

January 6 Committee announces new subpoenas targeting Giuliani and other Trump coup lawyers

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On Tuesday, the House Select Committee charged with investigating Donald Trump's attempted coup on January 6, 2021, announced four new subpoenas, all targeting lawyers close to the would-be dictator. Among those subpoenaed were former New York City mayor and personal lawyer to Trump, Rudolph Giuliani; Giuliani's protégé, Jenna Ellis; former federal prosecutor turned fascist Q-Anon conspiracy theorist, Sidney Powell; and former special assistant in the Trump administration, Boris Epshteyn.

All four of the individuals subpoenaed by the committee are required to provide records and documentation to the committee by February 1, 2022, and appear for deposition by February 8, 2022.

Following his election loss to Joe Biden, Trump promoted Giuliani, Ellis and Powell to lead his efforts to "find the fraud" that did not exist, in order to overturn the election result. The lawyers filed dozens of lawsuits in states closely won by Biden—including Michigan, Georgia, Arizona, Wisconsin, Pennsylvania and Nevada—alleging a litany of supposed deficiencies and malpractices such as "vote harvesting" and "vote dumps," with no evidence to back up the charges.

All of the lawsuits filed by Trump's lawyers were rejected by Republican- and Democratic-appointed judges alike. Giuliani personally appeared before Republican-controlled legislatures in some of these states, urging them to override the verdict of their voters and appoint pro-Trump electors.

Despite their central role in Trump's fascist coup attempt, none of the lawyers is facing criminal charges, nor do they appear to be under investigation by the Department of Justice.

The lawyers operated out of a "command center" at

the Willard Intercontinental Hotel in Washington, D.C. Located less than a block from the White House, the hotel served as a nerve center of the fascist coup conspiracy, second only to the White House itself. There, high-level Trump advisers, including Stephen Bannon and Michael Flynn, conspired with Republican lawmakers, far-right media figures, fascist paramilitaries and Republican Party operatives to advance Trump's efforts to overturn the election.

In addition to creating their own conspiracies and promoting Trump's baseless claims of election fraud, the lawyers pressured Vice President Mike Pence to "delay" for 10 days the formal certification of the Electoral College vote by a joint session of Congress, set for January 6, 2021. They peddled the lie that the vice president, who by law presided over the ceremonial event, had unilateral power to throw out so-called "disputed" electors.

In letters sent to all four individuals, the chairman of the Select Committee, Representative Bennie Thompson (Democrat from Mississippi) wrote: "The Select Committee's investigation has revealed credible evidence that you publicly promoted claims that the 2020 election was stolen and participated in attempts to disrupt or delay the certification of the election results based on your allegations."

In the letters to Giuliani, Ellis and Powell, Thompson continued: "Between mid-November 2020 and January 6, 2021 (and thereafter), you actively promoted claims of election fraud on behalf of former President Trump and sought to convince state legislators to take steps to overturn the election results."

In his letter to Epshteyn, Thompson cited a November 30 article from the *Guardian*, which

revealed that Trump made “several calls from the White House to top lieutenants at the Willard hotel in Washington and talked about ways to stop the certification of Joe Biden’s election win from taking place on 6 January.”

The article revealed that on the morning of January 6, a furious Trump was trying to find alternate methods to delay the certification that did not involve the “arrogant” Pence. The article claimed that Trump’s lawyers advised leaning heavily on Republican members of Congress to raise a sufficient number of objections to allow Pence to adjourn the session before the certification had been completed, allowing time for Trump-aligned state legislatures to send “alternate” electors.

Of course, these pseudo-legal machinations were to be supplemented—as all involved in the conspiracy were aware—by a pro-Trump mob led by fascist paramilitaries storming the US Capitol in an effort to capture or kill key lawmakers, including Pence and House Speaker Nancy Pelosi. It was assumed—correctly—that had the insurrectionists succeeded in that aim, Biden and the Democratic Party would have entered into negotiations with Trump that would have allowed the defeated president to remain in power as de facto dictator.

In announcing the subpoenas, Thompson said he expected the four individuals to join the “nearly 400 witnesses” who have been interviewed by the committee.

In a poorly worded statement issued Tuesday night, Epshteyn, emulating Bannon and Trump, smeared the committee as a “Stalinist witch hunt against President Trump and his supporters,” and rejected the legal authority of the “illegitimate January 6th Unselect Committee.”

Epshteyn added that he would be “happy” to share with “Democrats, RINOs [Republicans In Name Only] and anyone else is that [sic] of the overwhelming fraud that permeated the 2020 election in Arizona, Wisconsin, Georgia, Pennsylvania and beyond.”

In a statement to CNN, Giuliani’s attorney, Robert Costello, claimed that the subpoena from the select committee was simply “political theater.” He said his client would not be providing testimony to the committee, claiming “executive” and “attorney-client privilege.” Costello is also the lawyer for Bannon, who

is facing a criminal contempt charge for his refusal to cooperate with the committee.

Later on Tuesday, CNN revealed that in addition to subpoenaing Trump’s inner circle of lawyers, the committee had already subpoenaed and obtained the phone records of one of Trump’s children, Eric Trump, as well as those of Kimberly Guilfoyle, the fiancée of Donald Trump Jr.

Eric Trump and Guilfoyle, along with Donald Jr., participated in “Stop the Steal” rallies leading up to the attack on the Capitol.

During Trump’s rally outside the White House on the morning of January 6, Eric Trump rhetorically asked the far-right crowd: “I’ve got a question for you. Is there any person here that actually thinks that Joe Biden won this election? I don’t either, guys, I don’t either.”

Guilfoyle, who also spoke at the rally that preceded the attack on the Capitol, incited the crowd to violence, declaring: “We will not allow the liberals and the Democrats to steal our dream or steal our elections.”

The subpoenaing of Eric Trump’s phone records marks the first time that any member of the Trump family, despite family members’ central role in advancing Trump’s dictatorial efforts, has been subpoenaed by the committee, more than a year after the coup.

That it has taken this long for the committee to get around to obtaining the phone records of one of Trump’s children speaks to the true purpose of the committee—to conceal, rather than reveal the full extent of Trump’s coup, which had the support of a majority of the Republican Party, along with high-level elements in the police, intelligence and military apparatus.



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