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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: PATRICK CASEY

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15 Wednesday, March 2, 2022

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17 Washington, D.C.

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20 The deposition in the above matter was held in Room 4480, O'Neill House Office

21 Building, commencing at 10:07 a.m.

22 Present: Representative Aguilar.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

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

7

8 [REDACTED] STAFF ASSOCIATE

9 [REDACTED] PROFESSIONAL STAFF MEMBER

10 [REDACTED] INVESTIGATOR

11 [REDACTED] PROFESSIONAL STAFF MEMBER

12 [REDACTED] INVESTIGATIVE COUNSEL

13 [REDACTED] PROFESSIONAL STAFF MEMBER

14 [REDACTED] CHIEF CLERK

15 [REDACTED] SENIOR COUNSEL & SENIOR ADVISOR

16 [REDACTED], INVESTIGATIVE COUNSEL

17 [REDACTED] INVESTIGATIVE COUNSEL

18

19

20 For THE WITNESS:

21

22 JOHN KIYONAGA

1

2 [REDACTED] Good morning. This is the deposition of Patrick Casey
3 conducted by the House Select Committee to Investigate the January 6th Attack on the
4 United States Capitol, pursuant to House Resolution 503. This will be a staff-led
5 deposition, though members may choose to ask questions.

6 At this time, I'd ask the witness to please state your full name and spell your last
7 name for the record.

8 The Witness. Patrick Casey, C-a-s-e-y.

9 [REDACTED] Thank you, Mr. Casey.

10 My name is [REDACTED] and I'm an investigative counsel with the Select
11 Committee. With me from the Select Committee staff are [REDACTED] senior
12 counsel and senior adviser; [REDACTED] investigative counsel; [REDACTED]
13 professional staff member; [REDACTED] investigative counsel; [REDACTED]
14 professional staff member; [REDACTED] professional staff member; and [REDACTED]
15 chief clerk. There are currently no members of the select committee in attendance, but
16 I'll announce anyone who joins.

17 Under House deposition rules, neither committee members nor staff may discuss
18 the substance of the testimony today unless the committee approves release. You and
19 your counsel will have the opportunity to review the transcript. Note that under House
20 rules, you may have your attorney present, but counsel for other individuals or attorneys
21 from other government agencies may not be and, therefore, are not present. In other
22 words, the only lawyers present are those from the select committee and your attorney.

23 At this time, could counsel please state their name for the record.

24 Mr. Kiyonaga. John Kiyonaga, K-i-y-o-n-a-g-a, representing Mr. Casey.

25 [REDACTED] Thank you, Mr. Kiyonaga.

1 There is an official reporter transcribing the record of this deposition. The
2 deposition is also being recorded, but the reporter's transcription is the official record of
3 the proceeding.

4 Please wait until each question is completed before you begin your response, and
5 we'll try to wait until your response is complete before we ask our next question. The
6 stenographer cannot record nonverbal responses such as shaking your head, so it's
7 important that you answer each question with an audible verbal response. For the
8 benefit of the reporter and the record, there may be times when I clarify what you said,
9 including a spelling of a name or a word.

10 We ask that you provide complete answers, to the best of your recollection. If
11 the question is not clear, please ask for clarification. If you don't know the answer,
12 please simply say so.

13 Throughout the deposition, we'll be directing your attention to exhibits that we've
14 marked for you today, and they've been provided to you in the binder in front of you.
15 When we refer to a document, you can take time to familiarize yourself with the
16 document with you and your counsel before we discuss it. We ask that you keep the
17 binder within this room and return it to us after the deposition.

18 First, if you wouldn't mind taking a look at exhibit 1. This is the subpoena issued
19 by the select committee to Mr. Casey on January 19, 2022. I'll note that the exhibit
20 contains the subpoena itself, a cover letter from the chairman, a document schedule with
21 production instructions and a copy of the House rules and regulations regarding
22 conducting depositions.

23 Mr. Casey, do you recognize this as the subpoena issued by the select committee
24 to you?

25 The Witness. Yes.

1 [REDACTED] Do you understand that you are appearing here today pursuant to
2 the subpoena?

3 The Witness. Yes.

4 [REDACTED] Thank you.

5 Mr. Kiyonaga. Would you give me one second? Thank you.

6 [REDACTED] Thank you.

7 Mr. Casey, you may refuse to answer a question only to preserve a privilege that's
8 recognized by the select committee. If you refuse to answer a question based off of a
9 privilege, we may either proceed with the deposition, or seek a ruling from the chairman
10 on the objection. If the chairman overrules such an objection, you are required to
11 answer the question.

12 My goal today is to ask questions relevant to the Select Committee's investigation
13 with the hope that you will answer all of them, but if you have an objection or a privilege
14 assertion, we ask that you or your counsel assert it for the record. I'll seek to clarify the
15 basis for such an objection. Ultimately, the more detail that you can provide about the
16 basis for the objection, the easier it will be for the select committee to consider the
17 objection.

18 Finally, I want to remind you, as we do for all witnesses, that it is unlawful to
19 deliberately provide false information to Congress. Providing false information could
20 result in criminal penalties for perjury and/or providing false statements, including under
21 18 U.S.C. Section 1001, which makes it illegal to provide a false statement in a
22 congressional investigation.

23 That being said, to be clear, this is a congressional investigation, not a criminal
24 investigation. This proceeding is separate and distinct from any current criminal
25 proceeding by the United States Department of Justice.

1 A few logistical notes: Please let us know if you need any breaks. I'd simply ask
2 that if you need a break, you answer the question that's pending, if there is any, before
3 you take the break. If you'd like to confer with your attorney, you are absolutely free to
4 do so. We can also take a break to allow you to do that.

5 I will note that there is a camera that's recording the deposition, so if you'd like to
6 confer with your attorney in private, we can go off the record and there's a holding room
7 where you can discuss.

8 Do you have any questions?

9 Mr. Kiyonaga. No. He may have -- I'm certain he'll have questions at some
10 point. I'm happy to try to talk to him sort of right here. I don't know how sensitive is
11 the microphone. Maybe I'll just put my hand over it, and if you guys can overhear what
12 I'm saying or what he's saying if you'd be kind enough to say so.

13 [REDACTED] We won't be able to check what the camera is picking up, but
14 there are actually two microphones. There's one on the camera and one there. And
15 so if you have any concerns, it would be better to go to the other room.

16 Mr. Kiyonaga. Okay. I thought I'd just cover that with my hand in the event I
17 need to speak to him, because, otherwise, it gets time-consuming. Let's just play it as it
18 lays.

19 [REDACTED] Sure. And, like I mentioned, the reporter's record is the official
20 transcript. The reporter's transcript is the official record of the meeting. So if we go
21 off the record then we can proceed that way as well.

22 Mr. Kiyonaga. Okay.

23 [REDACTED] The last thing, I'll note that I'll be leading the conversation.
24 Occasionally, other lawyers or even members, if they join, may ask some questions, but
25 I'll be leading the majority of it.

1 Because this deposition is under oath, Mr. Casey, would you please raise your
2 right hand to be sworn by the reporter.

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

6 The Witness. I do.

7 [REDACTED] Thank you, Mr. Casey.

8 Examination

9 BY [REDACTED]

10 Q So I'd like to start with some really basic questions. Can you tell me where
11 you grew up and where you went to school?

12 A So I grew up in northern Virginia. I lived in Fairfax County until I was 15. I
13 believe Fairfax County, Lorton, moved around a bit. And then my family moved to San
14 Diego, where I lived. I graduated high school there and college, and I've been back on
15 the East Coast since 2017.

16 Q Great. And you mentioned college. Can you tell me about your
17 educational history?

18 A Sure. So I studied anthropology at San Diego State University.

19 Q Great. Where do you live now?

20 A I live in Arlington, Virginia.

21 Q Great. Have you ever served in the military?

22 A I have not.

23 Q Have you ever been employed by an office of government?

24 A No.

25 Q Have you ever held elected or appointed office in government?

1 A No.

2 Q Have you ever received grant money or a contract from an office of
3 government?

4 A Would that include financial aid in college?

5 Q Not for this purpose.

6 A Okay. Then no.

7 Q Thank you. Mr. Casey, are you currently employed?

8 A I'm self-employed.

9 Q And is that your source of income?

10 A Yes.

11 Q Can you tell me about your self-employment? What does that entail?

12 A Sure. So I do political commentary, live-streaming. I also have a website
13 set up where I can -- I have a pay wall. People can pay to read the article behind the pay
14 wall and so forth. So basically, people donate while I live-stream or donate to get
15 behind the pay wall to read the articles and see the videos.

16 Q Great. So kind of written articles and live-streaming --

17 A Yeah.

18 Q -- primarily?

19 A Content creation, generally.

20 Q Sure. I understand that you've held a number of leadership roles in a
21 couple of organizations. Can you walk me through any leadership roles you've had in
22 the last 5 years or so?

23 A Sure. So there was American Identity movement, and that was a rebrand
24 from another organization, Identify Europa, which I did run for a time but I didn't create.
25 That was created by someone else.

1 I was also active -- I had an unofficial leadership position in the America First
2 movement with Nick Fuentes. When I say unofficial, that means that, you know, there
3 was a pecking order of sorts, that I was close to the top. But in terms of having my
4 name on some kind of charter or having high-level, you know, logistical say in a lot of
5 what happened, it was basically a one-man show for Nick. That was my impression.

6 Q Got it. And at the time that you were involved, was there any kind of
7 incorporated entity for the America First movement?

8 A I'm not aware. So there is the -- I believe he has made public that there is
9 an America First Foundation. I could be wrong about the name. I don't -- [pause.]
10 I'm not aware when this entity, the America First Foundation, was created.

11 BY [REDACTED]

12 Q But did you have a role in any incorporated entity?

13 A No.

14 Q Okay. Any informal organization?

15 A Not with America First.

16 Q Okay. And American Identity Movement, was that an incorporated
17 organization?

18 A Yes.

19 Q Is it still active?

20 A The legal entity still exists, but the organization ceased operations in early
21 November.

22 Q November --

23 A Pardon me. Early November of 2020.

24 Q Okay. And what was your role in that organization?

25 A Sure. So I was the president. That was the official title.

1 Q And what was the reason that the organization ceased operations?

2 A There are a number of them. We had been banned from multiple social
3 media platforms. And in terms of getting the message out, social media was an integral
4 part of that strategy. And I had -- I've made all of this public.

5 I've lost faith in that particular type of strategy. An official membership
6 organization where people apply and they're vetted and they join, it just wasn't
7 something I was interested in doing anymore.

8 Q Got it. Can you tell me a little bit about what the American Identity
9 Movement, what kind of activities they were engaged in?

10 A Sure. So during its period of activity, there were fliers put up at college
11 campuses. Sometimes we would do peaceful in-person activism such as, you know, me
12 giving a speech about immigration outside in, you know, a public park or something of the
13 sort. There were fraternal meet-ups where people would hang out and, I don't know,
14 drink beer, barbecue, things of that nature. Like I said, a lot of social media stuff as well.
15 So that's the gist of it.

16 Q Got it. And you said there was a formal membership structure.

17 A There was.

18 Q Do you have an estimate of how many members there were?

19 A Mid hundreds or so.

20 Q Got it. Geographically dispersed or located by you?

21 A All over the country.

22 Q Okay. Identity Evropa, was that an incorporated organization?

23 A It was.

24 Q And is that still an active incorporated organization?

25 A On paper.

1 Q And what was your role in that?

2 A It was -- executive director.

3 Q Got it. And I assume from what you said you no longer hold that role?

4 A No.

5 Q When did you stop holding that role?

6 A Pardon me. So the organization is still around, and I am still the owner, as
7 far as one can own a nonprofit, of that legal entity. And -- yeah. But in terms of
8 operations, that organization ceased operations in March of 2019.

9 Q Okay. And did the American Identity movement operate as kind of a
10 successor organization to --

11 A Yes.

12 Q Do you hold positions of leadership in any other organizations?

13 A No. Currently, no.

14 Q Let me clarify the time period then. Between November 2020 and
15 February 2021, did you hold any positions of leadership in any other organizations?

16 A Other than the ones we've discussed?

17 Q Correct.

18 A No.

19 Q Great. Thank you.

20 You mentioned your involvement with the America First movement. Were you
21 involved with political action conferences?

22 A Yes. I did plan the first AFPAC, as it was called, the one that was held in
23 February of 2020.

24 Q Subsequent ones?

25 A No. I had departed from that movement in early February of 2021. The

1 second one was held in -- you know, after that point.

2 Q Got it. Can you kind of walk me through your initial involvement with the
3 America First movement, how you got into it and what your role was?

4 A So in late 2019, there was something that was known as the Groyper War,
5 and that was the grassroots effort to go to Charlie Kirk Turning Point USA events and ask
6 pointed questions.

7 I did that. I asked a question about some of the guilt by association tactics that
8 Turning Point USA engages in. And at that point, I kind of informally became part of that
9 scene. So that's how it started.

10 Q Got it. And how did the first political action conference come about and
11 what was your role in that?

12 A Well, it was the topic of discussion between, you know, Nick, me, probably
13 others at the time. And we wanted to do something similar to CPAC around the same
14 time. And so, that was basically the mindset there.

15 Q Sure. Did you know Nick Fuentes before that?

16 A I did.

17 Q Got it. And was that through the organizations that you led or otherwise?

18 A Mostly just through the internet.

19 Q Sure.

20 A Twitter.

21 Q You mentioned a term "Groyper." Do you mind just walking us through
22 what that means, what that encompasses?

23 A Yes. It's an internet name. And this is one that existed for years prior to
24 Nick adopting it for his followers.

25 Q Got it. And would you say your followers fall under that umbrella as well?

1 A Well, I would say that there are people who watch the content that I put out
2 and support me. I am not the leader. I don't see myself as the leader of my own
3 movement that would be comparable to what Nick is doing over in America First. So the
4 overwhelming majority of people who call themselves Gropers hate me and they like
5 Nick.

6 And as to -- I mean, if I put a YouTube video out there, I don't know if someone
7 identifies as a Gropers and likes the video, but the people who really have a monopoly on
8 that term are in a camp that is against me, so --

9 Q Got it.

10 I'll just very quickly note for the record that [REDACTED]

11 Professional Staff Member, joined the meeting.

12 [REDACTED]. Sorry to interrupt. I just wanted to mention, Mr. Kiyonaga, if
13 you're worried about the microphone, you are always welcome to turn it off. There
14 should be a button right on the bottom there.

15 Mr. Kiyonaga. Okay. Have you guys been able to hear anything I said?

16 [REDACTED] No.

17 [REDACTED] I was able to hear a couple of things, but so far it was things like if
18 you don't know, don't speculate. And that last exchange you all had I could not
19 understand at all, and I was actually about to tell you that was a better level of whispering
20 in order to keep it confidential.

21 [REDACTED] There's a light on there. So if you want to confirm, it should turn
22 red if the microphone is off.

23 Mr. Kiyonaga. Yeah. All right. I'll keep that in mind. Thank you.

24 [REDACTED] Sure thing.

25 [REDACTED] Thank you.

1 BY [REDACTED]

2 Q [REDACTED] you were kind of drawing a distinction between what Nick
3 Fuentes is building and what you have built. Can you describe that in a little bit more
4 detail?

5 A Sure. So I departed from Nick in -- in his movement in February of 2021.
6 And at that point, as I previously said, I had no intention of trying to build a cult of
7 personality and a movement of my own, so to speak. So I see myself as part of
8 conservatism and populism more broadly, but I -- that's the extent of it. So --

9 Q Sure. How do you see yourself in that conservative ecosystem?

10 A One of many people with a platform, talking and -- about the issues and
11 analyzing politics.

12 Q Got it. Coming back to the term "Groyper" or "Groyper Army," has there
13 ever been any kind of organization under that umbrella, to your knowledge?

14 A Could you clarify what you mean by organization?

15 Q To your knowledge, have there been organizations that identify as Groyper
16 organizations?

17 A I would say there are people who see themselves as Groypers. I would say
18 that Nick has his foundation. Beyond that, am I aware of any incorporated Groyper
19 organizations as an official -- like nonprofits or something of the sort? I'm not aware.

20 Q Got it. I think you talked about this a little bit, but I just wanted to put a
21 finer point on it. Who is a Groyper? If somebody identifies as a Groyper, what does
22 that mean?

