

To Date, Every Single One Of Trump's Judicial Nominees, When Asked The Question, Has Refused To State Directly That Trump Lost The 2020 Presidential Election

SUMMARY: As of July 21, 2025, ten judicial nominees have submitted responses to questions for the record from the Senate Judiciary Committee. Every one of them has declined to answer “yes” when asked whether President Trump lost the 2020 presidential election. Instead, the nominees have sidestepped the question entirely and simply stated that President Biden was certified as the winner.

Some nominees have also argued it would be inappropriate to answer the question as their response “could be taken as opining on the broader political or policy debate regarding the conduct of the 2020 presidential election or on statements by any political figure”—seemingly entertaining the idea that President Trump’s lies surrounding that election should hold the same weight as objective fact.

None Of President Trump’s Judicial Nominees So Far Will State Directly For The Record That He Lost The 2020 Presidential Election

Ten Judicial Nominees Have Submitted Responses To The Questions For The Record—None Have Said Directly That Trump Lost The 2020 Election

Whitney Hermandorfer Did Not Directly Answer “Yes” When Asked If Trump Lost The 2020 Election, Saying Instead That Biden Was Certified And Served As President And It Would Be Improper To Offer Further Opinion That Could Be Taken As A Political Answer.

6. Did President Trump lose the 2020 election?

Response: President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States. To the extent this question seeks to elicit an answer that could be taken as opining on the broader political or policy debate regarding the conduct of the 2020 presidential election or on statements by any political figure, my response, consistent with the position of prior judicial nominees when asked questions regarding the 2020 election, is that it would be improper to offer any such comment as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6), 5.

[Senate Judiciary Committee, Questions for the Record, Whitney Hermandorfer, [6/15/25](#)]

- **May 2025: Trump Announced He Was Nominating Whitney Hermandorfer To The Sixth Circuit Court Of Appeals.** “Trump said in a social media post that he is nominating Whitney Hermandorfer, who has clerked for three members of the U.S. Supreme Court’s conservative majority, to fill a vacancy on the Cincinnati-based 6th U.S. Circuit Court of Appeals.” [Reuters, [5/2/25](#)]

Joshua Divine Did Not Directly Answer “Yes” When Asked If Trump Lost The 2020 Election, Saying Instead That Biden Was Certified And Served As President.

29. Did Joe Biden win the 2020 presidential election?

Response: President Biden was certified as the victor and served as the 46th President of the United States.

[Senate Judiciary Committee, Questions for the Record, Joshua Divine, [6/15/25](#)]

- **Divine Also Claimed That Ethical Rules Prohibited Him From Discussing The Matter Because He Served As A Law Clerk In The Supreme Court In 2020.**

10. Who won the 2020 U.S. Presidential Election?

Response: I served as a law clerk in the Supreme Court in 2020. The Court ruled on a case on this issue when I was clerking. Ethical rules prohibit discussing those matters. President Biden was certified as the victor and served as the 46th President of the United States.

[Senate Judiciary Committee, Questions for the Record, Joshua Divine, [6/15/25](#)]

- **May 2025: Trump Announced The Nomination Of Joshua Divine To The U.S. District Court For The Eastern District Of Missouri As Well As The U.S. District Court For The Western District Of Missouri.** “Trump is tapping Show-Me State Solicitor General Joshua Divine for the U.S. District Court for the Eastern District of Missouri as well as the Western District of Missouri.” [Fox News, [5/7/25](#)]

Maria Lanahan Did Not Directly Answer “Yes” When Asked If Trump Lost The 2020 Election, Saying Instead That “Joseph Biden Was Certified And Served As The President.”

5. Did President Trump lose the 2020 election?

Response: Joseph Biden was certified as the president and served from January 2021 to January 2025.

[Senate Judiciary Committee, Questions for the Record, Maria Lanahan, [6/15/25](#)]

- **May 2025: Trump Announced The Nomination Of Maria Lanahan To The U.S. District Court For The Eastern District Of Missouri.** “Trump announced Missouri Principal Deputy Solicitor General Maria Lanahan as a nominee to sit as a judge on the U.S. District Court for the Eastern District of Missouri, calling her “a true patriot” in a Tuesday post. He also picked Judge Cristian Stevens to serve on the same court, calling Stevens, who currently serves on the Missouri Court of Appeals, Eastern District, “a Great Patriot,” in another post.” [Fox News, [5/7/25](#)]

Zachary Bluestone Did Not Directly Answer “Yes” When Asked If Trump Lost The 2020 Election, Saying Instead That Congress Certified President Biden’s Win And That Biden Served As President.

