

Select Committee on January 6 insurrection requests government communications records of Trump and his co-conspirators

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On August 25, Mississippi Democrat and Chairman of the Select Committee charged with investigating Donald Trump's attempted coup on January 6, Representative Bennie Thompson, announced that the committee issued sweeping demands for telephone and electronic records to the National Archives and Records Administration, along with seven other federal agencies. The National Archives is the custodian of all the Trump administration White House records.

"The Select Committee to Investigate the January 6th Attack on the United States Capitol is examining the facts, circumstances, and causes of the January 6th attack. Our Constitution provides for a peaceful transfer of power, and this investigation seeks to evaluate threats to that process, identify lessons learned and recommend laws, policies, procedures, rules, or regulations necessary to protect our republic in the future," wrote Thompson.

In making the broad demands, Thompson wrote that the committee was simply reiterating several requests that were previously made by other House committees investigating the insurrection earlier this year that have yet to be responded to. The lack of cooperation by government agencies complicit in Trump's attempted coup underscores the significant support Trump's insurrection had within the capitalist state and the financial oligarchy as a whole.

Backing Thompson and the committee's requests was Democratic Representative Zoe Lofgren of California, a member of the Select Committee and the chairperson of the House Administration Committee. On Wednesday, Lofgren told CNN's Kate Bolduan that these requests were "just the beginning," and that there "are many other requests for documents that we will be making."

"Some of these requests were made to these agencies by other committees in Congress earlier and they have not

been responded to. So, we need information now and we've made that clear to the various federal agencies," added Lofgren.

In the August 25 letter to David Ferriero, the Archivist of the United States, the Select Committee demanded records pertaining to "all documents and communications relating in any way to remarks made by Donald Trump or any other person on January 6" including "calendars, schedules and movement logs attended by Trump" and "all documents and communications regarding the movements and protection of Vice President [Mike] Pence on January 6, 2021."

The letter also demanded all communications on January 6 from virtually all of Trump's inner White House circle, including White House Chief of Staff Mark Meadows, White House Counsel Pat Cipollone, fascist adviser Stephen Miller, White House Press Secretary Kayleigh McEnany, the Trump children: Ivanka, Eric, Donald Jr. as well as Jared Kushner and Lara Trump, Eric's wife, and former first lady Melania Trump.

Also included in the request for records were leading Trump co-conspirators such as former White House adviser and Breitbart editor Steve Bannon, former Trump lawyer Rudolph Giuliani, Trump political crony Roger Stone, and retired former general and former national security advisor Michael Flynn, now a propagator of the QAnon conspiracy theory.

While not singling out any Republican congressmen by name, the letter also requested the communications of "any Member of Congress or congressional staff" and anyone at "the Department of Defense, the Department of Justice, the Department of Homeland Security, the Department of the Interior, or any element of the National Guard" that had any communications with the White House on January 6.

In addition to the above, the committee also requested any records concerning: “Planning by the White House and Others for Legal or Other Strategies to Delay, Halt, or Otherwise Impede the Electoral Count” from “April 1, 2020 through January 20, 2021.” Former top Department of Justice (DOJ) officials under Trump such as Jeffrey Rosen, Richard Donoghue, and Jeffrey Clark were among those whose communications with Trump were specifically requested, along with the former US Attorney in Atlanta, Georgia, Byung J “Bjay” Pak, who resigned over demands by the White House that he intervene into vote counting in Georgia.

Specific Department of Defense officials named include former Secretary of Defense Mark Esper, General Mark Milley and four Trump loyalists installed following the firing of Esper. These include former acting Secretary of Defense Christopher Miller, his chief of staff, Kash Patel; Ezra Cohen-Watnick and Anthony Tata. The last-named is a former brigadier general who once described Barack Obama as a Muslim and a “terrorist leader.”

The requests also demanded any communications dealing with the invocation of the 25th Amendment between November 3, 2020 and January 20, 2021. This includes all documents dealing with the “mental stability” of Trump or “his fitness for office” in the 14 days between the coup and the inauguration of Biden.

Noting the symbiotic relationship between the Republican Party and fascist militia groups, the committee requested “all documents and communications referring or relating to QAnon, the Proud boys, Stop the Steal, Oath Keepers, or Three Percenters concerning the 2020 election results, or the counting of the electoral college vote on January 6, 2021.” Named individuals include, Stop the Steal lead organizer and Republican operative Ali Alexander; conspiracy theorist/right-wing commentator Jack Posobiec; founder of Women for Trump, Amy Kremer; Proud Boys chairman turned FBI informant, Henry “Enrique” Tarrio; and InfoWars producer and host Owen Shroyer, recently indicted for his actions on January 6.

Significantly, the committee demanded records from Republican governors, state lawmakers and election officials whom Trump had either pressured to propagate his election lies or enlist to partake in the rejection of the Electoral College count on January 6. These include Arizona Governor Doug Ducey, Georgia Governor Brian Kemp, Georgia Secretary of State Brad Raffensperger (who continues to be the subject of fascist death threats for refusing to help Trump “find” 11,780 votes last

December), Texas Attorney General Ken Paxton, Michigan Senate Majority Leader Mike Shirkey, former Michigan Speaker of the House Lee Chatfield, and Wayne County Board of Canvassers Chairwoman Monica Palmer.

In a statement responding to the requests, Trump threatened to invoke “Executive privilege” and refuse to cooperate. “Executive privilege will be defended, not just on behalf of my Administration and the Patriots who worked beside me, but on behalf of the Office of the President of the United States and the future of our Nation.”

The legal basis for a former president to assert executive privilege is murky, and in any case would only apply to his own communications and papers, not to those of congressmen or federal agencies. Trump could go to court to try to prevent the release of records, or at least delay the release interminably.

But he may not have to if it is left up to President Joe Biden to decide. While Biden has yet to say anything, he could block the committee from receiving the documents by invoking executive privilege himself. If he did, it would not be the first time the Biden administration has sided with the former president.

Earlier this year, Biden lawyers with the Justice Department argued against lawsuits by the American Civil Liberties Union, the Black Lives Matter movement and other plaintiffs that Trump, Attorney General William Barr and others in police and federal agencies violated the First Amendment rights of protesters who were violently attacked in Lafayette Square on June 1, 2020.



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