23 A Generally, a fan of Nick Fuentes. But, as I mentioned before, that name has
24 existed on the internet for some time. So there might be some people out there who
25 identify as such but don't like Nick. But I would say that the majority of people out

1 there -- particularly after 2019, the majority of people who identify as that, you know, at
2 the time of their identification saw themselves as followers or fans of Nick.

3 Q Got it. So, to you, you can't separate the identity Groyper from Nick
4 Fuentes?

5 A I'd say there's -- it's mostly overlap. Mostly overlap. But, again, are there
6 some people on Twitter who might have Groyper in their name who don't like Nick?
7 Sure. But, generally speaking, that is -- that is Nick's term. He kind of owns it
8 unofficially.

9 Q Got it. That's helpful.

10 Did you ever have an affiliation with the Stop the Steal organization or any of the
11 individuals who organized Stop the Steal rallies?

12 Mr. Kiyonaga. I would object to that on the basis of his freedom of association
13 under the Fifth -- under the First Amendment.

14 ██████████ Sure. Do you mind clarifying?

15 Mr. Kiyonaga. Well, you're asking for -- the questions that have been asked to
16 this point have been fairly general, and I expect are already fairly established in the public
17 record.

18 Stop the Steal is the reason I'm supposing, or surmising, for your committee's
19 creation, and it's an exclusively political entity in its purpose and its focus. So any
20 association that Mr. Casey may have had with that organization would be privileged.

21 I would say that in my response to the document request, I addressed a number of
22 the questions or the surmises of the committee. And Mr. Casey, I don't want to speak
23 for him, but he's happy to endorse the veracity of the response that I sent to you as to
24 each of those particulars.

25 ██████████ Sure. And I will just note for the record that your response has

1 been entered into the record as exhibit 4. So --

2 Mr. Kiyonaga. I would submit -- I'm sorry, I didn't mean to speak over you. I'd
3 submit that, to the extent that it's not violative of privilege, that question has been
4 answered in the written response that he endorses.

5 [REDACTED] Okay. Thank you, Mr. Kiyonaga.

6 BY [REDACTED]

7 Q Okay. Let me return to some kind of background questions. I understand
8 you're pretty active on social media. Can you give me a sense of what platforms you
9 currently use?

10 A Sure. Currently, I use YouTube. I use DLive. I use Odyssey. Those are
11 all for video live-streaming. I use Telegram. I have a Twitter account that I generally
12 use to keep up with the news and so forth that is in public. And I think I've got a Gab. I
13 created an account on Truth Social. Yeah.

14 Q Parler?

15 A I think I have an account on Parler. I haven't used it -- I understand there
16 was some sort of hack or data breach or something of the sort. I haven't really used it
17 since.

18 Q I'll just name a couple more platforms, and you can just answer yes or no.

19 TheDonald.win?

20 A No.

21 Q 4chan?

22 A I mean, 4chan is a site that anyone can go on. As far as I know, there aren't
23 like accounts that you sign up for.

24 Q Sure. Yeah. What I'm getting at with my question is uses of these
25 platforms where you are identified as Patrick Casey --

- 1 A Okay.
- 2 Q -- and posting that way.
- 3 Q 8chan?
- 4 A No.
- 5 Q Muis?
- 6 A No.
- 7 Q Wimkin?
- 8 A No.
- 9 Q Zello?
- 10 A No.
- 11 Q Are there platforms that you previously used and no longer use?
- 12 A Yes.
- 13 Q Facebook?
- 14 A Yes.
- 15 Q You mentioned that you have a Twitter, correct?
- 16 A Yes.
- 17 Q Do you use Reddit?
- 18 A Not currently.
- 19 Q Twitch?
- 20 A Yes, I have an account, and I can't recall when I've used it last.
- 21 Q Great. Bear with me.
- 22 Q Discord?
- 23 A Yes.
- 24 Q TikTok?
- 25 A Not currently.

1 Q Great. Of the platforms that you use as a way to carry out your role as a
2 public figure, can you talk about the different uses of the platforms? You know, are you
3 trying to reach different audiences? Do you post different kinds of content?

4 A Sure. So much of it has to with the type of -- with the medium. Is it for,
5 you know -- Substack is another one that I use. That one is for writing, of course. The
6 various video ones. I would say there's probably a particular reason for each one, but,
7 generally speaking, it's beneficial to use as many as you can.

8 Q Got it. Returning to the live-streaming platforms that you mentioned, do
9 you mind just repeating which ones you use?

10 A DLive, YouTube, Odyssey. I mentioned I do have an account on Twitch. I
11 haven't streamed on there.

12 Q Got it. And Cozy.tv?

13 A No.

14 Q Entropy?

15 A Yes. I suppose Entropy does have a video function, but when I use that, it's
16 for donations.

17 Q Got it. Streamlabs?

18 A Streamlabs is a desktop application, and I do use that to stream.

19 Q Okay. Great. Can you give me a sense of how often you run live-streams?

20 A Multiple times a week.

21 Q How would you describe the content of what you live-stream?

22 A You know, for most of 2020 and 2021, I was doing Monday through Friday
23 nightly news analysis, political analysis. These days, political analysis maybe once a
24 week. I do other things on stream as well. Talk and watch YouTube videos, talk about
25 them, play video games.

1 Q Sure. Do you save all of your live-streams?

2 A Not all of them.

3 Q Okay. Do you maintain an archive of the live-streams that you have saved?

4 A So for the political analysis that I've done, most of that should be on

5 YouTube. Now, maybe YouTube might say that one episode can't be allowed up or

6 something, but I think, basically, everything is up there. Now, do I download every

7 stream that I do and store it somewhere? I don't.

8 Q Got it. Well, I think it would be helpful if you could provide the committee
9 with a list of the live-streams that you did. And we can give a timeframe, say, like
10 November 1, 2020, to the end of February 2021. And to the extent that those are on
11 YouTube, we can watch those; and to the extent that they're not, we can talk about how
12 to transfer those over to the committee.

13 Would that work for you?

14 Mr. Kiyonaga. Indulge me a moment.

15 The Witness. So, just to clarify, are you asking me to provide you with a list of
16 videos, to send -- to download these videos and send them to you?

17 ██████████ I think it would be helpful to know what videos were created, and
18 then we can just check that against what's on YouTube so that we know that we're seeing
19 everything if we're looking at what's been posted on YouTube during that time period.

20 ██████████ Or can I suggest that maybe if that's what you're after, maybe the
21 easier way to do it would be for you to provide a list of other live-streams or content that
22 you are aware of from that time period that are not on YouTube.

23 Mr. Kiyonaga. Let me interject. I'm going to object to us having to provide a
24 list. He'll answer the question now, to the best of his recollection, but it's onerous for
25 him to go trolling YouTube and try to find everything.

1 He's going to give you the most comprehensive answer insofar as he can recollect
2 right now, and you guys can check YouTube and check that content if you're so inclined,
3 okay?

4 ████████ I think my edit to the ask was intended to get a sense of what
5 content is not on YouTube currently so that we can have an understanding of what's in
6 his possession that is not currently publicly available.

7 Mr. Kiyonaga. One moment, please.

8 You know, there have been so many streams that it's, in a practical sense,
9 impossible for him to account for all of them. To his recollection, he does not have any
10 posts that are not on -- still posted on YouTube. In other words, he hasn't kept them.

11 But he's happy to render orally here his best recollection of what he posted on
12 YouTube and when. But I think to require him to divulge his own data dump would not
13 be appropriate. So he's happy to answer the question to the best of his ability right
14 now.

15 ████████ Just to clarify, you're saying that he does not have copies of any
16 live-streams that are not currently on YouTube. Is that accurate?

17 Mr. Kiyonaga. One second.

18 Mr. Casey has posted innumerable videos on YouTube, many of which are not
19 political in nature. And he can't remember all of them. To the best of his recollection,
20 he does not have any political posts in his possession that are not still available on
21 YouTube.

22 The Witness. Yes. Most -- and most of the streams that I've done have been
23 on DLive, and DLive deletes streams after 3 days, based on the like membership option
24 that I have. I started using -- for the Monday through Friday political commentary, I
25 started using the YouTube channel for that as opposed to just DLive.

1 I would have to double-check on the date, but it was -- for most of my streaming
2 career, it was mostly on DLive. So DLive would just delete those streams after 3 days.
3 And I wasn't in the habit of saving all of them. So --

4 [REDACTED] So when you say you weren't in the habit of saving all of them, did
5 you have any yardstick that would help you decide which ones to save and which ones
6 not to save?

7 The Witness. I don't honestly know if I saved any of them. I can't say for sure
8 at this point.

9 [REDACTED] Great. Maybe we can put a pin in the record for you to get back
10 to us, if you can, on the date at which you think you switched from DLive to YouTube or
11 vice versa, so we can get a sense of that.

12 Mr. Kiyonaga. He's going to answer the questions to the best of his ability now,
13 but we don't want homework assignments that require him to go rooting through his
14 data.

15 I think the safe surmise is that he doesn't have any political videos that are not on
16 YouTube any longer. There's a lot of chaff out there that has nothing to do with politics,
17 and he has no realistic sense of the linking or the breadth of that.

18 But he's answering your questions to the best of his ability. If you have specific
19 questions about YouTube or the DLive posts, go ahead and ask him. He's happy to give
20 you his best recollection now. I've told him not to speculate, but to the extent that he
21 can answer something with confidence, he will do so. But this is not supposed to be an
22 interminable process where he keeps going back and checking an interminable database.

23 [REDACTED] No, and I don't mean to suggest that. I'm just trying to get -- I'm
24 not trying to belabor the point. I'm just trying to get as clear an understanding as we
25 can of like what he has and what he doesn't have.

1 And without asking you to speculate, do you have any rough estimation of when
2 you switched from DLive to YouTube? Was it like 2019, 2018, or just like right at the
3 end?

4 The Witness. I -- early -- I want to say -- and this is -- I mean, I'm speculating.

5 ██████████ I will say, Mr. Kiyonaga, just so you know, that was a whisper that I
6 could hear. It wasn't problematic. I just feel I need to let you know that.

7 Mr. Kiyonaga. Thank you.

8 The Witness. Thanks for letting us know.

9 Mr. Kiyonaga. Yeah. I just don't want him to speculate and you're charging him
10 in 15 different directions. That's all. Thank you, though.

11 The Witness. What I'll say is this: I used YouTube for a weekly podcast for a
12 while. And then somewhere around early 2021 it must have been, the Monday through
13 Friday nightly political streams that I did on DLive, I started putting those on DLive and
14 YouTube. And on YouTube, they would stay up there.

15 ██████████ Okay.

16 The Witness. That's a lot of moving parts, but that's basically the best I can
17 acknowledge. Now, before the -- those nightly political streams were going on YouTube,
18 and when they were just on DLive, right, they were auto-deleting and I wasn't bothering
19 to save them.

20 ██████████ Understood. Thank you. I appreciate that. I'll turn it back to
21 ██████████

22 ██████████ Thank you.

23 BY ██████████

24 Q ██████████ do you make money from live-streaming?

25 A Yes.

1 Q Can you walk me through how that works logically?

2 A People pay to have me read something that they say. It's called a Super
3 Chat. It's highlighted text, whereas in the live chat other text isn't highlighted. So
4 within kind of streaming culture, there's an obligation for someone to read the Super
5 Chat. So, in terms of the money made specifically from live-streaming, that is how it's
6 done.

7 Yes, and just to clarify, people do pay money to have that Super Chat, so --

8 [REDACTED] Got it. I feel also compelled to say, Mr. Kiyonaga, that I could
9 hear that whisper. But --

10 Mr. Kiyonaga. Thank you. I'll be more careful.

11 [REDACTED] -- it wasn't on the record.

12 Mr. Kiyonaga. I'm going to put my jacket over my head.

13 BY [REDACTED]

14 Q So is that the only way that people can donate through live-streams? Are
15 there other ways?

16 A Well, first of all, is it okay if I move this here? It's just a little easier to reach
17 and press that.

18 Q Sure.

19 A Make sure I'm not hot-miking, talking too loudly into it.

20 Is it the only way for someone to make money from a live-stream? People
21 generally, other streamers have other means to donate. They might have
22 cryptocurrency addresses that anyone can donate to. They might have something like a
23 Patreon and so forth.

24 Now, for me, I mentioned that, you know, in terms of Super Chats. I also have
25 what's -- the SubscribeStar, which is basically the Patreon knockoff. That's where

1 there's the pay wall where people can do whatever. So, I mean oftentimes when
2 someone is a live-streamer, there will be other ways than just Super Chats for them to
3 make a living.

4 Q Got it. But none of those, aside from SubscribeStar and the Super Chat
5 function, apply to you?

6 A I do have cryptocurrency options available.

7 Q Got it. Anything else?

8 A I have a P.O. Box address. People can mail in cash or a check.

9 Q Great. Did you live-stream on January 6th itself?

10 A I don't recall.

11 Q Okay. How about the days prior to January 6th?

12 A It's -- pardon me one second.

13 I think I probably did, but it was well over a year ago and it's hard to remember
14 every night that I did or didn't live-stream.

15 Q So were any of those live-streams saved and posted elsewhere during, let's
16 say, January 1st through January 7th, to the extent that they exist?

17 A Not to my knowledge.

18 [REDACTED] Okay. Let me take a pause here and see whether any of my
19 colleagues either in the room or on the line have any questions, based on what we've just
20 covered.

21 [REDACTED] I do have a few. I just wanted to bat cleanup here, if you don't
22 mind me jumping in here.

23 BY [REDACTED]

24 Q So I'm going to go back to a few of the things you said earlier and just try to
25 clarify some items for the record.

1 You mentioned before when you were talking about the American Identity
2 movement that that was, I believe you called it a rebrand of Identity Evropa. Why was --
3 A Yes.

4 Q Thank you. Why was there a rebrand? Why did you go through that
5 exercise of rebranding it?

6 A I didn't feel that Identity Evropa had the right color scheme and name,
7 aesthetic branding considerations. There was also somewhat of a political shift.

8 Q Political shift within the organization or elsewhere?

9 A To some extent, but also, yes, in terms of what the organization was going to
10 be about, there was a shift.

11 Q Can you describe that shift? What was it before versus what it shifted to?

12 A Sure. So Identity Evropa was focused mostly on I would describe as
13 identity issues, critical race theory, mass immigration, issues that uniquely affect
14 European Americans. And the thought process was that those issues are important, but
15 that those aren't all of the issues out there.

16 And for that reason, in American Identity movement, we talked about economic
17 nationalism. We talked about noninterventionist foreign policy. So there was a bit of
18 an expansion in terms of the specific political views that were discussed and advocated
19 for.

20 Q Okay. And when you talked about the branding and the aesthetics of the
21 names and the colors, was there any association with the prior name and colors that you
22 were concerned about that prompted you to change to a different name and color or
23 aesthetic?

24 Mr. Kiyonaga. Bear with me 1 minute.

25 The Witness. Can you repeat the question?

1 BY [REDACTED]

2 Q Sure. You had said one of the reasons that you were rebranding was
3 because you didn't like the colors, the name, the aesthetic, and I just wanted to
4 understand why. You explained the ideological shift. I'm wondering about the
5 aesthetic shift as well.

6 A Well, the Identity Evropa color scheme was white and teal, and it -- I don't
7 know, I thought something more patriotic would be more fitting for America, red, white,
8 and blue.

9 Q You mentioned that you felt some identity issues were uniquely affecting
10 European Americans. What did you mean by that?

11 A I would say that critical race theory is one example. I feel that that
12 demonizes people of European descent. I would argue that affirmative action
13 disproportionately has a negative impact on people of European descent, also other
14 groups, but --

15 Part of it was also recognizing that right wing conservative values are not merely
16 limited to race. That was part of it.

17 Q Great. Thank you for explaining that.

18 To jump a little bit further down the line to things we discussed, we were talking
19 about the Groyper name, and you explained that that existed for years before Mr.
20 Fuentes adopted it. I was wondering if you could explain, to your knowledge, why he
21 adopted it and what it meant to him?

22 A I can't speak for him.

23 Q Did he ever tell you why he adopted it or what it meant to him?

24 A I don't recall.

25 Q You also discussed that there are some people who consider themselves

1 Groypers or identify with that but who hate Nick. And that just leaves me wondering
2 what the Groyper ideology or name means, separate and apart from Nick.

