

Gannon, Curtis E. (OLC)

From: Gannon, Curtis E. (OLC)
Sent: Tuesday, May 7, 2019 10:26 PM
To: Boyd, Stephen E. (OLA); Kupec, Kerri (OPA); Rabbitt, Brian (OAG); Lasseter, David F. (OLA); O'Callaghan, Edward C. (ODAG)
Cc: Engel, Steven A. (OLC); Escalona, Prim F. (OLA); Greer, Megan L. (OLA)
Subject: RE: Background Information
Attachments: Background Information + olc.docx; Background Information + olc.pdf

The first couple of bullets in the background information had slight mistakes within quotations. The attached redlines (in Word and PDF) correct those and have a few other minor suggestions from Steve and me.

From: Engel, Steven A. (OLC) <(b)(6) per OLC>
Sent: Tuesday, May 7, 2019 9:49 PM
To: Gannon, Curtis E. (OLC) (b)(6) per OLC
Subject: Fwd: Background Information

Sent from my iPhone

Begin forwarded message:

From: "Boyd, Stephen E. (OLA)" (b) (6)
Date: May 7, 2019 at 9:48:48 PM EDT
To: "Kupec, Kerri (OPA)" (b) (6), "Rabbitt, Brian (OAG)" (b) (6) >, "Lasseter, David F. (OLA)" (b) (6) O'Callaghan, Edward C. (ODAG)" (b) (6), "Engel, Steven A. (OLC)" (b)(6) per OLC
Cc: "Escalona, Prim F. (OLA)" (b) (6) "Greer, Megan L. (OLA)" (b) (6)
Subject: Background Information

Background on the Department of Justice's Efforts to Accommodate House Committee on the Judiciary Chairman Nadler's Oversight Requests

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Stephen E. Boyd
Assistant Attorney General
U.S. Department of Justice
Washington, D.C.

(b) (6)

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Wednesday, May 8, 2019 8:43 AM
To: O'Callaghan, Edward C. (ODAG); Rabbitt, Brian (OAG); Boyd, Stephen E. (OLA)
Cc: Gannon, Curtis E. (OLC)
Subject: RE: Letter to President
Attachments: 5-8-19 Barr Letter to President re Protective Assertion of EP.docx

With Ed's edits incorporated. (we went with (b)(5) per OLC
[REDACTED]

We're ready to finalize on our end. Brian, any more edits on your end? Can OAG prepare for the AG's signature?

From: O'Callaghan, Edward C. (ODAG) (b) (6) >
Sent: Wednesday, May 8, 2019 8:37 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC >; Rabbitt, Brian (OAG) (b) (6)
Boyd, Stephen E. (OLA) (b) (6)
Cc: Gannon, Curtis E. (OLC) (b)(6) per OLC >
Subject: RE: Letter to President

A couple of suggestions. (b) (5)
[REDACTED]
[REDACTED]

Edward C. O'Callaghan

(b) (6)
[REDACTED]

From: Engel, Steven A. (OLC) <(b)(6) per OLC >
Sent: Wednesday, May 8, 2019 8:21 AM
To: Rabbitt, Brian (OAG) <(b) (6) >; O'Callaghan, Edward C. (ODAG)
(b) (6) >; Boyd, Stephen E. (OLA) (b) (6)
Cc: Gannon, Curtis E. (OLC) (b)(6) per OLC
Subject: Letter to President

Attached is the latest draft of the AG's letter to the President. Let us know if you have any additional edits before we finalize. Steve

Steven A. Engel
Assistant Attorney General
Office of Legal Counsel
U.S. Department of Justice
950 Pennsylvania Ave., N.W.

Washington, D.C. 20530

Office: (b)(6) per OLC



Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Wednesday, May 8, 2019 9:23 AM
To: Kupec, Kerri (OPA); O'Callaghan, Edward C. (ODAG)
Cc: Boyd, Stephen E. (OLA); Gannon, Curtis E. (OLC); Rabbitt, Brian (OAG); Lasseeter, David F. (OLA); Escalona, Prim F. (OLA); Greer, Megan L. (OLA)
Subject: RE: Background Information
Attachments: 5-8-19 Barr Letter to President re Protective Assertion of EP (signed).pdf

For those who have not seen it, here is the signed version of the AG's letter.

From: Kupec, Kerri (OPA) (b) (6) >
Sent: Tuesday, May 7, 2019 10:52 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6)
Cc: Boyd, Stephen E. (OLA) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC
Rabbitt, Brian (OAG) (b) (6); Lasseeter, David F. (OLA) (b) (6) >;
Engel, Steven A. (OLC) (b)(6) per OLC Escalona, Prim F. (OLA) (b) (6);
Greer, Megan L. (OLA) (b) (6) >
Subject: Re: Background Information



Sent from my iPhone

On May 7, 2019, at 10:41 PM, O'Callaghan, Edward C. (ODAG) (b) (6) > wrote:

These look good.

Edward C. O'Callaghan
(b) (6)

On May 7, 2019, at 10:36 PM, Boyd, Stephen E. (OLA) (b)(6) per OLC wrote:

Thanks. Kerri, please use this version. SB

On May 7, 2019, at 10:26 PM, Gannon, Curtis E. (OLC) (b)(6) per OLC wrote:

Duplicative Material (Document ID: 0.7.23922.66006)





The Attorney General
Washington, D.C.

May 8, 2019

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing to request that you make a protective assertion of executive privilege with respect to Department of Justice documents recently subpoenaed by the Committee on the Judiciary of the House of Representatives. In cases like this where a committee has declined to grant sufficient time to conduct a full review, the President may make a protective assertion of privilege to protect the interests of the Executive Branch pending a final determination about whether to assert privilege. *See Protective Assertion of Executive Privilege Regarding White House Counsel's Office Documents*, 20 Op. O.L.C. 1 (1996) (opinion of Attorney General Janet Reno). The Committee has demanded that I produce the “complete and unredacted version” of the report submitted to me on March 22, 2019, by Special Counsel Robert S. Mueller, III, regarding his investigation of Russian interference in the 2016 presidential election. The Committee also seeks “[a]ll documents referenced in the Report” and “[a]ll documents obtained and investigative materials created by the Special Counsel’s Office.” The Committee therefore demands all of the Special Counsel’s investigative files, which consist of millions of pages of classified and unclassified documents bearing upon more than two dozen criminal cases and investigations, many of which are ongoing. These materials include law enforcement information, information about sensitive intelligence sources and methods, and grand-jury information that the Department is prohibited from disclosing by law.

Consistent with paragraph 5 of President Reagan’s 1982 memorandum about assertions of executive privilege, the Department requested that the Chairman of the Committee hold the subpoena in abeyance and delay any vote recommending that the House of Representatives approve a resolution finding me in contempt of Congress for failing to comply with the subpoena, pending a final presidential decision on whether to invoke executive privilege. *See Memorandum for the Heads of Executive Departments and Agencies, Re: Procedures Governing Responses to Congressional Requests for Information* at 2 (Nov. 4, 1982). The Department made this request because, although the subpoenaed materials assuredly include categories of information within the scope of executive privilege, the Committee’s abrupt resort to a contempt vote—notwithstanding ongoing negotiations about appropriate accommodations—has not allowed sufficient time for you to consider fully whether to make a conclusive assertion of executive privilege. The Chairman, however, has indicated that he intends to proceed with the markup session scheduled at 10 a.m. today on a resolution recommending a finding of contempt against me for failing to produce the requested materials.

In these circumstances, you may properly assert executive privilege with respect to the entirety of the Department of Justice materials that the Committee has demanded, pending a final decision on the matter. As with President Clinton's assertion in 1996, you would be making only a preliminary, protective assertion of executive privilege designed to ensure your ability to make a final assertion, if necessary, over some or all of the subpoenaed materials. *See Protective Assertion of Executive Privilege*, 20 Op. O.L.C. at 1. As the Attorney General and head of the Department of Justice, I hereby respectfully request that you do so.

Sincerely,

A handwritten signature in black ink, appearing to read 'WP Barr', written in a cursive style.

William P. Barr
Attorney General

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Wednesday, May 8, 2019 10:07 AM
To: Philbin, Patrick F. EOP/WHO; Purpura, Michael M. EOP/WHO
Cc: Engel, Steven A. (OLC); Gannon, Curtis E. (OLC)
Subject: FW: Letter to President
Attachments: Chairman Nadler letter_8 May 2019.pdf

Edward C. O'Callaghan

(b) (6)

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Thursday, May 9, 2019 10:56 AM
To: Boyd, Stephen E. (OLA); Lasseter, David F. (OLA); Rabbitt, Brian (OAG); O'Callaghan, Edward C. (ODAG); Kupec, Kerri (OPA); Weinsheimer, Bradley (ODAG)
Cc: Gannon, Curtis E. (OLC)
Subject: RE: HPSCI Subpoena - Attorney General Barr

(b)(5) per OLC
[Redacted]

[Redacted]

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Thursday, May 9, 2019 10:23 AM
To: Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Kupec, Kerri (OPA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC
Subject: RE: HPSCI Subpoena - Attorney General Barr

All: Regarding the HPSCI subpoena served last night, (b) (5) of the committee's letter (below) (b) (5)
[Redacted] . SB

(b) (5)
[Redacted]

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Friday, May 10, 2019 6:03 PM
To: Kupec, Kerri (OPA); Moran, John (OAG)
Cc: Gannon, Curtis E. (OLC)
Subject: RE: questions from Wapo

Kerri: Attached are our draft replies to the Post. Steve

From: "Hamburger, Tom" (b) (6) >
Date: May 10, 2019 at 12:14:42 PM EDT
To: "(b)(6): Kerri Kupec (PAO)"
Cc: "Zapotosky, Matt" (b) (6), "Barrett, Devlin" (b) (6)
Subject: questions from Wapo

Dear Kerri

Thank you for your response. I have listed below our basic questions for this story. I'd like to reiterate our request for an interview with the AG, as these topics are complex and would benefit from his full explanation. Understanding that may not be possible in the near future, here are the major points we are mentioning for which we are seeking a response. While we would prefer on record reaction/responses, we'd welcome any background guidance you or others in your office care to share. As I mentioned, the story is scheduled to run in the next few days so we would appreciate hearing from you by the close of business today.

