

Subverting **JUSTICE**

**How the Former President and
His Allies Pressured DOJ to
Overturn the 2020 Election**



MAJORITY STAFF REPORT

APPENDIX A: CHRONOLOGY OF KEY EVENTS

Date	Event
September 2, 2020	In an interview on CNN's <i>The Situation Room</i> , Attorney General William Barr baselessly claims that "elections that have been held with mail have found substantial fraud and coercion." This follows months of similarly unfounded claims by Barr, including his July 28, 2020 House Judiciary Committee testimony that mail voting creates a "high risk" of extensive voter fraud.
September 24, 2020	Contrary to its decades-old policy of avoiding overt investigative steps in election fraud matters before the election is certified, DOJ issues a press release announcing an investigation into nine "discarded" mail ballots in Luzerne County, Pennsylvania and stating that seven of the ballots were cast for President Trump.
October 2, 2020	DOJ issues an internal announcement of "an exception to the general non-interference with elections policy," which—contrary to longstanding DOJ policy and practice—authorizes overt, pre-election investigative steps into election fraud allegations involving federal agencies such as the U.S. Postal Service.
November 3, 2020	The 2020 General Election is held.
November 7, 2020	Media outlets confirm that Joseph R. Biden won the Electoral College.
November 9, 2020	President Trump spends the afternoon and evening tweeting about dozens of false voter fraud claims about contested states and Dominion Voting Systems.
	Attorney General Barr issues a memorandum weakening DOJ's longstanding election non-interference policy and authorizing overt, pre-certification investigative steps "if there are clear and apparently credible allegations of irregularities that, if true, could potentially impact the outcome of a federal election in an individual State."
	Richard Pilger resigns his position as Director of the Public Integrity Section's (PIN's) Election Crimes Branch in response to Barr's 11/9 memorandum.
November 14, 2020	The Trump campaign itself prepares and distributes an internal memorandum rebutting various allegations regarding Dominion Voting Systems, reflecting its early knowledge that such allegations are baseless.
November 19, 2020	Rudy Giuliani and Sidney Powell hold a press conference at the Republican National Committee office where they continue to make false claims, with Giuliani telling the crowd: "I know crimes. I can smell them. You don't have to smell this one. I can prove it to you 18 different ways."

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December 1, 2020	Barr announces that DOJ has “not seen fraud on a scale that could have effected a different outcome in the election.”
	Chief Operating Officer for the Georgia Secretary of State Gabriel Sterling holds a news conference asking Trump and his allies to “stop inspiring people to commit potential acts of violence. Someone’s going to get hurt. Someone’s going to get shot. Someone’s going to get killed.”
December 3, 2020	Giuliani shows a video at a Georgia Senate hearing that he claims shows poll workers at Atlanta’s State Farm Arena bringing suitcases of ballots out from under a table to secretly count after Republican poll watcher went home.
December 4, 2020	The Georgia Secretary of State’s Office announces that it investigated Giuliani’s claims and determined they were false – the suitcases were secure ballot containers and all ballots were counted in the presence of poll watchers from both parties.
	Barr calls U.S. Attorney for the Northern District of Georgia Byung Jin (“BJay”) Pak to request that he make finding out more about Giuliani’s allegations a “top priority.”
	The Trump campaign and David Shafer, the Chairman of the Georgia Republican Party, files a suit in Fulton County Superior Court seeking to invalidate Georgia’s presidential election results.
December 5, 2020	The Fulton County Superior Court rejects the Trump campaign’s suit to overturn the presidential election results.
December 7, 2020	PIN Chief Corey Amundson notifies the FBI that PIN does not concur in any overt investigative activity concerning the State Farm Arena allegations, including witness interviews authorized by Barr, because those allegations “do not fall within the scope of [Barr’s November 9 memo], which created an exception to the DOJ Election Non-Interference Policy for substantial, clear, apparently credible, and non-speculative allegations” of election fraud.
	Principal Associate Deputy Attorney General Richard Donoghue makes clear to U.S. Attorney Pak and FBI Deputy Director David Bowdich that PIN’s concurrence is not required and that the interviews should proceed, as directed by Barr. Within days, the FBI confirms the Georgia Secretary of State’s conclusion that the State Farm Arena allegations are meritless.
December 8, 2020	The U.S. Supreme Court rejects Pennsylvania Representative Mike Kelly’s suit to block Pennsylvania’s certification of the election results.
December 9, 2020	West Virginia becomes the final state to certify its presidential election results.
December 11, 2020	The U.S. Supreme Court rejects Texas’s suit to overturn the presidential election results in Georgia, Michigan, Pennsylvania, and Wisconsin.

