

THE PARALLEL TRACKS OF DISCLOSURE ON WHY MANAFORT SHARED CAMPAIGN POLLING DATA WITH HIS RUSSIAN CO-CONSPIRATOR

There are currently two parallel efforts considering whether to liberate the details of Manafort's sharing of polling data with Konstantin Kilimnik and through him Russia: one led by Bill Barr, who may have incentive to suppress it, and one led by DC prosecutors, who may not.

OLEG DERIPASKA'S CO- COLUMNIST ADMITS OLEG DERIPASKA MAY HAVE FED CHRISTOPHER STEELE DISINFORMATION

If Christopher Steele was relying on Oleg Deripaska for dossier intelligence, it would make the single most credible claim in the dossier all the more interesting.

PRESSURE WORKS: AFTER FOUR DAYS, WILLIAM BARR CAPITULATES AND GIVES AN ESTIMATED PAGE COUNT!!

In which William Barr says the letter that he sent Sunday that “summarize[d] the principal conclusions reached by the Special Counsel and the results of his investigation” was not a summary, and other hackish reversals.

REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENT ELECTION: THE REDACTED MUELLER REPORT

Here’s what the public copy of the redacted Mueller Report currently looks like.

THE GRAND RAPIDS

GERALD FORD TRIBUTE REPORTERS SHOULD VISIT

The Federal Building in Grand Rapids has a sign with Gerald Ford's quote, "Our Constitution works; our great Republic is a government of laws and not of men." That might be a better spot to reflect on our current situation than anything in his museum.

THE ROGER STONE INDICTMENT PROVES BARR'S MEMO UNDERSTATES TRUMP FLUNKIES' COMPLICITY

I've made this point implicitly a few times, but it bears making explicitly. We have proof that Bill Barr's memo spins the known contents of the Mueller Report to minimize the complicity of Trump's flunkies. That's because we can compare what we know about Roger Stone's efforts to optimize the release of the emails Russia stole with the language used in the memo.

As alleged in sworn statements and his indictment, Stone's actions include at least the following:

- Around July 19, 2016: Fresh off dining with some Brexiteers, Stone calls Trump and tells him, "within a couple of days, there would be a massive dump of

emails that would damage Hillary Clinton's campaign," to which Trump responds, "wouldn't that be great."

- After July 22: A senior Trump campaign official "was directed" (the indictment doesn't say by whom) to figure out from Stone what else would be coming
- July 25: Stone emails Jerome Corsi and asks him to "get the pending WikiLeaks emails"
- August 2: Corsi writes back and reflects knowledge that the emails would include Podesta ones and there would be two email drops, one shortly after he returned and one in October
- October 4: After Assange has a press conference but doesn't release any emails, Steve Bannon emails Stone and asks what happened, and Stone replies that WikiLeaks will release "a load every week going forward"
- October 7: As the Podesta emails start to come out right after the Access Hollywood video – timing that Jerome Corsi has claimed Stone helped ensure – a Bannon associate texts Stone and says, "well done"

Now, none of that was itself charged as a crime. Stone was not charged with conspiring with WikiLeaks. But then, short of making an argument that WikiLeaks is a known agent of Russia – which the US government has never done – optimizing the WikiLeaks release is not a crime. But assuming that Corsi is correct that Stone got WikiLeaks to hold the Podesta release to dampen the impact of the Access Hollywood video, it is absolutely coordination. And even according to Stone – who believed Trump needed to avoid alienating women to win – dampening the release of the video influenced the election.

Now consider how this behavior falls into Barr's supposed exoneration of Trump campaign involvement in the hack-and-leak.

First, there's Barr's truncated citation of a Mueller Report sentence. [my emphasis throughout]

As the report states: “[T]he investigation did not establish that **members of the Trump Campaign** conspired or **coordinated** with **the Russian government** in its election interference activities.”

Then a footnote defining what the word “coordinated” means in that sentence.

In assessing potential conspiracy charges, the Special Counsel also considered whether **members of the Trump campaign** “coordinated” with Russian election interference activities. The Special Counsel defined “coordinated” as an “agreement—tacit or express—**between the Trump Campaign and the Russian government** on election interference.”

Finally, there's Barr's own version.

The second element involved the Russian government's efforts to conduct computer hacking operations designed to gather

and disseminate information to influence the election. The Special Counsel found that Russian government actors successfully hacked into computers and obtained emails from persons affiliated with the Clinton campaign and Democratic Party organizations, and publicly disseminated those materials through various intermediaries, **including WikiLeaks**. Based on these activities, the **Special Counsel brought criminal charges** against a number of Russian military officers for conspiring to hack into computers in the United States **for purposes of influencing the election**. But as noted above, the Special Counsel did not find that the Trump campaign, or anyone associated with it, conspired or **coordinated with the Russian government** in these efforts, despite multiple offers from Russian-affiliated individuals to assist the Trump campaign.

The exoneration for coordination in Mueller's language, at least, extends only to the Trump campaign, not to rat-fuckers working on the side (one of the things Mueller reportedly asked a lot of witnesses was precisely when and why Stone left the campaign). And at least according to this language, Mueller's assessment of coordination extended only to coordination with the Russian government. So even if Mueller and the US government are getting close to labeling WikiLeaks a Russian entity, it still wouldn't count for this assessment. Unsurprisingly, Barr relies on that language to give the Trump campaign a clean bill of health on the hack-and-leak side.

Most cynically, though, even after Barr acknowledges that the Russians used WikiLeaks to disseminate the stolen emails, the very next sentence doesn't mention the charges Mueller brought against Stone for hiding his own (and through him, the campaign's, including Donald

Trump's) coordination of the releases "for purposes of influencing the election."

