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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    INTERVIEW OF: JARED KUSHNER  
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15                              Thursday, March 31, 2022

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17                              Washington, D.C.  
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20                              The interview in the above matter was held via Webex, commencing at 10:04 a.m.  
21                              Present: Representatives Luria, Aguilar, Schiff, Lofgren, Murphy, Raskin, Cheney,  
22                              and Kinzinger.

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2     Appearances:

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4     For the SELECT COMMITTEE TO INVESTIGATE

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

6

7     [REDACTED] STAFF ASSOCIATE

8     [REDACTED] INVESTIGATIVE COUNSEL

9     [REDACTED] DEPUTY STAFF DIRECTOR

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11    [REDACTED] SENIOR COUNSEL

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24    [REDACTED] CHIEF ADMINISTRATIVE OFFICER

25    [REDACTED] SENIOR INVESTIGATIVE COUNSEL

1 [REDACTED] OF COUNSEL TO THE VICE CHAIR

2 For JARED KUSHNER:

3

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2 [REDACTED]. Let's go on the record. It's 10:04 a.m. on March the 31st, and this  
3 is a transcribed interview of Mr. Jared Kushner conducted by the House Select Committee  
4 to Investigate the January 6th Attack on the United States Capitol, pursuant to House  
5 resolution 503.

6 Mr. Kushner, I see you're here. Could you please state your full name and spell  
7 your last name for the record.

8 Mr. Kushner. Jared Corey Kushner, K-u-s-h-n-e-r.

9 [REDACTED]. Thank you, Mr. Kushner, and good morning to you.

10 And, counsel, could you please identify yourself and spell your last name for the  
11 record.

12 Mr. Kushner. You have to unmute, Dan.

13 Mr. Benson. Daniel Benson, B-e-n-s-o-n, from Kasowitz Benson Torres.

14 [REDACTED]. And I know you have Mr. Gonzales on the line as well. Do you  
15 mind identifying yourself or, Mr. Benson, identifying him for the record?

16 Mr. Gonzales. Jonathan Gonzales.

17 Mr. Benson. Jonathan Gonzales of our firm as well.

18 [REDACTED]. Great. Thank you, and good morning to you both as well.

19 My name is [REDACTED]. I'm a senior investigative counsel to the select  
20 committee. And in the room today with me are [REDACTED], senior investigative  
21 counsel for the committee. She's to my right. To my left is [REDACTED], senior  
22 investigative counsel and of counsel to the vice chair. Behind us is [REDACTED],  
23 investigative counsel for the committee. And at the end of the table to my right is [REDACTED]

24 [REDACTED], professional staff member.

25 I do anticipate that our chief investigative counsel, [REDACTED], is going to be

1 joining us shortly and will do so as soon as he's able to, and we'll announce his presence.

2 And you'll probably see him join as well.

3 So, on the Webex platform here, we have a number of other people. So

4 the committee --

5 Mr. Kushner. So, if I could just pause here, so I just want to do something just to  
6 set up the room here. Just give me one second, okay?

7 [REDACTED] Of course. Take your time, Mr. Kushner.

8 Mr. Kushner. Thank you.

9 [REDACTED] Of course. All right. So I was mentioning that we're on the  
10 Webex platform and doing this deposition -- or, excuse me, transcribed interview virtually  
11 today. And you can see the participant list on the -- it's on the right-hand side of our  
12 screen, but that identifies a number of other folks who are from the committee, including  
13 our chief clerk, various staff members, and other investigative counsel.

14 And it is possible that other members will join the interview today as well. You'll  
15 see them appear, and they may turn on their cameras to introduce themselves or ask  
16 questions. But it's our practice to try to identify them when they join so that you,  
17 Mr. Kushner, and you, Mr. Benson, are aware of their presence.

18 Any questions about what we've gone over so far?

19 Mr. Kushner. No.

20 Mr. Benson. No.

21 [REDACTED]. Okay. There is -- this is a staff-led interview, but like I said,  
22 members may join and choose to ask questions. As you heard at the beginning, this is  
23 being recorded on the Webex platform, but the official record of the interview is being  
24 transcribed or taken by the reporters who are on the line as well. You'll probably see a  
25 number of them come in and out, but there's only one of them at a time taking the

1 official record.

2 Because they're doing so and transcribing the interview, it's important that you  
3 provide verbal answers. Shaking your head or uh-huhs are very difficult to take down,  
4 so we just ask that you respond with audible, verbal responses.

5 We also ask that you provide complete answers based on your best recollection,  
6 understanding that some of the events took place a while ago. It's perfectly fine if you  
7 don't remember something, and we appreciate you saying -- just saying -- letting us know  
8 if that's the case.

9 If any of the questions that we ask are not clear, which is quite likely, please ask  
10 for clarification. We'd much rather have you provide answers based on a question that  
11 you understand instead of a question that you don't.

12 I do want to remind you that you're not going to be under oath. This is not a  
13 deposition, but this is an official proceeding -- executive session is how we consider it -- of  
14 the select committee, and it is unlawful to deliberately provide false information to  
15 Congress and doing so could violate various Federal laws, including 18 United States  
16 Code, section 1001.

17 Do you understand everything that we've just gone over?

18 Mr. Kushner. Yes.

19 [REDACTED] All right. And, just procedurally, if there's any point where you'd  
20 like to take a break, either for a comfort break or to consult with Mr. Benson, please let  
21 us know. We're happy to do so. I find on this platform that it's usually best if you turn  
22 off your camera and your microphone so that it's not being recorded and we can't hear  
23 any of that if you do need to speak to Mr. Benson, but just let us know if you need that  
24 kind of break.

25 Mr. Kushner. Thank you. I'm sure you've got some very interesting people

1 trying to conform with that, so --

2 [REDACTED]. If -- is there anything that you'd like to put on the record before I  
3 enter any questions before we get started on the substance?

4 Mr. Kushner. No. I'm ready to go.

5 EXAMINATION

6 BY [REDACTED]:

7 Q Okay. All right. So you're appearing voluntarily here today, Mr. Kushner,  
8 and we certainly appreciate that, but we did send you through your lawyer a request for  
9 documents that you may have had in your possession. I understand, and we did receive  
10 a number of documents. And just to confirm, did you do a search for the documents  
11 that would be relevant to the list that we sent through your lawyer?

12 A Yes.

13 Q We're going to go through some various accounts and devices that you may  
14 have had just to get us a little bit better understanding of where there might be relevant  
15 information to the select committee. So, first, I'll start out by, did you possess a  
16 White House-issued cell phone in the period that we're here to talk about, which is  
17 roughly, we'll call it, 2020 through 2021? It's a very broad timeframe, and we'll narrow  
18 that down, but in that period, did you have a White House-issued cell phone?

19 A Yes, through Jan. 20.

20 Q What did you do with it on January 20th?

21 A I believe on Jan. 19, when I left the White House, late at night -- it may have  
22 been into the morning of Jan. 20. I don't remember exactly what time I left -- I gave it  
23 to somebody there at the White House.

24 Q Did that phone have text message capacity?

25 A Yes.

1           Q     And you turned it in. Did you transfer any information to any of your  
2 personal devices from that phone before you turned it in on January 19th or 20th?

3           A     Not that I recall.

4           Q     And did you just have one White House-issued cell phone?

5           A     Yeah. There was a White House cell phone and then there was a secure  
6 comms cell phone, the PUMA phone, but that was used only for very rare instances.

7           Q     No texting on the PUMA phone, I assume?

8           A     No. No, no, no. No texting.

9           Q     Okay. I just note for the record that [REDACTED] has joined us now.

10          Mr. Kushner. Good morning.

11 [REDACTED]. Good morning. You gave me the little chair.

12 [REDACTED]. It's the trick we plan every --

13 [REDACTED]. I know. I know.

14 [REDACTED]. We just started with Mr. Kushner, and we're talking about his cell  
15 phone, so I'll just continue through that.

16 [REDACTED]. Yeah, please do. I'll catch up.

17 BY [REDACTED]:

18           Q     The PUMA phone, I'm assuming, also, Mr. Kushner, you did not retain  
19 personally after the end of the administration. Is that correct?

20          A     No.

21          Q     Did you have a campaign-issued cell phone?

22          A     They may have given me one, but I don't recall using it.

23          Q     Okay. How about any other devices. Did you have a campaign-issued  
24 laptop or tablet computer?

25          A     I don't believe so.

1           Q     Did you have a White House-issued laptop?

2           A     Yes.

3           Q     Did you turn that in at the end of the administration as well?

4           A     Yes.

5           Q     Do you recall transferring any information from that laptop to any of your  
6     personal devices before the end of the administration?

7           A     Not that I recall.

8           Q     All right. And I assume -- well, in fact, I know that you had a White House  
9     email account. Do you still have access to the White House email account that you used  
10    during the Trump administration?

11          A     I don't believe so.

12          Q     And we did receive a number of emails from you as part of your document  
13    production. Other than anything that you may have provided to us, do you recall  
14    any -- transferring any White House emails that may be responsive to the request for  
15    documents that we sent through Mr. Benson to your personal accounts?

16          A     I do not.

17          Q     And just to confirm, your White House email address was jck@who.eop.gov.  
18    Is that right?

19          A     Yes.

20          Q     Did you use any other White House email addresses in that 2020/2021  
21    period?

22          A     I don't think so. Not that I know of.

23          Q     And, as far as any personal accounts you have, I understand you have an  
24    email, which I won't put on the record here, but it's at [REDACTED]. Did you  
25    look through that email address for any documents that are responsive to our request to

1       you?

2           A    Yeah, so I did not. That email address was canceled when I went to  
3   Washington in January 2016 or '17, and I have not had access to it since then and I've not  
4   used it.

5           Q    Okay.

6           A    I don't even know if it's a live address, to be honest.

7           Q    Okay. All right. I appreciate that. Thank you. And I also understand  
8   that you have an email address at [REDACTED] domain. I believe that, based on your  
9   document production, that you searched that, but did you, in fact, search that for  
10   documents that are responsive to our request?

11          A    Yes.

12          Q    And I also understand you had at least one personal cell phone ending in  
13   [REDACTED]. Is that right?

14          A    Yes.

15          Q    Did you search the contents of that cell phone or that cell phone account  
16   that you still have access to for documents or information that are responsive to our  
17   requests?

18          A    Yes.

19          Q    And in that period of 2020, and particularly November 2020 through January  
20   of 2021, did you have any other cell phones other than that cell phone and the  
21   White House-issued cell phone that you were using that might have information  
22   responsive to the select committee's request?

23          A    I don't think so.

24          Q    I'll just ask more generally, were there other cell phones you used during  
25   that time period?

1           A     No.

2           Q     Okay. And, as we go through this, I think you'll get a better sense of what  
3     the select committee's interested in. And so, if at any point, you think there may be  
4     documents that answer one of our questions or bear on any of our questions, you know,  
5     please let us know, and we can follow up with Mr. Benson about that afterwards.

6                 [REDACTED] Go ahead.

7                 [REDACTED] Are there any documents that are responsive to our request that are  
8     in your custody or control that you're withholding from production based on any privilege  
9     or any other reason?

10          Mr. Kushner. Basically, when I got the request, I went through my devices. I  
11     flagged -- I flagged all of the things that I thought are responsive, then gave my devices to  
12     my general counsel, had him go through to make sure that I wasn't missing anything.  
13     He then produced a big chunk of documents, sent it to my counsel, Dan Benson, and then  
14     Dan selected what to send to you. So that was really a Dan situation.

15                 [REDACTED] Okay. So, Mr. Benson, this may be a question for you. Are there  
16     any documents that you all are withholding based on privilege or any other reason?

17          Mr. Benson. Yes.

18                 [REDACTED] Okay. We'd like it if you could give us a privilege log for those.

19          Mr. Benson. Okay.

20                 [REDACTED] Great. Thank you.

21          Mr. Benson. We'll take that under advisement at least.

22                 BY [REDACTED]

23          Q     All right. Thanks.

24          Mr. Kushner, again, I'm [REDACTED] I'm sorry I was a few minutes late. It's  
25     nice to see you again. You know, you and I actually met before. I think we were on

1       the Hill together back talking about criminal justice reform some years ago. So it's nice  
2       to see you again. I just wanted to say thank you for your willingness to come in, you  
3       know, voluntarily and talk to us.

4           A     No, of course. And thank you for your efforts on that initiative. It's  
5       something I'm very proud of and couldn't have done without everyone's help, so thank  
6       you for that.

7           Q     You as well. Absolutely.

8           So I wanted to turn your attention first, just on the same subject of privilege to a  
9       letter that Mr. Benson received from the White House. It's actually exhibit 1. And,  
10      Mr. Benson, I don't know if you've got these printed, but we'll share them on the screen  
11      just so that we're all clear what we're all talking about.

12       So, Mr. Kushner, are you familiar with this letter that was just dated a couple of  
13      days ago that is addressed to Mr. Benson and it involves your prior service as a senior  
14      adviser to President Trump and the White House position about executive privilege?

15       A     Yes.

16       Q     Okay. It indicates that, in the view of President Biden, it would not be  
17      appropriate for you to assert executive privilege on the subject matters identified,  
18      including events within the White House on January 6th and other efforts to alter election  
19      results or obstruct the transfer of power. Do you understand that obstruction -- or that  
20      instruction from the current White House?

21       A     That's very courteous of him.

22       Q     You are not the only witness to have received such a letter. So on  
23      that -- and thank you, [REDACTED] You can take down the exhibit.

24       I just wanted to get a little bit of background from you, Mr. Kushner, about the  
25      role you played in the White House. The letter reflects that you were senior adviser to

1 the former President. Was that your title, and if so, what was your general portfolio as a  
2 senior adviser during the Trump administration?

3 A Sure. So that was my title. My general role was, it was a pretty flexible  
4 role in the sense that I would -- you know, again, we had a pretty high metabolism as an  
5 administration in that we were - █ do you just mind lowering your volume all the way,  
6 if you don't mind. Thank you.

7 We had a pretty high metabolism in that we were working on, you know, multiple  
8 efforts, many multiple efforts at one time. So, again, I'd be there to advise with  
9 different things as they would come up. But I had several initiatives that I was primarily  
10 responsible for. One of them was the criminal justice reform effort.

11 One of them was the USMCA trade agreement with Mexico and Canada, which we  
12 worked very extensively on, and ultimately very proud of what passed. I spent a lot of  
13 time on the China trade deal as well assisting Secretary Mnuchin and Ambassador  
14 Lighthizer in what ultimately culminated in the Phase 1 trade deal.

15 A big, big majority of my time was spent on Middle East efforts. I spent a lot of  
16 time working on drafting what ultimately was our effort to try to advance progress in the  
17 Middle East, and we -- that culminated in the Abraham Accords, which were the first  
18 peace agreements in the region in over 25 years between Israel and the United Arab  
19 Emirates. And then that was in, I believe, August of '20 it was announced. We got it  
20 basically culminated and signed in mid-September. And we were able to get another  
21 participant to join in Bahrain. Ultimately, before the end of the administration, we were  
22 able to get Sudan and Morocco to also make peace agreements.

23 One of the final deals I worked on as well, which I actually got done -- it will be  
24 relevant to the timing on your inquiry -- was resolving the GCC dispute, which was a  
25 dispute between Qatar and its neighbors, Saudi Arabia, UAE, Bahrain, and Egypt. That

1 was something that was hurting our efforts in the region and giving Iran an opening to  
2 cause division, and it was a big priority for our country to get that resolved.

3 It was a very intense negotiation, but ultimately that culminated, I believe, on  
4 January 5th in a GCC summit in Al-'Ula in Saudi Arabia, where I was invited -- I was trying  
5 to get it done to the last minute. It almost died several times. But I was invited to  
6 witness the signing of that.

7 And then I also took on around that time different initiatives with the COVID  
8 response. At the time, we were trying to deal with an unprecedented situation, and I  
9 was asked to get involved to troubleshoot several areas that were -- that needed  
10 troubleshooting, namely with testing and ventilators.

11 Then I was asked to be the White House representative to help stand up and  
12 design and [inaudible] Operation Warp Speed and oversee that, which ultimately was a  
13 very successful effort. So that took a lot of my time as well. And it was something  
14 that, you know, again, as will relate to these proceedings. During that time, a lot of my  
15 focus was on making sure that, you know, we were getting the initial distribution out  
16 correctly. Again, we'd learned a lot of lessons from the previous efforts with testing  
17 through supply chain and distribution and dealing with all the different governments,  
18 local governments, so that was a big effort of mine as well.

19 There's probably going to be a handful of other projects that I was given, you  
20 know, lead on, whether it was leading our efforts to secure the 2028 Olympics, which  
21 ultimately was successful. I also was the lead in the White House on securing the FIFA  
22 World Cup for 2026, leading that bit as well, which was also successful.

23 And so, again, I was given special projects, and, you know, my sense was I like to  
24 go deep in them. I was good at building teams and building plans for things and then,  
25 you know, bringing them through. I worked on, you know, several other efforts as well,

1       but that gives you kind of a rough thing. So I would say that I was more of a specialist  
2       that would be put into different situations, and then I was broadly around and pulled into  
3       things from time to time as well.

4           Q     Yeah. I understand it's a wide and diverse portfolio.

5           I'll note for the record, Mr. Kushner, that several members of the select  
6       committee have now joined us. I see the vice chair, Ms. Cheney, Representative Schiff,  
7       Ms. Murphy, and Mr. Aguilar are all now participating via the Webex platform.

8           Ms. Cheney. Good morning.

9           BY [REDACTED]:

10          Q     Periodically I'll turn to them and see if they have questions as well.

11          A     Okay. Good morning. Welcome.

12          Q     So, Mr. Kushner, those projects that you listed, was the designation of your  
13       specific role something that you initiated, something that the President or others  
14       initiated, or some combination? In other words, did you say, "Hey, I want to work on  
15       this," and the President said yes, or did the President say, "Jared, I'd like you to take on  
16       that"? How did it come about that you had that varied list?

17          A     So it really varied. So like criminal justice reform was my own initiative,  
18       which ultimately I was able to get the President to support and endorse the effort.  
19       U.S.-Mexico trade was something that the President asked me to take on in the  
20       beginning. I'd put together his campaign trip to Mexico during the campaign, and so he  
21       asked me to stay with that file.

22           The Middle East effort was something that he asked me to take on. The Warp  
23       Speed was something I initiated after seeing the different stuff. But with the COVID in  
24       general, I was asked to get involved by the Vice President. And, you know, it really was  
25       kind of case by case, so either -- case by case.

1           Q     Yeah. Did you report directly to the President, to Mr. Meadows, to  
2 somebody else?

3           A     I generally would report to the President on topics, and then, you know,  
4 sometimes I would report to -- if, you know, Meadows owned a file then I would, you  
5 know, report to him on it. So, you know, I learned over -- you know, again, I learned  
6 over a couple years how to operate better within the structure of the White House and  
7 even more specifically in the structure of Trump White House and did my best to make  
8 sure that I was hopefully, you know, helping enable the different things I was working on  
9 as opposed to creating issues as to who was reporting to who. But that never really  
10 became an issue.

11          Q     Yeah, I understand. And did your status, Mr. Kushner, stay the same  
12 throughout the administration, from when you joined in January of '17 all the way  
13 through January of '21?

14          A     My title stayed the same. I guess, like anyone else, it varies day by day in  
15 these jobs, as I'm sure you know well too, right.

16          Q     Of course. I understand. I take it you had walk-in privileges to the Oval  
17 Office. You didn't need to get permission to stop in and talk with the President. Is that  
18 right?

19          A     No, but, obviously, you're always respectful of his time and what else is  
20 happening and not looking to be disruptive to whatever his priority is.

21          Q     Yeah. Did you have a physical office in the West Wing?

22          A     Yes.

23          Q     Where was it in relationship to the Oval Office?

24          A     It was down the hall in between the Oval Office and the chief of staff's office.

25          Q     Okay. And did you have an assistant, Mr. Kushner, during this period of

1 time in the West Wing?

2 A Yes.

3 Q Who was that?

4 A A gentleman named Charlton Boyd.

5 Q Okay. Was it Mr. Boyd the entire time that you were there in the role of  
6 the senior adviser?

7 A No. He came in, I guess, with about a year and a half left, or maybe  
8 even he came in towards the end.

9 Q Okay. Now, in addition to your role in the White House, did you also play a  
10 role with respect to the President's reelection campaign?

11 A Yes.

12 Q How would you describe that role, that -- your role specific to the campaign?

13 A So it started probably 3 years before reelect, which was mostly liaising with  
14 the RNC and also starting to set up campaign infrastructure to -- you know, the last  
15 campaign was much more scrapped together, and so the goal was to start building the  
16 right infrastructure for GOTV operation and basically helped put the right leadership team  
17 in place and then dealt with them with frequency whenever they had issues that they  
18 needed from us.

19 But the goal -- the way I generally like to operate is you identify an objective, you  
20 hire people to help you achieve that objective, you agree with them on a plan, and then  
21 you kind of let them run and accomplish that plan and then, you know, I try to be  
22 available for interventions when needed to make sure that they go.

23 And so, you know, by the time we got to the election, obviously there had been a  
24 couple changes. And ultimately -- and, again, I would always say that the President was  
25 the real campaign manager, and so I felt like my goal was just to make sure that he had,

1 you know, the right pieces in place and, you know, make sure that he was able to make  
2 the decisions he wanted to make but then make sure they were being raised to him in the  
3 manner that I felt like he would want to see them.

4 But, ultimately, you had -- you know, I think Brad was the first campaign manager.  
5 The President made a change and brought Bill Stepien in, so Bill was the campaign  
6 manager towards the end and had a very robust organization that, you know, my job was  
7 really just to get involved when needed to troubleshoot different situations, as requested.

8 Q Okay. I want to get to the change from Mr. Parscale to Mr. Stepien, but is  
9 it fair to say your role with the campaign was much like it had been at the White House,  
10 essentially a troubleshooter, special projects, taking on particular issues, as needed?

11 A Yeah, but, you know -- but, again, I had a lot of demands on my time. So,  
12 you know, again, especially as we got to COVID, my involvement with the campaign was  
13 just very distracted for a while because, between the COVID and the Middle East work, I  
14 wasn't able to spend as much time with it. But, at that point, it was a fairly robust and  
15 professional operation where they needed a lot less oversight.

16 Q Yeah. Let's talk about the change from Mr. Parscale to Mr. Stepien. Can  
17 you tell us why that decision was made?

18 A I think the President wanted to make the change.

19 Q Did he articulate to you why it was that he thought a change to Mr. Stepien  
20 would benefit the campaign?

21 A I don't recall specifically, but my view was -- is it's his campaign; he's the  
22 candidate. You know, he's the one who has to -- you know, who goes with the results.  
23 So my goal was just to help him facilitate, you know, the person who he felt most  
24 comfortable with.

25 Q Did you have a role, Mr. Kushner, in identifying Mr. Stepien as a possible

1 replacement to Parscale?

2 A I did recommend him, yes.

3 Q Tell me more about your background with Mr. Stepien. How are you  
4 familiar with him, and why was it that he was someone you recommended?

5 A I met Bill in the 2016 campaign after the Iowa loss that Trump had where  
6 there was issues with the ground operation. I was introduced to Mr. Stepien as  
7 somebody who could help run a campaign. I was very impressed by him. Ultimately,  
8 the leadership at the time did not want to hire him, so it kind of just hung out there.

9 And then, when there was another change in leadership, I strongly advocated to  
10 bring him in. He came in and really was an instrumental player in building out a ground  
11 operation and in helping us spend resources effectively. You know, he's a quiet guy, a  
12 humble guy, a hard worker with a lot of campaign experience, again, a lot more than me,  
13 and so I liked him.

14 Then he came into the White House, was the political director, and worked very  
15 closely with the President during those years. And then -- and then Trump had  
16 developed a very good relationship with him, and he was somebody who understood  
17 Trump, understood the political landscape, and seemed to be fairly well regarded by most  
18 people as far as I knew.

19 Q And you mentioned resources. Was part of the motivation for this change  
20 the effective use of resources or the perceived misuse of resources prior to Mr. Stepien's  
21 time taking over?

22 A I don't believe so.

23 Q Okay. Who was responsible generally for the fundraising aspect? Was  
24 that something in which you were personally involved?

25 A So it was basically, you know, Brad was the one who built out a lot of the

1 operation, and then I believe he had somebody who reported to him named Gary Coby  
2 who oversaw that, and then Sean Dollman was the campaign CFO. And so between the  
3 three of them that was really where it came. And I know that they worked with the  
4 RNC. There was a joint fundraising committee with them and all kinds of, you know,  
5 agreements and different things that happened there. And so between Ronna, Brad,  
6 that was really who was responsible for the fundraising.

7 Q Yeah. I think [REDACTED] is going to ask you more questions about the digital  
8 fundraising operation, and I'll leave those questions for her.

9 I'll note again that Ms. Lofgren, again another member of the committee, has  
10 joined us as well.

11 So I want to now turn to a document, Mr. Kushner. If we could call up exhibit 2.  
12 This is something that we provided. We provided a bunch of stuff to your lawyer in  
13 advance. I don't know if you've had a chance to carefully review that stuff, but we're  
14 going to go through some of it over the course of the day.

15 This is a message that's marked exhibit 2 that's an email that came from Jason  
16 Miller, and it was originally sent to you and Mark Meadows and Hope Hicks, and it was  
17 cc'd to Bill Stepien, and then -- Grant, if you scroll down -- it actually has a PowerPoint  
18 attached.

19 A Yep.

20 Q And I want to call your attention if I can specifically to pages 8 and 9, which is  
21 the summary -- there's a summary page, yeah, in-person and fraud protections. So this  
22 reflects, Mr. Kushner, that the campaign did some polling about sort of public perception  
23 of mail-in ballots, voter identification laws of various election-related State regulations.  
24 Were you aware of this polling when it took place?

25 A Yes.

1           Q     Tell us why, if you could, the campaign decided it was important information  
2     to ascertain what people felt -- how people felt about these various provisions of State  
3     voting laws?

4           A     It was a topic that at the time I think -- again, this is my recollection. Again,  
5     like I said, I was working on a lot of things at the time. I'm doing my best to recall these  
6     things in the right way. My recollection for why we would've done this was that the  
7     candidate was talking about a lot of -- a lot about mail-in balloting and the campaign felt  
8     like it was important for him to understand what the sentiment was on that -- on the  
9     topics that he was talking about.

10          Q     Tell us more, if you could, about the discussion of the messaging about the  
11     reliability of mail-in voting, of same-day registration, of some of the things that are  
12     reflected in your polling.

13          A     Yeah. The messaging is for really the political people. I just know that  
14     this was something they wanted to commission in order to have this discussion with the  
15     candidate.

16          Q     Okay. And then page 26 of this is another summary page. It's -- [REDACTED],  
17     where that says arguments for and against mail-in.

18          So, again, Mr. Kushner, this reflects sort of an assessment of potential messages  
19     with respect to mail-in voting. Do you recall any discussion about whether the  
20     candidates should or shouldn't at this early point, this is August of '20, talk about the  
21     security of mail-in voting or any other kinds of election provisions?

22          A     Yeah, not that I recall specifically. I just remember generally, you know,  
23     you had people arguing that we had a very, very robust get-out-the-vote effort and that,  
24     you know, mail-in ballots could be a good thing for us if we looked at it correctly. But  
25     the candidate had a particular point of view on them, you know, based on how he felt

1 and what he saw in a lot of different anecdotal stuff that came in, so -- so I remember just  
2 generally. I don't remember specific discussions on it though.

3 Q Yeah. The President started talking about the risk of fraud and the fact that  
4 the election could be stolen well before the election. Do you remember discussions  
5 with him about that, whether that was motivated by political decision, whether -- what  
6 his views were on the security of mail-in balloting?

7 A I don't recall.

8 Q Do you know whether that was an intentional strategy or something that  
9 reflects poll results? Do you know how it came about that he started talking about  
10 those issues?

11 A Like with a lot of other topics, it's -- you know, he talks about an issue.  
12 And, again, I think what you see here is just the ability -- there was an issue he was  
13 focused on, and, you know, they endeavor to give him data to understand, you know,  
14 what the public sentiment was on an issue he had a point of view with.

15 Q Okay. And when you say "they," this looks like it was prepared by the  
16 polling firm McLaughlin & Associates. Were they sort of contracted as the campaign's  
17 polling firm?

18 A I believe so, yes.

19 Q Okay. And, Mr. Kushner, just, again, a sense of your role, when there were  
20 discussions about poll results like this, were you typically part of the group that was  
21 advising the candidate at that high level about messaging and use of resources and the  
22 polling data?

23 A Yeah, sometimes I would attend; sometimes I wasn't. But I would be  
24 somebody who would observe more than advise. Again, I wasn't a specialist on  
25 messaging or political. Again, my role, like in the White House, was more operational.

1           Q    Yeah.

2           A    And so, again, when it came to messaging or the sentiment, you know, my  
3         goal was to try to -- you know, just try to make sure, you know, people were giving him  
4         good information. But here, again, this was mostly emanating from the campaign, and  
5         so I was just being a facilitator to get them in front of him, you know, if they had a  
6         meeting request.

7           Q    Yeah. And were there -- in your experience, who else was part of that sort  
8         of close group of advisers, besides you and Mr. Stepien, before the election that would be  
9         involved in those kinds of strategic discussions on campaign messaging or polling results?

10          A    So Trump operates not like a traditional candidate. So, you know, again, he  
11         takes his input from many places. So you could have a meeting with him with several  
12         people who are designated campaign professionals, but he gets his viewpoint from a lot  
13         of different places, even outside that. So I would say it's probably a very wide net.

14          I mean, he would speak to Congressmen, Senators, Governors, politicians,  
15         different campaign advisers from different places. So, you know, again, that's kind of an  
16         impossible question to answer --

17          Q    Yeah, I understand.

18          A    -- just given the nature of how he operates, so --

19          Q    Yeah. Let me turn your attention to exhibit 3 now. It's another  
20         pre-election, this time much closer, campaign document. So this is another document  
21         that was an email from Jason Miller that was sent to you and a number of others,  
22         Mr. Kushner: Meadows, Hicks, Stepien. And it is a statement that the campaign put  
23         out the day before election day on -- and I'm quoting from the title of the  
24         email -- Democrat plans to delegitimize election day results.

25          Do you remember this statement being issued on November 2nd?

1           A    No.

2           Q    Did you have any involvement at all in crafting it?

3           A    Not that I recall.

4           Q    Are you familiar with the term "red mirage"?

5           A    No.

6           Q    So, again, you didn't have any -- do you remember any discussions with the  
7       candidate or anyone else about this notion of a red mirage or why it was perceived useful  
8       to put out a statement like this?

9           A    No.

10          Q    Was there a sense, Mr. Kushner, whether or not at this time, November the  
11       2nd, that the President was in a good or a bad position in terms of the likelihood of  
12       success? What was your view personally the day before the election as to what the  
13       odds were, what it looked like for the President?

14          A    Look, I would like to be a fact witness here if possible, again, stay away from  
15       my points of view, but I'll give you that, you know, roughly here, which was, again, it felt  
16       like it was closing. You know, again, the public polls were showing, you know, a really  
17       bad outcome. We felt like it was getting a lot tighter than they thought. We felt like  
18       he was closing very, very strong, had hit his -- hit a good stride. And we felt like it was  
19       going to be a very, very close election, and he had very good momentum going into the  
20       final -- going into the final week. But there was so many ballots that were banked  
21       earlier, it was just hard to predict how it would fall out.

22          Q    Yeah, I understand. So is it generally correct that there was a sense earlier  
23       than November 2nd that, based on the poll numbers and early ballot returns, that the  
24       President was in real danger of losing, and in your view -- and this is a fact question not  
25       an opinion question -- that the gap was closing or it was going to be a closer race than it

1 might have appeared some weeks before?

2 A It's hard to tell. Again, like this is not technical. This is just, you know,  
3 high level. Like the way that the race was shaping out given the position that the  
4 President decided to take with the mail-in ballots is that there was a lot of mail-in ballots  
5 that were banked early that were likely going to lean Democrat, and then for the -- for his  
6 side it was all about getting out his vote really on election day. And so the question  
7 was -- is, will you be able to make up those deficits that were created structurally?  
8 Right, that was his desired strategy and would that happen. So it seemed like any  
9 outcome was possible, but, you know, there's a lot of positive signs.

10 And, again, this was a very untraditional election. You had all these rules being  
11 changed and, you know, you had increase in -- you know, just everyday there was  
12 different rules and different things. So, you know, we kept trying to adjust to, you  
13 know, to the new rules and the new traditions that were being changed. So, you know,  
14 again, that was kind of the general sentiment was that, you know, there was a lot of  
15 positive signs, but there was also a couple things to be concerned about.

16 Q Yeah. Before --

17 A And that's kind of the high-level sentiment. I hope that that answers your  
18 question.

19 Q No, it does. I appreciate that.

20 Before I move to election day, I want to stop here and see if any of our members  
21 have questions on the sort of pre-election stuff?

22 Okay. Not seeing anybody unmute.

23 [REDACTED], do you have any questions you want about campaign  
24 structure or pre-election stuff?

25 BY [REDACTED]:

1           Q     Yes, good morning, Mr. Kushner and Mr. Benson. I just wanted to go back  
2 briefly regarding your involvement in the campaign. It was our understanding that you  
3 were involved in the budgeting process. Could you explain your role there?

4           A     So, basically, again, I wasn't necessarily making determinations on, you  
5 know, what to do. I had a lot of confidence in Bill to do that. That was one of the  
6 reasons I built a lot of confidence with him in the campaign in 2016. There was a  
7 scenario where we basically went out to all the different field managers, the guys who  
8 were running the States in '16, and we asked for what is it going to take to win, and they  
9 came back with about \$25 million of requests.

10          And I remember seeing it, and my eyes popped, and I said: Okay, well, not sure  
11 we have this much money now.

12          This is in '16. And I asked Bill: What would you do?

13          And he recommended only about a million and a quarter of it. He says:  
14 Nothing else here will be outcome determinative.

15          And so, you know, again, you don't want to go through a whole campaign, and  
16 then -- you know, and then realize you came short because you cheaped out in a couple  
17 things at the end. So I had a lot of confidence in Bill to make those determinations.

18          I just basically wanted to make sure they were having the discipline to match the  
19 revenues coming in with the receivables. And, you know, you kind of have, you know,  
20 two fears with a campaign. You don't want to be -- you know, you don't want to end  
21 with too much cash in the bank, and you don't want to end with too little cash in the  
22 bank, and it's kind of hard because, you know, a lot of our funding was coming from  
23 small-dollar donors, so just making sure that they had a lot of different scenarios for what  
24 they would do.

25          You know, you don't want to be caught off guard if your revenue is coming in

1 short, and you don't want to be caught off guard if your revenue is coming in higher, and  
2 so basically making sure that they had scenarios and just were being disciplined about,  
3 you know, adjusting based on what it was so that they weren't saying, "Oh, we have all  
4 this money, let's go spend it stupid," or saying, "Oh, we're short, let's cut here," so just  
5 making sure they knew what they would do in all those scenarios and that they were  
6 being disciplined about that.

7 And, again, I wasn't making determinations of spend more in this State or spend  
8 more in that State. That wasn't my qualification. But I just wanted to make sure that  
9 they had a point of view on that in the event that that arose.

10 Q And I definitely -- you touched on a topic that is important, and I definitely  
11 want to come back to the question of the cash on hand at the time of the election. But I  
12 just wanted to get a feel in terms of how often you were meeting with Mr. Stepien after  
13 he started in terms of, did you meet with him regarding the budget, and if you did, how  
14 often would you say?

15 A It was tough. I mean, I think -- it was mostly just to kind of show I was in -- I  
16 was paying attention so that they had to keep the internal disciplines. I feel like if they  
17 knew that they were going to meet with me, then they would at least be more conscious  
18 of it. But, again, my day job was fairly demanding at that time between COVID, Middle  
19 East peace, Warp Speed, and then all the other, you know, things I was working on, and  
20 so I don't recall the frequency of it.

21 Q If people said that you were meeting with Mr. Stepien twice monthly and  
22 then every week as they got closer to the campaign, would that sound accurate to you?

23 A That would sound like an appropriate aspiration, whether it happened in  
24 practice would be different. Again, like you guys all know working in these jobs, you  
25 know, you're never truly in control of your own days. And so that sounds like the right

1 aspiration, but, again, I don't know if we were able to follow through on that.

2 Q And, in terms of how you would characterize Mr. Stepien's role, I understand  
3 he was only a campaign manager for maybe under about 150 days. Would you describe  
4 it as somebody who was coming in with a ship that was already sailing, or if somebody  
5 characterized it as inheriting a somewhat broken ship and getting it over the line, which  
6 of those would you say was more accurate?

7 A I would say it was the ship that was sailing. I think that, again, you know,  
8 the ground operation was done, the GOTV was done in coordination with the RNC, had a  
9 very robust field operation, you know, and that -- I know Bill had been involved in helping  
10 shape. So that's really -- you know, if you think about what a campaign is, right, it's  
11 about, you know, raising cash -- raising donations, right, to support the candidate. It's  
12 about -- you know, it's about, you know, doing a get-out-the-vote effort and then doing  
13 advertising, and so we had all of those functions fairly well built out.

14 And so Bill's job was mostly to kind of take it, streamline it, focus it in the way that  
15 he wanted it to be. And, again, you know, like, you know, in some of these things it's  
16 more art than science, right. You could bring in three different campaign managers, and  
17 they'll all tell you why the other one is stupid and doing it the wrong way. But Bill came  
18 in and wanted to do it his own way, and that was the decision the candidate made.

19 So I'm sure he changed some things around, but by and large, a lot of the  
20 structure that was there, I believe, is the structure that he used to drive through. He did  
21 make some changes and he, you know, reallocated resources in different ways and  
22 changed some personnel, but that was his prerogative to do. You know, he was the  
23 chef, and so you let him, you know, kind of, you know, pick which groceries and the  
24 recipes he wants to go with, so --

25 Q I just want to note for the record that Representative Luria has entered the

1       Webex platform.

2                   Mr. Kushner, I think earlier you mentioned that, when it came to fundraising, it  
3       was previously Mr. Parscale, and then it was Gary Coby over digital fundraising. Was it  
4       your understanding that it was Mr. Stepien's job to oversee Gary Coby and what he was  
5       doing in digital fundraising?

6                   A     Yeah. Yes.

7                   Q     And did you have direct meetings with Mr. Coby?

8                   A     Every now and then.

9                   Q     If people believe that you were meeting with Mr. Coby weekly and then, in  
10      the last month of the election, multiple times per week, does that sound accurate or no?

11                  A     I don't recall.

12                  Q     Did you have any meetings with the President regarding fundraising prior to  
13      the election?

14                  A     I don't recall.

15                  Q     Those are all my questions.

16                  BY [REDACTED] :

17                  Q     Good. [REDACTED].

18                  So, Mr. Kushner, I'm going to turn to election night now. Do you remember  
19      where you were that night?

20                  A     In the White House.

21                  Q     Where exactly were you in the White House?

22                  A     Partially, we had a little room set up that the family was in. And then I was  
23      down, there was another room set up in the Map Room where -- where -- where we had  
24      just different campaign staff.

25                  Q     Yeah. I think I've seen some photographs of the Map Room with a lot of

1 terminals and people evaluating returns. Is that what you're talking about?

2 A Yes.

3 Q Were you primarily there or primarily in the residence with family or back  
4 and forth?

5 A Back and forth.

6 Q Okay. I take it you were monitoring results as they came in over the course  
7 of that night. Is that right?

8 A Yeah, getting information from the people monitoring results.

9 Q From whom were you getting information?

10 A Mostly from Oz and Stepien?

11 Q Who is Oz?

12 A Oz is a guy named Matt, Matt Oczkowski, I think. We called him Oz.

13 Q Okay. And what was his role within the campaign?

14 A He was a data modeler, so, you know, it was -- he did kind of a different kind  
15 of polling, which was more big data modeling.

16 Q Yeah. We'll come back to him. I think there's a document that he  
17 authored that I want to show you a little bit later. Was he in the Map Room with you or  
18 was he somewhere else?

19 A He -- I believe he was in the Map Room, but I don't recall.

20 Q All right. Do you remember who else was in the Map Room when you were  
21 down there?

22 A I don't recall. It was, you know, people in and out.

23 Q I see. And then who was up in the residence besides you? I take it the  
24 President was upstairs in the residence.

25 A He was upstairs. I was -- we were kind of on the first floor so not upstairs.

1        We were with -- mostly with Ivanka and her brothers and a couple other people who'd be  
2        coming in and out.

3            Q     Okay. At some point that night, I'm sure you recall that FOX called the  
4        result in Arizona for President Biden. Do you recall when that occurred?

5            A     Yes.

6            Q     Where were you exactly, Mr. Kushner, when FOX made that call?

7            A     I don't recall.

8            Q     Did the President ask you to do anything with respect to FOX when the  
9        network made that call?

10          A     I don't recall.

11          Q     Did you reach out to Rupert Murdoch after FOX made its call in Arizona?

12          A     Yes.

13          Q     Tell us about the conversation you had with Mr. Murdoch.

14          A     I reached out and basically said: Look, I think this feels to me premature.  
15        You know, the way that our data team believes that we think this is going to be a very,  
16        very close race in Arizona. You know, a lot of the -- they're showing a big margin now  
17        because of the way they're counting. They've counted a lot of the ballots that were the  
18        pre-election day ballots.

19            But, you know, our data shows that we think we're going to win the election day  
20        ballots about 2 to 1, which shows that this should be a really tight, race, and it could  
21        break within 20,000 each way. So it feels like you should wait until there's more  
22        counting done before there's a call made.

23            And Rupert said he'd looked into it, basically called me back and said: You know,  
24        my guys -- and Rupert was not a big interventionist with his people, but I felt like this was  
25        a serious enough one that it was worth going to his level. But he said: My people

1 assure me that head of data basically believes that it's not going to be close in Arizona,  
2 and we're sticking with the call, so --

3 Q That sounds like two conversations, the first you say: Hey, it's too early.  
4 He says: Let me look into it.

5 He calls you back and says: Our people believe this is the right call?

6 A Yes. They believe it's going to be done -- it's going to be a big, big deficit  
7 there.

8 Q Yeah. Was it an angry call or either of them acrimonious or sharp  
9 disagreement?

10 A No. We've had a long relationship, and, again, it's, you know -- no.

11 Q Did you make that call, Mr. Kushner, unilaterally, or did the President ask  
12 you to call Mr. Murdoch?

13 A I don't recall, but I believe it was unilaterally.

14 Q Okay. There's been reports that the President asked Hope Hicks to call  
15 Lockland Murdoch. Do you know whether that occurred?

