so, you know, I was surprised

1 to hear it, but I was, I guess, relieved to know that they were in fact looking into  
2 understanding what, if anything, could be done to look into the allegations of fraud.

3 So this four-page memo apparently Will described to me as something that would  
4 be sent to the field to explain the authority by which the U.S. attorneys and others -- if  
5 they were presented with allegations of fraud, you know, what their ability was to  
6 investigate. So, in other words, making sure that everyone understood what were the  
7 rules by which one would investigate allegations of fraud if allegations of fraud were  
8 brought to them by anyone for investigation.

9 Q Okay.

10 I'd like to show you what we're going to mark as exhibit 4. And this is a memo  
11 from the Attorney General, and the subject is "Post-Voting Election Irregularity Inquiries."

12 Do you know, is that the memo that you were referring to?

13 A Yes.

14 Q Okay.

15 And I'll show you now exhibit 3 -- and I apologize for going out of order, but -- this  
16 is an email chain. The first one chronologically, so lower on the page, is from you to  
17 Mr. Levi, November 9th, 7:17 p.m., subject: "Memo."

18 "Would you send me a copy if possible?"

19 So was that a request from you to Mr. Levi for the memo that we were just  
20 discussing?

21 A Yes, because, as you see in the subject line, the subject is "Memo."

22 Q Okay.

23 A And so, yes, I wanted to read it for myself.

24 Q Okay.

25 And so Monday, November 9th, was the same day that you had the meeting with

1 Mr. Levi?

2 A Yes, that's correct. And that was -- my meeting with Mr. Levi was around  
3 12:00 or 12:30, and the meeting with the Attorney General was around 4:00 or 4:30.

4 Q Okay.

5 And what made you think that the Department of Justice had not done enough  
6 to -- or was not at the time doing enough to investigate voter fraud allegations?

7 A Well, because I had not seen anything, really, that could be attributed to the  
8 Department of Justice as to, you know, looking into allegations of fraud. I did not see  
9 any evidence that -- of course, I wasn't privy to what they were doing, so I'm asking  
10 questions, wanting to know for my own sake what was being done, what were they  
11 doing. It's not my place to do that, but, as a voting citizen of the United States, I wanted  
12 to know.

13 This is -- in my opinion, the Department of Justice was the number-one law  
14 enforcement department of the government, and if anyone had a role into looking into  
15 this, it would be the Department of Justice. But, as the Attorney General explained to  
16 me, elections -- he told me that there was no Federal role in elections, that elections are  
17 run by the States.

18 Q Did anyone ask you to look into the Department of Justice's investigations of  
19 voter fraud?

20 A I'm sorry, what was the first part of the question?

21 Q Yes. Did anyone outside the Justice Department ask you to look into the  
22 Justice Department's handling of investigations of voter fraud?

23 A No, not directly. I had, you know, conversations with friends not in the  
24 Federal Government, just people that I've known, who knew that I worked at the  
25 Department of Justice and were asking me, "Heidi, what is going on? What is the

1 Department doing?" And my answer was, "I don't know. I don't know what is being  
2 done."

3 And so I -- no one asked me to look into this. I asked -- I took it upon myself,  
4 again, as a political appointee, to talk to my political colleagues at the Department to tell  
5 me what, if anything, was being done.

6 And, like I said, the basic answer from Will Levi was this four-page memo. And,  
7 then, when I spoke to the Attorney General, he said, yeah, there is no -- there is no role  
8 for the Federal Government in elections.

9 And, therefore -- and I suggested to the Attorney General that maybe we should  
10 issue an FAQ, frequently asked questions, document for the public so that they could  
11 understand what he was explaining to me in case they didn't know, because I -- anyway, I  
12 didn't know. And, anyway, I felt it would help ease the angst that the public was feeling  
13 about what they and I felt was done on election night, which was highly irregular  
14 activities.

15 And by November 9th, of course, there were numerous anecdotes and  
16 attestations, people that were poll-watchers saying all kinds of concerning things, and I  
17 just thought that the Department of Justice could be looking into those.

18 But, as I said, I was told no. And so -- but that attorneys, U.S. attorneys, around  
19 the country could, if people brought forward, you know, allegations of fraud, that they  
20 could -- well, whatever that memo said, that they could investigate.

