

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Thursday, April 18, 2019 8:55 AM
To: Kupec, Kerri (OPA) (kkupec@jmd.usdoj.gov)
Subject: 2019.04.018 Press Conference Prepared Statement - 4.18 Final Version
Attachments: 2019.04.018 Press Conference Prepared Statement - 4.18 Final Version.docx

Final version of statement. Will need to be cleaned up (e.g. internal headers removed) before distribution

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Thursday, April 18, 2019 8:57 AM
To: Watson, Theresa (OAG)
Subject: 2019.04.18 SC Report Transmission Letter Final Version
Attachments: 2019.04.18 SC Report Transmission Letter Final Version.docx

Theresa please format onto AG letterhead for final review and signature.

April 18, 2019

The Honorable Lindsey Graham
Chairman, Committee on the Judiciary
United States Senate
290 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Jerrold Nadler
Chairman, Committee on the Judiciary
United States House of Representatives
2132 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Dianne Feinstein
Ranking Member, Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Doug Collins
Ranking Member, Committee on the Judiciary
United States House of Representatives
1504 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Graham, Chairman Nadler, Ranking Member Feinstein, and Ranking Member Collins:

I write today to provide you with a public version of the report prepared by Special Counsel Robert S. Mueller, III. Although the Special Counsel prepared this document as a “confidential report” to the Attorney General under 28 C.F.R. § 600.8(c), I have determined that the public interest warrants as much transparency as possible regarding the results of the Special Counsel’s investigation. Accordingly, I have determined that the report should be released to the public and provided to Congress, subject only to those redactions required by the law or compelling law enforcement, national security, or personal privacy interests.

Russian Interference in the 2016 U.S. Presidential Election

Volume I of the Special Counsel’s report describes the results of his investigation into Russia’s attempts to interfere in the 2016 U.S. presidential election and any coordination of those efforts with the Trump campaign and its associates. As quoted in my March 24, 2019 letter, the Special Counsel stated his bottom-line conclusion on the question of so-called “collusion” as follows: “[T]he investigation did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities.”

More specifically, the Special Counsel determined that there were two main Russian efforts to influence the 2016 election. The first involved attempts by a Russian organization, the Internet Research Agency (IRA), to conduct disinformation and social media operations in the United States designed to sow social discord, eventually with the aim of interfering with the election. The Special Counsel brought criminal charges against a number of Russian nationals and entities in connection with these activities, but concluded that “[t]he investigation did not identify evidence that any U.S. persons conspired or coordinated with the IRA.”

The second main Russian effort to influence the 2016 election involved hacking into the computer systems of the Clinton campaign and certain Democratic Party organizations for the purpose of stealing documents and emails for later public dissemination. Such unauthorized access into computers is a federal crime. The Special Counsel found that Russian government actors successfully carried out these hacking activities between March and mid-June 2016, stealing many thousands of documents and emails. Based on these activities, the Special Counsel brought criminal charges against Russian military officers for conspiring to hack into computers in the United States for purposes of influencing the election. But the Special Counsel did not find that President Trump, his campaign, or its associates conspired or coordinated with the Russian government in its hacking activities.

The Special Counsel also considered whether any persons associated with the Trump campaign had any role in disseminating the hacked information, either through Wikileaks or other channels. Although some of the Special Counsel's discussion concerning these matters must be redacted because of court orders in pending cases or potential harm to ongoing investigations, the Special Counsel did not find that any person associated with the Trump campaign, or any other U.S. citizen, illegally participated in the dissemination of hacked information.

Finally, in connection with investigating Russian interference, the Special Counsel reviewed contacts between persons associated with the Trump campaign and persons having or claiming to have ties to the Russian government. After reviewing those contacts, the Special Counsel did not find any conspiracy to violate U.S. law involving Russia-linked persons and any persons associated with the Trump campaign.

Obstruction of Justice

Volume II of the Special Counsel's report describes his investigation into whether President Trump's actions in connection with the Russia investigation constituted obstruction of justice. Although the report documents the President's actions in detail, the Special Counsel decided not to evaluate the President's conduct under the Department's standards governing prosecution and declination decisions. As I explained in my March 24, 2019 letter to Congress, "[a]fter making a 'thorough factual investigation' into these matters," the Special Counsel "did not draw a conclusion one way or the other as to whether the examined conduct constituted obstruction." As the Special Counsel put it, "while this report does not conclude that the President committed a crime, it also does not exonerate him."

Presented with the results of the Special Counsel's thorough, almost-two-year investigation, I determined that the Special Counsel's decision not to reach a conclusion on obstruction left it to me to determine whether the conduct described in the report constitutes a crime when considered under the principles of federal prosecution. The Attorney General has ultimate responsibility for all criminal investigations conducted by the Department. The very function of a federal prosecutor conducting a criminal investigation is to determine whether an offense has been committed and, if so, whether there is sufficient evidence to overcome the presumption of innocence that attaches to every person. Prosecutors are entrusted with awesome investigative powers, including the power to use a grand jury, for the purpose of making these prosecutorial decisions and not for any other purpose. Consequently, I determined that it was

incumbent on me to decide, one way or the other, whether the evidence set forth in the Special Counsel's report was sufficient to establish that the President committed an obstruction-of-justice offense. As stated in my March 24 letter, the Deputy Attorney General and I determined that it was not.

Preparation of the Public Report

As noted above, I have concluded that the report should be released to the public and to Congress to the maximum extent possible, subject only to those redactions required by law or by compelling law enforcement, national security, or personal privacy interests. As you will see, most of the redactions were required to protect grand-jury secrecy or to comply with judicial orders (i) protecting from public release sensitive discovery information or (ii) prohibiting public disclosure of information bearing upon ongoing investigations and criminal proceedings, including *United States v. Internet Research Agency LLC, et al.* and *United States v. Roger Jason Stone, Jr.*

With the assistance of the Special Counsel and his team, we have coordinated the redaction process with members of the intelligence community and with the prosecuting offices currently handling matters referenced in the report. We have clearly marked the redactions based upon the reason for withholding the redacted information: (1) grand-jury information (marked in red), the disclosure of which is prohibited by Federal Rule of Criminal Procedure 6(e); (2) investigative techniques (marked in yellow), which reflect material identified by the intelligence and law enforcement communities as potentially compromising sensitive sources, methods, or techniques, as well as information that could harm ongoing intelligence or law enforcement activities; (3) information that, if released, could harm ongoing law enforcement matters (marked in white), including charged cases where court rules and orders bar public disclosure by the parties of case information; and (4) information that would unduly infringe upon the personal privacy and reputational interests of peripheral third parties (marked in green), which includes deliberation about decisions not to recommend prosecution of such parties.

Because the White House voluntarily cooperated with the Special Counsel's investigation, significant portions of the report contain materials over which the President could have asserted privilege. After the release of my March 29, 2019 letter, the Office of the White House Counsel requested the opportunity to review the redacted report for the purpose of advising the President as to whether he should invoke privilege on any portion prior to the public disclosure of this information. In view of this issue's importance to long-standing interests of the Presidency, I decided that office should be in a position to advise the President. Therefore, I agreed to the request. Following that review, the President confirmed that, in the interest of transparency, he would not assert privilege prior to the public disclosure of the report, although it would have been well within his authority to do so in many instances. Thus, the White House did not request that any information be withheld from public release, and no material was redacted based on executive privilege.

In addition, earlier this week, the President's personal counsel requested and were granted the opportunity to review the redacted report before it was publicly released. That request was consistent with the practice followed under the now-expired Ethics in Government Act, which permitted individuals named in a report prepared by an Independent Counsel the opportunity to

review and comment on the report before publication. *See* 28 U.S.C. § 594(h)(2). The President’s personal lawyers raised no objections to publication of any information in the redacted report, and they were not permitted to make, and did not request, any further redactions. Thus, all redactions in the report were made by Department lawyers working together with the Special Counsel’s office and the intelligence community.

Accommodation of Congress’s Requests

I acknowledge that you have expressed an interest in viewing an unredacted version of the report. As I have said on several occasions, it is my intent to accommodate that request to the extent that I can. I will therefore make available for review by you and the “Gang of Eight” a version of the report with all redactions removed except those relating to grand-jury information. In light of the law and governing judicial precedent, I do not believe that I have discretion to disclose grand-jury information to Congress. Nevertheless, this accommodation will allow you to review the bulk of the redacted material for yourselves.