16 A No.

17 Q Do you know whether or not Ms. Hicks spoke to the junior Mr. Murdoch?

18 A I do not.

19 Q Okay. Tell us about the President's reaction to the Arizona call. Did you  
20 have any conversation with him or hear him express his perspective once the FOX call in  
21 Arizona was made?

22 A I don't recall.

23 Q At some point, the President gave a very -- a speech or remarks very early in  
24 the morning. Did you have any involvement in crafting what he said on -- it's really not  
25 election night. It was actually early in the morning of November the 4th.

1           A    Yeah, that one I don't believe I had involvement with.

2           Q    All right. Do you know whether or not he received the advice from anyone  
3       about what he should say in the middle of the close election as the results were coming  
4       in?

5           A    I'm sure he got advice from a lot of people.

6           Q    Yeah.

7           A    Again, like I said, there's a lot of people around. You know, he was working  
8       the phones. So I would imagine he was getting advice and talking to a lot of people as  
9       he always does.

10          Q    Did you give him advice about what he should say?

11          A    I don't recall specifically, but, again, I knew that there was a lot of people  
12       around who probably had more expertise on what right messaging was. Again, I wasn't  
13       a very public person. I wasn't, you know, a communicator, so, you know, there were  
14       people there who were much more expert at communications than me.

15          Q    Yeah. We have received testimony from other witnesses that you,  
16       Mr. Kushner, told them that it was just too early to declare a result either way, to declare  
17       a victory or to concede, that he should just say it's too early to tell; we're going to  
18       continue to count votes. Do you remember giving him that advice?

19          A    I don't recall specifically, but, again, that's less communications advice, more  
20       just kind of an assessment of where we were, which seems to be representative of where  
21       things were at the moment.

22          Q    I see. Is that your perspective as to where things were at the moment on  
23       election night, just too early to tell?

24          A    Yeah. There was -- again, there was a lot of votes that were still left to be  
25       counted, and, again, he was showing big margins in a lot of the different States, and there

1 was still a lot of things that could've gone in many ways.

2 Q Yeah. The President, as you know, when he did ultimately address the  
3 Nation declared victory, said we did win this election. Do you know why it is that he  
4 made that statement, what informed that statement when you said the results were just  
5 too early or too close to call?

6 A No.

7 Q Do you know whether or not anyone encouraged him at that time on  
8 election night to declare victory?

9 A No.

10 Q We've received information that Mr. Giuliani was present at the  
11 White House and said: You need to go out and declare victory. It doesn't matter if it's  
12 too early; go out and say you've won.

13 Do you remember hearing that either directly or from others that Mr. Giuliani  
14 gave him that advice?

15 A I don't recall.

16 Q Do you recall Mr. Giuliani being present at any point at any of these  
17 locations in the White House on election night?

18 A Yes.

19 Q Okay. And were you present for any conversations he had with the  
20 President?

21 A I probably was, but I don't have anything memorable. Again, we were all in  
22 and out moving around, you know, different rooms, different things happening, trying to  
23 get different data, you know, that was coming in and just really digesting what the state  
24 of play was.

25 Q Okay. So, when you left the White House that night, if you could, what was

1       the plan? What was the sort of intention going forward in the midst of this close  
2       election? What was your and the campaign's sort of plan going forward?

3           A     The goal was just to regroup the next day and figure out what was going on.  
4       I think that the President went up to the residence. You know, I went home, probably,  
5       you know, 2, 3 in the morning. Actually, you know, I got a call from Karl Rove at the  
6       time who basically said to me: Yeah, you know, there's no way you guys could lose  
7       statistically based on, you know, what you have here.

8           He says: The President's messaging is all the wrong.

9           I said: Okay, well, then call him and tell him that.

10          And so I think Karl called to tell him what he thought the messaging should be.

11          And then, you know, we tried to get a couple hours of sleep. And, again, we'd  
12       been, you know, burning, you know, the candle on both ends with regard to the  
13       campaign. We were traveling all over the country, you know, doing mostly outdoor  
14       rallies, going from hot to cold and, you know -- and, you know -- and, you know, it was  
15       just -- you know, so we were all pretty -- pretty -- pretty -- pretty tired at that moment  
16       and then, you know, we basically went to get a couple hours of sleep and said: Let's  
17       reconvene the next day.

18          Q     Yeah. When Mr. Rove said the President's messaging is all wrong, do you  
19       know to what specifically -- what messaging he was referring?

20          A     Like I said, I basically, you know -- I -- look, messaging was not kind of my  
21       area of expertise so, you know, instead of -- I didn't want people to call me and say, "Hey,  
22       this is what the President should do," and then it seem like I had a magic button, I would  
23       press it, and then he would do that, because that was not the reality of how my life  
24       worked. And so I basically said: Look, if you have a strong point of view, then call him.  
25       You've got his number.

1           And so I believe he did.

2           Q     No, I understand. But the President was already talking about the election  
3     being affected by fraud, the elect -- the Democrats trying to steal the election. Was it  
4     your perspective that Mr. Rove was discouraging that or thought that that was the wrong  
5     message?

6           A     I don't recall specifically what his messaging suggestion was.

7           Q     Do you know whether or not Mr. Rove did speak to the President?

8           A     I believe he did.

9           Q     All right. And did you get any readout on that from either Rove or  
10      President Trump after their conversation?

11         A     I don't believe I did. I don't recall.

12         Q     All right. Anybody else call you on election night and give any advice to you  
13      or to the President through you about what he should or shouldn't say or do?

14         A     Not that I recall.

15         Q     Okay. So the next day, November 4th, there's a meeting at the campaign  
16      headquarters over in Rosslyn. Do you recall sort of regrouping with Mr. Stepien and  
17      others the next day at campaign headquarters?

18         A     Not specifically, but generally, yes.

19         Q     All right. Do you know whether Mr. Giuliani was present for that next-day  
20      conversation at campaign headquarters?

21         A     I don't know if he was there that day. I know he showed up there  
22      eventually. I don't know if it was that day or the day after or the day after, but I know  
23      eventually he showed up.

24         Q     All right. So --

25         A     And those days all kind of like shrink together, you know, so --

1           Q     I didn't mean to interrupt you. I understand. I know there was a lot going  
2     on. What do you recall, if anything, about discussions that next day, November 4th, in  
3     campaign headquarters?

4           A     So a lot of our efforts was just trying to get a hand on the information, right.  
5     So there was a lot of information that was shifting around. You know, we couldn't get  
6     clear answers on how many ballots were still outstanding in some of the different  
7     precincts, so, you know, we kept saying: Oh, they found 50,000 more ballots.

8           So I think we were trying to get a handle of the data, number one. Number two  
9     is there was a lot of allegations that were being made by people all over the country. A  
10    lot of it was anecdotal and so trying to figure out, okay, what are we going to do to try to,  
11    you know, either validate these allegations or not. And, again, I think that, at that point,  
12    you know, it was really kind of, you know, Justin, you know, who is the legal counsel, and  
13    the other lawyers that he worked with trying to figure out, okay, what can we do to try to  
14    preserve integrity here and make sure that we have some transparency so that, you  
15    know, we could have real insight into what happens.

16           And, you know, there was like little issues or big issues depending on how you ask,  
17     where like in Pennsylvania, I remember they wouldn't let our people in there to watch the  
18     counting of the votes. They were saying our people were kicked out of different places.  
19     So, again, these were more legal issues, and I think they were all coming in pretty, pretty  
20     fast and furious to Bill, and he was working with Justin on a lot of them.

21           Q     Yeah. When you say allegations, do you mean allegations of voter  
22     irregularities or election fraud?

23           A     What I would just say is just general irregularities, right. Like, if you look at  
24     this election, I don't think anyone disagrees that, you know, a lot of traditions were trifled  
25     with, right. It was an unusual election in the way that it was conducted due to the

1       COVID pandemic and a lot of the changes in the State rules, and it created a lot of  
2       unprecedented situations in a lot of places.

3           And I think that, you know, whether they were administered in a way that people  
4       expected, whether the expectations were correct, there was just a lot of things happening  
5       where, again, you know, there were just first-time occurrences. So, from, you know, Bill  
6       and Justin's point of view they were just trying to track down everything that was  
7       happening and do their best to make sure we were being responsible to make sure there  
8       was, you know, integrity to the election.

9           Q      Uh-huh. So, as those allegations came in, it sounds like they came to Bill  
10       and to Justin. Who was tasked with developing information about them, following up,  
11       determining whether they had merit?

12           A      So, again, I think it was not the most organized in terms of, you know, where  
13       it should have been, but I believe that Justin was the one who was at the point of doing  
14       that. I know that he built an election day team of lawyers to figure out how to do this.  
15       So, you know, he was really the one trying to manage that with Bill.

1

2 [11:02 a.m.]

3 BY [REDACTED]:

4 Q Was it your view, Mr. Kushner, that that was primarily a job for lawyers?  
5 These were legal issues and that Justin and his team of lawyers were the right people to  
6 evaluate these allegations?

7 A Generally speaking, yes.

8 Q And, again, were there outside lawyers, Mr. Giuliani or others, at that early  
9 point, November the 4th, who were involved in pursuing or evaluating these allegations?

10 A I don't recall specifically. Like I said, at that point everyone and their  
11 brother was weighing in with, you know, with ideas. And you understand, you've been  
12 doing this politics for a long time, it's -- you know, I think politics and sports are similar in  
13 that everyone has got an opinion on how to do it better than the people who are, you  
14 know, on the field doing it.

15 And so I imagine there was a lot of, you know, opinions coming in of people who,  
16 you know, thought they had the answer or could do it better. But primarily, I felt like  
17 this was, you know, an issue for the lawyers to handle.

18 Q I see.

19 I'll note Mr. Kinzinger has also joined us. You've got almost the full committee  
20 now, Mr. Kushner, who's here participating.

21 A Welcome.

22 Q So there's the substance of the --

23 A I miss all you guys in Washington, so -- but not that much. I'm happy to be  
24 down in Miami.

25 Q Understood.

1           So I want to separate the substance of the allegations and who's looking into them  
2 from the messaging about or talking about the allegations.

3           Were you involved in discussions about what the candidate or others should say  
4 as these allegations were being evaluated?

5           A     No. My focus was more on trying to, A, understand the facts of what was  
6 going on, right? Again, if -- you know, lawyers are only as good, I believe, as the facts  
7 they have, right? So you want to make sure that you're doing a good job of helping  
8 them get facts and then just relaying facts to the candidate. And the goal was try to  
9 figure out how to get organized, you know, in the best way possible.

10          Q     Did you ever hear concern expressed about messaging not matching the  
11 facts or making declarative statements about fraud before there was actually -- Mr. Clark  
12 and others had time to develop those allegations?

13          A     Yeah, but I'll say that over 5 years of working for Trump, I mean, every day  
14 there was, you know, what he wanted to message and what other people wanted to  
15 suggest he message. And so, you know, that was kind of a fairly usual occurrence on  
16 just any topic he would talk on, whether it would be how many scoops of ice cream he  
17 had.

18           I mean it's just like -- my point is, like, there was always people weighing in on how  
19 they thought he should message differently, and he always had his own point of view.

20          Q     I understand. What do you remember him saying or -- about messaging,  
21 about talking about fraud at this early point, again, as these allegations are coming in but  
22 not yet evaluated?

23          A     I don't recall. I mean, look, I know whatever statements he made, I would  
24 assume that those were the statements that he was -- you know, the good news is, is he  
25 says publicly a lot of the same things he says privately, you know, so I would imagine

1           that's the best representation of what his -- what his sentiment was.

2           Q     Got it. So, as you said, there was a lot of incoming, a lot of advice.

3           Let me turn you now to another document. This is exhibit 4. We'll put it up on  
4       the screen so you can see it.

5           Go all the way to the bottom, [REDACTED] first, starting at sort of the origin of the  
6       email.

7           It looks like that there are some election results based on Trafalgar Projections,  
8       and it's got some numbers from Pennsylvania and Michigan that break out mail-in ballots,  
9       early votes, and day of votes. And this is, again, dated November the 4th.

10          And if you scroll up just a little bit, [REDACTED] this is sent from Dick Morris to you, to  
11       John McLaughlin, to John Jordan, to Hope Hicks, Bill Stepien, Jason Miller, and Stephen  
12       Miller.

13          So, first of all, tell us about Trafalgar Projections and whether or not you are  
14       familiar with these or other results provided by that group.

15          A     I don't -- I'm not familiar.

16          Q     Do you remember seeing these numbers on November the 4th?

17          A     No.

18          Q     Okay. Tell us about Dick Morris. What role did he play, if any, in the  
19       campaign?

20          A     Dick was -- again, he was somebody who had the President's phone number  
21       and would call in from time to time and would consult on various things. I don't believe  
22       he was a paid person. He was just somebody who had a point of view.

23          Q     I see. One of those many outside parties that would express a view or get  
24       the attention of the President with some advice?

25          A     Yes.

1           Q     Okay. Now, if you go all the way up to the top of the email, Mr. Miller,  
2 who's -- first of all, Jason Miller, what was his role in the campaign? He was a Trump  
3 campaign official, correct?

4           A     Yes. So he was like the head of comms and that kind of stuff. But he  
5 was -- you know, he had a pretty -- pretty -- pretty wide role. But he was mostly on  
6 comms and things like that.

7           Q     So his role particularly was about messaging, was about communications,  
8 was campaign messaging?

9           A     I think he oversaw that, yeah. I think there were other people who  
10 specifically were comms, but I think he oversaw that and some of the media strategy  
11 stuff.

12          Q     Got it. So just -- Mr. Morris' email, the response is from John McLaughlin,  
13 who I believe we saw some work from his firm before. He was a pollster. Is that right?

14          A     Yes.

15          Q     All right. And he reacts to the poll numbers that -- or the election return  
16 numbers that Mr. Morris sent by essentially saying, "The media is setting up to allow the  
17 Democrats to steal the election. We need to prove fraud." And he talks about  
18 precincts in Milwaukee or Detroit or Philadelphia where the vote count may have  
19 exceeded the number of registered voters, talks about Monroe County.

20          He says, "We should treat the leads as victory in Arkansas, Maine 2, North  
21 Carolina and Georgia so our electoral vote count is 248 and is higher than Biden's to  
22 counter the media refusing to call those States for the President. We need to counter  
23 their public opinion push."

24          And then Mr. Miller responds at the top, "Not helpful."

25          I'm wondering if this rings a bell with you or you can help us understand the

1 internal campaign discussion about how to use these numbers with respect to messaging.

2 A I don't recall.

3 Q Do you remember Mr. Miller expressing a negative view about what  
4 Mr. McLaughlin is advising about countering a public opinion push?

5 A I don't recall. Like I said, when it came to messaging, my attention wasn't  
6 as precise.

7 Q So just beyond this email, Mr. Kushner, do you recall in the early days  
8 discussions about how much the President or others on his behalf should talk about fraud  
9 in the election?

10 A Again, I know that there were discussions, but I don't recall them specifically.

11 Q What was your view about whether or not that kind of rhetoric, alleging  
12 allegations of voter fraud, were helpful or not?

13 A Look, my sense was I just kind of was listening, right, in the sense that I  
14 wasn't a subject matter expertise, I hadn't been asked to oversee it and come up with a  
15 point of view, and it was not an area that I knew.

16 And, again, you know, working in Washington for all those years, like, I know that  
17 anything I read or hear from people is not always gospel, right? I try to kind of find my  
18 conclusions with my own eyes. And, you know, there's a lot of things I was accused of  
19 that I turned out to be totally innocent of. And, you know, we worked together on  
20 criminal justice reform. Like, this is something that happens all the time, right?

21 And so, you know, I tend to be somebody who, when given a task, like, I'll form a  
22 point of view and I'll really try to learn everything about it. But, again, I was more kind  
23 of in listening mode and learning mode than I was in a place where I had a definitive point  
24 of view.

25 But there were a lot of people around who had a lot more experience than I did

1       on communications, on elections, on legal stuff. And that was kind of the general  
2       dynamic.

3           Q     Yeah. Well, the President certainly had a perspective, and the President's  
4       rhetoric from the start was to repeatedly talk about voter fraud and allege that the  
5       election was rigged and stolen and riddled with fraud.

6           And I'm wondering, when he made those statements as early as November the  
7       4th, what your reaction was, whether you thought that was a good or a bad idea, just  
8       based on the data that you had seen.

9           A     I didn't have an opinion.

10          Q     Mr. Miller's opinion was that that wasn't helpful. Again, did you share that  
11       view or express that view?

12          A     I don't recall.

13          Q     I'll also note in this email that Mr. Gingrich, Newt Gingrich, is copied. Was  
14       he -- did he have any official role in either the campaign or the immediate post-campaign  
15       discussions?

16          A     Like I said, he was somebody who had the President's phone number. And  
17       so, you know, occasionally he would throw in ideas and be involved in different things,  
18       but I don't believe in any official role.

19          Q     Yeah. Okay.

20          All right. Let's go to the next exhibit, No. 5. This is along the same lines, more  
21       advice coming from the outside. This is a November --

22          A     Not to cut you off on this one, but this is an email that -- that email account  
23       that I told you I don't have access to and I don't think is a live email. So this is an email  
24       that never actually came to me.

25          Q     I see. Okay. So this one was sent to Jared Kushner at the Kushner

1 Companies. That was a dormant email, so you don't think you actually got this?

2 A I'm fairly certain I didn't, yeah.

3 Q I see. Okay. And do you have any recollection about Alex DiClaudio, Mick  
4 Mulvaney, any discussion with them or their perspective on these issues?

5 A I know who Mick Mulvaney is, but I don't recall having discussion with him  
6 on this topic.

7 Q Let's go all the way to exhibit 35. And I apologize if this is out of order, but  
8 I think this is one that we received --

9 A I don't think I have a 35.

10 Q Okay. This is one we actually got you from, Mr. Kushner, just a couple of  
11 nights ago.

12 A Oh.

13 Q Yeah. So we'll put it on the screen so you can see it.

14 A That's okay.

15 Mr. Benson. Pardon me, [REDACTED]. I think we produced this yesterday,  
16 right?

17 [REDACTED]. Yes. I think -- yes.

18 Mr. Kushner. Am I allowed to scroll down on this?

19 BY [REDACTED]:

20 Q Let me do it for you. We can go all the way to the bottom.

21 This looks like an email that was sent from Randy Evans --

22 A Yes.

23 Q -- to Speaker Gingrich, to Mr. -- to Vince Haley, who was a speechwriter in  
24 the White House. And he's relaying that he was involved in the Bush v. Gore legal effort  
25 in 2000.

1           He says at the very end, "Litigation/the courts were only one component part and  
2       only became dispositive once the other pieces made it so after the court ruled." And it  
3       looks like, all the way at the top, Mr. Gingrich forwards that to you.

4           Do you remember receiving this message from Mr. Gingrich forwarding Evans'  
5       email?

6           A     No.

7           Q     Do you have any idea about what Mr. Evans is talking about when he says,  
8       "the courts are only one component part"?

9           A     No.

10          Q     Were there discussions --

11          A     I'll just note again, Newt would lob a lot of stuff in and, you know, it wasn't  
12       stuff I paid a ton of attention to. Sometimes I'd glance through it and sometimes not.

13          But, again, I respect him. I think he's a very brilliant guy. But I think, you know,  
14       he's, you know, he's full of a lot of ideas.

15          But, like I said, I would have a lot of people sending me a lot of different  
16       information from time to time. And, you know, if it was -- if it was on something that I  
17       was tasked to do, I'd dig into it if it was helpful. But this was something I didn't pay a lot  
18       of attention to.

19          Q     Yeah. Okay. Well, I'm really using them more as a trigger to have you tell  
20       us what the discussions were inside the campaign. Here you're getting an email about a  
21       strategy in which litigation and the courts were only one component part, and I'm just  
22       wondering whether there were discussions with you or others about a litigation or  
23       broader strategy after the election.

24          A     Yeah. I don't recall. But, again, you know, Randy was just, you know, a  
25       guy who would send ideas. I don't believe he was involved in anything, as far as I know.

1           Q     Okay. Was there at this early point -- this is Thursday, November 5th -- in  
2       your view, Mr. Kushner, a litigation strategy or a strategy of some kind of which litigation  
3       was a part?

4           A     I think it was still being -- I think we were still trying to get facts to figure out  
5       what a strategy could be, from my recollection.

6           Q     Okay.

7           ██████████. All right. Let me pause there and see if any members have any  
8       questions.

9           No. No hands.

10          Anybody here?

11          ██████████. Just a quick one in regards to the election.

12          Mr. Kushner. I lost you guys in terms of the video, for whatever that's worth.

13          ██████████. Okay. Is it a bandwidth issue?

14          Mr. Kushner. It's not essential, but it's just, you know, nice to see.

15          ██████████. There we go.

16          Mr. Kushner. There we go. Thank you.

17          ██████████. Are we back on? Okay. Sorry about that.

18          Go ahead, ██████████

19          BY ██████████:

20          Q     Mr. Kushner, really briefly, because I don't want to -- we'll go into more  
21       depth later. But with regards to the election and immediately afterward, our  
22       understanding is that there were some discussions about whether to continue  
23       fundraising, especially digital fundraising.

24          Were you involved in those discussions?

25          A     I don't recall.

1           Q     Was it your understanding that the digital fundraising team could continue  
2     fundraising without any kind of authorization? Are you aware of that?

3           A     Yeah, I think so. Again, I don't recall.

4           Q     Okay.

5           ██████████. So let me turn your -- how are we doing in terms of stamina or a  
6     break? Are we good or should we keep going or --

7           Mr. Kushner. Let's do a little bit longer, maybe another 15 minutes, then we can  
8     take a little break.

9           ██████████. Yeah, exactly. Mr. Kushner, any time that you need a break, just  
10    say the word and we can stop. I want to make sure we get through this in the way that's  
11    most comfortable.

12          Mr. Benson, obviously, we've been through this before. If you need a break, just  
13    let us know.

14          Mr. Kushner. My goal is to get it done as quickly as possible so I can get back to  
15    my nonpolitical life, so --

16          ██████████. Understood.

17          BY ████████:

18          Q     Very briefly, Mr. Kushner, you mentioned you weren't a subject matter  
19    expert on communications and communication strategy. One of the things that's  
20    helpful for us is identifying who those people might be and being able to talk to them.

21          So who, from your perspective, was a communications person who was  
22    championing this idea that the President publicly discuss the fraud that he perceived in  
23    the election?

24          A     I think the President. I mean, he was the one. He was, like I said, he was  
25    campaign manager, he was communications director. I mean, you know, we were all

1 there to try to help facilitate, give him ideas, give him facts, and help him execute. But,  
2 again, he was a very unique politician in how he -- in how he operated.

3 Q Is there anybody else who was championing that idea, aside from the  
4 President, that you saw?

5 A I don't recall.

6 Q That day -- we just looked at an email from November the 5th involving  
7 Speaker Gingrich and others, but just to set the scene, that same day Ms. Conway,  
8 Kellyanne Conway went on TV talking about there's no rush, we need to wait, we need to  
9 see how things play out in the election and count the votes, effectively. I know you had  
10 mentioned earlier that there were in those early days lots of votes left to be counted.

11 But the President on November 5th tweeted, quote, "Stop the counts." Do you  
12 remember that tweet or tweets like that, saying "Stop the count," coming from the  
13 President?

14 A No.

15 Q Do you remember anybody discussing a need to stop the count in the White  
16 House or in the campaign?

17 A I don't recall.

18 Q Is there anybody else that you're aware of in the campaign or the White  
19 House who shared the view that the President stated of a need to stop the count in those  
20 early days after the election?

21 A I don't recall.

22 Q Thank you.

23 BY [REDACTED]:

24 Q So, Mr. Kushner, I want to turn you now to November the 6th. This is just  
25 now -- I believe that's a Friday. The election was Tuesday, November the 3rd.

1           Mr. Stepien, who has provided information to the committee, indicated that there  
2       was a meeting that day, Friday, November 6th, in the Oval Office that you attended, along  
3       with Oz, the man you referred to -- I'm not even going to try to pronounce his name,  
4       Oczkowski -- the President, Jason Miller, Mr. Stepien himself, you, and Oz.

5           Do you recall that Friday meeting in the Oval Office?

6           A     I don't.

7           Q     Okay. Do you know whether or not Mr. Oczkowski was called to provide  
8       some data, some numbers to campaign leadership and the President himself in the days  
9       right after the election?

10          A     By the way, to make this easier on you, let's just agree to call him Oz.

11          Q     Oz, yes. Thank you.

12          A     There's a reason we gave him that nickname, you can be the beneficiary of.  
13          I don't recall.

14          Q     Nothing about a meeting with Oz in the Oval Office on that Friday?

15          A     I don't recall, no.

16          Q     Okay. How about that same day, a meeting at campaign headquarters? I  
17       think it was actually before the Oval Office meeting with -- again, this is from Mr.  
18       Stepien -- Mr. Stepien, Mr. Bossie, Eric Herschmann. Mr. Giuliani is now present at  
19       campaign headquarters.

20          Do you remember convening -- being part of a group that was convened at  
21       campaign headquarters that Friday? This is all before the election was yet called.

22          A     Yeah. So I remember being there. And, again, we were jumping from  
23       meeting to meeting just, you know, trying to -- you know, we were all talking to people on  
24       phones, trying to get information. And, you know, there was -- there was basically, you  
25       know, different -- different -- different information coming in.

1           I think by that point, you know, Rudy had showed up and, you know, was basically  
2       saying that he thought the legal team wasn't doing it the right way and that he should be  
3       put in charge. And I basically was just asking Justin, you know, meet with him, maybe  
4       he's got some good ideas.

5           Again, he was, you know, the Southern District. He was a, you know, famous  
6       prosecutor and, you know, mayor of New York and a successful -- successful litigator.  
7       You know, listen to him. See if he has any good ideas and see if he could be helpful.

8           But I don't think they were able to kind of figure out how to agree on cohesion in  
9       terms of what the strategy should be.

10          Q     Okay. So there's a couple things in there that I want to follow up on. It  
11       sounds like Mr. Giuliani expressed the view that the legal team -- I assume that's Justin  
12       Clark and the lawyers with whom he worked, -- were somehow not doing enough or were  
13       not doing the right thing. Is that right?

14          A     That was the general sentiment that existed between the two camps, yes.

15          Q     Okay. And tell us more what Mr. Giuliani said in terms of what they  
16       weren't doing or what should be done.

17          A     Yeah. What I just provided is how I remember -- is what I remember. I  
18       don't remember the specifics. But, again, my goal was just to say, hey, if you think one  
19       way and you think one way, you know, why don't you guys get together and see if you  
20       can, you know, form cohesion? And, again, if you can form cohesion, that's great. And  
21       if you have disagreement then that's -- then that's why he's saying what he's saying.

22       So --

23          Q     Was the sort of hub of the disagreement about pursuit of these election  
24       fraud allegations and how aggressively or not to pursue them?

25          Mr. Benson. [REDACTED], can I just interpose a privilege?

1 [REDACTED]. Yes.

2 Mr. Benson. These conversations are with lawyers and prospective lawyers who  
3 were giving legal advice to the campaign.

4 Mr. Kushner. And I'll just say I really don't have specifics of the discussions. I'm  
5 just giving you the general sentiment, and I'm not going to be able to provide much more  
6 from there. So, again, I don't have specific recollection of the discussions and I wasn't in  
7 a lot of the discussions between them.

8 BY [REDACTED]:

9 Q Did you, Mr. Kushner -- and, Mr. Benson, I appreciate that. I heard what  
10 you said about the discussions with lawyers.

11 But I'm looking more for your perspective, Mr. Kushner, on who was right, to the  
12 extent you had a personal view based on your involvement in the campaign, about  
13 whether or not Giuliani is saying do more versus Mr. Clark. Who had the -- sort who  
14 was, in your view, giving the right advice?

15 A Again, I think that it was more about tactics at this point, in terms of how to  
16 investigate the different allegations that people were making. And, again, I didn't have  
17 a point of view on it, because, again, it's not something I have experience with.

18 Q So you didn't have a side or didn't feel like you were aligned with either side  
19 of this dispute?

20 A I was just trying to see if we can find cohesion, because I find, again, if you  
21 can get people to agree then that tends to be the best pathway forward. If there's  
22 disagreement on this, again, it felt like it was something that was probably going to be  
23 adjudicated by the candidate.

24 Q Yeah. There's been reporting that Mr. Giuliani described that he wanted to  
25 investigate the election like a RICO conspiracy, much like his days, as you mentioned, as a

1 prosecutor in New York.

2 Do you remember any reference to RICO conspiracy or investigating it in that  
3 fashion?

4 A I don't recall that.

5 Q Okay. Now, at this point, were you, Mr. Kushner, aware of any actual  
6 evidence of corroborated election fraud of a scale that would impact the results?

7 A Like I said, at this point there was a ton of anecdotal allegations being made  
8 and a ton of people digging into it. But, again, I was not looking under the hood and  
9 trying to corroborate things.

10 I was basically at a place where I was trying to just see if we can get cohesion and  
11 get a strategy and get somebody in charge who hopefully could do the best job possible  
12 to try and adjudicate the different concerns that existed.

13 Q Okay. Do you recall a discussion at this time on this Friday about the  
14 President's chances of success, about whether or not -- sort of how this was looking in  
15 terms of the ultimate result?

16 A Well, at that point, the -- I don't recall specific discussions, no.

17 Q I mean, the numbers in these various States, even though they hadn't been  
18 called, were showing at this point on Friday that President Biden was ahead in some of  
19 these battleground States. Was there a concern about the fact that it increasingly  
20 looked like the President could lose?

21 A I wouldn't say it was concern. It was just that's -- the numbers that we  
22 were looking at and projecting were the numbers and our goal was to relay the numbers.

23 Q Okay. Did Mr. Giuliani take on a formal role in the campaign after this,  
24 after this discussion that Friday?

25 A So eventually, I believe he was put in charge. And, again, I don't recall

1 specifically when that was.

2 Q I see. Okay. So eventually, he was -- when you say put in charge, put in  
3 charge of what?

4 A I believe the legal strategy. But, again, it was -- it was a very fluid moment,  
5 right? Again, I think Bill was technically the one who was trying to stay in control and let  
6 Justin lead the litigation. I know the RNC was also trying to do different things as well.

7 And, you know, and again, I think that it was -- it was becoming a little -- different  
8 people were getting, you know, blessed with the responsibility to lead this at different  
9 times. So -- but ultimately, Rudy emerged as the one that Trump said he wanted to be  
10 in charge of this.

11 Q Got it. And that was the candidate's decision that Rudy would be in charge  
12 of it at a certain point?

13 A Look, I wasn't there. That was just what I was told and that was my  
14 understanding that I operated on. And when that happened, I basically said, you know  
15 what, that's okay.

16 Again, nobody ever anticipated that it would lead to violence or anything that  
17 happened. They said, okay, he'll do the legal challenges.

18 And I said, let me use the rest of the time I have here to go back and focus on, you  
19 know, Middle East peace and take the peace deals that we'd started, figure out how to  
20 use the time to get them cemented. We still had a lot of work we needed to do with  
21 Sudan. We had an opening potentially to get Morocco.

22 Again, these deals aren't easy deals. They're very technical. They require a lot  
23 of work, a lot of, you know, going there, sitting with people.

24 You know, at that point, we were trying to figure out how do we get the banking  
25 systems between Israel and UAE integrated, you know, phone calls between the

1 countries. We were finding all kinds of issues that just -- we didn't even imagine existed  
2 that we were trying to adjudicate, getting first flights, opening airspace.

3 So I focused on that. I said, let me go focus on Operation Warp Speed. At that  
4 point, we'd had a successful -- we'd had a successful result on the Moderna and the Pfizer  
5 vaccines, but, you know, Pfizer was falling behind on their production schedule, so we  
6 needed to work with them to get that ramped up.

7 And then we were focusing on what would be one of the biggest logistical rollouts  
8 in our country of the vaccine, where we were trying to get them to all the communities,  
9 use all of the -- you know, all of the -- all of the learnings we had from rolling out testing  
10 and therapeutics and everything else to try to do this right.

11 Again, we felt like if we got this right, we would save lives. And so we were very  
12 focused on that.

13 I was negotiating with Albert from Pfizer to get the second -- second hundred  
14 million -- second hundred million doses. You know, he wanted it to extend down to Q3.  
15 We said that wasn't acceptable. We wanted to try to get them into Q2. And so I was  
16 focused on those things.

17 Then I was also focused on my family and knowing that I was going to have to  
18 relocate them most probably, and so figuring out what we were going to do with kids and  
19 schools and living.

20 And so my sense is, you know, Rudy was going to be in charge of the -- of the  
21 litigation and I would focus on, you know, my other priorities and also focus on -- I had a  
22 lot of, you know, people in the White House now who were starting to think about what  
23 they -- in the government -- who had, you know, been great, you know, coworkers,  
24 colleagues. And I wanted to try to help them figure out what they were going to do  
25 next.

1           So that's where my focus turned to.

2           Q     No, I understand, Mr. Kushner, that you had a job to do.  Is it fair to say  
3     that as of November the 7th -- and we're going to turn to this -- when the election is  
4     called, you believed you had a limited time left?  You had only potentially a couple of  
5     months left to get all these important things done.  I don't want to put words in your  
6     mouth, but was that your perspective?

7           A     Look, one thing I'm very proud of with my service is I really kept my head  
8     down and I tried to make every second of every day count.  I worked very hard, and I'm  
9     very proud of all the things I was able to accomplish.

10          And, you know, I wasn't going to -- I wasn't going to let any seconds go to waste.  
11          And so, you know, so I really resolved to focus on all the different things we could work  
12         on.

13          We started -- I wanted to get active on pardons as well, you know, something that  
14     Trump actually liked doing.  And we had some amazing pardons, which were in line with  
15     the criminal justice work that I did.

16          And so I wanted to focus on all those things and just, you know, make sure I used  
17     every last minute of my service to further the things that I believed, you know, were good  
18     to do.

19          Q     Yeah.  No, I understand, Mr. Kushner, completely.  So it sounds like as of  
20     Rudy taking over the legal effort, you turned your attention to sort of a sprint to the  
21     finish, a run through the tape, get a lot of these important things done in the limited time  
22     you have left.  Is that fair to say?

23          A     Yeah.  And, you know, Eric Herschmann is a lawyer who's I think a very  
24     competent lawyer.  I asked him, I said just, you know, keep an eye on it, let me know if  
25     any big trouble, but, you know, I'm really going to turn my attention elsewhere.

1           And then I started focusing on trying to get all these things done. Again, I had a  
2 lot of work I wanted to get done in the Middle East, a lot of the peace deals. It was like,  
3 you know, newly planted seeds. We wanted to get them as firmly rooted as possible so  
4 that they would, you know, grow regardless of, you know, the political dynamics and the  
5 nurturing that we were doing.

6           So yeah, just had a lot of work to do to get done.

7           Q    Yeah. And did you start thinking about relocating and moving your --

8           [REDACTED] I'm sorry, Mr. Benson, go ahead.

9           Mr. Benson. It's just 11:30. I was just wondering if we could take a 5-minute  
10 break.

11           [REDACTED]. Yeah. Let me just finish this and, yes, in 2 minutes we'll take a  
12 break.

13           Just to follow up, Mr. Kushner, on your prior answer, did you start thinking about  
14 relocating and moving your family as early as Giuliani taking over here in the week right  
15 after the election?

16           Mr. Kushner. I started thinking about the possibility of it, yes.

17           [REDACTED]. Okay. All right.

18           I think this is a good time for a break. We're going to turn to the day that the  
19 election is called and walk forward from there. But now I think is a natural point to  
20 break. Let's take however long you need, 5, 10 minutes.

21           Mr. Kushner. Five minutes is good.

22           [REDACTED]. Five minutes? Okay. All right. Good. Thank you.

23           We'll go off the record for about 5 minutes?

24           [Recess.]

25           [REDACTED]. So let's go back on the record.

1                   BY [REDACTED]:

2                 Q     Just one quick thing to follow up on, Mr. Kushner, just on your last answer, I  
3     think you indicated that you told Eric Herschmann keep an eye on things and let me know  
4     if there's any big trouble, or something to that effect, when you turned your attention to  
5     the important responsibilities you had in the days left.

6                 First of all, tell me who is Eric Herschmann?

7                 A     Eric is an experienced lawyer who I've known who joined the White House  
8     who had a -- who was a prosecutor who I felt was a competent lawyer.

9                 Q     Okay. I see Mr. Raskin has now joined us as well.

10                And was he someone, Mr. Kushner, that you trusted and whose perspective and  
11     judgment you had come to respect?

12                A     Yes.

13                Q     So when you turned your attention back to the important issues with which  
14     you were dealing, it sounds like you were counting on Mr. Herschmann to have some sort  
15     of continued role in the campaign or monitoring the election-related matters. Is that  
16     right?

17                A     To a degree. I just, you know, again, it was -- I wasn't asking to have a role.  
18     Just saying, you know, again, I was fairly checking out of it, focusing on other areas. And  
19     so just basically, you know, him, Pat, all the guys knew that if they ever needed me for  
20     something, they could call me into it.

21                Q     Okay. And when you said you asked him to keep an eye on things and let  
22     me know if any big trouble, what did you mean by big trouble?

23                A     Oh, just if it felt like it was going in a really bad place or something was  
24     happening that he felt needed my intervention.

25                Q     And when you say "it," what do you mean?

1           A     Rudy's litigation.

2           Q     I see. Okay. So you meant when Rudy took over, you were expecting  
3     Herschmann or Pat -- I assume you mean Pat Cipollone -- would loop you in if they felt  
4     like there were concerns about things that he was doing?

5           A     In ways that I could be outcome determinative to. I mean, you know, in  
6     the sense that it's -- you know, in the sense that if he thought I could have a role to help  
7     push for something that was different one way or the other where he thought I could  
8     make a difference.

9           But, again, on matters of legal strategy and on that, it was not an area  
10    where -- again, I was never given those tasks by the President. It wasn't an area he  
11    relied on me, and it wasn't an area I had expertise.

12          Q     I understand. And I'm skipping ahead, but were there times when Mr.  
13     Herschmann or Mr. Cipollone called you and said they were concerned or that there was  
14     big trouble and they needed you to do something that might be outcome determinative?

15          A     Yeah. I don't recall specifically.

16          Q     Okay. All right. Well, we're going to march through chronologically and I  
17    may come back to them. But I want to call your attention now to the Saturday,  
18    November 7th, when the networks called the election.

19          Again, we've talked to several people who were present at a meeting where you  
20    were, according to them, Mr. Kushner, present in the campaign headquarters, Jason  
21    Miller, Bill Stepien, David Bossie, Eric Herschmann, Justin Clark. This one actually had  
22    Dan Scavino, Eric Trump, and Hope Hicks. And you were at the campaign headquarters  
23    when the networks made the call or sort of officially declared that President Biden had  
24    won.

25          Do you recall that moment when the networks called the race and you all were

1 together at campaign headquarters?

2 A Not specifically. It had been a moment that we'd been prepared for, but it  
3 wasn't a moment I recall specifically.

4 Q Okay. When you say you had been prepared for, tell me more about that.

5 Based on the campaign's own internal data?

6 A No, just based on what we were hearing from outside sources. You know,  
7 Jason would hear from reporters and, you know, that is where kind of the data kept  
8 ticking in that direction.

9 Q I see. Okay. And what did you do, Mr. Kushner, when the networks made  
10 the call? Did you take any action to notify the President?

11 A I believe we called the President just to let him know.

12 Q Okay. Who's "we"?

13 A I believe we did it as a team. I don't recall if we did it on speaker or  
14 whatever it is. But the general sense is that we had to call and let him know.

15 Q All right. Tell us about that conversation when the team called him.  
16 Where was he, first of all, when this conversation occurred?

17 A I believe he was at his club in Virginia, but I'm not 100 percent certain.

18 Q It's been reported that you called him and he was on the 7th hole of  
19 his -- playing golf. Is that consistent with your recollection?

20 A I don't know what hole he was on. I recall he was -- I recall that he was at  
21 his club.

22 Q Okay. Tell us about the conversation. What did you say and what did he  
23 respond?

24 A I don't recall specifically. I just recall it was a pretty short conversation.

25 Q Okay. You conveyed that the networks had made the call?

1           A    Uh-huh.

2           Q    You have to answer yes or no.

3           A    Yes.

4           Q    Okay. And what do you remember was his reaction?

5           A    I don't recall.

6           Q    Do you remember him having any reaction, an emotional reaction?

7           A    I felt like he wasn't really showing his cards, in the sense that he was just  
8 taking the information and going back to what he was doing.

9           Q    I see. So he didn't -- did not react with any frustration, with any anger, with  
10 any sadness?

11          A    Not that I recall.

12          Q    Okay. Do you know whether or not he was surprised? Did he say he was  
13 surprised or not?

14          A    I don't know.

15          Q    All right. Did you have any discussion with him at that point about whether  
16 or not he should concede or agree with this call?

17          A    I don't recall.

18          Q    I'm going to ask you about that again as we go forward, but do you  
19 remember that day any discussion with him about the prospect of conceding?

20          A    I don't recall.

21          Q    Okay. So there's been reporting -- and this is from "Peril," from the  
22 Woodward and Costa book -- that you suggested to Bill Stepien that a small group of  
23 campaign advisers go to the White House to meet with the President after the Associated  
24 Press had called the election and give him some more specific information about the  
25 numbers.

1           Do you remember -- was that accurate, that that was your suggestion to have  
2 those campaign folks go to the White House?

3           A    I don't recall.

4           Q    Do you know whether or not that happened?

5           A    I don't.

6           Q    Did you go to the White House for any particular meeting with him after he  
7 finished his golf game that afternoon on Saturday?

8           A    I don't recall.

9           Q    "Peril" quotes you as saying, "There's a time for a doctor and a time for a  
10 priest. The family will go in when the family needs to go in, but it's not time for that."

11           Do you recall using any words like that about whether this was a time for a doctor,  
12 a priest, or family?

13           A    I don't recall.

14           Q    Okay. Now, it was also reported that as early as this day, this Saturday,  
15 that you, Mr. Kushner, and the First Lady were urging the President to think about an exit  
16 strategy, to think about making plans for a post Presidency.

17           Do you recall -- first of all, do you recall having that view, that when the race was  
18 called it was time for the President to think about an exit strategy?

19           A    I wouldn't call it an exit strategy. I would say that, yeah, my general  
20 sentiment was that if you want to think about what comes next, which seemed like the  
21 higher probability outcome, then, you know, we should come up with ideas for how to  
22 help you go figure out the next thing.