1. We are writing about the AGs longstanding views on executive power including some comments from critics who describe his positions as outside the mainstream and insufficiently recognizing Congressional prerogatives. We seek any response you all would care to make to those broad concerns.

(b)(5) per OLC
[Redacted]

2. The critics include two former OLC officials (both Ds) Walter Dellinger and Marty Lederman. Both of these critics focused on the 1989 OLC opinion that AG Barr authored a few months after taking the helm of OLC. Dellinger says the opinion, warning against congressional encroachment on executive power, was so disconcerting he thought it important to write a superseding opinion when he took the OLC helm in the Clinton era. Dellinger said the new opinion, pubbed in 1996, is more nuanced and puts Congressional power in better perspective. Want to see if this chronology is right and whether the AG's office has any response to the complaints.

(b)(5) per OLC

[Redacted text block]

[Redacted text block]

- [Redacted list item 1]
- [Redacted list item 2]
- [Redacted list item 3]
- [Redacted list item 4]
- [Redacted list item 5]
- [Redacted list item 6]
- [Redacted list item 7]
- [Redacted list item 8]
- [Redacted list item 9]

5. ~~Lederman and others were worried about another DOJ opinion authored by AG Barr in 1989~~ that briefly proceeded the one noted above. That opinion, drafted in secret, was used to justify arresting Manuel Noriega in Panama City. Lederman said the opinion was historic and disconcerting in his view.

"That is the first instance that I know of in which any U.S. government official took the view that the president has the authority to put the U.S. in breach of the United Nations Charter, a treaty principally written and promoted by the U.S.,"

Lederman said. Although this view has more adherents today, Lederman said the notion that "the president alone could put the U.S. in breach of the Charter was a novel and radical proposition at the time."

Do you have any comment or guidance for us in response to this criticism?

(b)(5) per OLC
[Redacted]

3a. Other legal scholars and members of Congress have faulted AG Barr for failing to include the UN Charter component of his Noriega opinion in a summary document he provided to Congress in lieu of turning over the entire memo as originally requested. Do you have any response to these critics?

(b)(5) per OLC
[Redacted]

4. AG Barr's record shows that he was generally critical of special counsel and independent counsel investigations of the executive branch. However, while in the private sector, he backed Independent Counsel Kenneth Starr's investigation of then-president Bill Clinton, praising Starr and criticizing those in the Clinton White House orbit for making comments that would undermine the independent counsel. Any guidance/comment on this seeming inconsistency?

(b)(5) per OLC
[Redacted]

(b)(5) per OLC

5. Our story notes also that when Ken Starr was under consideration as a nominee for the Supreme Court following the departure of Justice Brennan, Mr. Barr opposed his elevation to the court. We note that he had objected earlier to Mr. Starr's decision-making as Solicitor General and was particularly unhappy with his response to the Qui Tam matter, which in Mr. Barr's mind raised fundamental questions about the dilution of executive authority. Any comment or guidance for us on this point?

(b)(5) per OLC

6. The story also cites another example of the AG's interpretation of executive power: when he told President George HW Bush he did not need Congressional approval to invade Iraq. Any comment or guidance on this point?

(b)(5) per OLC

7. We also note that he later backed Bush's pardons of six Reagan administration officials charged by the Iran-Contra special counsel, a move the special counsel at the time said substantially undercut his investigation.

(b)(5) per OLC

8. Now back as attorney general under President Trump, who has aggressively sought to push the boundaries of executive power, Barr is in a singular position to put his philosophy into action. In just a few months, he has made his imprint, defending the White House as it pushes its immigration policy, defies congressional subpoenas and boldly asserts the doctrine of executive privilege. We quote critics saying the AG Barr is providing the intellectual framework to enable Trump's view of what these critics see as an imperial presidency. Any comment or guidance?

(b)(5) per OLC
[Redacted]

Kerri, thanks so much. I look forward to hearing from you in the next few hours.

Sincerely,

Tom

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Wednesday, May 15, 2019 4:09 PM
To: Boyd, Stephen E. (OLA); Lasseter, David F. (OLA)
Cc: Gannon, Curtis E. (OLC); Purpura, Michael M. EOP/WHO
Subject: FW: DRAFT letter responding to HPSCI 8 May subpoena
Attachments: Letter to Chair Schiff - 05152019-1513.docx

FYI, I shared a draft with WHCO, and they are good with this draft.

From: Lasseter, David F. (OLA) (b) (6)
Sent: Wednesday, May 15, 2019 3:24 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Rabbitt, Brian (OAG) (b) (6); Peterson, Andrew (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC; Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Cc: Boyd, Stephen E. (OLA) (b) (6)
Subject: DRAFT letter responding to HPSCI 8 May subpoena

Good afternoon all. Please find attached DRAFT response. This version has been reviewed by OLA and OLC. We would like to get this out as soon as possible.

Thanks,
David

David F. Lasseter
Deputy Assistant Attorney General
Office of Legislative Affairs
U.S. Department of Justice
(b) (6)

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Wednesday, May 15, 2019 5:03 PM
To: Lasseter, David F. (OLA); O'Callaghan, Edward C. (ODAG); Weinsheimer, Bradley (ODAG); Peterson, Andrew (ODAG); Engel, Steven A. (OLC); Gannon, Curtis E. (OLC); Colborn, Paul P (OLC)
Cc: Boyd, Stephen E. (OLA)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena
Attachments: Letter to Chair Schiff - 05152019-1513 bcr.docx

Some edits.

From: Lasseter, David F. (OLA) (b) (6)
Sent: Wednesday, May 15, 2019 3:24 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6) >; Weinsheimer, Bradley (ODAG) (b) (6) Rabbitt, Brian (OAG) (b) (6) Peterson, Andrew (ODAG) (b) (6) >; Engel, Steven A. (OLC) (b)(6) per OLC Gannon, Curtis E. (OLC) (b)(6) per OLC Colborn, Paul P (OLC) (b)(6) per OLC >
Cc: Boyd, Stephen E. (OLA) (b) (6) >
Subject: DRAFT letter responding to HPSCI 8 May subpoena

Duplicative Material (Document ID: 0.7.23922.60771)



Weinsheimer, Bradley (ODAG)

From: Weinsheimer, Bradley (ODAG)
Sent: Wednesday, May 15, 2019 5:51 PM
To: Lasseter, David F. (OLA); O'Callaghan, Edward C. (ODAG); Engel, Steven A. (OLC)
Cc: Rabbitt, Brian (OAG); Peterson, Andrew (ODAG); Gannon, Curtis E. (OLC); Colborn, Paul P (OLC); Boyd, Stephen E. (OLA)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena
Attachments: Letter to Chair Schiff - 05152019- 1733 gbw.docx

Just a couple of proposed edits.

From: Lasseter, David F. (OLA) (b) (6)
Sent: Wednesday, May 15, 2019 5:36 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC
Cc: Rabbitt, Brian (OAG) (b) (6); Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

All—please find latest draft incorporating Ed, Brian, and Brad's edits. Please review.

dfi

From: O'Callaghan, Edward C. (ODAG) (b) (6) >
Sent: Wednesday, May 15, 2019 5:04 PM
To: Weinsheimer, Bradley (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC; Lasseter, David F. (OLA) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6) >
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

I would (b) (5)

I think Brad's clarifying language is fine, as it clarifies to me that we are saying (b) (5)

Edward C. O'Callaghan

(b) (6)

From: Weinsheimer, Bradley (ODAG) (b) (6) >
Sent: Wednesday, May 15, 2019 4:58 PM
To: Engel, Steven A. (OLC) (b)(6) per OLC; Lasseter, David F. (OLA) (b) (6)
Cc: O'Callaghan, Edward C. (ODAG) (b) (6); Rabbitt, Brian (OAG)

(b) (6) Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

I was just trying to guard against the possibility that (b) (5)

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Wednesday, May 15, 2019 4:52 PM
To: Lasseter, David F. (OLA) (b) (6)
Cc: Weinsheimer, Bradley (ODAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Rabbitt, Brian (OAG) (b) (6) Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: Re: DRAFT letter responding to HPSCI 8 May subpoena

I'm at the WH. But reviewing on my iPhone, these look solid to me.