3 So you explained that it's not 100 percent overlap, but I'm not entirely clear on the
4 folks who don't like Mr. Fuentes, what they are attracted to with regard to that name.

5 A So I'll try to give a very brief answer here, because this is getting into obscure
6 internet Meme culture and lore. I'll say that the --

7 So there were Groypers who existed prior to the Groyper War, and that was just a
8 different subculture. And when the Groyper War came, there were people participating
9 in that online, asking these questions in the Turning Point USA Q&A lines who identified
10 as such. So all of that momentum and energy was driven toward Nick. And Nick saw
11 that a lot of his fans, these people asking these questions identified as Groypers. So he
12 basically claimed that for himself.

13 There were some of these people who had these Groyper accounts on Twitter
14 prior to all of that who didn't like Nick, and they resented the fact that he came to have a
15 monopoly on the term. I don't think they could be described as a real movement.
16 Probably a few hundred people on Twitter posting Memes. So --

17 Q Okay. So if I'm understanding you correctly, you're saying there isn't
18 necessarily an ideological difference between the Groypers who don't like Nick, so much
19 as that is a personal dislike of Mr. Fuentes?

20 A From what I've gathered, it's largely a subcultural difference in
21 terms -- within right-wing politics. If there are larger ideological divides between the
22 two, I don't know.

23 Q Got it. And sorry if I put too fine a point on this, but you're far more
24 familiar with this area than I am. When you say subculture difference, what do you
25 mean by that?

1 A Within right-wing politics, even within right-wing political spaces on Twitter,
2 you can have people that have different scenes, different niches. You see that left of
3 center as well too. So you can have people that agree with 99.99 percent of everything
4 who hate each other. And that's often the case, unfortunately.

5 And I think that came to be the reason that the original Groypers hated Nick. It
6 wasn't we disagree -- maybe there were political disagreements, but, from my
7 observation, it was overwhelmingly a personal dislike of Nick and his attempts to
8 monopolize that term.

9 Q Understood. And you also said that there -- I believe you said most
10 Groypers hate me and like Nick. Why is that the case? Why do you think that they
11 dislike you?

12 A Well, I had a falling out with Nick after -- when was that? Yeah, that was
13 early -- early to mid-February of 2021. And he -- he has said some very nasty things
14 about me since -- and his followers have ate it up, so --

15 Q Understood.

16 [REDACTED] I do want to note for the record that I believe Representative Pete
17 Aguilar has joined. I see him on the screen there. So I'll note that for the record.

18 Mr. Aguilar, did you have any questions you wanted to ask?

19 Mr. Aguilar. I do not. Thank you.

20 [REDACTED] Okay, great. Thank you.

21 BY [REDACTED]

22 Q I did also want to loop back to the discussions about platforms very briefly
23 just to clarify the record on a couple of things that you mentioned.

24 [REDACTED] asked you about 4chan, and you rightfully said that they don't have
25 accounts, so to speak. But it wasn't clear to me from your answer whether 4chan is a

1 platform that you use and engage in without an account.

2 A Have I ever been on there? Yes. Do I visit it frequently? No.

3 Q Do you post there?

4 A No.

5 Q Okay. There were some others that I think fell into a category of
6 potentially used before but no longer used, but I wasn't clear from your answer if these
7 fell in that category.

8 Discord, is that a platform that you used to use but no longer use?

9 A No, I have used that consistently.

10 Q Okay. So you still use Discord. What about TikTok?

11 A I had an account on TikTok. They deleted it, though.

12 Q Okay. Are there any other platforms that you no longer use? I know [REDACTED]
13 [REDACTED] asked you that question, but then went through specific platforms. I'm
14 wondering if there are others that he did not specifically ask you about that you used to
15 use but no longer do.

16 A I don't recall.

17 Q Similarly, I wasn't entirely clear on your answer on Reddit. Is that one that
18 you used to frequent and no longer do, or do you still frequent Reddit?

19 A I do not frequent Reddit. Have I ever used it? Sure.

20 Q And did you have an account there?

21 A Once upon a time, years and years ago.

22 Q You mentioned a few of these that you, I think, have been -- well, let me
23 clarify. You said that there were some where you had been -- your account was deleted.
24 I believe you said earlier with one of your other organizations that they -- like the
25 American Identity movement had been banned from certain social media platforms.

1 Could you give me a list, to the best of your recollection, of the platforms where
2 you or one of those organizations you have been a part of have been banned?

3 A Twitter, YouTube, Facebook. Those are the main ones that come to mind.

4 Q I believe you had said TikTok too as well, right?

5 A TikTok as well. TikTok as well. I personally have been banned from
6 Airbnb. You can add that one to the list.

7 Yeah. I mean, that list -- we're talking over the span of years platforms
8 that -- accounts that could have been used once that were suspended. I mean, recalling
9 all of them right now, I don't know if I could, you know, be able to give you a
10 comprehensive list.

11 Q Understood. And that's why I asked for the best of your recollection. I
12 know we're talking about a long period of time, and the number of social media platforms
13 on the internet is ever-expanding and infinite. So I totally understand that.

14 A Thank you.

15 Q Were you given any reasons by any of these platforms as to why you were
16 banned from the platforms, you or the organization?

17 A Often they do provide a reason.

18 Q Can you recall with any specificity the reasons that any of the platforms gave
19 you? We can go one by one. I don't want you to have to generalize, but --

20 A I don't recall off the top of my head.

21 Q Okay. Would it be fair to say that they were for violating community
22 standards?

23 A I don't remember.

24 Q Do you recall in any of these platforms if there was a particular piece of
25 content that ultimately resulted in the ban?

1 A I do recall what got my -- so we can talk about Twitter. I do recall what got
2 my personal Twitter account banned. There was a thread -- I was responding to
3 someone on Twitter, and I called them a freak. They were saying nasty things about a
4 friend of mine, so I said, What a freak. And they permanently suspended me from the
5 platform. I don't know if there was other context to that that I'm missing out on, but
6 that was the reason I lost that account.

7 I made subsequent accounts on Twitter, which are -- and Twitter basically states
8 that if you create a new account after having been suspended for any reason then it's
9 automatically in violation of the terms of service. So every Twitter account that has
10 been -- that I created and then was suspended afterwards, after that one was for that
11 reason.

12 Q Understood. Are there any other platforms where you can recall the
13 reason that you were banned or the last piece of content that resulted in that decision?

14 A No. I can't recall.

15 Q We've also spoken quite a bit about your live-streams. Do you have any
16 nonlive-streamed videos that you record and release or are they all live-streams?

17 A Most are live-streams, but some of them are shorter videos that are
18 prerecorded.

19 Q Okay. And roughly, what percentage of those would fall in the category of
20 what Mr. Kiyonaga has called political?

21 A Most of them.

22 Q Okay. Where would those have been -- where were those posted? Was
23 that YouTube?

24 A YouTube.

25 Q So if we were to look on your YouTube channel, that would give us a fair

1 representation of the content that you prerecord and have released, the political?

2 A A fair representation as in it would give you a feel for the style and the --

3 Q Yes.

4 A -- topics of the discussion?

5 Q Yes. Given our earlier conversation, I hesitate to ask you whether that's
6 every piece of content you've ever prerecorded and posted. So I don't want to try to
7 box you into a corner on that, but I do want to get a sense of whether that would
8 represent most of the content that you have prerecorded and posted, whether that's a
9 very small percentage, or unlike other kinds of content that you had posted elsewhere.

10 That's more what I'm asking.

11 Mr. Kiyonaga. Give me one moment, please.

12 [REDACTED] Sure.

13 The Witness. The answer is yes.

14 [REDACTED] Okay. Thank you.

15 I believe that is all I have for now, but I know that my colleague, [REDACTED] has a
16 few questions. I'll turn to her.

1

2 [11:05 a.m.]

3 [REDACTED] do. Thank you, [REDACTED]

4 BY [REDACTED]

5 Q So can you do us a favor and confirm your user names or channel names on
6 DLive, Discord, and YouTube?

7 A Sure. So on DLive it's Patrick Casey.

8 Q Okay.

9 A On YouTube I have two separate accounts. There's Patrick Casey and then
10 there's Restoring Order. The Restoring Order channel is where I've done the
11 overwhelming majority of the live-stream content.

12 On Discord, Atavism, A-t-a-v-i-s-m.

13 Q Thank you.

14 And I'm also curious if you can estimate if your subscribers over time -- and this
15 goes for all of the live-streaming platforms -- if you could estimate if it's been a consistent
16 increase over time over the past few years, decrease, or if the progress really hasn't been
17 linear.

18 A I would say that the overall progress has been -- it depends on the platform.

19 Q Okay. Can you elaborate on that a little bit? Maybe go with YouTube
20 first.

21 A YouTube, generally up slowly. Telegram deletes accounts that haven't
22 been used after a year, so if people -- a lot of people signed up at once when I was
23 banned from Twitter initially and never used the app again, so that one has been on the
24 decline.

25 Q Okay. And what about for DLive?

1 A In terms of people who subscribe to the channel, I don't think that the
2 number -- the number hasn't changed substantially.

3 Q Okay. And for Discord?

4 A Discord doesn't have -- it's more of a messaging application. So I don't
5 have followers or subscribers on that.

6 Q Okay. Excellent.

7 And the last question from me. As you mentioned, you have been banned or
8 removed from various platforms. Has that impacted your following in any way for the
9 better or worse?

10 A For the worse, yes.

11 [REDACTED] Okay.

12 [REDACTED] did you have any?

13 [REDACTED] Actually, if I could follow up on that question.

14 [REDACTED] Yes.

15 BY [REDACTED]

16 Q When you say "for the worse," can you quantify or describe that in any way?
17 What do you mean when you say "for the worse"?

18 A There are many ways that you can gauge someone's success doing this.
19 And you have live viewers, how many people tune in live, and you have how many people
20 watch the video overall. You have donations. You have how many people subscribe to
21 the channel.

22 I would say that being banned from Twitter above all else has made it hard to
23 grow the alternative platforms. That's really the main dynamic involved there.

24 Q Do you have any way to quantify the impact it's had on you? Like have you
25 noticed a drop in subscribers or a slow-up in growth, anything of that nature?

1 A I think it's very hard to quantify.

2 Q Has it affected your bottom line at all monetarily?

3 A I'll say this. I will say that, beyond censorship, any decrease in viewership,
4 in bottom line, would be probably the result of doing all of this on my own as opposed to
5 being part of Nick's bigger thing.

6 But, yeah, censorship has played a role in that as well, but it is hard to quantify
7 specifically how much. And it is somewhat of a counterfactual. If I still had my Twitter
8 account, how many people would be tuning in on these video-streaming platforms? I
9 have no idea.

10 Q Understood. But it sounds like, from your point of view, Twitter -- your
11 banning from Twitter was the one that hit the hardest.

12 A True, yeah.

13 [REDACTED] Thanks.

14 [REDACTED]

15 [REDACTED] I actually have a question to follow up on that. Sorry, [REDACTED]

16 So has there been an impact as a result of the breakdown in the relationship
17 between you and Nick Fuentes on your subscriber accounts and your bottom line, as [REDACTED]
18 [REDACTED] mentioned?

19 The Witness. Somewhat. But I think there was a lot of energy in 2020 that
20 anyone associated with that scene doesn't have anymore. The viewership on -- for
21 those guys is down as well.

22 During 2020 you had -- it was a far more active year politically. People were at
23 home because of COVID, so they were watching live-streams more often. And there
24 could be all sorts of other factors.

25 But everyone associated with that scene appears to have diminished -- overall

1 diminished numbers, metrics, since 2020.

2 [REDACTED] Got it. And do you see that kind of perfect storm of positive
3 energy or energy around the scene coming back?

4 Mr. Kiyonaga. One moment.

5 The Witness. I have no way to know really.

6 [REDACTED] Was there an impact on this kind of energy within the scene from
7 January 6th?

8 The Witness. I don't know. It's hard to quantify.

9 [REDACTED] Did you see an impact on your subscriber accounts or proceeds as
10 a result of January 6th?

11 The Witness. I don't recall.

12 [REDACTED] Okay.

13 [REDACTED]

14 [REDACTED] Thank you, [REDACTED]

15 BY [REDACTED]

16 Q The first thing I was going to ask about is following up on the impact of
17 COVID. You mentioned that people were at home. So can I just confirm that you did
18 see an increase in the number of subscribers as the pandemic began?

19 A Generally, but the timeline should be noted that I started live-streaming in
20 late 2019, and so it was really -- I got started along with COVID and the lockdowns and all
21 of that.

22 Q Understood.

23 A But I think, generally speaking, live viewership and engagement in general
24 across most platforms was up as a result of COVID.

25 Q Understood. To the extent that it's possible given the timeline, were there

1 any platforms where you saw a particular increase at the onset of the pandemic?

2 A It's hard to say for sure.

3 Q And I only have one other question, to move back to some of [REDACTED]

4 line of inquiry earlier.

5 You mentioned the shift away from Identity Evropa had to do with a desire to
6 focus on a broader set of issues affecting European Americans, in your words.

7 Can you talk more about what triggered the desire to broaden the scope of issues
8 you were focusing on?

9 A There were a number of factors, but I think the main one was there was a
10 broad discussion on the right and right-wing Twitter, so to speak, about what works
11 politically, what doesn't work politically.

12 And I think there was a consensus that was reached that there are other issues,
13 aside from the racial issues, that uniquely affect European Americans, and, beyond that,
14 that attempting to have a conservative movement that isn't employing the colors of the
15 Nation's flag is probably destined to fail.

16 Q Got it. Could you speak to any of the other factors that you mentioned?

17 A That was really the main one.

18 [REDACTED] Cool. Thank you.

19 Back to you, [REDACTED]

20 [REDACTED] Great. Thank you.

21 Does anyone else have any questions based off of the topics we've hit so far?

22 [REDACTED] And to be clear for those not in the room, [REDACTED] is asking
23 about those on the Webex.

24 [REDACTED] All right. Hearing none.

25 Mr. Casey, what I would like to do now is get into the period between the 2020

1 election and January 6th and kind of ask you a couple of questions about that
2 pre-January 6th time period before getting into January 5th and 6th, to kind of give you a
3 roadmap of where I'm headed.

4 So ahead of the election, were you concerned about issues related to voter fraud?

5 Mr. Kiyonaga. Just a second.

6 The Witness. So in response to that question, I would like to invoke my Fifth
7 Amendment right.

8 [REDACTED] Okay. Can you provide a little bit more detail on the basis for
9 that objection?

10 Mr. Kiyonaga. My sense, if I can answer for him, is that any particularized
11 discussion of the run-up to January 6th is almost certain to implicate Mr. Casey's Fifth
12 Amendment right.

13 The fact of disagreeing with the announced election result has been criminalized,
14 and that's clear from the pleadings of a number of the criminally accused from the
15 January 6th riot.

16 So certainly, although he has a perfect right to a political point of view, and as a
17 matter of law, in fact, it is not a crime to question an electoral result, because of the
18 unique ambiance of the inquiry into the events of that day and the run-up to them, he
19 has a Fifth Amendment right not to incriminate himself.

20 So either the Fifth Amendment right or the right to association in terms of who he
21 spoke to or what was said in the run-up to January 6th, he's going to claim one privilege
22 or another.

23 But I'll say again, you're entitled to rely on the written representations, which he
24 has endorsed on the record, and my email to you in response to the document request.

25 [REDACTED] So just so I understand this particular objection, you're raising

1 Fifth Amendment concerns on the basis of your understanding that saying that the
2 election was not accurate is a crime?

3 Mr. Kiyonaga. I'm saying that the Department of Justice is treating it as a crime,
4 and that's reflected in pleadings filed in U.S. district court against defendants charged
5 with participating in the January 6th riot, that the disagreement with the announced
6 election result is specifically touted as a reason for prosecuting, a reason for pretrial
7 confinement, essentially, being held against criminal defendants.

8 So any discussion of Mr. Casey's subjective view of the election results would tend
9 to incriminate him given the record established by the Department of Justice thus far in
10 prosecuting criminal cases for that day.

11 [REDACTED] Okay. Thank you for that additional explanation.