23           He had a lot to be proud of. He accomplished a ton as a President. And there  
24 was a lot of, you know, exciting things he could pursue.

25           Q    Did you give him that advice directly, whether it was that day or in the days

1 thereafter?

2 A I don't recall specifically.

3 Q Did you tell the President it was time to start talking about legacy, thinking  
4 about next steps at any point, Mr. Kushner, in the post-election period?

5 A Yes.

6 Q And what was his reaction when you gave him that advice?

7 A I don't -- look, I know that we would go in and say, look, these are all the  
8 events you can do, these are all of the speeches you should be talking about. I mean,  
9 again, going through his legacy. You go through -- you know, he was an incredible job  
10 creator. He had great interventions during COVID to save the economy. He developed  
11 the vaccine. No new wars. You know, created peace deals. You know, there was just  
12 a lot of -- secured the southern border.

13 He had a lot of legacy issues that he could have spoken about and we put them  
14 forward, but nothing was -- but not a lot -- a couple of them happened, but not a lot.

15 Q Yeah. And tell us what he said as to why he didn't want to do those things,  
16 talk about those things. What was his reaction when you gave him that advice?

17 A I don't recall. All I know is he didn't allow us to put them on the calendar.

18 Some he did --

19 Q Well, he kept talking about -- sorry, go ahead.

20 A Some he did, but most of them ended up not making it on.

21 Q Yeah. He continued to talk throughout this period about election fraud and  
22 stop the steal and the rigged election.

23 Did you ever counsel him, Mr. Kushner, that he shouldn't talk about those things  
24 but should rather talk about his legacy and his record of accomplishment?

25 A I was counseling him on what he should talk about. Again, he's very hard

1 to tell what you shouldn't talk about. He has his own point of view.

2 Q Yeah. I appreciate that. And when you gave him that advice, how did he  
3 react?

4 A I don't recall.

5 Q Were other people giving him similar advice to that which you gave him, that  
6 it was time to talk about all of these accomplishments?

7 A Like I said, there was always a lot of people giving him advice from a lot of  
8 perspectives. So I don't know.

9 Q Were there people giving him contrasting advice that you were aware of,  
10 that he should continue to talk about the election and that should be his focus in the days  
11 after the election?

12 A I don't know.

13 Q We've heard from Mr. Stepien, for example, that there were sort of two  
14 camps around the President, that there were the people -- and he included you in this  
15 group -- that were talking about acceptance of these results. Then there were  
16 others -- and he put Mr. Giuliani as sort of the head of that -- that were continually telling  
17 the President about election fraud and encouraging him to continue to fight.

18 Is that consistent with your experience, Mr. Kushner?

19 A I don't know if there were camps per se, but I think there was people with  
20 different perspectives, and that's not unusual for the world we lived in.

21 Q Okay. And I'm just asking, do you recall anyone on either side, besides you,  
22 who were pushing the President in either of those directions, telling him, "Hey, talk about  
23 your accomplishments, not the election," versus people telling him, "Hey, the election  
24 was stolen, we have to do all we can to prove that"?

25 A Like I said before, you know, once he decided to put Rudy in charge of

1 his -- of the legal challenges and Rudy was taking a more active role, I basically started  
2 focusing my efforts on the things that I could be outcome determinative in and focused  
3 on Middle East peace and Warp Speed and a whole bunch of other things.

4 Q Do you recall, Mr. Kushner, ever talking to the President about concession,  
5 about him conceding that he had lost the election after Rudy Giuliani was put in charge of  
6 the legal effort?

7 A I don't recall specifically.

8 Q Did you ever encourage him that he should do so, that he should concede  
9 and start thinking about, I think as you said, next steps or another election?

10 A Again, you're asking a very general question.

11 Q Yes.

12 A And the sentiment, there were a lot of discussions during that time. And,  
13 again, I'm not having a specific recollection.

14 Q Yeah. And I'm trying to move away from a particular meeting to whether  
15 or not you recall any conversation along those lines, about a concession, about your view  
16 as to whether that would or wouldn't be a positive thing for him.

17 A Yeah. Like I said, I mean, it was a pretty chaotic time and I don't have  
18 specific recollection of that.

19 Q Did you ever give him advice, Mr. Kushner, about whether he should  
20 continue to attack the validity of the election? Again, I'm not talking about any specific  
21 meeting, but whether you recall any such conversation?

22 A I don't believe so.

23 Ms. Cheney. █, I've got a question.

24 █. Yeah. Please, Ms. Cheney. Thank you.

25 Ms. Cheney. Mr. Kushner, can you just describe for us how you picked your

1 moments in terms of when you thought you'd be most likely to have an impact?

2           Mr. Kushner. As I think you probably understand the situation as well as  
3 anybody, so it's -- you know, you pick your moments. It's more feel than anything else.

4           Ms. Cheney. So in terms specifically of this period after the election, when you  
5 were making the case about let's think about how the President can really emphasize his  
6 legacy, how did you pick your moments?

7           Mr. Kushner. You waited till the moment arose, and you tried to take it when  
8 you thought you'd get an opening, and sometimes you were successful and sometimes  
9 not. But, like I said, it's, you know, it's very nonscientific.

10          Ms. Cheney. And so were there moments when you thought, "All right, I'm going  
11 to have an opportunity now to go in"? Were there moments when you gathered the  
12 information about his legacy and thought, "All right, this is a point where I might be able  
13 to get him to listen"?

14          Mr. Kushner. The latter part, in terms of getting him to listen is different. But  
15 there were definitely moments of -- there were moments where I went in and tried to  
16 convey information, yes.

17          Ms. Cheney. And were there moments where you found that you were more  
18 successful? What were those moments, I guess is the question, in this time period?

19          Mr. Kushner. Yeah, I don't recall specifically.

20          Ms. Cheney. All right. Thanks.

21          [REDACTED]. Any other member have questions at this point?

22          Yeah, Mr. Raskin, I see your hand raised. Please.

23          Mr. Raskin. Thank you.

24          Mr. Kushner, if there were two general schools of thought, those with Mr. Giuliani  
25 who were still looking for a way to fight and litigate the election and those who thought it

1 was time to move on and talk about legacy, did the pro-legacy group ever make the point  
2 that continuing and escalating the claims that Donald Trump had won the election would  
3 undermine his legacy in the eyes of history?

4 Mr. Kushner. I don't recall.

5 Mr. Raskin. And was there -- you know, every family has its politics, of course,  
6 and some people have thought that families are the most political institutions out there.  
7 But was there unity within your family, broadly speaking, that it was time to be thinking  
8 about burnishing President Trump's legacy?

9 Mr. Kushner. I don't recall.

10 Mr. Raskin. So, in other words, the family itself was as fragmented as the  
11 political entourage around Donald Trump on that question. Is that right?

12 Mr. Kushner. I wouldn't say fragmented. I would just say individualistic. And  
13 it wasn't something we were all communicating on on a regular basis.

14 Mr. Raskin. Got you. Okay. Thanks so much. I yield back.

15 Mr. Kushner. Of course.

16 [REDACTED]. Any other members have questions at this point?

17 BY [REDACTED]:

18 Q All right. Mr. Kushner, I want to turn your attention to some of the  
19 documents that you provided to us through counsel and first maybe show on the screen  
20 exhibit 32. And this is along the lines of more advice that continues to come in in the  
21 post-election period.

22 Exhibit 32 looks to be an email that was sent to you and your wife, Ivanka Trump,  
23 Hope Hicks, Kayleigh McEnany, Brooke Rollins, and Pat Cipollone from Newt Gingrich, and  
24 it's entitled "Two paths to victory." And it was sent on Tuesday, November 10th, at 7:44  
25 in the morning.

1           Do you remember receiving this email from Speaker Gingrich?

2           A     No.

3           Q     It indicates that he outlines these two paths to victory. One, he talks about  
4       the Pelosi/Schumer raw partisan political power rule and the power of GOP legislatures to  
5       elect to not send in electors from an unreliable and rigged system before all questionable  
6       conduct has been answered.

7           Do you remember discussion, either with Speaker Gingrich or others, about the  
8       power of State legislatures to do or not do things with respect to electors as early as  
9       November 10th?

10          A     No.

11          Q     What did you do with this when you received it?

12          A     I don't -- unless I gave you a response to it, I think I just deleted it.

13          Q     Yeah, there is no -- you didn't provide anything but the original email. But  
14       do you remember any discussion about it when it came in, either with any of the  
15       addressees -- again, your wife or Mr. Cipollone or Ms. Hicks or Ms. McEnany -- when it  
16       was received?

17          A     No.

18          Q     How about with the President?

19          A     No, not that I recall.

20          Q     Okay. Were you involved at all, Mr. Kushner, in discussions about the  
21       power of GOP legislators to elect to not send in electors in this post-election period?

22          A     No.

23          Q     You didn't participate in those discussions at all?

24          A     No.

25          Q     Okay. The next exhibit that I want to turn to is No. 30. This one is

1       actually one that I think we had.

2                 Grant, if you can pull that one up on the screen.

3                 Oh, no, this is one that we received from you. I apologize.

4                 So, Mr. Kushner, this is an email that is dated Friday, November 13, in that week  
5       immediately after the election, that you provided to us. And it looks like it's something  
6       that was received from Jason Miller, and it is sort of a series of talking points about  
7       Dominion Voting Systems.

8                 And at the very top of the email Mr. Miller says, "In short, we can credibly say  
9       there's valid questions about the security and reliability of Dominion's systems.  
10      Important to note that they are operating in a number of states, but not necessarily  
11      statewide." And then he provides the talking points.

12                 Do you recall receiving this from Mr. Miller?

13                 A     No.

14                 Q     Do you remember any discussion about Dominion, the security or lack  
15       thereof of Dominion Voting Systems' machines?

16                 A     I remember it being a topic discussed, but I don't recall any specific  
17       discussions I had with people on it.

18                 Q     Okay. At this point, November 13th, Mr. Miller says there are valid  
19       questions. Do you remember whether or not those questions were ultimately resolved,  
20       pursued, evaluated, and resolved?

21                 A     No.

22                 Q     Do you remember hearing that there was no evidence, from the Director of  
23       National Intelligence or others, about lack of security of the -- of Dominion voting  
24       machines?

25                 A     No.

1           Q     I'm going to ask you this question a lot, Mr. Kushner.  Were there times  
2 where an allegation was raised like this that, upon review, upon factual development, it  
3 was disabused or rebutted or did not become an issue that caused you to believe that  
4 there was an issue that affected the election?

5           A     And, again, I can give you this to hopefully save you a couple questions if  
6 that speeds up our time.

7               But, generally speaking, again, I didn't spend a lot of time investigating these  
8 different allegations.  My sense was that if something -- I didn't spend a lot of time  
9 investigating them.

10          Q     Yeah.  No, I completely understand that, Mr. Kushner.  I didn't mean to  
11 suggest that you were personally looking into it.  But as someone, you know, in  
12 communication with the campaign leadership and with the candidate, did you hear, for  
13 example, "There's nothing to the Dominion stuff, we've looked, and those allegations,  
14 there's nothing to them," something along those lines, that they were rebutted?

15          A     Yeah, I heard points of view both ways, but, again, I haven't explored it  
16 myself.

17          Q     Okay.  Did you ever draw a conclusion about -- ultimately, after this, about  
18 whether or not there was a serious concern with respect to Dominion voting machines?

19          A     No.

20          Q     Did you ever hear that the Director of National Intelligence, for example,  
21 issued a report saying no reason to believe that there had been any foreign interference  
22 or problems with the voting machines?

23          A     No.

24          Q     Okay.  And was that generally, Mr. Kushner, you would hear about these  
25 things, not personally involved, and then perhaps form an opinion or rely upon the work

1 of others when it came to these specific allegations?

2 A Like I said, you know, what I was focused on at the time was Middle East  
3 peace and Warp Speed and a million other things, and not the specific allegations of what  
4 were being made and the rebuttals being offered. And I just -- I wasn't spending too  
5 much mind space on it at that point in time.

6 Q Okay. The next exhibit is 31. This is another exhibit that you provided to  
7 us, which we appreciate. It's around this same time, November the 14th. It's an email  
8 it looks like that you received from Maddie Dixon.

9 Who is Maddie Dixon?

10 A The name doesn't -- the name doesn't ring a bell.

11 Q Okay. At the very bottom, it looks like -- if you scroll down, [REDACTED] -- her  
12 email address is [REDACTED].

13 Again, does that ring any bells as to who Ms. Dixon is?

14 A No.

15 Q She says, "Hello, Jared, attached please find the mail in ballots talking points.  
16 Best, Maddie."

17 Do you know whether or not, Mr. Kushner, you asked for mail-in ballot talking  
18 points or that she's responding to a request from you?

19 A Very unlikely.

20 Q Okay. Scrolling up, the email then is a substantive discussion of mail-in  
21 ballots. Do you recall receiving this, reading it, doing anything with it?

22 A I don't recall.

23 Q Were you doing any media at this time? Like, it almost seemed like it might  
24 be preparing you to talk about an issue. Just her use of the word, the phrase "talking  
25 points" suggests that.

1           Were you making appearances or meeting with people to talk about these issues?

2           A     No.

3           Q     Okay. So you don't recall asking for any talking points about mail-in  
4     balloting?

5           A     Not that I recall.

6           Q     Do you remember any substantive discussions about the security of mail-in  
7     ballots in the days after the election?

8           A     Not specifically.

9           Q     Okay. All right. And, again, Mr. Kushner, I fronted that I would ask you  
10    this question.

11          Do you recall any resolution of this, that there were allegations about the security  
12    of mail-in balloting that were evaluated and ultimately found to not be of sufficient  
13    significance to undercut the result in any State?

14          A     Not that I investigated myself.

15          Q     Did you ever hear about that, "Hey, there's nothing to the mail-in balloting  
16    stuff"?

17          A     Again, not that I -- like I said, a lot of people said a lot of things, and I don't  
18    specifically recall.

19          Q     Okay. Exhibit 33 is the next one. This is another document you provided.  
20    And this is in that same week, Wednesday, November the 11th. And this one, you have  
21    to go all the way to the bottom of the email chain.

22          ██████████, if you could do that.

23          Yeah, the very last -- or the very first email, excuse me, that's November the 9th,  
24    which is literally that Monday morning after the race had been called, it looks like an  
25    email from Dan Scavino to you, and it's at your ██████ address.

1           It says "POTUS requests." Does that suggest that this is -- he's conveying a direct  
2 request from President Trump?

3           A     Most likely.

4           Q     Okay. And he says, "Hey Jared! POTUS wants to trademark/own rights to  
5 below, I don't know who to see -- or ask...I don't know who to take to." And then he  
6 provides these two bolded terms: "**Save America PAC!**" with an exclamation mark and  
7 "**Rigged Election!**"

8           Do you recall that request coming from President Trump through Mr. Scavino to  
9 trademark those two phrases?

10          A     No.

11          Q     Did you do anything with this?

12          A     I don't recall. Let's go up the email so I could see.

13          Q     You're anticipating -- you're not a lawyer, but you're anticipating exactly my  
14 next question, Mr. Kushner.

15          The next email is that same day, Monday, November 9th. You then send an  
16 email saying, "Guys -- can we do ASAP please?" And it's unclear to whom that is  
17 directed.

18          But then you get a response from Eric Trump, your brother-in-law, saying, "Both  
19 web URLs are already registered. Save America PAC was registered October 23 of this  
20 year. Was that done by the campaign?" And that's Alex Cannon, Sean Dollman, and  
21 Justin Clark are copied.

22          And if you go up, Sean Dollman says, "'Save America PAC' is already  
23 taken/registered, just confirming that. But we can still file for 'Save America,'" omitting  
24 the PAC.

25          And your response, Mr. Kushner, is, "Go."

1            Does that refresh your recollection about the attempt to register the URL for Save  
2        America?

3            A     I mean, it refreshes as much as I see the interaction here.

4            Q     Do you remember any discussions with the President about the intention,  
5        why he wanted to register those terms, the URL for those terms?

6            A     No.

7            Q     And do you have any -- beyond the email, do you know whether or  
8        not -- what the purpose that they would be used for or what this was related to?

9            A     Like I said, this is pretty consistent with my role as operational. I was given  
10      a request, sent it to people I thought were the right people, and asked them to do it.  
11      So -- but I don't have any context beyond that, as far as I recall.

12        Q     Yeah. It looks like this is FEC-related. I mean, Mr. Dollman, who's the  
13      campaign treasurer, says, "'Save America PAC' is already taken/registered with the FEC,  
14      but we can still file for 'Save America.'"

15        Do you have any idea what the campaign was going to use these URL registrations  
16      to do?

17        A     No.

18        Q     Do you know what they were used for? Were they used to incorporate  
19      entities that were used to receive funds, for example?

20        A     Yeah. Save America became a PAC a little bit later on.

21        Q     Okay.

22        A     I don't know specifically when.

23        Q     And is this the genesis of the use of that term, "Save America"?

24        A     It could be.

25        Q     All right. But, again, Mr. Kushner, do you have any specific recollection

1 about, either from the candidate himself or others, about what strategy this reflects, in  
2 terms of the use of these URLs in a fundraising strategy?

3 A No.

4 Q Again, I think [REDACTED] will return to this and I'll leave the rest to her,  
5 because this is actually attached to one of the budget emails that you get from the  
6 campaign, which, again, I'll defer later for [REDACTED]

7 Let me turn your attention now to November 12th. There was a meeting at the  
8 White House about the election. This is the one, again, where Oz is present and makes a  
9 presentation.

10 Do you recall a meeting that week after the election had been called in the White  
11 House where Oz presented some findings from battleground States?

12 A I don't recall.

13 Q All right. It's been reported that you were present, along with the  
14 President, with Hope Hicks, with Pat Cipollone, Johnny McEntee, Justin Clark, and that  
15 Mr. Giuliani is on the phone.

16 Again, does that help you, Mr. Kushner, remember, Giuliani on the phone and a  
17 group of you, with Oz in particular, gathered in the Oval Office to review some of the  
18 election returns?

19 A I don't recall.

20 Q Okay. Let me turn your attention to an exhibit you provided that looks like  
21 it reflects discussion at this meeting. It's dated November -- it's exhibit 34. And, as  
22 you can see, the email -- or the email on that date, November -- Thursday, November  
23 12th, 11:13, is from Oz to you and to Gary Coby. And it is the cover sheet for a  
24 presentation that has been prepared presumably by Oz.

25 It says, "Hey, guys, we put this together as a quick top level review of 'what

1       happened' in each of the battleground States we were tracking. We will be able to get  
2       more in the weeds when individual level voter data comes in down the road. Oz."

3           Again, do you remember receiving this and the PowerPoint presentation that was  
4       attached?

5           A     No, I do not.

6           Q     Well, let me turn your attention to the PowerPoint then.

7           If we can just maybe page through it, [REDACTED]

8           The next page is the cover page, and it is titled "Post Election Battleground  
9       Analysis: November 11?"

10          This, again, is from Oz, who, as you indicated before, was the campaign pollster.  
11       And the next page --

12          A     He wasn't the campaign pollster. He was a campaign pollster, data guy.

13          Q     I'm sorry. Data guy. My mistake. He was the campaign data guy.

14          A     I'm not sure he was the data guy. I think he was a data guy.

15          Q     Okay. All right. I appreciate that.

16          Fair to say, Mr. Kushner, that he was someone whose data and perspective you  
17       trusted?

18          A     Yes.

19          Q     You found credible? Okay.

20          A     I liked his data.

21          Q     Yeah. He says here at the beginning, or whoever prepared this says, "All of  
22       the analysis is based on data we have to date from the Decision Desk. The maps that  
23       follow show percent change in Turnout and win Margin compared to 2016 by county.  
24       We then follow with the main takeaways from our analysis to date. We will produce a  
25       further report with a more detailed analysis."

1           Again, does that refresh or ring any bells or refresh your recollection about the  
2        specific data that's included in the subsequent slides or the discussion at the White  
3        House?

4           A      I don't recall.

1

2 [12:13 p.m.]

3 BY [REDACTED]:

4 Q Do you remember, Mr. Kushner, ever encouraging Oz or Mr. Stepien to put  
5 this data before the President in the days after the election, that it's important for him to  
6 understand the numbers?

7 A I don't recall.

8 Q It would seem consistent with your previously stated intention that he start  
9 talking about legacy and all of his accomplishments, that he see the numbers and the raw  
10 reality that they reflect.

11 Again, I don't want to put words in your mouth. But was it part of your plan to  
12 get him to talk about legacy issues, to show him clearly what the numbers reflected?

13 A Yeah. So one thing I should, you know -- can I just hold for one second?

14 Q Yeah, please.

15 A Yeah, thank you, guys.

16 So, basically, one thing I'll just add as a factual thing is that basically --

17 Q Yeah.

18 A [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 Q Yeah, I totally appreciate that. [REDACTED]

24 [REDACTED]

25 I'll just tell you, Mr. Kushner, Mr. Stepien indicated that you were present in this

1 meeting and that you actually encouraged it or it was sort of your idea to bring Oz to the  
2 White House to give the President a really candid assessment of the numbers from these  
3 battleground States. That's the predicate for the question.

4 A Perfect. I don't recall.

5 Q Okay. Let me just point out a couple of things.

6 In the State data, if you could go ahead to a couple of pages, [REDACTED] to the Georgia  
7 page.

8 And if you scroll down to the narrative under -- I'm not going to ask you to divine  
9 the shades here. But I'll just say that the report from Georgia indicates that President  
10 Trump did fairly well outside the major cities in Georgia but the population centers  
11 moved away from him and the overall race tightened. The race was close because of  
12 the loss in persuasion and increase in opposition turnout in the suburbs of Atlanta.

13 Again, do you remember any specific data about the suburban Atlanta counties as  
14 a reason for the result in Georgia?

15 A I don't recall.

16 Q It's a very similar conclusion reached in Michigan a couple of pages later.

17 [REDACTED] if you scroll down to Michigan.

18 The overall takeaway there says Trump lost ground in the population centers in  
19 the suburbs in the State while gaining ground in the very rural areas.

20 Again, any discussion about Michigan or the suburban vote?

21 A I don't recall.

22 Q Okay. Pennsylvania, a few pages later, actually, like, five or six pages later,  
23 the headline there is: The biggest change over 2016 occurred in the suburbs of  
24 Philadelphia where, like Atlanta, we saw huge increases in Democrat margins of victory.

25 No recollection of Pennsylvania or discussion of that?

1           A     No.

2           Q     And then the very next page is Wisconsin, just to finish this. The headline  
3     there is, the very last line: Trump lost the persuasion battle in some of the suburbs and  
4     in every major city in the State.

5                 So it seems like, Mr. Kushner, the bottom line here, just to sort of save time, is the  
6     campaign analysis indicated that in all these battleground States there was an erosion of  
7     support for the President in urban and suburban areas and that was the sort of  
8     summarized takeaway of the analysis county by county of the results.

9                 Do you recall that conclusion or discussion of that as an assessment of what  
10    happened?

11           A     I recall that that was the opinion of some people, yes.

12           Q     Was that your opinion?

13           A     Like I said, you know, data's all over the place. And so, you know, you tend  
14    to have a lot of different data guys giving different perspectives. And, you know, it, you  
15    know, like I said, you know, victory has a thousand fathers; failure's an orphan. And,  
16    you know, everyone always has a million ideas in politics. And, you know, some of them  
17    tend to be true; some not. But, again, this was the -- this seems to be the perspective  
18    that was put forward here.

19           Q     Well, it was the perspective put forth by Oz, who was a data guy for the  
20    campaign. Right? This is internal. It's not an external analysis. This was the  
21    campaign's own assessment.

22                 Does that -- again, do you recall that being the campaign, the Justin Clark/Oz/Bill  
23    Stepien conclusion as to why the election went the way it did?

24           A     I don't recall.

25           Q     And do you remember whether or not the President was confronted with

1       this data, whether he had a reaction to it?

2           A     I don't recall.

3           Q     Again, Mr. Kushner, just to be clear, Mr. Stepien indicates that you were in a  
4       meeting in the Oval Office where Oz presented this directly to the President. Do you  
5       remember any such discussion with him about the suburban vote being the reason for  
6       the numbers?

7           A     I don't recall.

8           Q     Do you remember ever discussing these numbers with Mr. Giuliani or the  
9       others that were -- again, I don't want to put words in your mouth -- sort of on the other  
10      side or encouraging litigation and fighting back against the results?

11          A     I don't recall.

12          Q     All right. It's been reported in one of the many books that has been  
13       written -- and this one is "Betrayal." This is a book written by Jonathan Karl. But there  
14       was sharp disagreement between Justin Clark and Rudy Giuliani on challenging States in  
15       which these numbers were put forth, the battleground States, and that they actually had  
16       a sort of shouting match about that.

17          Do you recall any such argument where Mr. Clark and Mr. Giuliani had a shouting  
18       match about the raw reality of the numbers and the wisdom of challenging them in  
19       court?

20          A     No.

21          Q     It's also reported -- and this is in "I Alone Can Fix It." This is, I think, the  
22       Carol Leonnig book that reported that you were frustrated with Mr. Giuliani and his  
23       team's ideas in the face of these numbers.

24          Is that, again, Mr. Kushner, accurate that you were frustrated with Giuliani's  
25       approach to fight despite what the numbers showed?

1           A     Look, I think that, you know, Rudy and I have different styles for how we  
2 would approach things, generally speaking. But, again, you know, he's somebody who's  
3 done things his own way and been successful in different ways and so not the way I  
4 would have approached things but different.

5           Q     Yeah. Tell me more about that. How would you have approached things,  
6 and how is that different from how Mr. Giuliani did?

7           A     Yeah, so, again, I think that Rudy had his pathway. And I don't know how I  
8 would have approached it if I was given this job, but it wasn't something that was  
9 considered at the time to make me responsible for this. So I never developed a strategy  
10 or a plan.

11          Q     Yeah. What is your view now as to Mr. Giuliani's strategy or whether or  
12 not his approach was the right one?

13          A     Like I said, it's very hard to be -- very hard to play Monday morning  
14 quarterback on these things.

15          Q     Yeah, I totally understand. But that's what we're tasked with doing. The  
16 select committee is playing Monday morning quarterback with a lot of things. And I'm  
17 looking for help from people like you, Mr. Kushner, that were directly involved as to your  
18 assessment. This isn't opinion. This is your assessment at the time as to whether that  
19 strategy was or wasn't the right thing.

20          A     Yeah, like I said, again, that's why I'm happy you have the Monday morning  
21 quarterback job and not me. I'm here to help in any way I can. I'm here voluntarily to  
22 do it but, again, I don't have a ton of recollection about the specifics of it.

23          Q     Well, let's talk about some things that you said in real time. And I'm going  
24 to go back to some documents you provided to us.

25                 Exhibit 36 is the next one I'd like to show you. And it looks like this is a text

1 exchange you had with Ronna McDaniel. And it looks to us -- and, granted, if you scroll  
2 all the way to the bottom -- this is on November the 8th, so that Sunday, the day after the  
3 election was called.

4 The date stamp, you got to go all the way to the bottom, not to the top, yeah,  
5 yeah. Okay. So the very last portion there, if you go up -- come up -- go down a little  
6 bit, [REDACTED], so we can see the date, other way, other way.

7 Looks like November 8th, at 2:03, you text to Ms. McDaniel -- and I'm assuming  
8 since you produced this, Mr. Kushner, that the blue shaded is you, and the other is  
9 Ms. McDaniel: I have thought about this a lot. We can get this into great shape and  
10 take the Rudy stink off of it. It is important litigation for integrity of elections and for  
11 Republican Party.

12 And Ms. McDaniel says: I completely agree.

13 And then she says: We need to see this through. Justin and I had a good call.

14 First of all, do you remember what this is regards? What is the "this" that you  
15 have thought about a lot that causes you to text Ms. McDaniel on November 8th?

16 A So, again, I don't remember specifically. But I can give you kind of my  
17 general recollection.

18 Q Yeah.

19 A You know, Ronna was very involved with litigation efforts pre-election and  
20 wanting to get more involved post-election. Her and Justin were trying to synchronize a  
21 strategy and approach. But what she was basically conveying is that a lot of the lawyers  
22 that she wanted to use wouldn't work with Rudy and just, you know, felt like they had a  
23 different approach.

24 And so, at the time, my intent was figuring out how can I synchronize Justin and  
25 Ronna. And maybe that becomes, you know, a faction that goes and litigates for

1 transparency and integrity and all the different things that they felt like they had  
2 to -- they had to fight for.

3 Q I see. So your intention here is to align Ms. McDaniel and her litigation  
4 effort with Justin Clark and the folks with whom he was working in the campaign?

5 A I believe so, yeah.

6 And she was complaining about Rudy and his strategy and how it wouldn't -- and  
7 how, you know, she was not a fan of it.

8 Q I see. When you actually referred to the Rudy stink, what do you mean by  
9 that?

10 A I don't recall.

11 Q It sounds disparaging of Mr. Giuliani or as if you are agreeing with Ronna  
12 that he and his approach is inconsistent with the right one. Is that accurate?

13 A It's hard to say right or wrong. It's just, you know, her point of view was  
14 that they needed to -- was that Rudy was making it harder for her and the legal strategy  
15 that she and Justin thought should be followed, to be executed basically. So, again, I  
16 don't recall if it was my term or I was responding to her term. But that was basically the  
17 gist of what I believe the intent was with my recollection that I have right now.

18 Q I understand. I appreciate that.

19 So when -- it's your term. It's we can get this into great shape and take the Rudy  
20 stink off of it.

21 It sounds like you're aligned with Ms. McDaniel that her approach of that with  
22 Justin Clark is right and that Rudy and his stink would be wrong. Is that accurate?

23 A I don't know if her approach was right. It just seemed like to me it was,  
24 again, it seems like, based on this, that I felt like that was a better approach than the  
25 other one.

1 Q Okay. There's a similar text at exhibit 38.

2 [REDACTED] if you could turn to that.

3 This is a text exchange. Mr. Kushner, again, you provided this to the committee.

4 This is an exchange with Mark Meadows. And, on the top, January 31st -- now we're a  
5 while after that text with Ms. McDaniel -- you say: I have something that could be  
6 helpful but want to make sure it doesn't get screwed up by Rudy and others. Can you  
7 call when you get a chance?

8 Do you remember what your -- prompted you to text Mr. Meadows about that's  
9 something that can be helpful, what it was?

10 A Yeah, when I found this text message, I was trying to recall. But I don't  
11 recall.

12 Q It was New Year's Day. It was January 1st. Do you remember what you  
13 were doing New Year's Day and what prompted you at 4 in the afternoon to text  
14 Mr. Meadows?

15 A No.

16 Q Where --

17 A Mark and I, holidays when we were in those jobs really didn't apply. You  
18 know, there's always work every day to do.

19 Q I got one of those jobs right now. I understand.

20 A So you understand very well. So --

21 Q I do.

22 But where were you on New Year's Day, do you remember, of 2021?

23 A I don't recall.

24 Q Okay. So, again, no recollection as to what it is that you have that could be  
25 helpful?

1           A     No.

2           Q     All right. And then you say: I want to make sure it doesn't get screwed up  
3     by Rudy and the others.

4           How could Mr. Giuliani screw this up, or what does this reflect about your view of  
5     his potential involvement?

6           A     I don't -- again, you can take what it says. I don't recall what the item was.  
7     So I think you just have to take the words literally for what they were and infer from them  
8     what you will. But I don't really have much to offer in terms of context, unfortunately.

9           Q     Okay. Did you ever share, Mr. Kushner, your view of Mr. Giuliani or his  
10    tactics -- and I should actually say it's tactics. It's not his, you know, character. It's  
11    more the approach he was taking. Did you ever share your perspective about him with  
12    the President?

13          A     I guess -- yes.

14          Q     Tell me what you said. "Hey, this isn't helpful," or this -- "I'm not sure this  
15    is the right strategy," something along those lines?

16          A     Basically not the approach I would take if I was you.

17          Q     Okay. And how did he react? How did President Trump react when you  
18    shared that view with him?

19          A     He said: You know, I have confidence in Rudy. And that's -- and, you  
20    know, where he listened, he'd take it in. But it never was -- didn't lead to a long  
21    discussion.

22          Q     Or any action or anything that he did to take your advice or to not rely upon  
23    Rudy or take anything away from him. Is that right?

24          A     Not on this matter, yes.

25          Q     Yeah. Okay. All right. The last thing I want to ask you about before

1       we -- I stop to see if members -- is November the 9th, the President actually fired his  
2       Secretary of Defense, Mike Esper. Do you remember when that occurred?

3           A     Mark Esper.

4           Q     I'm sorry. Mark Esper, not Mike Esper.

5           Do you remember when that occurred.

6           A     Yes.

7           Q     Did you have any voice in that, any role in that?

8           A     No.

9           Q     Did you discuss that with the President?

10          A     Not that I recall.

11          Q     It's reported in the Woodward and Costa book, "Peril," that you spoke with  
12       David Urban about it, said you didn't have anything to do with it but agreed with Urban  
13       that the firing was not good.

14          Is that accurate?

15          A     I guess, yeah, David Urban called me after. And that accurately represents  
16       the sentiment of our discussion.

17          Q     Why did you think it was not good for the President to fire Mark Esper?

18          A     I meant that in the context of, you know, Mark and I had a good relationship.  
19       And I didn't -- again, it was more in the context of my relationship with Mark versus  
20       anything else. Again, the President made his decision based on factors that were his to  
21       decide. I wasn't involved in that.

22          Q     Did you ever talk to the President about his decision about why he did or  
23       didn't think Secretary Esper was effective?

24          A     No.

25          Q     Before he was fired or after?

1           A     No.

2           Q     After the firing, did you have a conversation with him where he explained his  
3     reasoning?

4           A     No.

5           Q     All right. Who is David Urban?

6           A     Dave was a guy who worked with us on the campaigns, and I think he was a  
7     lobbyist.

8           Q     Okay. All right. Anything you recall about the firing of Secretary Esper  
9     beyond this brief conversation with Dave Urban?

10          A     Nothing comes to mind, no.

11          [REDACTED]. Okay. All right. Let me stop and see if any of our members have  
12     any questions.

13          Ms. Cheney. I have a question, [REDACTED].

14          [REDACTED]. Yeah.

15          Ms. Cheney. Thank you.

16          Jared, are you aware that Rudy has had his license to practice law suspended?

17          Mr. Kushner. No.

18          Ms. Cheney. So you're not aware that a court in New York has said they've  
19     concluded, quote, "There's uncontroverted evidence that the respondent," Mr. Giuliani,  
20     "communicated demonstrably false and misleading statements to courts, lawmakers, and  
21     the public at large in his capacity as lawyer for former President Donald J. Trump and the  
22     Trump campaign in connection with Trump's failed effort at reelection in 2020"?

23          Mr. Kushner. I'm not aware of that.

24          Ms. Cheney. I think it's important for the record to show, as we're discussing the  
25     different legal advice that the President received, the different conduct that was

1 underway, Mr. Giuliani has, in fact, had his license suspended precisely because of that  
2 conduct.

3 I yield back.

4 [REDACTED] Thank you, Ms. Cheney.

5 Any other members have questions? No.

6 I think [REDACTED] has a followup.

7 Go ahead, [REDACTED].

8 BY [REDACTED]:

9 Q Very briefly, Mr. Kushner.

10 And, [REDACTED], if you could pull up exhibit 36 again and go to page 3. Keep scrolling  
11 down, please. Yeah, right there.

12 So these are the messages you discussed just a moment ago with [REDACTED].

13 It looks like that response there, the message that you sent in blue starting with,  
14 "Great, I thought about this a lot," is a response to something Ms. McDaniel sent to you.

15 I just -- I'm hoping to understand what she sent to you and why it wasn't provided  
16 to us as well.

17 A My instinct was it was about a discussion.

18 Q Okay.

19 A Ronna and I would talk a lot on the phone.

20 [REDACTED] Okay. And, given that your responses provided to us -- and it  
21 looks like there's a message there, Mr. Benson, we may follow up with you and ask for a  
22 little bit of clarity, but is this based on a privilege assertion, Mr. Benson?

23 A Mr. Benson. I have to look at that, [REDACTED].

24 [REDACTED] Okay. All right. We'll follow up with you about some of those, if  
25 that's okay, Mr. Benson.

1           Mr. Kushner. My instinct here is we went through. You have the messages  
2        that were responsive. So we tried to give you that.

3           ██████████. Okay. And then we'll follow up with you, Mr. Benson, on some of  
4        those issues.

5           ██████████. Is that also the answer in terms of the timeline? Because if I'm  
6        looking at it right, and it looks like they're a little disjointed, there's a text on November  
7        8th, 2020. And then I believe the next one we have is January 14th, 2021.

8           So is there no texts that are responsive between those date or if they are  
9        withheld, if you could let us know, that would be helpful.

10          Mr. Kushner. Sure. We'll look at that and come up with an answer.

11          ██████████. Okay. We can follow up with your attorney, Mr. Kushner, on  
12        these redaction issues.

13          Mr. Benson. I believe we tried to produce everything that was responsive to  
14        your request, but we can follow up.

15          ██████████. Okay. Okay.

16          BY ████████:

17          Q All right. Mr. Kushner, just walking forward here, I'm literally marching  
18        through some of the documents chronologically, let me turn your attention to exhibit 6.  
19        This is a November 13th email.

20          A Yeah.

21          Q This was one we provided to you. If you go all the way back at the  
22        beginning of this chain, it looks like it's a message from the National Park Service to a  
23        woman named Cindy Chafian at Women for America First about a particular event, a  
24        permitted event.

25          And the only reason I show it to you is that it indicates that you're a confirmed

1 and invited speaker at an event. And it's not even clear what date the event is but we're  
2 presuming that it was a -- an event at Freedom Plaza that occurred in December.

3 Do you remember being invited by Ms. Chafian or others to speak at a  
4 post-election event at Freedom Plaza?

5 A Yeah, I'll just -- I'll try to save you a couple of questions.

6 Q Yeah.

7 A I have no knowledge of being asked to speak. I have no knowledge of  
8 confirming speaking. I have no knowledge of this email. I don't know who Cindy  
9 Chafian is.

10 Q Okay.

11 A So, again, this one is just really out of the blue. This is some person put my  
12 name in an email. And so, again, if you want to spend more time on it, we can. But I'm  
13 not sure if I will have anything for you on this.

14 Q No. And you didn't speak at any rally. So you don't have any recollection  
15 of even the invitation or the discussion of speaking at any of these sort of December  
16 post-election rallies organized by Women for America First or any of the groups that held  
17 various events?

18 A No.

19 Q Okay. We can skip ahead.

20 [REDACTED] Just to widen the scope on that very briefly, any recollection of  
21 being invited to speak at any rallies in November as well, not just December and beyond?

22 Mr. Kushner. Not that I recall. Again, if people would have asked me, I'm not  
23 really a speaker. I tend to be quieter and behind the scenes. So, if people had asked, it  
24 probably would have been a quick no. But my people probably wouldn't have even  
25 surfaced it to me. But I have no recollection of being asked to speak at anything.

1 BY [REDACTED]:

2 Q Okay. All right. Let me turn your attention --

3 A During the time that you asked. So --

4 Q Okay. Thanks, Mr. Kushner. I want to turn you to exhibit 8. This is an  
5 email on which you're copied.

6 A Yeah.

7 Q Put it up on the -- here it is. So it's from Jason Miller. It's dated  
8 November the 14th. And it's to Mr. Stepien, Mr. Clark, Mr. Bossie, Mark Meadows, and  
9 you at your [REDACTED] address. And it talks about: The only three folks who called in to  
10 Rudy's 11 a.m. surrogate briefing were me, Tim, and Erin. Messaging from the mayor  
11 was to call the Dems crooks and to go hard on Dominion-Smartmatic, bringing up Chavez  
12 and Maduro. It essentially looks like a readout of a talking points press call.

13 Do you remember receiving this email or any discussion about talking points in  
14 that week after the election?

15 A No.

16 Q All right. Did you participate regularly in these surrogate briefings as  
17 Mr. Miller references?

18 A No.

19 Q And it sounds like, Mr. Kushner, you didn't do any media. You were not a  
20 surrogate who was out there on -- in news outlets, talking about the election. Is that  
21 right?

22 A Yes.

23 Q We haven't seen those clips. So it sounds like that was not a role that you  
24 assumed or anyone asked you to do or you did. Is that accurate?

25 A Yes.

1           Q     Okay. All right. Let me turn your attention now to exhibit 9, and this is a  
2 sort of a summary that we've created of three text messages that you exchanged  
3 or -- excuse me -- that Ms. Ginni Thomas exchanged with --

4                 [REDACTED]. Step out.

5                 [REDACTED]. Sorry, [REDACTED].

6                 [REDACTED]. Can we note -- this is [REDACTED] -- just note for the record that I am  
7 stepping out of the room.

8                 Mr. Kushner. Go ahead.

9                 BY [REDACTED]:

10           Q     So, Mr. Kushner, the very top text, and I know it's hard to read, is a text from  
11 Ms. Thomas to Mark Meadows on November the 13th, right in this same period of time.  
12 And she says in the text: Just forwarded to your Gmail an email I sent to Jared this a.m.  
13 Sidney Powell and improved coordination now will help the cavalry come and fraud  
14 exposed and America saved. Don't let her and your assets be marginalized. Instead,  
15 help her be the lead and the face.

16           So this is Ms. Thomas reflecting that she had sent an email to you on the morning  
17 of November 13th. Do you recall being in email communication with Ginni Thomas?

18           A     Not on this topic.

19           Q     All right. Do you remember -- do you have a relationship with her? Do  
20 you have any email correspondence with Ms. Thomas?

21           A     She'd email me from time to time on my White House account. I met her  
22 when we were doing the criminal justice pursuit. She was leading a conservative group  
23 against it. And then, you know, after that, I did my best to try to reach out and  
24 neutralize unsuccessfully on that effort. And then, every now and then, she'd email me,  
25 but we didn't have much of a relationship, and I have no recollection of an email.

1           Q     Okay. I see. So you had some professional interaction on opposite sides  
2     of the criminal justice reform issue, and, therefore, she had your White House email  
3     address?

4           A     Yes.

5           Q     All right. And so, when she says to Mr. Meadows, "Just forwarded to your  
6     Gmail and email I sent to Jared," again, I think this is presumably about something  
7     election related; do you remember having any email correspondence with Ms. Thomas on  
8     an election- related issue?