21 Q Okay.

22 So the memo, as I understand it, having, you know, reviewed it, is really about the  
23 process for DOJ looking into allegations of election fraud. But did Mr. Levi discuss with  
24 you any of the actual investigations themselves --

25 A No.

1 Q -- that they were conducting?

2 A No.

3 Q Based on the fact that Mr. Levi suggested that you might want to talk to the  
4 Attorney General and that you took him up on that offer, as you just described, it sounds  
5 like you were still dissatisfied with what Mr. Levi was telling you. Is that correct? And  
6 if so, why?

7 A Well, I guess -- yes, I was -- well, I mean, I wanted to make sure that -- it  
8 wasn't that I doubted Will Levi, but I wanted to have the opportunity to express my  
9 concern myself to the Attorney General himself.

10 So, if -- you know, he -- again, he was very -- "he," Will Levi, was very agitated at  
11 the time that I talked to him. And I just wanted to be reassured that the Department  
12 was doing everything it could legally within its responsibility to look into allegations of  
13 fraud.

14 Will Levi assured me that they were doing that, but I guess I wanted to hear it  
15 from the Attorney General himself. I wanted the Attorney General to know that I  
16 personally was concerned. And so that happened -- I mean, the opportunity to speak to  
17 the Attorney General himself.

18 Q Okay.

19 So Jonathan Karl, in his book "Betrayal," at page 186, wrote that, on your first full  
20 day in the office at DOJ, you went in to meet with, quote, "a senior official on Barr's team.  
21 It didn't go well. She began the meeting by yelling at him for not doing anything about  
22 what she said was an attempt to steal the election," close quote.

23 Do you understand that to be a reference to the same meeting we're talking  
24 about, the one with Will Levi?

25 Mr. Kachoureff. I have an objection, Counsel. What are you looking at?

1 What are you reading? Can I see that? I mean, this is the first we've heard of that.

2 [REDACTED] Okay. This is a book, "Betrayal" by Jonathan Karl.

3 Mr. Kachoureff. Okay.

4 [REDACTED] I mean, we could pull it up on the screen, if that's helpful to you.

5 Mr. Kachoureff. Yeah. I mean, I'm going to need a little bit of time to look at it  
6 and go over it with my client, because I -- this is what I'd call an instance of sandbagging.  
7 You've got to give me a little bit of notice on this. I can't just spring this stuff on her, you  
8 know.

9 [REDACTED] Okay. We'll pull it up on the screen.

10 And it's page 186.

11 Mr. Kachoureff. Am I able to drive this, or no?

12 [REDACTED] No. Just tell us if you want us to move it around.

13 Mr. Kachoureff. All right. Well, give me a second. Let me read it with my  
14 client. I'm going to take us off video and mike. Stand by.

15 [REDACTED] Okay.

16 [Discussion off the record.]

17 Mr. Kachoureff. Can you go to the point -- because you're now scrolling back up.  
18 And so I was reading down, and now you're going up. Can you start this where you are  
19 wanting her to read?

20 Did you guys hear that?

21 [REDACTED] Yeah, we did. We're just working on finding the appropriate  
22 passage, so just give us a second. Apologies.

23 [REDACTED] Yeah. So it's there. The paragraph starts at the bottom of 185,  
24 and we can scroll down a little bit if you'd like.

25 Mr. Kachoureff. All right. You can scroll down.

1           ██████████ Yeah. And so what I was reading from is at the end of that  
2 paragraph that carries over from 185 to 186, starting with "On her first full day in the  
3 office."

4           Mr. Kachoureff. All right. Just give me just a moment to look at that, okay?

5           You can go down a little bit, please, so I can start with the "'White House liaison'  
6 sounds like a lofty" -- all right.

7           All right. You can go down a little bit, please.

8           Can you go down a little bit more, please?

9           Okay. What's the question?

10           BY ██████████

11           Q If we can scroll back up to the top of page 186, the quote from Mr. Karl is:  
12 "On her first full day in the office, she went in to meet a senior official on Barr's team. It  
13 didn't go well. She began the meeting by yelling at him for not doing anything about  
14 what she said was an attempt to steal the election."

15           So first question: Does that -- I'll give you an opportunity in just a moment to say  
16 whether you agree with that description, but does that sound like the meeting that we  
17 have been talking about, the one you had with Mr. Levi?

18           A Yes, because I only had the one conversation with Mr. Levi on that one day.

19           And I do take exception to this entire characterization. This person -- you said  
20 Jonathan Karl -- never spoke to me and is attributing things to me that simply did not  
21 happen the way he is describing them.

22           First of -- well -- so I object to this characterization.

23           Q Yeah. What parts in particular -- let's just -- we can go through it in pieces.  
24 But that passage that I just read, what parts, if any, of that do you dispute?

