

1

2

3

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

8

9

10

11 INTERVIEW OF: ANTHONY ORNATO

12

13

14

15

Tuesday, November 29, 2022

16

17

18

19

20

21 Present: Representatives Aguilar, Schiff, Lofgren, Murphy, and Cheney.

1

2       Appearances:

3

4

5       For the SELECT COMMITTEE TO INVESTIGATE

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

7

8       [REDACTED], SENIOR INVESTIGATIVE COUNSEL

9       [REDACTED], PROFESSIONAL STAFF MEMBER

10      [REDACTED], SENIOR INVESTIGATIVE COUNSEL

11      [REDACTED], SENIOR INVESTIGATIVE COUNSEL

12      [REDACTED], CHIEF INVESTIGATIVE COUNSEL

13      [REDACTED], INDEPENDENT CONTRACTOR

14      [REDACTED], CHIEF CLERK

15      [REDACTED], PROFESSIONAL STAFF MEMBER

16      [REDACTED], INVESTIGATIVE COUNSEL

17      [REDACTED], OF COUNSEL TO THE VICE CHAIR

18

19

20      For the COMMITTEE ON HOUSE ADMINISTRATION:

21

22      [REDACTED], COUNSEL

1

2 For the U.S. SECRET SERVICE:

3

4 ANN ROWLAND, OFFICE OF THE CHIEF COUNSEL

5

6

7 For the U.S. DEPARTMENT OF HOMELAND SECURITY, OFFICE OF THE GENERAL COUNSEL:

8

9 JACKSON EATON

10 JONATHAN PARNES

11 VICTORIA RAPOORT

12

13

14 For THE WITNESS:

15

16 KATE DRISCOLL

17 JAMES KOUKIOS

18 JOSEPH FOLIO

19 KATHERINE KUBAK

20 Morrison & Foerster LLP

21 2100 L Street NW, Suite 900

22 Washington, D.C. 20037

1

2 [REDACTED] Good morning. This is a transcribed interview of Anthony Ornato,  
3 conducted by the House Select Committee to Investigate the January 6th Attack on the  
4 U.S. Capitol pursuant to House Resolution 503.

5 Mr. Ornato, could you please state your full name and spell your last name for the  
6 record?

7 The Witness. Sure. Anthony Michael Ornato, Jr. Last name, O-r-n-a-t-o.

8 [REDACTED] Mr. Ornato, I understand that you are represented by counsel,  
9 Ms. Kate Driscoll.

10 Counsel, could you please identify yourself and any other lawyers or others who  
11 are with you, and can you spell your names for us?

12 Ms. Driscoll. Sure. It's Kate Driscoll, D-r-i-s-c-o-l-l, and I'm an attorney at  
13 Morrison & Foerster.

14 Also with me here today is James Koukios, K-o-u-k-i-o-s, Joseph Folio, F-o-l-i-o, and  
15 Katherine Kubak, K-u-b-a-k, again, all colleagues at Morrison & Foerster.

16 And before we go, may I take the opportunity, I just want to note for the record  
17 that we had agreed with the committee that any potential exhibits used today would've  
18 been sent by November 28th in the morning, and we received approximately 17 exhibits  
19 around noon yesterday, on November 28th. And then, at approximately 12:30 a.m. this  
20 morning, we received 40 additional exhibits.

21 And so we're willing to proceed, but we just wanted to note that for the record.

22 [REDACTED] Yeah, Ms. Driscoll, I understand that. We are going to show many  
23 of those exhibits during the interview, and if you and Mr. Ornato need a minute to review  
24 the exhibit itself on the screen, just let us know, and you obviously can take the time you  
25 need to read it before answering any questions about it.

1           Ms. Driscoll. Thank you.

2           ██████████. Okay.

3           All right. My name is ██████████. It's ██████████. I'm the chief investigative  
4           counsel for the select committee. In the room with me today are ██████████  
5           ██████████ -- she's a senior investigative counsel to the committee -- and ██████████,  
6           who is a professional staff member; and ██████████ and ██████████ also lawyers for  
7           the select committee.

8           I believe we also have some other staff attending virtually. I see ██████████, ██████████  
9           ██████████, ██████████, ██████████, and ██████████, all staff members to the select  
10          committee.

11          I think we have two members of the committee with us -- the vice chair, Liz  
12          Cheney, and Pete Aguilar, Congressman Aguilar, from California is with us as well.

13          Good morning, Congressman Aguilar and Ms. Cheney.

14          Ms. Cheney. Good morning.

15          Mr. Aguilar. Good morning.

16          ██████████. I also understand that agency counsel from Secret Service is  
17          present today.

18          Ms. Rowland, let me start with you and ask you to introduce yourself. I know  
19          you have a statement to read, but maybe you could also introduce the other counsel  
20          from Secret Service or DHS who are present.

21          Ms. Rowland. Thank you, ██████████.

22          This is Ann Rowland from the Secret Service's Office of Chief Counsel. I'm joined  
23          today by Jackson Eaton from the Department of Homeland Security Office of General  
24          Counsel; Jonathan Parnes, also from the Office of General Counsel; and Victoria Rapoport.

25          Today, the Secret Service and the Department of Homeland Security have made

1 available to the committee, consistent with requests from the chairman, information and  
2 records that would not be publicly released. These disclosures include information and  
3 records covered under the Privacy Act, personnel and other personal privacy information,  
4 for-official-use-only information, intelligence and law enforcement sensitive records, and  
5 raw intelligence information.

6 While the Secret Service and the Department have made this information and  
7 records available, we continue to assert that such information and records and any  
8 discussion of such information and records during the course of this transcribed interview  
9 is not intended for public release.

10 The Secret Service and the Department are not waiving any protections and, for  
11 the purposes of administrative efficiency and to promote a constructive dialogue during  
12 this transcribed interview, are making this assertion at the outset of the interview to  
13 preserve all assertions of protection from public release or disclosure for information or  
14 records used or discussed.

15 The transcript and any attachments are protected from further dissemination to  
16 the same extent as the documents and information they are based on. We would ask  
17 that you please consult with the Secret Service and the Department prior to any public  
18 release or disclosure.

19 Thank you, [REDACTED].

20 [REDACTED] Thank you, Ms. Rowland.

21 All right. Did I miss anyone in terms -- I'm just getting a bit of an echo. If  
22 everybody could mute your computers, then hopefully that gets eliminated.

23 All right. Great. Thank you.

24 All right. Did I miss anyone in terms of introductions, anyone who's on who  
25 hasn't been recognized at this point? I don't believe so.

1           Okay.

2           So, Mr. Ornato, this will be a staff-led interview, but members of the committee,  
3           some of whom are already in attendance, may choose to also ask questions. Because  
4           it's a virtual interview, if members join, they will likely do so via Webex and will turn on  
5           their camera if they have any questions. I'll try to announce their presence when they  
6           join so you know who is participating.

7           While this is a voluntary interview and you've not received a subpoena, the  
8           interview will be conducted under oath. There's an official reporter transcribing the  
9           record of the deposition, and she will now administer the oath to you.

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

13          The Witness. I do.

14          [REDACTED]. Thank you, Mr. Ornato.

15          Please wait until each question is complete before you begin your response. We  
16          will try to wait until your response is complete before we ask the next question.

17          The court reporter can't record nonverbal responses, such as shaking your head,  
18          so it's important that you answer each question with an audible, verbal response.

19          We ask that you provide complete answers based on your best recollection. If  
20          the question is not clear, please ask for clarification. If you don't know the answer, then  
21          please simply say so.

22          If you need at any time a moment to confer with counsel, let us know, and we will  
23          accommodate that. If you need a comfort or other break at any time, just let us know,  
24          and we can adjust to accommodate that as well.

25          I want to remind you, as we do all witnesses, this it is unlawful to deliberately

1 provide false information to Congress. Doing so could be a violation of 18 U.S.C. section  
2 1001 and other statutes.

3 Do you have any questions about what I've just gone over?

4 The Witness. I don't.

5 [REDACTED]. Okay. Thank you.

6 All right. I believe Ms. Cheney wanted to make an introductory statement.

7 Ms. Cheney, please go ahead.

8 Ms. Cheney. Thank you, [REDACTED]

9 Mr. Ornato, we are going to spend a significant amount of time today discussing a  
10 range of issues, including, perhaps most importantly, the nearly 150 law enforcement  
11 officers who were seriously injured on January 6th during the violent riot by Trump  
12 supporters at the Capitol. That will be among a number of topics we discuss.

13 But I just wanted you to be aware of and recognize the gravity of the evidence  
14 that the committee has gathered since the last time we spoke, and we will, in fact, be  
15 discussing some issues that we talked with you about previously involving the President's  
16 determination not to tell his supporters at the Capitol who were engaged in the violent  
17 riot to depart the Capitol.

18 Thank you.

19 [REDACTED]. Thank you, Ms. Cheney.

20 BY [REDACTED]

21 Q So, Mr. Ornato, we have had two prior interviews of you, one on January  
22 28th of this year and one on March the 29th of this year. Those interviews were based  
23 on information that the committee had obtained to that point.

24 As Ms. Cheney just mentioned, we have since then obtained significant new  
25 information from other witnesses and from the Secret Service, hundreds of thousands of

1        pages of documents and recordings and information received from the Secret Service.

2            So what we intend to do today, we'll go over some of the same topics that we  
3        discussed without access to that information and focus you on a lot of that newly  
4        obtained information.

5            Again, you have been placed under oath. This is sworn testimony. Your prior  
6        testimony also was covered by section 1001, which I said before, but now, under oath,  
7        additional statutes, perjury included, apply. I want to make sure you understand that.

8            A      I do.

9            Q      Okay.

10          I want to start with the White House letter. I understand that you have been  
11        provided, either through Ms. Driscoll or the Secret Service counsel, a letter that's dated  
12        just yesterday, November the 28th, 2022.

13          [REDACTED], if you could call up -- we've marked it as exhibit 11.

14          And as we go, Mr. Ornato, through the interview, we will show on the screen  
15        documents that we want to ask you about. I'm hopeful that you have the capacity to  
16        see them when they emerge on the screen.

17          A      I do.

18          Q      Okay. Great.

19          So this is exhibit 11. It's the letter that's addressed to Jackson Eaton at the Office  
20        of the General Counsel of the Department of Homeland Security. It's from Richard  
21        Sauber, Special Counsel to the President.

22          Have you received and reviewed this letter?

23          A      We received it last night. I haven't reviewed the whole letter, no.

24          Q      It essentially -- and I'm quoting from the letter in the second paragraph:  
25        "As you are aware, in light of the unique and extraordinary nature of the matters under

1 investigation, President Biden has determined that an assertion of executive privilege is  
2 not in the national interest, and is therefore not justified, with respect to particular  
3 subjects within the purview of the select committee."

4 Do you understand that the current White House has determined that it would be  
5 inappropriate to assert any sort of executive privilege in response to the questions within  
6 the inquiry of the select committee?

7 A I understand.

8 Q Okay. And, again, if you have any questions about that or anything else, at  
9 any point you can talk to Ms. Driscoll. Just let us know.

10 A Yes.

11 Q Let me start, Mr. Ornato, substantively with your role as deputy chief of  
12 operations at the White House. We did ask you about this before, but let me actually  
13 quote from Bobby Engel's recent testimony describing your role and get you to elaborate  
14 a little bit upon what specifically you did as deputy chief of staff for operations.

15 Mr. Engel was asked to "explain why it's important, Mr. Engel, for you in your role  
16 as the head of the detail, to inform Tony Ornato about what you're hearing about events  
17 at the Ellipse or at the Capitol. What's the purpose of that?"

18 Mr. Engel said, "Well, the purpose is a couple of things. One, I want to make  
19 sure that they have awareness of different events that are happening and could impact  
20 either the White House, the area around the White House. Part of Mr. Ornato's role or  
21 function was making sure that the entire folks that were over the Executive Office of the  
22 President received the information if we had to shut down specific areas or shut down,  
23 you know, specific access points or that we changed what we call elevation conditions at  
24 the White House. So providing information, to me, was important to Mr. Ornato and/or  
25 Bo Harrison to make sure that the information got filtered up so that they can filter it to

1       their -- for their communication purposes.

2           "At one point, when I first got to the President's detail during the Obama  
3       administration, the communication to and from Secret Service to the administration was  
4       not as fluid, and we ran into a lot of problems with staff members getting stopped or  
5       couldn't get into the White House complex because we had a specific event happening.  
6       And so a lesson learned is to make sure there's a constant flow of communication that  
7       would potentially impact what was going on."

8           He was asked again, "Ornato was the portal through which that information  
9       traveled, from your perspective? He's the point of contact to further potentially  
10      disseminate information?"

11          The answer from Mr. Engel was, "Yes, sir."

12          So, with Mr. Engel's testimony as a backdrop, Mr. Ornato, describe for us your  
13      understanding of your specific responsibility as deputy chief of staff for operations during  
14      your time in that job at the White House.

15          A      Yes, sir.

16          So, as the deputy chief of staff of operations, my responsibilities were to make  
17      sure that all the agencies and offices that supported the Executive Office of the President  
18      and the White House were communicating.

19          Those agencies that I dealt with on a daily basis were the White House Military  
20      Office, the White House Medical Unit, White House Information Technology, the  
21      Presidential Airlift Group, HMX, and the Secret Service.

22          I made sure that everybody was on the same page and was tracking areas of  
23      responsibility that they would need to act upon and know that everybody had the same  
24      information, which is why we held morning meetings, or a couple times a week, with all  
25      those entities, so we were all on the same page.

1           I was not, in that role, in charge of the protection of the President. That was the  
2       Secret Service and the Presidential Protective Division.

3           Q     And when you say "ensuring that all those entities had information," what  
4       kind of information are you talking about? What was the sort of category of stuff that  
5       you wanted to make sure the Military Office and all those other agencies were aware of?

6           A     Mostly it was our travel information of events and places we would be  
7       traveling to. We would need everybody to know so they can do their coordinations on  
8       where we were going and when we were going.

9           I was also --

10          Q     Did that --

11          A     Oh, sorry.

12          Q     Sorry, Mr. Ornato. Go ahead. I didn't mean to cut you off. Go ahead.

13          A     And in that role with the White House Military Office, I was also in support of  
14       all the classified programs.

15          Q     I see. Did that information about travel or other operations include  
16       security-related issues?

17          A     I'm sorry, can you rephrase the question?

18          Q     The information that you were disseminating, did it include information  
19       about security, about issues affecting the President's or the security of the White House  
20       complex?

21          A     I would not be pushing information of security down to the -- or to that  
22       group. That group, meaning the Secret Service, would push security-related information  
23       to us.

24          Q     All right. Fair to say, Mr. Ornato, that you were the conduit of information,  
25       security-related information, from the Secret Service to others inside the White House?

1        You were sort of that portal of communication?

2            A     I was one of them. I was one of the portals, correct.

3            Q     Well, who else was a portal of communication, beyond you?

4            A     The chief of staff would've been a portal of communication. The M&A  
5     director, Monica Block, worked closely with the Secret Service. She would've been a  
6     portal of communication. The staff advance office, Bobby Peede and Max Miller, they  
7     would work closely with the Secret Service. They would've been a portal of information  
8     as well.

9            Q     You testified to us before that one of your responsibilities was briefing the  
10    chief of staff and, through the chief of staff at times, the President on security-related  
11    issues. Is that accurate?

12          A     That's accurate.

13          Q     Were you also involved, Mr. Ornato, in that role, in the preparation and  
14    planning for specific events?

15          A     I didn't do the actual planning. I would oversee it with the staff advance,  
16    the White House Military Office, the Secret Service, and just make sure they were on task  
17    in their planning.

18          Q     Okay. And if there was a security issue that affected an event or had the  
19    potential to impact an event, would that be something within your area of responsibility?

20          A     That would be brought to my area of responsibility by the Secret Service.

21          I --

22          Q     Okay.

23          A     -- wouldn't be bringing that to the group.

24          Q     No, I understand. We're talking about you receiving information from the  
25    service and then further disseminating it to others, the chief of staff or others within the

1 White House.

2 A Correct. However, the Secret Service could go to the chief of staff direct as  
3 well.

4 Q I understand. But, again, my question is, for purposes of planning and  
5 preparation for events, would you be a portal of communication about security-related  
6 issues that might impact that event?

7 A I was one of the portals, correct.

8 Q Okay.

9 In that role, Mr. Ornato, was it part of your responsibility to monitor outside  
10 intelligence or possible threats, again, receiving that kind of information from the Secret  
11 Service or other sources?

12 A In that role, I wouldn't say I was monitoring outside threats. If I was made  
13 aware of them, I would then -- if I was made aware of them and they wanted the chief of  
14 staff to know, then I would push it up to the chief of staff. But I'm not monitoring  
15 security or threat analysis.

16 Q Was it important for you, in that role, to be aware of intelligence regarding  
17 threats, security issues, that might impact particular events, security of the President or  
18 the White House complex?

19 A I left that up to the Secret Service, and if they deemed that I needed to be  
20 aware of something, then yes. But I relied upon them.

21 Q Only the Secret Service, or were there other sources of that information?

22 A There would be other sources that would come to the table, but mostly, at  
23 events, it would be the Secret Service.

24 When I say "other sources," the White House Military Office had a security group,  
25 but that was mainly just for the White House Military Office, not necessarily for the

1 protection of the President.

2 Q Uh-huh.

3 A The Secret Service was responsible in that duty.

4 Q What about other law enforcement agencies, Federal or otherwise? Did  
5 you have direct communication with the FBI or with Park Police or other agencies about  
6 specific intelligence or threats?

7 A I don't recall having direct communication lines to them for direct, specific  
8 threats. That would be -- the Secret Service was partnered up with those agencies, and  
9 that would funnel through them.

10 Q So the Secret Service would receive such information, and it was through  
11 their channels that information would reach you?

12 A Correct. Or the chief of staff can receive it from his FBI briefings, or the  
13 other Secretary Cabinets, DHS or DOI.

14 Q Yeah. Tell me more about that last statement. The chief of staff had  
15 direct briefings with the FBI?

16 A From my recollection, the chief of staff had a daily briefing -- I believe that  
17 was the PDB, the Presidential daily briefing -- that he would've received from intelligence  
18 and stuff from the FBI.

19 Q Right. The President himself gets a daily briefing from the Bureau and the  
20 Agency, right? And then would Mr. Meadows be a part of that, that meeting?

21 A I believe Mr. Meadows, from my recollection, would have that information  
22 at hand or be briefed upon it. I wasn't part of that.

23 Q All right. That's my question. So, as deputy chief of operations, were you  
24 a part of those meetings or that information from the President's daily briefing?

25 A I was not.

1           Q     Okay.

2           I see that Mr. Schiff and Ms. Murphy, two other members of the committee, have  
3       now joined us.

4           All right. Let's talk specifically, Mr. Ornato, about preparation for January 6th,  
5       for the events at the Ellipse and otherwise on January 6th.

6           Were you involved in monitoring intelligence and information in advance of  
7       January 6th about that event?

8           A     I recall being given [inaudible] briefings and also a few emails on the Secret  
9       Service, open source, of what they were tracking for that event.

10          Q     Okay. We're going to go through some of that here in just a minute.

11          Was the Secret Service your exclusive source of information in advance of the  
12       event, or were there others?

13          A     From what I recall, it was the Secret Service was the source of the  
14       information.

15          Q     All right.

16          And did you have any role at all in planning the President's move to the Ellipse or  
17       the events that were taking place on the White House complex?

18          A     My extent for planning for the event that was on the Ellipse was, I recall  
19       Bobby Peede, who was our staff advance, and Max Miller -- they were the staff for that  
20       event -- coming to me and needing an answer on the stage being built and that, if the  
21       President was going to be on the stage -- because they were still unsure if he was going or  
22       not going -- that they wanted it to be centered on the White House.

23          And so the organization that was holding the event put in a waiver for the line of  
24       sight between the -- I forgot the exact name, but from the White House to the Jefferson.  
25       And it's supposed to be 30 feet off; nothing blocks the line of sight. But they put in a

1 waiver to have it centered in case the President was coming.

2 And I remember talking with the chief of staff on that and submitting an email to  
3 the Secretary of the DOI to make sure that he saw the waiver that they had asked for, the  
4 permit that they had asked for, because they were building the stage that day, I believe.

5 Q Yeah.

6 Ms. Cheney, I see you've turned your camera on. If you want to jump in, please  
7 go ahead.

8 Ms. Cheney. Thanks, █.

9 Mr. Ornato, you mentioned earlier that you worked with the White House Military  
10 Office. Did you do that on a regular basis?

11 The Witness. Yes, ma'am.

12 Ms. Cheney. And did you meet with them daily?

13 The Witness. I don't believe daily, ma'am.

14 Ms. Cheney. Were you familiar with each of the individuals in the office?

15 The Witness. I'm sorry, ma'am. In the White House Military Office?

16 Ms. Cheney. Yes.

17 The Witness. There were a lot of individuals. I wasn't familiar with all of them.

18 I mainly worked with the director of the White House Military Office and the deputy  
19 director.

20 Ms. Cheney. And did you work with the military assistants to the President?

21 The Witness. I saw the mil aides around, yes, ma'am.

22 Ms. Cheney. And did you work with them?

23 The Witness. I didn't have a job function directly working with them. I worked  
24 with the director of the White House Military Office. If I was on a trip with them, I  
25 would be working with them, I guess, if I was in that role; however, not on a daily basis.

1           Ms. Cheney. So the meetings that you had with the office of the military advisor,  
2 the White House Military Office, would've been to plan different aspects of the activities  
3 that were underway each day?

4           The Witness. Yes, ma'am, that would be correct.

5           Ms. Cheney. And those would've included the director of the White House  
6 Military Office as well as the mil aide assigned that day?

7           The Witness. I don't recall the mil aide assigned that day being in the meetings  
8 on a regular basis. Maybe every now and then. But the deputy or the director were in  
9 the meetings.

10          Ms. Cheney. Thank you.

11          The Witness. Yes, ma'am.

12           BY [REDACTED] :

13          Q      Just following up on that, Mr. Ornato, you've mentioned these meetings a  
14 couple of times. Who would normally be present for the meetings that you convened,  
15 either on a regular basis or to prepare for specific events?

16          A      Sure. It would be approximately -- I believe we held them on Monday,  
17 Wednesday, and Fridays. It was a coordination meeting.

18          So it would be myself; my assistant, Bo Harrison. It would be the scheduler,  
19 Mike Haidet. It would be the Secret Service, which would be represented either by  
20 Robert Engel, David Cho, or Ted Arruda. And then it would be the White House Military  
21 Office director and deputy director, which at the time was General John Howerton, and  
22 the deputy director went by "Rain Man," Colonel Hoffman, Garrett Hoffman.

23          And then our White House information and technology director, which -- his name  
24 is Roger Stone. And then the head of Office of Administration, which was Monica Block.  
25 And then our staff advance, which would either be the director, Bobby Peede, or Max

1 Miller.

2 Q And those were standard meetings? Every Monday, Wednesday, Friday,  
3 that group would get together to talk about the schedule and what was coming up?

4 A Generally, we would be discussing what was -- about 2 weeks out we would  
5 have to prepare for, because of all the advance teams that would be traveling a week out.  
6 So that was generally what our meetings would be on.

7 Q Okay. At those meetings, Mr. Ornato, would the Secret Service or others  
8 share information that they had learned about possible security issues or threats that  
9 were posed to that particular event that you were discussing?

10 A Yes.

11 Q Okay. That would be the forum, or a forum, in which that information  
12 would be shared?

13 A Correct.

14 Q And then was there takeaways out of those meetings? Like, mil aide is  
15 going to do this, or the Secret Service is going to do that, or you're going to do something  
16 in response to what you learned at those meetings?

17 A On intelligence you're asking?

18 Q On anything. Just sort of, you come out of those meetings with a list of  
19 takeaways.

20 A We would. Based upon the travel, if the scheduler gave us new travel  
21 information, we would have new advance teams to send. Yeah, there would be some  
22 takeaways. Not always.

23 Q Yeah.

24 Q On security issues, would you then -- if you learned anything about a possible  
25 threat or security issue, would you then pass that along to the chief of staff or others

1       inside of the White House?

2           A     The Secret Service would bring -- they've brought forth protests that would  
3       be happening in Lafayette Park or some area where they bring this -- because Monica  
4       Block, the head of O&A, is in charge of the staff, so they would bring that so she could let  
5       the staff know maybe not to go out the north grounds that day, to go out the south  
6       grounds.

7           So we shared information, so we had -- we had the information flowing to all the  
8       people that were on the complex.

9           As far as anything that was deemed necessary to go to the chief of staff, I don't  
10      recall anything that I would just take. I would normally take the Secret Service with me,  
11      if it was that detailing. Or if there was something that I needed to get with the chief of  
12      staff on, I would tell them that, and they would brief me thoroughly then on that  
13      information.

14           Q     Yeah.

15           We're going to get into preparation for January 6th and go through some  
16      documents in a minute, but do you recall the issue of the Ellipse and possible threats or  
17      security issues with that event coming up during these regularly scheduled meetings with  
18      the folks you just described attending?

19           A     So I recall the Secret Service briefing everybody on all of the groups that  
20      were coming to D.C., the dozens of groups that they were tracking on open source.

21           And then I -- I do recall them briefing that and also making it for everybody's  
22      awareness, of all the groups that were going to be in, so we could properly brief our  
23      personnel that day of what to do, whether stay home or what gates to use and those  
24      things.

25           Q     All right. And did you then, Mr. Ornato, bring that information about the

1 various groups and the intel that Secret Service was gathering to your direct report,  
2 Mr. Meadows, the chief of staff?

3 A So I don't remember specifically the day I did it, but, however, I do know my  
4 general day -- my general work is to brief him on those. And I would've had a  
5 conversation with him about all the dozens of groups that were coming in and what the  
6 Secret Service's take on it was from an oral briefing that I would've gotten from them in  
7 one of those meetings.

8 Q Understood. Okay. And, again, this will be more helpful when we go  
9 through some of the specifics.

10 Last question on this is back to what you said about the sight line. Did you  
11 say -- I want to make sure I understand -- that you reached out directly to the Secretary of  
12 the Interior about this request for a waiver of the unobstructed sight line?

13 A So I wasn't the one doing the requesting. I had reached out on email. I  
14 believe my last interview, I was shown the email. My first interview, I made it aware  
15 that I -- I couldn't recall if I emailed or if somebody else did, but it was me. And then just  
16 to make the Secretary of the Interior aware that there was a waiver put in by the  
17 organization that was hosting so that he can make a decision on it prior to them building  
18 the stage that day so it wouldn't have to be moved or then that the staff would lose and  
19 not have it centered.

20 Q Yeah. So you essentially flagged the request that came from another group  
21 for the Secretary.

22 A Correct. I had run that through Mark Meadows to do that as well.

23 Q Understood. Okay.

24 All right. Let me turn now, Mr. Ornato, to some of the documents. As I said,  
25 since our last interview, we've received hundreds of thousands of documents, recordings,

1 other records from the Secret Service about the events leading up to and on January 6th.

2 You received, personally, were copied on and received many of those documents,  
3 which gives us some sense of your involvement in the White House preparation for and  
4 response to those events.

5 We want to take you through some of those documents and ask you about  
6 specific intelligence received by the Secret Service in the days before and actually on  
7 January 6th. Our hope is that this information helps refresh your recollection of the  
8 security issues that were apparent prior to January 6th and various communications with  
9 the Secret Service and White House personnel about those issues.

10 So my colleague [REDACTED] is going to take you through some of these  
11 documents one by one. Again, we're going to put them on the screen. If you need a  
12 minute to look at the document before you answer the question, just let us know.

13 A Okay.

14 Q Go ahead.

15 BY [REDACTED]:

16 Q Good morning, Mr. Ornato. Nice to see you again.

17 A Good morning.

18 Q I just wanted to go back, before we start going through some of these  
19 emails, to those Monday and Wednesday meetings. We talked about that before in our  
20 prior interviews, and you mentioned Robert Engel would be there, as well as David Cho  
21 and Ted Arruda.

22 Can you just tell me the titles of David Cho and Ted Arruda?

23 A They were the deputy special agent in charge of the Presidential Protective  
24 Division.

25 Q They both had the same title?

1           A    Correct. One was over operations, and one was over the complex. Ted  
2         Arruda was over the complex.

3           Q    And David Cho was over operations?

4           A    Correct.

5           Q    And am I right that Mr. Engel would be their boss, their direct supervisor?

6           A    Correct. He was the special agent in charge.

7           Q    And who would be Mr. Engel's direct supervisor?

8           A    That would be the Office of Protective Operations. At the time, I believe  
9         the assistant director was the new director now, Kimberly Cheatle.

10           And the DADs there -- I don't remember all the deputy assistant directors that  
11         were in Office of Protective Operations at the time, but they would've been -- I believe  
12         Ron Rowe was the DAD over the detail at the time. I could be mistaken on that, but I  
13         believe so.

14           Q    It's just helpful as we go through some of these emails -- and I'll tell you that  
15         you're not on all of the emails, but from the people that you have these meetings with,  
16         some of them are on the emails that we'll go through shortly.

17           A    Okay.

18           Q    So you mentioned Ron Rowe. How about Richard Macauley? Do you  
19         remember what his position was?

20           A    Oh. Yes. He was -- I don't remember at the time. I'm assuming he was  
21         the deputy chief over the White House complex at the time for the Uniformed Division.