9           A     I don't recall.

10          Q     She had a perspective about the election or some strategy. Was she one of  
11     the voices that we talked about, before like Ambassador Evans or Mr. Gingrich, who had  
12     views about what should happen after the election?

13          A     I don't recall.

14          Q     All right. So no recollection of the email referenced in this message?

15          A     Yes.

16          Q     Okay. She specifically talks about Sidney Powell, right, not being  
17     marginalized. Help her be the lead and the face.

18                 Do you recall any discussion within the White House or the campaign about Ms.  
19     Powell and whether she should be the lead and the face of the effort to investigate voter  
20     fraud?

21          A     I don't recall.

22          Q     Do you know whether she was aligned with Mr. Giuliani or not?

23          A     I don't recall.

24          Q     Did you have a view as to whether Ms. Powell was an effective spokesperson  
25     for the Trump campaign?

1           A     Only what I'd been told by the lawyers, basically saying that they didn't  
2 believe that what she was pushing was the right approach.

3           Q     Who told you that?

4           A     I don't recall.

5           Q     Okay. And do you know what specifically they were referring to when they  
6 said what she was pushing was not the right approach?

7           A     I don't recall specifically. I just remember a generally negative sentiment.

8           Q     I see. Okay. And was that a general sentiment among the campaign  
9 leadership -- Mr. Stepien, Mr. Clark, Mr. Miller -- the folks that were in charge of the  
10 campaign?

11          A     So I don't have specific recollection. Again, I'm just trying to give you what  
12 I recall, and I recall just the fact that there was generally a negative sentiment.

13          Q     Okay. Did you discuss that with the candidate, with President Trump?

14          A     I don't recall.

15          Q     Did you ever talk to him about his opinion of Ms. Powell and whether she  
16 was doing a good job or not?

17          A     I don't recall.

18          Q     Did you ever hear him make an expression of faith or lack of faith in her  
19 abilities or her impression?

20          A     I don't recall.

21          Q     Okay. Let me ask you about Attorney General Barr. Did you have a  
22 professional relationship with Attorney General Barr during this period of time, the very  
23 end of the administration when he served in that role?

24          A     Yes.

25          Q     Okay. Did you ever speak to him about the work that he at the

1       Department of Justice did with respect to investigating allegations of election fraud?

2           A     No.

3           Q     He had said publicly as early as November 23rd that the Department of  
4       Justice and the FBI had evaluated numerous claims of election fraud and saw no evidence  
5       of fraud, systemic fraud sufficient to undermine the confidence in the outcome of the  
6       election.

7           Do you remember when Attorney General Barr made that public statement?

8           A     Yes.

9           Q     Okay. What was the reaction -- what was your reaction, first of all, when  
10      you heard that?

11          A     Again, I didn't have one.

12          Q     Did you ever hear -- talk to the President about his reaction to  
13      Mr. Barr's -- Attorney General Barr's statement that there was no systemic fraud in the  
14      election?

15          A     Not that I recall.

16          Q     Okay. It's been reported that Mr. Barr reached out to you and to Mark  
17      Meadows around November 23rd and said that the fraud allegations were getting out of  
18      hand or were inconsistent with the facts that they were developing.

19          Do you remember him reaching out to you, expressing that view?

20          A     I don't recall.

21          Q     Do you remember any discussions with Attorney General Barr about election  
22      fraud?

23          A     I don't recall.

24          Q     In this report, it indicates that you and Mr. Meadows reassured Attorney  
25      General Barr that the President would begin laying the groundwork for his exit at the end

1 of the term.

2 Again, do you remember any discussion with Mr. Barr or others about the  
3 President will get there or going to lay the groundwork or he's going to lay the  
4 groundwork for his exit at the end of the term?

5 A I don't recall.

6 Q Similarly, let me ask you about Mr. McConnell, Senator McConnell. It's  
7 reported, Mr. Kushner, that you were in touch with his top political advisor, Josh Holmes,  
8 after the election. Do you remember having discussions with Senator McConnell's  
9 advisor, Mr. Holmes, about the election?

10 A I don't recall specifically, but Josh and I would talk from time to time.

11 Q If you don't remember specifically, what do you recall about discussions with  
12 Josh about the election?

13 A I don't recall.

14 Q Well, again, this is the reporting here is that you were reassuring Mr. Holmes  
15 that, again, that he would pursue -- the President would pursue all potential avenues but  
16 eventually would accept defeat.

17 Do you remember reassuring Mr. Holmes or Senator McConnell through  
18 Mr. Holmes that the President was going to accept the results of the election?

19 A I don't recall that.

20 Q Let me ask about Mr. Meadows and the role that he played. Was it your  
21 sense, Mr. Kushner, that throughout this period of time that Mr. Meadows, like you,  
22 thought that the President should be talking about his accomplishments and his legacy?  
23 Or was Mr. Meadows more like Mr. Giuliani, talking, encouraging the President to keep  
24 fighting or talking about the election?

25 A My perception was that Mark was doing his best to try to -- again, my

1 perception, and, again, he was more active than I was -- was just that he was doing his  
2 best to try to manage all the different responsibilities he had.

3 I had more focuses that were external to the White House and different. But he  
4 was, you know, chief of staff. You know, you're reporting to the President. You're  
5 working every day with the President. So you're more involved in what the President's  
6 different priorities are.

7 So he was probably more intertwined, but I saw him as somebody trying to get to  
8 the right place.

9 Q Okay. And did he ever express to you what his view was of the right place  
10 with respect to the acceptance of the election results?

11 A We didn't discuss that, no.

12 Q Never talked about --

13 A Not that I recall. Not that I recall.

14 Q Okay. And, again, Mr. Kushner, I don't want to put words in your mouth.  
15 You didn't use this analogy. Mr. Stepien did but sort of these different voices or camps,  
16 people encouraging, "Hey, talk about your legacy," versus people talking about "stop the  
17 steal," fight against the rigged election. Assuming that paradigm for a minute, which  
18 side would you put Mr. Meadows on?

19 A I don't -- I don't -- I don't know if that paradigm exists. I don't -- again, I  
20 appreciate that, with your job, you need to see things more as black or white, but I just,  
21 you know, everything has about a thousand shades of gray when you're in that place.  
22 So I'm not sure I can find a camp on one or the other.

23 Q Okay. And I appreciate that. I don't want to put words in your mouth.  
24 I'm just trying to get a sense as to what you recall Mr. Meadows' position was about the  
25 election and what the President should or shouldn't be saying and doing about it.

1           A     Yeah, and, again, I appreciate that you're looking at a lot of different  
2     avenues. But, again, my focus, you know, at this time really was away from these issues.  
3     And I was, you know, I was traveling. I was focused, you know, very intently on doing  
4     these things. I was dealing with the incoming potential administration at this time on  
5     transition with Jake Sullivan, with Jeff Zients. I was working with them to try to do all  
6     these things. So my sense was I was pretty out of these discussions.

7                 And so, again, if you're asking me for my perception, I don't have great memory  
8     because these were not the things that I was intently focused on at the time.

9           Q     Okay. When did you start working on transition issues, ballpark, best as  
10    you can recollect? How soon after the election did those discussions with Mr. Sullivan  
11    or Mr. Zients or others begin?

12           A     I don't recall specifically. So I know that there was a call that I had with  
13    Meadows and Ron Klain and Jeff Zients and I think Chris Liddell at some point. I don't  
14    know when that was and on that call basically they all -- we all agreed that I would lead  
15    our COVID transition. Again, we inherited a really complicated situation when  
16    everything started. And we built a lot of resiliency. We rebuilt our stockpile. We had  
17    really good operations now to have visibility into data, how to distribute supplies.

18                 And so it was something that I was very intently focused on. And what I  
19    believe I said on that call was: Look, this is not a Democrat or Republican issue. This is  
20    a totally not political. This is about saving lives. And so, you know, again, I'm very  
21    proud of a lot of the work we've done. We're going to give you guys a much better  
22    situation than we inherited. And I want to make sure you have full visibility into it, and  
23    we want to see you guys succeed in this as much as possible.

24                 And so, you know, Jeff and I developed a very close working relationship over the  
25    coming, you know, weeks or months, however long it was, where we worked very hard to

1 help him assess. I told him about all the different challenges that I had initially and then  
2 tried to kind of warn him not to run into the same things, you know, dealing with  
3 different bureaucracy that wasn't designed to deal with a pandemic and the speed you  
4 need to in order to overcome these, just some of my experiences with working with  
5 Governors, with mayors, with States.

6 And so it was a very indepth process that we ended up going through, obviously,  
7 to make sure that Warp Speed was successful with the distribution and that they had all  
8 the right supplies from masks to testing to anything else, to gloves, to gowns, to  
9 everything else they needed.

10 Q Yeah, yeah, and I understand that. I'm just trying to get a sense as to when  
11 those discussions began. Was it before or after Thanksgiving, for example?

12 A I don't recall.

13 Q All right. Do you know if it was in 2020, early 2021, again, a general sense?  
14 I understand you can't pinpoint a specific date. But about when did those discussions  
15 with Mr. Zients about the pandemic begin?

16 A I really I don't recall the specific date.

17 Q All right. During the very beginning of December, Mr. Giuliani actually  
18 testified in some hearing, State legislative hearings in Georgia. Any recollection of that  
19 or being involved at all in the decision to send him to Georgia to testify before their  
20 legislature?

21 A Not that I recall.

22 Q Okay. There was an allegation in Georgia of suitcases of ballots being sort  
23 of surreptitiously rolled out after poll watchers had left. Do you remember there  
24 being -- that allegation in Fulton County, Georgia?

25 A Yes.

1           Q     Okay. Did you take some action to pass information about that along to  
2     Mr. Meadows or others?

3           A     All I did was forward. Again, I got this from my text message by when I was  
4     doing my search. But I forwarded an article that basically said that it wasn't true. But,  
5     again, just, you know, I've lived through Washington now. Just because an article says it  
6     doesn't mean one way or the other, but at least it's a useful place to look at, you know.

7           Q     Yeah, yeah, you're anticipating my question. It's exhibit 37. We'll just call  
8     it up quickly. Just as you said, Mr. Kushner, it's a text exchange that you had with Mark  
9     Meadows. It looks like December the 4th of 2020, at 8:44, you send him a link: Video  
10    from Georgia does not show suitcases filled with ballots.

11           And it tails off, but essentially the link is rebutting this notion that these suitcases  
12    of ballot itself were somehow evidence of fraud.

13           Why did you send this to Mr. Meadows on December the 4th?

14           A     I don't recall.

15           Q     All right. Do you remember talking to him about this issue, this allegation  
16    about Fulton County, Georgia?

17           A     I don't recall.

18           Q     Do you remember ever talking to the President about it, that specific  
19    allegation?

20           A     I don't recall.

21           Q     Do you ever remember thereafter, you know, did this resolve it in your view,  
22    "Hey, there's this ends it or there is no evidence of any nefarious conduct"?

23           A     Like I said, you know, you're looking backwards, trying piece all this together,  
24     and at the time, like I said, my focus on Middle East peace, on Warp Speed, on transition,  
25     on family. And, again, I think this is just what it is, which is I saw an article that seemed

1 like it could be relevant to -- sorry -- to -- oh sorry -- that could be relevant to what it is.  
2 So I forwarded it forward, and that's all I know about this.

3 Q Yeah. And I understand that and I'm just -- I understand that your focus  
4 during this period of time was largely on your White House job. Yet, you know, you're  
5 still periodically, as your text messages indicate, forwarding messages about  
6 election-related issues to Mr. Meadows or others. I'm just trying to get a sense of what  
7 would cause you to sort of zoom into election stuff versus focus on the Middle East and  
8 COVID and all the other things you're doing.

9 A It's just because I -- again, I can't answer specifically why. But if something  
10 comes up that's interesting, I'll send it to him.

11 Q Okay. And, again, nothing else about that particular allegation?

12 A No.

13 Q Okay. Exhibit 10 is another email that's dated December the 8th. This is  
14 one that -- another one that comes from Speaker Gingrich on December 8th. It's  
15 forwarded to you, Larry Weitzner, Jason Miller. And it is essentially Mr. Gingrich is  
16 talking about scripts for ad content. Do you remember receiving this email from  
17 Mr. Gingrich and his perspective about messaging and ad content?

18 A Only since I've been refreshed by seeing your exhibits.

19 Q Okay. Back then in early December, was Speaker Gingrich involved in  
20 crafting fundraising messaging?

21 A I don't recall.

22 Q I'm going to leave a lot of this for [REDACTED], who's going to focus more on  
23 fundraising aspects. But, again, seeing this email, does it refresh your recollection at all  
24 about Speaker Gingrich and his role?

25 A No.

1 [REDACTED]. Okay. All right. I'm going to leave that, [REDACTED], for you.

2 [REDACTED]. Want to come back to it later?

3 [REDACTED]. Yes.

4 [REDACTED]. Okay.

5 BY [REDACTED]:

6 Q Oh, and the next exhibit is 11. There's just one thing I want to ask you  
7 about here. This is another email exchange, Mr. Kushner, on which you were copied.

8 If you go all the way to the bottom of this one, it looks like this is an email from  
9 Larry Weitzner that has attached to it three separate either -- they're either clips or  
10 scripts. I think they're actually scripts for ads. And Mr. Weitzner indicates to you  
11 directly: Jared, I added in Biden's line about building a fraud operation.

12 So he's specifically addressing you and highlighting a particular part of that script.  
13 Do you remember any discussion with Mr. Weitzner about Biden building a fraud  
14 operation?

15 A No.

16 Q Any idea what he's referring to here when he talks about something that he  
17 added that was obviously important to you?

18 A I don't recall.

19 Q Okay. All right. Again, I think [REDACTED] will come back to that. So I'll  
20 move -- I'll keep moving.

21 The next exhibit I want to show you is number 12 and this is -- looks like a  
22 calendar entry. It's a meeting on December the 10th in the Cabinet Room. It's a  
23 working lunch with a number of State attorneys general and President Trump. And you  
24 are listed as one of the attendees along with Brooke Rollins, Stephen Miller, Pat  
25 Cipollone.

1           Do you remember this meeting, Mr. Kushner, a working lunch with State attorneys  
2 general on December 10th in the Cabinet Room?

3           A     I don't recall, no.

4           Q     All right. Do you have any idea why you would be invited to a meeting with  
5 State attorneys general?

6           A     I was invited to a lot of meetings there. So, again, I get included on a lot of  
7 things. And I'd come to the ones that I felt like it was appropriate for me to be at or that  
8 I had time to do.

9           Q     Okay.

10          A     So the answer is I don't know.

11          Q     You don't have any specific memory of meeting with any of the folks listed  
12 here, the state AGs?

13          A     No.

14          Q     All right. There was a lawsuit filed in the Supreme Court, a Texas suit,  
15 Pennsylvania in the Supreme Court. And a number of State attorneys general joined  
16 that suit. Do you remember that? Any personal knowledge of that?

17          A     No.

18          Q     Okay. Do you know why the President wanted to meet with the attorneys  
19 general who signed onto that Texas v. Pennsylvania suit?

20          A     I don't.

21          Q     Okay. Do you know Adam Piper?

22          A     The name sounds familiar.

23          Q     He's listed here as the organizer of the meeting. Do you have any  
24 particular recollection about the role that he played?

25          A     I don't want to speculate. So I'm going to say no but --

1           Q    All right.

2           A    -- when he was the OPA representative who probably put this together.

3           Q    He was actually the director of the Republican Attorney Generals Association  
4 group.

5           A    Okay. So then I -- that's, yeah so, then I was wrong on that. So I shouldn't  
6 have guessed. So I'll stop guessing. I will only give you things I know. So this is not a  
7 test. Right? I'm not going to guess.

8           Q    I appreciate your being meticulous. That's exactly right. He actually  
9 resigned after January 6th from his role at RAGA because of a robocall that asked people  
10 to march to the Capitol. You have any recollection of that, of his role or RAGA's role in a  
11 call encouraging a march to the Capitol?

12          A    No.

13          Q    Okay. And, again, nothing about Texas v. Pennsylvania or Supreme Court  
14 litigation involving the election?

15          A    No.

16          [REDACTED] All right. Is this a decent place to stop? It's about 1 o'clock.

17          Let me talk to you, Mr. Benson, about our schedule. Do you want to take a little  
18 bit longer break and get some lunch, or do you want to keep going? You tell me,  
19 Mr. Benson, and Mr. Kushner where you are.

20          Mr. Kushner. Do you want to take 30 minutes, grab a little lunch, and then come  
21 back and do this?

22          [REDACTED]. Yeah.

23          Mr. Kushner. How much longer do you think you guys have so I can plan my  
24 afternoon? Do you think we're going to be much longer?

25          [REDACTED]. I think we'll likely go to certainly the close of business. So, to the

1 extent you have appointments until 5 or 6, I think we're going to be here until around  
2 then. We're going to try to finish by then. But, yes, we're going to, I think, pretty  
3 safely go -- why don't we say 6 o'clock will be our target?

4 Mr. Kushner. I'll ask you guys to try to go -- be as efficient as possible, if I can  
5 make that request, just because I do have a couple of things I was trying to do.

6 [REDACTED]. Yeah.

7 Mr. Kushner. And I can't guarantee that at some point, when my kids come  
8 home, they'll stay quiet. So --

9 [REDACTED]. Yeah.

10 Mr. Kushner. I have absolutely no control over that. So that's at your own risk.

11 [REDACTED]. You're in an odd position. I totally get it. So, yeah, we'll move  
12 expeditiously. Let's take 30 minutes now. We'll reconvene at 1:30. But for your  
13 planning purposes, let's -- we'll shoot for 6 at a target.

14 Mr. Kushner. Okay.

15 [REDACTED]. All right?

16 Mr. Kushner. I think I heard 4 o'clock. So that's my goal. I'll be efficient.

17 [REDACTED]. Okay.

18 Mr. Kushner. Thank you, guys. Take care. Bye.

19 [Recess.]

1

2 [1:32 p.m.]

3 ██████████. I see Mr. Benson is back.

4 I'll note Ms. Cheney and Mr. Aguilar are also with us.

5 We can go back on the record.

6 BY ██████████:

7 Q All right. Mr. Kushner, let me just keep walking forward. We're getting  
8 closer to the day of January 6th. Just a couple of things I wanted to ask you about.

9 December 14th was a pretty significant date. That's the date on which the  
10 electoral college met, where, around the country, all of the electors actually met.

11 Did you have any sense before December 14th of the significance, the legal  
12 significance, of that day?

13 A I knew it was a significant day.

14 Q Okay. And do you remember any discussion with the President or others  
15 about the significance of that or what would happen once those electors had met and  
16 been certified by each individual State?

17 A I don't recall.

18 Q Okay. There was an effort by some people in the campaign to prompt the  
19 submission of alternate electors or sort of electors that would send a certificate indicating  
20 that President Trump had won in that State or submitting their electoral votes for him,  
21 even if the secretary of state or the legislature reflecting the results of the popular vote  
22 were submitting certificates indicating that Mr. Biden had won.

23 Do you remember any discussion about this whole notion of alternate electors, of  
24 submitting slates, certificates from these battleground States?

25 A Not that I recall.

1           Q     Okay. Do you remember whether that was part of the campaign's legal  
2 strategy? I think you mentioned that Mr. Giuliani was in charge of that. But do you  
3 remember there being a discussion of that, the necessity of those alternate slates of  
4 electors?

5           A     Not that I recall.

6           Q     Did you ever talk to the President about that?

7           A     Not that I recall.

8           Q     Okay. Do you know whether or not, Mr. Kushner, that the campaign's  
9 strategy changed after December 14th when the electoral college met in each individual  
10 State?

11          A     Not that I recall.

12          Q     It didn't prompt any reassessment or new strategy of which you were  
13 aware?

14          A     Again, like I said, I was fairly disengaged at that point from -- can you just  
15 lower your volume -- I was fairly disengaged at that point. And so I was not really  
16 involved in the day-to-day strategy of the campaign.

17          Q     I see. Yeah, I understand.

18                 There also by that point had been a large number of lawsuits filed around the  
19 country. I believe ultimately there were 62 cases filed in State and Federal courts,  
20 challenging election results.

21                 Were you generally aware of the fact that those cases were filed and going  
22 forward?

23          A     Generally aware but, yeah, but not intimately.

24          Q     Yeah, not intimately meaning any particular case or allegation in a case?

25          A     Generally I knew there was legal challenges and cases happening.

1           Q     Okay. All right. In almost all of those cases but for a couple of street  
2 issues, the campaigns or the challenges to the election were unsuccessful, almost all  
3 unsuccessful by December 14th.

4           Do you remember whether that prompted any change in strategy or new strategy,  
5 the sort of consistent pattern of unsuccessful litigation?

6           A     Not that I recall.

7           Q     Do you remember any discussion with the President, for instance, about  
8 what do we do now that these cases have not been successful?

9           A     I don't recall.

10          Q     Okay. And discussion with anyone else, with any of the campaign  
11 leadership or even any folks on the outside, some of these advisors?

12          A     I don't recall.

13          Q     Okay. We have developed information that there was a phone call that the  
14 President had with John Eastman and Ronna McDaniel -- we talked about her before -- to  
15 assist with the effort to generate these alternate electors.

16          First of all, do you know Professor Eastman, John Eastman?

17          A     No.

18          Q     Have you ever met him?

19          A     Not that I recall.

20          Q     Okay. Other than what you've read about, potentially read about here  
21 since, do you remember being familiar with him at the time back in December, early  
22 January of 2020 and 2021?

23          A     Just by name only and that his name would be someone who would come up  
24 from time to time but, again, never in any way that I can recall meaningfully engaging  
25 with him.

1           Q     Do you remember anyone in particular mentioning his name or talking about  
2     him when it came up?

3           A     Not that I recall.

4           Q     Okay. And are you familiar with his involvement and Ms. McDaniel's  
5     involvement in an effort to enlist alternate electors?

6           A     Not that I recall?

7           Q     Did you ever talk to Ms. McDaniel about that? You indicated you were in  
8     frequent phone and text communication with her.

9           A     Yeah, not that I -- none that I recall.

10          Q     Okay. And no direct discussions with Mr. Eastman about that or other  
11     topics that you remember?

12          A     No.

13          Q     Okay. There's been a lot of reporting about a meeting that occurred at the  
14     White House on December the 18th that included Michael Flynn, General Flynn, Patrick  
15     Byrne, Rudy Giuliani, and others. Are you familiar with a meeting about election issues  
16     that occurred? It's a Friday night at the White House on December 18th.

17          A     I'm aware. I remember there was a Flynn -- this -- I'm sorry. Can you  
18     repeat again who was there? Flynn, Powell?

19          Q     You're right, exactly. Mr. Flynn and Ms. Powell were both there. They  
20     came to the White House to talk to the President about election-related issues on that  
21     Friday evening.

22          A     Yeah, I recall that happened.

23          Q     Okay. Tell us what you know about that.

24          A     Just that there was a meeting. Then things broke, and then there was  
25     another meeting. And then -- and that was really -- that was really it.

1           Q    Were you present?

2           A    No.

3           Q    How did you hear about it?

4           A    Mostly through reports, I believe, the next day.

5           Q    Okay. Do you know anything about the subject matter of what was  
6         discussed either at the sort of the meeting first and then the subsequent reconvened  
7         meeting that happened later?

8           A    Not directly, no.

9           Q    All right. What do you know indirectly? What did you hear about it the  
10      next day?

11          A    Just press reports.

12          Q    Did you ever talk to anybody who was present at the meeting?

13          A    Not that I recall.

14          Q    Do you know what the President's relationship was with General Flynn? I  
15         mean, he'd been his National Security Advisor early in the administration. But, at this  
16         point in December of 2020, did they have a relationship as far as you know?

17          A    I don't know.

18          Q    Do you know whether or not the President ever mentioned General Flynn in  
19         relation to election-related issues?

20          A    Not that I recall.

21          Q    It's reported that, at this meeting, there was a discussion about the seizure  
22         of voting machines. Do you remember ever being involved in any discussions about the  
23         prospect of the Federal Government seizing voting machines?

24          A    Not that I recall.

25          Q    It's also reported, Mr. Kushner, that there was a discussion about the

1 declaration of martial law or the military somehow rerunning elections in various places.

2 Did you ever hear about that discussed?

3 A Not that I recall.

4 Q All right. How about the appointment of a special counsel to investigate  
5 allegations of voter fraud? Was that a topic that you ever talked about with anyone  
6 during this time?

7 A Not that I recall.

8 Q Okay. There's been a lot of press reports of this meeting that indicated it  
9 got very acrimonious, that Eric Herschmann, for example, someone whose views you  
10 trusted, got very angry with General Flynn and with Ms. Powell.

11 Do you remember hearing about a dispute between Herschmann or others and  
12 General Flynn?

13 A Broadly.

14 Q Again, tell us what you do recall broadly.

15 A I just recall that, again, that, again -- and I don't remember specifics because,  
16 again, I was not there -- that they were pushing theories that Eric did not agree with.

17 Q Okay. Did you ever talk to Eric himself about this?

18 A I don't recall.

19 Q Okay. I thought you had testified before that you had indicated that you  
20 had asked him, once Giuliani took over, that you wanted him to sort of keep you aware  
21 of -- I forget the term you used -- when things got bad or when there was trouble, yeah.  
22 Was there one of those times when Mr. Herschmann said anything to you about a  
23 dispute?

24 A So, just to be clear, again, maybe the words I'm using with you may not be  
25 the exact little words or definitions I used with him at the time. But the whole notion

1 was -- is, if you felt I could be outcome determinative, let me know. But, again, that's  
2 not an area where he got me involved.

3 Q Yeah, okay. And your last comment raises an issue. When I'm asking you  
4 generally, Mr. Kushner, about do you recall this subject matter, do you recall  
5 conversations, I'm not really looking for exact words. I'm looking for any general sense  
6 you have about the subjects discussed. So I don't want to you take my question too  
7 literally. I'm asking really for your general recollection about subject matters at large,  
8 not, you know, particular words that were used.

9 Does that make sense?

10 A Yeah, yeah, that's good. I just -- you were calling -- you were pushing for a  
11 specific word that I had used. So I just wanted to be very clear that I'm doing my best to  
12 give a recollection, and, you know, again, if I -- and I'm doing my best to recall these  
13 things. And now I'll be as precise as I'm capable of being, but don't take everything I'm  
14 saying as being precision in that regard.

15 Q No, I understand. I appreciate your effort to be accurate.

16 It's also reported at this meeting that Mr. Cipollone actually said he would resign if  
17 there was a special counsel appointed or voting machines were seized, that he strongly  
18 resisted some of the ideas put forth by General Flynn and Ms. Powell.

19 Did you ever hear about that, about Mr. Cipollone pushing back or threatening to  
20 resign?

21 A I don't recall.

22 Q What do you recall, if anything, about Mr. Cipollone's general view about  
23 whether or not it was time to move on and talk about legacy versus continue to make  
24 allegations of voter fraud?

25 A Look, Pat and his team, again, my primary reason for engaging with them at

1       the time was to get through pardons, and that's what I wanted them focused on. They  
2       would spend a lot of time complaining to me about a lot of other things, but I was pretty  
3       focused on pardons and trying to keep them focused on that.

4           Again, I felt like every additional case we could look at, these were opportunities  
5       to potentially save or change lives. And so I wanted to make sure we were focused on  
6       those as much as possible. So that was the primary -- the primary area where I was  
7       interacting with Pat and his team.

8           Q     Do you ever recall Mr. Cipollone saying anything to you about the election or  
9       allegations of election fraud?

10          A     Not specifically.

11          Q     Even generally expressing a view, that you recall, not specific words but  
12       generally expressing a view?

13          A     Yeah, I just remember he was constantly up and down and, you know, and  
14       feeling like this was off. Like he was just, you know, he had kind of a general sense  
15       of -- like I said, he did not love the Rudy strategy and the Rudy crowd.

16          Q     Yeah, I mean, I get a sense from other witnesses that Mr. Cipollone was one  
17       of the people who consistently, like during this meeting, pushed back against some of  
18       what Rudy and others were proposing or things that they -- allegations they were making.  
19       Is that consistent with your experience with Mr. Cipollone?

20          A     Like I said, I wasn't in those meetings. And I wasn't that engaged with the  
21       details. So, you know, that -- I'm giving you my general point of view. I'm trying as  
22       hard to find it as possible based on what you said, and that's -- and that's kind of what I  
23       have there.

24          Q     Okay. And, to be clear, he was not -- I think you said not fond of or was  
25       critical of some of the things Mr. Giuliani was saying or doing?

1           A     To the best of my recollection, yeah.

1

2 [1:41 p.m.]

3 BY [REDACTED]:

4 Q Okay. But only a little bit before this December 18th meeting, the  
5 President actually had pardoned General Flynn. Do you remember any discussion  
6 of -- you mentioned pardons -- of General Flynn's pardon?

7 A That -- yeah, that was a pardon that occurred, yes.

8 Q Yeah. Again, do you have any recollection as to why that occurred or what  
9 motivated the pardon of General Flynn?

10 A I don't know. I don't recall specifically when it did. But, again, even -- it  
11 was something I personally favored. I felt like he was unfairly targeted. And it was  
12 something where even The Wall Street Journal wrote an editorial saying it was time to  
13 pardon General Flynn.

14 And so I don't know if we did it right after that or soon thereafter, but, you know,  
15 it did feel like it was an appropriate thing to do --

16 Q Okay. Did that have -- I'm sorry. I didn't mean to cut you off. I  
17 apologize.

18 A Yeah. I feel like -- again, you know, I feel like, you know, that -- I felt like  
19 that was an appropriate pardon to make.

20 Q Do you know if there was any connection between the pardon and his  
21 advocacy about the election?

22 A No.

23 Q All right. Do you know Phil Waldron? Is that name familiar to you?

24 A No.

25 Q Okay.

1           A    Not that I recall. Not that I know. Doesn't ring a bell.

2           Q    All right. Anything else, Mr. Kushner, about that meeting, that contentious  
3   December 18th meeting, that you recall?

4           A    Not that I recall.

5           Q    Okay. Let me show you exhibit 13. This is another -- this is actually a  
6   tweet that is issued very early morning of December 19th.

7                 So this meeting at the White House is December 18th, and as you said, it goes very  
8   late. And then at 1:42 a.m. President Trump issues this tweet, and he refers to, "Peter  
9   Navarro releases 36-page report alleging election fraud 'more than sufficient' to swing  
10   victory to Trump," and he attaches a link to it.

11              "A great report by Peter. Statistically impossible to have lost the 2020 Election.  
12   Big protest in D.C. on January 6th. Be there, will be wild!"

13              So do you remember the issuance of this tweet?

14           A    No.

15           Q    Did you have any involvement in the decision to issue it or any of the  
16   language used?

17           A    No.

18           Q    Okay. This is a first reference publicly by the President to January 6th. Do  
19   you remember any discussion prior to this of the joint session, of what might occur on  
20   January the 6th?

21           A    No.

22           Q    Did you work at all with Peter Navarro in the White House?

23           A    Occasionally.

24           Q    All right. Did he have any -- his role was as a trade professional, trade  
25   adviser, correct?

1           A     Tried to be.

2           Q     Well, tell us more your impressions of Mr. Navarro and his role at the  
3     White House.

4           A     Yeah, he got involved in different trade-related issues. He's an academic by  
5     background, and he would kind of, you know, pop in and out of different issues.

6           Q     Okay. Do you remember him working on this report that is linked here in  
7     the tweet about election fraud?

8           A     No.

9           Q     Did you ever have any discussions with him about alleged election fraud?

10          A     No.

11          Q     Was his report taken seriously by people in the White House? I mean, it  
12     was obviously by President Trump, but by others.

13          A     Like I said, I don't recall interactions with him and I don't recall seeing the  
14     report, so it didn't make it to me and not something I spent time on.

15          Q     Okay. So it didn't influence your --

16          A     As far as I recall, yeah.

17          Q     Okay. It didn't influence your perspective, your actions, anything like that,  
18     the Navarro report? Actually there were several of them.

19          A     No.

20          Q     Okay. All right. There's another meeting that occurs a couple of days  
21     later at the White House on December the 21st, and it's reported that the President met  
22     with about 15 Members of Congress at the White House that date.

23          Although, I see, Ms. Cheney, I see you coming off. Is there something you  
24     wanted to go back to about?

25          Ms. Cheney. I did, █, if you don't mind.

1                   [REDACTED]. Yeah, go ahead. Yeah, please.

2                  Ms. Cheney. Before we get to that meeting.

3                  I just wanted to ask, Jared, as we're talking about the litigation, and I think [REDACTED]  
4 mentioned the 60 out of 61 cases, I just wondered if you were aware at the time of these  
5 decisions how these courts were ruling.

6                  Mr. Kushner. I wasn't following every one specifically, but broadly aware of it,  
7 yes.

8                  Ms. Cheney. Okay. And so, for example, in Arizona, in State trial court, the  
9 court found, quote, "There is no evidence that the manner in which signatures were  
10 reviewed was designed to benefit one candidate or another or that there was any  
11 misconduct, impropriety, or violation of Arizona law with respect to the review of mail-in  
12 ballots."

13                 Were you aware of that ruling?

14                 Mr. Kushner. Not specifically.

15                 Ms. Cheney. And then Arizona Supreme Court found, quote, "The challenge fails  
16 to present any evidence of misconduct, illegal votes, or that the Biden electors did not, in  
17 fact, receive the highest number of votes for office, let alone establish any degree of  
18 fraud or a sufficient error rate that would undermine the certainty of the election  
19 results."

20                 Were you aware of that ruling?

21                 Mr. Kushner. Not specifically.

22                 Ms. Cheney. And then Federal courts in Arizona found, quote, "The allegations  
23 they put forth to support their claims of fraud fail in their particularity and plausibility.  
24 Plaintiffs append over 300 pages of attachments, which are only impressive for their  
25 volume. The various affidavits and expert reports are largely based on anonymous

1       witnesses, hearsay, and irrelevant analysis of unrelated elections. The complaint is  
2       equally void of plausible allegations that Dominion voting machines were actually hacked  
3       or compromised in Arizona during the 2020 general election. Rather, what is presented  
4       is a lengthy collection of phrases beginning with the words, quote, 'could have, possibly,  
5       might, and may have.'"

6                  Were you aware of that ruling?

7                  Mr. Kushner. No.

8                  Ms. Cheney. State courts in Georgia found, quote, "The complaint's factual  
9       allegations do not plausibly support his claims. The allegations in the complaint rest on  
10      speculation rather than on duly pled facts."

11                 And then Federal courts in Georgia, this was actually a Trump-appointed Federal  
12      judge and the decision was affirmed by a panel that included Trump-appointed -- another  
13      Trump-appointed Federal appellate judge, and this was a case brought by Mr. Wood.

14                 "Even assuming Wood possessed standing and assuming counts one and two are  
15      not barred by laches, the court nonetheless finds Wood is not entitled to the relief he  
16      seeks."

17                 Were you aware of that case?

18                 Mr. Kushner. Not specifically. I can tell, you're going to go through more cases  
19      I wasn't aware. I wasn't following the specific rulings. So if you're doing this to put this  
20      on the record then that's okay, but if you're doing it because you want me to say -- I  
21      wasn't following the cases, Liz.

22                 Ms. Cheney. I appreciate that. I'm actually doing it because we're a Nation of  
23      laws, and so actually the rulings of these courts are quite significant.

24                 So in a Federal court in Michigan, this was a case brought by Sidney Powell, the  
25      court found, quote, "With nothing but speculation and conjecture that votes for

1 President Trump were destroyed, discarded, or switched to votes for Vice President  
2 Biden, plaintiff's equal protection claim fails."

3           And then I want to ask you, Jared, because Kayleigh McEnany actually made  
4 significant claims about what the campaign would find in Nevada, would be able to prove  
5 in Nevada, on "Hannity" on December 2nd, 2020, talking about State courts in Nevada,  
6 she said, quote, "This is the most important case and this will finally vet the Trump legal  
7 claims." So, again, this is on December 2nd.

8           And the court found, quote, "The contestants failed to meet their burden to prove  
9 credible and relevant evidence to substantiate any of the grounds set forth to contest the  
10 November 3rd, 2020, general election. The court assessed evidence submitted  
11 regarding the Dominion voting machine allegations specifically and concluded the  
12 evidence was not credible."

13           Were you aware of that ruling?

14           Mr. Kushner. [Inaudible.]

15           Ms. Cheney. Sorry. I think you'll have to actually say the answer, Jared.

16           Mr. Kushner. Oh, sorry, I was on mute. No, I was not aware.

17           Ms. Cheney. And then in Pennsylvania, and this was actually another decision  
18 written by a Trump-appointed Federal appellate judge, quote, "One might expect that  
19 when seeking such a startling outcome a plaintiff would come formatively armed with  
20 compelling legal arguments and factual proof of rampant corruption such that this court  
21 would have no option but to regrettably grant the proposed injunctive relief despite the  
22 impact it would have on such a large group of citizens.

23           "This has not happened. Instead, this court has been presented with strained  
24 legal arguments without merit and speculative accusations, unpled in the operative  
25 complaint and unsupported by the evidence.

1            "In the United States of America, this cannot justify disenfranchisement of a single  
2        voter, let alone all the voters of its sixth most populated State."

3            This is a Trump-appointed judge. Quote, "Free and fair elections are the  
4        lifeblood of our democracy. Charges of unfairness are serious. But calling an election  
5        unfair does not make it so. Charges require specific allegations and then proof. We  
6        have neither here."

7            Were you aware of that ruling?

8            Mr. Kushner. No.

9            Ms. Cheney. Thank you.

10          [REDACTED]. Thank you, Ms. Cheney.

11          Any other members before we continue? Okay.

12          BY [REDACTED]:

13          Q     So, Mr. Kushner, all of those decisions that Ms. Cheney was reading are  
14        consistent in their rejection of these specific allegations.

15          Let me ask you again, in the wake of those consistent decisions, did that change  
16        the campaign's perspective or strategy when it came to talking about election fraud?

17          A     As I've testified to, I wasn't involved in the format of the strategy, and I  
18        wasn't involved in those discussions, so I don't know.

19          Q     Did you ever talk to President Trump about the consistent lack of success in  
20        the litigation?

21          A     I don't recall.

22          Q     Do you know whether that had an impact on him in terms of his own  
23        understanding of the veracity of the election results?

24          A     I don't -- I don't know.

25          Q     And never talked about the litigation with him at all that you recall either

1 way?

2 A Like I said, my focus on that time and the issues I was discussing with him  
3 were issues mostly of Operation Warp Speed, my efforts in the Middle East to try to make  
4 sure that the peace agreements were secured and trying to get the last couple peace  
5 agreements we can get.

6 Again, those efforts were not small efforts and they were -- took a lot of time, and  
7 I used the time I had with him to do it, to spend time to get those things advanced.

8 My working assumption was that the people who were in charge of those other  
9 efforts would work with him and that he would make the appropriate decisions, you  
10 know, with them.

11 Q Let me bring you to December 21st. This is after all or most of those  
12 decisions that Ms. Cheney just read. There's a meeting at the White House with  
13 Members of Congress, with the Vice President and his chief of staff, Marc Short,  
14 President Trump and Mr. Giuliani, and the President's legal team.

15 Were you present for that meeting at the White House on December 21st?

16 A I don't recall.

17 Q Okay. Do you remember hearing anything about a discussion at the  
18 White House with Members of Congress and the Vice President?

19 A I don't recall.

20 Q Do you know whether or not they discussed the Vice President's authority at  
21 the joint session of Congress on January the 6th?

22 A I don't recall.

23 Q All right. Any recollection whatsoever of discussion with Members of  
24 Congress about what they might do on January 6th at this meeting or otherwise?

25 A I don't recall.

1           Q     Did you ever, Mr. Kushner, speak to Members of Congress about the  
2     possibility of them objecting to the results in various States?

3           A     Not that I recall.

4           Q     Okay. Did anyone ever ask you to do that --

5           A     Not that I recall.

6           Q     -- reach out to members? Okay.

7           And did you ever talk to the Vice President about his authority on January 6th at  
8     the joint session, what he could or couldn't do legally?

9           A     No.

10          Q     Did you ever talk to anyone on his staff about that, Mr. Short or his counsel,  
11     Mr. Jacob, or anyone else who works with the Vice President?

12          A     So I didn't speak about it technically. I got a call from Marc at some point.  
13     Again, I was in the middle of some pretty intense negotiations in trying to get the last deal  
14     closed in the Middle East and, you know, the time was clicking down. We were making  
15     some progress dealing with some issues with the rollout of the vaccine.

16          He called and asked if I had any thoughts on the matter. I told him, you know,  
17     "Marc, I hadn't really been paying attention to it," you know, in the sense that my sense is  
18     this is a constitutional issue from what I understand between the -- an issue that the  
19     President and the Vice President of the United States should be able to discuss  
20     themselves.

21          And I said, you know, "Obviously it seems like the type of thing you should get  
22     lawyers, you know, who you think the President trusts to give his opinion -- to give their  
23     opinion to him if you have a disagreement," and basically said, "Look, you know," and  
24     basically said, "That's my advice to you on it."

25          Q     We've heard about this very conversation from Mr. Short. And he

1 indicated that he reported that there was a split or a difference of opinion at that point  
2 between what the Vice President believed and what President Trump was encouraging  
3 him to do and essentially asked for your help in brokering that dispute.

4 Do you recall that, the flagging of the fact that there was a difference of opinion  
5 about the Vice President's authority?

6 A Yeah, I don't recall him asking me to broker the dispute. I recall him asking  
7 me for my advice on the matter and to see if I was tracking it, which I think is pretty  
8 substantial difference. I mean, when they asked me for my help on COVID I jumped into  
9 that and did it.

10 But he basically said there was a difference of opinion on a constitutional issue.  
11 He asked my opinion, and my advice to him was to try to get constitutional scholars who  
12 the President, you know, respected to try and weigh in on the issue, you know, to help  
13 them resolve it.

14 But, again, this is a disagreement between the President of the United States and  
15 the Vice President of the United States, I mean, both big boys, and they should be able to  
16 hopefully work that out between the two of them.

17 Q I understand. And "broker" really was my term, not his, but he -- it sounds  
18 like you agree with him that he flagged this dispute and asked for your help, your advice,  
19 your involvement in some way to try to resolve it?

20 A No, he asked for my advice, not my help.

21 Q Okay. Okay. Excuse me. And your advice. And your advice was get  
22 constitutional scholars to provide their perspective?

23 A Yes, or have the Vice President talk to the President about it and let them sit  
24 down and try to resolve it.

25 Q Okay. Did you express a view yourself or have a view yourself as to which

1 of them was correct about the Vice President's authority?