Finally, I understand that your Committees will have many questions about these matters, and I look forward to discussing them with you in my upcoming testimony. As I previously offered, I am currently available to testify before the Senate Judiciary Committee on May 1, 2019, and before the House Judiciary Committee on May 2, 2019. I believe that the release of the Special Counsel’s report, together with my testimony, will accommodate any need Congress has to learn about the results of the Special Counsel’s investigation.

* * *

In light of the public interest surrounding this matter, I will disclose this letter to the public after delivering it to you.

Sincerely,

William P. Barr
Attorney General

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Thursday, April 18, 2019 9:16 AM
To: Kupec, Kerri (OPA) (kkupec@jmd.usdoj.gov)
Subject: 2019.04.018 Press Conference Prepared Statement - 4.18 Final Version
Attachments: 2019.04.018 Press Conference Prepared Statement - 4.18 Final Version.docx

NEW final for distribution still needs to be cleaned up

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Thursday, April 18, 2019 9:25 AM
To: Boyd, Stephen E. (OLA)
Cc: Kupec, Kerri (OPA)
Subject: FW: 2019.04.18 SC Report Transmission Letter Final Version
Attachments: Letter.41819.pdf

From: Watson, Theresa (OAG) <twatson@jmd.usdoj.gov>
Sent: Thursday, April 18, 2019 9:24 AM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>
Subject: RE: 2019.04.18 SC Report Transmission Letter Final Version

From: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>
Sent: Thursday, April 18, 2019 8:57 AM
To: Watson, Theresa (OAG) <twatson@jmd.usdoj.gov>
Subject: 2019.04.18 SC Report Transmission Letter Final Version



The Attorney General
Washington, D.C.

April 18, 2019

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Chairman, Committee on the Judiciary
United States Senate
290 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Jerrold Nadler
Chairman, Committee on the Judiciary
United States House of Representatives
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1504 Longworth House Office Building
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Finally, I understand that your Committees will have many questions about these matters, and I look forward to discussing them with you in my upcoming testimony. As I previously offered, I am currently available to testify before the Senate Judiciary Committee on May 1, 2019, and before the House Judiciary Committee on May 2, 2019. I believe that the release of the Special Counsel's report, together with my testimony, will accommodate any need Congress has to learn about the results of the Special Counsel's investigation.

* * *

In light of the public interest surrounding this matter, I will disclose this letter to the public after delivering it to you.

Sincerely,



William P. Barr
Attorney General

From: USDOJ-Office of Public Affairs
Sent: Thursday, April 18, 2019 9:39 AM
To: O'Callaghan, Edward C. (ODAG)
Subject: ATTORNEY GENERAL WILLIAM P. BARR DELIVERS REMARKS ON THE RELEASE OF THE REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION

The United States Department of Justice



FOR IMMEDIATE RELEASE
THURSDAY, APRIL 18, 2019

**ATTORNEY GENERAL WILLIAM P. BARR DELIVERS
REMARKS ON THE RELEASE OF THE REPORT ON THE
INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE
2016 PRESIDENTIAL ELECTION**

Washington, D.C.

Remarks as prepared for delivery

Good Morning. Thank you all for being here today.

On March 22, 2019, Special Counsel Robert Mueller concluded his investigation

of matters related to Russian attempts to interfere in the 2016 presidential election and submitted his confidential report to me pursuant to Department of Justice regulations.

As I said during my Senate confirmation hearing and since, I am committed to ensuring the greatest possible degree of transparency concerning the Special Counsel's investigation, consistent with the law.

At 11:00 this morning, I will transmit copies of a public version of the Special Counsel's report to the Chairmen and Ranking Members of the House and Senate Judiciary Committees. The Department of Justice will also make the report available to the American public by posting it on the Department's website after it has been delivered to Congress.

I would like to offer a few comments today on the report.

But before I do that, I want to thank Deputy Attorney General Rod Rosenstein for joining me here today and for his assistance and counsel throughout this process. Rod has served the Department of Justice for many years with dedication and distinction, and it has been a great privilege and pleasure to work with him since my confirmation. He had well deserved plans to step back from public service that I interrupted by asking him to help in my transition. Rod has been an invaluable partner, and I am grateful that he was willing to help me and has been able to see the Special Counsel's investigation to its conclusion. Thank you, Rod.

I would also like to thank Special Counsel Mueller for his service and the thoroughness of his investigation, particularly his work exposing the nature of Russia's attempts to interfere in our electoral process.

As you know, one of the primary purposes of the Special Counsel's investigation was to determine whether members of the presidential campaign of Donald J. Trump, or any individuals associated with that campaign, conspired or coordinated with the Russian government to interfere in the 2016 election. Volume I of the Special Counsel's report describes the results of that investigation. As you will see, the Special Counsel's report states that his "investigation did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities."

I am sure that all Americans share my concerns about the efforts of the Russian government to interfere in our presidential election. As the Special Counsel's report makes clear, the Russian government sought to interfere in our election. But thanks to the Special Counsel's thorough investigation, we now know that the Russian operatives who perpetrated these schemes did not have the cooperation of President Trump or the Trump campaign or the knowing assistance of any other Americans for that matter. That is something that all

Americans can and should be grateful to have confirmed.

The Special Counsel's report outlines two main efforts by the Russian government to influence the 2016 election:

First, the report details efforts by the Internet Research Agency, a Russian company with close ties to the Russian government, to sow social discord among American voters through disinformation and social media operations. Following a thorough investigation of this disinformation campaign, the Special Counsel brought charges in federal court against several Russian nationals and entities for their respective roles in this scheme. Those charges remain pending, and the individual defendants remain at large.

But the Special Counsel found no evidence that any Americans—including anyone associated with the Trump campaign—conspired or coordinated with the Russian government or the IRA in carrying out this illegal scheme. Indeed, as the report states, “[t]he investigation did not identify evidence that any U.S. persons knowingly or intentionally coordinated with the IRA’s interference operation.” Put another way, the Special Counsel found no “collusion” by any Americans in the IRA’s illegal activity.

Second, the report details efforts by Russian military officials associated with the GRU to hack into computers and steal documents and emails from individuals affiliated with the Democratic Party and the presidential campaign of Hillary Rodham Clinton for the purpose of eventually publicizing those emails. Obtaining such unauthorized access into computers is a federal crime. Following a thorough investigation of these hacking operations, the Special Counsel brought charges in federal court against several Russian military officers for their respective roles in these illegal hacking activities. Those charges are still pending and the defendants remain at large.

But again, the Special Counsel’s report did not find any evidence that members of the Trump campaign or anyone associated with the campaign conspired or coordinated with the Russian government in its hacking operations. In other words, there was no evidence of Trump campaign “collusion” with the Russian government’s hacking.

The Special Counsel’s investigation also examined Russian efforts to publish stolen emails and documents on the internet. The Special Counsel found that, after the GRU disseminated some of the stolen materials through its own controlled entities, DCLeaks and Guccifer 2.0, the GRU transferred some of the stolen materials to Wikileaks for publication. Wikileaks then made a series of document dumps. The Special Counsel also investigated whether any member or affiliate of the Trump campaign encouraged or otherwise played a role in these dissemination efforts. Under applicable law, publication of these types of materials would not be criminal unless the publisher also participated in the underlying hacking conspiracy. Here too, the Special Counsel’s report did not

find that any person associated with the Trump campaign illegally participated in the dissemination of the materials.

Finally, the Special Counsel investigated a number of “links” or “contacts” between Trump Campaign officials and individuals connected with the Russian government during the 2016 presidential campaign. After reviewing those contacts, the Special Counsel did not find any conspiracy to violate U.S. law involving Russia linked persons and any persons associated with the Trump campaign.

So that is the bottom line. After nearly two years of investigation, thousands of subpoenas, and hundreds of warrants and witness interviews, the Special Counsel confirmed that the Russian government sponsored efforts to illegally interfere with the 2016 presidential election but did not find that the Trump campaign or other Americans colluded in those schemes.