25           Mr. Kachoureff. Wait. Let me object again.



1 [REDACTED] Okay.

2 Mr. Kachoureff. You can ask questions about her personal knowledge, what she  
3 has. You know, this is something we've never seen before. I see absolutely -- she  
4 disagrees with 95 percent of it.

5 Did she meet with Bill Barr? Yes. Is she going to tell you that she yelled at him?  
6 Absolutely not. You don't yell at -- a White House -- she'll tell you, a White House liaison  
7 does not yell.

8 [REDACTED] Hang on. Let -- you can't testify --

9 Mr. Kachoureff. I'm not testifying, but I'm objecting to you asking her about a  
10 reporter's article. She just said it's not true, and you're asking her for why it's not true.  
11 That could go on for hours.

12 I mean, how about giving me a little specific question, "Did you yell at Barr?", and  
13 she can answer that. "When you were there for your first full day in office, did you go  
14 and yell at Barr?" You can ask sentence by sentence if you want to. But, you know, I  
15 don't -- the questions you're asking her are vague. They're so open-ended we're going  
16 to be here forever.

17 [REDACTED] No. It was two sentences, but if you want to go sentence by  
18 sentence, we can go sentence by sentence.

19 Mr. Kachoureff. Go sentence by sentence.

20 BY [REDACTED]

21 Q It says: "On her first full day in the office, she went in to meet a senior  
22 official on Barr's team."

23 Ms. Stirrup, did you, in fact, on your first full day in office go in to meet with a  
24 senior official on Barr's team?

25 A No. My first full day was October 25. It was a Monday. The 24th was

1 my last day at HHS. I believe that was a Saturday.

2 Q Okay.

3 A The next day, I started at DOJ. My first full day in the office was that  
4 Monday. It could've been October 26th or 25th; I don't have a calendar in front of me.  
5 But it was one of those two days.

6 And so my first full day in the office was October 25th, and I did not go in to meet  
7 a senior official on Barr's team.

8 Q Okay. And that occurred -- you met with Mr. Levi on Monday,  
9 November 9th.

10 A Ninth, correct.

11 Q Thank you.

12 A That would've been 2 weeks after I have been in the office.

13 Q Okay.

14 And then Mr. Karl writes: "She began the meeting by yelling at him for not doing  
15 anything about what she said was an attempt to steal the election."

16 A I began the --

17 Q Do you agree with his --

18 A I began the meeting by asking him a question about what was being done  
19 with regard to the election irregularities.

20 Q Okay. Did you yell at Mr. Levi?

21 A No.

22 Q Okay.

23 The next sentence has -- next two sentences, I guess, has a quote: "'You need to  
24 wake up to the fact that this election is being stolen!', she screamed. 'It needs to be  
25 stopped!'"

1 Did you say that?

2 A No.

3 Q Okay. Do you recall saying something to that effect?

4 A I was questioning what took place on election day and the counting and the  
5 results that were apparent the evening of the election and what was announced the  
6 morning after the election.

7 Q Okay.

8 If we scroll down a couple paragraphs, the paragraph starting with "The next time  
9 Stirrup came around," it says: "The next time Stirrup came around to berate the senior  
10 official, he asked her if she would like to deliver her message directly to the Attorney  
11 General, and with that he brought her in to see Barr."

12 Is there anything about that sentence that you think is inaccurate?

13 A "The next time." The only time I spoke to Will Levi was Monday,  
14 November 9th. I did not berate him. I am asking a question.

15 I told you that Will Levi's frame of mind on that Monday was extremely agitated.  
16 He was exhausted. He was short-tempered and exasperated. And probably the last  
17 thing he wanted to see was me asking more questions. I'm sure he had been asked by  
18 many, many others similar kinds of questions. I can't believe I'm the only one who was  
19 asking about what happened.

20 So I did not -- "the next time" is inaccurate. The only time. And I didn't berate  
21 the senior official, Will Levi.

22 He did ask me if I would like to, not deliver my message directly, but to meet with  
23 the Attorney General and ask him these questions, is basically what he said. And I  
24 agreed, yes, I would like to do that. And he did arrange for me to see the Attorney  
25 General later that afternoon, about 4:00 or 4:30.

1 Q So that's the afternoon of Monday, November 9th?

2 A That's correct.

3 Q Okay. And it was just you, Attorney General Barr, and Mr. Levi. Is that  
4 correct?

5 A That's correct.

6 Q Okay. And what did you say to the Attorney General?

7 A Essentially, Mr. Attorney General, I am concerned about what I feel has  
8 been, you know, voting irregularities, fraudulent activities. These are the kinds of things  
9 that were in the public domain, being discussed, about people that were directly involved  
10 in various States and various voting locations, their personal attestations of what they  
11 saw which they believed was highly irregular, if not illegal.