22           Q    Okay. But it sounds like Mr. Engel, Mr. Arruda, and Mr. Cho are your  
23         primary contacts within the service in terms of receiving information. Is that fair?

24           A    Yeah, that is. Correct.

25           BY [REDACTED] :

1           Q     And what types of information would they push up to you? If we could  
2 categorize them in some buckets before we march through it.

3           A     Sure. It was a lot of awareness information. Would be just for the staff's  
4 awareness on things happening around the complex, things happening outside the  
5 complex gates but close to the White House, events.

6                 It may be that the service was happening for media-related -- media reports.  
7 They would push all that to make sure that the White House press office was  
8 tracking -- and which we actually had a good line of communication we made, between  
9 the White House press office and the Secret Service media team -- to assist with that as  
10 well.

11          Q     It sounds like there's the operational awareness about the White House  
12 complex and then, as you said, the media, if there's potential media inquiries. Why  
13 would the media inquiries be raised with you?

14          A     Well, just to make sure that the press office from the staff were tracking,  
15 like, if there was, let's say, an arrest. The Uniformed Division, you know, the men and  
16 women there, do a tremendous job, and they find and arrest people with weapons  
17 outside the complex.

18                 And so those things kind of make media attention with the Secret Service, so they  
19 would always want to make sure that the staff press office and the staff are tracking in  
20 case they get asked any questions, that they can push it over to the Secret Service's  
21 media relations team.

22          Q     So, when you say "staff," are you talking about the White House staff, or are  
23 you talking about the --

24          A     Yes.

25          Q     -- Secret Service staff? Okay.

1           A    I'm sorry. The White House staff.

2           Q    So you're receiving it from the service to make the White House staff aware  
3         about any potential news story that might be out there.

4           A    Correct. And there was a conduit between the Secret Service media  
5         relations and the White House staff press as well.

6           Q    So, then, that kind of second bucket of the operational awareness  
7         information that was sent to you, is it just about the White House complex, or is it about  
8         general threats to protectees as well? Understanding that's not your -- wasn't your job  
9         anymore, but general information like that, is that sent up to you?

10          A    Not in general. If there was something at a venue or a site that was outside  
11         the White House complex, on a trip or something of that nature, that could have been  
12         relayed up. But that's another bucket, is, like, during the travel, things that happened  
13         on the travel, for awareness.

14          But, again, I'm not the sole conduit there. The chief of staff could be on trips,  
15         and they would be briefing him on the trip and not necessarily me back in D.C.

16          Q    Okay.

17          I want to start with -- this would be exhibit 12 -- a December 12th email that was  
18         sent to you.

19          Ms. Cheney. [REDACTED] ? I'm sorry.

20          [REDACTED]. Sure.

21          Ms. Cheney. Right before you get to that email, I just want to make sure,  
22         because we're sort of going through buckets of information about -- or types of  
23         information, Mr. Ornato, that you would've relayed.

24          And in your first interview -- or, sorry, your second interview with the committee,  
25         we were discussing with you intelligence reports that there could potentially be violence

1       on the 6th. And Mr. Meadows said to you, "Okay, let's talk about it." We asked you if  
2       you recalled that, and you said, "I don't remember that. But that is something I would  
3       have done. I would've made sure he was aware of this, of the demos and the clashes."

4           And then the question was, "And what intel reports would you have been flagging  
5       for him?" And your answer was, "It would have been the one that -- depending on what  
6       day it was, it would've been something that either Mr. Engel or Mr. Arruda had told us  
7       about or emailed me."

8           So I just want to make sure you're still standing by that testimony, that those kinds  
9       of intel reports you told us about previously are ones that you would have relayed to  
10      Mr. Meadows.

11           The Witness. Yes, ma'am, that is correct.

12           Ms. Cheney. Thank you.

13           BY [REDACTED]:

14           Q     And just to follow up on Ms. Cheney's point, that falls outside of the  
15      White House complex, right, that type of information that you did relay? It was about  
16      the Ellipse rally.

17           A     Correct, in that the Ellipse is part of the White House zone or the  
18      White House Park, as they call it, President's Park, not necessarily in the gates of the  
19      White House. So we could say that it's outside the White House. That's absolutely  
20      fine.

21           Q     Exhibit 12, this is a December 12th email that was sent -- we'll start  
22      sometimes at the bottom of these emails, just so you can keep track of how it was sent to  
23      you.

24           But it looks like it was sent from a Protective Intelligence Division agent, [REDACTED]

25           [REDACTED] Then --

1           Ms. Driscoll. Can we zoom in a little bit? It's very hard to see.  
2           ██████████. Sure.  
3           ██████████. Put it up on the screen. Like, flag it, █████. Thanks.  
4           Yeah. Thank you.

5           ██████████. Is that better, Kate? We'll zoom.  
6           Ms. Driscoll. It's a little better. That's better.

7           The Witness. That's good.

8           ██████████. Great.  
9           BY █████:

10          Q     So we go from December 12th, looks like a Protective Intelligence Division  
11         agent; then it's sent to █████ who I believe is a Secret Service agent at the  
12         Washington Field Office.

13           Then it goes from the JOCATDESK. Can you tell us what that means,  
14         Mr. Engel -- Mr. Ornato? Sorry.

15          A     From my past experience, that had meant the Joint Operations Center  
16         assistant to the special agent in charge desk. That's the supervisor in the Joint  
17         Operations Center.

18          Q     So then that supervisor then sends it to Mr. Engel, Mr. Cho, and Mr. Arruda,  
19         as well as another member of the PPD. But then Mr. Engel sends it to you about a few  
20         minutes, 9 minutes, after he receives it. And the subject line here is "Enrique Tarrio  
21         post."

22           Were you familiar with who Enrique Tarrio was?

23          A     I was not.

24          Q     Do you know who he is now?

25          A     I do now.

1           Q     Okay. And do you remember discussing this with Mr. Engel?

2           A     I don't recall this specific email and discussing it with him.

3           Q     Do you remember having -- well, just so the record is clear, the second email  
4 there says, "For your awareness, the JOC was notified that the below individual was part  
5 of a White House tour this morning. The individual is the leader of the Proud Boys.  
6 There is no known media coverage at this point."

7                 When this was forwarded to you, I understand if you don't remember it  
8 specifically, but do you remember having a general discussion with Mr. Engel or anyone  
9 at Secret Service leadership about the leader of the Proud Boys at the White House in  
10 mid-December?

11          A     I don't remember having a discussion about it. This was forwarded to me  
12 for awareness. I don't know what action he was looking for from me, but it was for my  
13 awareness. So I don't know if we would've talked or he just had forwarded this. I'm  
14 not sure.

15          Q     So that's my next question. What would be a reason this would be  
16 necessary as part of your awareness?

17          A     Again, I don't know. I could -- I could stipulate here and --

18          Ms. Driscoll. I think you mean "speculate."

19          The Witness. -- or, I'm sorry, speculate. I can speculate why, if you're looking  
20 for me to do that.

21                 BY [REDACTED]:

22          Q     I mean, we'll go through a number of them, but, sure, just as a table-setting  
23 as to reasons why things are forwarded to you, that would be helpful.

24          A     Okay. If you can just scroll down a little bit so I can see that para- -- right  
25 there.

1           Oh, no, no, I'm sorry. Go back to where the JOC sent it to Robert Engel with that  
2 paragraph.

3           So, as I read it today, "there is no known media coverage," meaning that there  
4 could be possible media coverage of this gentleman having a tour at the White House.

5           And, at the time, I probably -- I didn't -- I wasn't aware of all the groups and  
6 everything back then, as I am more familiar with them now. However, if it was relayed  
7 to me that that's who that particular person was, I would've made the chief of staff aware  
8 that this had taken place that day.

9           Q      Mr. Ornato, but in mid-December you had to be aware of who the Proud  
10 Boys were, no?

11          A      I don't recall. There was so many groups. I mean, I could've known at the  
12 time. I just don't recall this specific group of knowing -- you know, I knew Code Pink, I  
13 knew -- there's different -- when I was actually working as a special agent in charge, there  
14 were different groups that I was always briefed on and had in my head. During this  
15 time, not being in that environment, I don't recall all the groups that I knew or didn't  
16 know.

17          Q      But the Proud Boys was certainly a group that the former President had  
18 actually called out specifically. Understanding there's many right-wing extremist groups,  
19 but this one in particular had received media attention from the President himself.

20          A      I'm sorry, I just don't recall if I knew it at the time. I -- I just don't.

21          Q      There's another email -- and, Kate, I apologize, it didn't come over in the  
22 packet.

23          You are not on this email, Mr. Ornato, but it's a 12:01 email, about 20 minutes  
24 later, from Ron Rowe, asking Robert Engel -- I'll wait for -- it's the one I emailed you.

25          We'll wait for it, but generally it says that Ron Rowe is asking Mr. Engel why it

1       wasn't brought to Secret Service's attention that the leader of the Proud Boys had a  
2       White House tour.

3                  Does that trigger any memory in terms of having any discussion with Mr. Engel  
4       about this?

5                  A      No, it doesn't.

6                  Q      And does this trigger any memory about having a conversation with Chief of  
7       Staff Meadows about this?

8                  Ms. Driscoll.   We can't see this document.

9                  [REDACTED]:   Sorry.

10                 Ms. Driscoll.   And, again, we haven't received this document, so we'll need a  
11       minute to review it.

12                 [REDACTED].   Sure.   So it's the same email as the one that was shown  
13       before.

14                 And then if you go up, [REDACTED] --

15                 Ms. Driscoll.   It's still really hard to see.

16                 BY [REDACTED]:

17                 Q      Is that better?

18                 A      That's better.

19                 Q      Here we go.   From Ron Rowe to Bob, Mr. Engel:   "Can we get some  
20       specifics on who submitted him for the tour?   Why didn't we pick up on his  
21       role/membership in the Proud Boys?"

22                 Again, and I think that you mentioned that, as you speculated, it might've been  
23       about the media coverage.   So would it have been an issue if the media had covered  
24       that Enrique Tarrio had taken a White House tour at the time?

25                 A      I'm sorry, I was reading the email here.   I'm sorry, can you repeat your

1 question?

2 Q So the email says, "Why didn't we pick up on his role/membership in the  
3 Proud Boys?" And your answer before about speculating as to why Mr. Engel raised this  
4 with you was potentially about the media coverage.

5 Is it fair to say that there would've potentially been negative media coverage if  
6 Enrique Tarrio had taken a White House tour and it was covered? Is that --

7 A Yeah. That's why I would assume that he would've been forwarding it, that  
8 there would've been negative media coverage. But, again, that's -- I'm assuming.

9 Ms. Driscoll. Can I just ask a question? Is he on this email? Because we can't  
10 see. It's very hard to read --

11 [REDACTED]. He's not on this one.

12 Ms. Driscoll. Okay. So just -- you haven't received it.

13 The Witness. Yeah.

14 So I don't know what Mr. Rowe was asking Mr. Engel for. However, the previous  
15 one that you had suggested, I would've assumed he was sending it because there  
16 would've been a negative coverage on that.

17 BY [REDACTED]:

18 Q But you don't remember having a conversation with Chief of Staff Meadows  
19 about this?

20 A I don't specifically. There was so much in my role there that I would have  
21 to make him aware of. This was probably one of the many things that I did bring to his  
22 attention, because that was my normal course of business.

23 Q Okay. So is it fair to say, if Mr. Engel brought something to your attention,  
24 that you would've raised it with Mr. Meadows?

25 A I wouldn't say everything that he brought, but things that he would've

1       brought to my attention that may impact the White House or having media coverage,  
2       good or bad, anything like that, I would push to Mr. Meadows.

3           Q     So you don't have a specific memory, but generally this is something that  
4       you would've addressed with Mr. Meadows?

5           A     Yes.

6           Q     Okay.

7       I want to show you exhibit --

8           BY [REDACTED]:

9           Q     Before you leave that, I just want to be clear, Mr. Ornato. So I understand  
10      the media concern, but this is the national leader of an organization or loose affiliation of  
11      people that had been in the Charlottesville events, had just a month before this been  
12      involved in street violence in Washington, D.C., and their leader is at the White House.

13     And is it --

14     A     Right.

15     Q     -- your testimony that you just weren't aware of that and don't know  
16      whether you passed that along to Mr. Meadows?

17     A     No, sir. Let me explain. We were just talking about that one sentence in  
18      there. I completely grasp what you're saying on who he was and what he was doing. I  
19      would've passed that to Mr. Meadows based upon who he was.

20     I would not have known who submitted him to come into the White House. I  
21      would not have known any of that, as that all gets disseminated through the service to  
22      run background checks. So they would've brought that to us, or to me, on that. I  
23      wouldn't have known that information.

24     But I would've addressed this with Chief of Staff Meadows based upon not just the  
25      media attention but due to the gravity of who the person was, absolutely.

1 Q Okay. All right. I appreciate that. Thank you.

2 BY [REDACTED]:

3 Q Okay. Similarly, this is exhibit 13, and, Mr. Ornato, you are not on this  
4 email. I just want to show it to you for your general awareness, similar to how we just  
5 talked about the Proud Boys.

6 This is an email from December 17th flagging --

7 [REDACTED]. Zoom as much as you can.

8 BY [REDACTED]:

9 Q Yeah. And we'll start at the bottom.

10 We've learned that this is, essentially, a former subject of the Secret Service  
11 reached out to an agent expressing concern regarding, quote, "impending civil unrest"  
12 and also flagging commentary from the leader of the Oath Keepers, Stewart Rhodes.

13 And if you go up, we can read that out loud.

14 Sorry. Sorry, [REDACTED].

15 "I'm quite sure you're familiar with Stewart Rhodes, founder of the paramilitary  
16 right-wing group the Oath Keepers. This morning I read some" --

17 A I don't -- yeah, I'm sorry, I don't recall at the time if I was.

18 Q Right. No, that's not my question. I don't expect you to --

19 A Oh, okay.

20 Q -- have seen this specific email.

21 A Okay.

22 Q But if you go up, it looks like it went to [REDACTED] who's in the Seattle  
23 office. And then it gets sent to, again, the PIOC on duty at the top email we see.

24 This is a December 17th forward from the agent in Seattle, forwarding information  
25 to, essentially, the Secret Service, the hub.

1           Was anything about the Oath Keepers, putting aside the specifics of this email,  
2       brought to your attention?

3           A     I don't remember this specific group being mentioned outside of all the  
4       dozens of other groups that was brought to our attention later in December, from my  
5       recollection.

6           Q     So Oath Keepers isn't one of the stand-out groups? Is that fair?

7           A     That's fair to say.

8           ████████. Jump in anytime.

9           ████████. Yeah.

10          ████████, if you could just scroll down.

11           BY ████████:

12          Q     I mean, this person in -- ████████ is forwarding a link, Mr. Ornato. And,  
13       again, I understand you weren't directly copied on this. But it essentially is a story  
14       indicating "Right-wing militant leader pledges violent support for Trump dictatorship."  
15       And that gets forwarded up to the PIOC for awareness.

16          So I think our question generally is: Setting aside the email, were you aware that  
17       the Oath Keepers and their leader, Stewart Rhodes, were the subject of pretty substantial  
18       reporting that they were pledging violent support for a Trump dictatorship in the days  
19       before January 6th? Did that general subject, not this email, come to your attention?

20          A     I don't remember that general subject coming to my attention. I just  
21       remember from reviewing the documents of the ones that -- dozens of groups on there, I  
22       believe the Oath Keepers is on there. But I don't remember it being pulled out as a  
23       specific topic of conversation.

24          Q     And that goes all the way up until January 6th? You had no specific  
25       information about the Oath Keepers and their possession of weapons, pledging support

1 for violent Trump dictatorship, in advance of that day?

2 A I don't recall that, sitting here today, sir.

3 Q A lot of these messages that [REDACTED] is showing you are from Secret  
4 Service listservs, like the PIOC and the JOC. Are you on any of those internal Secret  
5 Service email listservs, or are you relying on Mr. Engel or Mr. Arruda or Mr. Cho or others  
6 to forward that information to you?

7 A Sir, as far as I recall, I am not on any Secret Service routers. Once I was  
8 detailed over to the position of deputy chief of staff of operations, I was not on any of the  
9 Secret Service routers that any of this information would've been disseminated on. And  
10 I would've been just being told from the Secret Service Presidential Protective Division of  
11 anything informative that would needed to have been passed.

12 Q Understood.

13 Ms. Cheney, go ahead.

14 Ms. Cheney. Thanks, [REDACTED].

15 Mr. Ornato, did you still have your Secret Service phone when you were serving as  
16 the deputy chief of staff?

17 The Witness. I did still have my phone, yes, ma'am.

18 Ms. Cheney. And did you have access to your Secret Service email on that  
19 phone?

20 The Witness. I did have Secret Service email, yes.

21 Ms. Cheney. Thank you.

22 [REDACTED]. I want to welcome Congresswoman Lofgren, who I think has  
23 joined us.

24 BY [REDACTED]:

25 Q Mr. Ornato, just to go back to the PIOC list, just so we're clear who's on

1       these listservs, the PIOC is the -- correct me if I'm wrong -- the Protective Intelligence  
2       Operations Center. Is that right?

3           A    That's what I recall.

4           Q    Okay.

5           And we're going to show another email here. This is exhibit 14, a December 24th  
6       email. And this is from the OSU on duty.

7           And my understanding is that's the Open Source Unit. Is that right?

8           A    I'm not sure who -- you're educating me on that. I never worked in the  
9       Protective Intelligence Division. So "OSU" I know to stand for Open Source Unit, so I'm  
10      assuming that.

11       Q    Okay.

12       This email was sent from the OSU on duty to the PIOC and to the Protective  
13      Intelligence Division, right? We see there. And if you scroll down -- can you all see  
14      that? Is it zoomed properly?

15       Ms. Driscoll. It's a little difficult to read.

16       [REDACTED]. Can you zoom in a little bit more?

17       Thanks.

18       Ms. Driscoll. That's better. Thanks.

19           BY [REDACTED]:

20       Q    Great.

21       So it says "ALCON." What's ALCON, Mr. Ornato?

22       A    I'm not sure. I saw it a lot, but I couldn't tell you right now what it is.

23       Q    Okay.

24       In any event, the paragraph is, "While conducting OSINT research, the message  
25      board www.thedonald.win was discovered. The message board appears to match the

1 below reported information," which then takes you to information that was forwarded  
2 from the SITE Intelligence Group, with the subject line being "'Armed and ready,  
3 Mr. President': Demonstrators urged to bring guns, prepare for violence at January 6th  
4 'Stop the Steal' protest in D.C." And, again, this is from December 24th.

5 And if you -- it's a long -- it's a few pages of the report, but if you scroll down,  
6 there are some kind of alarming posts that are part of this compilation of media posts.

7 One of them, on page 4, it says, "Openly denouncing and disregarding the strict  
8 gun laws of Washington, D.C., several users declared their intention to bring firearms and  
9 other weapons to the march. 'Armed and ready, Mr. President,' wrote one user, with  
10 another declaring they will be open carrying and 'so will my friends.'"

11 So this is, again, something that was prepared by the SITE Intelligence Group that  
12 was then sent and made its way up to the PIOC, to the Protective Intelligence Division,  
13 and then sent out.

14 My first question is: Was any of this brought to your attention, about the  
15 donald.win thread?

16 A I believe in my last interview you had brought up an email like this, if I'm not  
17 mistaken, and that was --

18 Q That's right.

19 A -- one of the first times I saw that -- I believe the first time I saw  
20 thedonald.win that I can recall.

21 And I wasn't made aware of anything with weapons prior to the event as far  
22 as -- what I recall in all of the reporting from the Secret Service was that there was no civil  
23 service disobedience expected from the groups. So I don't recall that being brought to  
24 my attention.

1

2 [11:02 a.m.]

3 BY [REDACTED]:

4 Q So, you're right. You were anticipating my next questions about our last  
5 interview, our March 3rd interview. We did talk about the thedonald.win, and you  
6 mentioned you had not heard of it prior to me asking about it March of this year.

7 [REDACTED]. I see Ms. Cheney has come on. I'll pause there.

8 Ms. Cheney. Thanks, [REDACTED].

9 Mr. Ornato, did you have any discussions with Mr. Scavino about the  
10 thedonald.win?

11 The Witness. Not that I recall, ma'am. I don't recall this website name at all.  
12 For even in my last interview from what I remember, I wasn't knowledgeable on that.

13 Ms. Cheney. And did you have any discussions with Mr. Scavino about the  
14 extensive posts about the potential for violence prior to January 6th?

15 The Witness. I don't recall a conversation with Mr. Scavino about potential for  
16 violence coming from Mr. Scavino.

17 Ms. Cheney. Well, what about discussions with Mr. Scavino -- since they were  
18 monitoring social media -- discussions with Mr. Scavino about posts on social media  
19 about potential for violence on January 6th?

20 The Witness. No, ma'am. I don't recall any conversation with Mr. Scavino on  
21 that. But Mr. Scavino would have most likely have gone direct to the Secret Service, as  
22 he had in the past done that on other things that he saw on social media and forwarded  
23 them to the Secret Service, not necessarily through me, ma'am.

24 Ms. Cheney. Can you give me an example of instances where Mr. Scavino went  
25 directly to the Secret Service about material like this?

1           The Witness. I don't have a specific one. I can just recall a general threat being  
2 made against -- to the President that he would have forwarded to the Secret Service, that  
3 there was a threat on social media, and to make sure that they had already seen it or  
4 were tracking it.

5           Ms. Cheney. What about others in the White House?

6           Did you speak to other people in the White House about posts on social media  
7 about the possibility of violence on January 6th?

8           The Witness. I don't recall receiving any information from other members of the  
9 White House staff on that potential for violence. I just recall it being brought, obviously,  
10 in the Secret Service intelligence assessment or briefing with all the -- I just recall the  
11 dozens of groups that were possibly coming with the no civil disobedience expected, is  
12 what I recall mostly from the briefings.

13           Ms. Cheney. Mr. Scavino -- maybe [REDACTED] can pull this up. We have a  
14 January 3rd document that in the Department of Justice, Mr. Donoghue, told us about  
15 this. It talks about the extent to which there's likely going to be violence on January 6th,  
16 and some level of specificity specific threats on that day.

17           Are you familiar with that document at all?

18           The Witness. I don't believe so, but I'd have to see the document, ma'am.

19           Ms. Cheney. All right. We'll pull that up for you and come back to that.

20           So in terms of -- your testimony is that you had -- did you have any discussions  
21 with anyone in the White House about the potential for violence on January 6th before  
22 January 6th?

23           The Witness. So with that question there, I would have had a discussion with the  
24 Chief of Staff on what the Secret Service had raised as far as all the groups coming and  
25 the potential for the groups to clash, the pro and the anti groups, on the Washington

1      Monument was what I believe was being briefed as a potential. I would have talked to  
2      Chief of Staff Meadows on that.

3            Ms. Cheney. So I believe we asked you about this last time, your discussion with  
4      Mr. Meadows about the potential for violence that day. I think last time you told us you  
5      couldn't recall, but it's something you would have done.

6            The Witness. Right.

7            Ms. Cheney. Maybe we could pull up -- so do you recall it?

8            The Witness. No. That's something as my general course. I went to Mr.  
9      Meadows with multiple things on a daily basis, ma'am. I don't specifically  
10     remember -- because that was my job to make sure he was aware of things that were  
11     taking place, especially things like this. So I would have made him aware of that. I  
12     specifically don't remember the exact time that I did do it, though.

13           Ms. Cheney. But do you recall doing it?

14           The Witness. I don't recall standing there having the conversation with him. I  
15     just know in my normal course, I would have brought this -- these types of things forward  
16     to him.

17           Ms. Cheney. And are you familiar, Mr. Ornato, there's a Teams message that,  
18     again, I'm sure [REDACTED] is going to pull up and show you, from January 5th, where  
19     members of the protective intelligence division indicates that, in fact, the counterprotest  
20     groups were sending messages on social media for their followers to stay home, that, in  
21     fact, this notion that there was going to be a violent clash with antifa, this particular agent  
22     who was tracking social media noted for everybody, that, in fact, the guidance was that  
23     they should stay home, that that was not the threat that day.

24           The Witness. I wasn't aware of that, ma'am.

25           Ms. Cheney. Thank you.

1           Ms. Driscoll. Before we proceed, could we take a five-minute break, please?

2           ██████████. Yeah, we can.

3           Ms. Driscoll. Thank you.

4           [Recess.]

5           BY ██████████:

6           Q      I'm just going to close out another email about the thedonald.win, Mr.

7           Ornato, and then we'll move onto another set of documents. But this is exhibit 15.

8           The last one we just saw was 14, and that was a December 24th email flagging the

9           thedonald.win to the service.

10          This is exhibit 15, December 26th, at 9:21. We're going to see this is from a WFO  
11          agent, ██████████, who was sending it to the PIOC on duty.

12          Now, if you could scroll down, █████ -- well, let's start from beginning. "Good  
13          evening, PIOC, please see the attached guardian regarding the group possibly planning  
14          disruptions in DC on January 6th, 2021. Please let me know if you have any questions."

15          A guardian, so we're all on the same page, is essentially an FBI system to track  
16          threats. Are you aware of the guardian system just generally, Mr. Ornato?

17          A      I am not.

18          Q      So this was sent -- if we go to the second paragraph here, this is  
19          referencing -- the first paragraph, again, references the thedonald.win as part of the  
20          guardian. And then the second paragraph says, "They plan to meet at a bridge in  
21          Virginia. They will be armed. They think they will have a large enough group to march  
22          into DC armed, and it will outnumber the police so they can't be stopped. They believe  
23          that since the election was stolen, that it's their constitutional right to overtake the  
24          government and during this, coup no U.S. laws apply. Another group of Proud Boys will  
25          be in DC already and are planning on blocking the roads with their cars in order to stop

1 traffic."

2       Then, if you go further down -- and this is kind of standard from guardians that the  
3 Bureau keeps, violation questions. And one of the questions there is, "What makes you  
4 believe the attack will occur? How do you know the attack will occur?"

5       And then the response, again, from an FBI analyst or agent entered into the  
6 system, "The Proud Boys have detailed their plans on multiple websites, such as  
7 thedonald.win, and they are planning to overtake the White House."

8       Understanding that you weren't on, again, this -- the email's distribution list, was  
9 any of this brought to your attention as early as December 26th, concerning the detailed  
10 plans as this email references from the thedonald.win of the Proud Boys?

11      A     No, ma'am. I don't recall this.

12      Q     How about generally?

13       I don't want to belabor the point. We did spend some time before the break  
14 about the Proud Boys, but generally about groups planning on being armed and coming  
15 to DC as one big picture. Was that ever discussed?

16      A     In the general basis, I was not -- from what I can recall -- aware of any  
17 potential groups being armed. I don't recall that being a topic that came up.

18      Q     Were you aware the steps that the Metropolitan Police Department took,  
19 including increased messaging about the DC gun laws and not being armed in the District  
20 January 5th and 6th? Did that reach you at all?

21      A     I don't recall that specific topic of weapons -- of being armed and MPD and  
22 all that. I don't believe it did reach me.

23      Q     How about broadly?

24       Again, we're still marching through documents. This is still December 26th, but  
25 generally, apart from what's being provided to you from the service, just as a regular

1 person who's living in -- around the District at the time in anticipation of January 6th,  
2 what was your general awareness about the potential for violence?

3 A Ma'am, during this time here, from what I recall, the President was traveling,  
4 I believe. So we weren't necessarily there. I was on vacation myself I believe during  
5 that time. So it would have been email traffic or phone traffic of anything being passed.  
6 And I don't recall any of that coming to me.

7 Q Separate from coming to you, just as a person who's aware reading the  
8 news, were you aware of any type of potential for violence?

9 A I don't recall, ma'am. I don't recall.

10 [REDACTED]. Go ahead.

11 BY [REDACTED]:

12 Q Mr. Ornato, just to clarify, again, these listservs, I think you testified that you  
13 weren't on them, but you still had access to your Secret Service phone.

14 Would your Social Security device have included emails that were being  
15 distributed among the protective intelligence division, the PIOC, the JOC, those group  
16 emails went to various people within the Secret Service?

17 A Sir, I believe from what I recall when I was detailed over to the White House,  
18 prior to that, I was the Deputy Assistant Director on Investigations. And even when I  
19 was in that position, I wasn't on those specific routers from what I recall.

20 So I remember being on like a headquarters/DC router when I was in that position.  
21 But once I was detailed over, I was taken off of that as well. So I did not have any insight  
22 that I recall of these emails or any routers like that.

23 Q All right. Well, Mr. Engel, then, who at the time that you're Deputy Chief of  
24 Staff, the head of the President's detail, he certainly would've been copied on all of the  
25 PIOC and JOC emails. Is that right? He would have been a member of that listserv that

1 received that intel?

2 A Sir, I don't know that. I'd have to refer to the Secret Service on that. I  
3 don't know.

4 Q All right. We're showing you emails that indicate there was explicit  
5 discussion online about armed attacks on the White House. Within the Secret Service,  
6 within the protective intelligence, that it's going around to these listservs.

7 In your testimony, to be clear, is you didn't personally receive these emails and  
8 you didn't hear anything about this from Mr. Engel or any other source. Is that right?

9 A That's right. I don't recall hearing anything about this, sir.

10 Q And do you know whether or not Mr. Engel, as the head of the President's  
11 detail, would have been in the position to receive information from the PIOC, from the  
12 JOC, from those listservs in which this information was disseminated?