12 I'd like to proceed through the questions that I have.

13 Mr. Kiyonaga. Yes.

14 [REDACTED] You're, of course, entitled to raise objections where you see fit.
15 And then if we get to a point where it would be more helpful to have a broader
16 conversation about the scope of topics that you would object to, we can cross that
17 bridge.

18 Does that sound fair?

19 Mr. Kiyonaga. Sure.

20 BY [REDACTED]

21 Q Mr. Casey, did you organize any poll watching efforts?

22 A Could you define poll watching efforts?

23 Q Did you organize any efforts to -- there are poll watchers who serve as
24 observers outside of polling locations. That's one example of poll watching efforts.
25 Sometimes there are people who are certified to go inside and also observe.

1 Did you organize any of those?

2 A No.

3 Q I understand that after the election you traveled around the country to
4 attend Stop the Steal events, often in State capitals. How did you get connected with
5 Stop the Steal?

6 Mr. Kiyonaga. I would invoke the Fifth Amendment and also the First
7 Amendment privilege of association.

8 [REDACTED] Thanks, Mr. Kiyonaga.

9 Did you speak at any of these events? And I can name specific ones. But just as
10 a general matter, in State capitals did you speak at Stop the Steal events?

11 The Witness. Yes, I did.

12 [REDACTED] Great.

13 What was the message that you were hoping to convey by making speeches at
14 those events?

15 Mr. Kiyonaga. I would raise the same objection. I mean, to the extent that he
16 spoke in public, it's presumably a matter of public record somewhere. But because the
17 results of the last election are uniquely susceptible to politicized criminal prosecution, he
18 would invoke his Fifth Amendment in terms of what he said.

19 [REDACTED] Okay. I'll ask about specific events.

20 On November 11th, 2020, there was a Stop the Steal rally in Lansing, Michigan.
21 Nick Fuentes spoke at that rally.

22 Were you present at that event?

23 Mr. Kiyonaga. Same objection.

24 The Witness. I was not at that event, no.

25 [REDACTED] Thank you.

1 On November 14th, 2020, were you in Washington, D.C., for the Million MAGA
2 March?

3 Mr. Kiyonaga. He invokes the same privilege.

4 ██████████ Mr. Casey, I have a set of questions regarding your activities
5 during that day.

6 Is it your intention to invoke the Fifth Amendment in response to all questions
7 related to your activities during that day?

8 Mr. Kiyonaga. In all likelihood.

9 ██████████ Okay.

10 Mr. Kiyonaga. I can't say with certainty.

11 ██████████ So just for the sake of efficiency, rather than having me go
12 through each question --

13 The Witness. Sure, yes.

14 ██████████ Let me just clarify that on the record.

15 The options we have are to go through every question and have him assert the
16 objection or for us to have him assert it in this more categorical way. And we're happy
17 to do either. But we also didn't want to keep you all here for hours asking all of those
18 questions.

19 So we'll leave it up to you as to whether or not you're comfortable with the
20 objection in the way that ██████████ asked you or if you want us to go through every
21 question.

22 Mr. Kiyonaga. I think a categorical objection would be most --

23 ██████████ Appropriate.

24 Mr. Kiyonaga. -- expedient, yeah.

25 ██████████ Okay. Great. Thank you.

1 So can we just ask that cleanly for the record?

2 [REDACTED] Yes.

3 Mr. Casey, I have a set of questions about your activities on November 14th, 2020,
4 in Washington, D.C.

5 Is it your intention to assert the Fifth Amendment to any questions the committee
6 would have regarding those -- that topic?

7 Mr. Kiyonaga. The Fifth and the First.

8 [REDACTED] Thank you.

9 Between November 18th and 20th, 2020, Nick Fuentes and Alex Jones were at a
10 series of events in Atlanta, Georgia.

11 Were you at those events?

12 Mr. Kiyonaga. Same objection.

13 The Witness. Same objection.

14 [REDACTED] Well, Mr. Casey, I have a set of questions about the events in
15 Georgia between November 18th and 20th, 2020.

16 Is it your intention to assert the Fifth Amendment -- well, is it your intention to
17 assert any objections to the questions the committee would have on that subject?

18 [REDACTED] Well, wait. I don't think we can ask him as broadly as "any
19 objections."

20 [REDACTED] Well, I just wanted to clarify whether it was only the Fifth or the
21 Fifth and the First.

22 [REDACTED] Right. So I think, for the record, instead of saying "same
23 objection," if you could say "Fifth and First" or whichever ones apply. You don't need to
24 give a whole statement, but let's be clear for every question whether you're talking about
25 the Fifth Amendment, the First Amendment, or both, instead of just saying "same."

1 Mr. Kiyonaga. Very well. That makes sense. He would invoke his privilege
2 under both the Fifth and the First Amendment.

3 [REDACTED] Thank you.

4 [REDACTED] Thank you.

5 On November 29th, 2020, there was a Stop the Steal rally in Phoenix, Arizona.

6 Nick Fuentes spoke at that rally. Were you at that event?

7 Mr. Kiyonaga. He would invoke his privilege under both the Fifth and the First
8 Amendments.

9 [REDACTED] Thank you, Mr. Kiyonaga.

10 And just for the sake of the record, I have a set of questions about that event in
11 Phoenix, Arizona.

12 Is it your intention to assert those objections for any questions the committee
13 would have on that subject?

14 Mr. Kiyonaga. It is.

15 [REDACTED] Thank you.

16 Mr. Casey, I have a set of questions about the December 6th, 2020, Stop the Steal
17 rally in Harrisburg, Pennsylvania.

18 For your reference, I have included screenshots from your Telegram regarding the
19 Harrisburg rally as exhibit 5. I would like to give you a moment to review.

20 Were you present at that rally, Mr. Casey?

21 The Witness. Yes.

22 [REDACTED] Did you speak at that rally?

23 Mr. Kiyonaga. He would invoke his Fifth Amendment and First Amendment
24 rights as to that question.

25 [REDACTED] Great.

1 Well, I have a set of questions about the Harrisburg rally. Is it your intention to
2 assert those objections over any question the committee would have on that subject?

3 Mr. Kiyonaga. Yes.

4 ██████████ And just for the sake of the record -- and I apologize for not
5 clarifying this earlier -- with regard to the First Amendment-based objections, the First
6 Amendment guarantees freedom of religion, expression, speech, assembly, and to
7 petition the government for grievances.

8 Today's deposition is seeking to understand Mr. Casey's role in the lead-up to
9 January 6th and the context in which those activities occurred.

10 The select committee's charter, House Resolution 503, includes the mandate to
11 examine the facts, circumstances, and causes of the January 6th attack on the U.S. Capitol
12 and relating to the peaceful transfer of power, as well as the influencing factors that led
13 to the attack, in order to identify and evaluate lessons learned and to recommend
14 corrective laws, policies, procedures, rules, or regulations.

15 I am hoping to get a more granular explanation of how Mr. Casey's First
16 Amendment rights would be implicated by the lines of questions that, for example, we've
17 been asking about the Stop the Steal rallies and would appreciate a more specific
18 explanation from you, Mr. Kiyonaga.

19 Mr. Kiyonaga. Sure.

20 First of all, the Fifth Amendment invocation should be dispositive of his right to
21 decline to answer.

22 In terms of the First Amendment, he has freedom to associate, freedom to speak,
23 and that applies not only to him but to the people with whom he spoke or associated.
24 And the questions go to purely political associations, or at least as I understand the
25 questions, and speech. So they would certainly be covered by the First Amendment.

1 And to the extent that the questions or the answers thereto would chill his
2 constitutionally protected right to associate and speak, then he's entitled to invoke his
3 privilege.

4 [REDACTED] Thank you, Mr. Kiyonaga. I appreciate the explanation.

5 I will just note for the record that the Supreme Court has never relied on the First
6 Amendment to invalidate a congressional subpoena or to reverse a criminal contempt of
7 Congress conviction. Nevertheless, the committee must balance the competing private
8 and public interests.

9 In this case the information sought is Mr. Casey's involvement in several events
10 related to Stop the Steal efforts between the election and January 6th, and although we
11 haven't gotten to the topic of January 6th yet, also including those. We intend to ask
12 that set of questions.

13 And given the select committee's mandate to examine the facts, circumstances,
14 causes, as well as the influencing factors related to the January 6th attack, I will just note
15 that the committee has a compelling interest in this information.

16 However, in the interest of having this be an efficient process, I will just note that
17 the committee has the right to review these assertions of the First Amendment privilege.
18 And per the House deposition rules, the chairman may make a ruling on those objections.

19 And, Mr. Kiyonaga, I can follow up with you afterwards on any such ruling if that
20 occurs.

21 Mr. Kiyonaga. Fine.

22 Just a point of clarification. Mr. Casey has confirmed under oath in today's
23 deposition the responses that I've provided in my email to you [REDACTED] And
24 among those responses was the representation that he had no leadership, organizational,
25 or logistical role in any of the events that you specified in the subpoena for documents.

1 So you have that representation upon which you may rely.

2 [REDACTED] I do also want to make clear for the record that what [REDACTED]
3 said about the committee reserving the right to review the assertion and to revisit that at
4 the direction of the chair is also true of the Fifth Amendment assertion.

5 Just asserting that for the record so that we have that clear. And we'll follow up
6 with you should it come to that. But we understand the assertion, and it's noted for the
7 record today.

8 Mr. Kiyonaga. I'm sorry, I couldn't understand. It's also true as to which
9 assertion?

10 [REDACTED] The Fifth Amendment.

11 Mr. Kiyonaga. Correct. Thank you.

12 [REDACTED] Great. Thanks, Mr. Kiyonaga and Mr. Casey.

13 Returning to the line of events that I've been asking about.

14 On December 12th, 2020, Mr. Casey, were you at events in Washington, D.C.,
15 related to Stop the Steal?

16 Mr. Kiyonaga. Same objection, First and Fifth Amendments.

17 [REDACTED]. Thank you.

18 I have a set of questions related to the events on December 12th, 2020.

19 Is it your intention to assert the First and Fifth Amendment objections in response
20 to all questions the committee would ask under that subject?

21 Mr. Kiyonaga. It is.

22 [REDACTED]. Thank you.

23 Mr. Casey, I'd now like to get into the events in Washington, D.C., on January 5th
24 and 6th.

25 When did you first become aware of the plans to have events in D.C. on those

1 dates?

2 Mr. Kiyonaga. Same objections, Fifth and Sixth -- I'm sorry -- First and Fifth
3 Amendments.

4 [REDACTED] Thanks, Mr. Kiyonaga.

5 Mr. Casey, you posted extensively on Telegram advertising the events of
6 January 5th and 6th and offering logistical details to people who followed you on
7 Telegram.

8 For the record, I have included your posts from January 5th as exhibits 7 through
9 10, if you would like to review those.

10 Mr. Kiyonaga. Indulge us a moment, please.

11 [REDACTED] Sure.

12 The Witness. Could you repeat the question? Pardon me.

13 [REDACTED] I didn't have a question yet.

14 The Witness. Okay.

15 [REDACTED] I just wanted to draw your attention to those exhibits.

16 Mr. Kiyonaga. Thank you.

17 [REDACTED] Mr. Casey, why was it important for you to advertise the events
18 of January 5th and 6th?

19 Mr. Kiyonaga. Same objections, First and Fifth Amendments.

20 [REDACTED]. Thank you.

21 I'd like to direct your attention specifically to exhibit 10.

22 Was it your sense, Mr. Casey, that President Trump was calling people to D.C.?

23 Mr. Kiyonaga. Same objection. I would submit the exhibit speaks for itself.

24 [REDACTED] Mr. Casey, did you delete any posts on Telegram from
25 January 5th?

1 Mr. Kiyonaga. He'd invoke the same privilege, First and Fifth Amendments,
2 please.

3 ██████████ Okay. I'd like to move to the actual events of January 5th.

4 Mr. Casey, which events did you attend on January 5th?

5 Mr. Kiyonaga. He declines to answer under the First and Fifth Amendments.

6 ██████████ Did you live-stream from any of the events on January 5th?

7 Mr. Kiyonaga. Same objection.

8 ██████████ Mr. Casey, did you make any speeches on January 5th?

9 Mr. Kiyonaga. Same objection.

10 ██████████ Did you have security with you at any point during that day?

11 Mr. Kiyonaga. Same objection.

12 ██████████ Thank you, Mr. Kiyonaga.

13 Mr. Casey, I'd like to walk through your day on January 6th.

14 Can you tell me how your day started, if you attended any events in the morning?

15 Mr. Kiyonaga. Same objection.

16 ██████████ Did you make any speeches in D.C. on that day?

17 Mr. Kiyonaga. Same objection.

18 ██████████ Did you live-stream from any of the events on that day?

19 Mr. Kiyonaga. Same objection.

20 ██████████ Did you have any security with you at any point during that day?

21 Mr. Kiyonaga. Same objection.

22 ██████████ Mr. Casey, I have a set of questions regarding your activities on
23 January 6th in Washington, D.C.

24 Is it your intention to assert the First and Fifth Amendment in response to any
25 question that the committee would have on that subject?

1 Mr. Kiyonaga. Yes.

2 [REDACTED] Thank you.

3 Well, Mr. Casey, I'd like to direct your attention to exhibit 11, which is a Telegram
4 post from January 6th, 2021, at 3:30 p.m. And we'll enter this into the record.

5 You wrote at 3:30 p.m., quote, "It's happening."

6 What did you mean by that?

7 Mr. Kiyonaga. Same objection, First and Fifth Amendment.

8 [REDACTED] Thank you, Mr. Kiyonaga.

9 I'll enter into the record exhibit 12, which is screenshots of other posts that you
10 made on Telegram on January 6th. If you would like to take a minute to review. Just
11 let me know when you're ready to proceed.

12 Mr. Kiyonaga. We've reviewed it. Thank you, sir.

13 [REDACTED] Thank you.

14 Mr. Casey, did you have concerns about the way that people who entered the
15 Capitol were responded to by law enforcement and the National Guard?

16 Mr. Kiyonaga. Same objection.

17 [REDACTED] Did you see differences in the way, for example, Black Lives
18 Matter protestors were treated versus people who entered the Capitol?

19 Mr. Kiyonaga. Same objection.

20 [REDACTED] Mr. Casey, at 7:48 p.m. on January 6th you posted, quote, "The
21 2020 election was a catastrophe, to be sure, but the silver lining is that conservatives are
22 finally waking up to the fact that virtually every institution in this country views them as
23 the enemy. The police, the GOP, SCOTUS, military leadership, et cetera -- they're all
24 against you."

25 Can you expand on that?

1 Mr. Kiyonaga. Same objection.

2 ██████████ Thank you, Mr. Kiyonaga.

3 Mr. Kiyonaga. Thank you.

4 ██████████ Thank you.

5 I will just enter into the record exhibit 13 and exhibit 14, which are additional
6 posts that Mr. Casey made on Telegram on January 6th, 2021.

7 Mr. Kiyonaga. Would you bear with us one moment, please?

8 ██████████ Sure.

9 Mr. Kiyonaga. Thank you.

10 ██████████ Thank you.

11 I'd like to move to the day after January 6th, January 7th, 2021.

12 What was on your mind the day after?

13 Mr. Kiyonaga. Same objection. Also overbroad.

14 ██████████ Did you have particular concerns with what had transpired the
15 previous day?

16 Mr. Kiyonaga. Same objection.

17 ██████████ Let me clarify. When you say "same objection," you mean First
18 and Fifth, not overbroad, or do you mean --

19 Mr. Kiyonaga. Actually, all three to that one. Thank you.

20 ██████████ Okay.

21 ██████████ I would like to enter into the record exhibit 17, which are your
22 Telegram posts on January 7th, 2021. I'll give you a moment to review. And, actually,
23 exhibits 18 and 19 are from the same date.

24 The Witness. That was just 17?

25 ██████████ No, 17, 18, and 19.

1 Mr. Kiyonaga. Bear with me a moment, please.

2 Thank you.

3 [REDACTED] Thank you.

4 So with regard to exhibit 17 in particular -- and, again, these are some of your
5 Telegram posts on January 7th, 2021 -- at 5:26 p.m. -- let me make sure I have that right.

6 Yes.

7 5:26 p.m. you posted, quote, "At no point yesterday was the regime close to being
8 overthrown. From what I've gathered, no one who entered the Capitol was armed.
9 There was no plan; moreover, there was no elite support. Don't buy into the democratic
10 myth that revolutions occur when the masses rise up. In most cases some degree of
11 elite support can be found in successful revolutions. Trump is the closest patriots have
12 to a sympathetic elite -- and he clearly has no interest in seizing power," end quote.