One comment: (b)(5) per OLC

Sent from my iPhone

On May 15, 2019, at 4:45 PM, Lasseter, David F. (OLA) (b) (6) wrote:

Please take a look at Brad's edits

From: Weinsheimer, Bradley (ODAG) (b) (6)
Sent: Wednesday, May 15, 2019 4:23 PM
To: Lasseter, David F. (OLA) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Rabbitt, Brian (OAG) (b) (6); Peterson, Andrew (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC; Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Cc: Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

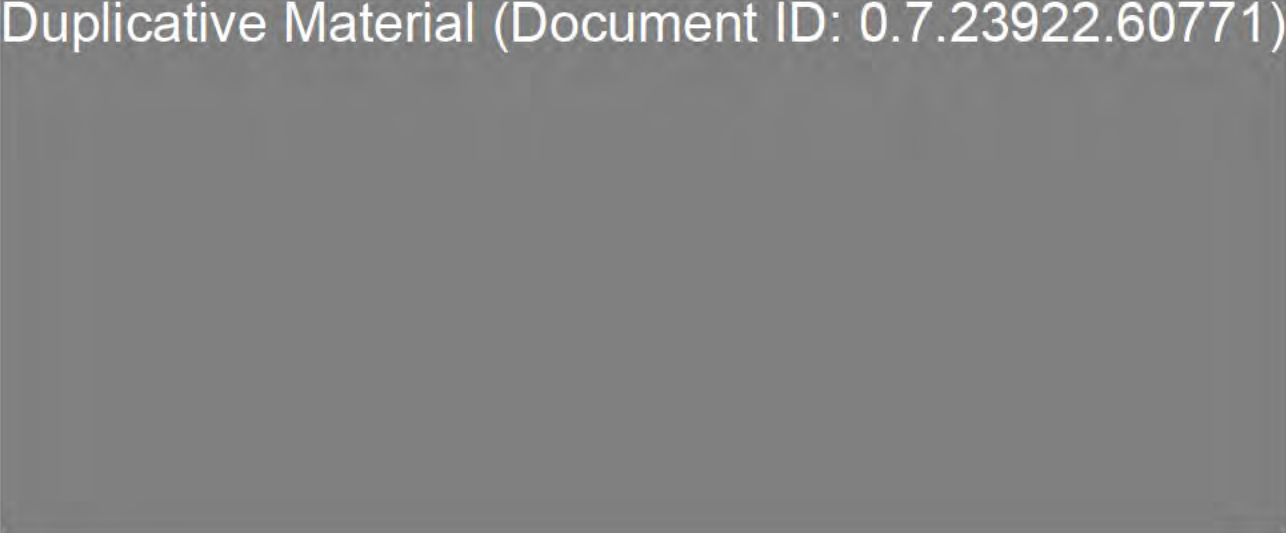
Proposed edits attached. Note that given where we are, I propose (b) (5)

Thanks, Brad.

From: Lasseter, David F. (OLA) (b) (6)
Sent: Wednesday, May 15, 2019 3:24 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Rabbitt, Brian (OAG) (b) (6); Peterson, Andrew (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC; Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Cc: Boyd, Stephen E. (OLA) (b) (6)

Subject: DRAFT letter responding to HPSCI 8 May subpoena

Duplicative Material (Document ID: 0.7.23922.60771)



Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Wednesday, May 15, 2019 7:35 PM
To: Boyd, Stephen E. (OLA); Weinsheimer, Bradley (ODAG); Lasseter, David F. (OLA); Rabbitt, Brian (OAG); O'Callaghan, Edward C. (ODAG)
Cc: Peterson, Andrew (ODAG); Gannon, Curtis E. (OLC); Colborn, Paul P (OLC)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena
Attachments: Letter to Chair Schiff - 05152019- 1900 + olc.docx

The attached contains additional edits from Curtis and me. Mostly nits. Of substantive import. (b)(5) per OLC

[REDACTED]

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Wednesday, May 15, 2019 6:46 PM
To: Weinsheimer, Bradley (ODAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC
Cc: Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

OK – final edits included. We'll send this version in 20 minutes unless I hear otherwise from this group. SB

From: Weinsheimer, Bradley (ODAG) (b) (6) >
Sent: Wednesday, May 15, 2019 6:12 PM
To: Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC
Cc: Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

Looks good to me. (b) (5)

[REDACTED]

From: Lasseter, David F. (OLA) (b) (6)
Sent: Wednesday, May 15, 2019 6:05 PM
To: Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC
Cc: Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

Latest version attached.

From: Rabbitt, Brian (OAG) (b) (6)
Sent: Wednesday, May 15, 2019 5:57 PM
To: Lasseter, David F. (OLA) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Engel, Steven A. (OLC) <(b)(6) per OLC>
Cc: Peterson, Andrew (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

Further edits.

From: Lasseter, David F. (OLA) (b) (6) >
Sent: Wednesday, May 15, 2019 5:36 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6) >; Weinsheimer, Bradley (ODAG) (b) (6); Engel, Steven A. (OLC) (b)(6) per OLC
Cc: Rabbitt, Brian (OAG) <(b) (6)>; Peterson, Andrew (ODAG) <anpeterson@jmd.usdoj.gov>; Gannon, Curtis E. (OLC) <(b)(6) per OLC>; Colborn, Paul P (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: DRAFT letter responding to HPSCI 8 May subpoena

Duplicative Material (Document ID: 0.7.23922.35732)



Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Tuesday, May 21, 2019 10:01 AM
To: Rabbitt, Brian (OAG); Lasseter, David F. (OLA); O'Callaghan, Edward C. (ODAG); Boyd, Stephen E. (OLA); Weinsheimer, Bradley (ODAG)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]
Attachments: 2019.05.21 Department Response to HPSCI May 16 Letter DRAFT +eoc + dfl + bcr + sae + pc.docx

I don't know who has the pen, but Paul made a few additional nits on top of my edits.

From: Engel, Steven A. (OLC)
Sent: Tuesday, May 21, 2019 9:39 AM
To: Rabbitt, Brian (OAG) <brrabbitt@jmd.usdoj.gov>; Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; O'Callaghan, Edward C. (ODAG) <ecocallaghan@jmd.usdoj.gov>; Boyd, Stephen E. (OLA) <seboyd@jmd.usdoj.gov>; Weinsheimer, Bradley (ODAG) <bradweinsheimer@jmd.usdoj.gov>
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

I attach some suggested edits, some of which are explained by margin comments. Happy to discuss further, if useful.

From: Rabbitt, Brian (OAG) <(b) (6)>
Sent: Tuesday, May 21, 2019 9:04 AM
To: Lasseter, David F. (OLA) <(b) (6)>; O'Callaghan, Edward C. (ODAG) <(b) (6)>; Boyd, Stephen E. (OLA) <(b) (6)>; Weinsheimer, Bradley (ODAG) <(b) (6)> Engel, Steven A. (OLC) <(b)(6) per OLC>
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

David's comment looks fine to me. I responded to Ed's and put a couple more very minor edits in. This looks good from my perspective once this group approves.

From: Lasseter, David F. (OLA) <(b) (6)>
Sent: Tuesday, May 21, 2019 8:53 AM
To: O'Callaghan, Edward C. (ODAG) <(b) (6)> Rabbitt, Brian (OAG) <(b) (6)>; Boyd, Stephen E. (OLA) <(b) (6)>; Weinsheimer, Bradley (ODAG) <(b) (6)>; Engel, Steven A. (OLC) <(b)(6) per OLC>
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

A couple of minor edits and note on the attached.

I will preview now for OCA and send over once we are complete.

From: O'Callaghan, Edward C. (ODAG) <(b) (6)>
Sent: Tuesday, May 21, 2019 8:44 AM
To: Rabbitt, Brian (OAG) <(b) (6)> Boyd, Stephen E. (OLA) <(b) (6)>
Lasseter, David F. (OLA) <(b) (6)> Weinsheimer, Bradley (ODAG) <(b) (6)>; Engel, Steven A. (OLC) <(b)(6) per OLC>

Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

A couple of small edits and a comment. I have connected with FBI to let them know we plan to submit this. Boyd/Lasseter should probably let appropriate OCA person know over there as well if not already looped in.

Edward C. O'Callaghan

(b) (6)

From: Rabbitt, Brian (OAG) <(b) (6)>

Sent: Tuesday, May 21, 2019 6:45 AM

To: Boyd, Stephen E. (OLA) (b) (6); Lasseter, David F. (OLA) (b) (6)
O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG)

(b) (6); Engel, Steven A. (OLC) (b)(6) per OLC

Subject: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

All – Attached is a draft response to HPSCI's May 16 letter prepared by Stephen and edited by me. Many thanks to Stephen for turning this around late last evening. Please review and edit. As noted, the AG would very much like to get this out today as early as possible. BR

Weinsheimer, Bradley (ODAG)

From: Weinsheimer, Bradley (ODAG)
Sent: Tuesday, May 21, 2019 11:01 AM
To: Engel, Steven A. (OLC); O'Callaghan, Edward C. (ODAG); Rabbitt, Brian (OAG); Lasseter, David F. (OLA); Boyd, Stephen E. (OLA)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]
Attachments: 2019.05.21 Department Response to HPSCI May 16 Letter DRAFT +final edits gbw.docx

A few edits – also fixing the May 14th date, which is the correct date.

From: Engel, Steven A. (OLC) (b)(6) per OLC >
Sent: Tuesday, May 21, 2019 10:59 AM
To: O'Callaghan, Edward C. (ODAG) (b)(6) Weinsheimer, Bradley (ODAG) (b)(6) Rabbitt, Brian (OAG) (b)(6) Lasseter, David F. (OLA) (b)(6) >; Boyd, Stephen E. (OLA) (b)(6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

A few further edits.

Also, (b)(5) per OLC

From: O'Callaghan, Edward C. (ODAG) (b)(6) >
Sent: Tuesday, May 21, 2019 10:44 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC >; Weinsheimer, Bradley (ODAG) (b)(6) >; Rabbitt, Brian (OAG) (b)(6) >; Lasseter, David F. (OLA) (b)(6) Boyd, Stephen E. (OLA) (b)(6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

Incorporates all edits and new language as discussed.