13 A Sir, I don't know if -- what Mr. Engel was receiving from who. I'm not able  
14 to comment on that.

15 Q When you had that job, Mr. Ornato, did you get stuff from the PIOC? Did  
16 you get stuff from the JOC? Were you copied on that stuff routinely?

17 A When I had that job, there is a protective intelligence person that sits in the  
18 EOB or is the liaison with the detail, and they would give the special agent in charge a  
19 briefing. But I'm not necessarily sure I was on all those routers either when I had that  
20 position.

21 Q The head of President's detail, direct communications with somebody  
22 assigned from the protective intelligence detail to make sure that he or she is aware of  
23 these kinds of threats, right?

24 A That's how -- when I was there, that's how it was. I don't know if it was  
25 changed or anything of that nature, sir. I wouldn't be able to comment on that.

1           Q     Yeah. So again, when we've got the FBI saying what type of attack are you  
2 reporting, attempted coup, terrorist attack on January 6th, and that's gets distributed to  
3 the PIOC, that should have been, and likely was, available to the head of President's  
4 detail, correct?

5           A     Sir, again, I don't know. I wasn't in the Secret Service at the time. I was  
6 detailed over. I wouldn't know that.

7           Q     Okay.

8           ████████. Go ahead, █████.

9           ████████. I want to bring up exhibit 16.

10           BY █████:

11           Q     This is an email to you, Mr. Ornato. We talked about this in your prior  
12 interview, and I believe you mentioned it today as well. This is a listing of the  
13 demonstrations in Washington D.C. from December 28th. I'll wait until you -- can you  
14 see that?

15           A     If you go a couple more zoom in. One more. I'm sorry.

16           Q     Certainly.

17           A     That's good.

18           Q     So this was something that was sent from someone in the protective  
19 intelligence division to Bobby Engel, David Cho, Ted Arruda. And then Mr. Arruda, it  
20 looks like, sent it -- forwarded it along to you, David Cho and Robert Sciarrone.

21           What was his position at the time?

22           A     I believe Robert Sciarrone was an assistant special agent in charge over on  
23 the President's detail at that time.

24           Q     Okay. So this is something that then was brought to your attention. And  
25 if, as you mentioned, it goes through a number of different groups and demonstrations,

1       but for each paragraph it says, "There is no indication of civil disobedience," and it goes  
2       on for a number of pages.

3           So the emails that we showed you prior to this were new emails that we had not  
4       shown you before. Obviously, we had shown you this before in the prior interview, and  
5       it led to the question about your awareness and lack thereof about the thedonald.win.

6           Is there any explanation or can you reconcile for us how this is pushed up to you,  
7       but the other, frankly, more specific and detailed information about the potential for  
8       violence was not pushed up to you?

9           A     I don't know, ma'am.

10          Q     And it's from your testimony that not only was it not -- you don't remember  
11       the specific emails, but there was never any discussion about the details that were known  
12       about the potential for violence by the very people that you speak to about potential  
13       security threats, meaning Mr. Engel, Mr. Cho, and Mr. Arruda?

14          A     I don't recall hearing any of those specific details discussed.

15          Q     Okay. Well, was there a discussion about know indication of civil  
16       disobedience? Was that a discussion amongst the leadership of Secret Service and  
17       yourself?

18          A     I recall that document being briefed in a morning meeting by the Secret  
19       Service to our group, and them saying that there were dozens of groups coming, but  
20       there was no expectations of civil disobedience, that being briefed inside our morning  
21       meeting to everybody.

22          Q     Do you remember anyone raising any concern about any of these groups in  
23       that morning meeting, again, based upon what we've seen as far as new information that  
24       the service has provided?

25          A     The only thing I recall is the service, again, highlighting the potential for the

1 groups to clash, if there were anti and pro groups there, that they could clash, but -- and  
2 the amount of people that were coming based upon those dozens of groups coming.  
3 But that's all I recall from our meetings.

4 Q But you'd agree that in the emails shown prior to this, meaning exhibit 13  
5 and 14, where there is specific reference to the Proud Boys and essentially planning  
6 attack, there was never any detail, or have we seen any detail about counter-protesters,  
7 correct?

8 A I'm sorry. There were about two questions in there. Could you repeat  
9 the question?

10 Q Sure. Let me rephrase it.

11 So in the emails that we've shown you up until this one about the details from the  
12 Proud Boys and thedonald.win thread, you'd agree there was no information about the  
13 potential for violence of counter-protesters, correct?

14 A I didn't read through every single one of those emails that you had up on the  
15 board. But what I was being briefed on was that there was a potential between the  
16 clash. So I can't comment on anything else that they were seeing.

17 Q That's my question. When you're being briefed on the potential clashing  
18 between counter-protesters and protesters, who's briefing you on that, question one,  
19 and where is that information sourced?

20 A I wouldn't know where the information's sourced. I just recall them  
21 briefing on that. And a lot of times, our briefings are oral briefings. I don't get sourced  
22 information.

23 Q And who's the "they" in providing the briefing?

24 A The Secret Service I recall briefing that in the morning meeting, that there  
25 was no civil disobedience expected, large number of people coming. So obviously, I

1 think it was a general that there's always a potential for clashing between anti and pro  
2 groups.

3 Q So would that have been from Mr. Engel who provided that briefing, or Mr.  
4 Arruda, or Mr. Cho?

5 A Well, from what I recall, Mr. Cho was with President-elect Biden at the time.  
6 So I believe it would have either have been Mr. Arruda or Mr. Engel, whoever attended  
7 the meeting that day, or both of them. I can't recall each day who was there.

8 Q So my question is, the -- is it an assumption that because there is a crowd,  
9 there will be potential clashing between counter-protesters or protesters, or was there  
10 anything specific as far as threats, warnings, or actual intelligence that pointed to that?

11 A I don't know, ma'am. That's just what I was briefed on. I don't know  
12 where it came from.

13 Q Moving to exhibit 17, this is from December 30th. This is an email sent  
14 from the U.S. Marshals Service Threat Information Sharing and Analysis Center to an  
15 agent in the protective intelligence division, flagging threats from Parler.com.

16 Are you familiar with that website?

17 A I've heard of that website, today. Yes, ma'am.

18 Q Prior to today?

19 A I don't recall when. I've heard of it as a social media platform with the  
20 others, but I'm not on many social media platforms, so I'm not really familiar with it in  
21 depth.

22 Q Just so the record's clear, so you had heard of Parler.com, but you had not  
23 heard of the thedonald.win.com

24 A No, ma'am. I'm sorry. Back -- during this time, I don't know if I was  
25 familiar with Parler.com. I think it was only after reviewing this document that I've

1 heard it recently, but I don't know when I was familiar with it. But I don't believe back  
2 during this time.

3 Q Okay. The email reads, "U.S. Marshals Service is seeing a lot of violent  
4 rhetoric on Parler directed at government people, entities in addition to our protected  
5 persons. It is supposed to be against the TOS for the site, but they don't seem to be  
6 working to tone it down. In the privacy statement, Parler writes they cooperate with  
7 legal requests. I don't know. Is this information you can share, but has U.S. Secret  
8 Service ever submitted legal process to Parler and gotten a response back?"

9 Again, I don't expect you to have seen this particular email, but broadly speaking,  
10 was the violent rhetoric on Parler raised to you by anyone in the Secret Service?

11 A I don't recall that, ma'am.

12 Q And you, separate from receiving information from the Secret Service, was  
13 not aware of Parler prior to January 6th; is that correct?

14 A Correct. I'm not -- I don't recall being aware of Parler at that time.

15 Q Okay. I want to move on to exhibit 18, and 18A.

16 In our prior interview, Mr. Ornato, I had shown you a December 11th protective  
17 intelligence briefing. This -- these two briefings -- we'll start with this one -- is the  
18 December 31st protective intelligence brief from December 31st of 2020, and the  
19 following one is January 4th. But let's start with this one.

20 Now, this seems to be -- unlike the exhibits I've shown you before, this  
21 is -- appears to be, essentially, an intelligence threat assessment, not just email forwards.  
22 And in this particular December 31st protective intelligence brief -- we can scroll through  
23 it a little bit, but I don't want to get too bogged down here.

24 But it talks about the November and December rallies. We had talked about that  
25 before, correct, Mr. Ornato, the prior to MAGA rallies?

1           A     You're referring to the ones that were on the Capitol Grounds and Freedom  
2     Plaza, I believe; is that right?

3           Q     That's right.

4           A     Okay. Yes, we did talk about that.

5           Q     It talks about -- if you go down, [REDACTED], right next to the march for Trump,  
6     January 6th, it talks about if you go down to the picture, the "be there, will be wild" tweet  
7     of President -- former President Trump on December 19th.

8                 The next page talks about the organizers of the Stop the Steal event, and it also  
9     includes the Proud Boys as one of the organizers if you scroll down. And then there's  
10    also a link -- for more information, there's a particular specific Secret Service protective  
11    intelligence brief about the Proud Boys. And then it has some social media posts if you  
12    go to page 3, Operation: Occupy the Capitol. This is from, I believe, thedonald.win.  
13    It's -- a screenshot is there.

14                 And then, it looks like essentially a cut and paste from the prior December 28th  
15    email that we showed you about the no indication of civil disturbance, and that whole  
16    long attachment is there. And there's a paragraph also there about counter  
17    demonstrations.

18                 My question is generally, do you remember seeing this December 31st protective  
19    intelligence brief?

20           A     I don't recall seeing that brief, ma'am.

21           Q     Okay. Then there's also a January 4th belief. And we can bring that up as  
22    well. This is titled, "Notable Trends and Tactics for Consideration Ahead of Potential  
23    Civil Unrest in the National Capital Region." And this talks specifically about January 6th  
24    and the anticipation of -- further down -- approximately 28,000 people in attendance for  
25    these events. And in the second paragraph here, the Proud Boys is flagged as one of the

1 groups who will be attending.

2 So it's arranged a little bit differently. This one has the Proud Boys up top, and  
3 this is a two-page briefing about the trends and tactics, but flagging the Proud Boys.

4 Did you see this January 4th trends and tactics protective intelligence assessment  
5 product?

6 A I don't recall seeing that document either, ma'am.

7 Q Would this have been something that would have been brought up in one of  
8 those Monday meetings planning for the event? January 4th, as we know, was a  
9 Monday. From our prior interview, I remember we talked about January 4th being your  
10 first day back from the holiday and you having a meeting.

11 Looking at this now, was anything like this discussed at that meeting?

12 A I don't recall anything like this being discussed, just what was on the past  
13 document at end with all the groups, as you had stated, that was attached to that other  
14 one from the one we had seen before. I remember that being discussed. I don't  
15 remember either the subject lines on these two documents being discussed.

16 Q So while page 3 of the December 31st brief explicitly cites social media posts  
17 about occupying the Capitol, and the January 4th brief talks specifically about the Proud  
18 Boys, nobody in that January 4th meeting brought up to -- any of this information, is that  
19 your testimony?

20 A That's correct. I don't recall this being brought up.

21 Q Okay. Shouldn't these products be provided to you, Mr. Ornato?

22 And my question is, I understand there's specific emails. It goes to some  
23 low-level protective intelligence division analyst or agent may not reach you, but an  
24 actual product about an event that the President is attending days before, why wouldn't  
25 this have been brought to your attention?

1 A I don't know, ma'am.

2 Q Okay.

3 [REDACTED] Do you?

4 [REDACTED] I don't.

5 BY [REDACTED]:

6 Q Exhibit 19, this is January 3rd. We might have mentioned Mr. Paramore,  
7 Faron Paramore. Do you remember what his position was?

8 A He's currently the deputy director, but I believe he was over the intelligence  
9 as the assistant director then, if I'm not mistaken. I see SII next to his name, so that's  
10 what I'm guessing.

11 Q This is a screenshot that he sent the morning of January 3rd to Kimberly  
12 Cheatle, who would have been, as you mentioned, the supervisor of Mr. Engel at the  
13 time, essentially Donald Trump's Twitter account stating, "I will be there, historic day,"  
14 and retweeting one of the organizers Kylie Kremer saying, be a part of history January  
15 6th, arrive by 9 a.m." And sorry, that's just how it was sent to us. We don't mean to  
16 have it sideways.

17 Again, this is brought to the attention of Kimberly Cheatle on January 3rd. Did  
18 you have any discussion about this?

19 Now, obviously this is the President, himself, saying I will be there, would certainly  
20 have an impact on the number of attendees for January 6th.

21 Were you aware of this tweet, or was there any discussion about the increased  
22 crowds as a result of President Trump's personal promotion of it?

23 A I'm sorry. What date was that?

24 Q This is January 3rd.

25 A I recall -- and I believe we spoke about this in our last interviews of -- that

1       they didn't know the numbers at the time. And they were trying to -- the President, I  
2       remember hearing, I think it was Peter Navarro wanting everybody to tweet out things to  
3       get people there, but they didn't know the numbers. Because the service and my office  
4       obviously wanted to know an estimated number so they had the right number of  
5       magnetometers that would be at the venue. But I remember the numbers were very  
6       fluid at the time, and the organizers didn't have an exact -- not exact, but even an  
7       estimate of whether it was going to be 5- or 30,000 at the time as we got closer.

8           Q     Right. We did talk about the numbers, kind of, fluctuating in the days  
9       ahead. It went from the permit for 5,000 up to 30,000 the night before.

10          But my question is, the fact that the President is saying I will be there, was that  
11       something that you considered as part of your security posture?

12          A     Ma'am -- so again, as my role as Deputy Chief of Staff of Operations, I'm not  
13       in charge of the President's security. So I didn't -- that wouldn't have affected my  
14       thinking. That would have been for the Secret Service.

15          Q     So the fact that the President said I will be there, which logically increased  
16       the number of people who would attend, that, by extension, wouldn't be something that  
17       you would consider as part of your assessment of the threat landscape?

18          A     Again, I'm not assessing the threat landscape. That wasn't my role. I'm  
19       taking the threat landscape from the Secret Service. I'm not the one doing the analyzing  
20       of the threat. And I believe by January 3rd, it was already announced from the  
21       scheduler, from the office, that the President was attending, if I'm not mistaken. So I  
22       think it was -- so the Secret Service had known. Everybody had known at that point, I  
23       believe, that he was going.

24          Q     I'm going to show you a January 4th email. This was an email that Ms.  
25       Cheney referenced earlier, 20A.

1           Ms. Cheney asked if this is something that you might have been aware of. This  
2 was an email -- not the email, of course, but generally the information that was received  
3 by Richard Donoghue, who was the number two at the Department of Justice. Also on  
4 that email is Michael Sherwin, who was the U.S. Attorney at the time. This is from the  
5 counterintelligence unit. If we scroll down --

6           Ms. Driscoll. Can you please zoom in a little bit more? It's hard to see.

7           ██████████. Sure.

8           Ms. Driscoll. Thank you. We can see that. Thank you.

9           BY ████████:

10          Q     This also tracks -- stop there -- I had mentioned earlier about the site  
11 intelligence group. That was part of a forward that the Secret Service received. This is  
12 also about calls to occupy Federal buildings and use of online forums discussing  
13 intimidating Congress and invading the Capitol building.

14          So I think the general point there, this was something that was known, at least,  
15 within the Department of Justice. Was this ever discussed within the Secret Service or  
16 known to you, Mr. Ornato?

17          A     I don't recall this information or this email being brought to my attention.

18          Q     How about generally, any discussion about the potential occupying of  
19 Federal buildings on January 6th?

20          A     I don't recall that being a topic of discussion.

21          Q     Okay. I'm going to show you now what you have received. January 4th,  
22 this is exhibit 20, it's an email similar to the December 28th email, where Mr. Engel  
23 forwards you for awareness the update on expected activity for January 6th. And again,  
24 kind of, the mantra of this long document, it lists 59 potential demonstrations is, for each  
25 of the 59, there is no indication of civil disobedience.

1           And it sounds like Mr. Ornato that was your takeaway of the expectation for  
2 January 6th. Is that fair?

3           A     That's what I recalled being briefed on, is this, correct.

4           Ms. Cheney. [REDACTED], I just want to make sure I understand.

5           So, Mr. Ornato, you told us you were responsible for briefing Chief of Staff and the  
6 President of United States about security issues. And is it your testimony that you had  
7 no indication that there was going to be any violence on January 6th, that you received  
8 no information and had no indication of that?

9           The Witness. I'm sorry, ma'am. One thing you just had said in the beginning, I  
10 was responsible to brief Chief of Staff on things, not necessarily the President of the  
11 United States. I would go -- my chain of command was the Chief of Staff at all times.  
12 The Chief of Staff, though, did receive briefings, I'm assuming here, from the National  
13 Security Council and the NSA as well. I did not have those -- or insight into those. The  
14 National Security Council, as we all know, is made up of members from all different  
15 Federal agencies. I don't know if they had gotten any of these or if the Chief had gotten  
16 it through the NSA or the National Security Council. I was not made aware of -- from  
17 what I recall -- I was not made aware of any potential for violence, except for knowing  
18 that these groups were coming and there was no civil disobedience expected.

19           Ms. Cheney. So you did not -- so your testimony is, that you were not aware of  
20 any potential for violence on January 6th?

21           The Witness. I'm sorry, ma'am. Like I said previously, the violence that was  
22 portrayed to us, or to me, and portrayed in meetings was that there was potential for  
23 groups to clash on the Washington Monument, and I knew National Park Service was  
24 tracking those types of things. However, I don't recall receiving anything that was there  
25 was a potential of violence as we have seen in emails that I did not receive.

1           Ms. Cheney. Well, a potential for groups to clash is violence, is it not?

2           The Witness. It is, ma'am. And I've said that in the past. That's the violence  
3           that I had been made aware of, not specifically the other things.

4           Ms. Cheney. So as somebody who was in a position, Deputy Chief of Staff for  
5           operations, with knowledge that the President was going to be at the Ellipse -- and we'll  
6           talk about the Capitol in a little bit here -- your testimony is that you had no knowledge  
7           that there were any plans for violence that day? All of the social media posts, all of the  
8           intel that was widely available and widely shared and spread throughout the government,  
9           including the Department of Justice, the FBI, Department of Homeland Security, Secret  
10          Service, your testimony is that none of that reached you?

11          The Witness. Ma'am, I don't recall the specific calls for violence in those emails  
12          and social media posts. I recall, like I said, being briefed upon for clashes of groups for  
13          violence on that day, and that's what I would have briefed to Mr. Meadows.

14          Ms. Cheney. Thank you.

15           BY [REDACTED]:

16          Q      I'm going to bring up a January 5th, 21A, [REDACTED], this is the 11/22 email.  
17          And obviously, this is the day before January 6th, and there's preparations within the  
18          service happening. I don't expect you to know the level of detail about the assignments  
19          or the people on a spreadsheet, but I'm -- this is an email.

20          If you scroll down, [REDACTED], it starts with January 5th, 11:10 a.m., Chris Hendersen  
21          who appears to be the Deputy Assistant Director, Office of Investigations.

22          Were you familiar with him, Mr. Ornato?

23          A      I did know Chris, yes.

24          Q      And it's to, I believe, Matt Miller. I believe he's at Washington field office.  
25          "Matt, in case of extreme civil disturbance, question mark, do we have appropriate

1 protective equipment at WFO to outfit any of these external posts?"

2 Questioning, "Where is the equipment stored?"

3 If you go down, just to give some further context of this email, it appears to, again,  
4 go through a level of detail about the number of posts and where folks would be on the  
5 6th. And then, if you scroll up, [REDACTED], it's a response from Mr. Miller indicating what  
6 type of shields the service has.

7 Just to follow up on Ms. Cheney's point, it appears Mr. Hendersen is essentially  
8 anticipating some sort of, as he says, extreme civil disturbance and planning for that  
9 essentially to make sure that the agents of the service are fully protected.

10 Is that anything that reached you, or as a concern was raised to you by anyone  
11 within Secret Service?

12 A I don't recall knowing of any planning that was taking place by the service for  
13 this email here that you've just shown me.

14 Q But separate from the planning that took place -- again, there appears to be  
15 some general expectation that there would be some level of violence on the 6th in terms  
16 of planning for protective equipment.

17 Is that fair based upon, kind of, your experience with the service, is this what this  
18 email indicates?

19 A Again, the potential for violence, as I've indicated, was that I was briefed on  
20 the two groups clashing. So that was the expectation that I was informed of of violence.  
21 So I don't know anything further that I can recall from that.

22 Q Okay. Exhibit 22 --

23 Ms. Cheney. [REDACTED], I just wanted to follow up.

24 [REDACTED]. Oh, sorry.

25 Ms. Cheney. So I just -- you keep saying, Mr. Ornato, the only thing that you

1 recall is being briefed on no possibility of civil disobedience.

2 Did you see any intelligence after January 2nd that indicated that?

3 The Witness. I'm sorry, ma'am. Did I see any intelligence after January 2nd  
4 that indicated what? What was the question?

5 Ms. Cheney. That there was no concern about civil disobedience?

6 The Witness. From what I recall, I believe there is a January 4th that we just  
7 saw -- document, I thought it was January 4th, that had all the groups listed saying there  
8 was no civil disobedience expected.

9 Ms. Cheney. And after that, did you receive any updated intelligence after  
10 January 4th?

11 The Witness. I don't recall the documents. I don't recall receiving anything  
12 more than that document there, which was naming the groups, the dozens of groups and  
13 the no civil disobedience expected. That's what I can recall being briefed upon in our  
14 meetings.

15 Ms. Cheney. So your role was to make sure that the decision makers in the  
16 White House had information that they needed about the security situation, and you  
17 determined to rely on intelligence from January 4th.

18 You got no update after that about any potential for violence on the 6th?

19 The Witness. I believe there was another update from the service, but it was still  
20 the same. But the White House doesn't solely run upon -- I'm not there to analyze  
21 intelligence. I'm just bringing anything that's brought to me that was intelligence from  
22 the service at the time. There are other conduits to the Chief of Staff that would bring  
23 in the intelligence from the Justice and from all different -- the NSA and all that. It just  
24 doesn't flow through me, ma'am.

25 Ms. Cheney. So your role was sort of just a passive one, whatever happened to

1 show up on your desk, you'd pass on?

2           The Witness. I wouldn't say it was passive. It was whatever was brought to my  
3 attention in our meetings from our day-to-day experiences with the White House military  
4 office and the entities that I dealt with on a daily basis that would be passed up to the  
5 Chief of Staff.

6           Ms. Cheney. So the email [REDACTED] just showed you, if, in fact, there was  
7 concern about extreme civil disobedience, is it your testimony that you never were aware  
8 of that?

9           The Witness. I don't recall seeing or hearing anything of extreme civil  
10 disobedience.

11          Ms. Cheney. And if you had been aware of all of the intelligence we've been  
12 showing you, what would you have done?

13          The Witness. The intelligence that you are showing me today would have been  
14 brought to the Chief of Staff, his attention.

15          Ms. Cheney. You would have brought it to his attention?

16          The Witness. Yes, ma'am.

17          Ms. Cheney. If you'd been aware that there were armed individuals planning to  
18 invade the Capitol, armed individuals planning to gather in Washington, D.C. on that day,  
19 what would you have done with that information?

20          The Witness. I would have -- if I was made aware of that by the service you're  
21 saying?

22          Ms. Cheney. By anyone.

23          The Witness. If I was made aware of it, it would have been through the Secret  
24 Service, I would have asked them were all the other law enforcement agencies tracking,  
25 and then I would have also passed it to the Chief of Staff and whatever answer the service

1 would have given me, I would have let him know that Capitol Police, Park Police, all the  
2 other agencies are tracking per the Secret Service. That would have been my role.

3 Ms. Cheney. And your testimony is that you did not do that in the lead up to the  
4 6th?

5 The Witness. My testimony is I don't recall receiving any of this information.

6 Ms. Cheney. Or any other information about the potential for violence on that  
7 day?

8 The Witness. Just for the groups clashing on the Washington Monument is what  
9 was brought to my attention.

10 Ms. Cheney. Thank you.

11 BY [REDACTED]:

12 Q Mr. Ornato, I want to bring up an email, exhibit 21, to follow up on Ms.  
13 Cheney's point about what you would push up. This looks like an email that's sent -- we  
14 start at the bottom from someone at the White House office of governmental affairs.  
15 And in the email is a link to a news story essentially describing Mayor Bowser's decision to  
16 request the National Guard.

17 And this is January 4th at 1 o'clock is when the email first occurs, and then it is  
18 sent from Julia Neshciwat, I believe NSC, and then sent to a particular group at the White  
19 House itself, that includes yourself, Judd Deere, Brian Mergenstern, Ben Williamson, Beau  
20 Harrison, Robert O'Brien and Matthew Pottinger.

21 And in the email it says, "Thanks, Doug. Briefed on this morning with Matt.  
22 The NG," National Guard, "will not be sent out, but stand ready should a crisis occur."

23 Were you at that briefing, Mr. Ornato?

24 A I don't recall being at that briefing. That's the NSC is what I see there, Julia  
25 Neshciwat and Matt Pottinger.

1           Q     Okay. Then it looks like you forwarded this to Mr. Engel, at the top,  
2     10 minutes after you received it.

3                   So just -- scroll up.

4                   So just zooming out a bit, Mr. Ornato, the Mayor requested the National Guard  
5     broadly in light of the intelligence the DC government was seeing that called for,  
6     essentially, assistance to the Metropolitan Police Department, which is one of the reasons  
7     she requested the Guard.

8                   She also, at that time, urged people to stay out of the District. And that's all  
9     broadly in the news story, and it looks like it was discussed at a briefing, whether you  
10   remember it or not, but at that point on January 4th, it appears -- we'll use the words of  
11   the email -- should a crisis occur, that there was at least a discussion about the potential  
12   for violence, broadly speaking, within the White House.

13                  Is that accurate?

14                  A     I wouldn't say that's accurate as far as my knowledge of this. I think we  
15   talked last time about the National Guard and what I recall on that. And that was, the  
16   Chief of Staff had a phone call with the D.C. Mayor, and was talking to her about this.  
17   And I believe from what I recall is that the D.C. Mayor had asked for approximately 300 or  
18   so National Guard to help with traffic posts in D.C., and I was relaying that information to  
19   Robert Engel there. That was my recollection on the D.C. National Guard.

20                  Obviously, I would have sent this, or briefed Mr. Meadows if Robert O'Brien was  
21   on it, who was the NSA at the time, to make sure he was aware of this. But I remember  
22   Mr. Meadows having the conversation with the D.C. Mayor because I happened to walk  
23   into his office, and he waved me in. And he was on the phone with the D.C. Mayor in  
24   offering assistance with the National Guard. And I remember that for -- to bring  
25   National Guard, or have them on standby. From what I recall, it was because of the

1 large amounts of numbers that they thought that they were going to bringing in, or that  
2 was coming into D.C., and that was the concern.

3 Q Right. We did discussion the conversation you overheard between Mr.  
4 Meadows and Mayor Bowser.

5 My question is broadly speaking, though, and part of the article talks about that  
6 the intelligence calls for the crowds, but also talks about Chief Contee, quote, saying,  
7 "people are intent coming into the city armed."

8 So was the broader discussion there about the reasons behind the requests for  
9 the National Guard, not the specifics of 340 National Guard, but more so, why the Mayor  
10 of the city needed the National Guard in anticipating potential violence, was that  
11 discussion had?

12 A I don't recall having that discussion or that discussion being had.

13 Q What was the reason you forwarded it along to Mr. Engel?

14 A Just for his awareness that the D.C. National Guard and the Mayor, just  
15 making sure they were tracking that information.

16 Q And was he? Do you remember having a discussion with him?

17 A I don't recall. I don't recall opening up that link. I don't recall that link or  
18 that email specifically, but I would have forwarded it to him for his awareness.

19 Q With the expectation that it would impact his awareness?

20 A I don't recall at the time of what it was.

21 [REDACTED]. Ms. Cheney.

22 Ms. Cheney. Thanks.

23 So Mr. Ornato, the FBI, the Department of Justice, the U.S. Secret Service,  
24 Department of Homeland Security, all provided intel about the potential for violence, and  
25 you were unaware of it. And you've now forwarded an article to Mr. Engel that talks

1 specifically about the potential for violence, and I believe that was on January 4th, and  
2 you were aware of that also?

3           The Witness. Ma'am, I received hundreds of emails, and I tried to do my best as  
4 the deputy chief of staff to go through them with my assistant as well. I don't open up  
5 everything in email count. If I saw that -- this is just what I'm recalling today as far as  
6 looking at this email -- I don't recall seeing or hearing of violence from that email or  
7 knowing that. So I just -- it's been almost 2 years now. I don't recall having that  
8 knowledge.

9           Ms. Cheney. So you didn't read the intel, and you didn't read the article, that's  
10 your testimony?

11           The Witness. I don't know if I did, ma'am. I'm sorry. I just don't recall.

12           Ms. Cheney. Thank you.

13           BY [REDACTED]:

14           Q     Mr. Ornato, just on that point of you receiving so many emails, I believe Ms.  
15 Cheney started out by saying we received thousands of documents from the service.  
16 This appears to be -- and I could be wrong here -- one of the only emails that you  
17 forwarded to Mr. Engel. Typically, Mr. Engel's forwarding you information.

18           So is it fair something about what you saw, whether you didn't open the link or  
19 not, made you -- made it important for you to send along to Mr. Engel?

20           A     I don't know. As I sit here today, being that it's D.C. National Guard, is  
21 because maybe law enforcement I sent it to him, but I don't recall at the time.