But we know Stone's indictment has to be in the report. That's because the report, by regulation, must list all Mueller's prosecutorial decisions. So not only would Mueller describe *that* he indicted Stone, but he probably also explains why he didn't include a conspiracy charge in Stone's indictment (which probably relates primarily to First Amendment concerns, and not any illusions about WikiLeaks' willing service for Russia on this operation). So it must be in the report. But Barr doesn't mention that, indeed, the Trump campaign, through their associated rat-fucker, did actually coordinate on the hack-and-leak and did actually influence the election by doing so, they just didn't coordinate directly with the Russian government.

On this matter, it's crystal clear that Barr cynically limited his discussion of the report to obscure that Mueller had, indeed, found that the campaign "coordinated" on the hack-and-leak for purposes of influencing the election.

Barr has already demonstrated bad faith in his representation of Mueller's findings. Which is why it is so alarming that – according to an uncharacteristically alarmed Peter Baker – DOJ plans to write a summary of Mueller's report for Congress, not send over a redacted version of it.

Mueller's full report has yet to be released, and it remained unclear if it ever would be. House Democrats have demanded that it be sent to them by next Tuesday, but the Justice Department outlined a longer schedule, saying that it will have its own summary ready to send to lawmakers within weeks, though not months.

Barr has already failed the test of whether he can summarize Mueller's results in good faith.

As I disclosed last July, I provided information to the FBI on issues related to the Mueller investigation, so I'm going to include disclosure statements on Mueller investigation posts from here on out. I will include the disclosure whether or not the stuff I shared with the FBI pertains to the subject of the post.

THREE TIMES WILLIAM BARR SAID TRADING PARDONS FOR FALSE TESTIMONY WAS OBSTRUCTION OF JUSTICE

In the discussion of the Bill Barr memo in the last two days, the discussion of Barr's claimed views on obstruction have mostly focused on the crazier parts of the memo that got him the job, and not even the passage at the bottom of the first page where he claimed to believe that if a President suborned perjury, it'd be a crime for him just as it would be for anyone else.

Obviously, the President and any other official can commit obstruction in this classic sense of sabotaging a proceeding's truth-finding function. Thus, for example, if a President knowingly destroys or alters evidence, suborns perjury, or induces a witness to change testimony, or commits any act deliberately impairing the integrity or availability of evidence, then he, like anyone else, commits the crime of obstruction.

There has been far less attention to what he said in his confirmation hearing (where Lindsey Graham did not put him under oath). There were three substantive exchanges about what might constitute obstruction of justice for a President. And all of them get perilously close to behavior that Barr, now ensconced as Attorney General, claimed Sunday did *not* amount to obstruction of justice.

When Barr answered these questions, he appeared to have little awareness that Trump had floated pardons to – at least – Paul Manafort, Mike Flynn, and Michael Cohen. The first time he got asked about a pardon for false testimony, he stated clearly that would be a crime.

Patrick Leahy, specifically invoking Barr's sanction of the Caspar Weinberger pardon that squelched the Iran-Contra investigation, asked Barr about pardons.

Leahy: Do you believe a president could lawfully issue a pardon in exchange for the recipient's promise to not incriminate him?

Barr: No, that would be a crime.

Then, in this exchange from Amy Klobuchar, it appeared to take Barr several questions before he realized she knew more about the evidence than he did, and started couching his answers.

Klobuchar: You wrote on page one that a President persuading a person to commit perjury would be obstruction. Is that right?

Barr: [Pause] Yes. Any person who persuades another –

Klobuchar: Okay. You also said that a President or any person convincing a witness to change testimony would be obstruction. Is that right?

Barr: Yes.

Klobuchar: And on page two, you said that a President deliberately impairing the integrity or availability of evidence would be an obstruction. Is that correct?

Barr: Yes.

Klobuchar: OK. And so what if a President told a witness not to cooperate with an investigation or hinted at a pardon?

Barr: I'd have to know the specifics facts, I'd have to know the specific facts.

Klobuchar: OK. And you wrote on page one that if a President knowingly destroys or alters evidence, that would be obstruction?

Barr: Yes.

Klobuchar: OK. So what if a President drafted a misleading statement to conceal the purpose of a meeting. Would that be obstruction?

Barr: Again, I'd have to know the specifics.

Shortly after that exchange, Lindsey Graham tried to clarify the issue, asking the pardon question at a more basic level, coaching another not to testify, as Trump has done on Twitter repeatedly.

Lindsey: So if there was some reason to believe that the President tried to coach somebody not to testify or testify falsely, that could be obstruction of justice?

Barr: Yes, under that, under an obstruction statute, yes.

Lindsey: So if there's some evidence that the President tried to conceal evidence? That would be obstruction of

justice, potentially?

Barr: [nods]

Admittedly, by the third exchange, both Lindsey and Barr were hedging far more carefully about the set of facts.

But on three different occasions during his confirmation hearing, Barr made some kind of statement that said floating pardons for false testimony would be a crime.

And then, on Sunday, he said it wasn't a crime.

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ROD ROSENSTEIN DIDN'T EVEN CLEAR TRUMP ON ALL THE TOPICS HE HIRED MUELLER TO INVESTIGATE

In conspiring with Barr to give Trump the all-clear, Rosenstein didn't address a significant part of the job he gave Mueller.

HOW WILLIAM BARR DID OLD MAN BACK-FLIPS TO AVOID ARRESTING DONALD TRUMP

William Barr just did something totally cowardly to avoid fulfilling the promises he made in his confirmation process.

THE MUELLER REPORT, THE SHORT VERSION

Robert Mueller punted to both William Barr and Congress, but it's clear the case against Trump is fairly damning.