Edward C. O'Callaghan

(b)(6)

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Tuesday, May 21, 2019 10:11 AM
To: Weinsheimer, Bradley (ODAG) (b)(6) >; Rabbitt, Brian (OAG) (b)(6) >; Lasseter, David F. (OLA) (b)(6) >; O'Callaghan, Edward C. (ODAG) (b)(6) >; Boyd, Stephen E. (OLA) (b)(6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

The first edit/comment makes sense to me. per my comment, I believe (b)(5) per OLC

[REDACTED] (b)(5) per OLC [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Weinsheimer, Bradley (ODAG) (b) (6)
Sent: Tuesday, May 21, 2019 10:03 AM
To: Engel, Steven A. (OLC) <(b)(6) per OLC>; Rabbitt, Brian (OAG) (b) (6)
Lasseter, David F. (OLA) <(b) (6)>; O'Callaghan, Edward C. (ODAG)
(b) (6); Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

Comments and a proposed edits to (b) (5)
[REDACTED] Thanks, Brad.

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Tuesday, May 21, 2019 9:39 AM
To: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6)
O'Callaghan, Edward C. (ODAG) (b) (6); Boyd, Stephen E. (OLA)
(b) (6); Weinsheimer, Bradley (ODAG) (b) (6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

Duplicative Material (Document ID: 0.7.23922.58430)



Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Tuesday, May 21, 2019 11:19 AM
To: Weinsheimer, Bradley (ODAG); Boyd, Stephen E. (OLA); O'Callaghan, Edward C. (ODAG); Rabbitt, Brian (OAG); Lasseter, David F. (OLA)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]
Attachments: 2019.05.21 Department Response to HPSCI May 16 Letter DRAFT + edits.docx

How about this? I moved the language about (b)(5) per OLC

From: Weinsheimer, Bradley (ODAG) (b) (6) >
Sent: Tuesday, May 21, 2019 11:12 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6)
O'Callaghan, Edward C. (ODAG) (b) (6); Rabbitt, Brian (OAG)
(b) (6) Lasseter, David F. (OLA) (b) (6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

(b) (5)

From: Engel, Steven A. (OLC) (b)(6) per OLC >
Sent: Tuesday, May 21, 2019 11:07 AM
To: Boyd, Stephen E. (OLA) (b) (6); O'Callaghan, Edward C. (ODAG)
(b) (6); Weinsheimer, Bradley (ODAG) (b) (6)
Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

Actually, I'm confused. Brad's edits were not on top of mine? let me see if I can create a clear one.

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Tuesday, May 21, 2019 11:05 AM
To: O'Callaghan, Edward C. (ODAG) (b) (6); Engel, Steven A. (OLC)
< (b)(6) per OLC >; Weinsheimer, Bradley (ODAG) (b) (6); Rabbitt,
Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6)
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

I think (b) (5) is now confusing to the lay reader. Or is that just me?

From: O'Callaghan, Edward C. (ODAG) (b) (6) >
Sent: Tuesday, May 21, 2019 11:04 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC; Weinsheimer, Bradley (ODAG)
(b) (6); Rabbitt, Brian (OAG) (b) (6); Lasseter, David F.

(OLA)(b) (6) >; Boyd, Stephen E. (OLA)(b) (6) >
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

This looks good to me. May 14 is correct date. Brad, take a look at this version as it is updated from the one that you just sent back.

Edward C. O'Callaghan
(b) (6)

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Tuesday, May 21, 2019 10:59 AM
To: O'Callaghan, Edward C. (ODAG) (b) (6) >; Weinsheimer, Bradley (ODAG) (b) (6) >; Rabbitt, Brian (OAG) <(b) (6) > Lasseter, David F. (OLA)(b) (6) >; Boyd, Stephen E. (OLA)(b) (6) >
Subject: RE: 2019.05.21 Department Response to HPSCI May 16 Letter [DRAFT]

Duplicative Material (Document ID: 0.7.23922.58456)



Levi, William (OAG)

From: Levi, William (OAG)
Sent: Wednesday, May 22, 2019 4:35 PM
To: Lasseter, David F. (OLA); Engel, Steven A. (OLC); DuCharme, Seth (OAG); Gannon, Curtis E. (OLC)
Cc: Moran, John (OAG)
Subject: RE: Letter from Sen Harris
Attachments: 2019-5-9 Harris AG Letter re Kerry Investigation (002) - Harris #.pdf

Adding John who has been looking at this.

From: Lasseter, David F. (OLA) (b) (6)
Sent: Monday, May 20, 2019 11:01 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC; Levi, William (OAG) (b) (6)
DuCharme, Seth (OAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC >
Subject: Letter from Sen Harris

Good morning OAG/OLC. Hope y'all had a nice weekend. Please take a look at the attached and let me know who is best to draft a response for this.

Thanks,
David

David F. Lasseter
Deputy Assistant Attorney General
Office of Legislative Affairs
U.S. Department of Justice
(b) (6)

United States Senate

May 9, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Barr:

Recent statements by the President raise serious concerns regarding your response to a question I posed during the May 1, 2019, Senate Judiciary Committee hearing on Special Counsel Robert Mueller's investigation. At the hearing, I asked you whether the President or other White House officials had ever asked or suggested to you that the Department of Justice should investigate an individual. You failed to provide a direct response, and instead asserted that you did not know.

But today, the President all but confirmed that he has made such a request when he called publicly for the prosecution of a former cabinet secretary and then stated that his "people" disagreed with him. In light of the President's deeply troubling statements, I request that you supplement your testimony and clarify your answers to my question.

Volume II of Special Counsel Mueller's report documented "a variety of actions towards the ongoing FBI investigation...that raised questions about whether [the President] had obstructed justice."¹ Among the potentially obstructive acts examined by the Special Counsel were repeated attempts by the President to target his perceived opponents using the power of federal law enforcement.²

For example, on three separate occasions the President asked or suggested that then-Attorney General Jeff Sessions open an investigation into the President's former opponent, Hillary Clinton.³ The report also catalogues a series of tweets in which the President suggests or openly calls for criminal and congressional investigations into Clinton's conduct.⁴

The incidents described in the report prompted me to ask whether the President or other White House officials had ever approached you with similar requests or suggestions. You proved unable or unwilling to answer the question:

¹ U.S. DEP'T OF JUSTICE, SPECIAL COUNSEL ROBERT S. MUELLER, III, REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION (2019) vol. II, at 1 [hereafter MUELLER REPORT].

² Michael S. Schmidt, *Mueller Report Reveals Trump's Fixation on Targeting Hillary Clinton*, N.Y. TIMES, Apr. 24, 2019, at <https://www.nytimes.com/2019/04/24/us/politics/jeff-sessions-hillary-clinton-donald-trump.html>.

³ MUELLER REPORT, *supra* note 1, at 107, 109.

⁴ *Id.* at 95, 96, 109, 110, 111.

Senator Harris: Attorney General Barr, has the President or anyone at the White House ever asked or suggested that you open an investigation of anyone?

Attorney General Barr: Um, I wouldn't ... I wouldn't, uh—

Senator Harris: Yes or No?

Attorney General Barr: Could you ... could you repeat that question?

Senator Harris: I will repeat it. Has the President or anyone at the White House ever asked or suggested that you open an investigation of anyone? Yes or no please, sir.

Attorney General Barr: Um, the President or anybody else...

Senator Harris: Seems you would remember something like that and be able to tell us.

Attorney General Barr: Yeah, but I'm, I'm trying to grapple with the word "suggest." I mean, there have been discussions of, of matters out there that, uh—they have not *asked* me to open an investigation, but...

Senator Harris: Perhaps they've suggested?

Attorney General Barr: I don't know, I wouldn't say suggest...

Senator Harris: Hinted?

Attorney General Barr: I don't know.

Senator Harris: Inferred? You don't know?

Attorney General Barr: No.

However, on May 9, 2019, during a press conference at the White House, the President called publicly for the prosecution of former Secretary of State John Kerry, before stating that members of his administration disagreed. The President stated:

President Trump: What I would like to see with Iran, I'd like to see them call me. You know John Kerry speaks to them a lot. John Kerry tells them not to call. That's a violation of the Logan Act, and frankly he should be prosecuted on that, but my people don't want to do anything that's—only the Democrats do that kind of stuff, you know. If it were the opposite way, they would prosecute him under the Logan Act, but John Kerry violated the Logan Act. He's talking to Iran and has been, has many meetings and many phone calls and he's telling them what to do. That is a total violation of the Logan Act....

In order for the American people to retain trust in the Department of Justice, the public must have confidence that the women and men who enforce our laws act with fairness and

impartiality. Your failure to categorically respond to my question in the negative undermines that confidence.