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December 12, 2020	The Georgia Supreme Court rejects the Trump Campaign's suit to overturn the presidential election results in Georgia, holding that "petitioners have not shown that this is one of those extremely rare cases that would invoke our original jurisdiction."
December 14, 2020	The Electoral College meets in all 50 state capitals and the District of Columbia and casts 306 electoral votes for Joseph R. Biden and 232 electoral votes for Donald J. Trump.
	Barr announces his resignation, effective December 23.
	Special Assistant to the President Molly Michael emails Deputy Attorney General Jeffery Rosen two documents "From POTUS": (1) a set of talking points alleging voter fraud in Antrim County, Michigan; and (2) a purported "forensic report" by Allied Operations Group on Dominion Voting Systems' performance in Antrim County.
December 15, 2020	Senate Majority Leader McConnell speaks on the Senate floor to remark on the Electoral College vote: "The Electoral College has spoken, so today I want to congratulate President-elect Joe Biden."
	Trump tweets an article titled "Trump's allies slam Mitch McConnell for congratulating Biden" and says "Too soon to give up. Republican Party must finally learn to fight. People are angry!"
	Trump summons Jeffery Rosen and Principal Associate Deputy Attorney General Richard Donoghue to the Oval Office to ask why DOJ was not "doing more to look at" the Antrim County allegations and the "bad things" he claimed happened in Pennsylvania and Georgia. Attorney General Barr was not invited.
December 19, 2020	Trump tweets about the upcoming January 6, Joint Session of Congress: "Big protests in D.C. on January 6. Be there. Will be wild!"
December 21, 2020	Barr reaffirms his December 1 announcement that there was no widespread election fraud and adds that there is no basis for appointing special counsels to look into election fraud allegations.
	Trump meets with Ohio Representative Jim Jordan, Pennsylvania Representative Scott Perry, and other House Freedom Caucus members to strategize about January 6.
December 23, 2020	Barr's last day as Attorney General.
	Trump calls Rosen and indicates he will want to talk again soon.
	On or about this date, Jeffrey Clark violates the DOJ-White House contacts policy and meets with President Trump in the Oval Office, along with Representative Perry.

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	Trump tweets: “After seeing massive Voter Fraud in the 2020 Presidential Election, I disagree with anyone that thinks a strong, fast, and fair Special Counsel is not needed, IMMEDIATELY. This was the most corrupt election in the history of our Country and it must be closely examined!”
December 24, 2020	President Trump calls Rosen, who is now acting Attorney General, and repeats election fraud claims similar to those in the December 15 meeting. He tells Rosen to “make sure the Department is really looking into these things that you may have missed,” and asks if Rosen knew “a guy named Jeff Clark.”
December 26, 2020	Rosen calls Clark to learn why President Trump mentioned him by name on the December 24 call. Clark admits that he met with Trump in the Oval Office.
December 27, 2020	Trump twice calls Rosen. During the second call, Rosen conferences in Donoghue, who takes extensive notes on Trump’s claims that the “election has been stolen out from under the American people” and that DOJ is failing to respond. Trump mentions efforts made by Pennsylvania Representative Scott Perry, Ohio Representative Jim Jordan, and Pennsylvania State Senator Doug Mastriano, and asks Rosen and Donoghue to “just say the election was corrupt and leave the rest to me and the Republican Congressmen.” Trump also references Jeffrey Clark and potentially replacing DOJ’s leadership.
	Trump asks Donoghue for his cell phone number so he can direct people with information about election fraud claims to call him. Pennsylvania Representative Perry then calls Donoghue at Trump’s behest to discuss a false claim that Pennsylvania had 205,000 more votes than voters. Perry also tells Donoghue that Jeffrey Clark is “the kind of guy who could really get in there and do something about this.”
	Pennsylvania Representative Perry emails Donoghue five documents summarizing numerous false Pennsylvania election fraud claims.
	Donoghue forwards Representative Perry’s email to the U.S. Attorney for the Western District of Pennsylvania Scott Brady “for whatever it may be worth.” Brady subsequently responds that the claims “were not well founded.”
December 28, 2020	Trump calls Donoghue to confirm that he had raised a particular election fraud claim the prior afternoon; Donoghue tells him he did.
	Clark emails Rosen and Donoghue about “Two Urgent Action Items.” He requests a classified briefing regarding a conspiracy theory that foreign agents in China accessed a voting machine through a smart thermostat and also proposes that DOJ send a “Proof of Concept” letter he drafted to the elected leadership of Georgia and other states to urge them to convene special legislative sessions in order to appoint a different slate of electors.