12 Q Okay.

13 A And he basically said -- and I asked him if he would be -- you know, what was  
14 being done, basically, to look into this. And then he said there is no Federal role in  
15 elections, that elections are run at the State level, and that if there were allegations  
16 brought forward in individual States to the Department of Justice U.S. attorneys in those  
17 States, that they would have the authority to investigate.

18 He assured me that, no matter how much fraud, alleged fraud, was brought  
19 forward, that no investigation would take less than 2 years and none of them would have  
20 the effect of overturning the elections.

21 I was not interested in overturning the election. I was interested in finding out  
22 about these allegations of fraud.

23 Q Okay.

24 If we go back to that passage from the Jonathan Karl book -- and, by the way, I  
25 guess we can mark this as an exhibit, exhibit 10.

1           Mr. Kachoureff. Yeah, I'm going to object to the exhibit since this is the first time  
2 we've looked at it. And you're asking her to comment on what a reporter's thoughts  
3 are. I don't --

4           The Witness. Who never spoke to me.

5           Mr. Kachoureff. Who never spoke to her. I mean, I don't under- -- I mean, this  
6 is all speculation and hearsay. I mean, call Jonathan Karl in for an interview. I bet you  
7 he'd comply.

8           ██████████ Well, that's why we're deposing your witness, so she can have an  
9 opportunity to say yes or no, whether what he wrote is accurate.

10          Mr. Kachoureff. It's not accurate. She's said that already. And I want to  
11 get -- just get to the next specific question about the facts that you want, and she'll  
12 answer them.

13          ██████████ Well, I will, but you just interrupted me, so -- and, again, I'm going to  
14 ask her to tell us whether something that Mr. Karl wrote is accurate.

15                   BY ██████████

16          Q    He wrote -- or I could do it without showing you the book.

17          Ms. Stirrup, did you tell the Attorney General, "The election is being stolen"?

18          A    No.

19          Q    Did you tell the Attorney General, "You need better people doing these  
20 investigations"?

21          A    No.

22          Q    Did you tell the Attorney General that you had a list of people that he  
23 needed to hire?

24          A    No.

25          Q    Did you, in fact, have a list of people that you wanted the Attorney General

1 to hire to investigate voter fraud allegations?

2 A No.

3 Q Did you have any conversation with any career officials at the Department of  
4 Justice about allegations of voter fraud?

5 A No.

6 Q Okay.

7 Did you report back to anyone at the White House about your meeting with  
8 Attorney General Barr?

9 A I might have -- I might have told -- I might have talked to Spencer about it.  
10 If I talked to anyone, it was Spencer Chretien.

11 Q But do you recall if you had a conversation with Mr. Chretien about it?

12 A Not specifically, but I -- I could have.

13 Q Okay. Just so I understand, so, as you sit here today, you don't recall  
14 whether you in fact had that conversation?

15 A I do not recall.

16 Q Okay.

17 Did you have any conversations with anybody at President Trump's campaign  
18 about your conversation with the Attorney General?

19 A No.

20 Q Did you have any communication with the Trump campaign related to DOJ's  
21 investigation of voter fraud?

22 A No. I never spoke to anyone on the campaign ever.

23 Q Okay.

24 Did you have any communications with Professor John Eastman?

25 A No.

1 [REDACTED] I'm going to pause here. Do you have anything?

2 [REDACTED] Sure. I have a couple of questions, if that's all right.

3 BY [REDACTED]

4 Q So, earlier, Ms. Stirrup, you told us that you were placed in the liaison role  
5 for the Department of Justice because it was understood that you would be a good fit for  
6 that position.

7 Do you know what about your background or about you was perceived as being a  
8 good fit for the liaison role with respect to the Department of Justice?

9 A Yes. I worked in Presidential Personnel for President Reagan and for  
10 President Trump. And having the experience of working in Presidential Personnel, the  
11 political folks at the Office of Presidential Personnel thought this would be a good fit for  
12 me.

13 Q Was there anything about your background that made you a good fit for the  
14 Department of Justice specifically?

15 Mr. Kachouroff. I think she's -- that's asked and answered. She just answered  
16 your question.

17 [REDACTED] Well, I mean, she testified that she had a background working in  
18 Presidential Personnel, but I assume that that could make her a qualified candidate for a  
19 liaison role for many Federal agencies. I'm asking if there's anything about the  
20 Department of Justice specifically that was a good fit for her.