In light of the President's statements today, I request that you supplement your testimony to the Senate Judiciary Committee and respond to the following questions no later than May 23, 2019:

1. Has the President or anyone at the White House ever made a request or suggestion, whether implied or explicit, that you or other Justice Department personnel open an investigation of anyone?
2. Since your appearance before the Senate Judiciary Committee on May 1, 2019, have you had an opportunity to refresh your memory in regard to whether the President or anyone at the White House ever made a request or suggestion, whether implied or explicit, that you or other Justice Department personnel open an investigation of anyone? If so, are you now able to state whether the President or anyone at the White House ever made a request or suggestion, whether implied or explicit, that you or other Justice Department personnel open an investigation of anyone?
3. Has the President or anyone at the White House ever made a request or suggestion, whether implied or explicit, that you or other Justice Department personnel prosecute former Secretary of State John Kerry for a violation of the Logan Act?
4. Has the President or anyone at the White House ever requested an opinion from you or other Justice Department personnel on whether former Secretary Kerry's conduct violated the Logan Act?
5. Has the President or anyone at the White House ever made a request or suggestion, whether implied or explicit, that you or other Justice Department personnel prosecute former Secretary Kerry for a violation of any other federal laws?
6. Has the President or anyone at the White House ever requested an opinion from you or other Justice Department personnel on whether former Secretary Kerry's conduct violated any other federal laws?

Thank you for your prompt attention to this request.

Sincerely,



KAMALA D. HARRIS
United States Senator

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Wednesday, May 22, 2019 9:02 PM
To: Engel, Steven A. (OLC); Rabbitt, Brian (OAG); Weinsheimer, Bradley (ODAG)
Subject: RE: Notes

Thanks for this. We spoke to SCO and they know that nothing is happening on this tomorrow but that we will continue to discuss tomorrow with a view toward possibly doing something Friday.

Edward C. O'Callaghan

(b) (6)

From: Engel, Steven A. (OLC) (b)(6) per OLC >
Sent: Wednesday, May 22, 2019 9:00 PM
To: Rabbitt, Brian (OAG) (b) (6) Weinsheimer, Bradley (ODAG)
(b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6)
Subject: RE: Notes

A few quick thoughts, if relevant to calls taking place this evening. (b)(5) per OLC

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b)(5) per OLC

[Redacted]

[Redacted]

From: Rabbitt, Brian (OAG) (b) (6)
Sent: Wednesday, May 22, 2019 7:34 PM
To: Weinsheimer, Bradley (ODAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6)
Cc: Engel, Steven A. (OLC) (b)(6) per OLC
Subject: Notes

Brian C. Rabbitt
Chief of Staff & Senior Counselor
Office of the Attorney General
U.S. Department of Justice
T: (b) (6)
M: (b) (6)
(b) (6)

From: Engel, Steven A. (OLC)
(b) (6)
To: Rabbitt, Brian (OAG)
(b) (6)
Boyd, Stephen E. (OLA)
(b) (6)
Cc:
Bcc:
Subject: FW: Letter to AG Barr and Mr. Cipollone
Date: Mon Jun 03 2019 13:53:40 EDT
Attachments: 6-3-19 OLA Response to Nadler May 24 Letter +gbw + eoc + bcr + sae 6.2.2019 Draft.docx

What's the status of the letter, and the timing of our sending it?

From: Weinsheimer, Bradley (ODAG) (b) (6)
Sent: Monday, June 3, 2019 10:45 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC ; Rabbitt, Brian (OAG) (b) (6)
(b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Lassetter, David F. (OLA)
(b) (6)
Cc: Escalona, Prim F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6)
(b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

I made a few additional proposed edits, which I explained in comments. They appear in the first two paragraphs on p. 1 and the second to last paragraph on page 5. Thanks, Brad.

From: Engel, Steven A. (OLC) <(b)(6) per OLC >
Sent: Sunday, June 2, 2019 2:57 PM
To: Rabbitt, Brian (OAG) <(b) (6) >; O'Callaghan, Edward C. (ODAG)
(b) (6); Weinsheimer, Bradley (ODAG) (b) (6)
Lassetter, David F. (OLA) (b) (6)
Cc: Escalona, Prim F. (OLA) (b) (6); Kupec, Kerri (OPA) <(b) (6) >
(b) (6); Gannon, Curtis E. (OLC) <(b)(6) per OLC >; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

I like it. Attached are a few additional redlines, some of which relate to the new additions and others which reflect my earlier edits from this morning.

From: Rabbitt, Brian (OAG)
Sent: Sunday, June 2, 2019 11:39 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC; O'Callaghan, Edward C. (ODAG) (b)(6)
>; Weinsheimer, Bradley (ODAG) (b)(6)
Lasseter, David F. (OLA) (b)(6)
Cc: Escalona, Prim F. (OLA) (b)(6); Kupec, Kerri (OPA) (b)(6)
>; Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Apologies. I just had the opportunity to turn to this letter this morning after returning from the trip. I made some somewhat substantial edits, mostly adding an introductory section that sets the stage. Happy to discuss.

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Sunday, June 2, 2019 10:47 AM
To: O'Callaghan, Edward C. (ODAG) (b)(6); Weinsheimer, Bradley (ODAG) (b)(6)
>; Lasseter, David F. (OLA) (b)(6); Rabbitt, Brian (OAG) (b)(6)
Cc: Escalona, Prim F. (OLA) (b)(6); Kupec, Kerri (OPA) (b)(6)
>; Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Looks good. The attached accepts Ed and Brad's edits, with a few additional edits and comments from OLC.

From: O'Callaghan, Edward C. (ODAG)
Sent: Saturday, June 1, 2019 1:10 PM
To: Weinsheimer, Bradley (ODAG) (b)(6); Engel, Steven A. (OLC) (b)(6) per OLC
>; Lasseter, David F. (OLA) (b)(6); Rabbitt, Brian (OAG) (b)(6)
Cc: Escalona, Prim F. (OLA) (b)(6); Kupec, Kerri (OPA) (b)(6)
>; Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Some suggestions and thoughts for consideration.

Edward C. O'Callaghan

(b) (6)

From: Weinsheimer, Bradley (ODAG) (b) (6)
Sent: Saturday, June 1, 2019 6:58 AM
To: Engel, Steven A. (OLC) (b)(6) per OLC; O'Callaghan, Edward C. (ODAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6)
Cc: Escalona, Prim F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Some suggested edits. Thanks, Brad.

From: Engel, Steven A. (OLC) (b)(6) per OLC >
Sent: Friday, May 31, 2019 5:38 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6)
Cc: Escalona, Prim F. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Kupec, Kerri (OPA) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC >
Subject: RE: Letter to AG Barr and Mr. Cipollone

Attached is a draft letter responding to the HJC.

From: Engel, Steven A. (OLC)
Sent: Wednesday, May 29, 2019 11:46 AM
To: O'Callaghan, Edward C. (ODAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6) >
Cc: Escalona, Prim F. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Kupec, Kerri (OPA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

For those dialing in, you can use the following number:

(b)(6) per OLC access code: (b)(6) per OLC

From: O'Callaghan, Edward C. (ODAG) (b) (6)
Sent: Wednesday, May 29, 2019 9:11 AM
To: Lasseter, David F. (OLA) (b) (6); Rabbitt, Brian (OAG) (b) (6)
Cc: Engel, Steven A. (OLC) (b)(6) per OLC Escalona, Prim F. (OLA) (b) (6)
>; Weinsheimer, Bradley (ODAG) (b) (6) >; Kupec, Kerri (OPA)
<(b) (6)>
Subject: RE: Letter to AG Barr and Mr. Cipollone

Let's make it easiest for Steve and say his office.

From: Lasseter, David F. (OLA) (b) (6)
Sent: Wednesday, May 29, 2019 5:56 AM
To: Rabbitt, Brian (OAG) (b) (6)
Cc: Engel, Steven A. (OLC) (b)(6) per OLC >; O'Callaghan, Edward C. (ODAG)
(b) (6) Escalona, Prim F. (OLA) (b) (6) Weinsheimer,
Bradley (ODAG) (b) (6) >; Boyd, Stephen E. (OLA) (b) (6)
>; Kupec, Kerri (OPA) (b) (6)
Subject: Re: Letter to AG Barr and Mr. Cipollone

Noon works for me. Are we doing this in OLA or ODAG? I can send a number later this morning.

David F. Lasseter

On May 28, 2019, at 21:54, Rabbitt, Brian (OAG) <(b) (6)> wrote:

Ok here. Just send me a number.

Sent from my iPhone

On May 28, 2019, at 5:44 PM, Engel, Steven A. (OLC) (b)(6) per OLC wrote:

Noon works for me.

Sent from my iPad

On May 28, 2019, at 9:43 PM, O'Callaghan, Edward C. (ODAG) (b) (6) wrote:

I would prefer 12 if possible. I think Brian said he needed to be done by 1 so the later proposed times do not work.

Edward C. O'Callaghan

(b) (6)

On May 28, 2019, at 9:11 PM, Engel, Steven A. (OLC) (b)(6) per OLC wrote:

Are we set for 11:30 am? Or looking for later?

Sent from my iPhone

On May 28, 2019, at 3:30 PM, Lasseter, David F. (OLA) (b) (6) wrote:

Is 3pm or 4pm eastern better?

David F. Lasseter

On May 28, 2019, at 14:28, O'Callaghan, Edward C. (ODAG) (b) (6) > wrote:

11:30 works for Brad and me as of now.

From: Rabbitt, Brian (OAG) (b) (6)
Sent: Tuesday, May 28, 2019 2:26 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6) >
Cc: Lasseter, David F. (OLA) (b) (6) >; Escalona, Prim F. (OLA) (b) (6)
(b) (6); Weinsheimer, Bradley (ODAG) (b) (6) >; Boyd, Stephen E.
(OLA) (b) (6); Kupec, Kerri (OPA) (b) (6) >; Engel, Steven A.
(OLC) (b)(6) per OLC >
Subject: Re: Letter to AG Barr and Mr. Cipollone

I am minus 4 hours. 1130 ET or 12 ET would be ideal for me to call in, but I can do 11 ET if need be. I've got to be done by 1 ET.