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	Donoghue replies to Clark's email to say "there is no chance I would sign this letter or anything remotely like this" and highlights specific statements in Clark's "Proof of Concept" letter that had no support.
	Rosen and Donoghue meet with Clark to discuss the "Proof of Concept Letter." Clark tells them he wants Rosen to hold a press conference announcing that there was corruption and mentions that President Trump was considering a leadership change at DOJ.
	Donoghue contacts Assistant Attorney General for the Office of Legal Counsel Steve Engel to read him into "some antics that could potentially end up on [his] radar" given his position as the next in line to become Acting Attorney General if Trump fired Rosen.
December 29, 2020	At Trump's behest, Molly Michael emails Rosen, Donoghue, and Acting Solicitor General Jeffrey Wall a draft bill of complaint purporting to invoke the Supreme Court's original jurisdiction against the states of Pennsylvania, Georgia, Michigan, Wisconsin, Arizona, and Nevada to overturn their presidential election results.
	Rosen, Donoghue, and Engel meet with White House Chief of Staff Mark Meadows, White House Counsel Pat Cipollone, and Deputy White House Counsel Pat Philbin. Among other things, they discuss the draft bill of complaint, but also discuss Trump's trust in John Eastman as well as a conspiracy theory known as "Italygate."
	Meadows sends Rosen a copy of a letter pushing the "Italygate" theory, which claims an employee of an Italian aerospace company coordinated with the CIA to use military satellites to remotely switch Trump votes to Biden votes.
	Kurt Olsen, a private attorney who served as a special counsel to Texas Attorney General Ken Paxton during Texas's failed Supreme Court action against Pennsylvania, makes multiple efforts via email and phone to brief Rosen, at President Trump's behest, about the draft bill of complaint.
	Rosen requests that the Office of Solicitor General prepare a one-pager on the draft bill of complaint.
December 30, 2020	Meadows forwards Rosen an email and attachment from Trump campaign attorney Cleta Mitchell addressing election fraud claims the campaign is pushing in Georgia. Meadows asks Rosen to have DOJ look into the campaign's allegations.
	The Office of Solicitor General provides Rosen with a summary of the "numerous significant procedural hurdles" DOJ would face if it filed the draft bill of complaint, including that DOJ cannot file an original Supreme Court

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	action for the benefit of a political candidate and that there is no general cause of action allowing DOJ to contest the outcome of an election.
	Rosen and Donoghue speak with Olsen, who attempts to press DOJ to file the draft bill of complaint “by noon today” and threatened to report Rosen’s position on the matter back to Trump.
	Engel provides Rosen with an Office of Legal Counsel summary of the draft bill of complaint that concludes “[t]here is no legal basis to bring this lawsuit.”
	Rosen speaks with Trump to explain that DOJ could not file the draft bill of complaint.
December 31, 2020	Trump summons Rosen and Donoghue to the Oval Office for a “contentious” meeting about why DOJ still had not “found the fraud,” where Trump tells them that people say he should fire both of them and install Clark. Trump further raises that the draft bill of complaint should be pursued.
	Rosen speaks with Clark again. Clark reveals that he has spoken to Trump again and tells Rosen that Trump asked him whether he would be willing to take over as Acting Attorney General if Trump replaced Rosen, but that Clark wanted to do some “due diligence” on certain election fraud claims before deciding.
January 1, 2021	Clark receives the classified briefing he first requested on December 28.
	Meadows sends Rosen a YouTube video regarding the Italygate conspiracy theory titled “Brad Johnson: Rome, Satellites, Servers: an Update.”
	Meadows emails Rosen about disproven allegations of signature match anomalies in Fulton County, Georgia and asks “[c]an you get Jeff Clark to engage on this issue immediately...”
	Meadows calls Rosen about the Italygate conspiracy, and even after Rosen tells Meadows that it was “another one that’s debunked,” Meadows tells Rosen “there’s more to it” and asks Rosen to meet with Giuliani. Rosen refused this request, as he had refused multiple other requests to meet with Giuliani in December 2020.
	Meadows emails Rosen to ask DOJ to investigate false election fraud claims in New Mexico pushed by Steve Pearce, the Chair of the New Mexico Republican Party.
	Trump tweets: “January 6th. See you in D.C.”
	Rosen suggests that Clark reach out to U.S. Attorney for the Northern District of Georgia Pak for an explanation of how the allegations of ballot destruction in Atlanta had been discredited.