22           Q     Okay. Exhibit 22, this is January 5th, an 11:56 email. Again, you're not on  
23 this, but it is another PIOC notification from someone within the protective intelligence  
24 research specialist sending an email, "Good afternoon, PIOC, please see attached Parler  
25 users threatening to execute D.C. cops and burn down D.C. precincts due to the Proud

1 Boys leader, Enrique Tarrio, being arrested by MPD on January 4th, 2021. Flagging there  
2 is not a Secret Service next to this, but just passing along for situational awareness."

3 Did any of that raise to you, particularly about the Proud Boys leader being  
4 arrested by the MPD on January 4th?

5 A I believe it was passed to me about the Proud Boys leader being arrested, if  
6 I'm not mistaken, in an email, that the document that you have, if I remember reading  
7 correctly. I don't know at the time -- I don't recall at the time on January 4th if that was  
8 my -- like I said, that was my first day back was January 4th from travel. There was -- I  
9 was dealing with the Biden -- I was transitioning the Biden administration in. I had a lot  
10 going on that day with that, with the vaccinations for COVID, for distributions on those on  
11 January 4th. [REDACTED]

12 So there was a lot going on on that. I don't recall specifically this topic coming  
13 up, but I believe there may have been an email that was forwarded to me on him being  
14 arrested. But I don't remember this specific email being brought up.

1

2 [12:10 p.m.]

3 BY [REDACTED]:

4 Q Okay.

5 BY [REDACTED]:

6 Q Also on January 5th, Mr. Ornato, there is some discussion of whether or not  
7 there are sufficient magnetometers.

8 Do you remember -- I'm going to show you a document, but do you recall a  
9 discussion with Bobby Peede, Bobby Engel, about the number of mags that were  
10 contemplated for use the next day?

11 A I do recall that.

12 Q What do you recall?

13 A I recall Bobby Peede, who was the director of advance, having discussion  
14 with the Secret Service over the numbers, on how many mags to have. He was  
15 concerned there wasn't enough mags. The Secret Service were going off of what was  
16 permitted for the Ellipse, and that's the magging that they were going to do. I believe, if  
17 I remember correct, it was over a 5-hour magging time, I believe. I could be mistaken  
18 on that.

19 And then there was just some talk between the two of them on how many mags  
20 for the event the next day.

21 Q Did you get involved, Mr. Ornato, in that substantive discussion of whether  
22 there were or were not sufficient mags based on the expected crowd size?

23 A I remember Bobby Peede making us aware of it. But, in the end, it's the  
24 Secret Service's decision based upon they know their mag flow rate and how many mags  
25 per people, and it's up to the Secret Service, because they have the personnel to do it and

1       the mags. So they're the deciding factors on that. So Bobby Peede was just making us  
2       aware.

3           Q     I understand who decides. My question is, were you involved in any way in  
4       weighing in or participating in the substantive discussion about whether there were  
5       sufficient magnetometers for the next day?

6           A     I believe I recall Bobby Peede raising it to me, and I, I think, asked -- if I'm not  
7       mistaken, I think I remember asking Bobby Engel if he was confident that was enough,  
8       and once he said yes, then that's the end of the discussion.

9           Q     Did you talk with anybody else about it within the White House, whether or  
10      not there were sufficient magnetometers?

11          A     No, I don't recall that. I don't recall talking to anybody else about it.

12          Q     Do you know whether or not the discussion resulted in adding mags sort of  
13      on the 5th, at some point before the morning, increasing the number?

14          A     I don't recall that. Obviously, once the service says they have it, they have  
15      it. They're the ones that are going to run it and decide.

16           There's always -- they can always increase or decrease by adding handhelds  
17      or -- so they see how it's going and they adjust. That's their job.

18          Q     Yep.

19           Let me show you just exhibit -- it will make this clear.

20          It's exhibit 2, [REDACTED].

21          We'll put it on the screen.

22          And this is one, Ms. Driscoll, we provided yesterday.

23          If you can blow it up, [REDACTED], here.

24          So, Mr. Ornato, this is one that went directly to you. If you go all the way to the  
25      bottom, it starts with Bobby Peede.

1           And, if I recall correctly, he was the sort of advance person who was in charge of  
2 the Ellipse event? Is that right? It was kind of his event in the advance office?

3           A     Correct. He was the director of advance, yes.

4           Q     Okay.

5           So he's emailing you directly and Bo Harrison, copying Will Russell and Max Miller:  
6 "So we're down to 12 mags for tomorrow. Permit was approved last night for 30,000  
7 from the 20,000 number yesterday. We've been using the 30K estimate all week, and

8 [REDACTED]

9           "I feel pretty strongly that that's not enough mags. I realize there's a long-term  
10 mag formula, but people are coming dressed for a march and standing outside for hours,  
11 both at our site and the Capitol, in the cold. Mags will be slow."

12          He then is essentially saying: It's a pretty significant concern. Should we add  
13 more mags?

14          Scrolling up, the response is -- Bo Harrison sends that to Engel, to Ted Arruda at  
15 Secret Service, copying you, saying, "Looks like the permit was bumped up again."

16          And then, if you keep scrolling up, it just goes again to Richard Macauley, who I  
17 think you said was the deputy in charge of the Uniformed Division.

18          So, again, does that help you remember whether or not mags were added or what  
19 the discussion generally was about the sufficiency of the number of mags planned for the  
20 next day?

21          A     I don't -- I don't recall. This here, I was just monitoring at this point. Once  
22 I'd asked Engel, I remember, "Are you confident with your mags?" once they tell me,  
23 "Yeah, we're good," I don't question it again. It's up to them to work it out at that point  
24 and to see how it goes the next day.

25          Q     Okay.

1           So, the next day, it didn't become a problem, right? It was not something that  
2       mags needed to be added at the last minute? Is that your recollection?

3           A     I don't recall. I believe there was an email here that everybody -- the mags  
4       were free flowing by a certain time, like 11:00 a.m. or something, if I'm mistaken, which  
5       was -- which was fine. I don't think there was any issue.

6           Q     We're going to get to there in a minute.

7           I see, Ms. Cheney, you've come on camera. Go ahead.

8           Ms. Cheney. Yeah. I think -- it's 12:15. I think this would be a good time to  
9       take either a short break or to do a lunch break. So whatever you all would like to do,  
10      but we need to take at least a short break here.

11          [REDACTED]. Sure.

12        Ms. Driscoll, you tell us. Do you want to keep going and take a short break, or  
13      would you prefer a little bit longer for a lunch break? We probably -- you know, we  
14      have several hours left to go. I want to be respectful of your time, but we have a lot of  
15      information to cover.

16        The Witness. Short break?

17        Ms. Driscoll. We'll take, like, a 15-, 20-minute break?

18          [REDACTED]. Let's do that. It's 12:15. We'll come back at 12:35. We'll take  
19      20 minutes, okay?

20        Ms. Driscoll. Great. Thank you.

21          [REDACTED]. All right. Thank you.

22        [Recess.]

23          [REDACTED]. Let's go back on the record.

24        BY [REDACTED]:

25        Q     So, Mr. Ornato, I think when we broke off I was asking you a little bit about

1 the issue of magnetometers.

2 Did you ever discuss that issue directly with the President, the issue of whether or  
3 not there were sufficient magnetometers or people coming through the magnetometers?

4 A No. I don't recall having a conversation with the President about  
5 magnetometers.

6 Q Did you ever hear him say anything about magnetometers on or before  
7 January 6th?

8 A I don't recall hearing him say anything.

9 Q Did anybody relay anything to you about what he said about taking mags  
10 away? "Remove the mags," "don't need the mags," anything like that?

11 A I don't recall that coming up or coming to me.

12 Q All right. So not either before or during or even after January 6th, anything  
13 from him, from any source, about magnetometers?

14 A I don't recall hearing anything from the President about magnetometers, sir.

15 Q Yeah. Okay.

16 All right. Just moving forward on January 5th, let me show you exhibit 1. This  
17 is a little bit later that afternoon. It's at 2:50 p.m.

18 And I believe that [REDACTED] asked you before about Faron Paramore. And  
19 this is an email -- [REDACTED], if you could -- yeah -- from Mr. Paramore to a number of folks  
20 in the Protective Intelligence Division.

21 And he asks the question: "Good afternoon, [REDACTED]

22 [REDACTED] both Protective Intel Division. "Hope you're well. Hey, are we seeing  
23 anything/chatter about anti-Trump protestors trying to get into the PPD Ellipse site  
24 tomorrow morning? This is a non-ticket event. Anyone that shows up will be able to  
25 get in. Are we seeing or hearing anything about anti-Trump folks trying to get into the

1 event tomorrow?

2 This is the day before, January 5th. Do you remember any discussion that day  
3 about whether or not there was intelligence suggesting there would be anti-Trump  
4 protesters at the Ellipse event?

5 A Sorry, sir. Can you repeat your question about --

6 Q Yeah. My question is whether you remember on January 5th any  
7 discussion about whether there was intel, chatter specifically, about anti-Trump  
8 protesters' desire to attend the event.

9 A I don't recall hearing that, sir.

10 Q All right. Well, the fact that there is a question about it suggests that there  
11 was no such intel, or at least none that had come to the attention of Mr. Paramore,  
12 correct?

13 A I don't know exactly what he's asking in there with -- or what they were  
14 tracking or what they were hearing, sir. So I can't comment on that email that he wrote.

15 Q Yeah. All right. Ms. Cheney asked you before, were you aware of any  
16 specific intel in a Secret Service report or any other source that suggested that there  
17 would be anti-Trump protesters trying to get into the Ellipse event?

18 A I don't recall hearing anything about anti-Trump protesters trying to get into  
19 the Ellipse event. I believe what I recall and what we talked about was pro- and  
20 anti- groups clashing on the Washington Monument across the street from the Ellipse,  
21 not in the event.

22 Q Yeah. Okay.

23 All right. We're going to keep marching forward. [REDACTED] is going to keep  
24 going with another exhibit.

25 BY [REDACTED]:

1           Q     Exhibit 27, Mr. Ornato, is a response to that email from Mr. Paramore.

2     We'll bring that up.

3               It says, "Sir, many of the counterprotest groups are requiring signing up via the  
4     app Signal for updates and information. We don't have access to that data. It's a  
5     closed platform similar to WhatsApp. Additionally, Proud Boys leader Enrique Tarrio is  
6     being released with a stay order from D.C. except for court appearances. If we find any  
7     additional information, we will pass it on."

8               So it sounds like there was -- the question was posed about whether there was  
9     information about counterprotesters, and the response was, from an agent within the  
10    Protective Intelligence Division, that we don't have any data about that.

11              Is that a fair reading of this email back and forth?

12           A     I'm sorry, ma'am. This is the first time I'm seeing this email, so --

13           Q     Yeah. No, take your time.

14           A     Again, I'm not able to comment. I don't know exactly what was being  
15     asked and what they were responding to Faron with this.

16              I see it saying anti-Trump protesters trying to get into the Ellipse site. I don't  
17     recall ever hearing anything about that.

18           Q     Okay. So, just taking the email, though, it says, are we seeing any chatter  
19     about anti-Trump protesters? And it looks like the response is, they're using Signal, we  
20     don't have any such information. Right? Which is essentially what the back-and-forth  
21     indicates. Whether it got to you or not is a separate question.

22              Is that fair?

23           A     I can't comment on this, ma'am. I wasn't on this email. I don't know  
24     what they were doing and looking at. I don't -- I've never seen this email.

25           Q     Okay.

1           I am going to show you another two messages, Teams messages, that are again  
2 discussing this anti-Trump protest request for information. So this is exhibit 25.

3           This is from Mark Marbut, the agent who responded, to a group of PID agents,  
4 saying, "Reference the email forwarded to OSU on duty. Are we seeing anything about  
5 counterprotesters attempting to infiltrate the Ellipse site since it is a non-ticketed event?"

6           Then, one of the responses, exhibit 26, from [REDACTED], a Protective Intelligence  
7 Division agent, in response to the question, are we seeing anything: "Also several  
8 groups, including Refuse Fascism and They/Them Collective, have encouraged  
9 participants to stay at home and protest via social media, even referencing the Refuse  
10 Fascism demo we have on the sheet. It does not appear to be a real demonstration."

11           So this is in response to, essentially, are we expecting anti-Trump protesters?  
12 And one of the responses --

13           Ms. Driscoll. Sorry to interrupt. We can't see the top part of the email. Is  
14 Mr. Ornato on these exchanges?

15 [REDACTED]. He is not.

16 Ms. Driscoll. We just can't see it. Okay. Thank you.

17 [REDACTED]. He is not.

18 BY [REDACTED]:

19 Q       So, again, in response to Mr. Paramore's question, my first question to you  
20 was: Was anything brought to your attention from Mr. Paramore about an expectation  
21 about anti-Trump protesters?

22 A       From Mr. Paramore?

23 Q       Correct.

24 A       I don't recall having conversation with Mr. Paramore or this being --

25 Q       So was this brought --

1           A -- any of this being brought to my attention.

2           Q Okay.

3           But it looks like he sends out this question to the Protective Intelligence Division,  
4 and the response is: [REDACTED] and it looks like, from what we are  
5 monitoring, they've been told to stay at home. And that's a very Cliff's Notes version of  
6 the three exhibits.

7           But my question to you is: Was any of this -- well, you still maintain that there  
8 was an expectation of violence from counterprotesters. Was this kind of dissenting  
9 narrative shown to you or raised to you, that, in fact, anti-Trump protesters have been  
10 encouraged to stay at home?

11          A No, ma'am, I don't recall having that -- that topic coming up.

12          Q And, again, the broad question is: The expectation of  
13 counterprotesters -- in our review of what the Secret Service had, we're trying to assess  
14 why that was an expectation, of counterprotesters, versus what we're showing you now,  
15 which indicates otherwise.

16          A I'm sorry. What we were just seeing now was Mr. Paramore asking about  
17 getting into the Ellipse site since it was non-ticketed.

18           Before, what I have said that I was briefed upon, that the anti- and pro- groups  
19 would clash outside on the Washington Monument. I never was made aware of  
20 anybody trying to get inside the -- anti- or pro- groups being inside the Ellipse event.

21          Q Okay. So that's a distinction of, it's not just anti-Trump protesters  
22 attending the rally, but you're sort of reading it about entering the Ellipse event. Is that  
23 what you're saying?

24          A Yeah. That's how I read this here, but --

25          Q All right.

1           A -- I don't know what the Secret Service was trying to ask or portray. I  
2 wasn't on these or don't know this information here.

3           Q I'm going to turn to exhibit 28. This is another -- this is now January 5th,  
4 evening, 6:41 p.m. -- another PIOC on duty email regarding a threat to bring a sniper rifle  
5 to the rally.

6           If you look at the second paragraph there, posted a picture of a rifle and a  
7 handgun. "Sunday Gun Day Providing Overwatch, January 6th Will Be Wild!"

8           And this is from a Protective Intelligence Division.

9           You were not -- was any of this brought to your attention?

10          A I don't recall any of this information, ma'am.

11          Q Exhibit -- let's see -- 29, this is a 6:24 p.m. email from the PIOC on duty,  
12 following up on the open source indicating a post from thedonald.win, again flagging  
13 from, looks like, the Bureau. If you go down, ettips@FBI sends it to, quote -- if you go  
14 up a little bit, [REDACTED] -- "U.S. Secret Service colleagues."

15           "I'm a threat intake examiner at the FBI National Threat Center, where we  
16 received the following information." And it gives some specific information  
17 about -- from an individual regarding a threat to bring a sniper rifle to the Trump rally on  
18 January 6th.

19           Was that brought to your attention?

20          A I don't recall hearing any of this information, ma'am, that you are showing  
21 me in this email.

22          Q Okay.

23          A And just so I -- the header -- I was not on the header, correct?

24          Q You were not.

25          Exhibit 30 --

1           A     I couldn't see the header.

2           Q     -- this is now the evening, 10:36 p.m., January 5th. The Washington Field  
3     Office of the Secret Service gives a briefing, a readout, from -- summarizing topics they  
4     received. If you see the subject line there, it says, "FBI sit rep intel briefing."

5                 So it looks like the FBI provided a briefing and the service attended, and this is the  
6     summary of the information. So this would be the day before January 6th.

7                 And if you go down, it says, "Right-wing groups responding from across the nation  
8     and establishing quick-reaction forces in Virginia, standing by at the ready should POTUS  
9     request assistance. One known individual who has encouraged this in the past is  
10    Stewart Rhodes, founder and leader of the Oath Keepers."

11                And the second paragraph also mentions Enrique Tarrio. And then it goes  
12    through a bit from other agencies who attended that briefing.

13                Now, something like this, which is an FBI briefing before a major event, would this  
14    be something that would've been brought to your attention, about what the Bureau is  
15    briefing other Federal agencies on?

16                A     In my position as the deputy chief of staff of operations, I didn't normally  
17    brief or have interaction with the FBI. They were part of the National Security Council.  
18    And the National Security Council, which reported over to the NSA, Robert O'Brien, that,  
19    I'm sure, would've been in that group there. However, I don't know for sure.

20                But I don't recall any of this briefing, nor did I have any briefings from the FBI.

21                Q     I think you mentioned that you didn't have a direct line to the Bureau, so any  
22    information you would've gotten is from the Service.

23                So I just want to be clear that the information from this briefing that occurred on  
24    January 5th that, obviously, the Service attended and pushed out to the PIOC, did any of  
25    this reach you, meaning --

1           A    I don't recall any --

2           Q    -- the Secret Service?

3           A    I don't recall receiving any of that information through the service.

4           Q    Okay.

5           ██████████. We're going to turn now, Mr. Ornato, to January 6th and similarly  
6        march you through some of the real-time information that the Secret Service was  
7        gathering and similarly ask you if you remember any of those issues.

8           BY ████████:

9           Q    Okay. Exhibit 33, this is starting at 7:16 in the morning.

10          And, Mr. Ornato, just as table-setting, I believe -- and if I mischaracterize this,  
11        please correct me. I think, when we talked last time, your intention for the day was to  
12        stay in your office, kind of continue to assist with transition to the Biden-Harris  
13        administration, and essentially pack up your office. Is that kind of a high-level intention  
14        for your day?

15          A    Again, that day there, I was at the White House that day. I was in my  
16        office. I did -- my intentions were packing up some of my things out to my vehicle, also  
17        just continuing on. I had a lot going on with the transition to the Biden administration.

18          And then, also, not only the COVID-19 vaccinations that were still being  
19        disseminated by the White House Medical Unit, and we were trying to get all the  
20        classified programs personnel vaccinated.

21          I was also dealing with the current administration's scale-down of their workforce.  
22        So each -- I forget what it was -- every third day or every fifth day, we were paring down  
23        about 400 to 500 personnel, I believe, and trying to scale down the footprint on the  
24        White House complex as the administration was coming to an end. So that was  
25        happening with the Office of Administration. I believe that -- I want to say January 5th

1 or so was around one of the big days that was the scaling down.

2           But, so, yeah, there was a lot going on that my attention was on, because -- and,  
3 plus, a lot of briefing of the new Biden administration coming in on the classified  
4 programs. So my attention was to -- my intentions that day were to be dealing with all  
5 of that stuff going on.

6           Q     And we'll get into a little bit more detail of who specifically you spoke to and  
7 when you became aware of certain things.

8           But, starting with exhibit 33, it's an email from 7:16 a.m. from the Joint Operations  
9 Center, pushed out to a number of different individuals in the CSD unit of the service.  
10 The subject is "CSB has noticed upwards of 30 individuals with handheld radios within  
11 crowds for Ellipse."

12           And then the body of the email says, "Different groups, but appeared to turn them  
13 on at the same time."

14           Was this brought to your attention?

15           A     No, ma'am. I don't recall that.

16           Q     Exhibit 34 is the first update, Update 1, from the PIOC.

17           At some point, did you start receiving updates from the PIOC, Mr. Ornato?

18           A     At some point -- I didn't receive updates from the PIOC direct. I believe  
19 they were forwarded to me as the normal chain of command, which was through either  
20 Robert Engel or Ted Arruda, if I'm not mistaken.

21           Q     Okay. Well, we'll get to those.

22           This is the first update at 8:07 a.m., Update 1, which states, "Some members of  
23 the crowd are wearing ballistic helmets, body armor, and carrying radio equipment and  
24 military-grade backpacks. CSD teams will continue to monitor all crowds in the area of  
25 the White House zone. No civil disobedience at this time."

1           Do you remember learning about this update in real-time at around 8:07 in the  
2 morning of January 6th?

3           A     No, ma'am. I don't recall having any of this updated information real-time.

4           Q     Okay.

5           The next exhibit, exhibit 35. We'll start at the bottom here. And we talked a  
6 little bit about the magnetometers. 6:04 a.m., "Sweeps completed on time at 6:00 a.m.  
7 Staff advised that mags can open. Crowd lined up all the way to the Monument."

8           Then, an hour later, another update from Ted Arruda: "Staff still building out  
9 entry chute from mag tent to event area."

10          The next email, 7:15, if you scroll up: "Mags open. [REDACTED] is operational."

11          At 8:17, from Ted Arruda to Mr. Engel: "5,500 in," meaning into the Ellipse area.  
12 "Two surge mags are being set up now."

13          Was this information being provided to you or was it conveyed to you by  
14 Mr. Engel?

15          A     I don't recall receiving updates like this, and nor would that be unusual.  
16 This happens at rallies all throughout the campaign and all throughout the administration,  
17 where the Secret Service is tracking the mag flow but not necessarily passing it anywhere  
18 at that point. They're the ones that are running it.

19          Q     Mr. Ornato, we've seen the email before about Bobby Peede flagging for you  
20 the magnetometer issue. And I believe your testimony with [REDACTED] was that you  
21 did engage on that and it was something that you were involved in, in terms of checking  
22 with Mr. Engel were there enough magnetometers.

23          So the next day, on the event itself, wouldn't you be curious to know if there were  
24 enough magnetometers for the actual crowd that showed up?

25          A     I believe we talked the previous interview, I had a conversation with Bobby

1 Peede that morning, who assured me that everything looked good to go and everything  
2 was in place. So I don't recall having to question Mr. Engel or anybody.

3 Q So you didn't receive any additional updates or any discussions -- putting  
4 aside the emails, again, any discussions at all with Mr. Engel about the crowd size, the  
5 individuals in the crowd, or the magnetometers?

6 A Not that I recall. In the morning, I believe there was an email I was sent of  
7 a final of once everybody was in, and that's -- I remember the service wanting to show  
8 that the mags were free flowing. But that's all I can remember. I don't remember  
9 each and every -- I don't recall getting an update on each and every time they were  
10 updating Mr. Engel.

11 Q Exhibit 36 is a 9:01 service update, and this is from Courtney Scadden, who's  
12 an attorney advisor. It looks like it's going to some of the legal counsel there in  
13 legislative affairs office.

14 "Heard from UD this morning," which is Uniformed Division. "There is  
15 approximately 10,000 people in line and lots of body armor."

16 Now, at this point, it looks like at 8:06 there's the PIOC update, right, we've just  
17 shown you -- that was exhibit 34 -- about the ballistic helmets, the body armor, the radio  
18 equipment. And then there's now an internal high-level with the service's General  
19 Counsel's Office, again, flagging, quote, "lots of body armor."

20 Was this brought to your attention at all?

21 A I don't recall this being brought to my attention at this time.

22 BY [REDACTED]:

23 Q Exhibit 37, a minute later -- sorry, 20 minutes later is a 9:25 a.m. email.

24 A Can you -- I can't see who was it emailed to, if we can just --

25 Q Yeah, if we can start at the bottom?

1 A Thank you.

2 Q This is from the bottom. It's from the Joint Operations Center. The first  
3 email, at 8:31 a.m. -- scroll all the way down -- it looks like it's the -- a number of agents  
4 this is pushed out to.

5 The subject line is "UD held with one outside [REDACTED]." I think that means  
6 Uniformed Division has one outside of a certain location. And it says, "Individual says  
7 POTUS told him to come here. Feels like that's why most people are here. Stand by  
8 for further info."

9 The next information being pushed out: "Moving forward" -- if you pause  
10 there -- [REDACTED]

11 [REDACTED] That's at 8:38 a.m.

12 And then if you go up to the top: "Group in black hoodies." The last sentence  
13 there: "Plate carriers, pepper spray, and CB walkie-talkies. Front row is carrying clear  
14 plexus glass riot shields."

15 So, again, this is an email that's sent out from the Joint Operations Center. Was  
16 any of this information passed on to you, about people carrying pepper spray and CB  
17 walkie-talkies?

18 A I don't recall any of this information being passed on.

19 Q Okay. Do you remember calling --

20 Ms. Driscoll. Just for the record, I just want to confirm that Mr. Ornato is not on  
21 this email. There's a lot of names here. It's just hard to --

22 [REDACTED]. Correct. He's not.

23 Ms. Driscoll. -- to confirm one. Okay. Thank you.

24 BY [REDACTED]:

25 Q Do you remember talking to Mr. Engel the morning of January 6th?

1           A     I don't remember any specific conversation that I can recall the morning of  
2     January 6th.

3           Q     And I'm going to talk to you specifically now before -- around this time  
4     period, around the 9:30 a.m. time period. You're in your office; is that correct?

5           A     I believe that I'm in my office. I was in my office all morning there that I  
6     can remember.

7           Q     I think, from the last interview, you said you got to your office pretty early  
8     that morning?

9           A     I got to the complex pretty early and then into my -- usually I went over to  
10   the EOB and then into my office generally by 8 o'clock. So, yeah, I normally would've  
11   been in my office at this time.

12          Q     Do you remember seeing Mr. Engel between that morning time, say,  
13   8:00 a.m. to 10:00 a.m.?

14          A     I can't recall specifically any specific conversation I had. If you have  
15   something that can refresh my memory, but I don't recall.

16          Q     I know. We just have -- the service has provided us certain phone records,  
17   and there's a phone call where Mr. Engel reaches out to you at 9:34 a.m. and you have a  
18   12-minute conversation.

19          Do you remember what you discussed with Mr. Engel during that time?

20          A     I don't. I don't remember anything specific we discussed.

21          Q     Well, at that point, presumably Mr. Engel had been aware about the  
22   crowd size, the magnetometer issue, the body armor, the ballistic helmets. Do you  
23   remember him raising any of these issues with you?

24          A     I don't remember those issues being raised in the morning. And I believe,  
25   the last time we spoke, I had -- first time I had heard about the body armor and the, I

1 believe it was bike helmets, was from Bobby Peede when he came back to my office once  
2 the President started speaking.

3 Q Right. And, last time we spoke, we didn't have these specific emails and we  
4 didn't have the phone records.

5 So, generally speaking, for a 12-minute call on the day of a major event, can you  
6 just describe what would've been discussed during that time?

7 A I can only speculate that we were -- we would've discussed maybe  
8 the -- actually, I don't -- if the magnetometer -- I don't know if there were other issues  
9 raised, with other things going on, that I had going on, that I brought up to him as well,  
10 with the COVID vaccinations and the other things I was dealing with. So I can't really  
11 even speculate of what a 12-minute phone conversation would've had. I don't know. I  
12 don't remember it.

13 Q Would it make sense, though, Mr. Ornato, logically, given Mr. Engel's role  
14 and your role and kind of the different data points that we've walked you through up until  
15 this point, that the crowd size, the individuals in the crowd, and the magnetometers  
16 could've been raised during that 12-minute call?

17 A It's possible. I don't remember what was -- what was raised, though.

18 Q So you don't have a specific memory or a general memory about that  
19 12-minute call?

20 A I don't.

21 BY [REDACTED]:

22 Q Yeah. Just to follow up, Mr. Ornato, it's your longest call of the day. It's  
23 on your White House-issued cell phone. And, again, the service has given us those  
24 records. And it's a call initiated by Bobby Engel, to you, just 10 minutes after he had  
25 been copied on this message about plate carriers, pepper spray, CB walkie-talkies, front

1 row carrying clear Plexiglas riot shields.

2 Suggests that -- information suggesting that people were coming to this event,  
3 outside of the magnetometers, wearing things that suggest the possibility of  
4 violence -- that would've been the logical subject of your long, 12-minute phone call with  
5 him that morning.

6 That's the predicate for the question. It's just kind of hard to believe that you  
7 don't recall anything about a conversation when that was what was going on around the  
8 Ellipse and the White House that morning.

9 A Sir, I don't recall that conversation taking place.

10 Q And you don't recall, just to be clear, any conversation with Mr. Engel, not  
11 just in that conversation, about people coming to the event wearing ballistic armor,  
12 carrying shields, the military-grade backpacks -- all the stuff that [REDACTED] has just  
13 gone through with you that was evident to Mr. Engel?

14 A I didn't -- not to question you, sir, but the email that was shown, was  
15 Mr. Engel on those emails?

16 Q Well, these are from the PIOC and the CSU email listservs, which, again, we  
17 believe Mr. Engel was copied on. Yeah, it was part of.

18 A Okay. I'm not privy to that or to know that. However, I don't recall  
19 having a conversation with Mr. Engel about those things.

20 Q All right. We'll keep going.

21 BY [REDACTED]:

22 Q Exhibit 38, this is another update from the Countersurveillance Division,  
23 again, 9:49 a.m., giving an update that there are now close to 25,000 people between the  
24 Ellipse site and the UD post.

25 "Members of the crowd are wearing body armor, carrying radio equipment, and

1 possibly OC spray and plastic riot shields. CSD teams will continue to monitor all crowds  
2 in the area of the White House zone."

3                   Was this something that was brought to your attention, considering now this is  
4 impacting, potentially, the White House itself?