13 What made you think that Trump was part of the sympathetic elite?

14 Mr. Kiyonaga. Object. He declines to answer under his privilege under the First
15 and Fifth Amendment, and it's overbroad.

16 [REDACTED] Can you clarify how that question is overbroad?

17 Mr. Kiyonaga. It's asking for his take on an entire political philosophy, and there
18 are just too many moving parts for a reasonable or reliable answer.

19 [REDACTED] Well, he's asking -- [REDACTED] is asking what Mr. Casey meant
20 by that statement. I don't think that's an overbroad question.

21 Mr. Kiyonaga. Respectfully, I differ. But, in any event, it would transgress his
22 rights under the First and Fifth Amendments. I mean, the statement speaks for itself.

23 [REDACTED] Sure. I understand that you're raising First and Fifth
24 Amendment objections. I guess I'm not sure I'm understanding how a question about a
25 specific quote is overbroad. But that issue is moot in light of the other objections.

1 Mr. Kiyonaga. At the very least, you're basically asking him to describe or to
2 establish for the committee what might or might not account for mens rea. You're not
3 entitled to a subjective view of his thought process or his mindset. It's a fairly
4 unambiguous statement which I would submit speaks for itself.

5 [REDACTED] "Trump is the closest patriots have to a sympathetic elite." And
6 you think that speaks for itself and doesn't require any explanation as to what
7 "sympathetic elite" means?

8 Mr. Kiyonaga. I do believe that speaks for itself.

9 [REDACTED] Well --

10 Mr. Kiyonaga. To require him to elaborate is to ask him to disgorge his mindset,
11 his considerations, his thought process, none of which is the committee's business.
12 That's mens rea. And under the Fifth Amendment, he has absolutely no obligation to
13 assist the committee in trying to establish mens rea.

14 This is a statement that speaks very clearly for itself. The committee can draw its
15 commonsense conclusions from it. But he is manifestly not going to answer the factors
16 or the considerations that went into his drafting of this statement.

17 [REDACTED] I'm just trying to clarify for the record the applicable objections. I
18 understand your objection on the Fifth Amendment and the First Amendment grounds.
19 I might disagree with them, but I understand them.

20 I do not understand the overbreadth objection. That's what I'm -- so we can
21 make sure that we can resolve the overbreadth objections and make sure that they're not
22 an issue on the record moving forward, I just want to have a real clear understanding of
23 your assertion on that basis.

24 Mr. Kiyonaga. You could write volumes on the considerations that could lead a
25 consumer of the news to that conclusion.

1 [REDACTED] But that -- that might be true, but we're not asking what a
2 consumer of the news -- what would lead a consumer of the news to that conclusion.
3 We're asking what led Mr. Casey to that conclusion.

4 Mr. Kiyonaga. The committee is not entitled to know his internal thought
5 process under any circumstances.

6 [REDACTED] That's a separate objection from overbreadth. Can we agree on
7 that, whether we're entitled to know the answer is a separate question from whether or
8 not the question is overbroad?

9 Mr. Kiyonaga. No, because the -- respectfully, I disagree, because there's no way
10 to cabin the considerations that went into that conclusion.

11 I mean, it's -- you know, it's like asking somebody, you know, "Why did you fall in
12 love with your wife?" Well, you liked the way she looks; she turned out to be a nice
13 person; you know, you have the same views; you know, you were introduced by
14 somebody you both liked.

15 I mean, there are different levels of causation, and the levels of causation that
16 would lead to a statement like this are virtually infinite.

17 [REDACTED] Well, Mr. --

18 Mr. Kiyonaga. Even though they might apply to one individual.

19 [REDACTED] Well, Mr. Kiyonaga, I know there were plenty of questions that we
20 asked earlier for him to elaborate on what he meant by something, and that did not get
21 an overbroad objection, and that's pretty much what we did here. But I believe we've
22 established the objection sufficiently for the record.

23 And I disagree that the question was overbroad, but I'm only saying that to [REDACTED]
24 [REDACTED] so that we don't have to clarify that for the record or clear up the question at
25 all. Understood. Your objection is noted.

1 Mr. Kiyonaga. Thank you.

2 [REDACTED] Great.

3 Well, I'd like us to look at exhibit 18 containing more Telegram posts from
4 January 7th, which I flagged earlier.

5 In the first post on that page, at 5:28 p.m., you wrote, quote, "The breach of the
6 Capitol happened because it was 'allowed' to happen. When it came time for curfew,
7 the police easily cleared the crowd."

8 Did you see Capitol Police officers letting protestors into the Capitol?

9 Mr. Kiyonaga. He declines to answer under the First and Fifth Amendments.

10 [REDACTED] Okay.

11 In the second post in that exhibit, that's at 5:34 p.m., you suggest -- and I won't
12 read the whole thing -- you suggest that some of the actions of police on January 6th
13 indicate that this was a, quote, "pretext to target right-wingers."

14 Why would -- can you explain how the actions of police on January 6th would be a
15 pretext to target people with right-wing ideologies?

16 Mr. Kiyonaga. He declines to answer under the First and Fifth Amendments.

17 [REDACTED] Okay. Thank you, Mr. Kiyonaga.

18 I will also enter into the record exhibit 20, which are posts that you made on
19 Telegram on January 8th, 2021.

20 Let me know when you'd like to proceed.

21 Mr. Kiyonaga. Yeah. We're ready. Thank you.

22 [REDACTED] Okay. Great.

23 Mr. Casey, in a post that you made at 2:50 p.m. on January 8th, 2021, you suggest
24 again that, quote, "Capitol Police were told ahead of time to let people in," end quote.

25 Did you see anything on January 6th that led you to that conclusion?

1 Mr. Kiyonaga. Same privilege, First and Fifth Amendments.

2 [REDACTED] Thank you.

3 Mr. Casey, I have a broader question, which is, were there concerns that you had
4 about the impact of January 6th on you, your business, or your associates' business?

5 Mr. Kiyonaga. Same objection, First and Fifth Amendments, and also overbroad.

6 [REDACTED] I will just note for the record that there are comments that Mr.
7 Casey has made in the public domain about concerns that he's articulated about potential
8 law enforcement infiltration or targeting of him in the wake of January 6th. I'd like to
9 gain clarity on what those concerns were.

10 Mr. Kiyonaga. Any statements attributable to him speak for themselves. But
11 the mindset that went into the articulation of those sentiments or opinions is subjective.

12 [REDACTED] Well, let me try to rephrase then, if that would be helpful.

13 Did you see anything in the wake of January 6th that led you to the conclusion
14 that law enforcement may be trying to target you or your associates?

15 Mr. Kiyonaga. Same objection. It's also overbroad. I mean, he -- the events
16 of the 6th of January and the follow-on prosecutions are, if not the most consequential
17 domestic threat to our democracy, in my subjective opinion, they're pretty close to it.

18 So the considerations, the factors that go into conclusions or personal opinion --

19 [REDACTED] I'm not asking about -- I'm sorry to interrupt.

20 I'm not asking about subjective viewpoints in this question. I'm asking if he saw
21 anything that led him to the conclusion that law enforcement was --

22 Mr. Kiyonaga. It's still a very elastic question -- "seeing anything." I mean,
23 that could be a firsthand observation. It could be reading something in the paper. It
24 could even be, you know, being told something by somebody else.

25 The question is too broad for a reasonable and meaningful answer. But, more

1 importantly, it goes to a political mindset to which he's entitled privacy. And so it
2 implicates the First Amendment and it implicates the Fifth Amendment for the reasons
3 that I articulated earlier.

4 The executive branch is treating an objection or skepticism about the legitimacy of
5 the election result as a crime in and of itself, and certainly that implicates his Fifth
6 Amendment right not to be pressed on the issue.

7 [REDACTED] Well, if I could -- and, again, I might disagree with your First or Fifth
8 Amendment assertion, but I'm not challenging those here, and so I certainly don't want to
9 ask you to belabor that point.

10 But as to the overbreadth question, if I could rephrase, what led you to believe
11 that there might be law enforcement infiltration in your group or in your midst? That's
12 not a really broad question of anything under the sun. What specifically led you to
13 believe that?

14 Mr. Kiyonaga. He's prepared to offer a response.

15 The Witness. So based on my study of history and political movements, I
16 understand that it isn't uncommon at all for law enforcement, particularly Federal law
17 enforcement, to send informants or agents provocateur, agents in general, into political
18 movements which, in milieus and subcultures, which these respective law enforcement
19 agencies view as a threat.

20 And after January 6th there was a lot of media coverage pertaining to right-wing
21 politics in general. But did I personally see anything concretely that led me to believe
22 that infiltration was hitting close to home or something of the sort? No.

23 [REDACTED] Thank you.

24 [REDACTED] That's helpful.

25 Thank you.

1

2 BY [REDACTED]

3 Q Did you see any indication that there was infiltration occurring in relation to
4 the February 2021 America First Political Action Conference?

5 A I didn't see anything specific that led me to believe that the AFPAC II event,
6 as it was called, the AFPAC event in February of 2021, was going to be or was infiltrated
7 by informants, Federal agents.

8 But based on the heat that I understood Nick Fuentes was and is under, I didn't
9 view that as the time to hold a big public event, for a whole host of reasons.

10 Q Got it. And was that the basis for the breakdown in the relationship
11 between you and Mr. Fuentes?

12 A Yes.

13 Q Have you been interviewed by the FBI or other Federal law enforcement
14 officials in connection with January 6th?

15 A My only conscious contact with Federal law enforcement -- well, I should
16 specify, with the FBI -- was in late January of 2021. And they showed up at my front
17 door to ask questions about Biden's inauguration.

18 I told them I wasn't interested in speaking with -- to law enforcement without an
19 attorney present. They asked again. They were very polite. And I reiterated that I
20 would consider speaking to them only with counsel present. And they left.

21 They didn't say anything about January 6th. They told me I wasn't in trouble.
22 They seemed to be making -- knocking on doors, making the rounds, probably all about
23 D.C. and northern Virginia, seeking to find any information on the inauguration of Joe
24 Biden.

25 So that has been the extent of my, you know, knowing communication with the

1 FBI.

2 Q Do you remember what day that happened on?

3 A I don't.

4 Q Was it after the inauguration?

5 A No, it was prior to the inauguration.

6 Q Okay. And it sounds like you didn't discuss substantive topics with them,
7 correct?

8 A No.

9 Q Have you turned over any records or devices to the FBI in connection with
10 January 6th?

11 A No.

12 [REDACTED] Okay. Thank you.

13 Let me pause there and see if any of my colleagues have any questions.

14 Yes, [REDACTED]

15 [REDACTED] Thank you, [REDACTED]

16 I just have a clarifying question on the Fifth Amendment objection. Could you
17 just explain for the record why you think that the executive branch is criminalizing the
18 viewpoints about the legitimacy of the 2020 election?

19 Mr. Kiyonaga. I would refer you to my pleading, my reply brief briefing in the
20 matter of U.S. v. Robert Morss, M-o-r-s-s, in connection with a motion for pretrial release.
21 He's one of the criminally accused from the January 6th riot.

22 And I articulate in there, citing to the government's response to the pretrial
23 release motion, the criminalization of disagreement or even skepticism about the
24 legitimacy of the announced election result.

25 [REDACTED] Got it.

1 Thank you.

2 [REDACTED] Great.

3 Anyone else?

4 Anyone on the Webex have any questions?

5 Great.

6 BY [REDACTED]

7 Q Well, I'd like to take a step back from specific events for a moment and was
8 hoping, Mr. Casey, if you could kind of provide a narrative response as to why it's
9 important to champion the causes that you do.

10 A One second.

11 So I believe in conservative values, and I believe that conservative values are for
12 the best of everyone in America. And for that reason I enjoy and feel somewhat of an
13 obligation to spread conservative values.

14 Q Understood. So how did you get involved in activism?

15 A I mean, there was a gradual process in my late teens and twenties of coming
16 to conservative realizations.

1

2 [12:02 p.m.]

3 BY [REDACTED]

4 Q Understood. Did you attend the Unite the Right rally in Charlottesville in
5 2017?

6 Mr. Kiyonaga. He would object under the Fifth and First Amendments to answer
7 that question.

8 [REDACTED] Can you elaborate on how an event from 5 years ago implicates
9 the Fifth Amendment?

10 Mr. Kiyonaga. Well, the event itself was initially billed as a rally to address the
11 removal of statues pertaining to the Civil War, but it has since been construed as being
12 exclusively limited to extremists of both sides, but particularly of the right.

13 So -- and because a lot of the political adherents that are likely believed to be
14 involved in the events of 6 January are surmised to have been involved in those events, I
15 would submit that there's a Fifth Amendment and a First Amendment privilege that
16 enable Mr. Casey to decline to answer.

17 BY [REDACTED]

18 Q If I can ask a quick follow-up: Did the events in Charlottesville have any
19 bearing on your decision to try to rebrand Identity Evropa to the American Identity
20 Movement?

21 A Sure. So I wasn't running Identity Evropa during the -- all of that. And
22 yes, I've -- on public record, saying that one of the many reasons for shifting, rebranding
23 technically to a new organization, but yes, the successor organization. Creating
24 American Identity Movement was, in part, because I felt that previous leadership in
25 Identity Evropa had associations, statements, decisions were made that didn't reflect my

1 political views, the views of people who were part of the successor organization.

2 Yeah. So that's my answer to that question.

3 Q So would it be fair to say that you disagreed with what happened in
4 Charlottesville, the violence that spilled out in Charlottesville?

5 A So as long as I've been involved in politics, I have been explicitly against
6 political violence, illegal activity. And any political violence or illegal activity that took
7 place at Charlottesville on either side, I've always been explicitly against.

8 Q And I know that one of the most indelible images from this weekend was
9 footage of folks marching through the streets with torches saying "you will not replace
10 us." Is that a phrase that you have used before?

11 A Not to my recollection.

12 Q So it would be fair to say, to your recollection, you were not part of the
13 group in Charlottesville that was chanting that?

14 A No.

15 Q Do you agree with that sentiment of you will not replace us?

16 A I can never recall using that phrase. I think that phrase probably means a
17 number of things to different people. So it's not a phrase that I really have much else to
18 say about.

19 Q Understood. Well, I know the footage from that day included people not
20 just saying "you will not replace us" but "Jews will not replace us." Is that a phrase
21 you've ever said?

22 A No.

23 Q So, again, to the best of your recollection, you were not among a group of
24 people in Charlottesville that was chanting "Jews will not replace us"?

25 A I was not. I've never chanted that, no.

1 Q Okay. Were you in that crowd when other people were chanting that?

2 A So I plead the First and Fifth Amendments, invoke those rights in response to
3 this question, yes.

4 Q And what's your stance on the phrase "Jews will not replace us," is that one
5 that you disagree with?

6 Mr. Kiyonaga. He's already said he's never said it. You're not entitled to plumb
7 his internal feelings about Jews. Just one moment.

8 The Witness. I don't think that Jews are categorically replacing presumably
9 White people. Again, that phrase could mean a number of things to a number of
10 people. It's not a phrase that I use. Many great Jewish people in the conservative
11 movement. So that's not a talking point that I use.

12 BY [REDACTED]:

13 Q So would it be fair to say that part of the rebranding, as we've referred to it,
14 is to distinguish your movement from a movement that would say something like "Jews
15 will not replace us"?

16 Mr. Kiyonaga. I think that question has already been answered. He answered
17 that the events in Charlottesville alerted him to the need to rebrand America Evropa as a
18 group or movement that was not dependent on race, and because the conservative
19 movement involved values, not color. And he wanted to propound a values as opposed
20 to race-based message, and he saw the need for that after the events in Charlottesville.
21 I think he's already made that clear.

22 But there's a danger to asking for subjective impressions and conclusions, because
23 it's really nobody's business, but he's spoken clearly the fact that Jews will not replace us
24 is not something he's ever said, it's not something he feels, and it's not part of any value
25 set that he holds. So --

1 [REDACTED] To be clear, I think you might have -- and please correct me if I'm
2 wrong -- collapsed two different answers there. Because an answer he gave earlier was,
3 indeed, about the need to broaden it out beyond identity, but the answer he gave more
4 recently about Charlottesville, I understood to be related to the violence that day and not
5 necessarily -- the violence that resulted in Heather Heyer's death, not necessarily the
6 chanting that took place the night before.