After finding no underlying collusion with Russia, the Special Counsel’s report goes on to consider whether certain actions of the President could amount to obstruction of the Special Counsel’s investigation. As I addressed in my March 24th letter, the Special Counsel did not make a traditional prosecutorial judgment regarding this allegation. Instead, the report recounts ten episodes involving the President and discusses potential legal theories for connecting these actions to elements of an obstruction offense.

After carefully reviewing the facts and legal theories outlined in the report, and in consultation with the Office of Legal Counsel and other Department lawyers, the Deputy Attorney General and I concluded that the evidence developed by the Special Counsel is not sufficient to establish that the President committed an obstruction of justice offense.

Although the Deputy Attorney General and I disagreed with some of the Special Counsel’s legal theories and felt that some of the episodes examined did not amount to obstruction as a matter of law, we did not rely solely on that in making our decision. Instead, we accepted the Special Counsel’s legal framework for purposes of our analysis and evaluated the evidence as presented by the Special Counsel in reaching our conclusion.

In assessing the President’s actions discussed in the report, it is important to bear in mind the context. President Trump faced an unprecedented situation. As he entered into office, and sought to perform his responsibilities as President, federal agents and prosecutors were scrutinizing his conduct before and after taking office, and the conduct of some of his associates. At the same time, there was relentless speculation in the news media about the President’s personal culpability. Yet, as he said from the beginning, there was in fact no collusion.

And as the Special Counsel’s report acknowledges, there is substantial evidence to show that the President was frustrated and angered by a sincere belief that the investigation was undermining his presidency, propelled by his political

opponents, and fueled by illegal leaks. Nonetheless, the White House fully cooperated with the Special Counsel's investigation, providing unfettered access to campaign and White House documents, directing senior aides to testify freely, and asserting no privilege claims. And at the same time, the President took no act that in fact deprived the Special Counsel of the documents and witnesses necessary to complete his investigation. Apart from whether the acts were obstructive, this evidence of non corrupt motives weighs heavily against any allegation that the President had a corrupt intent to obstruct the investigation.

Now, before I take questions, I want to address a few aspects of the process for producing the public report that I am releasing today. As I said several times, the report contains limited redactions relating to four categories of information. To ensure as much transparency as possible, these redactions have been clearly labelled and color coded so that readers can tell which redactions correspond to which categories.

As you will see, most of the redactions were compelled by the need to prevent harm to ongoing matters and to comply with court orders prohibiting the public disclosure of information bearing upon ongoing investigations and criminal cases, such as the IRA case and the Roger Stone case.

These redactions were applied by Department of Justice attorneys working closely together with attorneys from the Special Counsel's Office, as well as with the intelligence community, and prosecutors who are handling ongoing cases. The redactions are their work product.

Consistent with long standing Executive Branch practice, the decision whether to assert Executive privilege over any portion of the report rested with the President of the United States. Because the White House voluntarily cooperated with the Special Counsel's investigation, significant portions of the report contain material over which the President could have asserted privilege. And he would have been well within his rights to do so. Following my March 29th letter, the Office of the White House Counsel requested the opportunity to review the redacted version of the report in order to advise the President on the potential invocation of privilege, which is consistent with long standing practice. Following that review, the President confirmed that, in the interests of transparency and full disclosure to the American people, he would not assert privilege over the Special Counsel's report. Accordingly, the public report I am releasing today contains redactions only for the four categories that I previously outlined, and no material has been redacted based on executive privilege.

In addition, earlier this week, the President's personal counsel requested and were given the opportunity to read a final version of the redacted report before it was publicly released. That request was consistent with the practice followed under the Ethics in Government Act, which permitted individuals named in a report prepared by an Independent Counsel the opportunity to read the report

before publication. The President's personal lawyers were not permitted to make, and did not request, any redactions.

In addition to making the redacted report public, we are also committed to working with Congress to accommodate their legitimate oversight interests with respect to the Special Counsel's investigation. We have been consulting with Chairman Graham and Chairman Nadler throughout this process, and we will continue to do so.

Given the limited nature of the redactions, I believe that the publicly released report will allow every American to understand the results of the Special Counsel's investigation. Nevertheless, in an effort to accommodate congressional requests, we will make available to a bipartisan group of leaders from several Congressional committees a version of the report with all redactions removed except those relating to grand jury information. Thus, these members of Congress will be able to see all of the redacted material for themselves with the limited exception of that which, by law, cannot be shared.

I believe that this accommodation, together with my upcoming testimony before the Senate and House Judiciary Committees, will satisfy any need Congress has for information regarding the Special Counsel's investigation.

Once again, I would like to thank you all for being here today. I now have a few minutes for questions.

#

AG

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Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202 514 2007.

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Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Thursday, April 18, 2019 10:18 AM
To: Timmons, Mollie R. (PAO)
Cc: Kerri Kupec (OPA) (kkupec@jmd.usdoj.gov)
Subject: Letter & Report
Attachments: Letter.41819.pdf

Letter attached. Close hold until delivery begins. I will drop a disc on our way out in 10 minutes. SB

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Thursday, April 18, 2019 5:06 PM
To: O'Callaghan, Edward C. (ODAG); Weinsheimer, Bradley (ODAG)
Subject: Fwd: 2019.04.18 SC Report Transmission Letter Final Version
Attachments: Letter.41819.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Watson, Theresa (OAG)" <twatson@jmd.usdoj.gov>
Date: April 18, 2019 at 9:23:54 AM EDT
To: "Rabbitt, Brian (OAG)" <brrabbitt@jmd.usdoj.gov>
Subject: RE: 2019.04.18 SC Report Transmission Letter Final Version

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Saturday, April 27, 2019 5:57 AM
To: Rosenstein, Rod (ODAG)
Subject: Fwd: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciary.DOCX; ATT00001.htm

Edward C. O'Callaghan
202-514-2105

Begin forwarded message:

From: "Moran, John (OAG)" <[jomoran@jmd.usdoj.gov](mailto:jomorán@jmd.usdoj.gov)>
Date: April 26, 2019 at 10:05:16 PM EDT
To: "Rabbitt, Brian (OAG)" <brrabbitt@jmd.usdoj.gov>, "Burnham, James (OAG)" <jburnham@jmd.usdoj.gov>, "O'Callaghan, Edward C. (ODAG)" <ecocallaghan@jmd.usdoj.gov>, "Engel, Steven A. (OLC [REDACTED] (b) (6))", "Gannon, Curtis E. (OLC) [REDACTED] (b) (6)", "Boyd, Stephen E. (OLA)" <seboyd@jmd.usdoj.gov>, "Escalona, Prim F. (OLA)" <pfescalona@jmd.usdoj.gov>, "Kupec, Kerri (OPA)" <kkupec@jmd.usdoj.gov>
Subject: DRAFT Written Opening Statement for May 1 Hearing

All:

Attached is a preliminary draft of the AG's written statement for the record for his Wednesday testimony before the Senate Judiciary Committee [REDACTED] (b) (5)

Any and all comments are welcome. It would be great to have everyone's initial comments on Monday morning.

I hope that everyone has a nice weekend.

Regards,

John S. Moran
Deputy Chief of Staff & Counselor to the Attorney General
U.S. Department of Justice
(202) 616-2372 (W)
[REDACTED] (b) (6) (C)
john.moran@usdoj.gov

Ahern, Bill (OAG)

From: Ahern, Bill (OAG)
Sent: Saturday, April 27, 2019 6:38 AM
To: (b)(6): AG Barr personal email
Subject: Fwd: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciary.DOCX; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Moran, John (OAG)" <[jomoran@jmd.usdoj.gov](mailto:jomorán@jmd.usdoj.gov)>
Date: April 26, 2019 at 10:05:16 PM EDT
To: "Rabbitt, Brian (OAG)" <brrabbitt@jmd.usdoj.gov>, "Burnham, James (OAG)" <jburnham@jmd.usdoj.gov>, "O'Callaghan, Edward C. (ODAG)" <ecocallaghan@jmd.usdoj.gov>, "Engel, Steven A. (OLC)" (b) (6) >, "Gannon, Curtis E. (OLC)" (b) (6) >, "Boyd, Stephen E. (OLA)" <seboyd@jmd.usdoj.gov>, "Escalona, Prim F. (OLA)" <pfescalona@jmd.usdoj.gov>, "Kupec, Kerri (OPA)" <kkupec@jmd.usdoj.gov>
Subject: DRAFT Written Opening Statement for May 1 Hearing

Duplicative Material (Document ID: 0.7.24313.34015)

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Saturday, April 27, 2019 1:17 PM
To: Moran, John (OAG); Rabbitt, Brian (OAG); Burnham, James (OAG); Engel, Steven A. (OLC); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciaryeoc.DOCX

Some edits/suggestions in track changes.