21 The Witness. Nothing specifically.

22 BY [REDACTED]

23 Q Okay.

24 Earlier, you also mentioned that you would, during this period, in your liaison role  
25 at the Department of Justice, that you would speak with Mr. Chretien about political

1 appointments at the Department of Justice and that the White House would make  
2 recommendations about candidates.

3 Were there any political appointments at DOJ that you discussed following the  
4 election that would have had anything to do with roles relating to investigating election  
5 fraud?

6 A Not that I know of.

7 Q Okay.

8 And in your meeting with Mr. Levi you told us that Mr. Levi told you that the  
9 Department had looked into every allegation and found no evidence of election fraud.

10 Do you recall during that discussion any discussion between you and Mr. Levi of  
11 particular allegations? Or was that discussion sort of at a higher level?

12 A Yeah, there was nothing specific. But he assured me that whatever  
13 allegations of fraud, coming from whatever source, were looked into. Again, no names,  
14 no specifics. But, basically, the conclusion was, everything has been looked into, and  
15 there is no allegation -- there is no credible evidence of fraud.

16 Q Understood.

17 And during your meeting with Attorney General Barr, I believe you mentioned that  
18 you had been reading or that your understanding was that there were a number of  
19 irregularities with respect to the election and that many people had come forward with  
20 concerns about election fraud.

21 Do you recall any particular allegations that you were concerned about or that you  
22 conveyed to Attorney General Barr? Or did that discussion also take place at a higher  
23 level?

24 A Yes, again, it was at a higher level. And I had no personal knowledge, only  
25 what I was reading in, you know, public, you know, accounts from various sources. So,



1     yeah, nothing -- nothing specific.

1

2 [11:03 a.m.]

3 [REDACTED] All right. Thank you. That's all I have.

4

BY [REDACTED]

5

Q Okay. I'd like to go to exhibit -- what we're going to label exhibit 5. And

6

this is an email from you to John A. Zadrozny. I'm not sure if I'm pronouncing that

7

correctly. Subject, Memo. Attachment is Post-Voting Election Irregularity

8

Inquiries.110920.pdf.

9

So who is John Zadrozny?

10

A He was a Special Assistant to the President in the -- he worked in the Office

11

of the Assistant to the President. I forget his full title, but he worked on -- well, like,

12

domestic policy issues, John Zadrozny did.

13

Q So did he report to Stephen Miller?

14

A Yes.

15

Q Okay. And why did you send the memo to Mr. Zadrozny?

16

A For his information.

17

Q Okay. And why did you think it was relevant to him?

18

A Because he's an attorney.

19

Q Okay. And did he have any responsibilities related to DOJ's investigation of

20

the 2020 election?

21

A No.

22

Q Okay. Can you -- so aside from him being an attorney, what

23

would -- what's the reason for him, in particular? I mean, obviously, there's a White

24

House Counsel's office at DOJ that has a lot of attorneys. Why did you send it to this

25

particular attorney?

1 A Because he's a friend of mine.

2 Q Okay. Did you have any conversations with Mr. Zadrozny about DOJ's  
3 investigation of election fraud?

4 A Not that I can recall, no.

5 Q Okay. I don't see -- we didn't see any response. As far as you can recall,  
6 did he respond?

7 A No.

8 Q Okay.

9 A He usually does not.

10 Q Let's go to the exhibit 6. This is an email from you, November 10th, 2020,  
11 10:42 a.m. to Mell Flynn. It says OPA, which I assume is Office of Public Affairs.

12 Subject, Memo. It appears to be attaching the same memo. Who is Mell Flynn?

13 A She's a political appointee in the Office of Public Affairs.

14 Q Okay. And why did you send the memo to her?

15 A She and her husband are friends of mine. Her husband worked with me at  
16 the Department of Health and Human Services. He was in the Office of Assistant  
17 Secretary for Health.

18 Q Okay. Did you have any conversations with Mell Flynn about the  
19 Department of Justice's investigation of voter fraud allegations?

20 A No.

21 Q Okay. Let's go to the next exhibit, exhibit 7, email from you, Tuesday,  
22 November 10th, 10:42 a.m. to Katie Sullivan at OJP. It appears to be attaching the same  
23 memo. Who is Katie Sullivan?