2 A I did not have a view.

3 Q Okay. After the conversation did you look into this or discuss it further  
4 with anyone?

5 A No.

6 Q How about with the President?

7 A No.

8 Q Did you ever talk to him about this, now that you were aware from Mr. Short  
9 that there was a dispute between him and the Vice President?

10 A No.

11 Q Mr. Short indicated that that call occurred before Christmas. Do you  
12 remember the time frame of the conversation consistently?

13 A It doesn't -- I have no objection to his recollection of it in that regard.

14 Q Okay. Were you at all concerned, Mr. Kushner, about a split or a gulf  
15 between the President and the Vice President in the very end of the year and the  
16 beginning of 2021? We'll get to the post-January 6th stuff later, but before that, were  
17 you aware of that, that split?

18 A No. It seemed highly technical to me, and -- you know, and, again, I was  
19 focused on a lot of different issues, on the Middle East, I was focused on issues with Warp  
20 Speed, and, again, I had a million other issues I was dealing with with a lot of other  
21 people, so it seemed like a fairly technical difference between the two of them.

22 Q Do you remember discussing it with anyone, the split, besides Mr. Short?

23 A No, I didn't. I'm pretty confident I didn't, but I -- again --

24 Q Yeah. Okay. Again, I'm just -- if you're a senior adviser to the President  
25 involved in a wide range of things and this is flagged for you, why would you not get

1 involved in that or ask the President about it or attempt somehow to do what you've  
2 done in numerous other instances, be someone that can help resolve difficult problems  
3 faced by the administration?

4 A The short answer is because I didn't, and the long answer is because is  
5 there's a lot of issues that come to me and I didn't choose to take every single issue to the  
6 President.

7 Again, I chose to take ones that I thought I could be outcome determinative, that I  
8 deemed to be of the level of significance that were needed to be.

9 But, again, you have -- this is not one that's going untamed. You have, you know,  
10 Marc Short, you have the Vice President, and you have a lot of lawyers involved. And  
11 so, again, it's not one that's being unattended to and one where I had any, you know,  
12 expertise to try and drive a conclusion.

13 Q Okay. So you didn't think that your assistance could be outcome  
14 determinative or you could help resolve this dispute?

15 A I'm not saying I thought that. I mean, again, I'll go back to my short answer  
16 now, which is I didn't.

17 Q Let me show you an exhibit that's exhibit 14. This is on the same issue.  
18 [REDACTED] [REDACTED], can I ask?

19 [REDACTED]. Oh, yeah. I'm sorry, [REDACTED]. Go ahead.

20 BY [REDACTED]:

21 Q Quickly, Mr. Kushner, on that, just to zoom out a bit. What was the nature  
22 of the disagreement as you understood it during that conversation with Mr. Short?

23 A I don't recall.

24 Q But it had something to do with the Vice President and his role on  
25 January 6th?

1           A     It was a legal interpretation that the President and the Vice President were  
2     having differing opinions on.

3           Q     But about what did you understand? I mean, it probably wasn't about war  
4     powers, I assume, right?

5           A     I think that's a good assumption.

6           Q     Okay. So what was your understanding?

7           A     Like I said, I don't recall. Again, I -- it was a pretty short conversation, and  
8     so -- it was a short conversation.

9           Q     Was it your understanding that it had to do with the joint session of  
10     Congress, though, and the Vice President as President of the Senate?

11          A     I'll be honest, I wasn't thinking about a joint session. I wasn't  
12     thinking -- again, you know, you've been tasked with going back and reconstructing this  
13     thing, and I'd just ask you to put yourself in my shoes at that time, and this was just not a  
14     super big topic in my point of view.

15          I was focused on transition, I was focused on my last deals in the Middle East that I  
16     wanted to get done, and I was focused on Operation Warp Speed and getting vaccines to  
17     Americans to save lives.

18          So those were the big things and, you know, Jan 6th, that was, you know, that was  
19     really in other people's hands. And, again, I didn't even know to what degree that it was  
20     going to be a significant day in any regard. And, again, nobody expected there to be  
21     violence.

22          Q     When did you first hear about this disagreement between the President and  
23     Vice President that Marc Short raised?

24          A     I don't recall.

25          Q     Okay. You also mentioned -- I'm just going to go back really quickly

1 because you mentioned again that you were focused on the transition in part. And are  
2 you familiar with the idea of ascertainment, GSA ascertainment?

3 A No.

4 Q Okay. Do you know that the Administrator of the GSA has to issue a letter  
5 in order for the transition really to begin in earnest, meaning the agencies can start  
6 revealing information to the incoming administration?

7 A So I recall there was a technical -- some technical things that had to happen  
8 that was really being handled by Chris Liddell and Mark Meadows.

9 Q Were you aware of any effort at the White House to encourage the  
10 Administrator of the GSA not to issue this letter of ascertainment before she did so?

11 A No.

12 BY [REDACTED]:

13 Q All right. Let me turn your attention, Mr. Kushner, to exhibit 14. This is  
14 an email on which you were copied and it's dated December the 23rd.

15 If you just look -- maybe start at the top now. This one is from Ivan Raiklin to a  
16 long list of addressees, and you're included in that list at your White House email address.

17 First of all, do you know Ivan Raiklin?

18 A No, not that I recall, no.

19 Q Any idea who that was or what if anything he did?

20 A No.

21 Q Okay. Is this address to someone at the email address imt@who.eop.gov,  
22 do you know who that is, who IMT is?

23 A Yeah, that was my wife's email account.

24 Q That was -- okay. I thought so. So she's copied. Mr. -- you're copied.

25 Mr. Herschmann is copied. And then there's an email with some links and a document,

1       a memorandum called "Operation 'Pence' Card."

2                  Do you remember receiving this email?

3                  A     No.

4                  Q     It indicates at the very top, "If you want to be reelected, you better get VP  
5     Pence to do this in the next few hours. This will almost guarantee victory and avoid Jan  
6     showdown."

7                  Again, do you know what he meant by "Jan 6 showdown"?

8                  A     No.

9                  Q     The document that is attached, or the memo, the memorandum for the  
10   President, "Operation Pence Card," essentially is advocating that the Vice President be  
11   encouraged to not accept certain electoral votes from States in which there are  
12   allegations of election fraud.

13                 Do you remember any discussion about that strategy, about the Vice President  
14   rejecting certain slates of electors or accepting those alternate slates that were  
15   submitted?

16                 A     No.

17                 Q     Do you know if that was the legal issue on which the President and the Vice  
18   President, according to Mr. Short, had a disagreement?

19                 A     I don't know.

20                 Q     All right. What if anything did you do when you received this? Any  
21   discussion?

22                 A     No. I don't recall reading it. Again, I would -- part of being part of a  
23   vibrant democracy is you get all kinds of opinions from all kinds of people when you're in  
24   a position of government.

25                 So, again, I don't recall reading this, and I don't recall doing anything with it.

1           Q     Okay.

2           A     I can't remember who sent it to me. So this looks like a rando email. I  
3     wouldn't spend too much time on it or give too much thought to it.

4           Q     That strategy, that "Pence card," to use the language of this email, do you  
5     know who within -- of the folks that we've discussed here advocated this or was  
6     suggesting that this was something that the Vice President could or should do?

7           A     Yeah, just -- the answer is no.

8           Q     Do you know if Dr. Eastman, for example, had put forth a legal theory that  
9     this was permissible constitutionally, that this could happen?

10          A     I don't know.

11          Q     Okay. All right. Around this time there are still elections going on in the  
12     State of Georgia. Do you remember there was runoff elections in Georgia?

13          A     Yes.

14          Q     Okay. Did you have any communication with Senator Perdue about his  
15     runoff election, the election in which he was a candidate in Georgia?

16          A     Possibly, but I don't recall.

17          Q     Well, there's been some reports that he called you, Senator Perdue called  
18     you, and asked you to ask the President to stop attacking Georgia election officials in the  
19     days before -- attacking verbally Georgia election officials in the days before the runoff  
20     election.

21          Do you remember a conversation with Senator Perdue about that?

22          A     I don't.

23          Q     Do you remember what he --

24          A     I'm not saying it didn't happen. David and I had a good relationship and so  
25     we would talk. But I don't recall specifically.

1           Q     All right. It's been reported that in that conversation you told Senator  
2 Perdue, "Once the President put Rudy in charge it guaranteed this was going to be a  
3 clown show. I can't help you." Is that accurate?

4           A     I don't recall. I told you, I don't recall the conversation.

5           Q     Okay. So, again, it could've happened. You don't recall specifically  
6 whether you spoke to Senator Perdue?

7           A     I don't recall. I don't recall.

8           Q     Yeah. Do you remember talking with President Trump about the effect of  
9 his rhetoric on the ongoing campaign in Georgia, the runoff elections in Georgia?

10          A     No.

11          Q     Whether or not --

12          A     I don't recall.

13          Q     -- rhetoric about challenging the veracity of the vote was going to actually  
14 hurt Senator Perdue and Senator Loeffler in the runoff elections?

15          A     Like I said, you know, at that point I was focused on Middle East peace,  
16 getting those deals done, getting more deals done, Operation Warp Speed, transition, my  
17 family. And like I said, my head was, you know, on its way out of politics, so --

18          Q     Yeah. Okay.

19                 There's been a widely reported telephone call that the President made to the  
20 Georgia secretary of state on January 2nd, Secretary Raffensperger. Do you recall that  
21 phone call?

22          A     Just from what I saw from news reports.

23          Q     Okay. So did you ever talk to the President about that telephone call?

24          A     Not that I recall.

25          Q     You didn't participate in it?

1           A    No.

2           Q    Did you have any knowledge of it until the reporting and the actual  
3         transcript or recording -- not transcript -- recording of it was made public?

4           A    No.

5           Q    Do you know why the President wanted to call Secretary Raffensperger?

6           A    I don't.

7           Q    Did you have any discussions with him after the tape was released or made  
8         public about a fallout or about what if anything he should say or do as the result of the  
9         call being made public?

10          A    Not that I recall.

11          Q    Anybody else? Did you talk to anybody else about the Raffensperger  
12         January 2nd call?

13          A    Not that I recall.

14          Q    That very same day, January 2nd, there was a phone call with hundreds of  
15         State legislators in which the President participated. Peter Navarro, John Eastman, Phillip  
16         Kline, a man named John Lott all convened and spoke to hundreds of State legislators.

17          Were you -- did you participate in that call or have any recollection of it?

18          A    I don't.

19          Q    Okay. Do you remember hearing about it from anyone else?

20          A    I don't recall.

21          Q    The President reportedly told the State legislators that they are the real  
22         power and the only ones who could do something about the election. Do you  
23         remember hearing anything about that?

24          A    No.

25          Q    And then that very same day, busy day, January 2nd, there was a meeting

1       between the House Freedom Caucus and Mr. Meadows, the White House chief of staff, a  
2       former member of the Freedom Caucus. And it's been reported that Meadows, Giuliani,  
3       and other members of the Freedom Caucus participated in a meeting, some were on the  
4       phone, some were in person, on January 2nd at which they discussed January 6th and the  
5       joint session.

6                  Were you present for that meeting with the Freedom Caucus?

7                  A      Oh, I don't recall.

8                  Q      Do you remember hearing anything about it?

9                  A      I don't recall.

10                 Q      Okay. Were you in any way, Mr. Kushner, involved in an effort to  
11       encourage Members of Congress or Senators to object to particular States when  
12       they -- when their certificates were put forth at the joint session on January 6th?

13                 A      Not that I recall.

14                 Q      And you don't recall any such conversations with Members or Senators  
15       about objections?

16                 A      Not that I recall.

17                 Q      Senator Cruz, in the days before the January 6th joint session, started talking  
18       about an election audit commission, solicited other Senators to agree to pursue such a  
19       commission.

20                 Do you remember any discussion of an audit commission for purposes of the  
21       election?

22                 A      No.

23                 Q      There's also some discussion at this time about possible leadership change at  
24       the Department of Justice, at the removal of the Acting Attorney General and the  
25       installation of another person.

1           Do you have any recollection of leadership change at the Department of Justice,  
2 discussions about that?

3           A     Yeah, I remember that Bill Barr resigned, and I think Jeff Rosen was in  
4 charge. And then I read about in the press there was another guy who wanted to come  
5 on and there was a whole thing. But from what I understand, nothing happened as far  
6 as I recall.

7           Q     Yeah.

8           A     Yeah.

9           Q     Well, no, a lot happened but no change was made. Do you remember  
10 whether or not -- did you hear anything about the stuff that happened, the discussions  
11 about the possibility of this other guy replacing Acting Attorney General Rosen?

12          A     Only what I recall from the press at the time.

13          Q     Yeah. Okay. And, again, I'm not looking for what you read. I'm looking  
14 for any conversations you had, recollection you had from others who were involved.

15          A     Yeah. No, there's no additional information I have on this that comes to  
16 my recollection.

17          Q     Okay. So you never talked to the President about this, about possible  
18 leadership change at the Department of Justice?

19          A     Not that I recall. But, again, I don't believe there was a change, right. So,  
20 again, like with everything during Trump time there's always a lot of [indicating], but  
21 then, you know, it either happens or it doesn't happen. Sometimes it does, sometimes  
22 it doesn't, but -- you know, but as far as I -- on this issue there was no change, so --

23          Q     Yeah. Fair enough. Okay. I'm just wondering if you had any  
24 conversation about the possibility of change that you recall.

25          A     Not that I recall.

1           Q    All right. Are you familiar with the name Ken Klukowski?

2           A    Not that I recall.

3           Q    A lawyer at the Department of Justice who was involved in some of these  
4 issues. Any recollection of him?

5           A    No.

6           Q    How about a man named John Lott, Jr., ever hear of that name or familiar  
7 with Mr. Lott?

8           A    No.

9           Q    Okay. All right. Let me stop now, because I'm about to get to  
10 January 6th, and let me see if anyone else has questions for you before we go to  
11 January 6th.

12          [REDACTED]. I have a question.

13          [REDACTED]. Yeah, go ahead.

14          [REDACTED]. Oh, Ms. Cheney, I believe, just came off video.

15          [REDACTED]. Yeah, Ms. Cheney, go ahead.

16          Ms. Cheney. Thanks. I just had one other question.

17          Jared, are you aware of instances where Pat Cipollone threatened to resign?

18          Mr. Kushner. I kind of, like I said, my interest at that time was on trying to get as  
19 many pardons done. And I know that, you know, he was always -- him and the team  
20 were always saying, "Oh, we're going to resign, we're not going to be here if this happens,  
21 if that happens." So I kind of took it up to just be whining, to be honest with you.

22          Ms. Cheney. So the -- so, yes, that's a yes, that you are aware?

23          Mr. Kushner. Yes. Yes.

24          Ms. Cheney. And are you aware on what issues they were threatening to resign?

25          Mr. Kushner. I don't recall specifically.

1           Ms. Cheney. So was it more than once?

2           Mr. Kushner. I don't recall specifically.

3           Ms. Cheney. Did -- it sounded like Mr. Cipollone came to you on a number of  
4       occasions to express either that he was so concerned he was going to resign or a general  
5       concern. Was one of those occasions over this issue of the President  
6       appointing -- wanting to appoint Mr. Clark as the Attorney General?

7           Mr. Kushner. I don't recall.

8           Ms. Cheney. Were there election-related issues that you recall Mr. Cipollone  
9       raising concerns with you about?

10          Mr. Kushner. I don't recall the specifics.

11          Ms. Cheney. Thank you.

12          [REDACTED]. Thanks, Ms. Cheney.

13          Any other members? I guess Mr. Aguilar is the only other one on at this point.

14          Mr. Aguilar. I'm good, guys. Thank you.

15          [REDACTED]. Okay. Thanks, Mr. Aguilar.

16          How about here, [REDACTED] or [REDACTED]?

17          BY [REDACTED]:

18          Q      I guess, Mr. Kushner, we asked you a lot of specific questions, and it's  
19       unfortunate that sometimes the court reporter can't pick up your gestures or your  
20       eyebrows because it loses something.

21          But I got the distinct impression that as we were saying this you might agree with  
22       something that we've heard from other witnesses, which was that after the, quote,  
23       "clown show" showed up and the legal theories became quite fringe, there was no point  
24       paying attention to any of it and people just started wrapping up and getting on with their  
25       lives.

1           Does that match with kind of what you were feeling? Because if I was  
2       misunderstanding you. But that was just a vibe that seemed to be coming across in  
3       some of your answers, but I don't want to put words in your mouth.

4           A     Thank you for not putting words in my mouth.

5           The -- no, I think that -- and, again, like, I don't have specific -- you're asking me  
6       about a general vibe, whereas, again, from my point of view I'm more of like a put your  
7       head down and just bulldoze kind of person. And so -- so, you know, general vibe is not  
8       something that I'm often thinking too much about.

9           But I do think that as the legal cases -- as we were getting closer to the end there  
10      was, you know, people were starting to think about what do you do next, how do you  
11      move on with life. And I do think that that was something that was becoming more  
12      accepted throughout the administration.

13           Q     Thank you.

14           BY [REDACTED] :

15           Q     All right. Let me turn your attention now, Mr. Kushner, to the days right  
16      around January 6th.

17           It sounds like you were in the Middle East at that time. Is that right? You had  
18      flown to Saudi Arabia to finish one of the important issues that were remaining to be  
19      done before the end of the administration?

20           A     Yes.

21           Q     Tell us the dates of your travel. Do you recall when you left and when you  
22      returned?

23           A     Okay. So I don't recall specifically the dates. I know when I returned. I  
24      returned on Jan 6th in the afternoon. We landed around like 3-ish, but I left probably 48  
25      hours beforehand-ish.

1           What I do know is that -- and then I probably had about 24 hours before where I  
2        was basically all hands on deck trying to get this deal done. The deal almost didn't  
3        happen.

4           I was supposed to leave about 12 hours earlier, kept pushing my plane back, you  
5        know, just because there was issues that, you know, that opened up at the last minute  
6        that meant that the deal was off. So then you're basically going back between, you  
7        know, five -- four countries and one country. And we had an issue about opening  
8        airspace and some legal ramifications for that, and I was right at the heart of trying to  
9        negotiate that.

10          And the deal was actually looking like it was off and I was going to cancel my trip,  
11        and then we came up with a compromise. I think we were able to get leaders to do a  
12        breakthrough. And then I went out there to try to seal it and to make sure that it would  
13        happen.

14          Once I got there it died again and I was able to kind of patch it back together.  
15        And, luckily, we got the deal done, which I think was really, really good for our country  
16        and for the world. And so that was a good one.

17          And then when I was flying back from the Middle East with my team after very  
18        little sleep, I mean, it was probably 72 hours, maybe 96 hours of just real intense,  
19        around-the-clock negotiating.

20          Like I said, you know, deals between countries are -- I don't want to make this  
21        seem like they're trivial things. I mean, they're very, very, very hard and technical things  
22        to do. That's why they don't happen all the time. If they were easy, they'd be  
23        happening, you know, all the time. They don't happen very often.

24          This was the end of a very, very bitter and nasty dispute between countries, and it  
25        was leading to benefits for Iran and hurting our ability to corral our allies towards

1 objectives we were pushing, you know, to counter extremism, to counter all kinds of  
2 things. And it was just very, very delicate.

3 And on the flight back we were, you know, enjoying the fact that we'd  
4 accomplished a lot of peace deals in the Middle East, you know, more than maybe  
5 anyone in history, more than anyone thought we would accomplish. It felt like we were  
6 finally going to end our time. And then obviously we landed, and, you know, things  
7 were not as we expected when we landed.

8 Q So it sounds like you were gone, you said, 72, 96 hours something like that, 3  
9 or 4 days total?

10 A Yeah, including the time that I was on the ground but, like, solely focused on,  
11 you know, diplomacy to try to patch this thing together.

12 Q Yeah. So there's a lot going on back home during that period of time.  
13 Were you aware of the President -- meetings with the Vice President?

14 For example, they had face-to-face conversations about this split that Mr. Short  
15 had identified to you back before Christmas.

16 Were you aware of those conversations even when you were traveling to the  
17 Middle East?

18 A No.

19 Q Were you aware of anything going on with respect to the election during the  
20 time that you were traveling to and from the Middle East?

21 A No. I was pretty singularly focused on trying to get this deal done. And  
22 like I said, it was a very, very, very hard deal, a very complex deal, and a very significant  
23 deal.

24 And so, again, like I said, don't underestimate how hard it is to get these things  
25 done. You were involved in the criminal justice reform. We look back and say, "Oh,

1 it's great, we got it done," but you saw how hard we had to work to get it there and how  
2 many times it died and how many people you had to corral.

3 You know, getting these deals done is very, very complicated, and it took all of my  
4 effort and attention to get it done. So I was not focused on what was happening at  
5 home at the time.

6 Q I see. I understand that. And how about upon your return, did you hear  
7 from the President or others about those discussions, those face-to-face discussions that  
8 he had with the Vice President?

9 A No.

10 Q Did you ever hear about conversations in which Dr. Eastman met with the  
11 Vice President about this Operation Pence Card or the Vice President's authority?

12 Again, not in real time, I understand you were in the Middle East, but upon your return.

13 A No.

14 Q On the 5th of January, you received -- or you were sent an email. Let me  
15 turn your attention to exhibit 15 -- excuse me, 16.

16 [REDACTED], if you could pull that up for us.

17 So as [REDACTED] is pulling it up, Mr. Kushner, was it general practice in the  
18 White House that speech drafts or remarks prepared for significant speeches by the  
19 President would be distributed or would be sent out to a number of folks in the  
20 White House before they were delivered?

21 A Yeah. Every speech would go through a process where it would be sent out  
22 to a bunch of people.

23 Q Okay. Well, this one, it looks like this is an email that was sent by staff  
24 secretary to a number of people, and you're included in the distribution list, which says,  
25 "Attached for your review are draft POTUS remarks for the Save America March

1 tomorrow. Please provide any edits or comments by 8 a.m. tomorrow (Wednesday).  
2 Thank you, Staff Secretary."

3 And then attached to it is a draft of the President's remarks for the speech that he  
4 was going to give the next day at the Ellipse on January 6th.

5 Do you remember receiving these draft remarks on the night of January -- what  
6 would be the night in Washington of January 5th?

7 A No.

8 Q Okay. Again, you were traveling, I understand, but do you remember  
9 focusing at all on the President's remarks at the Ellipse when you were traveling?

10 A No, I did not.

11 Q Okay. It sounds like that's not one that you don't recall. You're sure you  
12 did not?

13 A I'm pretty -- again, you know, a speech, you know, back in Washington was  
14 not my focus. Like I said, this was a very, very, very hard and complex deal, dealing with  
15 a lot of interesting personalities. It almost died many times. And it took, like I said,  
16 every bit of my attention to focus on it.

17 So I was not focused on a speech that the President was going to give back in  
18 Washington. There's plenty of people who do speeches with him and it did not require  
19 my attention.

20 If somebody would've reached out to me and said, "Hey, Jared, this is important,  
21 can you take a look?" I probably would've maybe found time for it, but -- and that's  
22 usually what happened when they wanted me to get involved in a speech, is somebody  
23 would flag it for me and say, "Hey, this one is particularly sensitive," or, "You have some  
24 unique perspective to add, can you look at it?"

25 But I don't believe this was flagged for me specifically, and I'm pretty confident I

1 did not look at the speech or provide comment on it.

2 Q Okay. Do you know who primarily was responsible for drafting the speech?

3 A Stephen Miller had a team with speechwriting that was fairly good at putting  
4 together remarks for the President.

5 Q Yeah. Okay. Before January 6th, before the President's speech at the  
6 Ellipse, what was your understanding, Mr. Kushner, if any, about the possibility of a  
7 march to the Capitol or the prospect of potential violence?

8 A Yeah. So I didn't know about a march to the Capitol. I knew there was  
9 going to be a speech with a large crowd gathering and obviously had no knowledge of any  
10 potential violence. Nobody mentioned there would be violence. Nobody I know  
11 anticipated there would be any violence. And it was not something that was mentioned  
12 to me or thought of by anyone I was in contact with.

13 Q Okay.

14 A So I was understanding it would be a big speech basically to a lot of people.

15 Q Yeah. And did you know where the speech was scheduled to take place,  
16 the President's speech?

17 A In Washington.

18 Q And then did you -- were you even aware of where the location was to be?

19 A No.

20 Q Okay. So you at no time before the day of January 6th heard about a  
21 march to the Capitol? I mean, the President had been tweeting about it and there had  
22 been lots of messaging about a march to the Capitol.

23 A I wasn't -- I wasn't following that.

24 Q Okay. And it sounds like no one flagged for you any security risks or the  
25 possibility of any violence that day, not to you specifically?

1           A     No.

2           Q     Okay. Did you have any -- what was your expectation as to what would  
3     occur at the joint session on January 6th?

4           A     Like I said, I really didn't spend a lot of time thinking about it. In my mind, I  
5     was in -- finishing up this deal, which, again, became a lot more messy and complex at the  
6     end than I anticipated. It was done, then it was undone, but such is life when you're  
7     doing kind of diplomatic deals.

8           So I was very intently focused on that. And my general operating assumption  
9     was that there was going to be a kind of like a final rally and then everyone was going to  
10    wind down and, you know, finish the transfer of power.

11          Q     I see. So this would be sort of a final rally, the election would be certified  
12    by Congress as had traditionally been done 2 weeks before Inauguration Day, and  
13    everyone would move on. That was essentially your expectation?

14          A     Yes.

15          Q     Okay. Let's talk about that morning. When you were in Saudi Arabia or  
16    on your way back, when was the first time you spoke to someone at the White House on  
17    January 6th?

18          A     I don't recall specifically. And, again, the planes that we took had spotty  
19    WiFi, so I think it probably doesn't get WiFi till we're back over U.S. soil. So I think that  
20    we got WiFi when we were getting close to Andrews.

21          And I got a call, I think it was from Herschmann, basically saying like, you know,  
22    this is getting pretty ugly, people are trying to break into the Capitol, you know, we're  
23    going to, you know -- and I said, you know, basically saying -- I think he started by saying,  
24    "Where are you?"

25          And I said, "I'm on an airplane."

1           And he said, "Okay, we've got to deal with this here. People are trying to break  
2        into the Capitol. We're going to see what we can do here. We're going to try to get  
3        the President to put out a statement."

4           And then, you know, I obviously felt pretty helpless not being there or able to try  
5        to be helpful. You know, I figured that Scavino would probably be in the mix of what a  
6        statement could be, so I sent him some potential messaging points that I thought maybe,  
7        you know, the President could say, knowing obviously -- you know, again, you don't  
8        always give him what you would say. You give him what you think he would say. And  
9        then waited till I landed.

10          When I landed, I obviously spoke to my wife. She told me that, you know, she  
11        felt like things were -- rough day. And then I -- Secret Service asked if I could -- if they  
12        could take me directly home. They said there was a lot of congestion. They said, you  
13        know, it would be better not to go right to the White House.

14          So I relented to that, went back to my house in Kalorama, basically was about to  
15        get into a shower, saw my -- heard my phone ringing, turned the shower off, saw it was  
16        Leader McCarthy, who I had a good relationship with. He told me it was getting really  
17        ugly over at the Capitol and said, "Please, you know, anything you could do to help I  
18        would appreciate it."

19          So I turned my -- I turned the shower off, you know, went to my closet, put on a  
20        suit. And, you know, I asked Secret Service, I said, "Look, you've got to find a way to get  
21        me to the White House." Got in the car with them. We navigated our way through to  
22        the White House.

23          And when I got there basically the President just had finished filming the video. I  
24        think he was basically retiring for the day.

25          And so, you know, sat down with the staff, tried to figure out kind of what

1       happened that day to the best possible.   But most of the focus was on, okay, what do  
2       we think we could do tomorrow to try to, you know, make things better than they are  
3       today.   And I think everyone was very surprised by the violence.

4           And, obviously, you know, we were all very disturbed by what we saw in the  
5       Capitol and the vision of seeing a lot of our friends, you know, at risk.   And, obviously,  
6       you know, the violence had occurred, which was not something that anyone, as far as I  
7       knew, anticipated or was, you know -- so it's a longer answer than you asked for, but that  
8       gives you roughly my day, so --

9           Q     I appreciate it.   I want to obviously go back over some of that and break it  
10      down a little bit.

11           You indicated that you returned to Andrews somewhere around 3 o'clock?   Is  
12      that the best of your recollection?

13           A     Ish, yeah.

14           Q     Ish.   And I won't hold you to a specific time, but it was around 3.

15           So the violence was already occurring at the Capitol when you touched down?   Is  
16      that right?

17           A     Again, I don't have a ticktock of what happened at the Capitol.

18           Q     Okay.   The first time that you heard about it was from Mr. Herschmann,  
19      you said, and that was in a phone call where he reached you when you were still in the  
20      air?

21           A     I believe so, yes.   And, again, like I said, I'm off of 96 hours of little sleep  
22      and I'm jet lagged and I'm exhausted and, you know, and I'm kind of mentally ready to  
23      just come back and have like a, you know, a couple weeks of like smooth, you know, little  
24      bit of work, wrapping up family stuff.   And then, you know, I get hit by this.   And,  
25      obviously, it was a very shocking and unexpected situation.   So, yes.

1           Q    Yeah. So when Mr. Herschmann, it sounds like he called you, is that right,  
2   Mr. Kushner, he reached out to you to reach you as this was going on?

3           A    Yes.

4           Q    And when he connected with you, was it on your cell phone?

5           A    I don't recall.

6           Q    Or was there a phone actually on the -- connected to the plane?

7           A    I don't recall.

8           Q    Okay. And he indicated to you that there was already -- I think you said  
9   people were trying to break into the Capitol. There was already violence occurring  
10  when you first heard of this from Mr. Herschmann. Is that right?

11          A    I don't recall specifically what he said. I recall him saying, "Where are  
12  you?" And then I said, "I'm on an airplane." And he kind of was rushing then to get  
13  off, basically realizing I couldn't be much help to him.

14          So I said, "Why, what's up?" And he kind of implied that there was a problem.  
15   And, you know, part of what I'm piecing together is based on what I now know in  
16  retrospect and what I've learned.

17          Q    Yeah.

18          A    So that's kind of the part I can give you more exacting.

19          Q    Okay. And then about how long left was there in the flight when you had  
20  this phone call? Were you very close to sort of touching down, or was this sort of -- any  
21  sense as to when it occurred?

22          A    Probably within 45 minutes of touching down, because, again, I don't think  
23  we had WiFi until we were over U.S. land.

24          Q    I see. Okay. So --

25          A    I think. But, again, I don't recall specifically, so kind of like with that guy

1 from the Attorney General thing. I want to stay out of the guessing business and try to  
2 just give you what I actually remember. So the answer is I don't remember.

3 Q Okay. Did you have access to the President's speech, remarks that he  
4 made, while you were on the airplane? Were you able to hear or watch it somehow  
5 when he was speaking on the Ellipse?

6 A No.

7 Q All right. Not via television or any -- you weren't able to hear or see his  
8 speech?

9 A No.

10 Q Okay. That morning before the speech there was a telephone call that the  
11 President had with the Vice President in the presence of your wife and other members of  
12 the family.

13 Did you ever hear from her or others anything about the conversation that the  
14 President had with Vice President Pence before he left for the Ellipse that morning?

15 A No.

16 Q There's been reports about him being very angry with the Vice President,  
17 saying, "You're not the man I thought you were when I chose you," "You're a wimp," or,  
18 "You're going to wimp out."

19 Did you ever hear from anyone, Mr. Kushner, about anything that was said during  
20 that conversation?

21 A No.

22 Q Did you ever talk to your wife about it?

23 A Not about that discussion. You know, just generally, look, it was a pretty  
24 rough day for her. And, you know, when I got home we were both exhausted from, you  
25 know, our respective things. And, again, our focus was on the next day and moving

1 forward and how could we get, you know, a positive statement out the next day and, you  
2 know, just all the things we needed to focus on.

3 So, again, I mean, obviously it was a very, very rough day, and we were just -- you  
4 know, we were in a position where we felt we could try to do something to make things  
5 better and that's what we put our efforts towards.

6 Q So when you got back it sounds like you went first home, not to the  
7 White House?

8 A Yes.

9 Q It's been reported -- and, again, this is from I forget which of the books but  
10 one of the many books that's been written about this. Let's see if I can find it.

11 Actually, this is in "Betrayal." That you indicated that you would just get in a  
12 fight if I go over there, over to the White House, that you expressed that if you went, it  
13 would not go well or you would get in a fight with someone, presumably the President.

14 Is that accurate reporting?

15 A No, I don't believe so. Again, that's -- I have no recollection of that. And,  
16 again, sometimes these book guys, sometimes they do things that are accurate,  
17 sometimes they don't. It's -- you know, you've got to be a little careful with these  
18 books.

19 Q Yep, that's why we ask, and I understand.

20 So it sounds like you went home first and then you got a call from Leader  
21 McCarthy? Is that right?

22 A Yes.

23 Q Tell us as best as you can recollect what Leader McCarthy conveyed to you.  
24 What did he tell you was going on that prompted his call?

25 A I don't -- I think what I relayed to you before is probably the best recollection

1 I have of it. And, again, I could hear in his voice that he really was nervous, and so,  
2 obviously, I took that seriously. And, you know, I didn't know if I'd be able to have any  
3 impact, but I said, you know, it's better to at least try.

4 And so I -- like I said, I turned the shower off, threw on a suit, and, you know, and  
5 rushed into the White House as quickly as I could.

6 Q Yeah. What did he ask you to do? When you say have an impact, what is  
7 it specifically that he needed your help with?

8 A I don't recall a specific ask, just anything you could do. Again, I got the  
9 sense that, you know, they were -- they were -- you know, they were scared.

10 Q "They" meaning Leader McCarthy and people on the Hill because of the  
11 violence?

12 A That he was scared, yes.

13 Q Yeah, understood. I think you indicated earlier that Mr. Herschmann said  
14 that they were trying to get the President to issue a statement. Was that part of your  
15 initial conversation with Mr. Herschmann?

16 A I believe he said they were working on a statement. And, again, I  
17 don't -- that's what I recall roughly. But, again, it's, like I said, it was a pretty, you know,  
18 bang, bang day, and, you know, it was pretty, pretty -- you know, yeah. So I think that's  
19 the best that I recall.

20 Q Did Leader McCarthy ask you as well about, "Can we get a statement? Can  
21 you help get a statement issued?" Was that a subject matter discussed with him during  
22 that conversation?

23 A Yeah, I don't recall.

24 Q Did you speak to anyone else about what was going on at the Capitol besides  
25 Mr. Herschmann and Leader McCarthy before you arrived at the White House? Your

1 wife, for example, did you speak to her on the phone before you arrived?

2 A Yes.

3 Q Okay. Tell me what she conveyed.

4 A Basically called her. She seemed pretty, pretty consumed. And basically  
5 said, "You want me to come right over?" And, you know, "Secret Service wants me  
6 home." She said, "No, no, follow their advice. I think here we've got -- you know, I'm  
7 doing everything here that I can."

8 And, you know, and so I kind of heard, obviously, it was a rough day for her. But  
9 she, you know, but that's what she said.

10 Q Okay. Did she say anything to you, Mr. Kushner, about trying to get the  
11 President to issue a statement or working on a statement?

12 A Not that I recall.

13 Q Okay. I think you indicated that you actually composed something and sent  
14 it to Mr. Scavino. Is that right? A possible -- some possible language for a statement?

15 A Yes.

16 Q All right. Let's show -- let me show you here exhibit 80. I think this is  
17 actually something that you provided to us is in the documents.

18 A Yeah.

19 Q See if this is what you're referring to.

20 So we're showing you here on the screen a text message that you sent to Dan  
21 Scavino.

22 And, [REDACTED], if you can see the time. I believe it's January 6th at -- yeah, 3:50 p.m.  
23 Is that what it says?

24 [REDACTED]. Yes.

1

2 BY [REDACTED]:

3 Q And so it's 3:50 p.m. Violence. People breached the Capitol around 2  
4 o'clock. So almost 2 hours into the violence, you're sending Mr. Scavino this.

5 Is this what you recall, Mr. Kushner, as the proposed language for a statement  
6 that you sent to Dan Scavino?

7 A Yeah. I wouldn't say proposed language for a statement but just proposal  
8 for ideas that I felt he would have a chance to get.

9 And, again, I wasn't there. I hadn't spoken to Dan. I didn't know, you know,  
10 the President's frame of mind. But, you know, again, if I knew that they were working  
11 on a statement, I figured I would put some thoughts together to potentially throw into  
12 the mix.

13 Q Okay. Just a couple questions about that.

14 Did anyone ask you to do this? "Hey, could you send us some language or could  
15 you -- can you help us with putting something out?"

16 A No.

17 Q Why did you send it to Dan Scavino?

18 A I find he's always in the middle of things and I trust him. You know, I felt  
19 that he had pretty good judgment in terms of trying to figure out if this was the right tone  
20 or the wrong tone or if Trump would be open to it or not open to it.

21 And so I felt like, you know, he probably was closer to it and somebody who would  
22 say, "Hey, we have something great. Throw this in the trash," you know. Whereas,  
23 you know, if I would've sent it to the process or the people they may feel like I had a  
24 strong point of view and I was saying this is what it should be based on something else.

25 And so my goal was to get it to Dan thinking that it was just, you know, he would

1 take it as just what it was, which was a potential suggestion from somebody sitting in the  
2 cheap seats.

3 And, you know, again, I wasn't there, so I didn't have direct knowledge into kind  
4 of, you know, where or any knowledge as to kind of, you know, what Trump was thinking,  
5 what he was saying. And so, you know, I knew that Dan would take it and he would  
6 know if it was helpful or not helpful and then, you know, use it accordingly.

7 Q You mentioned Dan would know the right tone or the wrong tone. Were  
8 there discussions going on about the tone that this statement should assume or should  
9 take? Was there disagreement or some discussion over appropriate tone of a  
10 statement on the afternoon of January 6th?

11 A I don't know. I wasn't there.

12 Q All right. What was in your mind in terms of the appropriate tone when  
13 you drafted this proposed -- when you sent this text to Mr. Scavino?

14 A I don't recall. I just -- again, I literally, you know, get off the phone with  
15 Eric. I'm thinking there's probably going to be a statement. I just, you know, I just  
16 thought, like, what could I envision Trump potentially saying at that time that could  
17 potentially be helpful. And that's what I put down and I sent it over.

18 But, again, I was in the cheap seats, so it was done super out of context, so I would  
19 take it for what it is, which is just kind of a thought from a guy on an airplane who hadn't  
20 slept in 96 hours, you know, throwing it in for consideration without any real  
21 understanding of what the actual in-building dynamics were.

22 Q Yeah. I'll note that Mr. Raskin and Mrs. Luria have joined us now as well.

23 You mentioned, Mr. Kushner, that this was from the airplane. Do you believe  
24 that you composed this for Dan Scavino when you were still on the airplane?

25 A I believe so, but I -- again, like I said, I'm not -- I'm not -- I'm not certain.

1           Q     Okay. The statement, just to quickly go through it, it says, "I urge" -- and  
2     "I," I assume that this was meant to be a statement from the President himself? Is that  
3     right?

4           A     Yes.

5           Q     So when it says, "I" -- I, President Trump -- "urge all my supporters to do  
6     exactly as 99.9 percent of them have already been doing -- express their passions and  
7     opinions peacefully.

8                 "Let me be perfectly clear. Trump supporters have a right to be angry. They  
9     have a right to have their voices heard. Especially by a media that considers any  
10    gathering of 10 Trump supporters to be a 'riot,' while a hundred nights of fires, looting,  
11    and deaths by antifa is always called a 'peaceful protest.'

12                 "But make no mistake -- NO ONE should be using violence or threats of violence to  
13     express themselves. Especially at the U.S. Capitol. Let's respect our institutions.  
14     Let's all do better."

15                 So tell me what informed your view of mentioning antifa or other riots that had  
16     occurred and how those things were characterized. Why was it -- did you think that was  
17     the right tone for this message?

18                 A     I don't know. It was just what came to me. It's something I thought that  
19     might be useful to get him to say something. But I don't recall.

1

2 [2:44 p.m.]

3 BY [REDACTED]:

4 Q Okay. Was it your view that by adding that language about comparing this  
5 to previous riots and antifa would make it more likely that the President would accept  
6 this or would use this?

7 A I don't recall.

8 Q Okay. This text was sent at 3:40 p.m. Is that right? 3:50, excuse me.  
9 Again, almost 2 hours after the first rioters had actually breached the Capitol.

10 Do you know, Mr. Kushner, why it had been so long before the President issued a  
11 statement such as this?

12 A No.

13 Q Do you remember any discussion of him being resistant to issuing a  
14 statement encouraging the riot to stop or people at the Capitol to go home?

15 A No.

16 Q Were you familiar with any difference of opinion about whether or not he  
17 should issue such a statement?

18 A No.

19 Q The very first thing the President said after the Capitol was breached was to  
20 call Mike Pence a coward, essentially tweeting that Mike Pence didn't have the courage  
21 to do what he should have done.

22 Do you recall hearing about that tweet that occurred at I think 2:30-something in  
23 the afternoon soon after the breach of the Capitol?

24 A No.

25 Q Was that part of the calculus when you were composing this tweet, what he

1 had already said about Vice President Pence or anything at the Capitol?

2 A I don't recall.

3 Q Did you ever hear anything at any time, Mr. Kushner, about the President  
4 resisting saying something or saying particular things as the riot was going on?

5 A I don't recall.

6 Q Did anyone ever convey to you that he was so resistant, not just that day but  
7 any day thereafter?

8 A I -- I -- well, any day thereafter is a broader question, but -- so how do you  
9 want me to handle that? That day, I don't recall.

10 Q I guess my -- it's a poorly worded question. I'm wondering if in the days  
11 after January 6th anyone shared --

12 A And you said that; I didn't. I just want to be clear.

13 Q You're exactly right. My question was inartful. I mean, did anyone inform  
14 you in the days after January 6th, a calmer time not in the middle of a riot, fill you in on  
15 the President potentially being resistant or he wanted to say certain things or not say  
16 certain things. Did you hear about essentially reconstructing what occurred any time  
17 after January 6th?

18 A Like I said, my focus then went to what we could do to try to make the  
19 situation better, right? Again, you know, I found that, you know, there's -- as you guys  
20 are doing now, you're spending time figuring out, you know, what happened.

21 My focus at the time was less on how we got here and more what can we do  
22 better to try to make the situation better.