Edward C. O'Callaghan
202-514-2105

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Friday, April 26, 2019 10:05 PM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Engel, Steven A. (OL [REDACTED] (b) (6)); Gannon, Curtis E. (OLC [REDACTED] (b) (6)); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: DRAFT Written Opening Statement for May 1 Hearing

Duplicative Material (Document ID: 0.7.24313.34015)

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Saturday, April 27, 2019 6:02 PM
To: O'Callaghan, Edward C. (ODAG); Moran, John (OAG); Rabbitt, Brian (OAG); Burnham, James (OAG); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciaryeoc + sae.DOCX

Some edits/suggestions from me, on top of Ed's.

From: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Sent: Saturday, April 27, 2019 1:17 PM
To: Moran, John (OAG) <jomoran@jmd.usdoj.gov>; Rabbitt, Brian (OAG) <brabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Engel, Steven A. (OLC) (b) (6); Gannon, Curtis E. (OLC) (b) (6); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing

Duplicative Material (Document ID: 0.7.24313.34015 and Document ID: 0.7.24313.15193)

Escalona, Prim F. (OLA)

From: Escalona, Prim F. (OLA)
Sent: Saturday, April 27, 2019 11:27 PM
To: Engel, Steven A. (OLC); O'Callaghan, Edward C. (ODAG); Moran, John (OAG); Rabbitt, Brian (OAG); Burnham, James (OAG); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Kupec, Kerri (OPA)
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciaryeoc + sae + pfe.DOCX

John thank you for putting this together and for circulating it. I had a few suggestions for consideration (on top of Ed's and Steve's).

Thanks,
Prim

From: Engel, Steven A. (OL [REDACTED] (b) (6))
Sent: Saturday, April 27, 2019 6:02 PM
To: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Moran, John (OAG) <jomoran@jmd.usdoj.gov>; Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL [REDACTED] (b) (6)) >; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing

Duplicative Material (Document ID: 0.7.24313.34015, Document ID: 0.7.24313.15193, and Document ID: 0.7.24313.15196)

Gannon, Curtis E. (OLC)

From: Gannon, Curtis E. (OLC)
Sent: Sunday, April 28, 2019 7:06 PM
To: Escalona, Prim F. (OLA); Engel, Steven A. (OLC); O'Callaghan, Edward C. (ODAG); Moran, John (OAG); Rabbitt, Brian (OAG); Burnham, James (OAG); Boyd, Stephen E. (OLA); Kupec, Kerri (OPA)
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciaryeoc + sae + pfe + ceg.DOCX

I've added a few more suggestions on top of all of those.

Thanks,

Curtis

From: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>
Sent: Saturday, April 27, 2019 11:27 PM
To: Engel, Steven A. (OL [REDACTED] (b) (6)); O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Moran, John (OAG) <jomoran@jmd.usdoj.gov>; Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OLC) [REDACTED] (b) (6); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing

Duplicative Material (Document ID: 0.7.24313.34015, Document ID: 0.7.24313.15193, Document ID: 0.7.24313.15196, and Document ID: 0.7.24313.15198)

Moran, John (OAG)

From: Moran, John (OAG)
Sent: Sunday, April 28, 2019 8:40 PM
To: Rabbitt, Brian (OAG)
Subject: Fwd: DRAFT Written Opening Statement for May 1 Hearing
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciaryeoc + sae + pfe + ceg.DOCX; ATT00001.htm

Brian,

I defer to you on how you want to resolve. I expect that the AG will also have some thoughts on the initial draft. I am happy to collect those and do a new turn tomorrow morning, or if you want to take the pen, you should feel free.

John

Begin forwarded message:

From: "Gannon, Curtis E. (OLC) (b) (6)"
Date: April 28, 2019 at 7:06:17 PM EDT
To: "Escalona, Prim F. (OLA)" <pfescalona@jmd.usdoj.gov>, "Engel, Steven A. (OLC)" (b) (6), "O'Callaghan, Edward C. (ODAG)" <ecocallaghan@jmd.usdoj.gov>, "Moran, John (OAG)" <[jomoran@jmd.usdoj.gov](mailto:jomorán@jmd.usdoj.gov)>, "Rabbitt, Brian (OAG)" <brrabbitt@jmd.usdoj.gov>, "Burnham, James (OAG)" <jburnham@jmd.usdoj.gov>, "Boyd, Stephen E. (OLA)" <seboyd@jmd.usdoj.gov>, "Kupec, Kerri (OPA)" <kkupec@jmd.usdoj.gov>
Subject: RE: DRAFT Written Opening Statement for May 1 Hearing

Duplicative Material (Document ID: 0.7.24313.34015, Document ID: 0.7.24313.15193, Document ID: 0.7.24313.15196, Document ID: 0.7.24313.15198, and Document ID: 0.7.24313.15211)

Moran, John (OAG)

From: Moran, John (OAG)
Sent: Monday, April 29, 2019 1:40 PM
To: Engel, Steven A. (OLC)
Subject: RE: draft AG statement
Attachments: 20160501 AG Written Statement For the Record - Senate Judiciaryeoc + sae + pfe + ceg.DOCX

Just Curtis's edits on top of everyone else's. We have not yet been able to get the AG's own thoughts and to reconcile edits.

John

From: Engel, Steven A. (OL [REDACTED] (b) (6) >
Sent: Monday, April 29, 2019 1:39 PM
To: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Subject: draft AG statement

Is there a latest version of the AG's testimony?

Moran, John (OAG)

From: Moran, John (OAG)
Sent: Monday, April 29, 2019 4:43 PM
To: Rabbitt, Brian (OAG)
Cc: Burnham, James (OAG)
Subject: Updated Draft - Senate Opening Statement
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190429 1640.DOCX

Brian,

Attached is the updated draft statement. I can bring a hard copy as well. Once you've reviewed and are good with it (including any edits you may have), we should circulate to the broader group again in addition to giving to the AG for his review.

Regards,

John S. Moran
Deputy Chief of Staff & Counselor to the Attorney General
U.S. Department of Justice
(202) 616-2372 (W)
[REDACTED] (b) (6) [REDACTED] (C)
john.moran@usdoj.gov

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Monday, April 29, 2019 10:16 PM
To: Moran, John (OAG)
Cc: Burnham, James (OAG)
Subject: RE: Updated Draft - Senate Opening Statement
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190429 1640.DOCX

Some minor edits attached

(b) (5)

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Monday, April 29, 2019 4:43 PM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>
Cc: Burnham, James (OAG) <jburnham@jmd.usdoj.gov>
Subject: Updated Draft - Senate Opening Statement

Duplicative Material (Document ID: 0.7.24313.31968)

Moran, John (OAG)

From: Moran, John (OAG)
Sent: Tuesday, April 30, 2019 9:14 AM
To: Rabbitt, Brian (OAG)
Cc: Burnham, James (OAG)
Subject: Revised Opening Statement
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190430 0900.DOCX

Brian,

Attached is a revision that incorporates your edits and makes a few edits for structure (including 4 section headings). I don't know whether the AG had his own edits after reviewing last night, so I defer to you on whether we kick this to him or add his own edits first.