24 A She is also a personal friend of mine, and she was in charge of the Office of  
25 Justice Programs at the Department of Justice. She's a former judge, an attorney, and a

1 friend.

2 Q Okay. And why did you send her the memo?

3 A Because I thought she'd be interested in knowing what was being done.

4 Q Okay. And did the Office of Justice Programs have any role in the  
5 investigation of voter fraud related to the 2020 election?

6 A No.

7 Q Did you have any conversations with Ms. Sullivan about DOJ's investigation  
8 of voter fraud in the 2020 election?

9 A Not that I can recall. Again, she's -- she's a friend, and I just sent this to her  
10 for her information.

11 Q Okay. We'll go to exhibit 8. This is an email from you to John D. McEntee,  
12 Tuesday, November 10th, 2020, 10:44 a.m. Appears to be attaching the same memo.  
13 Who is Mr. McEntee?

14 A He is Spencer Chretien's boss. He was assistant to the President for  
15 Presidential personnel.

16 Q And did you in your capacity as White House liaison at the Department of  
17 Justice report at all to Mr. McEntee?

18 A No.

19 Q Okay. To whom did you report?

20 A Spencer Chretien.

21 Q Okay. And then, did you report to somebody within the Department of  
22 Justice?

23 Mr. Kachouroff. Objection, vague. I don't -- what do you mean, to report  
24 what?

25 [REDACTED] I mean, did she have a supervisor at the Department of Justice?

1           The Witness. I -- I -- I don't think so. In other words, my appointment is to be,  
2 on behalf of the President, his liaison to the Department. And so, I mean, I guess my  
3 boss would be the Attorney General himself at the Department.

4           BY [REDACTED]

5           Q    Okay. And why did you send Post-Voting Election Irregularity Inquiries  
6 Memo to Johnny McEntee?

7           A    Because I thought he'd be interested in reading it.

8           Q    Okay. And why is that?

9           A    Because he is in charge of personnel, and, again, we -- with an eye toward a  
10 second term, how the election was going to be ultimately decided, and anything related  
11 to that, I would think, would be of interest to the Office of Presidential Personnel.

12          Q    Did you have any conversations with Johnny McEntee regarding the  
13 Department of Justice's investigation of allegations of fraud in the 2020 election?

14          A    No.

15          Q    Okay. To your knowledge, did Johnny McEntee have any role in challenges  
16 to the outcome of the 2020 election?

17          A    No.

18          [REDACTED] Do you have anything so far?

19          [REDACTED] Did you have any conversations with Mr. McEntee about the  
20 election, or election fraud, even more generally?

21          The Witness. No.

22          BY [REDACTED]

23          Q    Okay. Let's go to exhibit 9. This is an email from you. The first one  
24 chronologically is an email from you to Jeffrey Clark, subject, Candidate for Civil Division.  
25 It says, Good Afternoon, Jeff -- sorry, Friday, November 20th, 2020.

1           It says, Good Afternoon, Jeff. I would like to recommend an outstanding  
2 candidate to you for the Civil Division as a DAG, D-A-G, possibly for Appellate, Ken  
3 Klukowski. How did Ken Klukowski come to your attention?

4           A     From the Office of Presidential Personnel, Spencer Chretien.

5           Q     Okay. And what did Mr. Chretien say to you?

6           A     Please take a look at this candidate for a possible position in the Civil  
7 Division.

8           Q     Okay. Did he say why Mr. Klukowski would be a good candidate for that  
9 position?

10          A     No.

11          Q     Did he say anything else about why he wanted the Department of Justice to  
12 hire Mr. Klukowski?

13          A     No.

14          Q     In connection with the request that you consider him for a position -- him  
15 being Mr. Klukowski -- for a position at the Department of Justice, did Mr. Chretien say  
16 anything about the 2020 election?

17          A     No.

18          Q     Okay. The third sentence in that paragraph said, Ken is recommended to  
19 us from White House Presidential Personnel Office -- which you just explained, and then it  
20 says -- as well as a long-time friend of mine who works in the Vice President's office.  
21 Who is a long-time friend yours who worked in the Vice President's office that  
22 recommended Mr. Klukowski?

23          A     Paul Teller.

24          Q     And do you recall what Paul Teller's position was?

25          A     I think he was in charge of policy for the Vice President.

1 Q Okay.

2 A He had several capacities over the years, over the 4 years, but at the time, I  
3 think he was in charge of policy.

4 Q And did Mr. Teller say how he knew Mr. Klukowski?

5 A Not that I recall.

6 Q Okay. Did he say anything about why he thought Mr. Klukowski would be a  
7 good fit at the Department of Justice?

8 A Not that I recall.

9 Q In connection with recommending Mr. Klukowski for a position at the  
10 Department of Justice, did Mr. Teller say anything about challenges to the 2020 election?