Sent from my iPhone

On May 28, 2019, at 2:21 PM, O'Callaghan, Edward C. (ODAG) (b) (6) > wrote:

Think it will need to be later in day to account for time zone differences.

From: Lasseter, David F. (OLA) (b) (6) >
Sent: Tuesday, May 28, 2019 1:42 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6) >
Cc: Escalona, Prim F. (OLA) (b) (6) >; Weinsheimer, Bradley (ODAG)
(b) (6) >; Rabbitt, Brian (OAG) (b) (6) >; Boyd, Stephen
E. (OLA) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >
Subject: Re: Letter to AG Barr and Mr. Cipollone

Would 11am work for folks?

David F. Lasseter

On May 28, 2019, at 11:26, O'Callaghan, Edward C. (ODAG) <(b) (6)> wrote:

Brian, Steve and I met briefly on this and the thought is that we should put together a letter properly detailing (b) (5)

Brian wants to schedule a time tomorrow to re-group on it and he will call in.

Edward C. O'Callaghan

(b) (6)

From: Escalona, Prim F. (OLA) (b) (6)
Sent: Tuesday, May 28, 2019 10:52 AM
To: Lasseter, David F. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); Boyd, Stephen E. (OLA) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Kupec, Kerri (OPA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

I'm here and can meet at 11:00. Just let me know where to be.

From: Lasseter, David F. (OLA) <(b) (6)>
Sent: Tuesday, May 28, 2019 9:47 AM
To: Weinsheimer, Bradley (ODAG) <(b) (6)>
Cc: Rabbitt, Brian (OAG) (b) (6); Boyd, Stephen E. (OLA) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Kupec, Kerri (OPA) (b) (6); Escalona, Prim F. (OLA) (b) (6)
Subject: Re: Letter to AG Barr and Mr. Cipollone

Adding Prim in the event she can join. As previously mentioned I can meet tomorrow when back in the office.

David F. Lasseter

On May 28, 2019, at 09:42, Weinsheimer, Bradley (ODAG) <(b) (6)> wrote:

Ed and I can meet at 11:00, if that works.

From: Rabbitt, Brian (OAG) (b) (6)
Sent: Tuesday, May 28, 2019 9:24 AM
To: Lasseter, David F. (OLA) (b) (6); Boyd, Stephen E. (OLA) <(b) (6)>
(b) (6); O'Callaghan, Edward C. (ODAG) <(b) (6)>; Weinsheimer, Bradley (ODAG) (b) (6); Kupec, Kerri (OPA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

Can we meet briefly today to discuss this before our departure at around 12:30?

From: Lasseter, David F. (OLA) <(b) (6)>
Sent: Saturday, May 25, 2019 11:06 AM
To: Boyd, Stephen E. (OLA) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Weinsheimer, Bradley (ODAG) <(b) (6)>; Rabbitt, Brian (OAG) <(b) (6)>; Kupec, Kerri (OPA) <(b) (6)>
Subject: Fwd: Letter to AG Barr and Mr. Cipollone

Fysa attached

David F. Lasseter

Begin forwarded message:

From: "Hiller, Aaron" <(b) (6)>
Date: May 24, 2019 at 18:20:54 EDT
To: "legislativeaffairs45@who.eop.gov" <legislativeaffairs45@who.eop.gov>, "Lasseter, David F. (OLA)" <(b) (6)>
Cc: "Apelbaum, Perry" <(b) (6)>
Subject: Letter to AG Barr and Mr. Cipollone

Attached please find a letter from Chairman Nadler to Attorney General Barr and Mr. Cipollone.

Thank you,

Aaron Hiller

Deputy Chief Counsel

House Judiciary Committee

2138 Rayburn House Office Building

Washington, DC 20515

(202) 225-3951

Rabbitt, Brian (OAG)

From: Rabbitt, Brian (OAG)
Sent: Tuesday, June 4, 2019 8:48 AM
To: Engel, Steven A. (OLC)
Subject: RE: Letter to AG Barr and Mr. Cipollone

Agreed

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Monday, June 3, 2019 8:07 PM
To: Rabbitt, Brian (OAG) (b)(6)
Subject: Fwd: Letter to AG Barr and Mr. Cipollone

(b)(5) per OLC

Sent from my iPhone

Begin forwarded message:

From: "Gannon, Curtis E. (OLC)" (b)(6) per OLC >
Date: June 3, 2019 at 7:49:45 PM EDT
To: "Engel, Steven A. (OLC)" (b)(6) per OLC, "O'Callaghan, Edward C. (ODAG)" (b)(6), "Boyd, Stephen E. (OLA)" (b)(6), "Escalona, Prim F. (OLA)" (b)(6), "Weinsheimer, Bradley (ODAG)" (b)(6)
Cc: "Rabbitt, Brian (OAG)" (b)(6) >, "Lasseter, David F. (OLA)" (b)(6), "Kupec, Kerri (OPA)" (b)(6), "Colborn, Paul P (OLC)" (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

FYI: <https://www.politico.com/story/2019/06/03/house-dems-set-barr-contempt-vote-on-maeller-report-for-next-week-1352442>

The House will vote next week to hold Attorney General William Barr and former White House counsel Don McGahn in contempt of Congress for defying congressional subpoenas, according to multiple Democratic sources.

The vote, which will take place on June 11, will also include broad authority for congressional committees to take legal action against the Trump administration in future subpoena fights, the Democratic sources say.

The vote, supported by Speaker Nancy Pelosi, Hoyer and other top members of House leadership, will authorize the House to hold the two men in civil contempt. Democrats will forgo an effort to hold them in criminal contempt, which Democratic sources described as an empty gesture because Barr in particular would never face charges from his own Justice Department.

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Monday, June 3, 2019 5:55 PM
To: O'Callaghan, Edward C. (ODAG) (b)(6); Boyd, Stephen E. (OLA) (b)(6); Escalona, Prim F. (OLA) (b)(6); Weinsheimer, Bradley (ODAG) (b)(6)
Cc: Rabbitt, Brian (OAG) (b)(6); Lasseter, David F. (OLA) (b)(6); Kupec, Kerri (OPA) (b)(6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Fine. We'll suggest that, although think we should substitute (b)(5) per OLC

From: O'Callaghan, Edward C. (ODAG) (b)(6)
Sent: Monday, June 3, 2019 5:26 PM
To: Engel, Steven A. (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b)(6); Escalona, Prim F. (OLA) (b)(6); Weinsheimer, Bradley (ODAG) (b)(6)
Cc: Rabbitt, Brian (OAG) (b)(6); Lasseter, David F. (OLA) (b)(6); Kupec, Kerri (OPA) (b)(6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

(b)(5)

Edward C. O'Callaghan
(b)(6)

From: Engel, Steven A. (OLC) (b)(6) per OLC
Sent: Monday, June 3, 2019 5:14 PM

To: Boyd, Stephen E. (OLA) (b) (6) >; Escalona, Prim F. (OLA) (b) (6) >; Weinsheimer, Bradley (ODAG) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6) >; Lasseter, David F. (OLA) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >; Gannon, Curtis E. (OLC) (b) (6) per OLC >; Colbom, Paul P (OLC) (b) (6) per OLC >
Subject: RE: Letter to AG Barr and Mr. Cipollone

Do you have a suggested edit? Something like this: (b)(5) per OLC

From: Boyd, Stephen E. (OLA) (b) (6) >
Sent: Monday, June 3, 2019 4:56 PM
To: Engel, Steven A. (OLC) (b) (6) per OLC >; Escalona, Prim F. (OLA) (b) (6) >; Weinsheimer, Bradley (ODAG) (b) (6) >
Cc: Rabbitt, Brian (OAG) (b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6) >; Lasseter, David F. (OLA) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >; Gannon, Curtis E. (OLC) (b) (6) per OLC >; Colbom, Paul P (OLC) (b) (6) per OLC >
Subject: RE: Letter to AG Barr and Mr. Cipollone

I recommend they revisit this draft.

(b) (5)

From: Engel, Steven A. (OLC) (b) (6) per OLC >
Sent: Monday, June 3, 2019 2:31 PM
To: Escalona, Prim F. (OLA) (b) (6) >; Weinsheimer, Bradley (ODAG) (b) (6) >; Boyd, Stephen E. (OLA) (b) (6) >
Cc: Rabbitt, Brian (OAG) (b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6) >; Lasseter, David F. (OLA) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >; Gannon, Curtis E. (OLC) (b) (6) per OLC >; Colbom, Paul P (OLC) (b) (6) per OLC >
Subject: RE: Letter to AG Barr and Mr. Cipollone

In related news, attached is a draft letter (b)(5) per OLC. Let me know if this group has any comments.

The draft letter (b)(5) per OLC

From: Escalona, Prim F. (OLA) (b) (6) >
Sent: Monday, June 3, 2019 10:59 AM
To: Weinsheimer, Bradley (ODAG) (b) (6) >; Boyd, Stephen E. (OLA) (b) (6) >
Cc: Engel, Steven A. (OLC) (b) (6) per OLC >; Rabbitt, Brian (OAG) (b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6) >; Lasseter, David F. (OLA) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >; Gannon, Curtis E. (OLC) (b) (6) per OLC >; Colbom, Paul P (OLC) (b) (6) per OLC >
Subject: Re: Letter to AG Barr and Mr. Cipollone

Adding Stephen. I also forwarded him Brad's most recent draft.