Regards,

John S. Moran
Deputy Chief of Staff & Counselor to the Attorney General
U.S. Department of Justice
(202) 616-2372 (W)
[REDACTED] (b) (6) [REDACTED] (C)
john.moran@usdoj.gov

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Tuesday, April 30, 2019 11:15 AM
To: Rosenstein, Rod (ODAG); Weinsheimer, Bradley (ODAG)
Subject: Fwd: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190430 1100.DOCX; ATT00001.htm

FYI

Edward C. O'Callaghan
202-514-2105

Begin forwarded message:

From: "Moran, John (OAG)" <[jomoran@jmd.usdoj.gov](mailto:jomorán@jmd.usdoj.gov)>
Date: April 30, 2019 at 11:12:37 AM EDT
To: "Rabbitt, Brian (OAG)" <brrabbitt@jmd.usdoj.gov>, "Burnham, James (OAG)" <jburnham@jmd.usdoj.gov>, "O'Callaghan, Edward C. (ODAG)" <ecocallaghan@jmd.usdoj.gov>, "Engel, Steven A. (OLC)" [REDACTED] (b) (6), "Gannon, Curtis E. (OLC)" [REDACTED] (b) (6), "Boyd, Stephen E. (OLA)" <seboyd@jmd.usdoj.gov>, "Escalona, Prim F. (OLA)" <pfescalona@jmd.usdoj.gov>, "Kupec, Kerri (OPA)" <kkupec@jmd.usdoj.gov>
Subject: FINAL Draft - Opening Statement for Senate Hearing

All:

Here is the presumptively final draft of the AG's opening statement for tomorrow. Please let me know ASAP if you have any show-stopper edits. We are looking to finalize and submit by noon.

Regards,

John S. Moran
Deputy Chief of Staff & Counselor to the Attorney General
U.S. Department of Justice
(202) 616-2372 (W)
[REDACTED] (b) (6) (C)
john.moran@usdoj.gov

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Tuesday, April 30, 2019 11:29 AM
To: Moran, John (OAG); Burnham, James (OAG); O'Callaghan, Edward C. (ODAG); Engel, Steven A. (OLC); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190430 1100 bcr.DOCX

One minor edit and two minor comments

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 11:13 AM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Engel, Steven A. (OL (b) (6) >; Gannon, Curtis E. (OL (b) (6) >; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118)

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Tuesday, April 30, 2019 11:34 AM
To: Rabbitt, Brian (OAG); Moran, John (OAG); Burnham, James (OAG); O'Callaghan, Edward C. (ODAG); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190430 1100 + sae.DOCX

Looks very good to me. Three suggested tweaks in the attached.

Not [REDACTED] (b) (5) per OLC
[REDACTED].

From: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 11:29 AM
To: Moran, John (OAG) <jomoran@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Engel, Steven A. (OL [REDACTED] (b) (6) [REDACTED]); Gannon, Curtis E. (OL [REDACTED] (b) (6) [REDACTED]); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118 and Document ID: 0.7.24313.15541)

Weinsheimer, Bradley (ODAG)

From: Weinsheimer, Bradley (ODAG)
Sent: Tuesday, April 30, 2019 11:39 AM
To: O'Callaghan, Edward C. (ODAG); Rosenstein, Rod (ODAG)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190430 1100 gbw.DOCX; Letter.41819.pdf

I have only reviewed the process portion thus far but wanted to get this to you

(b) (5)

I have made those edits in this version. I also attach the April 18 letter for reference (see p. 3).

From: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 11:15 AM
To: Rosenstein, Rod (ODAG) <rrosenstein@jmd.usdoj.gov>; Weinsheimer, Bradley (ODAG) <bradweinsheimer@jmd.usdoj.gov>
Subject: Fwd: FINAL Draft - Opening Statement for Senate Hearing

FYI

Edward C. O'Callaghan
202-514-2105

Begin forwarded message:

From: "Moran, John (OAG)" <jomorán@jmd.usdoj.gov>
Date: April 30, 2019 at 11:12:37 AM EDT
To: "Rabbitt, Brian (OAG)" <brrabbitt@jmd.usdoj.gov>, "Burnham, James (OAG)" <jburnham@jmd.usdoj.gov>, "O'Callaghan, Edward C. (ODAG)" <ecocallaghan@jmd.usdoj.gov>, "Engel, Steven A. (OLC (b) (6))", "Gannon, Curtis E. (OLC)" <(b) (6)>, "Boyd, Stephen E. (OLA)" <seboyd@jmd.usdoj.gov>, "Escalona, Prim F. (OLA)" <pfescalona@jmd.usdoj.gov>, "Kupec, Kerri (OPA)" <kkupec@jmd.usdoj.gov>
Subject: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118)

Moran, John (OAG)

From: Moran, John (OAG)
Sent: Tuesday, April 30, 2019 12:01 PM
To: Engel, Steven A. (OLC); Rabbitt, Brian (OAG); Burnham, James (OAG); O'Callaghan, Edward C. (ODAG); Gammon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - FINAL 20190430 1200.DOCX

The attached incorporates the edits that everyone has sent me, as well as Ed's suggestion just to crib the descriptions of the redaction categories from the April 18 letter (which contains some important nuance). I have also stripped out the draft header.

OLA, this should be ready to transmit.

Thanks to all for your work on this.

John

From: Engel, Steven A. (OL [REDACTED] (b) (6)) >
Sent: Tuesday, April 30, 2019 11:34 AM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Moran, John (OAG) <jomoran@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Gannon, Curtis E. (OL [REDACTED] (b) (6)); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, and Document ID: 0.7.24313.15543)

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Tuesday, April 30, 2019 12:03 PM
To: Moran, John (OAG); Engel, Steven A. (OLC); Rabbitt, Brian (OAG); Burnham, James (OAG); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - DRAFT 20190430 1100 + sae +ODAG.DOCX

I have some additional edits from me/DAG.

Edward C. O'Callaghan
202-514-2105

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 12:01 PM
To: Engel, Steven A. (OLC) <(b) (6)>; Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Gannon, Curtis E. (OLC) <(b) (6)>; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, and Document ID: 0.7.24313.15549)

Moran, John (OAG)

From: Moran, John (OAG)
Sent: Tuesday, April 30, 2019 12:15 PM
To: O'Callaghan, Edward C. (ODAG); Engel, Steven A. (OLC); Rabbitt, Brian (OAG); Burnham, James (OAG); Gannon, Curtis E. (OLC); Boyd, Stephen E. (OLA); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - FINAL 20190430 1215.DOCX

The attached contains the ODAG edits and is ready to go to the Senate. Thanks.

John

From: Moran, John (OAG)
Sent: Tuesday, April 30, 2019 12:04 PM
To: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Engel, Steven A. (OLC) <(b) (6)>; Rabbitt, Brian (OAG) <brabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OLC) <(b) (6)>; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

OK, I will turn these now.

John

From: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 12:03 PM
To: Moran, John (OAG) <jmoran@jmd.usdoj.gov>; Engel, Steven A. (OLC) <(b) (6)>; Rabbitt, Brian (OAG) <brabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OLC) <(b) (6)>; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, Document ID: 0.7.24313.15549, and Document ID: 0.7.24313.15579)

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Tuesday, April 30, 2019 2:18 PM
To: Rosenstein, Rod (ODAG)
Subject: FW: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - FINAL 20190430 1240.DOCX

Our changes were accepted.

Edward C. O'Callaghan
202-514-2105

From: Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 2:10 PM
To: Moran, John (OAG) <jomoran@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL [REDACTED] (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL [REDACTED] (b) (6)); Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>; Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

FYSA I am going to transmit this to the committee at 4 PM. It will be distributed to staff on both sides of the aisle shortly thereafter, and then one can safely assume given to the press. Speak up if you have any objections/concerns.

SB

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 12:41 PM
To: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL [REDACTED] (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OLC) [REDACTED] (b) (6); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Incorporated in the attached.

John

From: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 12:40 PM
To: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL [REDACTED] (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL [REDACTED] (b) (6)); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

(b) (5) is good. Thanks.

Edward C. O'Callaghan
202-514-2105

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 12:37 PM
To: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL (b) (6)); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

I would s (b) (5) OLA has this gone out, or is there time to make this edit? If so, feel free to do on your end, or I can send another version.

