

ABBE LOWELL'S "NO APPARENT EVIDENCE" OF JARED KUSHNER INVOLVEMENT DEFENSE

The other day I examined how Abbe Lowell's non-responsive answer to Senate Judiciary Committee concerns about the disclosure of his client Jared Kushner revealed that the Intelligence Committees are conducting thoroughly inadequate investigations. He claimed the disclosures to SJC matched those to the ICs, yet he totally blew off the request for documents "about" people and topics of interest. That means the ICs didn't get Jared's documents pertaining to people and topics of interest – which is a pretty good way of hiding what Jared knew about Russian tampering.

[C]heck out Lowell's more general excuse for not turning over such documents:

With respect to the substance of your letter, let me start with the so-called "Missing Documents." They are not missing at all. As you will note, after I spoke to your staff, I wrote a cover letter with our production. In that letter, I wrote: "We believe that our prior production [to the intelligence committees] contains the most pertinent documents to your inquiry into the June 9, 2016 meeting at Trump Tower, and related matters, and undercut any notion that there was collusion (or even any extensive interaction) between Mr. Kushner and Russia concerning the 2016 election." The documents provided to those committees fully responded to

their requests. That was why we said we would provide those documents to you first to see if anything else was relevant or new, and try to determine whether those documents satisfy your inquiry as well.

This production, which doesn't include any documents *about* designated topics (including the June 9 meeting), satisfied the intelligence committees. That means the intelligence committees could not have asked for "about" documents (which is particularly ironic given that they're both trying to find a way to help NSA turn "about" 702 collection back on). Which in turn means the intelligence committees likely have huge gaps in their understanding of Jared's awareness of the Russian discussions.

And in addition to all his other contemptuous non-answers to Feinstein's letter, Lowell says Jared shouldn't have to sit for an interview with SJC because he already sat for 6 hours with the other committees, the committees that didn't ask for "about" documents and therefore don't have a complete picture of Jared's involvement.

It turns out Adam Schiff now agrees that they didn't have the documents necessary to provide adequate preparation to question Jared.

Rep. Adam Schiff (D., Calif.), the top Democrat on the House Intelligence Committee, said in an interview that Mr. Kushner had been interviewed "prematurely," when the committee was "not ready."

"We didn't have the advantage of documents that we would have wanted to

ask [him] about," he said.

A failure to obtain and review the documents necessary to understand Jared's action seems to be a trend.

Which is why I'm so interested in this comment, from Lowell, about whether Jared – widely reported to have been a key player in convincing Trump to fire Comey –

At the Oval Office meeting on Monday, May 8, Trump described his draft termination letter to top aides who wandered in and out of the room, including then-Chief of Staff Reince Priebus, White House Counsel Donald McGahn and senior adviser Hope Hicks. Pence arrived late, after the meeting had begun. They were also joined by Miller and Trump's son-in-law, Jared Kushner, both of whom had been with Trump over the weekend in Bedminster. Kushner supported the president's decision.

– Seems to have not heard of such thing. (See also this post.)

Mr. Lowell said in an interview, "When the president made the decision to fire FBI Director Comey, Mr. Kushner supported it." A White House attorney added that Mr. Kushner had "no meaningful role" in the decision: "There's no apparent evidence of Jared's involvement in any decision-making process having to do with Mr. Comey's firing."

"No apparent evidence" sounds like the line of a lawyer that's not budging beyond what he has seen in document review. But if he has designed all his document review – even to the point of ignoring the instructions from Congress – to avoid turning over any communications that

reflect Kushner's thinking about events he wasn't personally involved in, then he's not going to have stumbled across the most pertinent documents.

Which is to say, there may well be a good deal of evidence. But it doesn't seem like Lowell's working very hard to find out if there is.

In any case, while you're reading this, about Mueller's interest in Jared's contacts, even beyond those with Russian bankers, this post on Jared's so-called peace plan is on point.