Date	Event
January 2, 2021	Trump, joined by Meadows and Mitchell, calls Georgia Secretary of State Brad Raffensperger and attempts to pressure him to change the state's vote totals from the presidential election, specifically asking to find exactly enough votes for Trump to win. During the call, Trump refers to U.S. Attorney Pak as the "Never Trumper U.S. Attorney there."
	Clarks meets with Rosen and Donoghue, confirms that his classified briefing produced no evidence of ballot or data tampering, but continues to press that DOJ should send his "Proof of Concept" letter. Clark attempts to get Rosen to reconsider sending the letter by offering to turn down Trump's offer to install him in Rosen's place. Clark also confirms that he has not reached out to Pak to discuss why the Georgia election fraud claims he continues to press are false, and reveals that he has instead spoken to witnesses about those claims.
January 3, 2021	Clark asks Doug Smith, his Chief of Staff and the Deputy Assistant Attorney General for the Civil Division's Torts Branch, to "please get back to DC immediately."
	Clark meets with Rosen to tell him that he accepted Trump's offer to become acting Attorney General, and that Rosen would be replaced that day.
	After telling Clark he will not be fired by his subordinate, Rosen calls Meadows to say that he needed to speak with Trump that day, which Meadows arranges for that evening.
	At Rosen's request, Donoghue and Rosen's longtime deputy Patrick Hovakimian arranged a call with DOJ's senior leadership to determine whether the others would also resign if Clark were installed.
	Rosen, Donoghue, and Engel meet with Trump, Cipollone, Philbin, and Clark in the Oval Office. Early in the meeting, it is established that there will be mass resignations if Trump installs Clark as acting Attorney General, but the meeting continues for hours before Trump decides to keep Rosen in place. At the end of the meeting, Trump claims Pak is a never-Trumper and that if U.S. Attorney for the Southern District of Georgia Bobby Christine replaced Pak "he'll do something about [election fraud]." Donoghue convinces Trump not to fire Pak because he says Pak is already planning to resign. Trump agrees, but makes clear that Pak must leave the very next day.
	Donoghue asks Pak to "[p]lease call ASAP," and during their call tells Pak that Trump would fire him if he did not resign quickly the next day.
	Late at night and following their Oval Office meeting, Trump calls Donoghue to alert him of claims that a DHS agent was in custody of a truck full of shredded ballots in Atlanta.

Date	Event
January 4, 2021	U.S. Attorney Pak submits his resignation, effective immediately.
	Trump tweets: “How can you certify an election when the numbers being certified are verifiably WRONG. You will see the real numbers tonight during my speech, but especially on JANUARY 6th. @SenTomCotton Republicans have pluses & minuses, but one thing is sure, THEY NEVER FORGET!”
	President Trump and outside attorney John Eastman attempt to convince Vice President Pence to set aside the Electoral College votes of seven states when he presides over the January 6 Joint Session of Congress.
	President Trump speaks at a Dalton, Georgia Senate Runoff campaign event where he continues to claim that the general election “was a rigged election” and that he would “fight like hell.”
January 5, 2021	Christine is appointed acting U.S. Attorney for the Northern District of Georgia, sidestepping the next in the line of succession First Assistant U.S. Attorney Kurt Erskine.
January 6, 2021	President Trump incites his supporters to breach the Capitol in an attempt to stop the certification of the 2020 Electoral College votes.
January 7, 2021	Vice President Pence officially affirms the Electoral College votes and declares Joseph R. Biden the president-elect.
January 20, 2021	Joseph R. Biden is inaugurated as the 46th President of the United States of America.