John

From: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 12:21 PM
To: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL (b) (6)); Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>
Subject: Re: FINAL Draft - Opening Statement for Senate Hearing

Can we includ (b) (5), to read:

(b) (5)

Edward C. O'Callaghan
202-514-2105

On Apr 30, 2019, at 12:15 PM, Moran, John (OAG) <jomoran@jmd.usdoj.gov> wrote:

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, Document ID: 0.7.24313.15549, Document ID: 0.7.24313.15579, and Document ID: 0.7.24313.15600)

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Tuesday, April 30, 2019 2:35 PM
To: Boyd, Stephen E. (OLA); Moran, John (OAG)
Cc: Engel, Steven A. (OLC); Rabbitt, Brian (OAG); Burnham, James (OAG); Gannon, Curtis E. (OLC); Escalona, Prim F. (OLA); Kupec, Kerri (OPA); Lasseter, David F. (OLA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - FINAL 20190430 1240nits.DOCX

Found a couple of nits in this.

Edward C. O'Callaghan
202-514-2105

From: Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 2:10 PM
To: Moran, John (OAG) <jomororan@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL [REDACTED] (b) (6)) Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL [REDACTED] (b) (6)); Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>; Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, Document ID: 0.7.24313.15549, Document ID: 0.7.24313.15579, Document ID: 0.7.24313.15600, and Document ID: 0.7.24313.34162)

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Tuesday, April 30, 2019 3:53 PM
To: Moran, John (OAG); O'Callaghan, Edward C. (ODAG); Boyd, Stephen E. (OLA)
Cc: Engel, Steven A. (OLC); Rabbitt, Brian (OAG); Burnham, James (OAG); Gannon, Curtis E. (OLC); Escalona, Prim F. (OLA); Kupec, Kerri (OPA)
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - FINAL 20190430 1500 dfl.DOCX

Unless I am misreading the sentence I made one minor edit in par (b) (5) of the attached.

dfl

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 3:05 PM
To: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL (b) (6)); Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>; Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Here is a clean version with those incorporated.

John

From: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 2:35 PM
To: Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL (b) (6)); Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>; Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, Document ID: 0.7.24313.15549, Document ID: 0.7.24313.15579, Document ID: 0.7.24313.15600, Document ID: 0.7.24313.34162, and Document ID: 0.7.24313.15651)

Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Tuesday, April 30, 2019 5:11 PM
To: Hankey, Mary B. (OLA) (mhankey@jmd.usdoj.gov); Vance, Alexa (OLA)
Subject: FW: FINAL Draft - Opening Statement for Senate Hearing
Attachments: 20160501 AG Written Statement For the Record - FINAL 20190430 1500.DOCX

[Need to submit this to SJC ASAP. SB](#)

From: Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Sent: Tuesday, April 30, 2019 3:05 PM
To: O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>
Cc: Engel, Steven A. (OL [REDACTED] (b) (6)); Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Burnham, James (OAG) <jburnham@jmd.usdoj.gov>; Gannon, Curtis E. (OL [REDACTED] (b) (6)); Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov>; Lassetter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: RE: FINAL Draft - Opening Statement for Senate Hearing

Duplicative Material (Document ID: 0.7.24313.34118, Document ID: 0.7.24313.15541, Document ID: 0.7.24313.15549, Document ID: 0.7.24313.15579, Document ID: 0.7.24313.15600, Document ID: 0.7.24313.34162, Document ID: 0.7.24313.15651, and Document ID: 0.7.24313.15895)

**Statement of Attorney General William P. Barr
Before the Committee on the Judiciary
United States Senate
May 1, 2019**

Good morning, Chairman Graham, Ranking Member Feinstein, and Members of the Committee. Thank you for the opportunity to appear today to discuss the conclusion of the investigation into Russian efforts to interfere in the 2016 election by Special Counsel Robert S. Mueller, III, and the confidential report he submitted to me, which I recently released to the public after applying necessary redactions.

When I appeared before this Committee just a few months ago for my confirmation hearing, Senators asked for two commitments concerning the Special Counsel's investigation: first, that I would allow the Special Counsel to finish his investigation without interference; and second, that I would release his report to Congress and to the American public. I believe that the record speaks for itself. The Special Counsel completed his investigation as he saw fit. As I informed Congress on March 22, 2019, at no point did I, or anyone at the Department of Justice, overrule the Special Counsel on any proposed action. In addition, immediately upon receiving his confidential report to me, we began working with the Special Counsel to prepare it for public release and, on April 18, 2019, I released a public version subject only to limited redactions that were necessary to comply with the law and to protect important governmental interests.

Preparation for Public Release

As I explained in my letter of April 18, 2019, the redactions in the public report fall into four categories: (1) grand-jury information, the disclosure of which is prohibited by Federal Rule of Criminal Procedure 6(e); (2) investigative techniques, which reflect material identified by the intelligence and law enforcement communities as potentially compromising sensitive sources, methods, or techniques, as well as information that could harm ongoing intelligence or law enforcement activities; (3) information that, if released, could harm ongoing law enforcement matters, including charged cases where court rules and orders bar public disclosure by the parties of case information; and (4) information that would unduly infringe upon the personal privacy and reputational interests of peripheral third parties, which includes deliberation about decisions not to recommend prosecution of such parties. I have also made available to a bipartisan group of leaders in Congress, including Chairman Graham and Ranking Member Feinstein, a minimally redacted version that includes everything other than the grand-jury material, which by law cannot be disclosed.

We made every effort to ensure that the redactions were as limited as possible. According to one analysis, just eight percent of the public report was redacted. And my understanding is that less than two percent has been withheld in the minimally redacted version made available to Congressional leaders. While the Deputy Attorney General and I selected the categories of redactions, the redactions themselves were made by Department of Justice attorneys working closely with attorneys from the Special Counsel's Office. These lawyers consulted with the prosecutors handling ongoing matters and with members of the intelligence community who reviewed selected portions of the report to advise on redactions. The Deputy Attorney General and I did not overrule any of the redaction decisions, nor did we request that any additional material be redacted.

We also permitted the Office of the White House Counsel and the President's personal counsel to review the redacted report prior to its release, but neither played any role in the redaction process. Review by the Office of White House Counsel allowed them to advise the President on executive privilege, consistent with long-standing Executive Branch practice. As I have explained, the President made the determination not to withhold any information based on executive privilege. Review by the President's personal counsel was a matter of fairness in light of my decision to make public what would otherwise have been a confidential report, and it was consistent with the practice followed for years under the now-expired Ethics in Government Act.

Bottom-Line Conclusions

After the Special Counsel submitted the confidential report on March 22, I determined that it was in the public interest for the Department to announce the investigation's bottom-line conclusions—that is, the determination whether a provable crime has been committed or not. I did so in my March 24 letter. I did not believe that it was in the public interest to release additional portions of the report in piecemeal fashion, leading to public debate over incomplete information. My main focus was the prompt release of a public version of the report so that Congress and the American people could read it for themselves and draw their own conclusions.

The Department's principal responsibility in conducting this investigation was to determine whether the conduct reviewed constituted a crime that the Department could prove beyond a reasonable doubt. As Attorney General, I serve as the chief law-enforcement officer of the United States, and it is my responsibility to ensure that the Department carries out its law-enforcement functions appropriately. The Special Counsel's investigation was no exception. The Special Counsel was, after all, a federal prosecutor in the Department of Justice charged with making prosecution or declination decisions.

The role of the federal prosecutor and the purpose of a criminal investigation are well-defined. Federal prosecutors work with grand juries to collect evidence to determine whether a crime has been committed. Once a prosecutor has exhausted his investigation into the facts of a case, he or she faces a binary choice: either to commence or to decline prosecution. To commence prosecution, the prosecutor must apply the principles of federal prosecution and conclude both that the conduct at issue constitutes a federal offense and that the admissible evidence would probably be sufficient to obtain and sustain a guilty verdict by an unbiased trier of fact. These principles govern the conduct of all prosecutions by the Department and are codified in the Justice Manual.

The appointment of a Special Counsel and the investigation of the conduct of the President of the United States do not change these rules. To the contrary, they make it all the more important for the Department to follow them. The appointment of a Special Counsel calls for particular care since it poses the risk of what Attorney General Robert Jackson called “the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than pick cases that need to be prosecuted.” By definition, a Special Counsel is charged with investigating particular potential crimes, not all potential crimes wherever they may be found. Including a democratically elected politician as a subject in a criminal investigation likewise calls for special care. As Attorney General Jackson admonished his United States Attorneys, politically sensitive cases demand that federal prosecutors be “dispassionate and courageous” in order to “protect the spirit as well as the letter of our civil liberties.”