7 So I just wanted to get a sense of whether or not that Jews will not replace us bit
8 was part of what he was talking about in terms of the earlier piece.

9 The Witness. Okay. So carrying around tiki torches and chanting "Jews will not
10 replace us" is not reflective of my political views, or the political views of any movement,
11 conservative movement I wish to be part of. And that's the extent of my answer to that
12 question.

13 [REDACTED] Understood. Thank you. I believe [REDACTED] has some questions
14 for you.

15 [REDACTED] Yes. Thank you, [REDACTED]

16 I want to circle back to the answer you gave earlier to the Jews will not replace us
17 question. You said that there were -- that it was not categorically true that Jews were
18 trying to replace folks in society, and that there were some Jews in the conservative
19 movement.

20 Categorically implies that there might be some Jews who are trying to do that. Is
21 that your understanding or belief?

22 The Witness. No.

23 [REDACTED] Thank you.

24 BY [REDACTED]

25 Q If I could clarify, while there has been some Olympic caliber whispering

1 before, that statement we could hear very clearly on the record that you whispered -- not
2 on the record, but I could hear very clearly that you told him to answer no. And I just
3 want to be certain that you're not providing him substantive answers for what his opinion
4 is.

5 Mr. Kiyonaga. Just for the record, I said that because I know Mr. Casey not to be
6 anti-Semitic. But ask him the question again any way you like, and I will refrain
7 from -- it's just I have a -- I'm instinctively chary of extensive questioning about subjective
8 mindset, and particularly when there's 700-plus criminal defendants charged with
9 participation in the events of January 6th.

10 So I don't like, as a professional matter, broad-ranging inquiries. I have not, at
11 any point, sought to manufacture Mr. Casey's answers, and I certainly have not heard him
12 to say anything today which is not in accord with the facts as I understand them.

13 The committee seems to have the fear that Mr. Casey harbors anti-Semitic
14 sentiments. That does not -- that suspicion or surmise does not remotely accord with
15 my understanding of the man, but I'll let him tell you himself.

16 BY [REDACTED]

17 Q If I can ask the question again, you mentioned that you do not believe that
18 Jews were categorically trying to replace other White Americans. Do you believe that
19 there are specific Jews strategically trying to do that?

20 Mr. Kiyonaga. That question is too open-ended. I mean --

21 The Witness. What qualifies as replacement? It's --

22 Mr. Kiyonaga. What qualifies as a Jew? There are people that, you know, were
23 born of Jewish parents that are not practicing the Hebrew faith. I just -- he does not
24 regard --

25 [REDACTED] I would think that would be a fairly easy question to answer if Mr.

1 Casey, as you just said, is not anti-Semitic. Why would what qualifies as a Jew be
2 relevant to that question? That would be my question.

3 Mr. Kiyonaga. It sounds like he's being asked is there a Jew anywhere that could
4 be trying to transgress or offend the order, you know, the values, the institutions of the
5 United States. Personally, I would submit that George Soros is such a man.

6 But it's not possible to give a comprehensively reliable answer to a question like
7 that, because we don't know. We don't know what everybody is doing. I couldn't
8 even define, you know, the "Jewish community," quote/unquote. But suffice to say that
9 he's not anti-Semitic. He doesn't feel that Jews are running the world or trying to
10 supplant Northern Europeans or anything of the sort. And I think he's made that clear.

11 But to ask him whether there's a Jew anywhere that might be trying to do
12 something which you find culturally and politically injurious is simply too broad, because
13 who knows?

14 [REDACTED] Mr. Casey, the statement that your attorney just made that you
15 don't believe -- I'm sorry, I can't quite remember how you phrased it, but you
16 characterized his belief as being not anything about replacement at all. Is that fair?

17 Mr. Kiyonaga. I don't even know what replacement means.

18 The Witness. No, I don't think -- I don't --

19 [REDACTED] I'm trying to recall exactly what you said and I apologize.

20 The Witness. No, I don't think he said that. I think that what we're getting into
21 is what qualifies as replacement, right? If replacement means immigration at current
22 levels or more levels, is there more than one Jewish person in America who supports
23 that? Sure. But there are people of every race who do.

24 The question that we're getting at is do I think that mass immigration is a problem,
25 do I think that at the policy level I wish to see that changed, the answer is yes. Are there

1 any Jewish people in America who support current immigration levels or more? Of
2 course. But there are White people. There are people of every race.

3 So there are people who -- of any race who support more immigration, and I have
4 a civil political disagreement with those people on that particular issue.

5 I'm not one of these people who views, right Jews as a group as being in some
6 kind of conspiracy against White people. Right Jews, like any other race who favor mass
7 immigration, probably just think it's nice for immigrants and think it's good for America.
8 So that's the extent of my answer to that question.

9 [REDACTED] So apologies again, because I don't have the transcript in front of
10 me of precisely what your attorney said, but do you agree with his characterization of
11 your thoughts and philosophy? Was there any part of that that you disagree with?

12 I just want to make sure that if he's speaking about what you do and do not
13 believe in that we have on the record that that is accurate.

14 The Witness. I mean, I would have to go back and look at exactly what was said.

15 [REDACTED] I hate to do this, but is that at all possible to wind back the tape
16 and see what was said?

17 The Reporter. I can search.

18 The Witness. If it's going to be a hassle, I think that -- I have been listening to
19 what he said. I think if he said anything that really jumped out, I would have disagreed
20 with it. So I think we can say that yes.

21 [REDACTED] Okay. I appreciate that. Thank you.

22 [REDACTED]

23 [REDACTED] Thank you, [REDACTED]

24 BY [REDACTED]

25 Q I think that your answer was helpful in elaborating. One thing you said

1 there, you mentioned Jews as a race. I just want to confirm that that's your belief.

2 A Ethnic group would probably be the better -- an ethno-religious group.

3 There's a religious component and ethnic component.

4 Q Understood. Shifting away from that a little bit, actually going back to
5 what you were just mentioning, I wanted to ask some broader questions about your view
6 of the threat landscape facing our society, our country.

7 So what are your views on what the biggest threats facing America today might
8 be?

9 Mr. Kiyonaga. I would object. First and Fifth Amendments and overbroad.

10 [REDACTED] Understood.

11 BY [REDACTED]

12 Q I'm going to run through a couple of potential threats and ask you some of
13 your thoughts on that.

14 A Sure. If you wouldn't mind.

15 Q So the first is the great replacement idea. What does that mean to you?

16 A That means that mass immigration into Western nations is changing the
17 demographics of Western nations.

18 Q So, put more simply, do you believe that White people are being replaced in
19 this country?

20 A I believe that the proportion of the White population in Western nations is
21 declining.

22 Q And you believe that's the result of immigration policies put in place by
23 Western governments?

24 A Yes.

25 Q Do you believe that you are discriminated against, as a White person?

1 A I think that, through affirmative action and education, admissions to
2 universities and employment, that yes, oftentimes -- maybe not me particularly, but
3 oftentimes, White people do face discrimination. Asians do as well. It's a weird
4 system. But, yes, White people do face discrimination there.

5 Q Understood. This goes back a little bit, but who do you think is responsible
6 for this phenomenon of the great replacement?

7 Mr. Kiyonaga. That's overbroad. It's not susceptible to a short answer.

8 ██████████ Well, he can give a long answer.

9 The Witness. Sure. So I would say there are definitely many factors in place,
10 but, as I said before, it's -- I don't think it's confined -- I think it's about political ideology.

11 I think there are people who view mass immigration as a good thing for the West
12 for their particular interests. But as far as every interest group involved, every
13 motivation involved in the push for more or maintaining the current levels of immigration
14 into this country, that's more than I'm willing to get into at this point.

15 BY ██████████

16 Q Understood. Do you believe that non-White Americans who are in this
17 country should leave this country?

18 A I think they should do what they want. If they want to stay, they should
19 stay. I believe that citizenship in America and what it is to be an American is not
20 exclusively defined to White people. So non-White people who are here legally as
21 citizens or legally in some other form have every right to be here.

22 Q Understood. What do you think that the American people should do about
23 the great replacement theory?

24 A What I advocate for is educating people about the issues, peaceful, lawful,
25 political activism. What is -- what I've done has mostly been content creation. And at

1 this point, that's really what I'm focused on is writing about it, making YouTube videos,
2 and, ultimately, winning through elections and things of that nature.

3 So, again, I will reiterate that throughout my entire like 5-, 6-year foray into
4 politics, I have, from the beginning, only advocated for lawful, peaceful political activity.

5 Q And related to the elections point, what do you think the government should
6 do about this?

7 A I would support curbing legal immigration, building a southern border wall,
8 policies like this.

9 Q What about birthright citizenship?

10 A I would support ending birthright citizenship.

11 ██████████ I'm sorry. You said you would support ending or any?

12 The Witness. Ending birthright citizenship.

13 ██████████ Thank you.

14 The Witness. Yeah, ending that policy. Sure.

15 BY ██████████

16 Q Zooming out a little bit, could you walk us through why you believe that this
17 demographic shift that you describe is bad?

18 A It would take a lot to get into all of that, but I would say that --

19 Sure. Well, I think that there are economic arguments against mass immigration,
20 in terms of the effects of immigrants, particularly low-skilled immigrants, on wages, H1V,
21 various visa holders, the so-called high-skilled immigrants who come over, 50 percent of
22 STEM graduates working outside of the field that they have the degree in. So those are
23 the economic arguments.

24 I would also argue that there are many historical examples of massive multiethnic
25 societies that have devolved into conflict and tension. And I think that throughout

1 American history, we've had periods of mass immigration and then followed by periods of
2 acculturation and assimilation, right? You know, mass immigration and then you shut
3 the borders down or at least limit immigration. People assimilate and acculturate.

4 But I feel that people are coming in so quickly and at such a large number that
5 that process of assimilation isn't happening to the extent that it needs to.

6 Q Do you believe we're in one of those moments of societal decay or spinning
7 out, as you describe?

8 A I think that most -- I would say yes. And I think that most people on both
9 sides of the aisle probably would agree that there are many problems in the country now
10 that didn't exist a few decades ago.

11 Q And do you believe that's attributable to people who have recently come to
12 the country not assimilating?

13 A I think that there are many factors if you're talking about the overall state of
14 American decline. I would view mass immigration as one of those.

15 Q One more question on that: What do you think is the problem posed by
16 nonassimilation?

17 A I think that societies function well when people are unified, when there's
18 cohesion, when people speak the same language, when people have shared values.

19 Q Understood. Where have you done a lot of your research that you said
20 historical examples? Can you walk us through how you've come across those historical
21 examples or formed your views in some of these topics?

22 A I would just say generally reading articles, reading books, YouTube, podcasts,
23 things of that nature.

24 Q And that would also inform some of the conversation about shared values
25 you mentioned just in your prior answer. So could you speak to some of those values

1 that you might have come across in that research that you think that unassimilated
2 immigrants might not share?

3 A Sure. So First Amendment, Second Amendment, things of this nature.
4 Support for the Constitution. Things of this sort.

5 I mean, there are studies that show that immigrant groups maintain attitudes and
6 values and ideals from their home societies, many generations into even after coming
7 over here. So I don't view every culture from around the world as 100 percent
8 compatible with America.

9 Q So these are just specific immigrants you're talking about then. Can you
10 elaborate on which groups that might be?

11 A I would have to consult the -- you know, the literature. I haven't read that
12 particular study in some time. But this is -- from my recollection of this particular study,
13 it's immigrant groups in general. So as to the particular values that each of these groups
14 hold, well, that is going to depend on --

15 Q So would that also include immigrants from Sweden, Norway, Northern
16 European countries?

17 A Maybe.

18 Q Got it.

19 [REDACTED] When you say "maybe," do you consider those groups to be part of
20 the immigrant groups that are coming too fast and too much for --

21 The Witness. We're not experiencing mass immigration from Europe, to my
22 knowledge. So no.

23 [REDACTED] So would you say the regions we are experiencing mass immigration
24 from are the regions that are incompatible with American values?

25 Mr. Kiyonaga. I'm going to object to any further questions on this. I think he's

1 made his point of view very clear. You know, his views on immigration are really, to the
2 extent he hasn't published them, they're nobody's business. He's entitled to take views.
3 He's explained very cogently why he's arrived at the views he has. He's certainly not
4 alone in holding those views.

5 But it's starting to sound like a fishing expedition to say something is somehow
6 objectionable about foreigners. And look, it's intuitively obvious that people who do not
7 share our values do not mesh happily or easily with the United States. Look at the
8 treatment of women when people that come from the Middle East and the problems that
9 it creates here.

10 So you're talking about a topic that could be discussed for months on end. He's
11 stated his position. He's given you an explanation for it, and I think it needs to end
12 there, because I think you're looking for something that you can lay hold of and say that
13 he's discriminatory in one way or another. And to my knowledge, he's not.

14 [REDACTED] Well, just to clarify, it's not that we're trying to, as you say, grab
15 hold of something. It's that the point of a deposition is to -- or a transcribed interview is
16 to understand that person's knowledge of the facts or their beliefs in this case.

17 And when he says something like doesn't -- certain folks don't share our values, I
18 don't know what that sentence means, of like what kind of people, what values? And all
19 we're trying to do is understand every sentence he's saying.

20 Mr. Kiyonaga. My riposte is that you're not entitled to understand why he feels
21 that way. He's given you an explanation. Any further detail is not necessary to the
22 committee's purposes, as I can see.

23 The fact is, immigration is an issue among many that he espouses as an American
24 conservative. He's explained why he espouses that issue, and that's really I think all you
25 need to know. You know, well, who he read or, you know, how he came -- what series

1 of factors led him to that conclusion, I don't think that has relevance to the committee's
2 stated purpose. And it's also, as a practical matter, impossible to answer.

3 He has told you that his consumption of the news and his process of education has
4 led him to these conclusions. That's an inherently logical and believable and
5 understandable response, and I think that's all you need on that issue.

6 [REDACTED] I just want to clarify that if Mr. Casey makes a statement like
7 certain people don't share our values, I think we're going to ask what that means, so that
8 we make sure that -- I could read that statement entirely differently than he intended,
9 and draw a conclusion from that that's completely not what he meant to say if I don't
10 understand what those words mean when he says them.

11 So I want to make sure that we give Mr. Casey an opportunity to fully explain
12 those, so that we are not misrepresenting his words or anything that he's saying here.
13 And in order to not misrepresent them, we have to understand them. So I'll just say
14 that.

15 But leaving that where it is, [REDACTED], did you have more questions on this front?

16 BY [REDACTED]

17 Q On this point, I just have one follow-up: I would ask you, Mr. Casey, if you
18 would associate yourself with your attorney's statements on immigrants from the Middle
19 East as an example of incompatible values?

20 A I would generally agree with that, yes.

21 Q On the issue of women's rights in particular?

22 A Yes.

23 Q So moving on a little bit off this topic, you've been publicly critical of the
24 Republican Party. Can you walk us through why?

25 A Just in brief, I think that the Republican Party upper leadership doesn't

1 represent my views, doesn't represent the views of the average conservative. And for
2 that reason, I don't -- don't think too fondly of them.

3 Q So can you expand upon that a little bit about what the Republican Party
4 doesn't get right, in your view?

5 A I think that the Republican Party tends to cater to issues that only Beltway,
6 you know, conservative pundits and donors and politicos care about while, you know,
7 people in the Rust Belt are without jobs and, you know, opioid crisis has ravaged much of
8 the country. Things like this nature. Real issues are left neglected.

9 Q Did President Trump get some of those issues right?

10 Mr. Kiyonaga. That's irrelevant.

11 [REDACTED] Why is that irrelevant?

12 Mr. Kiyonaga. Because his political allegiances should not be part of the
13 committee's charter. He's entitled to follow and to support and to believe in the elected
14 or leaders and candidates he likes. And whether or not or why he supports or
15 supported President Trump is not an area you should be able to plumb.

16 [REDACTED] On First Amendment grounds?

17 Mr. Kiyonaga. First Amendment, Fifth Amendment, general due process. It's
18 not relevant. It's not something that I can perceive as necessary to any legitimate
19 inquiry by your committee.