Prim Escalona
(b) (6)

On Jun 3, 2019, at 10:45 AM, Weinsheimer, Bradley (ODAG) (b) (6) > wrote:

Duplicative Material (Document ID: 0.7.23922.59111)

Colborn, Paul P (OLC)

From: Colborn, Paul P (OLC)
Sent: Tuesday, June 4, 2019 12:40 PM
To: Boyd, Stephen E. (OLA); Rabbitt, Brian (OAG); Weinsheimer, Bradley (ODAG); Gannon, Curtis E. (OLC); Engel, Steven A. (OLC); O'Callaghan, Edward C. (ODAG); Escalona, Prim F. (OLA)
Cc: Lasseter, David F. (OLA); Kupec, Kerri (OPA)
Subject: RE: Letter to AG Barr and Mr. Cipollone

Fine with me. I think Brian did it better. I don't expect that Steve will be able to review this before it goes out, but I think he will be fine with Brian's tweaking of his language.

From: Boyd, Stephen E. (OLA) (b) (6) >
Sent: Tuesday, June 04, 2019 12:37 PM
To: Rabbitt, Brian (OAG) (b) (6); Colborn, Paul P (OLC) (b)(6) per OLC >; Weinsheimer, Bradley (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC >; Engel, Steven A. (OLC) (b)(6) per OLC >; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6) >
Cc: Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6) >
Subject: RE: Letter to AG Barr and Mr. Cipollone

Roger that. Will go with Brian's last version absent any other input. SB

From: Rabbitt, Brian (OAG) (b) (6)
Sent: Tuesday, June 4, 2019 12:36 PM
To: Colborn, Paul P (OLC) (b)(6) per OLC >; Boyd, Stephen E. (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC >; Engel, Steven A. (OLC) (b)(6) per OLC >; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6) >
Cc: Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6) >
Subject: RE: Letter to AG Barr and Mr. Cipollone

Paul and I were trying to address the same issue

From: Colborn, Paul P (OLC) (b)(6) per OLC
Sent: Tuesday, June 4, 2019 12:33 PM
To: Boyd, Stephen E. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC >; Engel, Steven A. (OLC) (b)(6) per OLC >; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6) >
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

I suggest a tweak on page two in light of (b)(5) per OLC

From: Boyd, Stephen E. (OLA) (b) (6) >
Sent: Tuesday, June 04, 2019 12:26 PM
To: Colborn, Paul P (OLC) (b)(6) per OLC >; Weinsheimer, Bradley (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC >; Engel, Steven A. (OLC) (b)(6) per OLC >; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6) >
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6) >
Subject: RE: Letter to AG Barr and Mr. Cipollone

I think I have compiled all the suggested edits in this version. Please advise. SB

From: Colborn, Paul P (OLC) (b)(6) per OLC >
Sent: Tuesday, June 4, 2019 12:25 PM
To: Weinsheimer, Bradley (ODAG) (b) (6); Boyd, Stephen E. (OLA) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC >; Engel, Steven A. (OLC) (b)(6) per OLC >; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6) >
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6) >
Subject: RE: Letter to AG Barr and Mr. Cipollone

P.S. Of course this was just in addition to the edits Steve sent.

From: Colborn, Paul P (OLC)
Sent: Tuesday, June 04, 2019 12:14 PM
To: Weinsheimer, Bradley (ODAG) (b) (6); Boyd, Stephen E. (OLA) (b) (6); Gannon, Curtis E. (OLC) (b) (6) per OLC; Engel, Steven A. (OLC) (b) (6) per OLC; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

Here's OLC's reaction to Brad's edits and comments, plus a nit.

From: Weinsheimer, Bradley (ODAG) (b) (6)
Sent: Tuesday, June 04, 2019 11:50 AM
To: Boyd, Stephen E. (OLA) (b) (6); Gannon, Curtis E. (OLC) (b) (6) per OLC; Engel, Steven A. (OLC) (b) (6) per OLC; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6); Colborn, Paul P (OLC) (b) (6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

A few proposed edits and comments. Thanks, Brad.

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Tuesday, June 4, 2019 11:30 AM
To: Gannon, Curtis E. (OLC) (b) (6) per OLC; Engel, Steven A. (OLC) (b) (6) per OLC; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6); Colborn, Paul P (OLC) (b) (6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Team:

Thanks for all your assistance on the response to Nadler. Under the circumstances (below), I think it is most effective if we (b) (5)

Let's please work off this draft - any edits or improvements are welcome. We'd like to send by early afternoon.

Thanks,

SB

From: Gannon, Curtis E. (OLC) (b) (6) per OLC
Sent: Monday, June 3, 2019 7:50 PM
To: Engel, Steven A. (OLC) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Boyd, Stephen E. (OLA) (b) (6); Escalona, Prim F. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6); Colborn, Paul P (OLC) (b) (6) per OLC
Subject: RE: Letter to AG Barr and Mr. Cipollone

Duplicative Material (Document ID: 0.7.23922.59128)

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Wednesday, June 5, 2019 8:32 AM
To: Boyd, Stephen E. (OLA); Rabbitt, Brian (OAG)
Subject: RE: Letter to AG Barr and Mr. Cipollone

Is there a response plan? If not, should we get together to make one?

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Tuesday, June 4, 2019 7:21 PM
To: Rabbitt, Brian (OAG) (b) (6); Colborn, Paul P. (OLC) (b) (6) per OLC >; Weinsheimer, Bradley (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b) (6) per OLC >; Engel, Steven A. (OLC) (b) (6) per OLC >; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6)
Cc: Lasseter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

I see the following is on twitter – though I have not received it otherwise.

June 4, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Barr:

I write to reply to the Department of Justice's letter of earlier today responding to the Judiciary Committee's accommodation efforts, including the Committee's May 24, 2019 and May 10, 2019 letters (enclosed). We urge you to return to the accommodation process without conditions. We are ready to begin negotiating immediately.

As you know, accommodation by both sides, Congress and the Executive, is required irrespective of the stage of proceedings. Indeed, accommodation has been urged by the courts well after the House has voted on contempt and litigation has begun, e.g. *Comm. on Oversight & Gov't Reform v. Holder*, 979 F.Supp.2d 1, 26 (D.D.C. 2013), and even after a ruling on appeal, e.g. *U.S. v. AT&T*, 551 F.2d 384, 394 (D.C.Cir. 1976). There is simply no justification for your unilateral refusal to participate in the accommodation process yet again.

I also take exception to your characterization of how our prior accommodation efforts ended. Contrary to the account in your letter, the Committee has always remained open to continuing negotiations. We had an offer on the table late on the evening of May 7 when the Department suddenly declared an end to the accommodation process. My staff was still in their offices after the close of business hours awaiting a counteroffer when the Department broke off negotiations with a letter demanding that the contempt vote—scheduled to begin the next day—be cancelled if we wished to proceed with the accommodations process.

Now the brinksmanship you exhibited on May 7 is on display once again. As with the prior Committee vote, I cannot help but wonder what role the imminent floor vote played in you finally responding on June 4 to letters that have been pending for weeks.

At any rate, we are ready to proceed without conditions—as shown by the initiative we took with our detailed May 24 offer. I should add that, contrary to your argument that the Committee's continuing accommodation efforts somehow suggest that our prior requests were overbroad, our offer to compromise was intended to respond to your prior objections by seeking a middle ground. We urge the Department to do the same.

We cannot agree that the House's sense of urgency here is "premature and unnecessary." It has been over 100 days since we first initiated the accommodations process on February 22, 2019. The pace with which we are proceeding is consistent with the exceptional urgency of this matter: an attack on our elections that was welcomed by our President and benefitted his campaign, followed by acts of obstruction by the President designed to interfere with the investigation of that attack. All of

this misconduct was documented by the Special Counsel in the documents we now seek.

We urge you not to make the mistake of breaking off accommodations again. We are here and ready to negotiate as early as [tomorrow morning](#).

Sincerely,

Jerrold Nadler
Chairman
House Committee on the Judiciary

cc: Doug Collins
Ranking Member

Pat Cipollone
Counsel to the President

From: Rabbitt, Brian (OAG) (b) (6)
Sent: Tuesday, June 4, 2019 12:36 PM
To: Colborn, Paul P. (OLC) (b)(6) per OLC; Boyd, Stephen E. (OLA) (b) (6); Weinsheimer, Bradley (ODAG) (b) (6); Gannon, Curtis E. (OLC) (b)(6) per OLC; Engel, Steven A. (OLC) (b)(6) per OLC; O'Callaghan, Edward C. (ODAG) (b) (6); Escalona, Prim F. (OLA) (b) (6)
Cc: Lassetter, David F. (OLA) (b) (6); Kupec, Kerri (OPA) (b) (6) >
Subject: RE: Letter to AG Barr and Mr. Cipollone

Duplicative Material (Document ID: 0.7.23922.59128)

DuCharme, Seth (OAG)

From: DuCharme, Seth (OAG)
Sent: Wednesday, June 5, 2019 9:11 AM
To: Engel, Steven A. (OLC)
Cc: Rabbitt, Brian (OAG)
Subject: 20190531 CMN Letter to Haspel.pdf
Attachments: 20190531 CMN Letter to Haspel.pdf

Steve, [REDACTED] (b) (5)

[REDACTED] Do you have any time today to talk this through with me, or if not, is there anyone on your team who could help me determine our range of potential responses?