APPENDIX B: KEY DOCUMENTS

Document	Description
A	Email from Richard Donoghue to BJay Pak regarding State Farm Arena videotape (Dec. 7, 2020, 12:48 p.m.)
B	Email from Molly Michael to Jeffrey Rosen regarding Antrim County, Michigan allegations (Dec. 14, 2020, 4:57 p.m.)
C	Email from Theresa Watson to Michigan USAs Matthew Schneider & Andrew Birge regarding Antrim County, Michigan allegations (Dec. 14, 2020, 4:59 p.m.)
D	Email from Ken Cuccinelli to Richard Donoghue regarding summary of refutations to Antrim, County, Michigan allegations (Dec. 18, 2020, 2:54 p.m.)
E	Notes of Dec. 27, 2020 Trump-Rosen-Donoghue Call
F	Notes of Dec. 27, 2020 Donoghue-Perry Call
G	Email from Richard Donoghue to USA Scott Brady regarding Pennsylvania allegations (Dec. 27, 2020, 10:05 p.m.)
H	Email from Jeffrey Clark to Jeffrey Rosen & Richard Donoghue regarding “Proof of Concept” proposal (Dec. 28, 2020, 4:40 p.m.)
I	Email from Richard Donoghue to Jeffrey Clark responding to the “Proof of Concept” proposal (Dec. 28, 2020, 5:50 p.m.)
J	Email from Richard Donoghue to Steven Engel regarding “antics” (Dec. 28, 2020, 11:41 p.m.)
K	Email from Kurt Olsen to Jeffrey Wall regarding draft Supreme Court Complaint (Dec. 29, 2020, 10:57 a.m.)
L	Email from Molly Michael to Jeffrey Rosen, Richard Donoghue, & Jeffrey Wall regarding draft Supreme Court Complaint (Dec. 29, 2020, 11:17 a.m.)
M	Email from Mark Meadows to Jeffrey Rosen regarding Italygate allegations (Dec. 29, 2020, 11:27 a.m.)
N	Email from Doug Mastriano to Richard Donoghue regarding Pennsylvania allegations (Dec. 29, 2020, 11:28 a.m.)
O	Email from Kurt Olsen to John Moran regarding draft Supreme Court Complaint (Dec. 29, 2020, 12:45 p.m.)
P	Notes of Dec. 29, 2020 Rosen-Donoghue-Engel Meeting with Meadows-Cipollone-Philbin
Q	Email from Mark Meadows to Jeffrey Rosen regarding Trump campaign Georgia allegations (Dec. 30, 2020, 9:31 a.m.)
R	Email from Mark Meadows to Jeffrey Rosen regarding translated Italygate allegations (Dec. 30, 2020, 9:43 a.m.)
S	Notes of Dec. 30, 2020 Olsen-Rosen-Donoghue Call
T	Email from Steven Engel to Jeffrey Rosen transmitting “one pager” on draft Supreme Court Complaint (Dec. 31, 2020, 9:02 a.m.)
U	Email from Steve Engel to Richard Donoghue requesting an update (Dec. 31, 2020, 4:20 p.m.)
V	Email from Jeffrey Rosen to Patrick Hovakimian requesting assistance (Dec. 31, 2020, 6:14 p.m.)

Document	Description
W	Email from Richard Donoghue to Jeffrey Rosen discussing Mark Meadows's request to have Jeffrey Clark investigate signature match allegations in Georgia (Jan. 1, 2021, 4:28 p.m.)
X	Email from Mark Meadows to Jeffrey Rosen regarding New Mexico allegations (Jan. 1, 2021, 6:56 p.m.)
Y	Email from Jeffrey Rosen to Richard Donoghue discussing Rosen's refusal to meet with Rudy Giuliani or ask FBI to meet with Brad Johnson about Italygate (Jan. 1, 2021, 7:13 p.m.)
Z	Email from Jeffrey Clark to Jeffrey Rosen discussing whether Clark was able to speak with BJay Pak (Jan. 2, 2021, 9:50 a.m.)
AA	Notes of Jan. 2, 2021 Rosen-Donoghue-Clark Meeting
BB	Email from Jeffrey Rosen to Richard Donoghue replying to Donoghue's earlier response to Jeffrey Clark's "Proof of Concept" proposal (Jan. 2, 2021, 7:13 p.m.)
CC	Email from Steve Engel to Richard Donoghue planning an update call (Jan. 2, 2021, 8:09 p.m.)
DD	Draft Donoghue-Hovakimian Resignation Letter
EE	Email from Jeffrey Clark to Douglas Smith requesting Smith to "get back to DC immediately" (Jan. 3, 2021, 4:37 p.m.)
FF	Email from Patrick Hovakimian to DOJ leadership announcing that "it sounds like Rosen and the cause of justice won" (Jan. 3, 2021, 9:07 p.m.)
GG	Email from Steven Engel to DOJ leadership confirming Patrick Hovakimian's announcement (Jan. 3, 2021, 9:28 p.m.)
HH	Email from Richard Donoghue to BJay Pak asking Pak to call "ASAP" (Jan. 3, 2021, 10:09 p.m.)
II	Email from BJay Pak to Karen Winzenburg submitting his resignation letters (Jan. 4, 2021, 7:41 a.m.)
JJ	Email from BJay Pak to U.S. Attorneys announcing his resignation to all U.S. Attorneys (Jan. 4, 2021, 7:46 a.m.)
KK	Email from Francis Brook to John Moran transmitting official White House Photographer shots of the Dec. 31, 2020 Oval Office meeting (Jan. 5, 2021, 5:20 p.m.)