20 [REDACTED] Well, I just want to be clear. You're collapsing a lot of different
21 objections.

22 Mr. Kiyonaga. Because there are a lot of different reasons to object.

23 [REDACTED] Whether something is relevant is separate from whether it's a First
24 Amendment problem or Fifth Amendment problem. So --

25 Mr. Kiyonaga. I'm saying all of the above.

1 [REDACTED] Okay. [REDACTED] did you want to say something?

2 [REDACTED] Well, I would just restate the committee's mandate and House
3 Resolution 503 is to look at the facts and circumstances as well as the influencing factors
4 that led to the January 6th attack. And looking at the reason why people came to
5 Washington, D.C., to attend events supporting then-President Trump, and then storm the
6 Capitol is very much within the mandate of the committee.

7 So trying to understand why somebody who was present outside the Capitol came
8 to Washington, D.C. and potentially supported President Trump for particular policies is
9 very much within the scope of the committee.

10 Setting aside your other objections, I just want to note for the record that it is
11 within the committee's mandate to look at these questions.

12 [REDACTED] And to be clear, that does not mean that anyone who supports
13 President Trump or agrees with him on any policy is automatically a bad person or an
14 insurrectionist or whatever word you want to use, but we had thousands of people come
15 to the Capitol, a large number, I've lost track of the number, who broke into the Capitol
16 Grounds in an effort to support President Trump maintaining office and to disrupt the
17 peaceful transfer of power. And we need to understand what motivated people to do
18 that. And to the extent that we can understand why folks supported him to that extent,
19 we want to understand that.

20 Mr. Kiyonaga. You may want to understand it. You are not entitled to his
21 internal thought processes. His statements speak for themselves.

22 [REDACTED] Well, this is where I do think it's important for us to be very clear
23 about the nature of your objection, because when you say we're not entitled to, on the
24 one hand you say it's sort of not within our mandate or irrelevant, and I think we're trying
25 to explain very clearly that that we disagree with.

1 Whether it's a First Amendment or a Fifth Amendment issue is a separate
2 question, but whether it's within our mandate or an issue that is relevant to the
3 committee, I think you're hearing very plainly from us that we do think what motivated
4 people to come here, what was it that they thought was going to happen to this country if
5 President Trump was not in office, and why they felt so strongly about that I think is
6 something that we are trying to understand.

7 Mr. Kiyonaga. You may be trying to understand it. His published remarks
8 speak for themselves on that score. And with respect, I'm going to have to disagree
9 with the legitimate relevance of your questions.

10 Open-ended questions like, you know, do you support President Trump or why are
11 not properly within, in my view, this committee's purview. You have posts that I think
12 state fairly clearly his general sentiments on the issue, but you're not entitled to a laundry
13 list of what he likes about President Trump or didn't like.

14 [REDACTED] That's not what we asked for.

15 Mr. Kiyonaga. Well, it sounds like it is. He's entitled to his privacy, in terms of
16 his thought processes and the motivations for decisions he makes or conclusions that he
17 draws. No government entity is entitled to pierce that, at least not yet, hopefully.

18 And it's not relevant. It intrudes on his privacy. And given the government, the
19 executive branch's response to the events of that day, and I would submit this
20 committee's, there are First -- there are Fifth Amendment implications that attach to the
21 First and Fourth Amendment implications. So --

22 [REDACTED] Let me try to --

23 Mr. Kiyonaga. -- a broad-ranging inquiry into his political philosophy -- you've
24 already gotten quite a bit of detail on what he thinks on specific issues, specifically
25 immigration and Jews. I would be amazed if you could surmise anything from today's

1 remarks or anywhere in his record any reprehensible sentiments on either topic.

2 But the fact of the matter is at a certain point it becomes a fishing expedition, and
3 I think we're at that point.

4 BY [REDACTED]

5 Q Well, let me ask -- let me try to rephrase the question to make it very, very
6 clear why we believe it's within the jurisdiction and purview of this committee.

7 Mr. Casey, what ideological agreements with President Trump did you have that
8 motivated you to come to the Capitol on the 6th to try to support his effort to remain in
9 office?

10 [REDACTED] You can object if you like, but that's like a very clear question as
11 to -- and is within our purview.

12 Mr. Kiyonaga. He objects First, Fourth, Fifth Amendment and relevance.

13 [REDACTED] Fourth Amendment, okay.

14 Mr. Kiyonaga. He has a right to privacy.

15 [REDACTED] You still think that's an irrelevant question, why someone came
16 here to support President Trump's staying in office over the will of the people?

17 Mr. Kiyonaga. We have -- you clearly -- we're going to have to agree to disagree.
18 You clearly regard it as relevant, because you want to understand the motives of the
19 people that showed up on January 6th.

20 I regard an inquiry into the personal thought processes of any individual to be
21 beyond the view -- the purview of any government entity, be it judicial, legislative, or
22 executive. And for that reason, I consider it irrelevant. It is not properly within the
23 purview of this inquiry, in my opinion.

24 [REDACTED] So just to be very clear on the record, is it your position that the
25 committee is neither entitled nor empowered to understand why January 6th happened?

1 Mr. Kiyonaga. It's my position that the committee is not entitled to ask
2 individuals to explain their mindset. Perhaps what they did or didn't do, but not their
3 frame of mind. That's the most contested issue in any criminal trial, mens rea.

4 [REDACTED] It's not a criminal trial.

5 Mr. Kiyonaga. It's close enough. Everything that's said here today has possible
6 criminal justice implications. And the government simply is not entitled to inquire into
7 mens rea. That is the most essential province of privacy and the most essential
8 protected region of the Fifth Amendment.

9 [REDACTED] Once again, that is a Fifth Amendment objection. I'm trying to be
10 very clear on the record as to your relevance and scope objection.

11 Mr. Kiyonaga. I'm invoking all of them.

12 [REDACTED] I understand that, but I think we need to be very clear on the
13 record the basis for your objection for each of those. I think it's clear on the record your
14 basis for objection on the Fifth and the First.

15 It is not at all clear to me how -- whether or not -- how you think it's irrelevant for
16 us to try to ask what motivated people to come here on the 6th when the attempted
17 insurrection happened. So that -- can we just be very clear on the record. I'm not
18 talking about any other objection.

19 Is it your position, in terms of the relevance and the scope, that the committee is
20 not empowered or entitled to understand what motivated people to come here on the
21 6th?

22 Mr. Kiyonaga. It is my position -- please don't try to restate my position.

23 [REDACTED] I'm trying to get it clear on the record. That's all.

24 Mr. Kiyonaga. Well, I'm going to make it clear and we're going to have to agree
25 to disagree on this, but you're not going to get me to move.

1 [REDACTED] I'm not trying to get you to move. I want the record clear.

2 Mr. Kiyonaga. I'm going to restate it. It is my position, aside from First, Fourth
3 and Fifth Amendment considerations, that the question seeks information that is
4 irrelevant because relevance is an objective, not a subjective concept.

5 And the important consideration is not what the committee wants or what the
6 committee has decided it should have. The important consideration is whether his
7 internal thought processes are legitimately within this purview, the purview of this
8 committee or any government agency or entity from any branch. And the answer to
9 that is no. And since it's not legitimately within the purview, it's not relevant to the
10 inquiry. That's my position.

11 [REDACTED] I, quite frankly, don't understand how that's different from what I
12 said, but it is on the record and we will have it as it is.

13 [REDACTED] back to you.

14 [REDACTED] [REDACTED] did you have any other questions?

15 [REDACTED] A few more on this.

16 BY [REDACTED]

17 Q You spoke to us earlier, Mr. Casey, but I want to clarify. Is violence against
18 the government ever justified?

19 A No.

20 Q Thank you. Circling back to some of the other potential threats, I know you
21 said you didn't want to speak to all of them generally. I'm going to name a couple more,
22 ask you about that.

23 What are your thoughts of the threat of antifa?

24 A I think that there are people left of center who very explicitly and openly
25 employ political violence against people right of center. So, so far as antifa is engaged in

1 illegal activity, violent activity, I'm opposed to that. If they're out there peacefully
2 protesting, then they have the right to do so.

3 Q Was it your belief that antifa was involved in the events in Washington on
4 January 5th and 6th?

5 Mr. Kiyonaga. I would object on First and Fifth Amendment grounds.

6 [REDACTED] Understood.

7 What about --

8 [REDACTED] I'm sorry, can I clarify? What is the Fifth Amendment objection
9 to whether or not he thinks antifa was here on the 5th and 6th?

10 Mr. Kiyonaga. What he thinks is not -- what he --

11 [REDACTED] The Fifth Amendment objection, I'm trying to be very clear on the
12 record.

13 Mr. Kiyonaga. I'm objecting on First, Fourth, Fifth and relevance. What he
14 thinks is asking him to speculate. So that, in and of itself, is objectionable and under the
15 rules of evidence. So --

16 [REDACTED] Whether or not there are multiple reasons for the objection, I
17 understand you have multiple reasons, but I just want the record to be clear on the
18 reason for each objection. And I did not understand the reason for the Fifth
19 Amendment objection to that question. First Amendment, okay, the rest of them, okay,
20 but I didn't understand the basis for the Fifth Amendment. That's all I'm asking.

21 Mr. Kiyonaga. Every one of the others has criminal justice implications, given the
22 event that is the locus of the committee's attention. But a witness cannot be asked,
23 under the rules of evidence, the Federal rules of evidence, a witness cannot be asked to
24 speculate. So a question like what do you think, what do you believe is illegitimate from
25 the get-go.

1 ██████████ Well, I'll clarify for the record. This is a congressional proceeding
2 and deposition. The Federal rules of evidence do not apply to congressional
3 proceedings.

4 So to the extent that you're making an objection based on the Federal rules of
5 evidence, that's not a rule that applies here. But I take your objection for the record,
6 and I'll turn it back to ██████████

7 ██████████ Thank you.

8 BY ██████████

9 Q The same question about Black Lives Matter, and your belief about the
10 threat of Black Lives Matter?

11 A I believe that people affiliated loosely or officially with Black Lives Matter
12 were responsible for quite a bit of mayhem, political violence, destruction of property.

13 Q How do you view the relationship between the threats of antifa and Black
14 Lives Matter, if at all?

15 A I think that they are distinct, yet highly related. Part of the organizations,
16 entities, ideologies, I think there's a lot of overlap there.

17 Q How are they highly related?

18 A They're far left. They're opposed to Trump. They're opposed to
19 right-wing stuff.

20 Q So what do you believe their goals were during last year?

21 Mr. Kiyonaga. You shouldn't be asked to speculate.

22 The Witness. Can you repeat the question?

23 BY ██████████

24 Q What do you believe the goals of these highly related groups were during
25 the last election season up to the January 6th event?

1 A Well, I think it's very often for both of those subcultures, movements,
2 groups, call them what you want, to go out to protest, either peacefully or violently,
3 against any public conservative form of activism.

4 So whenever there's discussion of an upcoming right-wing demonstration or rally,
5 conference, or whatever, there's always the risk that people left of center are going to
6 show up to cause violence.

7 Q Understood. Moving on --

8 [REDACTED] Before I move on, actually, do any of my colleagues have questions on
9 that point?

10 BY [REDACTED]

11 Q Shifting a little bit, is America a Christian Nation?

12 A A large portion of America is Christian. America is not an exclusively
13 Christian Nation.

14 Q Should it be, in your view?

15 Mr. Kiyonaga. You're not entitled to his internal mindset.

16 [REDACTED] I'm just trying to get for the record what grounds of objection that
17 would be.

18 Mr. Kiyonaga. You're not entitled to know his internal thought processes. And
19 his opinion on whether the United States ought to be Christian or multidenominational is
20 not something properly within the purview of this -- of the committee.

21 Give us a moment, please?

22 The Witness. I don't think that everyone in America needs to be Christian, if that
23 answers the question.

24 BY [REDACTED]

25 Q I suppose it does.

1 What do you believe that the role of religious minorities should be, in that case?

2 A You have freedom of religion in America, so --

3 Q How does the Gropers movement and America First, if at all, reflect a
4 Christian vision of this country?

5 A Well, I'd say I'm no longer part of that movement so -- they are vocal in their
6 Christianity. As to the particular views on Christianity that apply to those people, that
7 is -- you know, it's not a scene that I'm involved with anymore.

8 Q Did you view the 2020 election as an important moment in determining the
9 religious character of America?

10 A I don't recall. I didn't -- I didn't -- personal background. I didn't -- I was
11 raised Catholic. I didn't start going back to church until late 2020. So I don't recall
12 exactly when that was, but religion, you know, has not been like the focal point. I am a
13 Christian. I do have Christian values. But yeah, particularly even back then, I don't
14 recall it being a focal point of my politics.

15 Q And in any point during your activism between the election and January 6th,
16 were there particular leaders within the Christian movements that you spoke to or looked
17 to in discussing these events?

18 Mr. Kiyonaga. I'd object on First and Fifth Amendment grounds.

19 ██████████ I think that's pretty much all I have on this, ██████████

20 ██████████ Great. Thank you, ██████████

21 BY ██████████

22 Q Mr. Casey, I want to kind of return to a couple more tangible questions
23 related to the organizations that you led and the live-streaming that you do. Do you sell
24 any merchandise related to your live-streaming?

25 A I don't currently. For a while, I did.

1 Q What was the merchandise that you sold?

2 A Shirts.

3 Q With what on them?

4 A Various designs.

5 Q Portraying?

6 A Me.

7 Q Photos of you?

8 A In some cases.

9 Q In other cases?

10 A Artwork promoting me. One of them was like a neon wolf shirt that -- that
11 was put up on the store. So --

12 Q Got it. Are you actively selling that merchandise?

13 A No, that merch shop has since shut down.

14 Q Around when did it shut down?

15 A Late 2020 or early 2021.

16 Q Okay. Can you be more specific about that timeframe?

17 A I'm sorry. I don't recall off the top of my head.

18 Q Did it happen before or after January 6th?

19 A I genuinely don't remember.

20 Q Okay. Were you involved in selling America First branded merchandise?

21 A Not that I can recall, no.

22 Q Okay. Do you recall who ran those sales of America First branded
23 merchandise at the time that you were involved in that movement?

24 A I don't recall. And just in case this helps for future questions, Nick kept
25 much of his operational side of everything very private, in terms of the people who were

1 doing, you know, his merch stuff, his website. Oftentimes, I'd have no idea who these
2 people were. And someone in my position was just kind of like a public, Here's another
3 live-streamer in this scene. He's a friend of Nick. That was kind of the relationship we
4 had.

5 In terms of the merchandise, the website, like the business and logistical aspect,
6 aspects, plural, of his operation, right, that was -- not only was I not doing that, but
7 oftentimes, I'd have no idea who was doing that.

8 Q Understood. Were, for example, Jaden McNeil or Michelle Malkin involved
9 in the business aspects of America First?

10 A I couldn't say.

11 Q Okay. For the live-streaming -- for the live-streaming or for merchandise or
12 other transactions that you do as part of your business, what are the payment processors
13 that you use?

14 A So Entropy is the Super Chat program service platform that I use primarily
15 for -- for Super Chats when I'm live-streaming on YouTube or DLive. DLive has its
16 own -- they call it a cryptocurrency, but it's basically just -- I guess technically it is, but it's
17 not something like bitcoin or ethereum that you can trade around.

18 Basically, people donate lemons. That's the currency, and then you can cash
19 those out. So that's DLive. Entropy is just straight in dollars or -- and then you also
20 have -- I mentioned -- I mentioned the cryptocurrency. I guess it's not really a payment
21 processor. And then SubscribeStar, which is the Patreon knockoff. They have their
22 own payment processor, whatever that is.

23 Q Got it. Are there kind of particular advantages to using cryptocurrency that
24 you see? Is there a reason that you might be drawn to using cryptocurrency?

25 A I would say that it's one of many ways that I can accept donations. So

1 it's -- is it -- I think every platform probably has its pros and cons. But did I specifically
2 set up cryptocurrency for a particular reason? Just to have another way for people to
3 donate.

4 Q Sure. Do you have thoughts on kind of your future use of cryptocurrency,
5 where you see this going?

6 A Not particularly.

7 Q Okay. Where do you currently bank?

8 Mr. Kiyonaga. Information about his banking is -- would transgress the First,
9 Fourth, and Fifth Amendment grounds. First of all, his bank accounts are going to
10 include every transaction, whether it's politically related or not. So I would object to
11 learning the particulars of his banking.