5                   A     Sorry, ma'am, I'm just reading. I didn't receive this email, from what I can  
6 see up top, correct?

7                   Q     That's correct.

8                   A     I don't recall this information being brought to my attention in the morning,  
9 ma'am.

10                  Q     And have you seen this email before, Mr. Ornato, before we provided it?

11                  A     Not before you provided it. I don't recall this email.

12                  Q     "The CSD teams will continue to monitor all crowds in the area of the White  
13 House zone." That CSD is the Countersurveillance Division.

14                  David Harrison, are you familiar with him?

15                  A     I don't recall the name.

16                  Q     Pardon?

17                  A     I don't recall that name, ma'am.

18                  Q     Should this have been brought to your attention, considering that there is a  
19 team within the Secret Service that's monitoring the crowd because essentially they're  
20 alarmed about folks wearing body armor and carrying riot shields?

21                  A     Law enforcement personnel were obviously tracking that. That's the  
22 people to track that. I don't know what other information they had or what they were  
23 looking at at the time to bring it to -- or knowing or not knowing to bring it to my  
24 attention. I just can't answer that question. It's their assessment, on whether they  
25 should bring it to my attention.

1           Q     Well, if a crowd is getting closer to the White House, are you not the one  
2 person the Secret Service should probably contact about that?

3           A     I'm sorry. Can you repeat the question?

4           Q     Are you not the first person the Secret Service should contact about crowds  
5 approaching the White House?

6           A     The Secret Service -- if there's a crowd approaching the White House, the  
7 Secret Service will be doing their job, and that would then go into different █ (ph)  
8 elevations and stuff of that nature for the Secret Service. But it's not an automatic  
9 phone call to me that I've had in the past as the deputy chief of staff of operations.

10          Q     And you weren't aware of this on the 6th, about the potential crowd moving  
11 towards the White House zone?

12          A     I don't recall that.

13          Q     Okay.

14          Exhibit 39, this is a 9:49 email from the Joint Operations Center to █ as well  
15 as to Christina Bentham.

16          Do you remember her position on January 6th?

17          A     I believe she was an assistant special agent in charge on the President's  
18 detail if I'm not mistaken.

19          Q     Would she have been under Mr. Engel and report to Mr. Engel?

20          A     It says "PPD" after her, so I would assume so.

21          Q     And the body of this email, if you scroll down, is: "MPD is investigating a  
22 rifle seen in plain view in a parked car near the Spy Museum. The vehicle will likely be  
23 impounded for further investigation. Any other outcome will be sent as an update."

24          And this, again, was sent up the chain to PPD.

25          Were you aware of this at all, about a potential rifle in a parked car and the MPD's

1 involvement?

2 A I don't recall that, ma'am. It says the Spy Museum. Is that -- that's down  
3 near the Verizon Center? Is that correct?

4 Q I think so, yes.

5 A Yeah, I'm not -- I'm not aware -- I don't recall this, nor I don't know if they  
6 would've raised it to me. But I don't recall this.

7 Q Okay.

8 Exhibit 40, 10:35 a.m., an email from [REDACTED] to Bobby Engel.

9 Were you familiar with [REDACTED] position on January 6th?

10 A I am not.

11 Q He was the lead site agent on that day. And he's giving updates to  
12 Mr. Engel.

13 And then we can go up to the top, 11:29. Joseph Routh sends it to Mr. Engel,  
14 Ms. Bentham, and Ted Arruda is also on that email, giving an update of 30,000 processed,  
15 400 in queuing area.

16 Was this anything that was brought to your attention through Mr. Engel or  
17 Mr. Arruda?

18 A I remember hearing, once it was 11:00, 11:30, that there was 30,000  
19 processed. I don't recall if it was an email or a phone call, but I remember hearing that  
20 the mags were free flowing.

21 Q Okay.

22 And it looks like the next email of exhibit 41, that goes to Mr. Engel and to  
23 Mr. Arruda.

24 Keep going.

25 Okay. If you stop there, "the flow rate."

1

2

3           Is that what you mean, Mr. Ornato, by free flowing?

4           A     No.   What I recall is knowing that there were 30,000 people processed and  
5       the mags were free flowing, meaning there's no lines at the mags.

6           Q     Do you remember who gave you that information?

7           A     I don't remember if it was on an email from Mr. Arruda or Mr. Engel or if it  
8       was by word of mouth.   I'm not sure.

9           Q     What would word of mouth be?   Who were you in contact with?

10          A     Meaning a phone call or seeing Mr. Engel or Mr. Arruda at the time.   I don't  
11       recall how it was passed.

12          Q     Did you see Mr. Arruda that morning before the President went to the  
13       Ellipse?

14          A     I can't say if I did or if I didn't.   He would've been walking around.   I'm not  
15       sure if I saw him that day or not.   I don't remember.

16          Q     And I might've asked this, but did you see Mr. Engel before the President  
17       went to the Ellipse?

18          A     Again, I don't -- you asked it.   I don't remember a specific conversation or a  
19       specific event that I saw him, but I -- I don't recall, sitting here today, if I saw him or not  
20       before they left.   I was in my office that morning, I remember, and I was dealing with a  
21       lot of things that morning.

22          Q     Okay.

23          I'm going to show you exhibit 41.

24          Ms. Driscoll.   Do you mind zooming in a bit?   It's a little hard for me to --

25          The Witness.   Yeah.

1           Ms. Driscoll. Thank you.

2           BY [REDACTED]:

3           Q     So this is a 10:46 a.m. email where it says there's now updated info, "total of  
4     17 mags."

5           And then, if you go further down, essentially, from piecing the emails together, it  
6     looks like they started out at about 10 magnetometers that day, which is lower -- okay,  
7     there we go. That -- "per hour for all mags, 12" -- 12 mags is at 10:19 a.m. And then at  
8     10:46 they're now up to 17 mags.

9           In any event, I think we talked about the magnetometers, but is this something  
10    that you were made aware of, that essentially the day started with a lower amount of  
11    magnetometers and they had to increase it as the hours went on?

12          A     I don't recall being made aware of this. This is something Bobby Peede  
13    would've been dealing with down at the event himself. So I don't recall being made  
14    aware of any of this.

15          Q     Did Mr. Engel raise it to you as one of the concerns of the day, or no?

16          A     Not that I recall.

17          Q     Okay.

18          And exhibit 42 is an email at 10:59 a.m. from a Protective Intelligence Division  
19    agent, where it says: "FYI, again, CSD advises the general crowd is stating they will all  
20    march to the Capitol after the rally."

21          We talked a little bit about the fact that the protective intelligence brief was called  
22    "March for Trump." And, again, I don't want to mischaracterize your prior testimony,  
23    but did you have any indication that the crowd would be heading towards the Capitol  
24    before January 6th?

25          A     What I recall from my prior testimony and what I recall is that I was asked,

1 there around January 4th, from Bobby Peede and Max Miller if the President can head to  
2 the Capitol after the event with a -- the organizers felt a few thousand people would  
3 march to the Capitol and peacefully protest outside the Capitol, and they were thinking  
4 that he could go along with them.

5 As I testified earlier, I thought that was a ridiculous idea, and referred them to  
6 SAIC Engel, as it would be his call on that, because that is going to be a security call, if  
7 they can do that, and that's his call.

8 And then I had called Bob Engel just to let him know that this request may be  
9 coming his way and that it's obviously his call but I had managed expectations by telling  
10 them that that was a ridiculous idea.

11 But that's the only time I believe that I heard about anybody marching to the  
12 Capitol, was to peacefully protest. And I was told a small group, they were thinking,  
13 would go to the Capitol. But that's the only time I heard it prior to January 6th.

14 Q And I believe that prior testimony also said any -- this is not just anybody  
15 going to the Capitol, but the request was made from the President himself to go to the  
16 Capitol as well, correct?

17 A I didn't receive that request from the President himself. From Max and  
18 Bobby, they -- I -- they didn't -- I thought it was -- and I said this in my prior  
19 testimony -- Justin Caporale, because they kept saying it was the organizations.

20 Because I asked, what would he do at the Capitol? And they said, well, the  
21 organization would get a permit for him to -- they would build maybe a small stage, and  
22 the service can glass him in, and he can peacefully protest with people near the Capitol  
23 grounds.

24 And that's where I said it was a ridiculous idea, but if they wanted to ask Bobby  
25 Engel, that is up to them. And Bob Engel, it's his call, as it's a security concern.

1           Q     I see Ms. Cheney has come on.

2           I just want to just make sure I have the record clear that the two ideas you  
3     thought were, quote/unquote, "ridiculous" were, one, a crowd going to the Capitol and,  
4     two, the President going to the Capitol. Is that fair?

5           A     I didn't know -- have anything about the crowd going to the Capitol. As far  
6     as the President going to the Capitol with a crowd and having a stage boxed in with glass,  
7     those two things, I thought was a ridiculous idea, and passed that off -- obviously, passed  
8     that on to the Secret Service to weigh in on that, as it would be a security concern.

9           And I did ask if this was run by the chief of staff yet, and they said, no, it was just  
10    kind of early stages of planning. And that was it.

11                [REDACTED] Ms. Cheney?

12           I think you're on mute.

13           Ms. Cheney. Sorry.

14           Mr. Ornato, I just wanted to ask: When Mr. Miller asked you about having the  
15    President go to the Capitol, did he say "peacefully protest"?

16           The Witness. They did. It was the morning, before our 10 o'clock meeting,  
17    when Bobby Peede and Max Miller came into my office prior to the meeting and said, this  
18    is what the organization that was hosting the event were asking. That's what I recall.

19           Ms. Cheney. And he used the word "peacefully"?

20           The Witness. From what I recall, yes, ma'am.

21           Ms. Cheney. And, in your experience, was that sort of Mr. Miller -- well, was this  
22    Mr. Miller who said this or Mr. Peede who said this?

23           The Witness. It was the two of them, ma'am. Today, sitting here, I can't  
24    distinguish between, because it was the both of them asking the question. I don't know  
25    which one exactly.

1           Ms. Cheney. So did one of them say "peacefully" and the other one said  
2        "protest"?

3           The Witness. Oh, I don't know, ma'am. I don't recall that.

4           Ms. Cheney. So I'm just wondering, in your experience, is it common parlance  
5        for people to insert the word "peacefully" before the word "protest"?

6           The Witness. No. What I -- well, no, ma'am. What I think they were getting  
7        at was, they were trying to downplay it so the President -- so, more likely, the service  
8        would allow him maybe to go on this or to do this type of event if everything was  
9        peaceful, is kind of the way I took it at the time.

10          Ms. Cheney. So why do you think they felt the need to say "peacefully"?

11          The Witness. I don't know, ma'am. I don't know why they said it. I just recall  
12        that.

13          Ms. Cheney. Yeah. And so, again, I'm just wondering -- because it's not really  
14        common parlance that you would just insert the word "peacefully" in front of the word  
15        "protest."

16          The Witness. I -- I'm not sure, ma'am. I don't know.

17          Ms. Cheney. Has anyone talked to you about your testimony today, Mr. Ornato?

18          The Witness. Anybody talk to me about my -- today, my testimony?

19          Ms. Cheney. Your testimony.

20          The Witness. No, ma'am.

21          Ms. Cheney. Any of your testimony in front of the committee?

22          The Witness. No, ma'am.

23          Ms. Cheney. Anybody tell you to say the phrase "peacefully protest"?

24          The Witness. No, ma'am.

25          Ms. Cheney. And so what did they describe the President wanting to do

1 peacefully at the Capitol?

2           The Witness. From what I recall, they were asking -- and, again, it wasn't -- from  
3 what I took it, it wasn't from the President. They never said that. They mentioned the  
4 organizers of the event.

5           And I believe I said this in my last testimony, was that they were kind of like, they  
6 knew it was a ridiculous ask, and they were kind of, you know, like, "Hey, can we do this?  
7 Can we maybe do -- you know, he can do this." And they were just kind of -- it was  
8 ridiculous.

9           So I, you know, immediately said, "I don't think the White House Military Office  
10 would be able to support that, and nor do I think the Secret Service. But you can ask the  
11 Secret Service, because it's their call for security reasons."

12          Ms. Cheney. Were there other circumstances that you can recall where the  
13 President's staff made an effort to describe activities he would undertake as "peaceful"?

14          The Witness. No, ma'am.

15          Ms. Cheney. This was the only occasion?

16          The Witness. I don't recall anything other than that -- that occasion.

17          Ms. Cheney. Thank you.

18                 BY [REDACTED]:

19          Q      Mr. Ornato, just to pick up on that, they did use the word "protest," right?  
20 Mr. Miller and Mr. Peede indicated that they were asking whether the President could go  
21 and protest at the Capitol?

22          A      Correct, that's what I recall, that he can stand out there on a stage platform  
23 with some of the supporters and peacefully protest at the Capitol.

24          Q      Okay. So, again, the word "protest" was used by Mr. Miller or Mr. Peede.  
25 It was not "speak" or "appear" or "visit." It was "protest." That was the verb that they

1 used, that that was the idea?

2 A That's what I recall.

3 Q Okay. And, to be fair, you said they indicated "peacefully protest." But,  
4 again, it was a protest, not simply a regular Presidential speech like any other, right?

5 A That's what I recall.

6 Q Okay.

7 And that came to you from Mr. Miller -- Miller or Peede? You're not sure which  
8 one?

9 A The two of them came in together.

10 Q Okay.

11 A I don't recall which one was talking through it all, but the two of them came  
12 in together.

13 Q All right.

14 Now, just after this -- let me call your attention to exhibit 3. This is now at 11:02.  
15 We're literally just marching minute by minute through that morning.

16 Exhibit 3 is an email that was distributed by, again, someone inside of the  
17 Protective Intelligence Division, [REDACTED] to a number of other recipients. And  
18 attached to it -- if you scroll down, [REDACTED] -- is a posting, an actual screenshot of a  
19 posting.

20 We've talked about thedonald.win before, but that actually was circulated at  
21 11:02, this image, which talks about "Trump has given us marching orders" and, basically,  
22 "If you're east of the Mississippi, you can and should be there." He talks about a rally at  
23 Lincoln Park; talks about trauma kits, no phones.

24 And if you keep going down, [REDACTED].

25 Very specifically, the post indicates "advance on the Capitol."

1           Keep going.

2           So do you recall -- and I think you testified before you weren't familiar with  
3        thedonald.win. But do you remember seeing this? Did this come across your  
4        attention or your desk around 11:02 or thereafter on January 6th?

5           A     No, sir, I don't recall seeing this.

6           Q     Did you have any concern from any source about groups massing near the  
7        Capitol, in Lincoln Park or otherwise, preparing to advance?

8           A     No, sir. I don't recall knowing any of that information, nor I don't know if I  
9        would, because obviously law enforcement is out there dealing with that. I don't know  
10      if that would be passed to me. But I don't recall this being passed.

11          Q     Okay. Again, I don't want to --

12          Ms. Driscoll. For the record, is Mr. Ornato on this email?

13          ██████████. He is not.

14          Ms. Driscoll. He is not at the top of this? Okay.

15          ██████████. No, he is not, Ms. Driscoll.

16          Ms. Driscoll. Thank you.

17          BY ████████:

18          Q     And, to be clear, Mr. Ornato, I'm not asking you just about the email. I'm  
19      asking you about the underlying issue of masses of people gathering in the vicinity of the  
20      Capitol, preparing to advance.

21          Were you aware of any of that sort of information on the morning of January 6th?

22          A     No, sir. I don't recall that information.

23          Q     Okay.

24          Go ahead, ████████. Forty-three.

25          BY ████████:

1           Q     Forty-three. This is an 11:18 a.m. email. Subject line is "Crowd  
2 demographic." And it's going from the Countersurveillance Division agent -- sorry, I'll  
3 wait for it to come up -- to members of the Presidential Protective Division.

4                 And it reads, "Additionally, there's a lot of people in the crowd wearing ballistic  
5 vests. However, no reports of weapons yet. No counterprotests in the area. Crowd  
6 is calm at the time being."

7                 Another email about 6 minutes later, exhibit 44, pushed out a report from Park  
8 Police of "about 200 Proud Boys gathered on Capitol grounds. No disobedience at this  
9 time," from a member of the counter-assault team.

10                Any of that information get to you, Mr. Ornato?

11               A     Not that I recall hearing any of this information, ma'am.

1

2 [1:32 p.m.]

3 BY [REDACTED]:

4 Q Now, at 11:32, there is an email sent directly to you, Mr. Ornato. It's 5A.  
5 And this goes back to what [REDACTED] was just asking you about the mags. So at  
6 11:32 a.m. on the 6th, you are forwarded directly a message from Bobby Engel about the  
7 status of the mags. If you scroll all the way down, I think we've seen these before. It's  
8 just got the updated running information about how many people are processed and in  
9 queue. At 11:28 30,000 had been processed, 400 in the queuing area.

10 And then all the way at the top, Mr. Engel sends that to you at -- now, tricky here.  
11 If this is a White House email, it's actually 5 hours earlier because the White House emails  
12 are in Greenwich Standard Time, whatever it's called, the international -- yeah, this is  
13 actually 11:35 a.m. It says 4:35, but you have to go back 5 hours.

14 So you respond to the report that you received from Mr. Engel, Thank you, great  
15 job. Tell me what you meant by that when you say, Thank you, great job.

16 A Sure. If you can scroll down a little bit to what Mr. Engel sent me for  
17 awareness, the next one, right there, 30,000 processed and 400, which to me is nothing  
18 at that point, that they processed 30,000 people was a great job. Thank you for, you  
19 know, for doing that. That's hard, for those mag officers to go through 30,000 people  
20 and process them in in that amount of time was -- was tremendous. So I was giving  
21 them accolades for the job they just performed.

22 Q I see. So the job being the expeditious processing of people through the  
23 mags into the permanent area of the event?

24 A Correct. For them to do that, for that many people to reach out and touch  
25 and to make sure they're clean going through, obviously from my former position as the

1 special agent in charge, I know that's an undertaking in and of itself.

2 Q Okay.

3 A So I was giving them accolades.

4 Q Appreciate that. So at 11 -- whatever time this was, 11:32 a.m., you were  
5 aware that the mags essentially were free flowing or there are only a handful of people in  
6 line, correct?

7 A Correct.

8 Q Were you also aware that there was a huge crowd of people amassed  
9 outside the magnetometers that had ballistic vests and backpacks and helmets? Were  
10 you aware of that at 11:32?

11 A Not at that time, sir.

12 Q Okay. So, again, I don't want to repeat all the things, but despite all the  
13 intel that Secret Service was aware of, citing specifically all of that activity outside the  
14 mags, you, Mr. Ornato, weren't aware that even though those folks were inside, 30,000,  
15 there are a large number of people outside the mags?

16 A No. Sir, from what I recall, I became aware of that later on from Mr. Peede  
17 and Mr. Miller, but not at that time.

18 Q At 11:49, let me show you another exhibit, exhibit 4, just about 17 minutes  
19 after you were informed that the mags were free flowing, there's another email, and this  
20 one, if you go to the bottom, has to do with a specific person who's a White male in a  
21 green-hooded sweatshirt who has -- alleged to have had a rifle in a tree. This is a series  
22 of messages that -- MPD -- if you go all the way to page 3, [REDACTED]. I'm sorry to  
23 keep -- farther down. There you go. MPD is investigating a rifle, plain view, in a  
24 parked car near the Spy Museum. We talked about that. The vehicle likely  
25 impounded.

1           If you go up to the next series, there's a second guy with a rifle. FPS has one  
2 identified in southwest near the Department of Education with two weapons. Weapons  
3 were detected as the subject was entering a garage. Any additional info will be shared  
4 with USSS.

5           And then keep going up. And then there's a third weapons issue, 14th and  
6 Constitution, very close to the Ellipse. Additional reports of a few people in trees. No  
7 further info regarding firearms, but they may have galvanized pipes.

8           Keep going up. Then there's subject with a pistol, 15th and Constitution, White  
9 male, green-hooded sweatshirt. MPD has made contact. Subject near a silver vehicle.  
10 Again, 15th and Constitution right at the corner of the Ellipse.

11           And then if you go up, [REDACTED]: Roger that. 15th and Conn. Can you include  
12 the JOC supervisor in the distribution? And she says, you bet.

13           All right. Again, a bunch of reports over the course of the morning about people  
14 with guns, at least three, and so many people with galvanized pipes in trees right in the  
15 vicinity of the Ellipse. Did you become aware at this time of any of that information?

16           A      I recall -- I recall being made aware of possible -- the person with a possible  
17 rifle in a tree at some point later on, not real-time info. And I was made aware of there  
18 were possible persons -- persons seen with -- with rifles or with guns on -- maybe this is  
19 on 15th -- or I can't remember the exact street.

20           However, from what I was briefed, it was already taken care of, because I was  
21 briefed that it was all unconfirmed, that there wasn't any interaction or weapons found  
22 when they interacted with those individuals. I had gotten a back brief on it. I don't  
23 remember hearing this stuff real time.

24           Q      When you say you got a back brief on it, when do you recall getting that back  
25 brief? On January 6th?

1           A     I believe the rifle -- the person in the tree with the rifle, I believe, getting  
2 back briefed on that, on January 6th, because that was near the Ellipse event. And from  
3 what I recall, I believe the motorcade was leaving or had already left around that time, or  
4 they were getting ready to and it delayed them a little bit. And I believe I was given that  
5 was the reason why they were delayed, but they had already arrived at the site at that  
6 point, so I was back-briefed after the situation was resolved.

7           Q     I see. So when you were back-briefed, did you then pass that information  
8 along to Mr. Meadows or anybody else?

9           A     I didn't have anybody there to -- that I recall. Everybody was down at the  
10 site. So just like at a trip, Mr. Meadows was the Chief of Staff rep, obviously, at the site.  
11 He would've been briefed by Secret Service at the venue, because they wouldn't go  
12 through me to go to Mr. Meadows when he's standing right there. So he would've been  
13 briefed on all of these things taking place at the venue from my past experience.

14          Q     I understand.

15          A     I -- the --

16          Q     From your past experience, Mr. Meadows, the Chief of Staff, would've been  
17 told in real time, Hey, we've got to hold for a minute because there's a report of a guy in  
18 the tree with a rifle.

19          A     Correct, because he's the Chief of Staff rep for the visit.

20          Q     Right.

21          A     Like this could've been a rally in Idaho, the same thing, if he was there, they  
22 would be talking to him not calling me back in D.C. to go through me.

23          Q     Yeah. No, I understand. Mr. Meadows was at the Ellipse, correct? He  
24 was down there with the President?

25          A     Correct.

1           Q     And if there was a man in the tree with a rifle allegedly, and that caused a  
2 delay, your testimony is that Mr. Meadows would've been briefed on that or informed of  
3 that since he was at the venue?

4           A     That would be my understanding or my assumption based upon my past  
5 experience in the role of the special agent in charge that the Chief of Staff rep would've  
6 been briefed on site.

7           Q     Yeah. I understand that you weren't there, but I appreciate that.

8           All right. Let's keep going in time, [REDACTED], to 45.

9                   BY [REDACTED]:

10          Q     I'm now going to show you an email from 12:59. Now, again, from your  
11 prior testimony, it's my understanding you were not listening to the former President's  
12 speech. Is that accurate?

13          A     That is correct. I was not listening to the speech.

14          Q     Okay. So this is an email, the President began speech -- began a speech a  
15 little bit before noon and ended around 1:10. And if you look at the bottom here, this is  
16 an email at 12:59 from the Joint Operations Center. It says, ALCON, Mogul announced  
17 on live TV that he will head to the Capitol with the crowd.

18               Now, this is Mogul being the former President, and then there are some specifics  
19 as to what the response team will be if Mogul heads to the Capitol and some details are  
20 provided there.

21               And then if you go further up the email chain, this is -- obviously creates a ripple  
22 effect as to what the counter surveillance division agents do as a result of hearing the  
23 President announce his intent to go to the Capitol. Were you made aware -- when were  
24 you first made aware of the President announcing his intent to go to the Capitol?

25          A     I don't recall when I was first made aware. I believe it was later on by my

1       assistant that he announced it later on in the day. I don't recall it real time, because  
2       I -- we didn't have the TV on in our office with his speech. So I don't recall when exactly,  
3       but it was later on that I heard that he announced that, but I wasn't aware of it at this  
4       time.

5           Q     When -- and apart from the announcement, did you learn of the President  
6       wanting to go to the Capitol at all on January 6th?

7           A     From my prior interview with you, I believe it was Cassidy Hutchinson and I  
8       had texted, and Cassidy had mentioned that before he got on stage he mentioned to the  
9       Chief of Staff that he wanted to go to the Capitol. And my response was -- there was no  
10      plan for it, so my response was it wasn't happening, it's not safe to do so because there's  
11      no security assets in place, and that he would -- to go ahead and pass it to Bob Engel  
12      because it's -- I said I believe Bobby -- and she said, Engel or Peede? And I said Engel,  
13      because that's Bob Engel's call as the special agent in charge. And I'm not at the venue,  
14      as we've said, so it's between Robert Engel and it's between Chief of Staff Meadows, but  
15      it's his call on security.

16           Q     And apart from that -- those text messages, and we had showed you those at  
17       the prior interview with Ms. Hutchinson, did you learn anything further about the  
18       President wanting to go to the Capitol apart from right before he goes on stage?

19           A     I don't recall knowing anything further about the President wanting to go to  
20       the Capitol besides the January 4th conversation -- except that wasn't the President, that  
21       was between Max and Bobby going to the Capitol -- and then Cassidy Hutchinson saying  
22       the President on January 6th was the only time that I heard it coming through somebody  
23       that the President was asking.

24           Q     Okay. And we'll get into a little bit more about any conversation with  
25       Mr. Engel, but let me show you exhibit 46. This is an email with Capitol -- with -- sorry,

1      Secret Service leadership. It looks like, if you start at the bottom, 12:20, Mr. Paramore is  
2      responding to what he just heard on TV. POTUS just said on TV he's going to the Capitol,  
3      question mark. Good afternoon, Kim and Ron, Kim Cheatle and Ron Rowe watching the  
4      POTUS speech on TV. POTUS said he is going to the U.S. Capitol to watch the vote. Do  
5      we really think this is true or just talk? And the response from Ms. Cheatle at 1:34,  
6      almost an hour later, he said it, but not going, to our knowledge. And a response  
7      back -- and it looks like the response back also includes David Torres, who was the head  
8      of the intel division there at the service.

9                At any time, let's take it from 12:20 to 1:34, did anyone from Secret Service  
10     leadership reach out to you about your knowledge about this request to go to the  
11     Capitol?

12               A    Not that I can recall, ma'am.

13               BY [REDACTED] :

14               Q    Now, just after that, Mr. Ornato, at 1:35, I want to show you a document  
15     that is one we received from the Secret Service, which is essentially a timeline of the day.  
16               It's exhibit 9, [REDACTED], if you can pull it up.

17               And this is not something that is an email. It's an actual document that was  
18     produced to us by the Secret Service. And on page 4 of that timeline, I want to call your  
19     attention to the entry at 13:25 hours.

20               So according to this document from the Secret Service, Mr. Ornato --

21               A    Can you just --

22               Q    Yep, we can blow it up.

23               A    -- zoom in. Yep.

24               Q    I want to make sure you can read it. The entry at 13:25 says, per JOC

25               [REDACTED] PPD is advising that Mogul is planning on holding at the White House

1 for the next approximate 2 hours, then moving to the Capitol.

2 So do you recall upon the President's return to the West Wing after the Ellipse  
3 speech any discussion of a possible subsequent move to the Capitol, the President  
4 moving to the Capitol?

5 A No, I don't recall any talk about the President moving to the Capitol.

6 Q Do you recall the motorcade being held as that discussion took place?

7 A No, sir, I'm not aware of the motorcade being held.

8 Q When was the last time that you heard anything on January 6th about the  
9 possibility of the President going to the Capitol? Was it that text exchange with Cassidy  
10 Hutchinson, or did there come a time later where you heard more about it?

11 A That was the text exchange with Cassidy Hutchinson. I forgot even about  
12 that exchange. I thought it was a done deal. There was no assets in place. There  
13 was no reason for it. I never thought about it again.

14 Q Again, we're going to get into this a little bit more. We've received a lot of  
15 information from the Secret Service that it -- there was a continued discussion back at the  
16 White House about the President coming back for a little while, but then, potentially, still  
17 going. Were you aware of any of that discussion?

18 A I was not aware of that discussion, sir.

19 Q All right. So you weren't aware of what factors ultimately led for him not  
20 to go or the motorcade being ultimately released, anything like that?

21 A I was not, sir. I don't recall any of that.

22 Q Okay. All that happened separate from your knowledge. Is that right?

23 A I don't recall any of that, sir, so --

24 Q Okay. So this entry on the timeline about Mogul planning on holding for  
25 2 hours, then moving to the Capitol, you're not familiar with any such discussion of a

1 holding period at the White House before he would subsequently go to the Capitol?

2 A I am not, sir. I don't recall that at all.

3 Q Okay. All right. Exhibit 8 is at 1:53, just about less than 20 minutes later.

4 There's an email here. We'll blow it up for you so you can read it. The bottom email is  
5 from Bob Sciarrone to Ted Arruda, and he's notifying Arruda that Deputy -- that DAD  
6 Rowe is there, is in room 60. Room 60, is -- that Bob Engel's office in the Old Executive  
7 Office -- the Executive Office Building?