23 Q Yeah. I understand, Mr. Kushner, that, in the moment, your focus is on  
24 what can we do better, but a week later or a month later or a year later, when you're  
25 sitting around talking to your wife or talking to other people who were present in real

1 time at this very difficult day, did you learn more about discussions with the President  
2 about what he would or wouldn't say during the riot?

3 A No.

4 Q We have talked to lots of different people who were present in the White  
5 House during that afternoon. One of them was General Kellogg, and he indicated that  
6 your wife was actually very important in encouraging the President to issue a statement,  
7 that he specifically invited her into the conversation because of her potential  
8 persuasiveness with him.

9 Did you ever hear about the role that she played in encouraging a statement that  
10 would calm the violence at the Capitol, from him, from her, from any source?

11 A No.

12 Q Would that be consistent, Mr. Kushner, in your view, of the role that she  
13 would play with respect to things like this with her father or within the White House?

14 A She's always -- again, like I said, we both had very varied jobs where we had  
15 specific things that we were focused on. And then sometimes there would also be  
16 things we'd be called in to work on that were not in the range of our portfolio. So -- so  
17 the answer is maybe.

18 Q Yeah. Did she ever share with you any more about her own interaction  
19 with the President with respect to the riots, with respect to what he might say, at any  
20 point after January 6th?

21 A No.

22 Q Do you know what encouragement or what advice she did give him that  
23 afternoon?

24 A No.

25 Q Do you know what advice anyone specifically gave him in any direction that

1                   afternoon about what he should say or do during the attack on the Capitol?

2                   A     I wasn't there that day, and so I have no knowledge of that.

3                   Q     You indicated that you got back to the White House after he had already  
4                   taped a statement that was eventually released, the Rose Garden statement. Am I  
5                   getting the timing right?

6                   A     Yes.

7                   Q     Okay. So what happened -- tell me where you went when you got to the  
8                   White House? Did you go see the President? What did you do immediately upon your  
9                   return?

10                  A     Okay. So this is to the best of my recollection. So I get to the White  
11                  House, stop by my office first a few seconds just to kind of, you know, put my stuff down  
12                  and to, you know, kind of check the polls from the people who I trusted to say what was  
13                  going on in the building.

14                  Then went by the outer Oval. They told me that the President had just filmed a  
15                  video they were going to put out, and -- and that I believe, again, that he had then retired  
16                  for the day or went up to the residence, as far as I recall.

17                  Q     Okay. Do you know who was present when he taped this statement in the  
18                  Rose Garden?

19                  A     No.

20                  Q     We've developed information that Mr. Herschmann was with him. Do you  
21                  know whether or not Mr. Herschmann was there? Did he ever tell you about this?

22                  A     I don't know.

23                  Q     We've developed evidence that Mr. Herschmann actually was critical of the  
24                  President's first proposed statement and encouraged him to be stronger, to direct rioters  
25                  to go home, which had not been done in the initial remarks.

1           Do you remember anything about multiple attempts to get this right, the tone, as  
2       you said before, getting it right?

3           A    I -- I -- like I said, I wasn't there, so I don't have knowledge of that.

4           Q    Yeah. I understand. I don't mean to sound redundant. I know you  
5       weren't there at the time. I'm wondering if any time thereafter Mr. Herschmann told  
6       you about what happened in the Rose Garden, about what happened any time that day in  
7       the White House, or anyone else?

8           A    Yes. The answer is no. And, look, our focus after I kind of settled down  
9       there was on saying, okay, what can we do to push things forward? And I sat with -- I  
10      sat with or I spoke to Miller about trying to put together some draft remarks for Jan 7  
11      that we were going to present to the President to try to say we felt like it was important  
12      to further call for de-escalation.

13           You know, people in the media at that point were saying, oh, maybe there won't  
14      be a peaceful transfer of power. So we thought it was very important to just explicitly  
15      say we'd been doing a transfer of power, there will be; and then just a call for  
16      nonviolence we thought was very, very important; and also to make sure that the  
17      President, you know, strongly condemned the violence that occurred the day before.

18           So those were the three points that we kind of agreed we wanted to try to get  
19      polled from the day and made very firmly the next day.

20           Q    And did those discussions that you had -- I think you said that was with  
21      Stephen Miller. Did those occur after the joint session had reconvened, later that night?  
22      When did those discussions about what he would say on January 7th take place?

23           A    Yeah. So, again, I don't recall specifically. It was with Stephen Miller or  
24      one of the other guys on the team. Again, I was operating on -- my battery was pretty  
25      low at that point. But I do recall having discussion with somebody about those being

1       the points that we want to do. And then I believe I got a draft of some remarks the next  
2       day.

3           Q     Yeah. Do you remember -- sticking with January 6th, do you remember  
4       speaking on the phone to anyone else besides Leader McCarthy, besides your wife and  
5       Mr. Herschmann before you arrived at the White House, either before or when you were  
6       at the White House?

7           A     I don't recall.

8           Q     Anyone else call you or you call anyone else, on the Hill or otherwise?

9           A     It's possible, but I don't recall. Not that's memorable. Again, like the  
10      reason I changed my day was because of McCarthy. I got that call and that was -- that  
11      was impactful for me.

12          Q     I see. How about Mr. Meadows, do you remember talking to him and  
13      hearing that he was getting calls, texts, encouragement and advice from people?

14          A     I don't recall.

15          Q     We have obtained from Mr. Meadows himself a lot of text messages that he  
16      was receiving over the course of the afternoon. Did he ever convey to you  
17      such-and-such texted or he says/she says we should do this, anything like that?

18          A     I don't recall.

19          Q     All right. Do you remember speaking to Donald Trump, Jr., or Eric Trump or  
20      any other family members about them expressing a view as to what the President should  
21      do on January 6th?

22          A     I don't.

23          Q     Do you know whether or not the President wanted to continue prompting  
24      Representatives and Senators to object during the joint session even after the riot had  
25      been dispersed?

1           A     I don't recall.

2           Q     Do you know whether or not he spoke to Senators or Members of Congress  
3     after the joint session reconvened or before, leading up to its reconvening?

4           A     I am not aware.

5           Q     Okay. All right. It looks like you spoke to Jason Miller at around 9 p.m. on  
6     January 6th. The joint session reconvened at 8 o'clock. And then Mr. Miller, he  
7     indicated that he looped you into a draft statement that he had prepared for the  
8     President to give upon the completion of the joint session.

9           Do you remember that discussion with Mr. Miller?

10          A     I didn't, but I do recall now having a discussion with him on that, yes.

11          Q     Okay. Let's go back to exhibit 9, which are text messages that we obtained  
12     from Mark Meadows, and you are part of a group text on that from Mr. Miller on January  
13     6th at around 9 p.m.

14          ██████████, if you can call up exhibit 9.

15          All right. I think it might be the one in the middle. See if I can -- yeah. Okay,  
16     so the second -- this is a text message that was sent from Jason Miller, and I apologize  
17     that it's hard to read, Mr. Kushner, but it's sent --

18          A     I can read it.

19          Q     Okay, good. Meadows to Scavino and to you, and it is 22:01, which is  
20     actually 10:01 p.m. And it just says: Chief, Jared, Dan -- below find an approved  
21     statement from the President to go out right as they are finalizing the votes, which we are  
22     expecting to be 3 a.m., though with some Members caving it could happen earlier.  
23     Mrs. Trump has also signed off. Nobody but the four of us have heard this statement.  
24     Regarding top logistics, this likely should come from the White House, but it has to be  
25     ready to go out as they are starting the final vote, and I'll background that a statement

1 will be coming at the time of the vote.

2                   And then the statement itself reads: Even though I totally disagree with the  
3 outcome of the election and the facts bear me out, I have always said we would continue  
4 our fight to ensure that only legal votes were counted. Nevertheless, there will be an  
5 orderly transition on January 20th. While this represents the end of the greatest first  
6 term in Presidential history, it's only the beginning of our fight to Make America Great  
7 Again.

8                   What was your involvement, if any, Mr. Kushner, in getting the language drafted  
9 and approved by the President?

10                  A     I don't recall if I had one.

11                  Q     Did you talk to Mr. Miller or others about the specific words that would be  
12 part of this first statement after January 6th?

13                  A     I really don't recall.

14                  Q     Okay. Do you remember talking to the President about the issuance of a  
15 statement and what, if anything, he should say?

16                  A     I don't recall.

17                  Q     You indicated that you thought it should be posted to Facebook because his  
18 Twitter account had been suspended. Do you remember any discussion about how it  
19 would be posted or conveyed?

20                  A     No.

21                  Q     Did you have any involvement, Mr. Kushner, in trying to restore the  
22 President's social media presence after he was -- his account was delisted from Twitter?

23                  A     I don't recall.

24                  Q     There's been reporting that you intervened when other officials tried to  
25 restore the President's presence on sites that are often havens for extremists, such as

1 Gab, following the unprecedeted ban that he had gotten from several major platforms.

2 Do you remember discouraging putting the President's statements on Gab or  
3 other sites that were havens for extremists?

4 A I -- I -- I don't recall.

5 Q Anything else that you recall about January 6th that I haven't asked you,  
6 anything else, any conversation, any memory, anything that might be helpful?

7 A You covered it pretty well. Pretty completely, as far as I recall, yes.

8 [REDACTED]. That said, I am certain that others will have additional questions.

9 Let me stop and ask, Mr. Aguilar, it looks like you've come off of mute. Please go  
10 ahead.

11 Mr. Aguilar. Yes. Thanks, [REDACTED]

12 Thanks, Mr. Kushner. When -- you went home. You came back. You dropped  
13 your stuff at your office. Then you went to the outer Oval, and you were told that the  
14 President had just filmed the video and retired for the evening.

15 That's fair, correct?

16 Mr. Kushner. That's my recollection.

17 Mr. Aguilar. Who was in that outer Oval when you arrived?

18 Mr. Kushner. I don't recall.

19 Mr. Aguilar. That's fine. Thank you.

20 Thanks, [REDACTED]

21 [REDACTED]. Thanks, Mr. Aguilar.

22 Ms. Cheney or any other members? Ms. Luria?

23 Ms. Cheney. Thanks, [REDACTED]. I've got a question.

24 I just wanted to make sure that I understood. Jared, so your response to us is  
25 that you have had no conversations with Ivanka about her discussions with her father on

1           that day?

2           Mr. Kushner. Yes.

3           Ms. Cheney. No conversations?

4           Mr. Kushner. Yes.

5           Ms. Cheney. And, when you landed or when you first heard about the violence,  
6       you did call her. Is that right?

7           Mr. Kushner. Yes.

8           Ms. Cheney. And your determination was that you would go home because the  
9       Secret Service was asking you to go home?

10          Mr. Kushner. The Secret Service was asking me to go home. And I asked her,  
11       do you want me to try to come to the White House to help? And she said: No need.

12          Ms. Cheney. All right. Do you -- I want to go back for just a moment. I know  
13       others will want to come back to this. I just want to go back for a minute to the  
14       question about Pat Cipollone and his threats to resign and your characterization that that  
15       had happened a number of times.

16          And I was struck by that, and I just wonder if it was a practice of yours to disregard  
17       the legal advice that he was providing?

18          Mr. Kushner. No, it was not.

19          Ms. Cheney. And so, when he threatened to resign, that didn't cause you to ask  
20       him why he was threatening? It didn't cause you to take it seriously?

21          Mr. Kushner. No.

22          Ms. Cheney. So he's the White House counsel, and you're not disregarding his  
23       legal advice, you're just disregarding a threat to resign?

24          Mr. Kushner. He wasn't giving me legal advice. I wasn't disregarding legal  
25       advice he was giving me. He wasn't giving me legal advice. I'm not following your

1 question, Liz.

2 Ms. Cheney. So it would seem significant if there were activities underway and  
3 the White House counsel was so concerned about those activities that he was threatening  
4 resignation. Did you not see that as significant?

5 Mr. Kushner. Look. Again, like I said, I -- my view is, if you have a problem,  
6 then leave; if you don't have a problem, then go in and fight and fix it. And then, if you  
7 have a point of view, like people are allowed to have different points of view, and if you  
8 want to fight for your point of view, go fight for your point of view.

9 But coming to me, knowing that I'm not a legal expert and coming to complain is  
10 not -- it's not exactly like a -- it's not an outcome that's going to lead to a change, right?

11 So, again, if you have a strong legal point of view, then go try to, you know, fight  
12 to have your point of view adopted. And if you don't like it then you can resign, right,  
13 again, if you really feel strongly. But the whole notion of just threatening and doing all  
14 those things, like it almost feels like -- in my point of view, it felt more like -- it just -- yeah.  
15 That's what I'm saying. So --

16 Ms. Cheney. Sorry. It felt more like?

17 Mr. Kushner. My point is if -- like I said, coming to me and whining is not, in my  
18 mind -- like, we're in the White House, right? So these are serious issues we're dealing  
19 with all the time. If you have an issue, then go make your argument. And if you feel  
20 like something has crossed the line, then leave.

21 He ended up not resigning. So, at the end of the day, you know, clearly nothing  
22 crossed his line or else he would have done that, right? So -- as far as I know.

23 Ms. Cheney. Did you make it a practice to ignore the legal advice of Pat Philbin?

24 Mr. Kushner. I don't think I made it a practice to ignore. So the answer is no.

25 Ms. Cheney. Did you disregard the legal advice of the Department of Justice?

1           Mr. Kushner. Not as far as I know.

2           Ms. Cheney. And, in terms of Mr. Herschmann and what Mr. Herschmann said  
3 to you precisely, going back now to January 6th, can you tell us precisely, as best as you  
4 can recall, what he said to you when he got in touch with you on January 6th?

5           Mr. Kushner. I think what I repeated earlier is as precisely as I remember it.

6           Ms. Cheney. Do you believe the election was stolen?

7           Mr. Kushner. Look, I'm here as a fact witness, and I'm here to provide my  
8 opinion on facts, and I think I've done, hopefully, an extensive job to do that.

9           Ms. Cheney. So whether the election was stolen or not, it is a fact. I'm just  
10 wondering about your opinion on that. Do you think it was stolen?

11          Mr. Kushner. Well, Liz, that means a lot of different things to different people,  
12 right? So what I believe is that there was a lot of traditions that were trifled with, and  
13 there's a lot of people who have a lot of points of view, but I believe that right now Joe  
14 Biden is the President, and I conducted -- worked very closely with his team to conduct a  
15 peaceful transfer of power and work on a transition. And so, you know, we worked to  
16 follow, you know, the system as it was set out to be.

17          Ms. Cheney. Do you think that the violence on January 6th at the Capitol was  
18 justified?

19          Mr. Kushner. No.

20          Ms. Cheney. Do you agree with President Trump when he says that the  
21 insurrection was on November 3rd and that November 6th -- January 6th was justified?

22          Mr. Kushner. I'm not familiar with that statement. And what I would say is  
23 that, again, like one of my favorite quotes describing Trump after the '16 election was  
24 when -- I forget the journalist, but she said that the media took Trump literally but not  
25 seriously, and the voters took him seriously but not literally.

1           And, you know, I believe what he is saying generally is that he feels like there was  
2 a lot of -- at least my -- it's my interpretation, but it's his statement, Liz, so let's let him do  
3 it. Again, I've come here voluntarily. I've tried to be very cooperative. You know, I  
4 haven't been averse to the committee. And so my sense is, you know, his statements  
5 are his statements. And I'm here to provide, you know, fact testimony on the things  
6 that I was involved in, and I've tried to be very constructive in that regard.

7           Ms. Cheney. No, we appreciate that. And I do think, you know, one of the  
8 things that the committee has learned is the extent to which the President's supporters  
9 actually took him literally and the extent to which people who caused violence at the  
10 Capitol on January 6th have testified on video, have explained that they came because he  
11 told them to.

12           And so I think, you know, it's important that, you know, whoever that journalist  
13 was and whatever that quote was doesn't actually accurately capture what happened and  
14 what inspired the people who came to the Capitol and who attacked the Capitol that day.

15           Do you believe, Jared, that the President has an obligation to ensure a peaceful  
16 transfer of power?

17           Mr. Kushner. Yes.

18           Ms. Cheney. And do you think the President has an obligation to defend all  
19 three branches of our government?

20           Mr. Kushner. I believe so.

21           Ms. Cheney. Thank you.

22           ██████████. Mr. Kushner, I just have a couple more things in the post January  
23 6th. I propose we take another 5 minutes or so, let me finish that, and then we'll take a  
24 break, a 5- or 10-minute break before -- █████ will have a few more questions about a  
25 few things. We're going to try very hard to meet the deadline we gave you earlier.

1 Make sense?

2 Mr. Kushner. Four o'clock deadline?

3 [REDACTED]. The 6 o'clock deadline, yes.

4 Mr. Kushner. You can do better. Let's go. Let's stick to the 4 o'clock one,  
5 okay?

6 [REDACTED]. If you're okay to hang with me for another 5 or is 10 minutes, we'll  
7 keep going.

8 Mr. Kushner. Go ahead.

9 BY [REDACTED]:

10 Q So I want to turn your attention to January 7th. Did you have a role in  
11 crafting President Trump's remarks the day after the riot at the Capitol, January 7?

12 A Yes.

13 Q What role did you play?

14 A I got a draft. I believe I gave feedback, and I worked with the team to get it  
15 to where we felt it should be.

16 Q Who else was part of that team?

17 A I don't recall.

18 Q Was Mr. Miller, Stephen Miller involved in that?

19 A Most likely, but, again, I -- like I said, those days are all a little hazy. I don't  
20 recall.

21 Q Okay. Well, let me show you an exhibit. It's No. 17. It's on this precise  
22 issue.

23 So the top of this is an email from Charlton Boyd -- excuse me, from you to  
24 Charlton Boyd that's dated January 7th at 7 o'clock, but it's forwarding a message from  
25 Stephen Miller to you and to Mark Meadows, which includes the remarks as drafted 1/7.

1           And if you scroll down, [REDACTED], you see that the remark drafted part of the exhibit,  
2 yes.

3           So is this the draft, Mr. Kushner, that you recall you worked on?

4           A     Again, I don't recall specifically, but it feels like it, yes.

5           Q     Okay. It talks about the transfer of power, condemning the violence, and  
6 it's dated actually at the top remarks 1/7.

7           Again, do you remember how, if at all, you shaped the remarks, things that you  
8 thought were particularly important to include in the January 7th remarks?

9           A     I'm sorry, repeat the question.

10          Q     Do you remember personally advocating for particular words or a particular  
11 message being included in the January 7th remarks?

12          A     I don't recall.

13          Q     Was there a particular point or tone that you personally thought was  
14 appropriate that you contributed to the discussion?

15          A     Yeah. Like I said earlier, there were three points that I felt like it was  
16 important to make.

17          Q     Yes.

18          A     Number one is condemning the violence that occurred the day before. You  
19 know, number two was making sure that calls for no more violence so that nobody could  
20 have any illusions that Trump wanted violence and just to be unambiguous about that.  
21 And then number three was to say that there will be a peaceful transfer of power.

22           So I felt like those would address the three fears that people had in the wake of  
23 Jan 6.

24          Q     I understand. Let me turn you now to exhibit 18. This is a document we  
25 obtained from the National Archives, and it looks to be a marked-up version of the

1       remarks that were given on January 7th.

2                  First of all, let me ask if you recognize the handwriting here on this document?

3                  A     Yes.

4                  Q     Whose is it?

5                  A     It looks like President Trump's.

6                  Q     Okay. And that's consistent with what we've heard from other witnesses.

7       Do you remember discussing with him his desire? You very specifically remembered the  
8       three points that you thought were appropriate.

9                  Do you remember getting his perspective on those three points or others that  
10      should be part of the January 7th speech?

11                 A     I don't recall.

12                 Q     Do you remember any discussion with him about the speech that he was  
13      going to provide or the statement he was going to provide on January 7th?

14                 A     I don't recall.

15                 Q     It looks like here that he crossed out that he was directing the Department  
16      of Justice to ensure all lawbreakers are prosecuted to the fullest extent of the law: We  
17      must send a clear message, not with mercy but with justice. Legal consequences must  
18      be swift and firm.

19                 Do you know why he wanted that crossed out?

20                 A     I don't know.

21                 Q     Okay. And he also has crossed out: I want to be very clear, you do not  
22      represent me. You do not represent our movement.

23                 Do you know why he crossed that language out of the statement?

24                 A     I don't know.

25                 Q     Okay. All right. So, again, no discussion with him that you recall about

1 tone, words to be used on January 7th?

2 A Not specifically. But I'll just say, as a general practice, we'd give him -- we'd  
3 give him a proposal, and he would always make it his own. And there -- sometimes  
4 there would be things he wouldn't want to say. Sometimes there would be things that  
5 didn't sound -- like, you know, he always had a very particular style.

6 So it was very rare that we'd give him a speech and he would just say it. So he'd  
7 always make marks and changes for how he felt -- for how he felt it would -- it should go.

8 Q Yeah. Did you talk to him on January 7th, either in person or by phone?

9 A Yes.

10 Q What did he say about what had happened at the Capitol?

11 A I don't recall specifically. I -- again, what I do recall is, obviously, there was  
12 a sentiment of -- of kind of disappointment that -- that -- that there had been violence,  
13 and that's -- you know, I think I felt that, and I think he felt that, but that's roughly what I  
14 recall.

15 Q Did he express any sadness, any emotion about what had occurred?

16 A Again, I don't recall specifically, but that's the general sentiment I recall.

17 Q I think you said disappointment in what had occurred, that was the  
18 sentiment you recall?

19 A Sadness, disappointment. It was -- like I said, nobody expected violence, as  
20 far as I know, and I'm pretty confident he did not expect violence either. And, obviously,  
21 the violence and what was ensuing from it was just awful. So --

22 Q Anything else that you recall him saying, generally, not specific words, but  
23 general thoughts or sentiments expressed?

24 A No.

25 Q Okay. Did it change in any way his opinions about the election or his

1 rhetoric about the election? Was there any discussion about whether he should or  
2 should not continue to talk about the election?

3 A I don't recall.

4 Q Did you at that point, Mr. Kushner, did you have a concern about going back  
5 to this breach between the President and the Vice President that was then still very much  
6 in existence and take any steps to try to repair that breach?

7 A Yes.

8 Q Tell us what you did in the wake of that breach between those two men.

9 A So I'll give you kind of a little bit more broad here, and then I'm sure you'll  
10 drill down for whatever you're looking for. But, basically, I -- Mike and I had always  
11 gotten along well. I have a lot of respect for him, I always have. And it felt like it -- you  
12 know, they had a lot of good years together in terms of doing it.

13 It felt like -- it was being reported that they weren't speaking. You know, I went  
14 to -- to the Vice President to kind of see -- first of all, called him just to check in on him.  
15 I know it was a dangerous situation he was in and wanted to make sure that he was okay  
16 and his family was okay. And --

17 Q I'm sorry, Mr. Kushner, to interrupt you. Did that occur on January 7th or  
18 thereafter, not on the afternoon of January 6th?

19 A I believe thereafter, yeah.

20 Q Okay. I'm sorry to interrupt you. I just wanted to be clear on the  
21 timeframe for that outreach.

22 A I don't remember -- and, again, I could be looping things together, so you'll  
23 take this for what it is. But, roughly, you know, went to see him I believe with me wife  
24 or she went -- I can't remember specifically, but just to check in, see, you know, how he  
25 was doing, and then also to see if he would be open to us trying to kind of get him

1 together with the President.

2 I think Ivanka then spoke to her father and basically said: I think it's very  
3 important that, you know, you guys, you know, sit together and talk.

4 And -- and then -- and -- and he agreed to do it. And we basically set up a time  
5 where we put them together in a room, just the two of them. And then that was really  
6 the end of that.

7 Q Okay. When you went to see Vice President Pence, did he express  
8 any -- did he express anything? What did he say about the ongoing breach that he had  
9 with the President?

10 A He basically -- when I asked him if he'd be open to having a discussion, he  
11 said he was more than happy to do it.

12 Q Yeah. I understand he was open going forward to a meeting, but what did  
13 he say about what had occurred on January 6th?

14 A We didn't really discuss that, as far as I recall.

15 Q Was he frustrated at what had occurred, what the President had said or  
16 done or not said or done on that day?

17 A If he was, he didn't mention it to me.

18 Q Did he express any frustration at all with President Trump during that  
19 conversation?

20 A Not that I recall.

21 Q Did he confirm that there was, in fact, a breach or a distance or a conflict  
22 between the two men?

23 A I didn't ask as a question. That was my operating assumption going in.

24 Q Okay. What, if anything, do you recall him saying, again, not literally, but  
25 generally thoughts or views expressed during that meeting that you had with him?

1           A    I recall my outcome, which was I went and trying to see if he would be open  
2 to meeting with the President, and I recall him saying he was.

3           Q    Okay. Did you have a similar conversation yourself, Mr. Kushner, with  
4 President Trump or was that something that your wife did?

5           A    My wife did that one.

6           Q    So you didn't meet with President Trump before he -- you helped put  
7 together a meeting with him and Vice President Pence?

8           A    I don't recall. I don't think so.

9           Q    Do you ever recall --

10          A    It's possible. Again, like I said, it's possible.

11          Q    Okay.

12          A    I don't recall specifically, but I --

13          Q    Yeah. Do you recall ever talking to President Trump about his  
14 disappointment or frustration with the Vice President in terms of what happened on  
15 January 6th at any time?

16          A    I don't recall specifically.

17          Q    Did you ever hear him disparage Vice President Trump -- Vice President  
18 Pence or say, much like he has said in tweets or said to others, he didn't do the right  
19 thing, he didn't have the courage, he wasn't the man that he thought he was 4 years ago?  
20 Did you ever hear him to you say anything like that?

21          A    Not that I recall.

22          Q    What happened during the meeting between those two? Was it the two of  
23 them alone or were you present when they had a meeting?

24          A    No. Two of them alone.

25          Q    Where did it occur?

1           A     In Oval or in the other room. All I know is we set a time for Pence to go  
2 over to the -- to see the President. He was either in his study or the Oval, but, again, I  
3 don't recall.

4           Q     Okay. And about how long after January 6th did that occur?

5           A     I don't recall.

6           Q     All right. Do you know whether they've talked since the end of the  
7 administration?

8           A     I don't know.

9           Q     It's been reported that they have not had any contact since January 20th of  
10 2021. Do you know whether or not that's accurate?

11          A     I don't know.

12          Q     Have you heard the President say anything about the Vice President since  
13 leaving office?

14          A     No.

15          Q     Did you talk to the President after the Vice President's speech at the  
16 Federalist Society, where he declared the President was wrong about his authority on  
17 January 6th?

18          A     I don't recall. No, I did not.

19          All right. Let me call your attention --

20          [REDACTED]. Mr. Raskin, I see you coming off mute. If you want to jump in  
21 now, I can stop.

22          Mr. Raskin. Thank you.

23          Mr. Kushner, I got a couple of questions about the immediate aftermath of  
24 January 6th, when you registered your disappointment and your disapproval of the  
25 violence. I'm wondering whether you and your wife have registered similar disapproval

1 before when violence broke out at the MAGA marches or in the violence surrounding  
2 what took place at the Michigan State Capitol or that plot to kidnap and execute  
3 Governor Whitmer.

4 There were a lot of violent episodes, including the one in Texas, where some  
5 supporters of then-President Trump surrounded a bus of Biden supporters and nearly ran  
6 it off the road.

7 Had you expressed your opposition to that violence and your concern about it,  
8 and you asked then-President Trump to speak out about it before?

9 Mr. Kushner. Look. We were always against violence. You know, again,  
10 politics is -- you know, we got into it, didn't realize what a nasty profession it was, but  
11 always -- again, I do think you do know me and you know what I worked for in  
12 Washington.

13 I was always for trying to resolve differences by doing listening and meeting and  
14 understanding and, obviously, have always condemned violence in every way, shape and  
15 form.

16 Mr. Raskin. Condemned violence, not condoned it.

17 Mr. Kushner. Condemed. Sorry about that. Yes. Thank you for that,  
18 Congressman.

19 Mr. Raskin. But I mean, in this instance, you felt it was important to have the  
20 President speak out about it, right? And I'm just wondering whether you had ever urged  
21 him to speak out about violence before.

22 Mr. Kushner. I don't recall.

23 Mr. Raskin. Did you have a concern in August of 2017, when then-President  
24 Trump had identified very fine people on both sides when the neo-Nazis and extreme  
25 right gathered in Charlottesville, Virginia?

1           Mr. Kushner. Specifically, concern about what?

2           Mr. Raskin. Well, about his statement that there were very fine people on both  
3       sides, which was a controversial statement by the President of the United States which  
4       caused a lot of consternation in the country.

5           Had you spoken to him at that point about being clear about violence and fascism  
6       in the streets?

7           Mr. Kushner. Yes. I actually was away during that time, but -- and if you saw  
8       the video, you'd see that the gentleman who was leading that march said some pretty  
9       nasty things about me and my religion.

10          So I don't think Trump was being supportive of him. I think he was -- my  
11       understanding of that situation was that he was talking about the statue debate, you  
12       know, people who want to tear down statues and people not. And I think that's what I  
13       understood it to, but, again, it's not an issue I spent a ton of time on and --

14          Mr. Raskin. I know that your faith is very important to you, and your nuclear  
15       family is deeply religious. What was your response, either on the day of January 6th or  
16       afterwards, to all of the disclosures about the presence of neo-Nazi groups, Aryan Nation,  
17       the QAnon networks, the Proud Boys, the Oath Keepers and so on? Did you have any  
18       discussion with your father-in-law about that?

19          Mr. Kushner. No.

20          Mr. Raskin. And let me just, in terms of how you were putting together the  
21       events of January 6th, did you see the eruption of this violent insurrection which shut  
22       down the counting of electoral college votes as something that was just coincidental with  
23       the inside political moves that were being made against Vice President Pence to try to get  
24       him to reject electoral college votes?

25          Mr. Kushner. Yes. So, again, your question presumes a bunch of things that I'm

1       not sure I want to stipulate to one way or the other. Again, there's a lot of technical  
2       definitions and --

3           Mr. Raskin. Yes.

4           Mr. Kushner. Again, I wasn't there, you know, that day. But what I will just say  
5       is, again, I did not anticipate that there would be violence. I am fairly confident that the  
6       people I worked with did not anticipate that there would be violence that day. And  
7       what happened that day obviously was very, very terrible.

8           Mr. Raskin. Okay. I appreciate that, and I yield back.

9           Mr. Kushner. Thank you.

10           BY [REDACTED]:

11           Q      Just a couple more things before we take our break, Mr. Kushner. I want to  
12       show you exhibit 29.

13           A      You're running out of time before 4 o'clock, though.

14           Q      We're doing the best we can.

15           A      Go ahead.

16           Q      This is -- it looks like something that you sent, Mr. Kushner, on January 13th,  
17       a week after January 6th. It looks like another draft tweet or statement. It says: In  
18       light of reports of more demonstrations, I urge that there must be no violence, no  
19       lawbreaking and no vandalism of any kind. That is not what I stand for, and it is not  
20       what America stands for. I call on all Americans to help ease tensions and calm  
21       tempers. Thank you.

22           What prompted you to either draft or send this to Dan Scavino, Cassidy  
23       Dumbauld?

24           A      I don't recall.

25           Q      Was there any discussion about additional, potential additional

1 demonstrations? It says: In light of reports of more demonstrations, and the  
2 President needing to say something to prevent violence.

3 A Yeah. And look, you know, sometimes you overreact to what the media is  
4 saying, but it could have just been -- again, I don't recall specifically. So like with your  
5 AG guy, I don't want to speculate. Again, I don't recall.

6 Q Okay. So you don't remember anything about who asked you to do this or  
7 whether this was unprompted or what precipitated it?

8 A I don't recall.

9 Q Okay. There's been reporting that, on Saturday, January 16th, there was  
10 there was a meeting on the subject of pardons, including some pardons for people that  
11 had a role in the attack on the Capitol.

12 Do you remember any discussion about the possibility of pardons related to  
13 January 6th?

14 A Not specifically. I remember it was a concept that like floated around, but  
15 it never made it to what I would call serious discussion level.

16 Q What was your view on the prospect of pardons connected to activity that  
17 occurred on or around January 6th?

18 A There was never like a -- as far as I was aware, I was never aware of a specific  
19 proposal to be considered.

20 Q You said that there was discussion of it, however?

21 A Chatter more than discussion. Again, I don't recall being in any discussion.  
22 And, again, there was never a proposal that was presented for consideration.

23 Q Did you ever discuss that possibility with the President?

24 A No, not that I recall.

25 Q It sounds like you were personally involved in pardon discussions broadly

1 toward the end of the administration. Is that right?

2 A Yes.

3 Q And in the context of those discussions, did you ever talk to the President  
4 about pardons, for example, of Members of Congress who spoke at the Ellipse or were  
5 involved in efforts to challenge the results of the election?

6 A No.

7 Q Did you ever talk to him about pardons of people who were criminally  
8 charged with trespass or other offenses at the Capitol?

9 A Again, the cases of pardons that we got done are the ones that I -- you know,  
10 again, you have a lot of people who are overcharged for drug crimes. You have, you  
11 know, a whole bunch of different cases that we ended up issuing, but, again, I don't know  
12 if any of them also had a charge in there that relates to that.

13 But if you're talking specifically with people on Jan 6 --

14 Q Yes.

15 A -- I don't recall any specific cases being raised to our attention for serious  
16 consideration.

17 Q Okay. Do you remember any discussion with the President about a  
18 possible self-pardon or pardon of himself for anything?

19 A No.

20 Q Did that ever come up? Was there chatter about such a thing?

21 A It was the type of thing that, you know, again, it was a hot media -- but  
22 never, you know, pursued.

23 Q I'm sorry. You were breaking up just a little bit, Mr. Kushner. It sounds  
24 like there was clatter, but it wasn't seriously pursued. Is that what you said?

25 A There was a lot of chatter in the media about it, but it was never something

1       that -- the sort of thing that I recall -- that I recall making it to any of our meetings.

2           Q     I see.   Okay.   Were you -- did you have any conversations with him about  
3     people that resigned as a result of January 6th, either Cabinet officials or White House  
4     officials?

5           A     Not that I recall.

6           Q     Did he ever express a perspective about disappointment or frustration that  
7     people like Secretary Chao, Secretary DeVos, or some of the people like Matt Pottinger,  
8     who worked at the White House who resigned specifically citing his activity or inactivity  
9     on January 6th?

10          A     I don't recall.

11          Q     Were you ever involved in any discussion of the possible invocation of the  
12     25th Amendment?

13          A     No.

14          Q     Are you familiar with what the 25th Amendment is?

15          A     Yes.

16          Q     Okay.   And did that -- was that an issue that was ever discussed with you  
17     inside the White House?

18          A     Nobody raised it with me, as far as I know, as far as I recall.

19          Q     Okay.   All right.   And then the last thing I want to show you, the last  
20     exhibit is No. 19.   Show you -- this is an email that if you go -- it looks like it's something  
21     that came from -- if you go all the way to the bottom, was an email that was sent to Paul  
22     Gigot at The Wall Street Journal from Steve Kramer that got forwarded up to -- got sent to  
23     you, and you then forward it to Mark Meadows and Jason Miller, saying, "This is a cold  
24     email," and essentially is calling on the Wall Street Journal to retract an editorial where  
25     they said that President Trump had betrayed his oath and should resign.

1           Do you remember any discussion about The Wall Street Journal's editorial  
2       encouraging the President or saying the President betrayed his oath and should resign  
3       and any pushback against that from the White House?

4           A     Yeah. I don't recall the editorial. Again, when I saw this email, as it was  
5       done, again, it's -- it just had a -- we were trying to get our hands around a lot of factual  
6       things at the time, and it just had an interesting TikTok, that, again, you know, you get a  
7       lot of these random emails.

8           Some of these people are crazy. Some of them, you know, make good points.  
9       So, again, I read some of them. I delete a lot of them. But this one I sent to I guess  
10      some of these guys here just so that they had the TikTok this guy laid out, you know, with  
11      regards to Muriel Bowser telling the Guard to step down. Again, I don't know -- there  
12      was, you know, debates on, you know, did the House secure themselves correctly?  
13      Again, was there -- did the -- you know, did Trump's words -- were they breaking into the  
14      Capitol before his speech concluded?

15           So there was just a lot of factual things that we were trying to get our hands  
16      around at the time in the aftermath, and this seemed to have a timeline. I didn't accept  
17      it as fact. I just kind of accepted it as these are just points to share, to let whoever is  
18      looking at investigating these things investigate to try to get our arms around what  
19      happened.

20           Q     I see. So you're forwarding -- there's a number of bullet points in the letter  
21      to Mr. Gigot with facts. And to be fair, this is in the middle of the impeachment trial.

22           Was it, in your view, relevant to the President's defense in the impeachment that  
23      was going on?

24           A     Possibly, yeah. Like I said, if you hadn't -- if you hadn't sent this to me, I  
25      wouldn't have remembered it, as well as a lot of the emails I produced for you. Had I

1 not come back and looked at them, I wouldn't have remembered these things, so --

2 Q I understand. It looks like you forwarded it first to Mark Meadows and  
3 Jason Miller and then subsequently to Eric Herschmann, Pat Cipollone, and Kayleigh  
4 Gilmartin, Kayleigh McEnany.

5 A Yes.

6 Q Any recollection of that beyond what you said? It was just getting the facts  
7 in front of those people?

8 A Yes.

9 [REDACTED] Okay. Let me stop and see first, Ms. Cheney, Mr. Raskin, if  
10 anyone has any questions about the subjects that I've covered. Mr. Aguilar? Any  
11 members have any questions?

12 Okay. If not, let me see if [REDACTED] or [REDACTED] or anybody -- yes, go ahead.

13 BY [REDACTED]:

14 Q Did President Trump discuss with you the possibility of any pardons for any  
15 members of his own family?

16 A No.

17 Q And I know that Mr. Heaphy asked you this before, but I wasn't sure if I  
18 totally understood your answer. Did you have any conversations at all with the  
19 President about the possibility of the President pardoning himself?

20 A Himself? No.

21 Q Did you have conversations with anybody in the White House staff about the  
22 possibility of the President pardoning himself?

23 A Not that I recall.

24 Q Did you have any conversations with the President about the possibility of  
25 him giving a pardon to the White House staff, broadly?

1           A    Not that I recall.

2           Q    Did you have any conversations with the President about the possibility of  
3       him giving a pardon for Congressman Matt Gaetz?

4           A    Not that I recall.

5           Q    Did you have any conversations with anybody about the possibility of the  
6       President giving a pardon to Congressman Matt Gaetz?

7           A    Not that I recall.

8           [REDACTED] = [REDACTED], anything?

9           BY [REDACTED]:

10          Q    Yes. Just to follow up on that, were there any discussions about pardoning  
11       Members of Congress that you're familiar with?

12          A    Not that I recall.

13          Q    Okay. And specifically, it's been reported that there were discussions  
14       about Congressman Brooks, Gosar, and Biggs. Do you recall any of that?

15          A    No.

16          Q    All right. And to go back to January 6th, you mentioned a call that you had  
17       with Leader McCarthy. When you spoke to Leader McCarthy, did he say whether he had  
18       spoken with the President at that point?

19          A    I don't recall.

20          Q    Did you ever find out that Leader McCarthy did speak with the President that  
21       afternoon?

22          A    I don't recall.

23          Q    [REDACTED] asked you whether you had spoken with any Members of  
24       Congress on January 6th, but it sounds like you're familiar with Mr. Josh Holmes on  
25       Leader McConnell's staff. Did you ever speak with him, that you remember?

1           A    I don't recall.

2           Q    How about there's a person named -- and I may get this wrong, but  
3         Mr. Falcicchio, somebody who is associated with Mayor Bowser or Mayor Bowser's office.

4           Did you speak with anybody in Mayor Bowser's office that day?

5           A    I think so, actually, yes.

6           Q    Okay. Tell me about that.

7           A    And, again, I'm trying to have my recollection. I may have had somebody  
8         reach out asking for help with National Guard authorization, and I think I got a message  
9         maybe on my government phone, a message from him saying: Please call.

10          So I think I called and I got -- he said: We need some help with National Guard.

11          I called Meadows, or I messaged Meadows. And, basically, Meadows said: I  
12         think we've already authorized that.

13          And so I called back and said: I believe it's already been done.

14          So, yeah, I think that was when I was in the car ride home. So yeah. And again,  
15         I don't remember if his name was Falcicchio or -- I think it was maybe the chief of staff or  
16         somebody in her office who I had met along the way.

17          Q    You said you may have gotten that call in the car ride home. Is that the car  
18         ride home from Andrews to your home?

19          A    Yes.

20          Q    Did you take any action with respect to authorizing the National Guard or  
21         doing anything with respect to the National Guard other than what you just mentioned  
22         with respect to Mr. Meadows?

23          A    I just remember, again, if you get a call like that from the mayor and you -- or  
24         from the mayor's team and you know that obviously what's happening is happening to  
25         the degree that I had knowledge of it, you know, you act on it.

1           So I was able -- I believe -- and, again, I'm doing this off of my recollection. I  
2 believe I got in touch with Meadows, and I recall him telling me it had already been  
3 authorized. And so I believe I relayed that back.

4           Q     Did you speak with any other agencies? And I'll just name a few -- the  
5 Department of Justice, FBI, Homeland Security, or anywhere else at DOD -- about  
6 responding to the attack on the Capitol that afternoon?

7           A     I don't recall. I don't think so, but I don't recall.

8           Q     There's a number I'm interested in, and I assume you're not going to know a  
9 phone number off the top of your head, but if you're able, would you be willing to look in  
10 your phone to see if you have a contact for a number I'll give you?

11          A     Sure.

12          Q     Okay. It's [REDACTED].

13          A     Hold on one second. [REDACTED].

14          Q     [REDACTED].

15          A     Okay.

16          Q     Do you have a contact or know who that is?

17          A     Yes.

18          Q     Who is it?

19          A     It's my friend Ken Carson.

20          Q     Okay. And did you speak to Mr. Carson about what was happening on the  
21 6th and, if so, was it relevant at all to your understanding and the actions that you took in  
22 the White House that day?

23          A     I don't recall.

24           I think you guys froze.

25          Q     Did Mr. Carson have any role -- I'm sorry?

1           A    I think you guys froze. Sorry. Go ahead.

2           Q    I'm sorry. Can you hear us now?

3           A    Yeah.

4           Q    Did he do anything to assist with the response that day?

5           A    Not that I recall. Again, Ken's somebody I'd call just to get kind of general  
6 perspective, and so just a friend of mine who -- so, yeah, not that I recall.

7           Q    Okay. A personal friend, not somebody who worked in the administration  
8 or on the campaign?

9           A    No.

10          [REDACTED] Thank you.