12 [REDACTED] In [REDACTED] defense, he didn't ask for all of his transactions
13 in particular. He just asked where he banks.

14 Mr. Kiyonaga. But surmising where he banks is going to lead the committee to
15 all of his banking information.

16 [REDACTED] Let me narrow down the question a little bit.

17 BY [REDACTED]

18 Q You mentioned that American Identity Movement and Identity Evropa are
19 still -- they still exist as legal entities. Do they have bank accounts and where were
20 they?

21 Mr. Kiyonaga. Indulge me one minute.

22 The Witness. So Identity Evropa had a bank account with Bank of America.
23 That was -- that one was shut down. American Identity movement had one with Bank of
24 America as well. I should clarify that with Identity Evropa, we closed that one down
25 when we launched the new organization.

1 With American Identity movement, we had a Bank of America account, but Bank
2 of America made the decision to shut the account down for unspecified reasons.
3 Presumably, it was political in nature. Now, after that we set up a bank account. I
4 honestly don't recall the name. We tried to apply to a few places and they shut us
5 down. So it was some smaller name bank account. I don't -- pardon me, bank. I
6 don't recall off the top of my head, though.

7 BY [REDACTED]

8 Q So a couple of follow-up questions on that: Bank of America didn't provide
9 any reason for closing the American Identity movement?

10 A I would have to double-check, but from what I recall, it wasn't overdraft fees
11 or something of that nature.

12 Q Got it.

13 Mr. Kiyonaga. I'm sorry, I didn't hear. It was or was not?

14 The Witness. It was not.

15 Mr. Kiyonaga. I just didn't hear what he said. He said it was not overdraft fees.

16 [REDACTED] Sure.

17 BY [REDACTED]

18 Q And if the -- if both organizations are not currently engaged in any activities,
19 is that money being used for anything right now?

20 A I would have to check with my accountant, but we haven't -- not a lot of
21 activity there.

22 Q Prior to the dissolution of the American Identity movement, what generally
23 was the money used for?

24 A It was used to pay me a modest salary. It was used to pay for materials,
25 like the fliers that would be distributed. It was used to pay for other activism expenses.

1 If someone was going to make like a big banner with a message on it. Things like that.

2 Q Got it. Do you have a sense of what the balance was when American
3 Identity movement closed as an organization?

4 A I don't recall off the top of my head, but it wasn't -- it wasn't very high.

5 Q Do you have a kind of ballpark?

6 A I would -- it's 5- to 15, maybe 5- to \$20,000.

7 Q Got it. That's helpful. Thank you.

8 Have you been removed from any payment processors?

9 A Yes.

10 Q Which ones?

11 A Stripe. I think Square or Squarespace. One of those I think is a payment
12 processor. I think Square.

13 I should ask you to clarify. Are you talking about me personally or any
14 organization I've been involved with?

15 Q You or American Identity movement or Identity Evropa.

16 A Okay. Yeah. A number of those. Stripe, Square, Venmo. I think Zelle.
17 I can't recall. I believe Cash App as well. Possibly others.

18 Q Sure. Did those companies provide a reason for why they removed you?

19 We can take them one by one, if that would be helpful.

20 A I don't recall off the top of my head, but there was no -- it's -- in most of
21 those cases, if my memory serves correctly, there was some kind of left-wing activist
22 tweeting out, Hey, these guys, or this person, is using this particular platform, you know,
23 you've got to deplatform these bad right-wing people. And then after that is when the
24 suspension would come.

25 So in some of the -- in some of the suspensions -- and this applies to basically

1 every platform -- they tell you exactly why. Otherwise, they don't tell you anything.
2 Other times, they don't tell you anything, so -- but it's been years in some instances, so I
3 don't recall exactly what the reasons were.

1

2 [1:02 p.m.]

3 ██████████. Got it. And did any of these removals happen after January 6th?

4 The Witness. So there was another -- there was a payment processor that I was
5 removed that for a time, I think just a few months, I was using. It was
6 called -- StreamElements. StreamElements. I get it confused with Streamlabs, which
7 is something else.

8 StreamElements kicked me off. And, yeah, that one was used for Super Chats.

9 But that -- I don't recall exactly when that was, but I think it was late 2020, so somewhere
10 in that general timeframe.

11 Mr. Kiyonaga. I need to ask for a quick break.

12 ██████████ Sure. Why don't we take a 7-minute break until 1:10?

13 ██████████ Let me ask, is this a personal break or is this where you all need to
14 chat and we take you to the --

15 Mr. Kiyonaga. Well, I need to use the bathroom, but I'll take advantage of the
16 time to chat with him.

17 ██████████ Okay. Great.

18 [Recess.]

19 ██████████ We'll go back on the record.

20 Mr. Casey and Mr. Kiyonaga, thank you for your patience throughout this
21 deposition. I just have a couple more sets of questions for you.

22 Continuing on the topic of money. In December 2020, a French computer
23 programmer transferred about \$25,000 worth of bitcoin to you.

24 Did you know that donor?

25 Mr. Kiyonaga. One moment.

1 The Witness. I didn't know the donor. All I know is what's been reported in the
2 media.

3 [REDACTED] Got it. To your knowledge, did Nick Fuentes know him?

4 The Witness. I never received any indication that Nick Fuentes knew the identity
5 of that donor.

6 [REDACTED] Did you read the donor's last note before he left -- I'm sorry -- the
7 donor's last note that he left behind?

8 [REDACTED]. I don't recall ever reading the actual note. I think I read a news
9 article that maybe contained excerpts from his last.

10 [Discussion off the record.]

11 The Witness. So I want to clarify that. To the extent that the donor was this
12 French computer programmer, I only have that indication based off of what's been
13 reported in the news. I have no idea if that's true or not.

14 As to whether or not I read his last note, I don't think I -- I did not read it in its
15 entirety. So I just -- yeah, just a few news articles summarizing what he had to say,
16 some of the sleuthing as to how people thought that they discovered his identity. That
17 was the extent of it.

18 BY [REDACTED]

19 Q Understood.

20 Q Were you surprised to receive that donation?

21 A Very.

22 Q Were any particular wishes as to how the money would be spent, were they
23 conveyed to you?

24 A No.

25 Q How did you allocate that money?

1 Mr. Kiyonaga. I'm going to object to his answering that question, to the extent
2 he even knows the answer. But that money apparently was sent into a personal
3 account, and it's not relevant to any inquiry of the committee's, particularly since we
4 don't know for a fact who the actual donor was. But it's not relevant.

5 BY [REDACTED]

6 Q Okay. Let me be more specific about my question.

7 Did you use any of that money to fund your travel to Washington, D.C., or your
8 lodging for the December 12th, 2020, rally?

9 A So I lived in Arlington, so the travel expenses, if there were any, would have
10 been very, very minimal, very meager.

11 As to did I earmark any of the cryptocurrency funds for those specific whatever
12 small expenditures there were, no, I didn't.

13 Q Thank you.

14 Did you earmark any of that money to fund any expenses related to January 5th
15 and 6th?

16 A I didn't earmark any of the cryptocurrency funds for anything.

17 Q Okay.

18 Did you withdraw those bitcoin funds in the week after January 6th?

19 A I genuinely don't remember.

20 Q Okay.

21 Just returning to the donor's last note, in it -- you may have seen in the public
22 reporting -- he offered some reasons as to why he was donating the money.
23 Specifically, he mentioned, quote, "the decline of Western civilization," end quote, and,
24 quote, "constant self-flagellation, the self-loathing, the rejection of our ancestors and our
25 heritage," end quote.

1 Were you aware of the context in which the donor donated that money?

2 Mr. Kiyonaga. This question is too speculative because it's not even been
3 established to his or my satisfaction that this individual, this deceased Frenchman, was, in
4 fact, the donor. So the question itself is too attenuated.

5 But, again, I go back to the point I made earlier, that the committee is not entitled
6 to the inner workings of Mr. Casey's mind to the extent that he had any reaction
7 whatsoever to any alleged contents of a note left by this individual.

8 ██████████ Okay. I won't belabor that point, but I appreciate the previous
9 answers.

10 Mr. Casey, during the period before the 2020 election were you in direct contact
11 with any people employed by the Trump 2020 campaign?

12 Mr. Kiyonaga. That's been asked and answered in the written response to the
13 document request. The answer is no.

14 ██████████ Have you ever been in direct contact with anyone employed by
15 the Trump 2020 campaign?

16 Mr. Kiyonaga. He objects on First and Fifth Amendment grounds.

17 ██████████ Have you ever been in direct contact with anyone employed by
18 the Trump White House?

19 Mr. Kiyonaga. Same objection, First and Fifth Amendments.

20 ██████████ Have you ever been in direct contact with any Federal elected
21 officials, including Members of Congress?

22 Mr. Kiyonaga. Same objection.

23 ██████████ Have you ever fundraised for the Trump campaign?

24 Mr. Kiyonaga. Same objection.

25 ██████████ Did you fundraise for any grassroots efforts to elect President

1 Trump?

2 Mr. Kiyonaga. Same. Asked and answered.

3 [REDACTED] Well --

4 Mr. Kiyonaga. Or same objection, First and Fifth.

5 [REDACTED] I just want to note that there are two questions, the Trump
6 campaign and grassroots efforts to elect Trump.

7 Did you fundraise for any other candidates in the 2020 election?

8 Mr. Kiyonaga. Same objection, First and Fifth Amendments.

9 [REDACTED] Did you fundraise for the Stop the Steal organization?

10 Mr. Kiyonaga. Same objection, First and Fifth.

11 [REDACTED] Did you raise funds for yourself at the events that you spoke at in
12 November and December 2020?

13 Mr. Kiyonaga. Same objection, First and Fifth Amendments.

14 [REDACTED] Have you used the events of January 6th to raise any funds?

15 Mr. Kiyonaga. Same objection, First and Fifth Amendments.

16 [REDACTED] Mr. Casey, have you -- during the period between the election,
17 the 2020 election, and January 6th, were you in contact with any leaders of the Proud
18 Boys?

19 Mr. Kiyonaga. Same objection, First and Fifth Amendments.

20 Bear with me one moment.

21 That question was already answered in the negative in the written response
22 provided by me to you [REDACTED] which Mr. Casey adopts.

23 [REDACTED] Give me one moment, please.

24 So just so I understand, because the document production requested copies of
25 any written communications with members of those groups, I'm asking if he was ever in

1 contact with leaders of the Proud Boys.

2 Mr. Kiyonaga. He would invoke his privilege under the First and Fifth
3 Amendment.

4 But I would point out that it's the nature of these politically motivated gatherings
5 to run into all sorts of people. A casual meeting perhaps accompanied by a word or two
6 in greeting is not a, in my estimation, a substantive, quote/unquote, communication.

7 But, anyway, he invokes his privilege under the First and Fifth Amendments.

8 [REDACTED] So is it your position -- are you asserting that those casual
9 meetings did occur?

10 Mr. Kiyonaga. No. He's invoking his right to silence under both of those
11 amendments. I'm simply saying that the practical effect of your question is hard to
12 measure because a communication can be seeing somebody across the room without
13 saying a word. It can be exchanging correspondence. It can be all sorts of things.

14 And given that we're talking about densely populated events where people are
15 routinely running into, literally, and exchanging greetings, communication is an unduly
16 elastic term for purposes of a meaningful response.

17 [REDACTED] Okay. I take your point, and I'll just rephrase the question, and
18 you're free to object to it.

19 Were you in communication with leaders of the Proud Boys for the purposes of
20 coordinating any activities on January 5th and 6th?

21 Mr. Kiyonaga. I think he's already answered in writing that he had no leadership,
22 supervisory, or organizational role with the events of either of those days.

23 [REDACTED] Okay.

24 Mr. Casey, I have the same set of questions about leaders of the Oath Keepers or
25 members of the Oath Keepers.

1 Do you intend to raise objections to those questions as well?

2 Mr. Kiyonaga. Yes, to the extent that they're not already asked and answered in
3 the written response.

4 ██████████ I have the same set of questions for leaders or members of Three
5 Percenter groups.

6 Mr. Kiyonaga. The same objection, but to the extent that they're not already
7 answered in the written response.

8 ██████████ And I have the same set of questions for leaders or members of
9 the 1st Amendment Praetorian group.

10 Mr. Kiyonaga. Same objection, to the extent not already answered in the written
11 response.

12 ██████████ Great.

13 And I just want to confirm for the record, you know, we've entered into the record
14 exhibit 4, which is your response to the committee's subpoena, and just want to confirm
15 that this is the position of Mr. Casey on whether there were communications responsive
16 to the committee's subpoena.

17 The Witness. Yes.

18 ██████████ And just to clarify, I know that your attorney said that you are
19 adopting that written response. And just so that we can get you on the record to say
20 that that is accurate, you are adopting this written response in its entirety?

21 The Witness. I am, yes.

22 ██████████ Thank you.

23 ██████████ Well, Mr. Casey, this has been a really helpful couple of hours. I
24 just -- I wanted to return to the topic of, you know, the America First movement and the
25 Groper movement and your initial leadership role in it and more recent changes, and

1 kind of get your thoughts on the impact that it has had on you to not be in a leadership
2 position in that movement anymore and to be targeted by the continued leaders of that
3 movement, including Nick Fuentes.

4 Mr. Kiyonaga. I would object on First and Fifth Amendment grounds. But I
5 would also point out that that question, I believe, has already been largely asked and
6 answered. He indicated that he suffered in his bottom line by cabining himself from Mr.
7 Fuentes and his movement. The committee already has that response.

8 [REDACTED] Well, I take your point on that angle of the question, so let me
9 rephrase it.

10 BY [REDACTED]

11 Q You know, you have described what impact the breakdown in the
12 relationship with Nick Fuentes has had on you. What is your perception of Nick Fuentes
13 since January 6th?

14 A Sure. One second.

15 What is my perception of him? Well, during the split, I felt that I was wronged.
16 And there were political disagreements as well.

17 Since then, I have seen stuff in the news and whatever else, and I wish no ill upon
18 him, but I am in many ways glad to be separated from that.

19 Q Why are you glad?

20 A I don't have -- I don't have a boss. I don't have -- it's a subculture largely
21 consisting of younger, immature people who spend too much time on the internet,
22 frankly, so -- and I'm just not interested in that anymore.

23 Q Do you have concerns about the fact that Nick Fuentes is in that position of
24 leadership?

25 A It's not my concern. I don't -- I have no reason to believe he's doing

1 anything illegal or has done anything illegal. I have seen no evidence. I find some of
2 his antics distasteful. I find the way he treats other people to be really questionable.

3 But beyond that, yeah, I have no reason to believe he's committed a crime or
4 intends to or anything like that.

5 [REDACTED] Understood.

6 Any follow-up questions?

7 [REDACTED] I do have one thing to note on the record before we log off, but no
8 questions.

9 [REDACTED] Sure. Let me just ask if anyone on Webex has any questions on
10 any topic for Mr. Casey?

11 Okay.

12 [REDACTED]

13 [REDACTED] I just wanted to note on the record that [REDACTED] from our
14 team I think was introduced earlier as a professional staff member and that her title is
15 investigator, just for the record.

16 That's it. I think that's all.

17 [REDACTED] Okay.

18 Well, we'll close in a moment. And I'll just note that, as a matter of course,
19 because when a witness raises objections we leave the record open in order for the
20 chairman to review the objection and for the committee to consider how to proceed.

21 But, otherwise, unless there's anything that you would like to raise on the record,
22 we can end the deposition for today and leave the record open. And I thank you for
23 your time.

24 Mr. Kiyonaga. Yeah, that would be fine here. You're very welcome.

25 [REDACTED] Great.

1 [REDACTED] Is there anything you all want to say on the record before we go
2 off?

3 The Witness. No.

4 Mr. Kiyonaga. I have a manifesto.

5 [Laughter.]

6 [REDACTED] All right. Well, thank you all for your time, and we really
7 appreciate it.

8 And thank you for your time.

9 And we'll go off the record.

10 [Whereupon, at 1:34 p.m., the deposition was recessed, subject to the call of the
11 chair.]

1 Certificate of Deponent/Interviewee

2

3

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

6

7

8

9

10 Witness Name

11

12

13

14 Date

15