8 A Yes, sir.

9 Q Okay. And then if you go up, Mr. Engel responds -- I'm sorry, that comes in  
10 at 1:41. And then just about 13 minutes later at 1:54, Engel responds, I'm in with the  
11 WW. We are discussing options and setting expectations. And Mr. Engel, to share  
12 with you, testified that he was in your office in the West Wing when he was discussing  
13 expectation -- setting expectations and discussing options about a subsequent move to  
14 the Capitol. Do you recall Mr. Engel being in your office talking to Secret Service or  
15 White House personnel about a potential subsequent move to the Capitol?

16 A Sir, I don't recall that conversation happening in my office.

17 Q So, but Mr. Engel testified again that he was in your office, that as soon as he  
18 returned from the Ellipse he came to your office and that these discussions that he  
19 references in the email, discussing options and setting expectations, took place when you  
20 and he were in his -- your office. And you're saying you don't recall that?

21 A Sir, I don't recall any conversation taking place about the possible movement  
22 to the President to the Capitol.

23 Q What do you --

24 A Mr. Engel I recall being in my office.

25 Q What do you recall about the conversation that you had with Mr. Engel or

1       others upon his return from the Ellipse event?

2           A     I recall Mr. Engel letting me know that the crowd was dispersing because our  
3       concern was that many people still around the White House, and in the White House  
4       zone was a lot of people. And I remember asking if we were good here at the  
5       White House, meaning postured correctly with all the people that were out there at the  
6       Ellipse.

7           And he said that they were dispersing, and we are postured good here at the  
8       White House, because I believe at the time the -- I believe at the time, the  
9       Capitol -- Capitol Police were interacting or -- with the protesters. There -- it was getting  
10      physical at the Capitol outside during that time.

11           So I believe that was why my concern was at the White House are we going to see  
12      that here, and he was reassuring me that we -- we were postured correctly and they were  
13      holding the mag officers, I believe, to assist with possible bolstering up posts around the  
14      White House. That's the conversation I recall in my office, sir.

15           Q     Okay. You don't remember anything else at this point?

16           A     No, sir, not that I can recall.

17           Q     All right. We're going to come back to this, but I want to finish going  
18      through the intel before we do. That was, I believe, it was 1:53. Why don't we pick up  
19      at 1:56, [REDACTED], with 47.

20           BY [REDACTED]:

21           Q     Sure. Do you want to show that one, [REDACTED]?

22           This is an email at 1:19. The bottom says, FYSA, this is to Mr. Engel, Capitol  
23       Police having serious challenges securing [REDACTED] I think that's what you were just  
24       referencing. Nine priority breach attempts at this time. OTR to anywhere near there is  
25       not advisable. Give me a call when free. Front office concerned about OTR to [REDACTED]

1 [REDACTED]

2 And this is to Bob Engel, who at this point has just arrived back to the  
3 White House and who states is in your office at this time. His response at 1:56, again,  
4 while he's still in your office is, understood. We are not doing an OTR [REDACTED]

5 Was any of this discussed between you and Mr. Engel?

6 A Again, ma'am, I have no -- I don't recall anything being discussed about a  
7 movement to the Capitol. That's not what our discussion was about that I recall. It  
8 was about the posturing at the White House. Because of things that were going on at  
9 the Capitol, my main concern was were our assets safe here at the White House.

10 Q Okay. Exhibit 48 is from Ted Arruda to yourself. We talked a little bit  
11 about those PIOC updates, and now we're up to PIOC update number 10, at 2:33, with  
12 Mr. Arruda to you saying, for your situational awareness. Do you remember receiving  
13 the updates at this point, Mr. Ornato?

14 A As I'm reading the first update, I don't recall receiving the  
15 update immediate -- or this update here specifically. But I recall having a conversation, I  
16 believe it was with Mr. Engel, once I -- you know, it came about that the Vice President  
17 was up at the Capitol. I reached out from what I recall and asked him, where is the Vice  
18 President right now with everything that was going on at the Capitol. And he said, let  
19 me get back to you.

20 And then he, I believe, called me back to let me know that the Vice -- what I  
21 understood was that the Vice President was en route his residence, the Vice President  
22 residence, which is called [REDACTED]. And that's what I had passed on to the Chief of Staff.

23 Q We talked about that before, and in the last update, update 10 there, it says,  
24 USSS/VPPD advises [REDACTED] being evacuated from U.S. Capitol en route to [REDACTED]. And  
25 we also discussed how that was inaccurate, but that was passed onto Chief of Staff

1       Meadows at that time, correct?

2           A     Correct. I had passed that on, and it was later on that Mr. Meadows  
3     corrected me that he was -- that the Vice President was still holding up there.

4           Q     And this appears to be you receiving the PIOC updates though from  
5     Mr. Arruda, but in addition to these emails, you're also receiving updates verbally. Is  
6     that right?

7           A     That one I remember receiving verbally, correct.

8           BY [REDACTED]:

9           Q     So just a little bit after this, Mr. Ornato, at 3:05 p.m., Mr. Engel forwards you  
10    an email for your situational awareness, and it's 5B, if you could show that. This is one  
11    that came directly to you from Mr. Engel. And over the course of the day, I can  
12    represent to you he forwarded about 15 emails most of which came from John  
13    Gutsmiedl, who was in the PPD, and he was, I believe, the agent who was responsible in  
14    the [REDACTED] I think, gathering and assessing and distributing information.

15           So if you go down to the bottom here, this initial update from Gutsmiedl is at 2:55  
16    and, it says, DCFD reporting civilian shot in chest at door of House Chamber. He sends  
17    that to Engel, Arruda, and Sciarrone. And then that gets forwarded to you soon  
18    thereafter, right, at 3:05, so just about 10 minutes after Engel gets it, he sends it to you.  
19    And I believe you or Mr. Harrison, Will Harrison -- Beau Harrison responds by saying,  
20    thank you.

21           So do you remember being told or emailed, getting an email from Bobby Engel,  
22    about the fact that somebody had been shot inside the Capitol?

23           A     So what I recall is Beau Harrison letting me know that an email came across.  
24    I believe Beau Harrison was on most of the emails with me because Beau was trying to  
25    watch the emails at that point for any -- anything being passed as we gave updates.

1           And you -- please correct me if I'm mistaken here, I thought the two officers  
2 unconscious at the Capitol en route to the hospital was the first thing I had received, and  
3 that could've been verbally and that's maybe why I don't recall, and I had updated the  
4 Chief of Staff with that.

5           And then this here -- and, [REDACTED] if I'm not mistaken, there was a note card  
6 written up by Beau Harrison that you all had asked when I was with the Secret Service to  
7 go ahead and see what hand -- whose handwriting it was and who the note card was  
8 meant for. And that was about the shots being fired, I believe, and that was for the  
9 Chief of Staff. So those -- that information was passed to the Chief of Staff.

10          Q      Yeah. You're exactly -- you're anticipating my question. You wrote down,  
11 once you received this information about a shooting, something on a note card and  
12 passed it to the Chief of Staff. Is that right?

13          A      And from what I recall, it was Beau Harrison had wrote it down, and then at  
14 some point, we passed it to the Chief of Staff when he was coming by.

15          Q      All right. And that was the second thing that you had passed to the Chief of  
16 Staff about officers to -- I mean, excuse me, injuries to officers at the Capitol, right?

17          A      The first -- the first thing I recall was passing the Chief of Staff a note saying  
18 that there was two officers unconscious and being brought to the hospital.

19          Q      Okay. Why was it important to you, Mr. Ornato, to elevate this to the Chief  
20 of Staff? You haven't elevated any other things, like the mags, or like the presence of  
21 weapons or pipes, but this one you took to the Chief of Staff. Tell me what informed  
22 your decision to do that?

23          A      Well, again, I don't recall the weapons and pipes. Like I don't recall if I had  
24 elevated or he was down at the venue and he was told firsthand. I'm -- I don't recall  
25 that. And the mags, that doesn't elevate to the Chief of Staff as far as mag numbers.

1       He wouldn't get involved in stuff like that.

2           So as this one here, two officers being injured when they know the Capitol was -- I  
3       had passed -- from what I recall, I had passed earlier -- and I think in my previous  
4       testimony, that the officers were having a physical battle outside. They were trying to  
5       protect the Capitol, and I had passed that to the Chief of Staff as well. This here with  
6       two officers being injured I felt was important as well to pass to the Chief of Staff as to  
7       the severity of what was taking place.

8           Q     I understand. And I believe your testimony the last time was that you  
9       actually entered the dining room where the Chief of Staff was with the President and  
10      handed him this card. Is that right?

11          A     For this card here, correct, with the officers being unconscious, I had walked  
12      down -- walked into the Oval. Nobody was there. And I saw the Chief in the private  
13      dining room. He waved me down the small hallway. I handed him the note and I  
14      walked out.

15          Q     Yeah. I see Ms. Murphy is coming. Congresswoman Murphy is joining us.  
16           So just describe again, I know we've been through this, but now based -- now that  
17      we've got new information, this is important. Tell us what was going on when you got  
18      into the dining room with that note to deliver it to the Chief of Staff.

19          A     I just recall the Chief of Staff was at one side of the table and the President  
20      was on the left side of the table. I was tunnel visioned at the Chief of Staff. He waved  
21      me in. I handed him the note, and I turned around and walked out.

22          Q     Was the television on when you were in the dining room?

23          A     This came up in my past one, but I don't recall, sir. I was looking at the  
24      Chief of Staff. I don't recall if it was on or not.

25          Q     Was there any conversation between you and the Chief of Staff or you and

1 the President or the two of them that you heard when you went in to deliver the note?

2 A As I was walking down the hallway, there wasn't -- the conversation had  
3 stopped when the chief waved me down the hallway. I handed him the note. I didn't  
4 say anything that I recall, and I walked out.

5 Q All right. And so, you don't remember anything that the Chief of Staff or  
6 the President said during that whole interaction?

7 A Sir, I don't believe anything was said. It was less than a couple of seconds.

8 Q Okay. All right. Do you believe, Mr. Ornato, that the people that were  
9 responsible for attacks on law enforcement should be prosecuted?

10 A Sir, anybody criminally acting against law enforcement -- against anybody in  
11 a criminal act should be prosecuted.

12 Q And that includes anybody who had attacked Officer Fanone or Officer  
13 Sicknick or any of the officers that have testified in our hearings before about their own  
14 personal -- or testified about those officers in our hearings, they ought to be -- people  
15 that are [inaudible] ought to be prosecuted, correct?

16 A Sir, as a former law enforcement officer for over 27 years, if anybody is  
17 assaulting me, I would want them prosecuted. That is the law, absolutely.

18 Q I understand, Mr. Ornato. What would you say then to Mrs. Sicknick about  
19 her son Brian's death, if you had an opportunity to talk to her?

20 A Sorry, sir, I -- I don't understand the question here.

21 Q I'm just asking you, if you had an opportunity to speak to Officer Fanone or  
22 the mother of Officer Sicknick, if you have any personal message for them, or what you  
23 would say to them.

24 A Sir, I haven't spoken with them. I don't know them. I'm very sorry for the  
25 loss, like I'm sure the country is, and I side with those that -- those who mourn the loss.

1       And I don't believe there should be a loss of life ever, especially in an attack, especially on  
2 law enforcement. So, you know, I would mourn with the country in that loss.

3           Q     All right. And did you convey any of that at the time, in real time, to  
4 anybody else in the White House when you received information about the officers being  
5 injured or the civilian being shot?

6           A     Sir, I didn't know the severity of officers being injured. All we knew was I  
7 think one was -- I think we knew one was unconscious, both -- two were going to the  
8 hospital, if that was -- I can't remember the exact, but we didn't have severity. We  
9 didn't have the shot -- we just knew a shot was fired. I think it was hours before we  
10 knew who was shot, and I don't -- and I think it was hours before that of who fired the  
11 shot or after that.

12           So I didn't know that. We were just updating real time of what we were getting.  
13 I shouldn't say real time. It wasn't exactly real time, but after the fact, we were  
14 updating the chief with that information.

15           [REDACTED] Ms. Cheney, I see you've come on camera. Please, go ahead.

16           Ms. Cheney. Thanks, [REDACTED]

17           Mr. Ornato, in your previous testimony, you said that when you went into the  
18 dining room you intentionally avoided making eye contact with the President. Can you  
19 explain why that was?

20           The Witness. Yes, ma'am. I was asked last time of that. My notion as chain  
21 of command, the Chief of Staff is in the dining room with the President of the United  
22 States. I'm not to interject or intervene or be there except to hand the Chief an urgent  
23 note, so I wasn't looking to have any conversation or get inter -- or be interjected with  
24 anything in there.

25           Ms. Cheney. I think you also described last time that you were emotional at that

1 point.

2           The Witness. I was emotional that officers were hurt. I believe during my  
3 testimony, it was the first time last time I talked about it, and I got emotional during my  
4 testimony in going through all that again and reliving it, that I hadn't done that before.  
5 And it was -- it was an emotional part of knowing that officers were being injured, any law  
6 enforcement was being injured during this.

7           Ms. Cheney. And at that moment, we now know that as there was a violent riot,  
8 an attack underway, and I think over 150 law enforcement officers, as I mentioned  
9 earlier, sustained serious injuries, President Trump sat in the dining room off of the Oval  
10 Office and despite repeated pleas from his family and from senior staff at the  
11 White House refused to tell his supporters to leave. Did you advise the President not to  
12 tell his supporters to leave?

13           The Witness. Ma'am, I didn't advise the President of anything. It's not my role  
14 there to advise the President of anything of that nature. I -- my job is updating the Chief  
15 of Staff and went back to my office to monitor any other information coming in. As the  
16 deputy chief of staff of operations, there is other deputy chiefs of staff there. There's  
17 the chief of staff there of policy, of other things. That wasn't my role as the detailee  
18 from the Secret Service to be advising the President.

19           Ms. Cheney. As a detailee from the Secret Service? You considered yourself  
20 more a detailee from the Secret Service than a chief of staff, the deputy chief of staff for  
21 operations?

22           The Witness. Well, that's -- I was detailed from the Secret Service as the deputy  
23 chief of staff for operations. I held the role as deputy chief of staff of operations, and  
24 that's where -- the role I held was a lot of it was with the classified programs, and that's  
25 what I was in my office for as well was making sure we were good on our classified

1 programs. That was my role.

2 Ms. Cheney. Thank you.

3 BY [REDACTED]:

4 Q Mr. Ornato, let me just pick up on something Ms. Cheney just asked you  
5 about, and that's whether or not the President issued, or was encouraged to or not to  
6 issue a statement. Let me just read you some testimony that we got from Pat Cipollone,  
7 you know, the White House counsel. I assume you were closely acquainted with  
8 Mr. Cipollone during your time as deputy chief of staff for operations and worked with  
9 him in that capacity? Is that right?

10 A Yes, I knew Pat. Yes.

11 Q All right. So let me just -- let me just read something to you and ask you if  
12 it refreshes your memory about encouraging the President to give a statement.  
13 It -- he was asked, you and Mr. Philbin indicated that the two of you went downstairs to  
14 Mark Meadows' office, either found him in his office, or then found him in the President's  
15 dining room with the President.

16 Mr. Cipollone said, Yes, that's correct. I think he was already in the dining room.  
17 I think we went to his office, he wasn't there. We both went into the dining room.

18 Question: What was your intention? I think you said something more needed  
19 to be done. What specifically do you think needed to be done?

20 Answer: I can't talk about conversations. I think I was pretty clear, there  
21 needed to be an immediate and forceful response, statement, public statement that  
22 three people -- that, excuse me, that people need to leave the Capitol now.

23 Okay. Do you remember any discussion with Mark Meadows with respect to his  
24 view that the President didn't want to do anything or was somehow resistant to wanting  
25 to say something along the lines that you suggested?

1                  Answer: Just to be clear, many people suggested it, not just me. Many people  
2    felt the same way. I'm sure I had conversations with Mark about this during the course  
3    of the day and expressed my opinion very forcefully that this needs to be done. I  
4    remember at one point, I can't remember when, when I continued to express -- and this is  
5    not something -- I think this was outside of the -- I know this was outside of the dining  
6    room. I expressed to Mark Meadows this needs to be done now. And I expressed,  
7    if -- I'm trying to remember if there was a presidential communication, but I expressed  
8    very clearly to Mark Meadows and others, it wasn't just me, with this sentiment that  
9    something needed to be done, that this was not good, that this was a violation of -- I  
10   thought what happened on January 6th was a national tragedy. I did everything I could  
11   do during that time to express the things needed to be done, that statements needed to  
12   be made. I wasn't the only one. There were a lot of people who were doing it  
13   forcefully.

14                 So my question, Mr. Ornato, is, were you part of that chorus of people who were  
15   encouraging a statement, a more forceful statement to be made to try to stop the  
16   violence?

17                 A      Sir, January 6th was a tragedy. I wish it never happened. I know we all  
18   do. I was not in the Oval Office. I was not outside the Oval Office. The only time I  
19   saw the President that day was for those brief amounts of seconds that I can remember  
20   handing Mark Meadows a note. I was in my office trying to manage the classified  
21   programs and also have the intelligence that was coming in to give the Chief of Staff the  
22   information he needed was my role at that time.

23                 If I was given the opportunity, or asked about it as far as from others around, I  
24   don't recall if I had echoed that something needed to be done. But I believe -- and  
25   Ms. Cheney corrected me on my first interview -- I didn't know that people were watching

1 Twitter or knowing that up there at the Capitol. I had assumed from where I was sitting  
2 that it was a mob mentality and they were just trying to get in and going through law  
3 enforcement and attacking law enforcement to do it. I did not know that they were  
4 actively monitoring if the President were to tweet or not. I didn't know that. If I had  
5 known that, then, yes, a statement should've been made, but I wasn't in a position in the  
6 role I was in, as far as I report to the Chief of Staff, to go around the Chief of Staff on  
7 anything of that nature. So it would've been just my -- doing my role was giving the  
8 Chief of Staff the information he needed to be able to do his job.

9 [REDACTED] Ms. Cheney, go ahead.

10 Ms. Cheney. Thanks, [REDACTED]

11 Mr. Ornato, do you know of anyone in the White House who told the President  
12 not to instruct his supporters to leave the Capitol?

13 The Witness. I don't know that, ma'am. I never heard -- I haven't heard  
14 somebody say not to instruct. I haven't heard -- I wasn't in the Oval or around the  
15 outside of the Oval, like I said. I didn't even know those that went in there to try to tell  
16 him to instruct him to stand them down, I didn't know that as well, ma'am. But I didn't  
17 know anybody that had said -- that I can recall, that said not to put a message out.

18 Ms. Cheney. Thank you.

19 BY [REDACTED]:

20 Q Did you hear anything, Mr. Ornato, over the course of that afternoon about  
21 the President's reluctance to issue a forceful statement? Did you hear -- I understand  
22 you didn't talk to the President, but did you hear any discussion among others inside the  
23 White House about that issue?

24 A I did not, sir. I don't recall hearing any of that discussion.

25 Q Did you hear about anyone encouraging him to -- I'm sorry, go ahead?

1           Ms. Driscoll. No, I just wanted -- we were going to ask for a break, but you can  
2 finish.

3           BY [REDACTED]:

4           Q     Let me just finish this -- thank you, Ms. Driscoll -- and we can take a break  
5 right after.

6           Did you hear any talk about people who were encouraging him to say something  
7 or not say something at all in any direction, people that were involved in the discussion of  
8 messaging, the President saying something to the public?

9           A     I don't recall. I remember the Chief running back and forth. He was on  
10 the phone a lot, and he was running back and forth from his office to the Oval Office.  
11 And I think -- I recall something of -- that -- I can't remember her name, the press office,  
12 Kayleigh, I believe it was, down in their office, and my assistant saying that the press  
13 office and -- was, you know, trying to get a statement together or something of that  
14 nature. But I -- as I think about it sitting here today, I don't recall exact, specific people  
15 or information.

16           It was -- it was very chaotic, sir. I'll be honest with you, it was a very chaotic time  
17 in trying to get the information, and it was usually late information or it wasn't accurate  
18 or it was the fog of war and it was misrepresented. And it was very -- a very chaotic day,  
19 so I don't recall those specific details.

20           Q     Mr. Ornato, I completely appreciate that it was a chaotic day, and I'm not  
21 looking for specific details. I'm just wondering if you heard any discussion at all about  
22 the issue of the President needs to say this, the President shouldn't say that, any such  
23 general discussion about what he should say during the riot?

24           A     No, sir, I did not -- I don't recall hearing anything about what he should or  
25 should not say, no.

1 [REDACTED]. Okay. All right. Why don't we take 5 minutes at this point. Is  
2 that enough, or, Ms. Driscoll, do you need more?

3 Ms. Driscoll. We can make 5 work.

4 [REDACTED]. Okay. That's great. Thank you. We'll take 5 minutes.

5 [Recess.]

6 BY [REDACTED]:

7 Q All right. I think, Mr. Ornato, we left off -- I want to go back to the timeline  
8 and just finish the rest of this sort of intelligence about what was going on at the Capitol  
9 that came into the Secret Service over the course of the rest of the afternoon. I believe  
10 at 3:32, the next PIOC update is emailed to you.

11 If you could call up, [REDACTED], exhibit 5C.

12 We've talked about this before, periodically, you -- Mr. Engel forwards you the,  
13 sort of, updated situational awareness briefings that are -- he's receiving from the  
14 protective intelligence division. At this time, 3:32 p.m., after this note had been passed  
15 that we just discussed to the Chief of Staff -- go up, [REDACTED] if you can -- the latest  
16 update that's passed to you is about the National Guard. It's update 14, DHS/NOC is  
17 reporting that National Guard has been mobilized with personnel en route to the Capitol.

18 Do you recall getting information that the Guard had now been mobilized and that  
19 personnel were en route to the Capitol?

20 A Sir, I do remember getting that information that the service was passing that  
21 the National Guard was en route to the Capitol, and I -- I'm assuming it was from this. I  
22 don't remember specifically if it was from this, but I do remember that and passing that  
23 on.

24 Q Tell me, I was going to ask you, to whom did you pass it on?

25 A That would've been the Chief of Staff. Once I had saw him running back

1 and forth from his office to the Oval, I would've passed it to him during that time.

2 Q Do you recall, Mr. Ornato, telling him specifically about, Hey, heads up, the  
3 Guard is on its way or the Guard has been mobilized after you received that information?

4 A So what I recall is letting him know that -- what I -- what I do recall is the  
5 chief asking to get Secretary Miller on the phone, why aren't they there yet. And I  
6 recall -- and I believe we went through this in my last testimony, I recall trying to get the  
7 Chief of Staff to the Secretary Miller, which was Kash Patel, on the phone as  
8 Mr. Meadows' staff was trying to get Secretary -- Acting Secretary Miller on the phone.  
9 And as soon as I got Kash Patel, I asked him where the Secretary was. I saw that  
10 his -- Mark Meadows' staff connected Acting Secretary Miller to Mark Meadows, at which  
11 point I told Kash he's talking to him and we hung up.

12 Q Okay. Did you have any other conversation with Mr. Meadows in the  
13 dining room, or was the one you just described the only time that you talked to him back  
14 in that private dining room?

15 A I'm sorry, sir, this isn't back in the private dining room. This was down in  
16 his office.

17 Q Yeah.

18 A That was the only time I can remember going into the private dining room  
19 was to hand Mr. Meadows that initial note card, and then I don't recall going into the  
20 private area again.

21 Q I understand. So the discussion you just indicated about calling the DOD  
22 Chief of Staff, did -- was that in response to receiving this update from Mr. Engel about  
23 the Guard being deployed, or was that a separate occasion?

24 A I don't recall if that was a response from this, but it was -- from my  
25 remembering, what I recall is, it was around the same time, because I recall saying

1 something to him about the Guard mobilizing, and then he wanted to know why it wasn't  
2 there yet.

3 Q I see.

4 A So that was -- so I don't know if this was the document that drew that out,  
5 but that was -- I remember the discussion from Mr. Meadows of, you know, get the  
6 Guard -- get Acting Secretary Miller on the phone. I want to talk to him.

7 Q Were you present when Mr. Meadows spoke to Acting SecDef Miller?

8 A I wasn't -- I was more towards my office. He was in his, but with the doors  
9 open. I remember hearing him get -- saying, Get the Guard to the Capitol now. I  
10 remember that.

11 Q Okay.

12 A It was kind of what I had heard him yell.

13 Q I understand. And about when did that occur? And I'm not looking for a  
14 pinpoint minute, but do you remember about when that happened?

15 A I don't, sir.

16 Q Okay.

17 A I don't remember the timeframe.

18 Q All right. I understand. The next message you get is at -- it's tab 5D, and  
19 it's at 3:36 p.m., just a little while later. And this is one -- not a PIOC report but one of  
20 those Gutsmiedl emails that gets forwarded to you.

21 Mr. Gutsmiedl, if you scroll down, at 3:34, talks about two unknown PD down at  
22 Constitution and Delaware, one unconscious, not breathing. I think you talked a little bit  
23 about that, Mr. Ornato, before. That was something that you briefed Mr. Meadows  
24 about, correct, the fact that we had law enforcement officers down?

25 A Correct.

1           Q     All right. He also talks about the National Guard, 41 National Guard en  
2 route to the Capitol. National Guard QRF being mobilized, Montgomery County PD CDU  
3 is coming to the Capitol. And Hoosier, the Vice President, still on Capitol Complex  
4 holding in tunnel. That comes to you at 3:36. Mr. Harrison says, received and passed  
5 to COS.

6                 Do you recall personally -- you talked about the unconscious officers, but passing  
7 any of that other information on to Mr. Meadows upon receipt of it from Mr. Engel?

8           A     I don't remember recalling exactly passing that on, but Mr. Harrison was also  
9 passing information on. He would've done that, too, if he saw the Chief, and I did it.

10          Q     Yeah, I understand. Now, going back to your phone records, Mr. Ornato, at  
11 this point, at 3:40 you called the White House Situation Room, which could've been to  
12 connect you to someone. At 3:41 you called Bobby Engel, and then at 3:44 you called  
13 Director Murray and had a 5-minute conversation with him. Do you remember those  
14 series of calls, the Situation Room, Engel, and Director Murray?

15          A     Now that you say that today, I remember the call to the Situation Room, I  
16 believe, was to connect me with Kash Patel --

17          Q     Okay. That was at 3:40, yep.

18          A     -- from what I can recall.

19          Q     Appreciate that. And then you called Mr. Engel just a minute later at 3:41?

20          A     So right around this time is when the Chief of Staff notified myself and Beau  
21 that the Vice President was still around -- still up at the Capitol, is what I remember. We  
22 didn't know for about an hour or so that the Vice President was still up there. So then, I  
23 remember calling Mr. Engel to say, Hey, he's still up there. And he says, Yeah. I  
24 remember him saying, I'll forward you the updates or I'll get you the updates on that.  
25 And that's when I think a lot of the updates started coming in.

1           But I necessarily didn't see that one that said the Vice President at -- in the tunnel  
2 holding. I remember calling Mr. Engel back once the chief told me the Vice President  
3 was still at the Capitol, so that could've been that phone call, but I don't recall exactly.

4           Q     Okay. And I see Ms. Cheney has put her camera on, but I just want to really  
5 quickly, before going to her, do you remember the conversation with Director Murray?  
6 It's just a 5-minute connected call just 3 minutes later.

7           A     I don't recall the conversation with Director Murray.

8           Q     What would've caused you to elevate something to the head of the service  
9 at that time? Just speculating, what could it have been?

10          A     Sir, I don't recall. I --

11          Q     Okay.

12          A     I can't even -- I didn't -- I didn't know -- I don't recall placing a phone call to  
13 the Director.

14          Q     I see.

15          Ms. Cheney, go ahead. I'm sorry.

16          Ms. Cheney. Thank you very much, [REDACTED].

17          Mr. Ornato, are you aware of the fact that the committee has put on evidence in  
18 our public hearings that the [REDACTED] aide has testified that Mr. Cipollone and Mr. Herschmann  
19 were outside the Oval Office, they were trying to get the Guard mobilized, and  
20 Mr. Herschmann said the President doesn't want to do anything?

21          The Witness. I'm not -- I'm not familiar with that, ma'am. I don't recall that.

22          Ms. Cheney. Thank you.

23               BY [REDACTED]:

24          Q     All right. Mr. Ornato, just moving forward in time, 4:24 is the next thing I  
25 want to show you. It's 5E.

1                   ███████████, if you could call up 5E.

2                   It's another message that's passed directly to you from Mr. Engel. And this has  
3                   to do with pipe bombs at the DNC. So if you go down here to the -- this is,  
4                   Mr. Gutsmiedl's email. This just sort of becomes a running chain. And he tells Bobby  
5                   Engel at 4:21, ATF reports two devices at DNC office and believe they are viable and are  
6                   being addressed at this time. That gets forwarded on to Engel, and then he forwards it  
7                   on to you.

8                   Do you remember any discussion that afternoon about live pipe bombs being  
9                   found at the DNC?

10                  A      I do recall being briefed that there were pipe bombs found. What I recall  
11                  was that they were determining if they were inert or alive at a later time. They didn't  
12                  know at that point. And they had relocated, if I'm not mistaken, Vice President-elect  
13                  Harris from the DNC, and I passed that information, I remember, to Mark Meadows  
14                  outside my office.

15                  Q      I see. All right. So the information about the pipe bomb rose to the level  
16                  of magnitude that, in your view, Chief of Staff needed to be aware of the latest  
17                  information and you orally conveyed that to him?

18                  A      Correct. I remember that, sir, outside, because of the Vice President-elect  
19                  Harris being relocated from that venue.