11 A No.

12 Q When you interviewed Mr. Klukowski for the position at the Department of  
13 Justice, did you discuss with him challenges to the 2020 Presidential election?

14 A No.

15 Q Do you know whether Mr. Klukowski, once he worked at the Department of  
16 Justice, was involved in any challenges to the 2020 Presidential election?

17 A I have no knowledge of that.

18 Q Did you ever talk to Mr. Klukowski -- I already asked about during the  
19 interview, but even outside the interview, did you ever talk with Mr. Klukowski about  
20 DOJ's election fraud investigations?

21 A No.

22 Q Did you ever discuss with Mr. Klukowski DOJ's election litigation?

23 A No.

24 Q Okay. And what was his role at DOJ, once he was hired?

25 A Like I said, I think he worked in the civil division, which was I believe then

1 headed up by Jeff Clark.

2 Q And do you know what his role within the civil division was?

3 A Counselor, or senior counselor to the Deputy Attorney General.

4 Q And do you know what his responsibilities were?

5 A No.

6 Q Did anybody outside the Trump administration recommend Mr. Klukowski?

7 A Not that I'm aware of.

8 Q Okay. So just want to confirm, you didn't have any conversations or  
9 communications with -- I'll just rattle off several names -- Rudy Giuliani, John Eps- -- John  
10 Eastman, Katherine Friess, Christina Bobb, Jenna Ellis, or Boris Epshteyn about  
11 Mr. Klukowski?

12 A No.

13 Q And in your discussions with Jeff Clark about hiring Mr. Klukowski, did you  
14 have any conversations about the 2020 Presidential election?

15 A No.

16 Q Okay. Outside the context of discussing hiring Ken Klukowski, did you have  
17 any conversations with Jeff Clark about the Department of Justice's investigations of voter  
18 fraud?

19 A No.

20 Q Did you have any conversations with Jeff Clark about the Department of  
21 Justice's litigation relating to the 2020 election?

22 A No.

23 Q Okay. Did you know Jeff Clark before you joined the Justice Department?

24 A No.

25 Q Did you attend any meetings with him?



1           A    I did make it a point when I first started there to make -- to schedule  
2 meetings with each of the divisions' leaders, the political leaders, to introduce myself to  
3 them, and to hear from them and learn from them how their experience in working in  
4 that division, with regard to personnel matters, so that I could know where there were  
5 needs for additional people, or different people or, you know, things of that nature.

6           So in order for me to do my job, I needed to have a better understanding of each  
7 of the divisions and who worked there and what their needs were.

8           So on the introductory meeting, I mean, I met with Jeff Clark, as I did with all of  
9 the other division leaders. And, so, that is the first time that I met him and had a  
10 conversation with him, and it was about -- excuse me -- his division and just to introduce  
11 myself to him and to know him.

12          Q    Okay. We know that Jeff Clark had communications with people at the  
13 White House, including the President, regarding the Department of Justice's investigation  
14 of voter fraud in the 2020 election. Do you have any knowledge of that other than what  
15 you may have seen in the media?

16          A    No.

17          Q    Okay. Do you know when Mr. Clark was introduced to President Trump?

18          A    I have no idea.

19          Q    Do you know anything about any relationship between Mr. Clark and  
20 Representative Scott Perry of Pennsylvania?

21          A    No -- no.

22          Q    Did you ever talk to Mark Meadows about Jeff Clark?

23          A    No. I never spoke to Mark Meadows in my life.

24          Q    Did you talk to anybody in the White House about Jeff Clark?

25          A    No.

1 Q Did you ever talk to John Eastman about Jeff Clark?

2 A No. I don't know who that is.

3 Q Okay. Did you talk to anybody from the -- did you ever have any  
4 discussions with anybody about the potential removal of Jeff Rosen as Acting Attorney  
5 General?

6 A No.

7 Q Did you have any conversations with anybody about the potential  
8 appointment of Jeff Clark as Acting Attorney General?

9 A No.

10 Q Okay. We understand that Jeff Clark proposed that the Department of  
11 Justice hold a press conference announcing that there was fraud in the 2020 Presidential  
12 election. Do you have any knowledge of that?