3. Did President Trump lose the 2020 election?

Response: Under Article II and the Twelfth Amendment, Congress is responsible for counting electoral votes after a presidential election. Congress certified President Biden as the victor of the 2020 election, and he served as the 46th President of the United States.

[Senate Judiciary Committee, Questions for the Record, Zachary Bluestone, [6/15/25](#)]

- **May 2025: Trump Announced The Nomination Of Zachary Bluestone To The U.S. District Court For The Eastern District Of Missouri.** “The president also selected Zachary Bluestone to sit on the U.S. District Court for the Eastern District of Missouri, referring to him as “a True Legal Warrior” in a Tuesday post.” [Fox News, [5/7/25](#)]

Cristian Stevens Did Not Directly Answer “Yes” When Asked Whether President Trump Lost The 2020 Election, Instead Stating That He Recalled Various Legal Challenges To The 2020 Election Results And That Biden Was Certified And Served As President.

7. Did President Trump lose the 2020 election?

Response: As I recall, there were various legal challenges to the results of the 2020 presidential election. Joe Biden was certified as the winner of the 2020 presidential election and served four years as president.

[Senate Judiciary Committee, Questions for the Record, Cristian Stevens, [6/15/25](#)]

- **May 2025: Trump Announced The Nomination Of Cristian Stevens To The U.S. District Court For The Eastern District Of Missouri.** “Trump announced Missouri Principal Deputy Solicitor General Maria Lanahan as a nominee to sit as a judge on the U.S. District Court for the Eastern District of Missouri, calling her “a true patriot” in a Tuesday post. He also picked Judge Cristian Stevens to serve on the same court, calling Stevens, who currently serves on the Missouri Court of Appeals, Eastern District, “a Great Patriot,” in another post.” [Fox News, [5/7/25](#)]

Anne-Leigh Gaylord Moe Did Not Answer “Yes” When Asked Whether President Trump Lost The 2020 Election But Instead Stated That “Joseph Biden Was Certified As The Winner.”

4. Did President Trump lose the 2020 election?

Response: Joseph Biden was certified as the winner of the 2020 presidential election. To the extent that this question could be reasonably construed as calling for my opinion on a political matter, consistent with the position of prior judicial nominees I will not offer such an opinion. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6), 5.

[Senate Judiciary Committee, Questions for the Record, Anne-Leigh Gaylord Moe, [7/2/25](#)]

- **May 2025: Trump Announced He Was Nominating Anne-Leigh Gaylord Moe To Florida’s Middle District.** “Trump also announced on May 28 that he is nominating Kyle Dudek, Anne-Leigh Gaylord Moe, John Guard and Jordan E. Pratt as judges in Florida’s Middle District, and Ed Artau as a judge in Florida’s Southern District.” [USA TODAY, [5/28/25](#)]

Jordan E. Pratt Did Not Answer “Yes” When Asked Whether President Trump Lost The 2020 Election But Instead Stated That “President Biden Was Certified As The Winner Of The Electoral College.”

6. Did President Trump lose the 2020 election?

Response: President Biden was certified as the winner of the Electoral College following the 2020 election, and that certification is the constitutionally prescribed process for prevailing in a presidential election. *See* U.S. Const., art. II, § 1; U.S. Const. amend. XII. To the extent that this question asks me to opine on political debates surrounding the 2020 election or the statements of political figures, I must refrain from doing so, consistent with the Code of Conduct for United States Judges and Florida’s Code of Judicial Conduct.

[Senate Judiciary Committee, Questions for the Record, Jordan Pratt, [7/2/25](#)]

- **May 2025: Trump Announced He Was Nominating Jordan E. Pratt To Florida’s Middle District.** “Trump also announced on May 28 that he is nominating Kyle Dudek, Anne-Leigh Gaylord Moe, John Guard and Jordan E. Pratt as judges in Florida’s Middle District, and Ed Artau as a judge in Florida’s Southern District.” [USA TODAY, [5/28/25](#)]

Ed Artau Did Not Answer “Yes” When Asked Whether President Trump Lost The 2020 Election But Instead Stated That “President Biden Was Certified As The Winner.”

5. Did President Trump lose the 2020 election?

President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States. To the extent this question seeks to elicit an answer that could be taken as opining on the broader political debate regarding the conduct of the 2020 presidential election or on statements by any political figure, my response, consistent with the position of prior judicial nominees when asked questions regarding the 2020 election or political commentary, is that it would be improper to offer any such comment as a judicial nominee. *See* Code of Conduct U.S. Judges, Canon 3A(6); Canon 5.