20                  Q      Where -- it sounds like you have a kind of specific recollection of that  
21                  conversation with Meadows. Where did it take place?

22                  A      It was -- I believe it was right outside my office. I believe -- I want  
23                  to -- what I recall, I remember Mr. -- Beau Harrison, his desk is right there at the door, and  
24                  we were standing there when that came up as Mr. Meadows was walking by. And I  
25                  stopped him from what I remember and said, Hey, just -- we just got this.

1           Q     So that would've been close in time, right after your receipt at about 4:24 of  
2 this message from Bobby Engel?

3           A     That's what I recall, sir.

4           Q     Okay. All right. About a half an hour later, or a little more, 40 minutes,  
5 5:08, this is tab 5F, it's the next one that -- and these are all now that come to you directly  
6 from Mr. Engel. Let me ask you about this one. This is, again, it's the same email chain  
7 from Gutsmiedl, but the latest updates.

8                 [REDACTED] if you go down to just above the -- we talked about -- keep going down.

9     All right. We talked about this one -- I'm sorry, we didn't. Go down one more.

10           We talked about this one --

11           Ms. Driscoll. Can you zoom in a bit? It's a little bit difficult.

12                 [REDACTED]. Okay. You can blow it up.

13           Ms. Driscoll. Thank you.

14           BY [REDACTED]:

15           Q     Okay. So we talked about the 4:22 ATF reports, the devices. Let's just go  
16 through the updates now that come to you. So Gutsmiedl tells Engel, and all of this  
17 comes to you, MPD reports DNC is now clear of both devices, so the devices have been  
18 taken care of. ATF still on the scene. Devices disrupted and ATF doing exam now to  
19 determine viability. Device disrupted and disabled and being examined now for  
20 viability. So there are two separate devices, one at 300 1st Street and one at the DNC.

21                 And then Gutsmiedl updates, found a WFO special agent, Washington Field Office  
22 FBI special agent that is embedded with the Capitol Police terrorism task force agents.  
23 He inquired with them. They checked, but they couldn't provide any additional  
24 info/details on the shooting from their agency. They can't even confirm that it was a  
25 police-involved shooting, or any additional details. No new updates from any of the [REDACTED]

1 partners on the details.

2 So he's updating now about status of the shooting that you had briefed Meadows  
3 on with the card.

4 And then keep going down. The final update from Gutsmiedl is, congressional  
5 leadership is being evacuated to Fort McNair as soon as practical, and that comes from  
6 the Washington Field Office Capitol Police task force officer. And then all the way at the  
7 top it just comes to you for awareness.

8 So tell me what, if anything, you recall, Mr. Ornato, about -- about those issues,  
9 the disabling of the pipe bombs, the -- who was responsible for the shooting, and the  
10 evacuation of the congressional leadership?

11 A Yes, sir. So I recall briefing Mr. Meadows on the evacuation of the  
12 congressional leadership to Fort McNair so he knew that's where they were heading,  
13 that -- and we'll try to get an update. But from what I recall, he was talking to people on  
14 the Hill, I don't know who, because he knew that. I remember him saying, I have that.

15 Q Was --

16 A And then I updated him that the -- I'm sorry?

17 Q Was that -- is that a conversation that took place in person? Just tell me  
18 more about specifically where you were when you talked to Mr. Meadows.

19 A Yeah. So it would've been -- it would've been -- I don't recall. It would've  
20 been in his office probably or my office. It would've been right around our offices,  
21 because that's where I stayed, because I was staying by my yellow phone, my classified  
22 phone in my office in case that rang. And I was staying close to that, and Meadows was  
23 going back and forth. He had to go by my office to go from the Oval to his office --

24 Q Okay.

25 A -- so we would catch him in between. And I had briefed him on that. I

1 briefed him, from what I recall, on the pipe bombs were taken care of at this point, and  
2 that they were being investigated further, but they were, I believe, disrupted, is what it  
3 said. And then there was still no information on the shooting.

4 That was a big question of people were trying to find out who was shot, who fired  
5 a shot, like, you know, and nobody had the information on that. So I know that was  
6 something a lot of people were asking. I know he was trying to get that information as  
7 well from up there, but we couldn't. I remember that was something that he wanted  
8 information on, and so I gave him what the service was able to relay.

9 Q I see. So it sounds to me like you got this series of messages from Bobby  
10 Engel and you literally just reported that same information orally to Mark Meadows soon  
11 after you received it. Is that right?

12 A Correct, sir.

13 Q Pretty common practice over the course of the day. You'd get these  
14 important updates --

15 A Yes.

16 Q -- and you would pass it along to your direct report, the Chief of Staff?

1

2 [2:43 p.m.]

3           The Witness. Yes, sir.

4           BY [REDACTED] :

5           Q     Do you know what he did with that information? Do you know whether or  
6     not, did he ever say anything like, I've got to go tell the President about this, or I've got to  
7     share with anyone in particular?

8           A     He didn't, sir. I don't recall him saying anything about what he would do  
9     with it. He would just -- sometimes, what I remember, he would repeat it so he had it,  
10    and that was it, from what I recall. I don't recall him saying anything of where he'd go  
11    with the information.

12          Q     Did you ever see him, upon receiving information from you, go immediately  
13    towards the Oval Office?

14          A     Sir, from what I recall, that's where I would catch him; he'd be going back  
15    and forth. So he could've been going to the Oval or coming from the Oval when I passed  
16    that information. I don't recall exactly which way.

17          Q     Okay. So no specific information about what he did with the information  
18    upon receipt from you?

19          A     Correct.

20          Q     Okay.

21          All right. About 8 minutes later, the next tab is 5G. It's 5:16, now, p.m., the  
22    latest update from Gutsmiedl that coming to Engel and to you.

23          Just go down to the first -- go down a little bit more. Right.

24          So we talked about congressional leadership being evacuated. The next update,  
25    if you scroll down: "Confirmed with JOC that Hoosier is still at [REDACTED]" so the Vice

1 President is still at the Capitol.

2 "SOD reports that they send additional six-man [REDACTED] to [REDACTED] to  
3 supplement the six-man team already there with Hoosier, now two six-man teams. SOD  
4 reports there is also an additional [REDACTED] team in response mode to holding at  
5 [REDACTED], " the White House [REDACTED]

6 Do you recall receiving this information about the Vice President being still at the  
7 Capitol and these [REDACTED] and whether that was something that you briefed Mr.  
8 Meadows?

9 A I don't recall at the time briefing Mr. Meadows on the [REDACTED]  
10 And Hoosier, the Vice President, being at the Capitol, he knew more of that than I did.  
11 So I don't know if I continued to update him with that, as he had that information already.

12 If that were to change, I would've given him an update. But if he was still at the  
13 Capitol, then -- and he was still secure and he wasn't asking me about anything, I don't  
14 know if I would've given him that update. I don't recall.

15 Q Okay.

16 Now, [REDACTED],  
17 that's you, right? That's the White House? You're being told that there's a [REDACTED]  
18 [REDACTED] that's ready to respond to the White House if needed.

19 Significant enough for you to pass along to other people, that the service is  
20 preparing to deploy the tactical team, if necessary, to the White House?

21 A Not too significant, sir, as far as [REDACTED] so I'm sure they  
22 called people to their office. But, in seeing that, when I read that, [REDACTED]  
23 [REDACTED]

25 There are multiple tac teams that are on the White House complex. So nothing

1       that would raise to the chief, of services just doing their job of being precautionary to  
2       have assets available if needed.

3           If they were to deploy or they were to need that team, then that would raise to  
4       the chief of staff to let them know that -- because, obviously, if they're coming to the  
5       White House, something's happening, so he would have to know that. Or going to a  
6       small detail's residence, he would have to know that.

7           Q     All right.

8           Do you know whether there was any discussion over the course of that afternoon  
9       about whether to bring [REDACTED]?

10           [REDACTED]  
11           [REDACTED], [REDACTED], [REDACTED]

12           A     Not that I was aware of, sir. Not that I can recall.

13           Q     Okay.

14           All right. Last in line, then, over the course of the day, in terms of emails that  
15       were forwarded to you, is 5H. This is at 5:54 p.m. Once again, it is the latest in the  
16       same email chain.

17           If you go down, [REDACTED].

18           You can see we left off with the [REDACTED] But then the next one above is  
19       at 5:53: "ATF reports they continue to examine the devices near DNC. ATF also  
20       reports that they found 1 firearm and 11 potential incendiary devices in a vehicle parked  
21       near the DNC."

22           And that's bumped up from Engel to you for awareness at -- again, this is the  
23       messy timestamp. This is at 5:54, so just a little before 6 p.m.

24           Do you remember receiving this information about the fact that ATF's examining  
25       the devices, they found a firearm and 11 potential other incendiary devices in a vehicle?

1           A     Yes, sir, as I see this email today, I do recall that now. And I did, from what  
2     I recall, update the chief of staff with that. Obviously, with the 11 incendiary devices,  
3     that was pertinent information that I thought he should be made aware of.

4           Q     Okay. Do you know what, if anything, he did with that information? Did  
5     he pass it along to others?

6           A     I don't know, sir.

7           Q     Okay.

8           All right. The joint session then resumes. Right? The Capitol is essentially  
9     cleared, and the joint session resumes at about 8 o'clock the night of the 6th.

10          And then you have a couple of phone calls after the resumption of the joint  
11     session with Amy Swonger. Do you know who Ms. Swonger is?

12          A     I don't recall, sir, who that is.

13          Q     She was the head of the legislative office, the White House Office of  
14     Legislative Affairs. She was the person who ran that office.

15          Do you remember talking to her, the leg. affairs staff person, twice on the night of  
16     January 6th?

17          A     I don't, sir. I don't recall.

18          Q     Okay.

19          A     And she was an Executive Office of the President -- she's an EOP employee?

20          Q     Yes, sir, she is.

21          A     Okay. I think I know who you're referring to. I don't recall conversations  
22     with Amy that night.

23          Q     Okay.

24          She called you at 8:12 p.m., spoke for 2 minutes. At 8:35, the White House  
25     Situation Room called your phone. And then you called Ms. Swonger again at -- or,

1 excuse me, you called Ms. Swonger at 9:22 p.m. and had a 2-minute conversation.  
2 Those are the three calls in a row, separated by about an hour, on your White  
3 House-issued cell phone.

4 Again, do you have any recollection about either the Situation Room call or the  
5 two discussions with Ms. Swonger?

6 A I don't, sir. I don't recall those conversations.

7 Q Did it have anything to do with the joint session, the fact that the joint  
8 session had resumed? Do you remember how, if at all, that affected what you were  
9 doing on January 6th, when Congress was back in session?

10 A No, sir. I would have nothing to do with the joint session being in session  
11 at that evening. I don't recall.

12 Q Okay.

13 All right. Let me pause there and see, [REDACTED] if you have anything else about  
14 the intelligence or any of the documents?

15 [REDACTED]. No.

16 [REDACTED]. All right.

17 Does Ms. Cheney or anyone else on the line have any questions about this before  
18 we move on to a new topic?

19 No?

20 All right.

21 Well, then, what I want to now turn to, Mr. Ornato, is, go back to Mr. Engel's  
22 conversation with you when he returned to the White House after the Ellipse event.  
23 And I think Ms. Cheney wants to start this line of questions.

24 Ms. Cheney, please go ahead.

25 Ms. Cheney. Thank you, [REDACTED].

1           And, Mr. Ornato, I want to focus on this period of time after the motorcade  
2        returned to the White House and Bobby Engel came by your office.

3           Previously, you testified to the committee that Mr. Engel stopped by your office  
4        and that it was essentially a momentary visit. You said he stuck his head back in. He  
5        said, we're back. He said everybody's dispersing. You asked if there was going to be  
6        any problem here. He says, no, we're all good. And then that was the end. You  
7        described that kind of a momentary exchange twice in your prior testimony.

8           Mr. Ornato, we have now multiple people who have testified to the committee  
9        about your meeting who directly contradict the story that you told us.

10          This includes a uniformed member of the United States military, who testified to  
11        the committee that you described for him an irate exchange in the limo, that you  
12        described this for him in front of Mr. Engel, that you told him that the President was irate  
13        at not being able to go to the Capitol.

14          We also have Cassidy Hutchinson. You've seen her public testimony, which is  
15        similar to the testimony that I've just described for you.

16          And Mr. Engel himself describes a different series of events and describes this  
17        meeting very differently from the way that you do.

18          So I would like to understand, Mr. Ornato, why you told the committee previously  
19        that Bobby Engel just stuck his head into your office. We're having trouble reconciling  
20        your version of that meeting with the other testimony that we have received. And I  
21        wonder, Mr. Ornato, if you think that your prior testimony could have been mistaken.

22          The Witness. Ma'am, my prior testimony and what I recall today is what I recall.  
23        I don't recall being made aware of anything that took place with the President in his  
24        motorcade from the Ellipse back to the White House.

25          Ms. Cheney. And so, Mr. Ornato, it's your testimony that the meeting itself was

1       not even really a meeting. The that way that you've described it, Mr. Engel stuck his  
2       head in your office, you had a brief exchange, and, as you described it, that was the end  
3       of it.

4                  That's inconsistent with the testimony that we've received, as I said, from multiple  
5       other witnesses.

6                  The Witness. Ma'am, I recall Mr. Engel coming back to my office, the exchange  
7       that we discussed, and the topics that we have already discussed. I do not recall  
8       anything further that took place in my office.

9                  Ms. Cheney. Thank you.

10                 I don't have anything further. [REDACTED]

11                 [REDACTED]. Yeah. Thanks, Ms. Cheney.

12                 BY [REDACTED]:

13                 Q      Let me just put a little finer point on this, Mr. Ornato. And I'll just read to  
14       you some of the testimony that we've received from these other witnesses, as  
15       Ms. Cheney mentioned.

16                 First, the military aide. He described, as Ms. Cheney said, a conversation that  
17       took place between you and Mr. Engel and him back around your office after the Ellipse  
18       event. And I'll just read you the series of questions and ask you about it.

19                 He said that "I entered the White House from West Exec and proceeded up to Mr.  
20       Ornato's office. Mr. Ornato, as the deputy chief of staff for operations, would probably  
21       be the best person to ask. Since we're back on campus, you know, he's my primary  
22       point of contact in execution. So, at that point, he stated very adamantly that we were  
23       not going to go. And, again, the violence was on the TV screen, and, you know, they had  
24       expressed to me that the President was irate on the drive up."

25                 "Yes, ma'am, the President was irate. He also stated that they're, you know, 100

1 percent adamant that we were not going to go, you know, leave the campus again."

2 Question: "And you said it was Mr. Ornato and Mr. Engel in the office? Is that  
3 correct?"

4 Answer: "Yes, with Mr. Harrison."

5 Question: "With Bo Harrison? Was anyone else present?"

6 Answer: "At the time of my arrival, ma'am, I don't recall, you know, specific  
7 people who would be walking in the hallway, but it was those three individuals that I  
8 was -- you know, my primary task and focus was, I need to confirm what's going on so  
9 that I can delegate down to the rest of my teammates, you know, what their follow-on  
10 actions and preparation needed to be."

11 Question: "So did you pose the question to Mr. Engel or to Mr. Ornato, as far as  
12 what is the plan?"

13 Answer: "To Mr. Ornato."

14 Question: "And who responded?"

15 Answer: "Mr. Ornato did, to the best of my recollection. I honestly think that  
16 both of them said we're definitely not going, but my primary discussion or my primary  
17 exchange was with Mr. Ornato."

18 "Do you remember who expressed that the President was irate on the drive?"

19 Answer: "I believe it was Mr. Ornato."

20 "And who was the one who" --

21 "I'm fairly confident it was Mr. Ornato who stated that."

22 Question: "And was Mr. Engel present when he said that?"

23 Answer: "Yes, ma'am."

24 Question: "Was there any reaction from Mr. Engel when Mr. Ornato said that  
25 the President was irate on the drive up?"

1                  Answer: "I mean, you know, I don't remember his specific body language, but,  
2 you know, there was no -- what's it called -- he did not deny the fact that the President  
3 was irate. I do not recall his specific body language though."

4                  Question: "Do you specifically remember what Mr. Ornato said? Did he  
5 describe a behavior that was irate or a manifestation of that emotion?"

6                  Answer: "No, sir. Just that he was irate. He was really angry, you know, that  
7 we proceeded back to the White House. I mean, that's the extent of my recollection."

8                  That, Mr. Ornato, is the testimony that we received from the military aide. Does  
9 that in any way refresh your recollection as to the conversation you had with Mr. Engel  
10 back in your office after the Ellipse event?

11                A      No, sir. I don't recall that conversation taking place, nor do I recall being  
12 aware of any details that happened from the motorcade from the Ellipse to the White  
13 House.

14                [REDACTED]. Ms. Cheney, I see you've come off mute. Go ahead.

15                Ms. Cheney. Thanks, [REDACTED]

16                Mr. Ornato, did President Trump try to contact you after Ms. Hutchinson's  
17 testimony?

18                The Witness. No, ma'am. I haven't received any contact from President Trump  
19 since the day he left office.

20                Ms. Cheney. And what about Mr. Meadows?

21                The Witness. Mr. Meadows left me a voice message after my retirement  
22 congratulating me on my retirement. That's the extent of what I've heard from Mr.  
23 Meadows.

24                Ms. Cheney. Anyone else from the administration?

25                The Witness. I have talked to Bo Harrison, who has left the -- Trump's -- at this

1 point, but nothing about any testimony or anything of that nature. It was more about  
2 real estate and him moving to the area.

3 Ms. Cheney. Did you speak with the Secret Service spokesperson following Ms.  
4 Hutchinson's testimony?

5 The Witness. I recall, that day after Ms. Hutchinson's testimony, going to the  
6 Secret Service Counsel and being in his office and then the Secret Service spokesperson  
7 asking me about what my recollection was of that story. And I relayed that that is not a  
8 story I recollect and I don't recall that story happening and the first time hearing it is  
9 when she had said it.

10 Ms. Cheney. Thank you.

11 BY [REDACTED]:

12 Q On that last point, Mr. Ornato, your testimony is you don't recall that  
13 conversation happening, or that it did not occur? You don't recall it happening, or  
14 absolutely not?

15 A I don't -- that story -- the first time I heard that story told was by her and her  
16 testimony. I did not have that conversation that I can remember, and I don't believe I  
17 had that conversation.

18 Q When you say "that story," you mean what Ms. Hutchinson testified about a  
19 struggle inside the vehicle that she indicated was relayed to her by you?

20 A Correct.

21 Q Right. You don't recall having that conversation?

22 A No, sir.

23 Q Okay.

24 Ms. Cheney, go ahead.

25 Ms. Cheney. Thanks, [REDACTED].

1           Have you had any discussions with Bobby Engel about your testimony?

2           The Witness. Not about my testimony, ma'am.

3           Ms. Cheney. Have you had any discussions with Bobby Engel about the meeting  
4       in your office?

5           The Witness. No, ma'am, not about the meeting in my office.

6           Ms. Cheney. And it's your testimony, also, that you -- again, just to be clear, your  
7       testimony is contradicted by a number of witnesses who've testified to the committee,  
8       including the military assistant. Does that refresh your recollection at all?

9           The Witness. Ma'am, I don't recall that conversation happening at all or it  
10      coming up that the President wished to go to the Capitol. Again, I don't remember  
11      having that conversation with the military aide or Bobby Engel.

12          Ms. Cheney. Are you aware that the committee has got significant evidence that  
13      the President continued to express a desire to go to the Capitol after he returned to the  
14      White House?

15          The Witness. I'm not aware of that, ma'am.

16          Ms. Cheney. So you had no discussions or conversations after the President  
17      returned to the White House about the possible movement to the Capitol?

18          The Witness. Not that I can recall that, ma'am, no.

19          Ms. Cheney. Thank you.

20           BY [REDACTED]:

21          Q      The last person with whom it's directly contradictory, Mr. Ornato, is  
22      Mr. Engel. Mr. Engel testified that he came straight to your office, engaged in a series of  
23      conversations, some of which we've shown you emails about, evaluating whether or not  
24      there would be a subsequent move to the Capitol.

25          Again, I believe you testified previously that you don't recall any of those

1 conversations. Is that right?

2 A The conversation I recall I've expressed to you about at the White House.

3 But in regards to going to the Capitol, I am not aware of a request or Mr. Engel bringing  
4 that to my attention.

5 Q And your testimony, to be clear, is that he didn't convey to you anything  
6 about what had happened in the limo or what might yet happen once everyone had  
7 returned to the White House, correct?

8 A Correct. I don't recall being aware of anything that happened in the limo  
9 from the Ellipse to the White House. And then a subsequent movement to the Capitol I  
10 was not aware of.

11 [REDACTED] Ms. Cheney, go ahead.

12 Ms. Cheney. Thanks, [REDACTED].

13 Mr. Ornato, would you have been concerned about the President attempting to  
14 go to the Capitol in the middle of a violent riot?

15 The Witness. Would I have been concerned? Absolutely.

16 Ms. Cheney. Thank you.

17 [REDACTED] [REDACTED] go ahead. You had a followup?

18 [REDACTED] I just had a question.

19 BY [REDACTED]:

20 Q Mr. Ornato, are you familiar with the military aide that day, January 6th, was  
21 [REDACTED] ?

22 A Now that you say it, I know who [REDACTED] was, but I couldn't remember who  
23 the military aide was that day.

24 Q But do you remember seeing him around the time after the President  
25 arrived back to West Exec around 1:17?

1           A    I don't recall seeing him, ma'am.

2           Q    And, then, just before moving off of this, do you remember -- you said that  
3       the last you heard about the President wanting to go to the Capitol was January 4th, and  
4       then in the text messages on January 6th with Ms. Hutchinson about him expressing an  
5       intent to go before he took the stage.

6           And I just want to make sure that we're clear on the testimony that, apart from  
7       that text message communication, you had no discussion at all with anyone on  
8       January 6th about the President wanting to go to the Capitol.

9           A    Outside that text message, ma'am, I don't recall any conversation or of it  
10      being brought up to me or me bringing it up to anybody else, about him wanting to go to  
11      the Capitol.

12           BY [REDACTED]:

13           Q    Did you ever get any information from the driver of the vehicle? That was  
14      Special Agent [REDACTED] Did you ever speak with him, either on the 6th or  
15      thereafter, about what occurred inside of the Suburban?

16           A    No, sir. I didn't even know who the driver was until you said his name, and  
17      I actually don't know who that is.

18           Q    All right.

19           And did you ever hear anything about the President making a comment about the  
20      size of the crowd at the Ellipse and the size of the crowd outside of the magnetometers  
21      during the transport to or from the Ellipse?

22           A    Yes, sir.

23           Q    What did you hear about that?

24           A    So that's when -- I believe last time, my last interview, we talked about  
25      Bobby Peede and Max Miller, after the President started speaking, came back to my

1 office. And that's where they said that, when the President arrived at the Ellipse and  
2 saw the crowd outside the mags and not inside, he wanted them to come inside -- more  
3 people to come inside, and he chewed out Bobby Peede and Max Miller. I was told he  
4 was angry and he chewed them two out for not having more crowd in.

5 They explained to him that the mags are wide open; the people outside don't  
6 want to come in. They can see and hear him from where they are, and they don't want  
7 to go through the mags, is what Bobby and Max explained to me.

8 And that's when Bobby had mentioned that people in the crowd had body armor  
9 and -- or soft body armor and bike helmets. They probably didn't want to give that up,  
10 is what Bobby had said to me.

11 But he said he reiterated to the President that they didn't want to come in  
12 because they can hear and see him from where they are.

13 So that was also in the text message to Cassidy that I relayed to make sure I can  
14 cover for Bobby and Max, that, hey, they did their job, but those people obviously don't  
15 want to come in, and to make sure that Meadows knows that or, if any questions are  
16 asked, she has that information.

17 I know Bobby and Max had already told the President that, but sometimes  
18 Meadows will come back my way and ask me something about them. So that's where I  
19 knew that he was upset with them.

20 Q Yeah. And we did go through this at length in a prior interview.

21 Let me just be clear, though. Did Mr. Miller or Mr. Peede tell you that they  
22 conveyed to the President that people were outside of the mags because they had  
23 prohibited items, the body armor or the helmets, that wouldn't allow them to pass  
24 through the mags?

25 A So that's what they conveyed to me. I believe, what I remember, I think it

1 was Bobby Peede, if I remember correctly, saying that those people -- was trying to  
2 explain to them that they slept out. They have tents, they have chairs, they can't come  
3 through the mags with that stuff. So they're not going to come in, they're going to stay  
4 out there to not lose their belongings.

5 Q And when you say "belongings," do you know whether or not Miller or  
6 Peede conveyed to the President that those belongings included things like helmets and  
7 shields and ballistic vests, that sort of thing?

8 A I don't know, sir, if they relayed that to the President or not.

9 Q Okay.

10 Let me go back to the driver. I know you said you didn't talk to the driver at all,  
11 but the driver indicated that the President suggested -- when he was told that he couldn't  
12 go to the Capitol, he disputed that it was dangerous because, he said, these are my  
13 people, that they're not here to hurt me.

14 Did you hear anything about the President saying he wasn't in any danger, that he  
15 could go to the Capitol because, quote, "these are my people"?

16 A I don't recall that, sir, no.

17 Q From any source, not just from Agent [REDACTED]?

18 A No, sir.

19 Q Okay.

20 All right. And, again, did you hear anything about anything the President said,  
21 either driving to or coming back from the Ellipse, inside the vehicle, from Engel, from  
22 [REDACTED] or from any other source?

23 A No, sir, not that I can recall of anything inside the vehicle. Just Bobby and  
24 Max passing that information, when he stepped out of the vehicle, they were waiting for  
25 him.

1           Q     Okay.

2           I take it you didn't have any conversation with Sergeant Robinson, the  
3     Metropolitan Police Department officer who testified in our hearing that he was told that  
4     there was a heated argument in the limo, that the President irate. Did you ever talk to  
5     him or other law enforcement officers beyond the Secret Service?

6           A     No, sir.

7           Q     How about Special Agent [REDACTED]? He was the transport agent who  
8     was with Sergeant Robinson. Confirmed that there was a heated argument, that the  
9     President was irate. Did you ever talk to him?

10          A     No, sir. I don't recall -- I don't recall that name or seeing that person --

11          Q     Okay.

12          A     -- or talking to him.

13          Q     Yep.

14          All right. And so it sounds like from no source, inside the White House, Secret  
15     Service, or otherwise, did you hear anything about what happened inside of the  
16     Presidential vehicle. Is that right?

17          A     That's correct, sir.

18          Q     Okay.

19          [REDACTED]. Could I ask --

20          [REDACTED]. Yeah, please, [REDACTED]. Go ahead.

21          BY [REDACTED]:

22          Q     Mr. Ornato, just going back to the military aide, would it be accurate that, in  
23     his testimony when he says that you were his point of contact to confirm whether there  
24     was a plan to go to the Capitol -- and it sounds like you've testified before that that was  
25     one of your jobs, was to remain in communication with the military aide.

1           So does that sound consistent with something he would do in response to hearing  
2       that the President wanted to go to the Capitol, meaning check in with you?

3           A     If I was on the -- if I was down at the event at the Ellipse, then I would've  
4       been the chief of staff rep and that would have been. But since I was not there, the  
5       chief of staff would've been the chief of staff rep on that for any further things that were  
6       to happen.

7           Now, for him to come by and check with me, not out of the realm of possibility.  
8       It is possible. I don't recall that, at all, of him coming by. But, also, he would take his  
9       orders from the deputy director and director of WHMO, the White House Military Office,  
10      who he reports to and which are -- my liaison, too, is the director.

11          Q     Right. It sounds like from his testimony that, again, upon his arrival to  
12      West Exec, you were the first person that he went to go see, similar to Mr. Engel's  
13      testimony of, again, upon arrival to West Exec, he went straight to your office.

14          A     Yep. I --

15          Q     Is that --

16          A     -- don't recall that, ma'am.

17          Q     Well, would that be consistent with after coming back from an event, that  
18      both of them would check in with you?

19          A     That wouldn't be consistent. The military aide normally doesn't check in  
20      with me. Mr. Engel would -- or Mr. Cho or Mr. Arruda, if they were coming back with  
21      the President, would stop by, because my office is on the way to their office, so they may  
22      stop by, but not necessarily the military aide.

23          Q     And, then, when you said Mr. Engel stopped by after he arrived back to West  
24      Exec, did he enter your office?

25          A     I believe he would've entered into at least the front office, where Bo

1       Harrison is. And I have another door at that point. So I don't recall exactly, but I'm  
2       sure he would've been in the general vicinity there.

3           Q     Do you remember him coming in right after he arrived, meaning coming into  
4       that front office with Mr. Harrison?

5           A     I don't recall, ma'am, because I wasn't tracking them arriving back. I  
6       wasn't -- I don't have the -- I didn't -- I don't have a radio. I didn't know when they were  
7       back, so I don't know if he came directly.

8           And I don't recall where we would've had that conversation, if I was standing in  
9       Bo's section of my office or back in my office.

10          Q     I'm just trying to understand, when you say he stopped by, do you mean he  
11       came into Bo Harrison's office? Did he have a seat? Did he sit around for a while?  
12       Or "stop by" --

13          A     I don't recall, ma'am. I'm sorry. I don't recall at this time how long he  
14       was there for.

15          Q     So it could be longer than just coming by and saying hello and then leaving.  
16       I mean, he obviously --

17          A     I remember discussing -- I'm sorry.

18          Q     No. Go ahead.

19          A     I remember discussing the White House complex. I remember discussing  
20       our posturing. I remember that. So, you know, if it was a minute or so, I don't know.  
21       I can't put a timeline on it.