13 A No. Although I did suggest to the Attorney General when I met with him  
14 that I thought that would be a good idea to help clear the air, I mean, to basically -- like I  
15 said, I suggested to him that we, as a minimum, issue a FAQ, frequently asked questions,  
16 so that the American people could hear from the Attorney General himself about what  
17 they were doing to look into these -- into allegations of potential fraud.

18 Q And did you have any suggestions on what should be included in the FAQ?

19 A No.

20 Q Do you have any knowledge of a letter that Jeff Clark proposed having the  
21 Department of Justice send to State officials regarding the 2020 election?

22 A No.

23 Q Did you have any conversations with anybody at the Department of Justice  
24 about asking State legislatures to call themselves into session to look into election fraud  
25 allegations?

1 A No.

2 Q At some point, were you barred from entering the Department of Justice  
3 headquarters building?

4 A No.

5 Q Was your pass to -- you know, ID that allows to enter the Department of  
6 Justice building ever deactivated prior to January 20, 2021?

7 A Moment- -- momentarily it was.

8 Q When was that?

9 A Well, maybe -- I don't recall. Maybe the third week of November.

10 Q Okay.

11 A I'm not exactly certain.

12 Q No, I understand. It's just -- you can only answer to the best of your  
13 recollection.

14 So what was your understanding at the time of why your pass was deactivated?

15 A I had no idea. I was quite surprised. I had no idea.

16 Q Did you look into it?

17 A Of course. I called Theresa Watson, who was the administrative assistant  
18 to the Attorney General and asked her, you know, there's something wrong with  
19 my -- with my badge. They won't let me in. And eventually, I did get in.

20 Q Okay. Did anybody give you an explanation of why your pass was  
21 deactivated?

22 A No.

23 Q How long was it before it was reactivated?

24 A The next day or that day.

25 Q And then did you start -- resume going into the building for work?

1           A    Yes.  At the time, we were doing, you know, some work from home and  
2           then some work in the Department.  So when I -- so I did some work at home.  I mean,  
3           I don't remember the days exactly, you can look at my badge and see.  And then the  
4           other times I would go into the office.

5           Q    Okay.  But, in general -- I mean, I understand some days you worked from  
6           home, but in general, aside from that day or so when your badge was deactivated, you  
7           resumed going in in person to the office, all the way up until January 20th?

8           A    Yes.  It got fewer and fewer times in person, but, yes, I did go in person at  
9           least once or twice a week, I would say.

10          Q    Okay.  Did anybody ever indicate to you that Attorney General Barr had you  
11          banned from the building?

12          A    No.

13          Q    And then, did you go to -- back to the Department of Health and Human  
14          Services after DOJ?

15          A    No.

16          Q    Okay.

17          ██████████ Do you have anything else?

18          BY ██████████

19          Q    Do you recall around when Mr. Chretien asked you to take a look at  
20          Mr. Klukowski as a potential candidate for the Department of Justice?

21          A    I can't remember exactly.  It was early on.  I want to say -- so, again, I  
22          started on October 25th, or -6th, and so it would've been early on.

23          One of your exhibits had the memo to -- or it was an email that basically said, you  
24          know, that I suggested Mr. Clark interview Ken.  So whenever that date was, it would've  
25          been prior -- obviously prior to that, that the White House -- that Spencer Chretien

1 suggested to look at Ken Klukowski. So I don't remember, but that exhibit will show you  
2 the approximate time.

3 Q Understood. And other than what ██████ asked you, did Mr. Chretien  
4 say anything about Mr. Klukowski's qualifications that we haven't already discussed?

5 A No.

6 Q Okay.

7 A He sent me his resume, right, and so his credentials spoke for themselves.

8 Q And did Mr. Teller convey anything to you about Mr. Klukowski's  
9 qualifications as a candidate?

10 A Just, you know, general, you know, favorable impressions. I forget exactly  
11 what he said. He may have known Ken previously. I did not know Ken previously, so,  
12 you know, I was looking for confirmation from anyone who, you know, might've known  
13 him, and, you know, so at least Paul and Spencer, you know, gave a thumb's up, good  
14 person, qualified. So I had no reason to not advance his appointment.

15 Q Understood.

16 ██████ Okay.

17 ██████ That's all I have.

18 ██████ Great. That is all we have. Is there anything you'd like to add  
19 before we go off the record?

20 Mr. Kachouroff. Nope. All done.

21 ██████ Okay. Great. So we -- this deposition stands in recess subject to  
22 the call of the Chair. Thank you very much for your time.

23 [Whereupon, at 11:24 a.m., the deposition was recessed, subject to the call of the  
24 Chair.]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

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