Thanks,
Seth

Seth D. DuCharme
Counselor to the Attorney General
U.S. Department of Justice

(b) (6)



Permanent Select Committee
on Intelligence
U.S. House of Representatives

May 31, 2019

The Honorable Gina Haspel
Director
Central Intelligence Agency
Washington, DC 20505

Dear Director Haspel:

President Trump's May 23, 2019 directive to you and other heads of agencies to assist and produce information to Attorney General William P. Barr in support of his "review of intelligence activities relating to the campaigns in the 2016 Presidential election and certain related matters"¹ represents a disturbing effort by the President and the Attorney General to politicize the Intelligence Community ("IC") and law enforcement, and raises grave concerns about inappropriate and misleading disclosures of classified information and IC sources and methods for political ends. This action necessitates vigorous oversight by the House Permanent Select Committee on Intelligence ("Committee").

In parallel with their effort to misrepresent the contents of Special Counsel Robert S. Mueller III's report, the President and Attorney General recently have engaged in a public campaign to further a conspiracy theory about the investigation of Russia's interference in the 2016 election. The Special Counsel's report definitively establishes that the counterintelligence investigation was properly initiated based on credible information from an intelligence partner.² Yet the Attorney General has called into question, without evidence, the validity of the predication of what became the Special Counsel's investigation.³ President Trump has denounced as a "coup" the Special Counsel's investigation, which conclusively documented Russia's "systematic attack on our political system" during the 2016 presidential election, the

¹ President Donald J. Trump, *Memorandum on Agency Cooperation with Attorney General's Review of Intelligence Activities Relating to the 2016 Presidential Campaigns*, May 23, 2019, available at <https://www.whitehouse.gov/presidential-actions/memorandum-agency-cooperation-attorney-generals-review-intelligence-activities-relating-2016-presidential-campaigns/>.

² Special Counsel Robert S. Mueller III, *Report on the Investigation Into Russian Interference in the 2016 Presidential Election, Volume I*, Washington D.C., March 2019, p. 6.

³ Caitlin Oprysko, "Barr forcefully defends DOJ probe into origin of the Russia investigation," Politico, May 17, 2019, available at <https://politi.co/2MeJEot>.

Trump campaign's eagerness to accept foreign help and make use of it, and the President's multiple attempts to obstruct the investigation.⁴

With the May 23 directive, the President has concentrated in Barr's hands sweeping authority to declassify or downgrade information or intelligence from the IC. Before exercising that authority, Barr is authorized—though not required—to consult with the head of the originating IC element or other agency, and then only to the extent Barr deems such consultation to be “practicable.”⁵ This approach threatens national security by subverting longstanding rules and practices that obligate you and other heads of IC agencies to safeguard sources and methods and prevent the politicization of intelligence and law enforcement.⁶ It is also unnecessary. A review of this nature by the Attorney General, or a U.S. Attorney, does not require such an unprecedented grant of authority over classified information and the potential disclosure of sources and methods at the expense of the protection of our country's most sensitive information.

Most perniciously, the directive seeks to enlist your agency in an effort by the President and the Attorney General to politicize the IC and law enforcement, to delegitimize a well-founded investigation into the President, and to attack the President's political enemies. Moreover, the Attorney General apparently requested—and the President issued—this directive while the White House and the Department of Justice continue to stonewall congressional oversight and investigations, including some undertaken by this Committee, demonstrating a desire not only to shift the public narrative away from the President's misconduct, but also to undermine Congress's constitutional authority as a separate and co-equal branch of government.

In the wake of the directive, the Committee will conduct rigorous, ongoing oversight of your agency and others in the IC to ensure that the Attorney General does not abuse his new and sweeping authority. Congress, and this Committee, must serve as a check on this abuse of power to ensure that the IC can fulfill its lawful mission and law enforcement can conduct appropriately predicated investigations of powerful government officials without fear of retribution.

The Committee therefore requests, pursuant to your statutory obligation⁷ to keep the Committee fully and currently informed of the IC's activities:

⁴ Remarks by Special Counsel Robert S. Mueller III, May 29, 2019, *available at* <https://www.cnn.com/2019/05/29/politics/mueller-full-remarks/index.html>; Cheyenne Haslett, “Trump repeats unsubstantiated claims of 'coup' attempt after former FBI lawyer knocks them down,” ABC News, May 13, 2019, *available at* <https://abcn.ws/2WcR1RT>.

⁵ *Memorandum on Agency Cooperation*, § 2.

⁶ *See, e.g.* ICD 700 § E(2)(a) (obligating heads of IC agencies to protect sources and methods); ICD 203 §§ D(6)(b), E(3)(a) (obligating heads of IC agencies to implement IC Analytic Standards, including that analysis be “independent of political consideration”).

⁷ 50 U.S.C. § 3092.

1. An in-person briefing from you to explain what President Trump, Attorney General Barr, or their associates have requested and conveyed thus far to the Central Intelligence Agency (CIA) and the heads of IC elements or other departments or agencies subject to the May 23 directive, regarding the Attorney General's "review of intelligence activities relating to the campaigns in the 2016 Presidential election and certain related matters" and/or implementation of the May 23 directive;⁸
2. That CIA and the heads of IC elements and other departments or agencies subject to the directive furnish to the Committee any and all documents, material, or information—regardless of form or classification—that are provided or made available to the Department of Justice for the purposes of the Attorney General's review;
3. That CIA and the heads of IC elements or other departments and agencies subject to the May 23 directive shall inform the Committee prior to any declassification at the Department of Justice's request or pursuant to the Attorney General's authority under the May 23 directive; and
4. That CIA and the heads of IC elements or other departments and agencies subject to the May 23 directive immediately notify the Committee—and provide an assessment of the harms to national security—of any declassification that has been or will be made over IC objection.⁹

I ask that you reply in writing to this letter and make arrangements for fulfillment of the requests set forth above by no later than 5 p.m. on **June 6, 2019**. Should you have any questions, please contact Committee staff at (202) 225-7690.

Sincerely,



Adam B. Schiff
Chairman

⁸ This request includes, but is not limited to, a discussion regarding the process for declassification pursuant to the May 23 directive.

⁹ By "over IC objection", we mean: (1) without formal approval of the IC, including where the IC provides input to a decision ultimately made by the Attorney General or (2) under circumstances where the IC would not declassify the information but-for the Department of Justice's interest or request. We expect to alter this definition upon receiving the briefing regarding, among other things, the process for declassification.

John H. ...

Engel, Steven A. (OLC)

From: Engel, Steven A. (OLC)
Sent: Wednesday, June 5, 2019 10:41 AM
To: Rabbitt, Brian (OAG)
Subject: RE: Letter to AG Barr and Mr. Cipollone

Give me a call if you get a moment before 1145 am.

From: Rabbitt, Brian (OAG) (b) (6) >
Sent: Wednesday, June 5, 2019 10:33 AM
To: O'Callaghan, Edward C. (ODAG) (b) (6)
Cc: Engel, Steven A. (OLC) (b) (6) per OLC >; Boyd, Stephen E. (OLA) (b) (6); Lasseter, David F. (OLA) (b) (6)
Subject: Re: Letter to AG Barr and Mr. Cipollone

I can't do 1145 but feel free to loop me in later.

Sent from my iPhone

On Jun 5, 2019, at 10:28 AM, O'Callaghan, Edward C. (ODAG) (b) (6) > wrote:

I can do that. Need to leave for an apt at 12:30.

Edward C. O'Callaghan
(b) (6)

From: Engel, Steven A. (OLC) (b) (6) per OLC
Sent: Wednesday, June 5, 2019 9:50 AM
To: Boyd, Stephen E. (OLA) (b) (6); Lasseter, David F. (OLA) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6) >
Subject: RE: Letter to AG Barr and Mr. Cipollone

Works for me.

From: Boyd, Stephen E. (OLA) (b) (6) >
Sent: Wednesday, June 5, 2019 9:48 AM
To: Lasseter, David F. (OLA) (b) (6)
Cc: Engel, Steven A. (OLC) (b) (6) per OLC; Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6)
Subject: Re: Letter to AG Barr and Mr. Cipollone

11:45 work?

On Jun 5, 2019, at 9:46 AM, Lasseter, David F. (OLA) (b) (6) wrote:

Just for everyone situational awareness the committee has reiterated again its desire to have Mr. Mueller testify. They want to discuss this today. I feel (b) (5).

From: Engel, Steven A. (OLC) (b) (6) per OLC
Sent: Wednesday, June 5, 2019 9:37 AM
To: Boyd, Stephen E. (OLA) (b) (6)
Cc: Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Lasseter, David F. (OLA) (b) (6)
Subject: RE: Letter to AG Barr and Mr. Cipollone

(b) (5) per OLC

I have to leave the office at 2 pm. Could meet before then, or dial-in between 3:45 pm and 4:30 pm.

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Wednesday, June 5, 2019 9:19 AM
To: Engel, Steven A. (OLC) (b) (6) per OLC
Cc: Rabbitt, Brian (OAG) (b) (6); O'Callaghan, Edward C. (ODAG) (b) (6); Lasseter, David F. (OLA) (b) (6)
Subject: Re: Letter to AG Barr and Mr. Cipollone

+ Ed

(b) (5) . Open to discussion on it, of course. We'll send around an invite for early afternoon. Any time better or worse for you three?

On Jun 5, 2019, at 8:32 AM, Engel, Steven A. (OLC) (b)(6) per OLC > wrote:

Duplicative Material (Document ID: 0.7.23922.59232)