11          [REDACTED] All right. We're going to go to you, [REDACTED] but do you have  
12 anything on these issues on which you want to follow up? No? All right. Then why  
13 don't we take a break now, just a few minutes.

14          Mr. Kushner, Mr. Benson, what do you think, 5, 10 minutes? Get a comfort  
15 break here, and then we'll resume at maybe 3:45. It's 3:36 now. Does that work?

16          Mr. Kushner. Let's do it. 3:45. You guys will have 15 minutes to wrap up.

17          [REDACTED] 3:45. We will see you then. Thank you.

18          Mr. Kushner. See you then. Thanks.

19          [Recess.]

1

2 [3:45 p.m.]

3 [REDACTED]. All right. Thanks, Mr. Kushner. We're sticking to our 6 p.m.  
4 promised deadline. I'm going to turn it over to my colleague, [REDACTED] with some  
5 additional questions.

6 Mr. Kushner. 4 p.m. 4 p.m. Don't been so unambitious. You're being too  
7 Washington. You're setting low expectations. I don't like it. It's very disrespectful.

8 [REDACTED]. I will tell you, if we can blow through these questions in 14 minutes, it  
9 will probably be the accomplishment of my life. And I promise to be very efficient and  
10 as much so as possible.

11 I will say this is probably where you get to show off your fact witness skills  
12 because we are about to go into the nitty-gritty of probably some of the more boring, less  
13 sexy things, which is why they always save me for last.

14 Mr. Kushner. I believe in you. Let's do it.

15 BY [REDACTED]:

16 Q Thank you. All right, with that vote of confidence, we'll turn to exhibit 58.  
17 So one of the things that we wanted to talk with you about is several witnesses  
18 told us that one of the important roles that you served for the campaign was negotiating  
19 with the RNC regarding the allocation percentages.

20 I believe this would have been in reference to the joint fundraising agreement  
21 between I'm going to call it DJTFP, Donald J. Trump for President, for short, just in the  
22 interest of time, if that's okay. And then we usually refer it to as TMAGAC for short.  
23 So I just thought abbreviations might help.

24 Are we good?

25 A Yeah, sorry. Go ahead. So TMAGAC, right?

1           Q     Yes. Hopefully that's what you all call it as well.

2           So I just wanted to talk with you about the negotiations. I believe the first one is  
3     October 27th, and this was in your production.

4           Is that the first split with the RNC that you remember negotiating?

5           A     I'll be honest. There were so many splits with them. Things were always  
6     changing as we went.

7           Q     If --

8           A     As far as I remember.

9           Q     Oh, I'm sorry. I didn't mean to interrupt you. Go ahead.

10          A     Originally Brad would negotiate these with Ronna. And then when Brad  
11     left, I would negotiate the changes.

12          Q     Okay. And do you -- if somebody said there were --

13          Mr. Benson. Pardon me. Can we take a 1-minute break, please?

14                   . Could you hear him?

15                   . Say that again, Mr. Benson. I'm sorry. We couldn't hear you.

16          Mr. Benson. A 1-minute break.

17                   . You want a 1-minute break? Sure.

18          Mr. Benson. Thank you.

19          [Discussion off the record.]

20                   . Mr. Benson, are we ready to proceed?

21          Mr. Benson. I just have a comment,          . Pardon me. I'm sorry.

22          This looks like an inadvertently produced privilege document, which I'm prepared  
23     to let you ask some questions about if you agree that it's not a waiver.

24                   . Yeah. Understood. Let's proceed. And we're not sure how  
25     relevant it is. But with that understanding, we'll proceed.

1           Mr. Benson. Thank you.

2           ██████████. Okay.

3           BY ██████ :

4           Q    I just wanted to ask, when you were negotiating with the RNC, who from the  
5       RNC handled their negotiations?

6           A    Ronna.

7           Q    Was it ever Richard -- my mind is blanking on his last name -- Powers, I  
8       believe?

9           A    Walters.

10          Q    Walters.

11          A    Walters. Yeah. No, I believe I did it usually with Ronna or Stepien or  
12       somebody would talk to Richard. It could have been either.

13          Q    Do you remember why -- and without disclosing confidential  
14       communications with your attorney -- but do you remember why the split was 95/5 in the  
15       RNC's favor right before the election?

16          A    I don't recall.

17          Q    Did you negotiate the 95/5 split with Ronna?

18          A    Like I said, I don't recall.

19          Q    Okay. If we could go to exhibit 50.

20          And I apologize. We're going to jump around just because of the way that these  
21       were produced. We kind of had to reorder them, given the time that we had. So if  
22       you need a moment to review, please don't hesitate to ask.

23          So in this email, if you look at the bottom of the page, this is on November 4th, I  
24       believe, Mr. Dollman writes, "Hey, Team. Based on today's fundraising numbers, we  
25       should surpass the amount to make us whole with the RNC at some point tomorrow

1 morning."

2 Do you understand what he meant by that?

3 A I don't recall.

4 Q I'm not asking if you remember. I'm asking, sitting here right now, do you  
5 understand what he meant by that?

6 A No, I don't.

7 Q Okay. He said, "We will need to agree to a percent split for the JFA moving  
8 forward. Below is proposed language." And then I think you can read the first three  
9 provisions.

10 Did you have any involvement in preparing that?

11 A I'll be honest. Sean would be a better person to talk to about this stuff  
12 than me. You know, this was the nitty-gritty. Again, I got involved when there was a  
13 big issue to discuss. But, again, most of the time it was very collegial between the two  
14 entities and there was very few big issues that I needed to get involved in.

15 Q Okay. No, that's super helpful. And if there's something that I ask you  
16 that there is somebody better who would be the person to talk to, please don't hesitate  
17 to point them out. I appreciate that.

18 A Can I give you, like, a general stipulation? On all things on this Sean will be  
19 much better to give you a base understanding. If you want to understand what it was,  
20 that will be Sean. If you have some, like, bigger, high-level questions about what it is,  
21 there's a chance I remember.

22 But my sense is, like I said in the beginning, we were trying to make sure that we  
23 didn't end up with too much cash in the bank or too little cash in the bank. We wanted  
24 to just get it just right and make sure that, if we were trending high on the net, that we  
25 were spending it smartly, and if we were trending low on the net, we were reducing

1 smartly.

2 And so that was the kind of the exercise that I wanted to make sure that they  
3 were keeping in.

4 Q Okay. That's very helpful.

5 If we could scroll up just a little bit?

6 On November 4th, shortly after Sean sent that email -- and I don't know if you can  
7 see this, if we could zoom in just a little bit -- you wrote, "Can we huddle on this  
8 tomorrow?"

9 Oh, that's a bit too much. Hold on.

10 "Can we huddle on this tomorrow? We also need to balance our books and then  
11 make sure we have dealt with the \$11 million overage."

12 This was November 4th at 6:35 p.m. Is it fair to read from that that the cash on  
13 hand at that time was believed to be \$11 million?

14 A I don't recall.

15 Q Okay.

16 A Like I said, Sean will be the best person to go through. Like I said, my role  
17 was more just making sure that there was the right discussions being had and when they  
18 had problems, they came to me. But most of the time they adjudicated everything  
19 amongst themselves.

20 Q Okay. And do you, sitting here, do you happen to remember were there  
21 more negotiations regarding the split with the RNC after the election as it pertained to  
22 fundraising? Or were you more involved in the ones beforehand?

23 A I don't recall.

24 [REDACTED]. Okay. If we could go to exhibit 69, please.

25 And if you guys want to ask questions, just let me know.

1 [REDACTED]. We will. Thanks.

2 BY [REDACTED]:

3 Q So in this email, I understand this is -- oops.

4 Apologies. If you could scroll down, it's one of the tiny little bullets where it says  
5 the JFA.

6 This is an email on November 5th from Sean Dollman to Gary Coby and you, and it  
7 says, "Conduit Net from RNC: Roughly (5.4 million)."

8 I don't know if you can read it. For me it's really small.

9 A I can read it all. I can see it.

10 Q Okay. Great. It says, "The JFA is being signed today to move to 60  
11 percent DJTFP and 40 percent RNC at 5 p.m."

12 Do you know who would have negotiated that?

13 A It's possible it was Ronna and myself. It could have been Stepien and  
14 Ronna. It could have been a combination of a whole bunch of people.

15 Q And just based on whether you remember or just your understanding of the  
16 nature of the negotiations, what would have been the rationale from going from 95/5  
17 before the election to 60/40 afterward?

18 A I don't -- I don't recall.

19 Q Was there anything else --

20 A Like --

21 Q Go ahead.

22 A Like I said, Sean would be the person who was in the weeds on this, and so  
23 he would be the one to kind of help you recreate it. If you have, like, specific high-level  
24 questions and you've taken me through all the details, maybe I could help you, you know,  
25 get through with this. But, again, this is all pretty technical stuff.

1           And, you know, and for me I was more involved where there was problems, not  
2 where there was, you know -- again, when things were going on the upside, that wasn't  
3 really where they needed me as much.

4           Q     So correct me, because our understanding was that you were conducting the  
5 negotiations with Ronna for the split.  Was it Mr.  Dollman who was conducting the  
6 negotiations?

7           A     It's possible it was me.  It's possible it was him.  I just don't recall.

8           Q     And I'm trying to keep this high level.  I guess what I'm trying to ask is,  
9 when you were conducting the negotiations and the split would change, what would  
10 impact that change?

11          A     It was -- I honestly don't recall.

12          Q     Can you go to exhibit 43, please?

13          [REDACTED].  Can I just jump in, [REDACTED]?

14          [REDACTED].  Yes.

15          BY [REDACTED]:

16          Q     Mr. Kushner, why continue to raise money after the campaign?  Help me  
17 understand that.  Campaign's over.  Why was it that the campaign continued to have a  
18 very active fundraising apparatus?

19          A     It looked like at the time there was going to be some serious legal questions  
20 that were going to be looked into.  And so it felt like that was, again, the decision at the  
21 time was to keep -- was to keep going?

22          Q     Because of the challenges, the legal challenges, and the costs that they  
23 would entail?

24          A     Yeah, challenges, recounts, all the different things that come with that, yes.

25          Q     Okay.  Okay.  Thank you.

1           A     As far as I recall. Again, I think that that was the initial thinking a bit. And  
2     then, yeah, as far as I recall. You're talking about, you know, the days after. That was  
3     the intention.

4                         BY [REDACTED]:

5           Q     Yeah, I'm definitely going to come back to that in a moment. So let me just  
6     hit pause on that for a second and finish this.

7                         With regards to exhibit 43, this is now November 16th. And there is another  
8     modification, I believe, on November 16th, 2020.

9                         And if you look at the third bullet point, it says, "The majority of fundraising is  
10    going straight to Save America and not the Recount/Legal account. We should change  
11    the JFA to 80/20. Since we are taking on more legal costs, our 80 percent should have a  
12    portion that's allocated to the recount/legal fund?"

13                         Were you involved in those discussions with Mr. Dollman with regards to why the  
14     split should be that way?

15           A     I believe I was. But, again, I don't recall the specifics of them.

16           Q     When it changes from 95/5 to then I believe the 60/40 and then up to 80/20  
17     going to Save America as opposed to the RNC, was it your understanding that that was  
18     because you guys were taking on the costs of the legal fees, not the RNC?

19           A     I think it was always something where they were taking on some costs, we  
20     were taking on other costs.

21                         And, you know, look, the goal was always to try to make this fair between the  
22     entities where there was different costs that each entity was in charge from and then  
23     trying to figure out a rough way to make it fair.

24           Q     Okay. And if we could go to exhibit 45.

25                         I think this may have been the last cash split -- excuse me -- the last split as far as

1       we could see in the records that you produced. This was November 18th, 2020, after  
2       the election.

3                 "The JFA split is changing at midnight to 75/25."

4                 Is there any reason to think that somebody other than you would have negotiated  
5       that with Ronna?

6                 A      Yeah, it's possible.

7                 Q      Okay. And do you happen to know if there were any splits after this? Or  
8       to the best of your knowledge, while the joint fundraising agreement existed, did it stay  
9       at 75/25?

10               A      I don't -- I don't recall.

11               Q      Okay. So a minute ago we were talking about the campaign and how much  
12       cash was on hand at the end. And earlier today I believe you said that part of the goal  
13       was to try to kind of hover as close to zero as possible, not -- I think you said something  
14       like not being in debt but not spending too much.

15               Do you remember talking about that?

16               A      Yeah. I don't believe I said zero. I think the goal was, because, again, we  
17       were going to have wind-down costs as well. And you had some -- I think there was a  
18       budget for wind-down as well.

19               Q      And I understand you said that -- I think you said that you and your wife  
20       weren't really involved in politics before this. But it was characterized by some  
21       witnesses that if a campaign lost and left millions of dollars on the table, that would be a  
22       bad thing.

23               Is that your understanding?

24               A      I'm sorry?

25               Q      So when we were talking about the cash on hand, you said the goal wasn't to

1 get to zero. But some of the witnesses that we spoke to said that if you were running a  
2 Presidential campaign and you lost and you ended with several million dollars in the bank,  
3 that would be considered a bad thing, that would be considered campaign  
4 mismanagement or bad choices.

5 Is that your understanding, or would you agree about that?

6 A Look, the way I view it is that it's not like -- the answer's "maybe."

7 Q That's fair. We talked --

8 A I mean, it's, like, it's different scenarios. Right? There's different ways it  
9 could play. So people have different points of view. There's different potential costs  
10 for wind-down. So, you know, you want to be in a range where at the end of the day  
11 you're not in debt at the end of the campaign.

12 Q And I'm glad you said that because several witnesses actually did say that  
13 that was a concern of yours, that you were very worried about the campaign being in  
14 debt.

15 Can you explain that? Why is that a concern?

16 A Well, you just don't want to have that. You want to make sure all of your  
17 vendors get paid.

18 Q Okay. And was it your understanding -- is it easy or difficult to pinpoint  
19 cash on hand on the day of election?

20 A It was always based on a bunch of variables. So you can guesstimate based  
21 on a bunch of variables.

22 Q And did you have any conversations with Mr. Stepien regarding the cash on  
23 hand at the time of the election?

24 A I don't recall.

25 Q Is that something that you would have considered it his responsibility to

1 know as campaign manager?

2 A Him, Sean Dollman, you know, just, again, making sure we were -- again, the  
3 goal was to agree on where we wanted to get to, what we thought was the comfortable  
4 place, and making sure we were in the range, the comfortable range that we had all  
5 agreed on.

6 Q And I believe I saw in your production that there were daily trackers of this.  
7 I know that trackers change. I'm going to ask you about that in a second. But I believe  
8 you and Mr. Stepien, up until the election and then shortly after, were receiving daily  
9 digital financial records from Mr. Dollman, correct?

10 A I believe so, yes.

11 Q And was it your understanding that Mr. Stepien was reviewing those and  
12 understood what they meant?

13 A I would think so, yes.

14 Q Would you expect Mr. Stepien to know the cash on hand at the time of the  
15 election?

16 A I think as long as -- my sense is Sean would be the one who probably would  
17 know that more than Mr. Stepien and that, if there were any issues, he would have raised  
18 it to Mr. Stepien.

19 But I think that Mr. Stepien's primary concern should have been on making sure  
20 that all the different things that were being paid for were happening.

21 Q Okay. And what was your understanding of Mr. Stepien's supervision of  
22 digital fundraising?

23 A He was the campaign manager. So, you know, technically he oversaw the  
24 campaign.

25 Q There were witnesses that reported to us that because of your experience

1       with Mr. Coby that Gary Coby actually reported to you functionally and not to  
2       Mr. Stepien.

3                   Was that your understanding?

4       A     Not really. I mean, again, my sense was that I kind of reported -- like, my  
5       sense was that -- I'm trying to think through how to say this as technical. My sense is  
6       that they would come to me when they had concerns on issues. But most of the time  
7       they dealt with things without coming to me, as far as I understood.

8       Q     So if somebody in the campaign said that the understanding was that Coby  
9       did not report to Stepien, Coby reported directly to you, you would disagree with that  
10      characterization.

11      A     Technically, yes.

12      Q     Okay. If you could go to exhibit 73.

13      A     But again, like, you know, reporting lines and org charts, those are things  
14      that, you know, people have different points of view on all the time. So --

15      Q     No, and that's fair.

16                  You know, something interesting that it would be helpful to have your input on is  
17      the way that it was described was that Mr. Parscale had set up a digital fundraising  
18      machine that was well oiled and just ran on its own, and that, when Mr. Step came in,  
19      there was really nothing to do. If it wasn't broke, don't fix it. So he really didn't do  
20      much there.

21                  Is that accurate, or would you disagree with that?

22      A     Oh, no, I think that's very fair. But technically it was part of the campaign,  
23      and Bill was the campaign manager. So, you know, I'm sure, if he wanted to have  
24      interventions or had, he could have that easily. So --

25      Q     So for exhibit 73, this is another -- the email on the bottom is one of

1       Mr. Dollman's Digital Daily Trackers. This is November 6th. He's sending it to you.  
2       And then he copies Mr. Coby, Mr. Stepien, and Mr. Clark.

3           But at the top, on November 6th, you respond to Mr. Dollman, that group, and  
4       you add Eric Trump, and you say, "Sean -- can we start a new tracker from post election  
5       day? Showing how we ended with either a deficit or surplus and where we are now."  
6       And I'm just going to pause for a second there.

7           Was this you wanting to get a tracker to determine the actual cash on hand after  
8       the election?

9           A     No. This was just about understanding there was money coming in after  
10      the election. And, again, you know, when there's money coming in, a lot of people start  
11      going for it and just making sure that there was, you know, that there was some kind of  
12      mechanism and plan in order to -- in order to start -- in order to start making sure there  
13      was just some command and control.

14          Q     But it was your understanding that you would need a new tracker because  
15      you were going to continue fundraising post-election, correct?

16          A     Yes.

17          Q     Okay. And do you remember anybody actually making that decision or did  
18      it just happen, to your knowledge?

19          A     That we were going to keep fundraising?

20          Q     Uh-huh. Yes.

21          A     I think it just kind of happened.

22          Q     Okay. Do you remember in 2016 there being a conversation and somebody  
23      giving Mr. Coby an instruction to stop fundraising after the election was over?

24          A     I don't recall.

25          Q     Okay. In this election in 2020, if Mr. Coby said that he would not have been

1       able to continue fundraising without approval from somebody above him, either a family  
2       member or Mr. Trump, would you agree or disagree with that?

3           A     I just -- I really don't. It's possible and it's not possible in the sense that if  
4       Gary could have kept doing it, everyone would have been fine. You know, he was well  
5       respected and had a, you know, fair amount of autonomy. But he was also somebody  
6       who could run things by other people. So, again, I just don't recall specifically.

7           Q     And earlier when I said that the determination to end -- the tracker that you  
8       wanted to create to show how we ended with either a deficit or a surplus, I think I said  
9       that was to determine cash on hand, but you corrected me that it wasn't per se to figure  
10      out cash on hand. It was just to track from the election going forward whether you had  
11      essentially a deficit or a surplus. Is that right?

12          A     I don't recall.

13          Q     Okay. When you say, "Then we can start working on what additional  
14      expenses we are going to have," I think, to "start taking on," do you know what you  
15      meant by that?

16          A     I don't.

17          Q     And you say, "and what we can lay off to RNC and what we want to transfer  
18      to a new entity for POTUS' other political activities."

19          Do you remember what you meant by that?

20          A     I don't recall.

21          Q     So this is November 6th, and it's before the email that Mr. Heaphy showed  
22      you earlier where you were discussing the creation of Save America.

23          Do you remember having any conversations with the President regarding the  
24      creation of a new entity for POTUS' other political activities?

25          A     I don't recall.

1           Q     In this email, when you're referring to that, at this point in time was there  
2     any discussion regarding the Save America PAC?

3           A     I don't recall.

4           ████████. Do you have any others questions on this while I'm here?

5           ████████. No.

6           ████████. Okay.

7                         BY ████████:

8           Q     Mr. Kushner, did you have any involvement or discussions with anyone with  
9     the campaign in drafting the disclaimers at the bottom of fundraising emails?

10          A     Can you repeat that, please?

11          Q     At the bottom of fundraising emails, there are these disclaimers that  
12     basically say where the money goes when you donate. Are you familiar with those  
13     disclaimers?

14          A     No.

15          Q     Okay. If we could go back to exhibit 33, please.

16          I want to go back, and I understand Mr. Heaphy asked you about exhibit 33  
17     earlier. And I'm sorry, I'm going to dig a little bit deeper with you on some of the facts  
18     and the details.

19          With regard -- this was the long, extended discussion starting with Mr. Scavino  
20     saying that POTUS wanted to get the rights to Save America and the rigged election?

21          But if we could scroll to page -- oh, it's the first page. Okay. Actually if we  
22     could scroll down just a little bit.

23          So earlier, when we were talking on November 9th, Mr. Dollman emails -- scroll  
24     down just a little bit. I think it's the next page. Yes.

25          So Mr. Dollman emails -- there it is -- on November 9th and says -- I believe he

1 meant to write, "Filing 'Save America' with the FEC now."

2                   And then 2 days later, on November 11th, you emailed Dollman and asked, "Any  
3 update on budget and where we stand?"

4                   Do you know which budget you would have been referring to there?

5                   A     I don't recall.

6                   Q     Okay. Would somebody have asked you to do that, to send that email, or  
7 was that your role to monitor the budget with Mr. Dollman?

8                   A     No, it's possible. Both are possible. I could have done it based on my  
9 initiative, and I could have done it because I was asked.

10                  Q     Who would have asked you to do something like that?

11                  A     It probably would have been the President, if I was asked. But, otherwise, I  
12 would have done it on my own. But, again, I don't recall.

13                  Q     Okay. It was reported to us that generally your interactions were directly  
14 with the President, that there wasn't anyone, quote, "above you." Is that a  
15 mischaracterization or is that fair?

16                  A     On some days my wife was way above me, but -- but often that was the  
17 case. And then, you know, again, but I'll also say, like, if there were matters where there  
18 were people who were directly responsible, then I would always try to loop them in as  
19 well.

20                  Q     And that's fair. I think we'll accept both of those answers.

21                  A     Thank you.

22                  Q     With regards to the email on Wednesday, November 11th, at the very top,  
23 Mr. Dollman writes back just to you and he says -- now, excuse me. This is on November  
24 11th, 2020. He says, "No debt for DJTFP Gen account, and right now we are still at \$20  
25 million in recount/legal fund."

1                   So about a week after the election, is it fair to say from this email that  
2                   Mr. Dollman understood the campaign to not have any debt?

3                   A     Like I said, I would encourage you to ask Sean about what he meant.

4                   Q     As you're sitting here reading it, is that an unfair thing for a person not  
5                   familiar in politics to take away, reading that email?

6                   A     It doesn't seem unfair based on what's there.

7                   Q     Okay. And in the next paragraph it says, "The RNC has hit their agreed to  
8                   amount of \$10 million for events/rallies and are not taking on any more costs associated  
9                   with events. We have \$2 million allocated to this from DJTFP Gen account."

10                  Do you know what agreement that's referring to?

11                  A     I don't recall.

12                  Q     If it was the joint fundraising agreement, would that make sense to you?

13                  A     I don't recall. Like I said, you know, this was always technical stuff. And  
14                  the guys would go through it. They would come up with whatever it would be. And  
15                  then they'd call me and say, "Hey, we've made a new arrangement on this," or, "Can you  
16                  get involved to help us, you know, adjudicate this little split we have with the RNC." But  
17                  I wasn't sitting there trying to kind of determine what it should be, you know, generally  
18                  speaking.

19                  Q     So I'd like to go back to Mr. Heaphy's question, because he started to touch  
20                  on the "why" of why create the Save America PAC. And to the extent that you were in  
21                  those conversations, can you explain that to us in terms of what was the value of creating  
22                  the Save America PAC?

23                  A     My understanding of it I can give you is basically that the -- again, what I  
24                  recall is that it would be a forum to try and work for reforming of elections and political  
25                  activities. But, again, I don't recall specifically what it was legally set up to do, but that

1 was the understanding of it.

2 And then what I'll just say generally is around this time, you know, after the  
3 campaign, when I moved on to other things, I really handed over the reins of the  
4 campaign and all the fundraising activities and everything to other people and basically  
5 asked them to get approvals on expenses from Trump.

6 And then I really started disengaging from a day-to-day role that I had, the more  
7 hands-on role that I had beforehand.

8 Q When would you say you disengaged or fully disengaged from that role of  
9 dealing with budgeting or messaging or fundraising? When would you say you  
10 disengaged?

11 A Well, fully disengaged was probably Jan 20th. Then I became fully  
12 disconnected and disengaged from political activities.

13 But between probably November 7th or so, November 9th, you know, November  
14 13th, I mean, around that time, through the end I was very nominally involved.  
15 Sometimes I'd get pulled into things.

16 And, obviously, I was always willing to help and, again, have a lot of affinity for a  
17 lot of the people and good relationships and, again, always happy to help. But I became  
18 way less hands-on with regards to what was going on there.

19 Q Was it common for Mr. Dollman to send you financial records like this alone,  
20 being the only person on the email?

21 A Yeah. Yeah.

22 Q Do you know who else he would speak to regarding the finances of the  
23 campaign other than Mr. Stepien?

24 A I don't know.

25 Q Would he ever speak to the President directly?

1           A    I don't know.

2           Q    Can we go to exhibit 77 -- oh, actually one sec.

3                 Actually, if I could ask you one quick question. And I apologize. I don't have  
4 background in politics. So to the extent that you can explain this, it would be helpful.

5                 On the bottom of the page, it says under the General account chargebacks, \$4  
6 million.

7                 Do you know what those are, chargebacks?

8           A    Yes.

9           Q    What are they?

10          A    I thought you were apologizing for going past 4 o'clock, but I'll take your  
11 apology for this one.

12          I believe chargebacks is with credit cards. And so I think sometimes when you  
13 have credit cards there's -- you kind of budget that things get charged back. But I think  
14 it's something that has to do with that.

15          Q    Okay. I wasn't sure if that was the same as in the normal financial world.  
16 So that is good to know.

17          And if you could look at -- it says the remaining spend for digital. If you look  
18 down under the General account, it said the remaining spend for digital as of November  
19 11th would total \$41 million.

20          Why would after the election, why would the General account need \$41 million to  
21 spend on digital?

22          A    The answer is I don't know. But I'll speculate at risk of, you know, screwing  
23 up, like I did with the RGA guy or the Republican AG guy. But my instinct is maybe you  
24 were spending on credit and then you had to kind of make whole on the expenditure that  
25 you had before.

1           And so, again, that's why, you know, you're talking about cash on hand and, you  
2 know, that could be a very elusive number because you also have, you know, payables  
3 and receivables.

4           And so, you know, cash on hand isn't always representative of your financial  
5 situation. And so here this could be additional spend anticipated, or it could be  
6 payables, which would be my instinct on it. But, again, like I said, I'm guessing which is  
7 not the place I'd like to be in this testimony.

8           Q     Is that a Dollman question in terms of where those numbers would come  
9 from?

10          A     Yeah, yeah, yeah, Sean. Like I said, you know, again, I can give you like 2  
11 percent on this stuff. Sean, again, I don't know if you've been talking to him. But he's  
12 probably the best person to take you through this stuff.

13          Q     And in regards to the next line, if you look, the recount column, and I'm  
14 going to -- I know you can't see the top but the right one says "Recount." The left one  
15 says "General." But the right column under "Recount," it anticipates spending \$3.4  
16 million on fundraising for the recount after the election.

17          Was that surprising to you?

18          A     I don't know. Again, it needs more context than that.

19          Q     Well, I guess I was just curious if -- because earlier when you had said you  
20 were really concerned about spending and your reputation for not wanting to be in debt  
21 and kind of, you know, keeping these budgets, I was curious if it seemed like \$3.4 million  
22 to spend on fundraising post-election seemed like a lot of money to you at the time.

23          A     You need more context than that. I apologize.

24          Q     Does it seem like a lot of money, like, sitting here, even in hindsight, that you  
25 would anticipate spending \$3.4 million on fundraising post-election?

1           A     Again, I don't know. You're really asking me this stuff in a vacuum, and I  
2 just -- I really want to get out of the guessing business with you guys. I'd rather just  
3 really be, you know, informing you on things I know. You're asking me for my opinion  
4 on things that you're pulling out of context. And I just, again, I don't want to mislead  
5 you or say something inaccurate.

6           Q     Okay. No, and I understand that. I appreciate it.

7                 If we could turn to exhibit 77.

8                 So I believe these are texts with Gary Coby. Is that who you understand the "GC"  
9 there to be?

10          A     Yes.

11          Q     Okay. And you provided these. So I just want to make sure that I knew  
12 who that proper contact was that you listed.

13                 This is a text I believe that Mr. Coby sent you on November 7th, 2020, after the  
14 election. Was it common for him to send you texts regarding what the organizations  
15 made in terms of fundraising?

16          A     Every now and then.

17          Q     And he said on November 7th, "New highest day ever. Notes: Raised was  
18 consistent to post" -- I'm going to guess "ED" is election day. Is that fair?

19          A     Yes. Again, I believe so. But I don't know for sure.

20          Q     Understood. "Raised was consistent to post-election day numbers, but  
21 there was a large money bomb, lifting it an additional few million dollars.

22                 "Number two. JFA switched at 5 p.m., which isn't the cleanest for my daily  
23 tracking. DJT share noted above is the absolute minimum. I'll update when I have a  
24 more accurate (higher) number."

25                 And you responded, "Great stuff. Wow, that is strong!"

1           And he said -- I'm assuming YTD is year to date. Is that okay?

2           A     Okay. Can you go down? I'm not following you.

3           Q     Oops. Hold on. There we go. Apologies.

4           Can you see it now?

5           A     Yes.

6           Q     And so he writes, number two, which you can see the bottom of, you say,  
7        "Great stuff. Wow, that is strong!"

8           He says, "YTD," year to date, "964.6."

9           Is it fair to assume that's millions?

10          A     I believe so.

11          Q     And you say, "Amazing!!"

12          And if we could scroll down where it's not cut off to the next portion of the text.

13          He says, "Top four days all-time: November 6th: 20.17, November 5th:  
14        16.51, October 22nd: 15.46, 11/4: 15.146, 3/4 post-ED. Digital Only. All Orgs."

15          Is it fair to say that Mr. Coby was telling you that three of the four largest  
16        fundraising days of all time were post-election day digital fundraising only?

17          A     That's what it appears to be saying.

18          Q     And then you write back, "Amazing! Hopefully we can work down the  
19        average number so that we have this money for legal war chest!!"

20          Can you explain what you meant by that?

21          A     I think it's pretty clear. Again, the goal would be to, you know, make sure  
22        that any additional expenses that were incurred, you know, the campaign, are all paid off,  
23        all expenses, and then make sure that you have money for what the legal challenges  
24        would be.

25          Q     And I'm saying this totally honestly. It's actually not obvious to somebody

1 like me who's not from politics. That's why I'm asking you to clarify it. Because what I  
2 don't understand is, if you have an overage number, why couldn't you just spend the  
3 overage on the legal war chest? You say work down the overage so that we have it for  
4 the legal war chest.

5 A No, I'm implying that overage is additional expenses that we incurred.

6 Q Okay. So --

7 A But, again, it could mean a lot of things. Like I said, I really don't want to be  
8 in a position where I'm giving you answers on things that I don't have 100 percent  
9 certainty on.

10 So, like I said, hopefully this helps you. You're looking at my evidence that I've  
11 given you. You're looking at a million things. You're talking to a lot of people.  
12 Hopefully this is part of the puzzle that helps you pull it together.

13 But, again, I really don't want to be in a position where I'm saying the things I  
14 don't have 100 percent -- I don't have 100 percent certainty on.

15 Q No, I appreciate that. And I understand this was a while ago.

16 I think what I'm trying to get a feel for, and you tell me if I'm wrong, is that at least  
17 here your perception at the time, and I think these texts were, what did I say, November  
18 7th, was that the money that you were raising was going to go towards a legal war chest  
19 because it's a few days after the election and you thought you were going to need money  
20 for legal spend?

21 Is that fair?

22 A Yes.

23 Q Okay. And then earlier, and this is not meant to be a memory quiz but just  
24 in the interest of time, I think you remember when we were talking about that email  
25 where you said you wanted to create the new tracker for the new entity for POTUS, Save

1 America, for POTUS' other political activities.

2 So at some point does it change from a legal war chest to having money for the  
3 President to be able to do other political activities?

4 A I believe so. But, again, like I said, that's more legal and technical. But I  
5 believe that at some point it shifted from -- again, you had all these different buckets.  
6 You had the campaign. I don't know if we did a separate legal thing, or maybe that  
7 came from the campaign. You had the RNC. And then you had the new entity that the  
8 President was setting up to do election reform and legal challenges and whatever other  
9 political activities people were anticipating with that. But, again, that was done a little  
10 bit later.

11 Q I'm sorry. I didn't mean to cut you off.

12 A No, no. No problem. Go ahead.

13 Q Was it your understanding that the ways that you could spend the money  
14 were different for the Save America PAC than if the money went to the campaign?

15 A My understanding was that the lawyers kind of determined how this should  
16 work and we followed their guidance.

17 Q And I totally understand that. I'm asking you, sitting here, do you happen  
18 to know if the legal rules relating to expenditures are the same for the campaign as they  
19 are for the Save America PAC or are they different?

20 A I don't know.

21 Q Okay. And earlier I think Mr. Heaphy was asking you regarding some of the  
22 post-election TV ads. And I want to talk with you about that.

23 If we could turn to exhibit 26.

24 I know Mr. Heaphy had asked you about Newt Gingrich's involvement. And  
25 before we kind of dig into some of the emails, just to the best of your recollection, can

1 you describe what you remember Mr. Gingrich's involvement being in the post-election  
2 TV ads regarding election fraud?

3 A I don't recall specifically.

4 Q Okay. If we could look at exhibit 26. This one's a long one, so if you could  
5 scroll to basically, like, the last two pages. I think it's actually two, three, at the bottom  
6 of 17, I believe.

7 Oh, thank you. Page 10. I've been using the wrong page number.

8 Apologies. I've been using the wrong page number. It's page 10 of exhibit 26.

9 If you could -- it kind of, like, straddles both pages, if you can scroll down, keep  
10 scrolling. It's very strange. It goes from 10 to 11. Yes. Okay. Perfect.

11 So this is the bottom of page 10, and then we'll go to page 11, but this is the very  
12 beginning of this email in this email chain. This is from Larry Weitzner to Alexander  
13 Cannon, Zach Parkinson, Carlos Cruz, Evan Tracey, Benjamin Angle, and Jason Miller.  
14 And this email is sent on December 8th, 2020.

15 And if you see at the bottom, it says, "Team, I was asked by Jared and DJT to work  
16 on an ad about election fraud. Attached is a 60-second script."

17 I'm going to pause there for a moment so we don't have to scroll. But can I ask  
18 you, do you remember having conversations with former President Trump about making  
19 an ad about election fraud?

20 A So, again, this is refreshing, again, it's a rough recollection but what I recall  
21 roughly is basically the President saying, "You know, Jared, can we make some ads? I  
22 just spoke to Newt. He thinks we should make ads saying the following," and he says,  
23 "Can you help me?"

24 [Audio malfunction.]

25 █ Mr. Kushner, was that your entire response? I want to make sure

1       that nothing got cut off.

2           Mr. Kushner. No. So then let's pick up right there. Can we go back on the  
3 record?

4           ████████. We're on, yeah.

5           Mr. Kushner. Okay. So I called Larry with the President, let the President  
6 convey to Larry -- or I conveyed to Larry what the President's sentiment was, and then  
7 they got going on generation.

8           BY ████████:

9           Q     And this email is on Tuesday, December 8th, 2020. Would you have said  
10 the call that you and the President made to Larry was on or just before that date?

11          A     I don't recall.

12          Q     Okay. And then if we scroll down, in the next part of the email Larry is  
13 telling the team about the ad.

14           "It will be followed by a 30 focusing the Georgia example and then another on  
15 multi state fraud."

16           Then Mr. Weitzner says, "I know we have significant issues getting the ads on air.  
17 We took out a lot of the language that I think Fox would object to, but I would assume we  
18 get pushback anyway."

19           Do you know what he was referring to there?

20          A     No.

21          Q     In terms of "significant issues getting the ads on air," are you aware of the  
22 truth -- I believe they're called truth and -- let me -- was somebody speaking? Excuse  
23 me. S&P rules? Have you ever heard of these?

24          A     No.

25          Q     Are you aware that even political commercials, standards and procedures

1       are required to make sure that they're not blatantly false?

2           A     Yes.

3           Q     Okay. So if -- is it fair to say that Larry was talking about those issues in  
4     terms of getting the ads on the air?

5           A     I don't know.

6           Q     Okay. When he says they took out a lot of language that Fox would object  
7     to, do you believe he's referring to language that would not have passed S&P procedures?

8           A     I don't know.

9           Q     Okay. Were you aware of the pushback that some of the networks were  
10    giving in response to the truth or lack of truth in the ads?

11          A     No. And, look, just to save you some time, again, I probably was around to  
12    help make that call, but I wasn't that involved from there on forward.

13          And, again, the way it would always work is, you know, we would generate. I did  
14    not have a skill for ad making. Larry was the guy who normally would do it. He would  
15    get feedback from different people. If the President had different things he wanted to  
16    have in it, he would have myself or others convey it. The ad would get made. He  
17    would approve it. And then we'd go from there.

18          So can you go through all those things.

19          Q     [Inaudible.]

20          A     No, go ahead.

21          Q     No, no, I didn't mean to cut you off. You actually said exactly the next thing  
22    that I was going to ask you, which is a minute ago you said that you and the President  
23    called Larry, I believe, to tell him about the ad that you wanted.

24          What did -- excuse me -- did you discuss the substance of what the President  
25    wanted in the ads?

1           A    It's possible. I don't recall.

2           Q    You don't recall the specifics of anything that he wanted?

3           A    I don't recall.

4           Q    He was very particular --

5           A    I don't recall the specifics of the ads either.

6           Q    Is it fair to say, though, that the former President was pretty particular about  
7 what he wanted in ads? Is that fair?

8           A    Generally, yes.

9           Q    Okay. And do you remember having discussions with the President  
10 regarding the purpose of creating the ads?

11          A    No.

12          Q    Did he tell you why he wanted them created?

13          A    I believe he -- I recall him mentioning a discussion with Newt. And that's  
14 kind of all I recall.

15          Q    Did he tell you anything about the content of that discussion with Newt?

16          A    I don't recall.

17          Q    Okay. Did you have any discussions with him about using the ads to put  
18 public pressure on officials before December 14th?

19          A    I don't recall.

20          Q    Okay. I think the ads are millions of dollars. Were there no discussions  
21 about the "why" to spend millions of dollars on these ads after the election?

22          A    Not that I recall.

23          Q    So if you look down the next bit, where he says, "We have a \$10 million  
24 budget to start and it could go to 40," did he get that from you and the President during  
25 your call?

1           A    I don't recall.

2           Q    Who would have had authority to give him that budget?

3           A    I don't know.

4           Q    Then he says, "Ben, can we look at Fox, OANN, Newsmax, and network buys?"

5           I think this should be national as much as possible. I do not know for sure whether this  
6       will be RNC or Trump. Jason is working on that."

7           Do you know who the Jason is that he's referring to there?

8           A    I don't. Probably Jason Miller, but I don't know for certain.

9           Q    And to the extent that you know, just from reading it or to the extent that  
10      you had conversations, when he says, "whether this will be RNC or Trump," do you know  
11      whether he's saying in terms of who will pay for it?

12          A    I don't know. Like I said, you're not going to get much more out of me  
13      here. I don't have a lot more knowledge here. So just for the sake of --

14          Q    No, that's fair.

15          A    Yeah.

16          Q    And to be clear, you're not on the email. He's just telling the team he had a  
17      conversation with you and the President. So I'm asking you, sitting here, reading it now.  
18      So that's very fair.

19          A    No, I appreciate it. Just again --

20          Q    Yeah. And if we could scroll up. So if we could scroll up to exhibit 26,  
21      page 3, get the hang of the page numbers. Yeah.

22           So this is an email on December 9th from Jason Miller to Ben Angle and Larry  
23      Weitzner?

24           And are you familiar with Mr. Angle?

25          A    I'm sorry. Go again.

1           Q     This is an email on December 9th, 2020, from Jason Miller to Ben Angle and  
2     Larry Weitzner. Do you know who Mr. Angle is?

3           A     No.

4           Q     Okay. It's -- he's a buyer for the television ads. But in this email, Jason  
5     says to Ben, "Ben -- per Jared, we need to show the President ASAP one-week plans for 5  
6     million, 6 million, and 10 million, running on Fox, Fox Biz, Newsmax, and OANN."

7           Do you remember having conversations with Jason Miller regarding those buy  
8     plans?

9           A     I don't recall.

10          Q     Would you have suggested the stations Fox, Fox Biz, Newsmax, and OANN?

11          A     Again, I think that I wouldn't really suggest where, how to put ads in. That  
12     was more of a Jason thing.

13          Q     Is it fair to say that -- is it possible or is it fair to say that when he says, "per  
14     Jared, we need to show the President ASAP," did you just relay to Jason what the  
15     President wanted?

16          A     Like I said, I don't recall. But it's possible.

17          Q     Okay. And in the next paragraph he says, "I realize previous plans were for  
18     three weeks, but Jared just said one week."

19          Do you know why the timeline was changed?

20          A     No. I will point out, we've now spent more time on this than I think I did in  
21     the past. So --

22          Q     Okay. That's fair. But you're discussing several million dollars' worth of  
23     ads about election fraud after the election. And in this situation it's kind of worth the  
24     time. So please just bear with me.

25          Is it possible that the reduction in the timeline was from 3 weeks to 1 week

1 because it's December 9th and there are events that are going to happen on December  
2 14th that were relevant to the ads?

3 A I don't know. I don't recall.

4 Q Okay. In the next paragraph under, "Does that make sense?" Jason says,  
5 "For your awareness, if we do the \$10 million option, that would be 5 million from the  
6 campaign and 5 million from the RNC. That's a conversation Jared needs to have with  
7 POTUS and Ronna."

8 Was that a role that you were serving there, having the conversations, negotiating  
9 between the campaign -- probably at that time Save America -- and the RNC who would  
10 pay for what?

11 A Again, if I was asked to have the discussion, I probably would have had it.  
12 But I don't recall having that discussion or being asked to do it. And, again, I don't know  
13 who ultimately paid for the ads. I don't know how much ads were bought. But, again,  
14 it's possible.