[Senate Judiciary Committee, Questions for the Record, Ed Artau, [7/2/25](#)]

- **May 2025: Trump Announced He Was Nominating Ed Artau To Florida's Southern District.** "Trump also announced on May 28 that he is nominating Kyle Dudek, Anne-Leigh Gaylord Moe, John Guard and Jordan E. Pratt as judges in Florida's Middle District, and Ed Artau as a judge in Florida's Southern District." [USA TODAY, [5/28/25](#)]

Emil Bove Did Not Answer "Yes" When Asked Whether Trump Lost The 2020 Election But Instead Stated That "President Biden Was Certified As The Winner."

8. Did President Trump lose the 2020 election?

Response: President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States. To the extent this question seeks to elicit an answer that could be taken as opining on the broader political or policy debate regarding the conduct of the 2020 presidential election or on statements by any political figure, my response, consistent with the positions of prior judicial nominees when asked questions regarding the 2020 election, is that it would be improper to offer any such comment as a judicial nominee. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6), 5.

[Senate Judiciary Committee, Questions for the Record, Emil Bove, [7/2/25](#)]

- **September 2023: Trump Added Emil Bove To His Defense Team.** "Donald Trump has added two new attorneys, including a former federal prosecutor from New York, to his legal team, a source familiar with the decision told CNN. Emil Bove, was the co-chief of the national security unit at the US attorney's office for the Southern District of New York." [CNN, [9/27/23](#)]
- **As Of May 2025, Bove Was Principal Associate Deputy Attorney General In The Department Of Justice And Served As Acting Deputy Attorney General Until Blanche Was Confirmed.** "Emil Bove, an ex-federal prosecutor, will be the principal associate deputy attorney general and will serve as acting deputy attorney general until Blanche is confirmed, Trump said." [CNN, [11/14/24](#)]
 - **Bove "Quickly Emerged As The Trump Administration's Enforcer" Inside The Justice Department.** "Inside the department, Mr. Bove has quickly emerged as the Trump administration's enforcer, demanding compliance and overseeing a series of personnel moves that have thrust him into the spotlight." [New York Times, [2/13/25](#)]
 - **Bove Earned A Reputation As Trump's "Hatchet Man."** "In that short time, Bove quickly earned a reputation as Trump's hatchet man. His aggressive campaign began with immigration — he issued a memo just two days after Trump's inauguration that threatened to prosecute state and local officials who resist the administrations federal immigration crackdown." [CNN, [5/19/25](#)]
 - **Bove Has Forced Transfers Of Top Nonpolitical Officials Opposing Political Interference, Fired Capitol Riot Prosecutors, And Collected A List Of FBI Agents Assigned To January 6th Cases, All While Citing The President's Authority Under The Constitution.** "Among them: the forced transfers of top nonpolitical officials seen as a bulwark against political interference, the firing of Capitol riot prosecutors in the U.S. attorney's office in Washington and,

perhaps most significantly, the effort to collect a list of F.B.I. agents assigned to Jan. 6 cases. At no time has Mr. Bove offered evidence those he targeted had done anything improper, illegal or unethical. Instead he has cited the president's authority under the Constitution." [New York Times, [2/13/25](#)]

- **May 28, 2025: Trump Nominated Emil Bove To The Third Circuit Court Of Appeals.** [Truth Social, @realDonaldTrump, [5/28/25](#)]

Kyle Dudek Did Not Answer "Yes" When Asked Whether Trump Lost The 2020 Election But Instead Stated That "President Biden Was Certified As The Winner."

2. Did President Trump lose the 2020 election?

Response: President Biden was certified as the winner of the 2020 presidential election and served as the 46th President of the United States. There were various legal challenges to the results of the 2020 presidential election, and to the extent this question seeks to elicit a response about those matters or an opinion about the election in general, my answer is that it would be improper to offer any such comment as a current judicial officer. *See* Code of Conduct of U.S. Judges, Canons 3(A)(6), 5.

[Senate Judiciary Committee, Questions for the Record, [7/2/25](#)]

- **May 2025: Trump Announced He Was Nominating Kyle Dudek To Florida's Middle District.** "Trump also announced on May 28 that he is nominating Kyle Dudek, Anne-Leigh Gaylord Moe, John Guard and Jordan E. Pratt as judges in Florida's Middle District, and Ed Artau as a judge in Florida's Southern District." [USA TODAY, [5/28/25](#)]

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