The core civil liberty that underpins our American criminal justice system is the presumption of innocence. Every person enjoys this presumption long before the commencement

of any investigation or official proceeding. A federal prosecutor's task is to decide whether the admissible evidence is sufficient to overcome that presumption and establish guilt beyond a reasonable doubt. If so, he seeks an indictment; if not, he does not. The Special Counsel's report demonstrates that there are many subsidiary considerations informing that prosecutorial judgment including whether particular legal theories would extend to the facts of the case and whether the evidence is sufficient to prove one or another element of a crime. But at the end of the day, the federal prosecutor must decide yes or no. That is what I sought to address in my March 24 letter.

Russian Interference

The Special Counsel inherited an ongoing investigation into Russian interference in the 2016 presidential campaign, and whether any individuals affiliated with President Trump's campaign colluded in those efforts. In Volume I of the report, the Special Counsel found that several provable crimes were committed by Russian nationals related to two distinct schemes. First, the report details efforts by the Internet Research Agency (IRA), a Russian company with close ties to the Russian government, to sow social discord among American voters through disinformation and social media operations. Second, the report details efforts by Russian military officials associated with the GRU to hack into computers and steal documents and emails from individuals affiliated with the Democratic Party and the presidential campaign of Hillary Clinton for the purpose of eventually publicizing those emails. Following a thorough investigation, the Special Counsel brought charges against several Russian nationals and entities in connection with each scheme.

The Special Counsel also looked at whether any member or affiliate of the presidential campaign of Donald J. Trump participated in these crimes. With respect to the disinformation scheme, the Special Counsel found no evidence that any Americans including anyone associated with the Trump campaign conspired or coordinated with the Russian government or the IRA. Likewise, with respect to hacking, the Special Counsel found no evidence that anyone associated with the Trump campaign, nor any other American, conspired or coordinated with the Russian government in its hacking operations. Moreover, the Special Counsel did not find that any Americans committed a crime in connection with the dissemination of the hacked materials in part because a defendant could not be charged for dissemination without proof of his involvement in the underlying hacking conspiracy.

Finally, the Special Counsel investigated a number of "links" or "contacts" between Trump Campaign officials and individuals connected with the Russian government during the 2016 presidential campaign. The Special Counsel did not find any conspiracy with the Russian government to violate U.S. law involving Russia-linked persons and any persons associated with the Trump campaign.

Thus, as to the original question of conspiracy or coordination between the Trump campaign and the Russian government to interfere in the 2016 presidential election, the Special Counsel did not find that any crimes were committed by the campaign or its affiliates.

Obstruction of Justice

In Volume II of the report, the Special Counsel considered whether certain actions of the President could amount to obstruction of justice. The Special Counsel decided not to reach a conclusion, however, about whether the President committed an obstruction offense. Instead, the

report recounts ten episodes and discusses potential legal theories for connecting the President's actions to the elements of an obstruction offense. After carefully reviewing the facts and legal theories outlined in the report, and in consultation with the Office of Legal Counsel and other Department lawyers, the Deputy Attorney General and I concluded that, under the principles of federal prosecution, the evidence developed by the Special Counsel would not be sufficient to charge the President with an obstruction-of-justice offense.

The Deputy Attorney General and I knew that we had to make this assessment because, as I previously explained, the prosecutorial judgment whether a crime has been established is an integral part of the Department's criminal process. The Special Counsel regulations provide for the report to remain confidential. Given the extraordinary public interest in this investigation, however, I determined that it was necessary to make as much of it public as I could and committed the Department to being as transparent as possible. But it would not have been appropriate for me simply to release Volume II of the report without making a prosecutorial judgment.

The Deputy Attorney General and I therefore conducted a careful review of the report, looking at the facts found and the legal theories set forth by the Special Counsel. Although we disagreed with some of the Special Counsel's legal theories and felt that some of the episodes examined did not amount to obstruction as a matter of law, we accepted the Special Counsel's legal framework for purposes of our analysis and evaluated the evidence as presented by the Special Counsel in reaching our conclusion. We concluded that the evidence developed during the Special Counsel's investigation is not sufficient to establish that the President committed an obstruction-of-justice offense.

* * *

The responsibility of the Department of Justice, when it comes to law enforcement, is to determine whether crimes have been committed and to prosecute those crimes under the principles of federal prosecution. With the completion of the Special Counsel's investigation and the resulting prosecutorial decisions, the Department's work on this matter is at its end aside from completing the cases that have been referred to other offices. From here on, the exercise of responding and reacting to the report is a matter for the American people and the political process. As I am sure you agree, it is vitally important for the Department of Justice to stand apart from the political process and not to become an adjunct of it.

STATEMENT OF
WILLIAM P. BARR
ATTORNEY GENERAL

BEFORE THE
U.S. SENATE COMMITTEE ON THE JUDICIARY

FOR A HEARING ON
THE DEPARTMENT OF JUSTICE'S INVESTIGATION
OF RUSSIAN INTERFERENCE WITH THE
2016 PRESIDENTIAL ELECTION

PRESENTED

MAY 1, 2019
10:00 am

**Statement of Attorney General William P. Barr
Before the Committee on the Judiciary
United States Senate
May 1, 2019**

Good morning, Chairman Graham, Ranking Member Feinstein, and Members of the Committee. Thank you for the opportunity to appear today to discuss the conclusion of the investigation into Russian efforts to interfere in the 2016 election by Special Counsel Robert S. Mueller, III, and the confidential report he submitted to me, which I recently released to the public after applying necessary redactions.

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of any investigation or official proceeding. A federal prosecutor's task is to decide whether the admissible evidence is sufficient to overcome that presumption and establish guilt beyond a reasonable doubt. If so, he seeks an indictment; if not, he does not. The Special Counsel's report demonstrates that there are many subsidiary considerations informing that prosecutorial judgment including whether particular legal theories would extend to the facts of the case and whether the evidence is sufficient to prove one or another element of a crime. But at the end of the day, the federal prosecutor must decide yes or no. That is what I sought to address in my March 24 letter.

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Finally, the Special Counsel investigated a number of "links" or "contacts" between Trump Campaign officials and individuals connected with the Russian government during the 2016 presidential campaign. The Special Counsel did not find any conspiracy with the Russian government to violate U.S. law involving Russia-linked persons and any persons associated with the Trump campaign.

Thus, as to the original question of conspiracy or coordination between the Trump campaign and the Russian government to interfere in the 2016 presidential election, the Special Counsel did not find that any crimes were committed by the campaign or its affiliates.

Obstruction of Justice

In Volume II of the report, the Special Counsel considered whether certain actions of the President could amount to obstruction of justice. The Special Counsel decided not to reach a conclusion, however, about whether the President committed an obstruction offense. Instead, the

report recounts ten episodes and discusses potential legal theories for connecting the President's actions to the elements of an obstruction offense. After carefully reviewing the facts and legal theories outlined in the report, and in consultation with the Office of Legal Counsel and other Department lawyers, the Deputy Attorney General and I concluded that, under the principles of federal prosecution, the evidence developed by the Special Counsel would not be sufficient to charge the President with an obstruction-of-justice offense.

The Deputy Attorney General and I knew that we had to make this assessment because, as I previously explained, the prosecutorial judgment whether a crime has been established is an integral part of the Department's criminal process. The Special Counsel regulations provide for the report to remain confidential. Given the extraordinary public interest in this investigation, however, I determined that it was necessary to make as much of it public as I could and committed the Department to being as transparent as possible. But it would not have been appropriate for me simply to release Volume II of the report without making a prosecutorial judgment.

The Deputy Attorney General and I therefore conducted a careful review of the report, looking at the facts found and the legal theories set forth by the Special Counsel. Although we disagreed with some of the Special Counsel's legal theories and felt that some of the episodes examined did not amount to obstruction as a matter of law, we accepted the Special Counsel's legal framework for purposes of our analysis and evaluated the evidence as presented by the Special Counsel in reaching our conclusion. We concluded that the evidence developed during the Special Counsel's investigation is not sufficient to establish that the President committed an obstruction-of-justice offense.