15 [REDACTED] Okay.

16 Any questions on this email?

17 [REDACTED] Yeah, just really generally. Away from this particular set of ads,  
18 there's a lot of discussion in the email thread, Mr. Kushner, about the necessity of  
19 substantiating the claims.

20 Zach Parkinson says, "Our legal team is the ones who'd have to substantiate these,  
21 as many of them I cannot." "I," meaning Zach Parkinson, who's a researcher. "Some of  
22 these claims (like suitcase full of ballots) networks can point to fact-checks like this and  
23 say it's not true."

24 Do you recall any general discussion at any time, not just connected to these  
25 particular ads, about claims that couldn't be substantiated or networks refusing to air ads

1 because of the inability to substantiate specific claims therein?

2 Mr. Kushner. Not that I recall.

3 [REDACTED]. At no time during the post-election period do you recall that issue  
4 coming up -- "Hey, we can't say this because it's not substantiated" -- or that affecting  
5 discussions about ad content?

6 Mr. Kushner. I don't recall.

7 [REDACTED]. Did have you any conversations with the President about things that  
8 he wanted in ads that weren't being approved by the networks?

9 Mr. Kushner. I don't recall.

10 And like I said, I'm not trying to be difficult. I just, like I said, this is not a very  
11 memorable one. And if I didn't get these emails, I wouldn't have been refreshed to it.

12 [REDACTED]. Yeah. And, again, to be clear, I'm not just asking about these  
13 emails. I'm just -- generally do you recall that issue, the issue of substantiation, and  
14 whether that was a topic of discussion with you throughout this post-election period with  
15 respect to fundraising?

16 Mr. Kushner. Yeah, I don't recall.

17 [REDACTED]. Yeah. Okay.

18 [REDACTED]. I'm sorry. One moment.

19 If we could turn to exhibit 23, please, page 2.

20 BY [REDACTED]:

21 Q Mr. Kushner, this is an email on December 9th, 2020, from Jason Miller to  
22 Larry Weitzner and Alex Cannon. And the subject line is, "Call-to-action in TV:30."

23 He says, "Larry -- Jared called Alex to call me to call you to offer call-to-action  
24 instructions.

25 "I'm connecting Alex and you directly to cut out an unnecessary leg of this

1       journey.

2           "Alex, here's the latest version of the first ad!"

3           In that email, Jason seems to be representing that he called Alex to call him to add  
4       content to these ads, specifically a call to action.

5           The rest of the email chain makes clear that this call to action is calling legislators  
6       or calling people to demand election integrity.

7           Where did you get that instruction to call Alex and add that?

8       A      Yeah, I don't recall that phone call and I don't recall that instruction.

9       Q      Is that something that you would have come up with on your own, or is it  
10     something that the President would have told you to add in?

11      A      Like I said, I don't recall.

12      Q      If we can go to exhibit 37.

13      So earlier I think ██████████ spoke with you about the text that you sent  
14     Mr. Meadows on December 4th regarding the fact that the Georgia suitcases theory had  
15     been debunked.

16      Do you remember that?

17      A      From our discussion earlier, yes.

18      Q      Did you ever have conversations with President Trump about that issue  
19     being in the ads?

20      A      I don't recall.

21      And like I've said many times throughout this thing, like, my focus at this point in  
22     time was pretty intensely on Middle East peace efforts, the various Middle East deals. It  
23     was on Warp Speed. It was on transition. It was on my family. So that was where  
24     the majority of my head space was.

25      If I got pulled into a thing or two that I had to assist with, that was something I

1 tried to do my best with. But that's where the majority of my head space was.

2 Q No, I totally understand that. I will say from the emails that you produced,  
3 Mr. Kushner, it looked like you got pulled in quite a bit into these television ad discussions  
4 regarding budgeting and spending. And I'm trying to figure out it looks like the  
5 President pulled you in and asked you to handle this. Is that fair?

6 A Asked me -- it feels like he asked me to get it produced. And then, again,  
7 but all of the emails you're showing me, you know, could be a cumulative of, like, under 5  
8 minutes of work. Right? He calls me. "Hey, make an ad. Hey, do this. Hey, give  
9 them a budget. Done. Boom." So it's not a work to do that.

10 Q Well, and we're going to go these emails.

11 But I'll, frankly, cut to the chase that, despite the fact that that text was sent on  
12 December 4th, subsequently you do put that in an ad.

13 So on December 4th you send a text to Mark Meadows saying, "This has been  
14 debunked." And then subsequently you send an email saying this -- that it goes into the  
15 ads. It goes into multiple ads. Did you have any issues with that?

16 A Like I said --

17 Mr. Benson. One minute. I'm trying not to interfere, as you know, but trying to  
18 be careful about how you characterize Mr. Kushner's -- the documents and his answers.

19 [REDACTED]. Mr. Benson, we can't hear you.

20 [REDACTED]. Yeah, Mr. Benson, I'm sorry. We had trouble hearing you.

21 Mr. Benson. I'm just pointing out that the questions [inaudible] and the text  
22 doesn't say that. So I'm just asking to try to be a little more careful about how the  
23 questions are framed.

24 [REDACTED]. The text doesn't say that it was debunked. I see.

25 [REDACTED]. The text says, "Fact check: Video from Georgia does not show

1           suitcases filled with ballots."

2           Mr. Kushner. Yeah. But in fairness, it's from a website. I don't know the  
3       website. And, again, there's been a lot of fact checks about me and other things that  
4       have turned out to be false.

5           So, again, it's not an authority. It's just an article that I found that I sent over.

6           And, again, you know -- and, you know, again, you're cutting to the chase with  
7       your stuff. Like I said, I did not review the ads before they went. I did not create the  
8       ads.

9           And at the end of the day, you know, again, it seems like the point you were  
10      pointing out before is we had fact checkers and networks and all these different things.  
11      And, you know, apparently whatever they did went through that process, so -- and, again,  
12      I wasn't part of that process.

13           So I saw an article. I sent it over to Mark. And, again, I'm not saying that this  
14      article is definitive like a lot of articles that, you know, are written that are not definitive  
15      as well. And I can give you reams of those that have been disproven over time.

16           So, anyway.

1

2 [4:48 p.m.]

3 BY [REDACTED] :

4 Q And I appreciate that, Mr. Kushner. I think what I'm trying to get a hold -- a  
5 handle on given some of your testimony is that I'm going to show you a number of emails  
6 where you are the go-between person, and it looks like you are directly relaying the  
7 President's desires for what's to go in these ads. If that's an unfair characterization, tell  
8 me. But I do not know that you were sitting here saying Biden's words about the fraud  
9 need to go in here or the suitcases need to go in here if you weren't spending a bunch of  
10 time thinking about it. My assumption was the President was telling you what he  
11 wanted in these ads.

12 A Yeah, I was a creative director, so that's a fair assumption. If I was making  
13 suggestions, it was based on feedback I was getting. Most likely -- again, I don't want to  
14 stipulate. Maybe I did have an inspiration. I don't know. But it's -- but like I said, I  
15 don't really recall -- and, again, it's -- you know, ultimately an ad was produced, and I  
16 guess it went out, so --

17 Q Well, and ironically the point that I was going to get to with some of these is,  
18 while you say "I'm not an ad creator and I don't have a lot of input on these," the  
19 President absolutely did, didn't he?

20 A I believe he did, yes.

21 Q I mean, I can go through three or four emails where people say: POTUS  
22 needs to review this. POTUS has concerns that he's yelling. POTUS wants this music.

23 He was very involved in every second of these ads, wasn't he?

24 A I -- he often got involved in the creation of ads.

25 Q Specifically with regards to these ads in the emails that you produced to us,

1 where -- excuse me, in the emails that I'm showing you -- we can go through them and go  
2 line by line -- he was very involved in these election fraud emails, wasn't he?

3 A It appears that way, yeah.

4 Q And I --

5 A But again --

6 Q The election fraud ads is what I meant to say, not emails.

7 A Thank you. No, yeah, I agree with that.

8 Q Okay. And I only say that because I am trying to save time, and I'm not  
9 trying to trick you. There's just a lot where you're the go-between person, and your  
10 name is on an email, but it's pretty clear that what you're doing is the will of the  
11 President, and that's all I was trying to capture.

12 If we could go to exhibit 54, please, on page 1.

13 And, Mr. Kushner, can I just ask you, I read a list of names, but do you know who  
14 Zach Parkinson is?

15 A It doesn't come to -- I think you just said he was a fact checker.

16 Q Okay. I wasn't sure if you knew that independently. I just was curious --

17 A No.

18 Q -- if you had heard the name before.

19 A I did not know that independently.

20 Q And do you know who Alex Cannon is?

21 A Yes.

22 Q Okay. And did you rely on them for input with regards to these ads?

23 A I don't recall.

24 Q Okay. With regards to exhibit 54, if you look -- if we scroll on page 1, it's  
25 about the middle; there's an email --

1           A     Can I just ask, are we really going until 6 o'clock? You guys have had me for  
2     7 hours, and I feel like I've given you pretty much what I've got at this point. So is  
3     there -- how much longer you think we're going to go?

4           Q     Well, Mr. Kushner, here's the funny thing. My section is actually the part  
5     that you're all over, that you are the fact witness for. So, unfortunately, there -- I'm  
6     trying to go as quickly as possible, but you're actually pretty involved in certain aspects of  
7     campaign financing and the digital fundraising. I promise you I'm trying to go as quickly  
8     as possible, but it's actually a really important part of our investigation. So, if you can  
9     humor me and feel a little bit bad for me that my 6 hours is being squeezed into an hour  
10    and a half, I would so appreciate your patience with me right now.

11          A     I will exercise every bit of patience I have, which is not that much, so I'll do  
12    my best. And I do feel bad for you.

13          [REDACTED]. Yeah. And, Mr. Kushner, just in [REDACTED] defense, a lot of what  
14    she's going to show you are documents that we just received from you and your counsel a  
15    couple of nights ago.

16          [REDACTED]. Some hours ago.

17          [REDACTED]. And I appreciate everybody is trying their best, but some of this is  
18    just really recently in our possession, and she's going to try to move through it as quickly  
19    as possible. And we'll endeavor to finish by 6 o'clock, I promise.

20          [REDACTED]. Thank you. So my dream of 4 o'clock is already long gone. My  
21    dream of 5:30 is not -- is too aspirational?

22          [REDACTED]. We'll see. If you remember quickly, we could blow through this.  
23    So if we both work together --

24          Mr. Kushner. Yeah, but, unfortunately, this is stuff -- again, like I was -- we'll go  
25    through it. We'll do the best I can, but hopefully you'll see the theme here, which is

1 there's a lot going on. I was doing my best just to kind of make sure nothing was falling  
2 off the rails with this stuff. But I wasn't intimately involved in a lot of the small stuff  
3 with it, so --

4 Q Okay.

5 A Go ahead.

6 Q So do you have this record that [REDACTED] is talking about? December 22nd,  
7 yeah. Yeah, that'd be great.

8 So this is exhibit 81, and I apologize, our team has been going through the  
9 documents since you've produced them. And, actually, I don't even know where this  
10 one came from, to be fair. I'm going to look over with [REDACTED] for a moment.  
11 But if you could just take a moment and read this email. This is December 20, 2020.  
12 It's from Larry Weitzner to Jason Miller, Carlos Cruz, Nick Poche, and Larry Weitzner.

13 And it says: Newt was the guy pushing that honest election stuff. For national  
14 stop the steal to Newsmax and OANN I will do: Contact your legislators and Governor  
15 today. Help President Trump. For FOX -- I'm going to roll through it, and actually I'm  
16 just going to give you a moment to read if that's okay.

17 A Sure. Yeah. But, again, isn't this consistent with what I just said before?

18 Q It is until I believe you get to page 5.

19 A Okay. Let's go to page five.

20 Q So this is December 20, 2020, and Jason Miller writes: Team, the President  
21 and Mayor Giuliani want to get back up on TV ASAP, and Jared has approved in budgetary  
22 concept, so here's the game plan.

23 So, as of December 2020, was part of your role still approving the budget for  
24 election fraud acts?

25 A I would imagine if it -- it's -- again, like I said, I really don't remember. I

1       don't recall. But it's not inconceivable that, if there was a big expenditure and they  
2       didn't want to call Trump directly, they called me. And for something like that I'd call  
3       Trump and say: Do you want to spend the money?

4           And he would approve it. But, again, I wasn't making the decision here. I was  
5       probably more conduit to Trump at that point.

6           Q     So, when you -- when he says "Jared has approved in budgetary concept," is  
7       that, in fact, you would've talked directly with the President and the President would've  
8       approved the budget and you would've relayed that?

9           A     Yes.

10          Q     Okay.

11          A     Most likely. Again, I really hate to get -- you're pushing me into saying a  
12       lot -- again, I don't have a lot of specific memory about this. And I just -- again, that  
13       thing with the attorney general was kind of the perfect example. Like I'm telling you  
14       that, but I don't have a recollection of going to the President and asking him to approve it.  
15       So I'm giving you what's likely, but I just -- I hate the fact that now I'm answering  
16       questions on things that I don't have specific recollection on. You know what I mean?

17          Q     No, I do. But let me be clear: The reason that we're showing you these is  
18       because if you asked me what I had for breakfast 2 days ago, I couldn't tell you. But  
19       because we have --

20          A     What if I asked you what you had for breakfast a year and a half ago --

21          Q     Exactly.

22          A     -- during a time when you're focused on 10 other things and you were eating  
23       6 other meals at the time that were all much more delicious and important than  
24       breakfast, and that's what you're doing to me now, so --

25          Q     No, and -- but here's the thing: In that answer, Mr. Kushner, I think you're

1        actually answering a question that is kind of at the heart of this, which is, there's a  
2        general tone of all of this that you are basically doing stuff for the President whether you  
3        agree with it or not, right, and you are relaying budget information.

4            And if the President says, "Yes, I want all these false things in an ad, and I want to  
5        spend all that money because Rudy is telling me to," that's what you did, whether you  
6        agreed with it personally or not. And so that is the impression that I have gotten. And  
7        so we can spend all this time, and I want to refresh your --

8            A        But didn't you just spend all this time telling me that there's fact checkers  
9        and rules against putting ads up that have anything -- that can't be proven? I mean,  
10       again, I just think it's like -- yeah, okay.

11           Q        And that's fair. I will tell you there is a reason why we listed only a certain  
12       number of networks who had, we will say different standards and procedures than major  
13       networks. And I'm not going to spend more time with you showing how these ads didn't  
14       make all those other ones. They only made ones that were conservative, that had lower  
15       standards and procedures.

16           There's an email from Mr. Gingrich that says go to Sinclair because they're owned  
17       by conservatives. I don't want to waste your time with all that. Frankly, you're not to  
18       witness to have that conversation with.

19           A        Thank you.

20           Q        I am really trying to keep this to the things that are pertinent to you. And  
21       the reason I have pulled that up --

22           A        Okay. Try to stick to the memorable meals, not the breakfast a year and a  
23       half ago. I'm just begging you. It's been a long day.

24           Q        I'm trying to keep this to memorable meals.

25           A        I'm not in Washington shape. I'm in Miami shape now, so --

1           Q     So here's the thing, if you look at where he writes -- this is Jason: Larry,  
2     you're critical in that we need ASAP feedback on how quickly we can turn around the  
3     updated creative, and, Ben, you're critical in that we need you to tell us how much things  
4     cost and what we can get away with content-wise. And I will stipulate to you that that is  
5     what we discussed earlier trying to get it past those S&P standards.

6           A     Okay.

7           Q     And he says: No need to make perfect the enemy of the good on either  
8     front. He says: The goal is to motivate the GOP base to put pressure on the  
9     Republican Governors of Georgia and Arizona and the Republican-controlled State  
10   legislatures in Wisconsin and Michigan to hear evidence of voter fraud before  
11   January 6th. So these are our four States we truly care about.

12           Do you know where he would've gotten these goals?

13           A     No. Was I on any of these emails? Was I cc'd or -- on any of these  
14   emails?

15           Q     At some point, if I go up high enough possibly. But I will tell you right now,  
16   I don't believe that you are. That's my understanding.

17           A     Yeah, I don't believe I was in these discussions. I wasn't -- so, again, you're  
18   asking me about something I was not really privy to. This is about content creation and  
19   intent for content creation. I wasn't in these discussions as far as I recall.

20           Q     Who do you think Jason got this from?

21           A     I don't know.

22           Q     When you approved the budget for this, did you know anything about these  
23   ads, or did you just approve it without knowing what was in the ads at all?

24           A     I did not know what was in the ads as far as I recall.

25           Q     Okay. I'm showing you at the top here, it says: Team, the President and

1        Mayor Giuliani want to get back up on TV ASAP, and Jared has approved in budgetary  
2        concept.

3            Is it unfair to say that the goals, the mediums, this is coming from the President  
4        and Mayor Giuliani?

5            A     Okay.   Maybe it's fair to assume that they called me and said, you  
6        know -- you know -- I hate doing this.   Again, I don't recall.

7            Q     That's fair.   I'm -- I guess my point is --

8            A     It's just like you're pushing me to a place -- I've told you what I know about  
9        this, and, again, it's -- yeah, and I really -- like I do want to be responsive.   I've tried to be  
10      responsive all day.   I've really -- I tried to produce documents.   I've been trying to be as  
11      helpful as I can be, and I just feel like, again, you're pushing me into something I wasn't  
12      really in, and I'm just not sure how to be helpful here.   So, again, I'll just be patient and  
13      tell you -- and answer your questions, but you're going to get the same -- you're not going  
14      to get more than -- you're not going to get more than exists basically.

15            Q     And I really am not trying to push you, Mr. Kushner.

16            A     No, I know.   I know.   I know.   So --

17            Q     My takeaway from this was that you approved in budgetary concept based  
18      on what the President and Mayor Giuliani told you and likely, frankly, the President.   Am  
19      I wrong?

20            A     Yeah, they didn't need my legal or technical approval.   Again, he wrote it in  
21      an email.   That doesn't even mean that I did it.   Like, again, just because somebody put  
22      in an email it's not like -- so, again, I don't recall.

23            Q     And that's fair.   That's fair.   Can we go back to exhibit 54, please.

24        Exhibit 54, page 1.

25        Mr. Kushner, on December 9th, when Newt Gingrich asked you, Larry Weitzner,

1       John McLaughlin, "Can we do very large social media buys," you responded above that:  
2       You would have to ask POTUS as he has not wanted to.

3                  Do you remember having conversations with the President about why he didn't  
4       want to do large social media buys?

5                  A     No.

6                  Q     Would you have represented that if the President had not told you that?

7                  A     I don't recall, that I don't believe so.

8                  Q     Okay. If we could go to exhibit 55. This email is on December 16, 2020,  
9       and I think we've covered that third week too as former Speaker Newt Gingrich. It says  
10      at the bottom "Newt," so -- but I just want to -- in the interest of time, I'm just going to  
11      read this.

12                 It's an email from Newt Gingrich to Molly Michael, and he copies you and  
13      Congressman Mark Meadows. And he says: I do not understand why the effort to  
14      educate the country about how bad the fraud was is being starved for resources.

15                 Do you know what he was referring to here?

16                 A     No.

17                 Q     If you scroll down, he says: This has been my first exposure to the  
18      ad-making process, and it is extremely disappointing. Everything takes too long and  
19      leads to too little. As McLaughlin's latest poll indicates, we are winning the argument  
20      that there was fraud, despite the media effort to suppress it. You have more than  
21      enough money to saturate from now into January and move the country a good distance.

22                 Is it your understanding that Mr. Gingrich was upset that you guys stopped  
23      spending money on election fraud ads?

24                 A     I don't know.

25                 Q     Okay. If we could go to exhibit 78.

1           Mr. Kushner, these are texts that you produced to us, and I believe Jason -- the JM  
2       is Jason Miller. Is that correct?

3           A     Yes.

4           Q     And these are on December 3, 2020. This is a long one, so I'm going to  
5       scroll down slowly so you have a moment to read it, but it's basically about a release  
6       going out announcing the 270 point -- \$207.5 million raised since election day. And if  
7       you go to the next page -- and I'm sorry, it's actually quite a long text from Mr. Miller.

8           A     It looks like it's a press release, so -- what's the question?

9           Q     On page 4, on December 11th, you say: Can you send ads to Ronna?  
10           Were these the election fraud television ads? Is that what that's referencing?  
11           If you scroll down he says: Also, we have approvals from OAN and Newsmax, but FOX  
12       and even Sinclair are still sitting on the approvals and won't give us a timetable.

13           Is it fair to assume that that's in reference to all the emails that we were just  
14       reviewing in terms of the television election fraud ads that you were discussing around  
15       that time?

16           A     Yeah, I don't recall.

17           Q     On the next page, I don't believe we have a date. It just says: Jared,  
18       attached please find the draft two-week budget for the national and State-specific cable  
19       TV and radio buys requested by the President and Mayor Giuliani.

20           Given the email that we just reviewed, I believe that these are part of the second  
21       wave of ads that would've been around December 22nd, I believe. But without a date  
22       on this text, I apologize, I don't have an exact. If we could get that date, that would be  
23       helpful for reference.

24           He says: I'm hoping to see the President first thing Tuesday morning to make  
25       sure he's still on board with the creative and ad targeting, but I wanted to make sure you

1        were aware of the price tag coming in just below \$5 million before I finalized anything.

2              Would he have needed to have gotten approval from you on that based on that  
3        text?

4              A     No, but it seems like the next reason is why he's coming to me.

5              Q     Because of the payment to Jamestown?

6              A     That's -- again, I don't want to speculate, so I'll just state -- I'll just state  
7        literal.

8              Q     I mean, is it okay to say it says what it says; he came to you for a 0.5 percent  
9        commission increase -- an approval to basically pay a 0.5 percent difference?

10          A     All right. I don't know. Whatever it says in the -- whatever it says in  
11        the -- in the text.

12          Q     Okay. And on page 6, you respond, and I'm -- this is dated December 21,  
13        2020, so we've been assuming that it was relatively close in time. You say: I would  
14        assume this is a continuation of the old work -- and I'm not going to read that paragraph  
15        because it's very fact-specific to the Jamestown situation. But the next paragraph says:  
16        Also, we should discuss to POTUS and make sure he has full transparency on cost and  
17        fees. Let's also discuss which entity it comes from and maybe ask Justin/Alex to review  
18        that.

19          Why would you need to discuss with POTUS to make sure that he has full  
20        transparency on cost and fees?

21          A     Because, again, at this point, I was more checked out and so, again, he was  
22        taking more -- more detailed control over these entities, and so I didn't want -- I didn't  
23        want an expenditure to happen and then him come back and say, why did this happen  
24        one way or the other? So, you know, I felt like it was a good thing for them to do was to  
25        run it by him and just give him full transparency and decisionmaking ability.

1           Q     Okay. And if I could turn to exhibit 25, I just want to talk to you briefly,  
2 generally, because I understand you may not remember the details, but with regards to  
3 your role in fundraising off of the TV ad campaign, if we could look at exhibit 25, page 2.  
4 If you could scroll down, there's an -- it says --

5           A     I can't scroll, so you're --

6           Q     No, no, sorry, I'm talking to -- okay. There we go. So this is an email from  
7 Jason Miller to Gary Coby, and he says: Gary, per Jared, we need to devise a plan to  
8 raise money from the upcoming TV ad campaign we're preparing to launch as soon as  
9 tomorrow.

10          This email makes it sound like it was your idea to devise a plan to raise money  
11 from the upcoming TV ad campaign. Was it your idea, or would that have been the  
12 President's idea and he would've asked you to relay it?

13          A     I don't recall.

14          Q     Exhibit 68, please, page 5, please. There we go, okay. So, on  
15 November 5, 2020, Mr. Dollman sent an email saying: We are putting together the  
16 digital tracker still and will have an update when available. I believe this is in reference  
17 to your request asking for a new tracker.

18          But in response to that -- if you stay right there, [REDACTED] yeah.

19          Mr. Kushner, you wrote back: Can you guys come find me on 15. Let's finalize  
20 this now so that money is coming into the waterfall correctly.

21          Is the "waterfall" a term used to describe the breakup of how money is divided  
22 between the fundraising entities?

23          A     Sorry?

24          Q     Let me rephrase it. When you write in your email "the waterfall," what  
25 were you referring to there?

1           A     Sorry, I wasn't paying attention. Go ahead. Can you say that again?

2           Q     That's okay. I know you've got a lot going on, and I promise I am trying to  
3     kind of streamline this. But you write an email on November 5th to Mr. Dollman, and  
4     you said -- and, actually, I believe it was to Gary Coby, Dollman, Clark, and Stepien. You  
5     say: Can you guys come find me on 15. Let's finalize this now so that money is coming  
6     into the waterfall correctly.

7                 And I'm just trying figure out is the waterfall that description of where money  
8     breaks up into different entities and different buckets?

9           A     Likely.

10          Q     Would you -- do you know who would have decided how the waterfall  
11     worked split-wise?

12          A     It depends which waterfall. It could've been the waterfall at the JFC. It  
13     could've been the waterfall between different entities. So I would say Sean would be  
14     the one who would have the most insight, and then it was always up to the lawyers and  
15     the RNC and all the different agreements. So it was always complicated.

16          Q     Okay. That's super helpful, and we will note who we should talk to for that.

17          Did you have any meetings with the President regarding fundraising after the  
18     election?

19          A     I don't recall.

20          Q     Do you remember meeting with Mr. Coby and the President to discuss the  
21     results of the digital fundraising team?

22          A     I don't recall.

23          Q     Did you have any discussions about whether it was appropriate to continue  
24     digital fundraising after the election?

25          A     I don't recall.

1           Q     Did you have any discussions with anyone to stop fundraising when the  
2 events of January 6th occurred?

3           A     I don't recall.

4           Q     If we could go to exhibit 63. On exhibit 63, on page 1 -- hold on one  
5 second. It's coming up -- you email on November 29, 2020, I believe this is to Justin  
6 Clark, Sean Dollman, Cassidy -- I'm going to butcher that, Dumbauld? Dumbauld?

7           A     Yes.

8           Q     And Alex Cannon. And you wrote: I am traveling for a few days. When I  
9 get back, let's discuss a new system for paying bills where we need DJT to sign off on  
10 them. I want to create a tighter process for going forward. We should have a budget  
11 we approve, and it shouldn't go to him unless approved by Sean and Justin and maybe  
12 Alex.

13           DJT is the former President, correct?

14           A     Yes.

15           Q     And did you create this -- previously, was he reviewing the bills that are  
16 referenced below for legal spend fees?

17           A     I think sporadically in high level.

18           Q     So the email was to basically streamline a process where he should not be  
19 reviewing those bills without you guys reviewing them first?

20           A     No, this seems to me like -- again, this is my interpretation of my  
21 understanding of this email, but this seems like my setting up a structure where I can  
22 start extracting myself from this process, right, because it seems like what I'm doing there  
23 is I'm setting up a way where there's a budget that he approves; people have to sign off  
24 on things, and then it goes to him to approve. And I don't say "come to me," which I,  
25 again, at that point was trying to reduce dependency on for things like this.

1           Q     I see. So you're creating an approval list that extracts you. I understand.

2           A     Trying to design a process to extract myself.

3           Q     That's fair.

4           And do you know -- do you know what the agreement was at this -- well, do you  
5     know the agreement that the RNC ever had with either the campaign or Save America  
6     regarding who would pay which legal fees?

7           A     I don't recall.

8           Q     Do you remember being involved in the emails between the RNC and the  
9     campaign about debates of who would pay those expenses?

10          A     I don't recall. There was always back and forth on different expenses, so  
11     that was not an uncommon thing.

12          Q     Okay. Can we go to exhibit 75.

13          Mr. Kushner, this is an email that you send to Sean Dollman, Dumbauld, Cannon,  
14     Clark, and Coby on December 8th. And you're requesting an updated legal budget on  
15     what we have spent fully and then what is still outstanding and then what the excess  
16     should be in our account. Is that something you would've wanted for yourself, or is that  
17     something you would've requested for the President?

18          A     I don't recall.

19          Q     The reason I ask is because when you said you extricated yourself, there's a  
20     lot of emails like this around this time, and, again, I'm trying to figure out if you were  
21     involved, you really were focusing on the updated legal budget, or you were a conduit  
22     requesting this for the President?

23          A     I don't recall.

24          Q     Okay. We could go to exhibit 62.

25          Mr. Kushner, do you know somebody named Richard Grenell?

1           A    Yes.

2           Q    And who is he?

3           A    He was a guy who was our Ambassador to Germany, Acting DNI.

4           Q    If we could scroll down. The email below is from Richard Grenell, whose  
5       email is ironically [REDACTED], and it's dated November 10, 2020, and it's to  
6       you regarding the Nevada budget. And he says: Below is a 2-week budget which we  
7       need ASAP and also an additional 4-week budget. This includes the expenses for two  
8       people to be sent from Washington from the campaign so no salaries paid by us. We  
9       need a comms person and an operation person, two people ASAP.

10          Given the expenses where it says data for comms and litigation support, was it  
11       your understanding that he was requesting this for post-election litigation in Nevada?

12          A    Yes.

13          Q    Is he with an organization?

14          A    I think he was a volunteer.

15          Q    When he says "from the campaign so no salaries paid by us," do you have  
16       any idea who the "us" is?

17          A    I would imagine it was him and whatever his -- I think it was kind of his team  
18       that was going to go in there to try to do it and basically saying -- again, I'm speculating.  
19       I don't like speculating on things I don't know for certain, and so I'd rather not answer  
20       that if that's okay.

21          Q    That's fair. Did you -- do you remember having any conversations with him  
22       about what they were doing in Nevada?

23          A    I believe they were trying to -- trying to kind of substantiate all of the  
24       different allegations that were being made there.

25          Q    Okay. Do you -- if you scroll up to the top, I believe you forwarded this to

1        Justin Clark and he said: This is fine in the money side. Let me work with the team out  
2        there to find a way to integrate it into what they have out there. Do you have any idea  
3        what he meant by that?

4                [Discussion off the record.]

5        Mr. Kushner. I would imagine -- I'm going to speculate, which, again, I hate  
6        doing but it seems like we probably had an operation out there, and he was saying, like,  
7        let's integrate the two sides together.

8                BY [REDACTED]:

9        Q        When you say you would have had an operation, do you mean the campaign  
10      would have had the --

11      A        Yes.

12      Q        Okay. If we could go to exhibit 74. So, right after this email, you respond  
13      to Mr. Clark the next day, and you say: Have you approved this to him? We should go  
14      through all States and see where we stand.

15      Is the "him" there the President?

16      A        I don't know.

17      Q        Who else would've been able to approve that?

18      A        I don't know. It could've been: Have you approved this to Rick; have you  
19      told Rick that it's approved?

20      Q        Ah, okay.

21      A        That's what it -- that's what it means to me, but, again, I don't know.

22      Q        Okay. No, no, that's super helpful because we don't want to assume, and  
23      so clarity regarding pronouns is always helpful.

24      A        But you -- but that's my assumption. So you have your assumption; I have  
25      my assumption. And just recognize it's two assumptions.

1           Q     If we could go to exhibit 71 real quick. This is an email from Mr. Coby to, I  
2 believe, Dan Scavino and you, dated October 29, 2020, before the election. And  
3 Mr. Coby is proposing to you and Scavino: See below for two potential tweets from  
4 POTUS regarding the 1-week ad ban from Facebook. The goal is to call Facebook out for  
5 this policy because we can't run ads on any breaking news in the lead up to the election.  
6 The MSM -- I believe that's short for mainstream media -- is suppressing the story and  
7 now blocking the President from getting it direct to the people. And then there's  
8 information about the tweets he's proposing.

9                 Do you know if there were other times -- or where Trump campaign officials tried  
10 to put pressure on this kind on -- tried to put pressure like this on social media companies  
11 publicly?

12           A     I don't recall.

13           Q     Do you know if they privately tried to pressure social media companies when  
14 they took actions like this?

15           A     Yeah, we would always engage with them and try to push back. But this is  
16 in regard to Facebook not allowing for new content creation, new content to be put up in  
17 the last week. They made everyone freeze their ads, which put us at a big disadvantage  
18 going into it. And they also -- I mean, this has been pretty widely reported on, but they  
19 also ended up flagging some things as false that ended up not being false. So, you  
20 know, it was -- I mean, again, it's been fairly controversial the actions these guys have  
21 taken.

22           Q     And have you ever interacted with Joel Kaplan, vice president for global  
23 public policy at Facebook?

24           A     Yes.

25           Q     Under what circumstances and why?

1           A    We've met with him several times throughout the years, either on policy or  
2   on campaign-related issues.

3           Q    So you did discuss Facebook policy with him?

4           A    I believe so, yes. Although, you know what, I don't recall specifically  
5   actually. The ones I recall more are the -- there was a loud noise outside. The ones I  
6   do recall are campaign related. I actually don't recall specific policy discussions.

7           Q    Do you remember how the campaign social media platform changed once  
8   the platforms like Twitter and Facebook started to restrict his election-related content?

9           A    I don't recall.

10          Q    Did you have any discussions with anyone regarding a concerted effort to  
11   shift to other platforms like Parler?

12          A    I don't recall. Again, a lot of people had a lot of ideas, but I don't recall.

13          Q    Okay. And I'm just asking for your knowledge, so if the answer is no, we  
14   can blow through these.

15          Were you aware of any conversations about a potential partnership between  
16   President Trump and Parler?

17          A    I was not. Again, it had been mentioned in abstract, but I was not involved  
18   in any of them.

19          Q    After the election, were you aware of any efforts in the Trump campaign or  
20   the Trump administration to monitor "stop the steal" activities on social media  
21   platforms?

22          A    No.

23          Q    Did you ever speak with Dan Scavino about his efforts to reach out to Trump  
24   supporters on social media platforms like Parler?

25          A    No, not that I recall.

1           Q     Do you know if the Trump campaign or Trump administration officials ever  
2     reached out to Reddit to protest the shutdown of the subreddit r/The\_Donald?

3           A     I don't recall.

4           Q     And I promise you these are the last questions I have, and if we're lucky, I  
5     can get done by 5:30.

6           A     Bless you.

7           Q     Are you aware of a company called American Made Media Consultants?

8           A     Not that comes to mind.

9           Q     You've never heard the name?

10          A     I don't recall. Again, it's possible, but it's, you know, it's America made; it's  
11     got a lot of different things. But could you give me more context?

12          Q     Sure. American Made Media Consultants is a vendor, and between  
13     January 2019 and mid-November the campaign and TMAGAC spent more than  
14     \$600 million, nearly half of everything they spent in re-election expenditures, on this  
15     vendor.

16          A     Got it. Was it kind of in a flow-through entity? What was it?

17          Q     Well, what's interesting about this is that public reporting actually says that  
18     you approved its creation in, I think, 2018 it started maybe.

19          A     What did it do?

20          Q     No, it's exactly what you said. I think it may have been a pass-through  
21     account that was used to pay vendors. So that could've been exactly it. I just  
22     was -- you're not familiar with it?

23          A     Again, I'm going to speculate. I remember at the time it was one of these  
24     things where we didn't want things to run through Parscale because, you know, you had  
25     different things where we were -- we were trying to figure out how to reduce spend for

1 agencies. Again, we didn't want people making a lot of money off of the campaign, and  
2 so we were trying hard to reduce those expenditures. And so you needed an entity that  
3 was going to pay to the different -- this is how it was explained to me. It was  
4 recommended to have an entity that would then pay the cost of a lot of your digital, and  
5 so it would be kind of a flow-through entity that, from my understanding is, that what it  
6 was -- that's what it was.

7 Q Did you ever talk with or did you -- what did you understand Sean Dollman's  
8 role to be at AMMC?

9 A I don't recall.

10 Q Were you familiar with his role at AMMC?

11 A Was it a -- what kind of -- can you refresh me on it? Yeah, it seems like it  
12 was an entity more than an operational entity, but, yeah.

13 Q So, if somebody said it was just basically a company on paper that allowed  
14 things to pass through, would you disagree with that?

15 A That's my understanding of it, but, again, I don't recall specifically.

16 Q And are you familiar with anyone at the company that did anything other  
17 than Sean Dollman?

18 A Again, I don't recall. This is something that was set up in the Brad days, I  
19 think, right?

20 Q I believe it was created in April 2018, so I would assume yes.

21 A Yeah.

22 Q And you don't remember any conversations where Lara Trump was picked to  
23 be president and Vice President Pence's nephew John Pence was vice president?

24 A I don't recall.

25 Q Okay. Can you give us one second?

1 A Yeah, of course.

2 Q Okay.

3 [Discussion off the record.]

4 BY [REDACTED]:

5 Q Mr. Kushner, I promise I'm going to try to wrap this up fast. Did you ever  
6 have any conversations with Gary Coby about the content of the fundraising emails after  
7 the election?

8 A [Inaudible.]

9 Q Oh, you're on mute.

10 A Sorry. Not that I recall.

11 Q And I'm sorry, to the reporter, we're -- I don't know -- I don't think we went  
12 off the record, but hopefully we're back on the record.

13 Reporter. We're back on.

14 [REDACTED]. Thank you so much. You want to ask --

15 BY [REDACTED]:

16 Q Yeah, Mr. Kushner, I'd like to show you a text exchange, which we'll mark as  
17 Exhibit 82, and this is a text exchange between Sean Hannity and Kayleigh McEnany that  
18 you are not on, but you're mentioned here, and that's why I'm asking you about it. So if  
19 we scroll down a bit. Well, scroll back up a bit. Hard to read from here. Okay. It  
20 looks like it says: The President just --

21 [REDACTED]. Can you zoom, [REDACTED]?

22 BY [REDACTED]:

23 Q Yeah, can you zoom in a bit. Just filmed a message on national  
24 unity -- national healing. This is great. It will be out shortly. Dated January 7th.

25 And then, if we go down to the next message, and so I think that's Ms. McEnany

1 writing to Sean Hannity. Mr. Hannity writes back: Great news. Also great call with  
2 Eric and Lara.

3 So, if we keep going, Ms. McEnany writes: Love them. That's great.

4 And I promise we'll eventually get to a mention of you, which is why I'm asking  
5 you about this.

6 Call went very well. Then looks like some Twitter things were forwarded. I  
7 don't know what those are. Turned out great, so happy. I'm assuming that's still  
8 referring to the message on national healing.

9 Sean Hannity writes, and this is, again, this is January 7th: Me too. Eric and  
10 Lara were great, also Jared. Key now. No more crazy people.

11 So do you know what he's referring to when he says "also Jared"? Does that  
12 mean he also spoke with you?

13 A It's possible. I don't recall.

14 Q Okay. Do you recall speaking with Sean Hannity in, you know, the days  
15 after January 6, 2021?

16 A I don't recall specifically.

17 Q Okay. Do you remember whether you had any conversations with  
18 Mr. Hannity about the need to have no more crazy people?

19 A I don't recall.

20 █ All right. Mr. Kushner -- or, █ yeah. Go ahead.

21 BY █ :

22 Q Just very briefly. Are you -- one of the things that █ mentioned was  
23 a website called -- it was Reddit the Donald. It was essentially the Donald page on  
24 Reddit where people would talk like an internet forum primarily about President Trump.  
25 Are you familiar with that website at all?

1           A    I'm familiar with Reddit.

2           Q    Okay. What about The Donald page?

3           A    No, I've never been on it.

4           Q    Do you remember hearing anybody talk about it in the White House or on  
5       the campaign?

6           A    I remember people saying it was an active forum, but I don't know. I think I  
7       heard about it when they shut it down. I think that's when I heard about it.

8           Q    Do you remember who talked about it as an active forum just generally?

9           A    I don't recall.

10          Q    All right. So, after that was shut down, that forum went to something else  
11        called The Donald, and it was I think the address was TheDonald.Win. Do you  
12        remember hearing anybody in the campaign or in the White House ever mention that?

13          A    I don't recall.

14          Q    Okay. Thank you.

15           BY [REDACTED]:

16          Q    Sorry, one final question, I promise. Did the campaign or you personally  
17        ever reach out to any social media company employees to complain about platform  
18        actions you perceived as unfair? I think earlier you mentioned an example of that.

19          A    I would imagine we did all the time, yeah. Like, again, I know that we had a  
20        fairly interactive relationship with all the companies, and there was -- they were  
21        constantly doing things that we felt were monkeying -- they kept changing the rules on us  
22        basically, and we kept having to adjust, and so I know that we had fairly active discussions  
23        with all of the entities.

24          Q    Do you remember who had those discussions on behalf of the campaign?

25          A    I don't recall.

1           Q    Okay.

2           BY [REDACTED]

3           Q    Mr. Kushner, just -- we're about done. Have you discussed the fact of your  
4   testimony before the select committee with anyone else, the fact that you were here or  
5   the substance of your testimony other than Mr. Benson? I don't want to hear about  
6   your conversations with your lawyer.

7           A    No.

8           Q    Have you gotten any instruction from anyone about what you should or  
9   shouldn't say during your testimony besides Mr. Benson?

10          A    No.

11          Q    Are you getting any financial assistance with legal fees with respect to  
12   facilitating your cooperation with the select committee?

13          A    No.

14          Q    Okay. We've asked you a lot of questions about a lot of topics, but I want  
15   to give you a chance to say anything else, either to clarify a prior answer or to offer any  
16   information, Mr. Kushner, that you think might be useful to the select committee as we  
17   move forward with our work.

18          A    No, just, look, I hope I gave you guys what you were looking for today. I did  
19   my best to recall everything to the best of my ability, and, you know, hope today  
20   was -- hope today was productive from your point of view.

21          Q    Well, I appreciate that. Not everyone has been willing to voluntarily come  
22   in and talk to us, so I appreciate the fact that you were. And I appreciate your long day,  
23   your patience with us as we ask questions. You know, our task is to try our best to get  
24   to the bottom of what occurred and put it in a context, so I appreciate your willingness to  
25   help us and to do it on a voluntary basis.

1           A     Of course. Well, good luck to you guys, and I hope I'm in touch on other  
2     matters and not --

3           Q     Yes.

4           A     -- in a personal capacity, more things like our criminal justice reform and less  
5     things like -- less things like this.

6           Q     Yes.

7           A     So things that are more collaborative and then less this. So good luck to  
8     you guys. Thank you very much.

9                 [REDACTED]. Appreciate that, Mr. Kushner.

10          Thank you, Mr. Benson. Thank you very much.

11          Mr. Kushner. Take care. Bye-bye.

12          [Whereupon, at 5:37 p.m., the interview was concluded.]

2

3

4

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

15

Witness Name

Date \_\_\_\_\_