22               BY [REDACTED]:

23          Q     On the subject of the military aide, Mr. Ornato, just to go back to that  
24       morning, [REDACTED] actually held a briefing first thing that morning, correct? Do you  
25       recall attending the briefing that the military aide held on the morning of January 6th just

1 to make sure everyone was aware of what the plans were?

2 A No, sir. That -- I wouldn't attend that. That would've been done with the  
3 military aide, with his military staff that were on the trip. That wouldn't have been  
4 myself or anybody that I can recall would've been involved in that.

5 Q All right. Well, the Secret Service was present, so it was not just the  
6 military aide staff. You were not present for the mil aide's briefing that morning?

7 A I wasn't. It possibly was the ASAIC on duty, I'm not sure, or the shift leader  
8 that may have attended it. But, no, that's not something I would attend.

9 Q Okay.

10 Right after his briefing, [REDACTED] from the Secret Service has a Secret Service  
11 briefing. Did you attend that briefing?

12 A No, sir. Those are lower-level operations briefing for the people going to  
13 the venue, going to the site, and working. That wouldn't be anything I would be  
14 involved in.

15 Q All right. So you didn't attend either the mil aide or Secret Service early  
16 morning briefings on the 6th?

17 A No, sir.

18 Q Okay.

19 Ms. Cheney, go ahead.

20 Ms. Cheney. Thanks, [REDACTED].

21 I just wanted to go back for a minute. Earlier, Mr. Ornato, you said that you  
22 were monitoring issues connected to what was happening that morning, issues  
23 connected to the flow of people in through the mags.

24 But I wonder, given all of the intelligence that we now have shown you and that  
25 we've put on publicly, is it the case that -- maybe you could describe for us exactly what

1       your responsibilities were in terms of what you were monitoring.

2           The Witness. Sure, ma'am.

3           As far as monitoring for the mags, that would be just the night before or day  
4       before when Bobby Peede had sent that email and we talked with the service about it.  
5       The next day, Bobby Peede had -- either he hit me up or I hit him up, just to make sure  
6       how are we looking. And everything was looked at as good, as far as the mags, that they  
7       were open and flowing; there were people in line. I don't recall anything more than that  
8       as coming up.

9           But the other things I was doing that morning is exactly what I explained. I had  
10      duties for exiting staff with the office of the administration, making sure on the 5th -- and  
11      I forgot the other dates offhand -- but we had plans in place for people leaving the  
12      administration, to downsize on the complex, as we got closer to inauguration.

13           I was in contact with -- doing the Biden transition with -- I know, around that time,  
14      we were getting them COVID vaccinations early on, so when they started after  
15      inauguration, they can get their second shot and be up and running.

16           I was also talking with the NSC and some of WHMO on some classified programs  
17      with the COVID vaccinations to make sure that our continuance of government and our  
18      continuance of Oval operations were up and running with those. So that was a lot going  
19      on. We had the White House Medical Unit. They were testing everybody. They're  
20      reporting in who to be tested when.

21           So I was monitoring a lot of those things that were going on that day in that  
22      morning. And that was a big part of my every day, was a lot of the pandemic as well.

23           Ms. Cheney. Thank you.

24           And on that day of the 6th, what communications did you receive, both from  
25      anybody on the Hill but also in general? Did you receive Signal messages from anyone

1       that day?

2           The Witness. I don't recall having any -- I don't recall having communications  
3       with people from the Hill, ma'am, on that day. And I don't recall having Signal  
4       communications on that day as well.

5           Ms. Cheney. You don't recall any messages you received via Signal on that day?

6           The Witness. No, ma'am. I remember being, with my White House phone,  
7       extremely busy there and, with the yellow phone, in my office in talking to people. I  
8       don't recall anything with a personal phone that day of going -- I just don't.

9           Ms. Cheney. Thank you.

10           BY [REDACTED]:

11           Q     Let me just follow up, Mr. Ornato, on that. Do you use Signal? Do you  
12       have a Signal account?

13           A     I do, sir.

14           Q     All right. And do you communicate -- have you communicated with people  
15       with whom you worked in the White House via Signal?

16           A     I have in the past.

17           Q     And just explain to us, what would inform your decision to use Signal versus  
18       your White House phone or your personal phone, both of which you were using during  
19       this period of time?

20           A     Sure.

21           My White House phone, obviously, I'm using for most of my White House  
22       communications.

23           My personal phone is if I'm tied up on my White House phone, I know people  
24       know how to get a hold of me on my personal phone, as well, in time-sensitive issues.

25           And Signal was something used not regularly by me with other staff personnel for

1 anything business-wise. It would be personal that I can recall.

2 Q Did you ever use Signal for anything business-related, official  
3 communications related to your job as the deputy chief of staff of operations?

4 A With Signal, sir?

5 Q Yes.

6 A Not that I can recall.

7 Q All right. If you used Signal for an official communication, would it be  
8 important for you to maintain a record of that to comply with the Presidential Records  
9 Act?

10 A If it was compliant to that, it would be. I don't recall using that, Signal, for  
11 anything for government-related.

12 Q All right. Is that account still active, your Signal account?

13 A I have -- if it rolls over to a new phone, sure. I have a Signal account on my  
14 phone. I don't have the phone that I had back during that time --

15 Q Yeah. Signal's not tied to a device.

16 A -- reopened it.

17 Q Sorry. I didn't mean to interrupt you.

18 A Sorry. I'm not sure if I opened a new account or not. I don't -- I don't  
19 recall.

20 Q All right.

21 Do you know whether or not you had any Signal exchanges with Cassidy  
22 Hutchinson in the days since you left the administration, the two of you left in January  
23 of '21?

24 A Oh, I believe we did. She was -- we were friendly. She hit me up multiple  
25 times that I recall.

1 Q When you say "hit you up," what do you mean by that?

2 A Just text me, whether on text, on personal phone, or on Signal, either/or.

3 Q So you had Signal exchanges with Ms. Hutchinson since you left the  
4 administration?

5 A Shortly after leaving the administration, only for a few months that I can  
6 remember.

7 Q All right.

8 Let me show you exhibit 10 and see if this refreshes your recollection. We can  
9 blow that up to make sure you can read it.

10 [REDACTED], if you could zoom -- yeah. Appreciate that.

11 A We saw this, right?

12 Q Yeah.

13 This we gave, Ms. Driscoll, to you.

14 A Yeah, I saw this.

15 Q Okay.

16 So this is -- looks to be a Signal exchange that you had with Ms. Hutchinson on  
17 April the 16th, 2021.

18 First of all, do you recall this back-and-forth with her via Signal?

19 Ms. Driscoll. [REDACTED], can I just ask, where does it say that it's from Cassidy? I just  
20 want to --

21 [REDACTED]. She gave it to us.

22 Ms. Driscoll. Okay. Great.

23 BY [REDACTED]:

24 Q Do you recall this, Mr. Ornato, that this was with Ms. Hutchinson on April the  
25 16th of 2021?

1           A    I don't recall this. As I read it, I don't recall exactly what it was about in  
2 context or anything.

3           Q    All right. If you scroll down to it, it reflects that there was, in addition to a  
4 Signal exchange, a telephone call --

5           A    Uh-huh.

6           Q    -- and then some links passed along.

7           Do you remember -- Signal has the capacity both for texting and to make  
8 telephone calls through the Signal platform. Is that right?

9           A    Yes.

10          Q    You can actually call someone through their Signal account versus on a cell  
11 phone, right?

12          A    Correct.

13          Q    All right. Do you remember whether you spoke to Ms. Hutchinson on April  
14 the 16th during this or around the time of this text exchange?

15          A    Sir, I don't recall the conversation, or -- I looked at this when you sent it over  
16 here. I don't recall any of this information or even have pulled that information up  
17 prior.

18          Q    All right. Do you recall whether or not you had about a 20-minute  
19 conversation with Ms. Hutchinson about the events of January 6th some months later,  
20 April of 2021?

21          A    I don't recall having the conversations.

22          I know, that evening, on January 6th, I've testified to, I remember Cassidy was  
23 upset, and I consoled her in calming her down on January 6th.

24          And I know, after we left the administration, she was upset that she didn't get to  
25 go down to Florida because of somebody saying that she had leaked information or

1       whatever it was. I don't know.

2           And I recall us -- you know, I always felt bad for Cassidy that, you know, things like  
3       that had happened, so I was friendly with her. I don't recall this exact conversation or  
4       what this link here is as well.

5           Q     Okay.

6           Let me separate from any particular conversation, but did she ever express to you  
7       the thought that she and you both might have worked harder to try to prevent the  
8       developments of January 6th? Did she ever express that sentiment to you, "We  
9       could've worked harder to prevent the events of January 6th"?

10          A     I don't recall that, sir.

11          Q     Do you recall ever reassuring her that you could not, the two of you could  
12       not have done anything more than what you had already done?

13          A     I don't recall this conversation, sir. I'm sorry.

14          Q     Do you remember ever telling her that she shouldn't blame herself for the  
15       mob mentality of the rioters that day or for President Trump's actions that brought the  
16       rioters to the Capitol?

17          A     I don't. I don't recall that.

18          Q     Did you ever say to her something to the effect of, "Hey, kid, it could be  
19       worse. At least the President didn't try to asphyxiate you on the 6th"? Ever say  
20       anything like that to her?

21          A     No, sir, I don't recall that, those words or having that type of conversation.

22          Q     Okay.

23          Do you remember any conversation with her sort of in the months, weeks or  
24       months, after January 6th about the events of that day?

25          A     I don't, sir. I don't recall events of that day, conversations with her.

1 [REDACTED] Ms. Cheney, go ahead.

2 Ms. Cheney. Mr. Ornato, do you recall a Secret Service agent ever saying, quote,  
3 "Mogul is a lunatic"?

4 The Witness. No, ma'am, I don't recall that.

5 Ms. Cheney. Thank you.

6 BY [REDACTED]:

7 Q All right. Mr. Ornato, I have a -- let me pause.

8 Any other members on? I don't think so.

9 All right. I just have a few catchall things that -- we're going to skip around in  
10 time a little bit, but a few last things I want to ask you about.

11 I want to go back in time to January 4th and ask you if recall ever talking to Robert  
12 O'Brien, the National Security Advisor, about the potential for violence on January 6th or  
13 any intelligence about possible threats.

14 A Sir, I don't recall talking to the NSA on those types of things at all. I don't  
15 recall talking to the NSA many times, not -- I would've recalled specifically on those topics,  
16 but I don't recall that.

17 Q All right. Well, we saw earlier that the National Security staff, including  
18 Mr. O'Brien himself at times, were copied on a number of those emails about intelligence,  
19 about the risk of violence on January 6th.

20 Did he ever raise that with you or did you ever raise that with him before  
21 January 6th?

22 A Not that I can recall, sir. Mr. O'Brien would go directly to the chief of staff.  
23 He necessarily -- he wouldn't come to me with that.

24 Q Well, you're the security guy, Mr. Ornato, right? You're the former Secret  
25 Service agent whose -- part of your responsibility is to work with the chief of staff on

1 issues regarding security of the White House complex, right? Isn't that your specific  
2 role?

3 A Sir, I'm not in charge of the security of the White House complex. I  
4 wouldn't classify myself in that role as a security guy. That is the Secret Service's role.

5 Q All right. So, bottom line, you don't remember any conversation with  
6 O'Brien about the potential for violence on January 6th?

7 A I do not, sir.

8 Q All right.

9 How about discussions with Mr. Meadows, in particular, on January 4th, for  
10 example? Do you remember bringing to him -- you've testified about bringing to him  
11 some things on January 6th, but do you recall bringing him anything in advance of  
12 January 6th about the potential for violence, any intelligence or threats about which he  
13 should be aware?

14 A Sir, during my general duties there as deputy chief of staff of operations, I  
15 would make the chief of staff aware of those types of protests that would go on, whether  
16 they would be in Lafayette Park, whether they would be on Freedom Plaza, wherever  
17 they would be around the White House complex.

18 I don't specifically recall bringing that in, but, however, in my normal daily  
19 functions, in my general functions as my job, I would've had a conversation with him  
20 about all the groups coming in and what was expected from the Secret Service.

21 Q I see. So let me make sure I'm clear. Generally you receive information  
22 about things like the groups that are coming, the stuff that we talked about earlier. You  
23 would bring that to Mr. Meadows and likely did here, although you don't have a specific  
24 recollection?

25 A That is correct, sir.

1           Q     How about the morning of January 6th? Do you remember any  
2     conversations with him about issues like this with respect to security threats, intelligence  
3     about what was going on at the Ellipse or the Capitol?

4           A     I don't recall on the morning of January 6th having that specific conversation  
5     with him.

6           Q     Again --

7           A     If we would get any updated information, generally I may have, but I don't  
8     recall if I did.

9           Q     Okay.

10          Is it the same answer as the stuff in advance of January 6th? You received stuff,  
11     your general course was to bring it to him, although you don't have a specific recollection  
12     of doing so on January 6th?

13          A     That is correct.

14          Q     Okay. I just want to make sure I'm clear.

15          Yeah, I believe you testified before, Mr. Ornato, just looking back, when asked  
16     about conversations with Mr. Meadows about the potential for violence, answer: "I  
17     don't remember that, but that is something I would've done. I would've made sure he  
18     was aware of this, of the demos and the clashes."

19          Again, consistent that it's a category of information that you would have brought  
20     to him?

21          A     Yes, sir.

22          Q     All right.

23          Did you ever have any discussions with President Trump either before, on, or after  
24     January 6th about threats, about violence, about those events?

25          A     Not to my recollection, sir. I didn't have any conversation with President

1 Trump about that, because my chain of command is to the chief of staff. I would go to  
2 Mark Meadows, not direct to the President with anything.

3 And I don't believe on the 6th I had any conversation with the President, as I  
4 wasn't in front of him for very long.

5 Q How about in all the days since? Have you had interaction with former  
6 President Trump since he left office?

7 A No, sir.

8 Q No conversation with him about any topic at any time?

9 A No, sir. I haven't spoken to the former President since he left office.

10 Q All right. And, at any time, have you ever talked with him after January 6th  
11 about what happened at the Capitol or in the White House that day?

12 A I don't recall having any discussion with him about that.

13 Q Have you ever heard him talking to others about that, overheard?

14 A I wasn't around the President much, sir, in that role. So the chief of staff  
15 would have been -- I always stayed back in my office area.

16 Q Yeah. I understand. So, again, you haven't overheard him saying  
17 anything about those events?

18 A No, sir.

19 Q All right.

20 All right. On January the 7th, the day after January 6th -- let's show exhibit 49.

21 We'll blow this up again so you can see it.

22 Now, this is not an email on which you're copied, but it references you. If we go  
23 down to the bottom, this is January 7th. It's coming from Catherine Ayres to Ted  
24 Arruda.

25 "Hi. Director" -- Director Murray of the Secret Service -- "is heading over to the

1       White House now. He'll park on West Exec, and he's going to the White House SR,"  
2       which I think is Situation Room, "to review a document."

3           And then, if you scroll up, the response from Ted Arruda is, "Woohoo."

4           And then, scrolling up, she says back to Mr. Arruda, "Yeah. You don't need to do  
5       anything. Tony O. is meeting him on West Exec. Peace out."

6           So do you recall Director Murray coming to the White House on January 7th for  
7       some particular purpose?

8           And I see, before you answer, Mr. Aguilar, has joined us.

9           Do you remember, Mr. Ornato, Director Murray coming to the White House for  
10      some purpose on January 7th?

11          A     I don't remember that specifically. He's come to the White House multiple  
12      times, and I would just meet him, usually buy him a cup of coffee, and he would go on to  
13      do what he needed to do.

14          Q     Do you remember any interaction with him on January 7th?

15          A     I don't, sir.

16          Q     Do you remember any discussion with him on the 7th about what had  
17      occurred the next day -- I mean, the previous day? Excuse me.

18          A     I don't recall any interaction with the director in what he was doing there  
19      that day as well.

20          Q     All right. Mr. Ornato, you're on the kind of relationship with Director  
21      Murray that you would routinely have coffee with him, right? You're close or  
22      professionally close to the director at this point? Is that right?

23          A     Yup. If he was going to the Situation Room, I would -- he didn't have a  
24      White House account, so the White House mess is right there; I'd buy him a cup of coffee  
25      and poke fun at him that I had to buy him a cup of coffee, yes.

1           Q     Okay. And this is the day after an attack on the U.S. Capitol at which  
2 people were killed, law enforcement officers were beaten. Did you have any discussion  
3 with the director of your former and then subsequent agency about the events of that  
4 day on January 7th?

5           A     I don't recall having any discussion with him about that that I can specifically  
6 remember. And he was there to review a document. I don't know -- I don't recall if it  
7 was time-sensitive and he went in and went out quickly. I don't recall that, sir.

8           Q     So, just like any other day, talk about who's in the playoffs or what you had  
9 for dinner the night before? Not the events of January 6th?

10          A     Sir, again, I don't recall, sitting here today, what we discussed on January 7th  
11 back in 2021. I just don't recall it.

12          Q     You don't remember saying anything to him about January 6th or him saying  
13 anything to you?

14          A     I don't recall, sir.

15          Q     All right. Mr. Ornato, we believe that -- we have information that you  
16 possessed three different cell phones on January the 6th of 2021.

17          There was a personal cell that ended in █. Do you remember having access  
18 or use of that cell device on January 6th, your personal cell?

19          A     Yes. That's my personal cell.

20          Q     All right.

21          You also had a Secret Service-issued device that ended in █. Do you recall  
22 still having possession of and use of a service-issued cell phone on January 6th, even  
23 though you were detailed to the White House Executive Office?

24          A     Yes. I recall having a cell phone from the Secret Service.

25          Q     All right. And did that -- I think Ms. Cheney asked you earlier about

1       whether that device actually allowed you access to your Secret Service email account on  
2       that phone. It did, correct?

3           A    Correct. I also had a Secret Service computer that had email on it.

4       Correct.

5           Q    So you had two computers? You had a Secret Service computer and a  
6       White House computer?

7           A    Correct.

8           Q    All right. And were they both set up in your office in the White House?

9           A    My White House computer was. I necessarily wouldn't have had my -- I  
10      don't recall if I had my Secret Service computer up at that time or if I just popped it up to  
11      check things. But I rarely did anything on Secret Service email.

12          Q    Well, if there's ever a day to check your Secret Service computer, wouldn't it  
13      be January 6th, when there's a lot of information about what's going on at the Capitol or  
14      the Ellipse?

15          A    From what I recall, sir, no, because everything was being forwarded to my  
16      White House account. I wasn't getting stuff on my Secret Service account.

17          Q    All right. So you don't recall looking at your Secret Service email directly on  
18      January 6th, only getting things passed to you at your White House email?

19          A    Correct, because that would've been emails. There's nothing I can go on  
20      and look, that I remember, on my Secret Service devices that would show me anything,  
21      from what I recall. It would be emails that was being forwarded to me.

22          Q    Okay. Do you remember using your Secret Service cell phone or computer  
23      at all on January 6th?

24          A    I don't recall using -- I don't know if I did or not. I don't recall.

25          Q    You also had a White House-issued cell phone that ended in **xxxx**. Is that

1 right?

2 A Correct. I remember that number. Yes.

3 Q And we've used the records from that cell phone in the questioning today.

4 Some of the calls that we asked you about over the course of today were from -- so you  
5 obviously used that cell phone over the course of January 6th, correct?

6 A Correct.

7 Q All right.

8 Did you use all three -- personal cell, Secret Service cell, and White House cell -- at  
9 times for official business, things related to your job as deputy chief of staff?

10 A At the same time? I don't recall if I used all three. But I have used -- I  
11 have been on my White House phone and have used my personal phone to -- or  
12 somebody calling me on my personal phone. I've had to take in a lot of calls or emails  
13 on my White House phone and then disseminate through, because I obviously get hit up  
14 from multiple entities and agencies about things. So I have had to triage phone calls on  
15 devices, yes.

16 Q Yeah.

17 Have you received any instruction when you were in the White House about the  
18 necessity of maintaining communications on personal accounts or devices for  
19 preservation under the Presidential Records Act?

20 A I don't recall at the White House receiving it. I do recall of knowing of the  
21 Presidential Records Act, but I don't know if I received anything specific on it.

22 Q Did you ever take steps to preserve communications in a personal account or  
23 on a personal device by screenshotting or forwarding them so that they would be  
24 preserved pursuant to the Presidential Records Act?

25 A Not that I recall of having steps to do that. I don't recall having taken steps

1 to do anything or if the person on the other side was doing the same.

2 Q All right. So, again, you never were given any instruction about, hey, if you  
3 have a White House-related communication on your personal phone, you've got to  
4 maintain it, you've got to screenshot it, or you've got to forward it so that it's protected?

5 A I don't remember that -- those specific instructions. Like I said, I knew of  
6 the White House preservation act, but I don't recall the exact -- a briefing about it. I  
7 don't recall.

8 Q All right.

9 And do you recall doing that, taking steps to convey things on your personal  
10 accounts or devices to a professional account or device so that they would be  
11 maintained?

12 A I don't recall doing that on my personal device.

13 Q Okay.

14 It looks like you used your Secret Service phone for text messages. Records  
15 reflect that there were nine text messages between October 24th of 2020 and  
16 January 23rd, 2021.

17 Do you have any specific recollection as to why you would use your Secret Service  
18 phone for text messages or what those texts conveyed?

19 A I don't, sir. If I was hit up on the Secret Service phone, I probably  
20 responded back, but I don't recall that.

21 Q Okay. Well, we haven't been able to get access to those text messages  
22 because they've been lost by the Secret Service. So do you have any recollection about  
23 anything at all germane to the select committee's investigation that might be in your text  
24 communications on your Secret Service phone?

25 A No, sir. What I recall is that my White House phone was used for most of

1 my business at the White House, if not all, that I wouldn't use my Secret Service texting.  
2 It would've just been, I'm sure, to respond back to somebody that had texted me. But I  
3 normally didn't text on my Secret Service phone.

4 Q Okay. Your White House phone was your primary mode of  
5 communication? If you were going to use a cell phone, if it involved official business,  
6 it'd likely be your White House phone?

7 A Yes, sir.

8 Q Okay.

9 Same thing with email? You would primarily use your EOP email versus a Secret  
10 Service email or a personal email?

11 A Correct.

12 Q Okay.

13 All right. Let me ask you now about your resignation, or your retirement, excuse  
14 me, from the Secret Service.

15 So there were press reports that you left your job at the Secret Service on the eve  
16 of the day that you were expected to appear before the inspector general. Is that  
17 accurate, that you literally resigned right before you were due to interview with the IG?

18 A Sir, I had -- the Secret Service was aware of my retirement for about 3 weeks  
19 or so. And I believe the OIG wanted to speak to me administratively, on an  
20 administrative audit, of DHS preparedness on, I believe it would've been, say, a  
21 Wednesday, and my retirement date was set for Monday.

22 Q So your retirement was not connected in any way to the interview, the  
23 timing of the interview with the inspector general?

24 A No, sir. And I have cooperated with the inspector general and the OIG's  
25 questions.

1           Q     I see. Okay.

2           So that was my next question, is, have you been interviewed by the inspector  
3     general about some of the events that we've discussed, the events leading up to and on  
4     January 6th?

5           A     Yes, sir. I answered questions in writing to the inspector general.

1

2 [3:41 p.m.]

3 BY [REDACTED] :

4 Q All right. So it was written answers as opposed to an oral interview like  
5 this?

6 A Yes, sir.

7 Q How many times were you given such questions and did you provide  
8 answers?

9 A It was one time. I believe approximately 33 questions, if I can remember  
10 right.

11 Q And was that after, Mr. Ornato, you resigned from the Service, or when you  
12 were still in?

13 A That was after, sir. I still cooperated, not being part of DHS.

14 Q I understand. Okay.

15 Q How about other agencies, like the Department of Justice? Have you spoken  
16 with personnel from the Department of Justice about some of these same issues that  
17 we've talked about today?

18 A I had an interview with the Department of Justice about some of it one time,  
19 sir.

20 Q Okay. How about the -- going in front of the grand jury? Have you done  
21 that?

22 A No, sir.

23 Q So just one interview with DOJ, no grand jury testimony?

24 A That is correct, sir.

25 Q All right. Any other entities about whom you've spoken about the events

1 leading up to or on January 6th besides the IG, the Department of Justice, and the select  
2 committee?

3 A Not that I can recall, sir.

4 Q Okay. Where do you work now, Mr. Ornato?

5 A I work for a private-sector company [REDACTED].

6 Q The applied sciences -- tell me more specifically what you do. And I  
7 understand that this is personal information that we would redact from any transcript.  
8 Just curious about the nature of your work now.

9 You don't have to give the name of the company. Just tell me sort of what your  
10 general -- what you're doing now.

11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]

14 A Yes, sir.

15 Q Is that outside of the D.C. area?

16 A Yes, sir.

17 Q Okay. All right.

18 [REDACTED]. Let me stop there and see, [REDACTED], do you have any --

19 [REDACTED]. I don't.

20 [REDACTED]. All right. Ms. Cheney or anyone else? Mr. Aguilar?

21 Ms. Cheney. Thanks very much, [REDACTED].

22 Mr. Ornato, we ask this of many of our witnesses because we are aware of efforts  
23 by former President Trump and his associates to fund attorneys' fees, and there has been  
24 some significant issues that have arisen because of that. And so I'd like to ask you who  
25 is paying for your private counsel?

1           The Witness. Myself and my wife, ma'am.

2           Ms. Cheney. And have you negotiated -- have you received funds from anyone  
3       else to pay for that -- to pay for those fees?

4           The Witness. No, ma'am. It's just my family.

5           Ms. Cheney. And have any groups funded by President Trump contacted you  
6       with offers to pay your legal fees?

7           The Witness. No, ma'am.

8           Ms. Cheney. Any individuals?

9           The Witness. No, ma'am.

10          Ms. Cheney. Have any of President Trump's entities or organizations or  
11       associates offered you jobs?

12          The Witness. No, ma'am.

13          Ms. Cheney. And have any America First entities offered you employment?

14          The Witness. No, ma'am.

15          Ms. Cheney. Have you had any discussions with the Republican National  
16       Committee about employment?

17          The Witness. I did, ma'am. They had a security spot opened, and I had applied  
18       for it.

19          Ms. Cheney. And when was that?

20          The Witness. I believe back in April -- April or so of 2022. Maybe before then.

21          Ms. Cheney. Okay. And the company that you currently work for, what's the  
22       name of the company?

23          Ms. Driscoll. Ms. Cheney, I think █ had stated earlier that, to protect, you  
24       know, the employer's privacy and Mr. Ornato's personal privacy, that we would not need  
25       to disclose the name of the company.

1           Ms. Cheney. I think that -- we don't -- we will redact it, certainly, and would be  
2 happy to speak to you off the record, but I think it is important to know the name of the  
3 company for which Mr. Ornato works. If you want to handle that off the record, we can  
4 certainly do that.

5           Ms. Driscoll. That would be our preference. Thank you.

6           Ms. Cheney. Thank you. That's all.

7           ██████████. Thanks, Ms. Cheney.

8           BY ████████:

9           Q     Following up, Mr. Ornato, Ms. Cheney asked you earlier about whether  
10 anyone has given you any direction, coaching, suggestion about what you should or  
11 shouldn't say today or at any other appearance before the select committee.

12           Has anyone -- I don't want to hear about any discussions with Ms. Driscoll, but  
13 beyond your lawyers, has anybody given you any such guidance about what you should or  
14 shouldn't do?

15           A     No, sir.

16           Q     Have you discussed the substance of your testimony, the events that we  
17 asked you about, with anybody else in preparation for your testimony today?

18           A     No, sir. Not in preparation for my testimony.

19           Q     Did you go to Bobby Engel or anybody else and, you know, sort of  
20 commiserate or refresh each other's memories about what happened?

21           A     No, sir. The only time I had reached out to Mr. Engel was when Cassidy  
22 Hutchinson was testifying during her -- as she was testifying, and I was -- I wasn't  
23 watching it. I was called to put it on, and I was shocked and surprised of her testimony  
24 and called Mr. Engel and asked him, What is she talking about?

25           And his response was, I don't know.

1           And then I then proceeded to say -- I said, Let me listen to the rest of this now. I  
2 have no idea.

3           And that was the only time I had -- I had reached out to Mr. Engel. I actually  
4 reached out to Mr. Harrison as well, because I knew Beau was in my office. And I said,  
5 Beau, what is she talking about?

6           And Beau said the same thing. He said, I don't know. I don't remember her  
7 being in your office.

8           So that was just shocked and surprised at -- of the testimony, and I did reach out  
9 during her testimony, I believe, to the both of them to ask that. But, at that point, after  
10 I -- my head settled down, I didn't discuss it any further.

11          Q       Those are the only conversations that you had about either Ms. Hutchinson's  
12 testimony or any other issue with respect to January 6th with Engel, Harrison, or anybody  
13 else?

14          A       Yes, sir. To -- with those individuals.

15          Q       Okay. Okay. All right.

16          [REDACTED] Anybody else before we stop?

17          No? Okay. If not, then we can go off the record.

18          [Whereupon, at 3:48 p.m., the interview was concluded.]

2

3

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

6

7

8

9

10 Witness Name

11

12

13

14

Witness Name

15

Date