* * *

The responsibility of the Department of Justice, when it comes to law enforcement, is to determine whether crimes have been committed and to prosecute those crimes under the principles of federal prosecution. With the completion of the Special Counsel's investigation and the resulting prosecutorial decisions, the Department's work on this matter is at its end aside from completing the cases that have been referred to other offices. From here on, the exercise of responding and reacting to the report is a matter for the American people and the political process. As I am sure you agree, it is vitally important for the Department of Justice to stand apart from the political process and not to become an adjunct of it.

Kupec, Kerri (OPA)

From: Kupec, Kerri (OPA)
Sent: Tuesday, April 30, 2019 10:17 PM
To: Kupec, Kerri (OPA)
Subject: Attorney General Barr's Written Statement for the Record - Senate Judiciary Committee - May 1, 2019
Attachments: AG Written Statement For the Record.pdf

See attached.

Kerri Kupec

Director

Office of Public Affairs

U.S. Department of Justice

kerri.kupec@usdoj.gov

(b) (6)

From: USDOJ-Office of Public Affairs
Sent: Wednesday, May 1, 2019 11:27 AM
To: Ellis, Corey F. (ODAG)
Subject: OPENING STATEMENT OF ATTORNEY GENERAL WILLIAM P. BARR BEFORE THE SENATE JUDICIARY COMMITTEE

The United States Department of Justice



FOR IMMEDIATE RELEASE
WEDNESDAY, MAY 1, 2019

**OPENING STATEMENT OF ATTORNEY GENERAL WILLIAM
P. BARR BEFORE THE SENATE JUDICIARY COMMITTEE**

Washington, D.C.

Remarks as Prepared for Delivery

Good morning, Chairman Graham, Ranking Member Feinstein, and Members of the Committee. Thank you for the opportunity to appear today to discuss the conclusion of the investigation into Russian efforts to interfere in the 2016 election by Special Counsel Robert S. Mueller, III, and the confidential report he submitted to me, which I recently released to the public after applying necessary redactions.

When I appeared before this Committee just a few months ago for my confirmation hearing, Senators asked for two commitments concerning the Special Counsel's investigation: first, that I would allow the Special Counsel to finish his investigation without interference; and second, that I would release his report to Congress and to the American public. I believe that the record speaks for itself. The Special Counsel completed his investigation as he saw fit. As I informed Congress on March 22, 2019, at no point did I, or anyone at the Department of Justice, overrule the Special Counsel on any proposed action. In addition, immediately upon receiving his confidential report to me, we began working with the Special Counsel to prepare it for public release and, on April 18, 2019, I released a public version subject only to limited redactions that were necessary to comply with the law and to protect important governmental interests.

Preparation for Public Release

As I explained in my letter of April 18, 2019, the redactions in the public report fall into four categories: (1) grand jury information, the disclosure of which is prohibited by Federal Rule of Criminal Procedure 6(e); (2) investigative techniques, which reflect material identified by the intelligence and law enforcement communities as potentially compromising sensitive sources, methods, or techniques, as well as information that could harm ongoing intelligence or law enforcement activities; (3) information that, if released, could harm ongoing law enforcement matters, including charged cases where court rules and orders bar public disclosure by the parties of case information; and (4) information that would unduly infringe upon the personal privacy and reputational interests of peripheral third parties, which includes deliberation about decisions not to recommend prosecution of such parties. I have also made available to a bipartisan group of leaders in Congress, including Chairman Graham and Ranking Member Feinstein, a minimally redacted version that includes everything other than the grand jury material, which by law cannot be disclosed.

We made every effort to ensure that the redactions were as limited as possible. According to one analysis, just eight percent of the public report was redacted. And my understanding is that less than two percent has been withheld in the minimally redacted version made available to Congressional leaders. While the Deputy Attorney General and I selected the categories of redactions, the redactions themselves were made by Department of Justice attorneys working closely with attorneys from the Special Counsel's Office. These lawyers consulted with the prosecutors handling ongoing matters and with members of the intelligence community who reviewed selected portions of the report to advise on redactions. The Deputy Attorney General and I did not overrule any of the redaction decisions, nor did we request that any additional material be redacted.

We also permitted the Office of the White House Counsel and the President's

personal counsel to review the redacted report prior to its release, but neither played any role in the redaction process. Review by the Office of White House Counsel allowed them to advise the President on executive privilege, consistent with long standing Executive Branch practice. As I have explained, the President made the determination not to withhold any information based on executive privilege. Review by the President's personal counsel was a matter of fairness in light of my decision to make public what would otherwise have been a confidential report, and it was consistent with the practice followed for years under the now expired Ethics in Government Act.

Bottom-Line Conclusions

After the Special Counsel submitted the confidential report on March 22, I determined that it was in the public interest for the Department to announce the investigation's bottom line conclusions that is, the determination whether a provable crime has been committed or not. I did so in my March 24 letter. I did not believe that it was in the public interest to release additional portions of the report in piecemeal fashion, leading to public debate over incomplete information. My main focus was the prompt release of a public version of the report so that Congress and the American people could read it for themselves and draw their own conclusions.

The Department's principal responsibility in conducting this investigation was to determine whether the conduct reviewed constituted a crime that the Department could prove beyond a reasonable doubt. As Attorney General, I serve as the chief law enforcement officer of the United States, and it is my responsibility to ensure that the Department carries out its law enforcement functions appropriately. The Special Counsel's investigation was no exception. The Special Counsel was, after all, a federal prosecutor in the Department of Justice charged with making prosecution or declination decisions.

The role of the federal prosecutor and the purpose of a criminal investigation are well defined. Federal prosecutors work with grand juries to collect evidence to determine whether a crime has been committed. Once a prosecutor has exhausted his investigation into the facts of a case, he or she faces a binary choice: either to commence or to decline prosecution. To commence prosecution, the prosecutor must apply the principles of federal prosecution and conclude both that the conduct at issue constitutes a federal offense and that the admissible evidence would probably be sufficient to obtain and sustain a guilty verdict by an unbiased trier of fact. These principles govern the conduct of all prosecutions by the Department and are codified in the Justice Manual.

The appointment of a Special Counsel and the investigation of the conduct of the President of the United States do not change these rules. To the contrary, they make it all the more important for the Department to follow them. The appointment of a Special Counsel calls for particular care since it poses the risk

of what Attorney General Robert Jackson called “the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than pick cases that need to be prosecuted.” By definition, a Special Counsel is charged with investigating particular potential crimes, not all potential crimes wherever they may be found. Including a democratically elected politician as a subject in a criminal investigation likewise calls for special care. As Attorney General Jackson admonished his United States Attorneys, politically sensitive cases demand that federal prosecutors be “dispassionate and courageous” in order to “protect the spirit as well as the letter of our civil liberties.”

The core civil liberty that underpins our American criminal justice system is the presumption of innocence. Every person enjoys this presumption long before the commencement of any investigation or official proceeding. A federal prosecutor’s task is to decide whether the admissible evidence is sufficient to overcome that presumption and establish guilt beyond a reasonable doubt. If so, he seeks an indictment; if not, he does not. The Special Counsel’s report demonstrates that there are many subsidiary considerations informing that prosecutorial judgment including whether particular legal theories would extend to the facts of the case and whether the evidence is sufficient to prove one or another element of a crime. But at the end of the day, the federal prosecutor must decide yes or no. That is what I sought to address in my March 24 letter.

Russian Interference

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#

AG

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Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Tuesday, May 7, 2019 5:45 PM
To: Gannon, Curtis E. (OLC); Moran, John (OAG)
Subject: RE: April 18 letter re release of Special Counsel Report?
Attachments: Letter.41819.pdf

From: Gannon, Curtis E. (OLC [REDACTED] (b) (6) >
Sent: Tuesday, May 7, 2019 4:31 PM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Moran, John (OAG) <jomoran@jmd.usdoj.gov>
Subject: April 18 letter re release of Special Counsel Report?

Could someone please send me the final version of the AG's April 18 letter transmitting the Special Counsel's report to Congress? Was it ever made public?

[REDACTED] (b) (5)

Thanks,

Curtis