

**Previously,  
In the Mueller Report...**



## **Vol I. Part II**

# **Russian “Active Measures” Social Media Campaign**

---

## **Summary**

- **The IRA used social media to attempt to influence U.S. Elections.**
- **The IRA recruited U.S. persons to organize pro-Trump rallies across the U.S.**
- **The Trump campaign engaged with IRA-controlled social media accounts.**

# **VOL I. Part III**

## **Russian Hacking & Dumping Operations**

---

### **Summary**

- **The GRU hacked into email accounts in the Clinton campaign, the DNC, and the DCCC.**
- **The GRU disseminated this data through DCLeaks, Guccifer 2.0, and WikiLeaks.**
- **The Trump campaign displayed an interest in the WikiLeaks releases.**
- **Evidence was sufficient to indict GRU officers for their roles in election-related hacking.**

# **VOL I. Part IV (Section A)**

## **Russian Government Links to & Contacts with The Trump Administration** (Campaign Period)

---

### **Summary**

- **President Trump, assisted by Michael Cohen, pursued the Trump Tower Moscow project, well into the summer of 2016.**
- **George Papadopoulos was told of "dirt" on Hillary Clinton.**
- **Trump Campaign representatives met with a Russian attorney in Trump Tower for information on Hillary Clinton.**
- **Paul Manafort, who had extensive previous ties to the Ukraine and Russia, was hired as Trump campaign chairman.**

## **VOL I. Part IV (Section B)**

### **Post-Election and Transition-Period Contacts**

---

#### **Summary**

- **As soon as news broke that Trump had been elected President, Russian government officials and prominent Russian businessmen began trying to make inroads with the administration.**
- **Putin used members of the "oligarchs," a group of wealthy Russian businessmen, to try to set up a back channel between Russia and the Trump administration.**
- **Michael Flynn and Ambassador Kislyak negotiated that Russia would not retaliate against sanctions placed by the Obama administration.**

# **VOL I. Part V**

## **Prosecution and Declination Decisions**

---

### **Summary**

- **On February 16, 2018, a federal grand jury in the District of Columbia returned an indictment charging 13 Russian nationals and three Russian entities.**
- **The Office did not charge any individual associated with the Trump Campaign with conspiracy to commit a federal offense arising from Russia contacts.**
- **The Office determined that certain individuals associated with the Campaign lied to investigators about Campaign contacts with Russia and took other actions to interfere with the investigation.**

# **Redactions Defined...**

## **Harm to Ongoing Matter (HOM)**

Information that pertains to ongoing investigations stemming from special counsel's original probe.

## **Investigative Techniques**

Information that would disclose secret intelligence sources and methods.

## **Personal Privacy**

Information that could be damning to “peripheral third parties” - specifically unindicted individuals.

## **Grand Jury**

Material collected in grand jury interviews with witnesses. Used to protect secrecy of federal investigations and people under investigation not charged with a crime.



MUELLER  
LIVE!

*part*  
**4 / 6**

TONIGHT! VOLUME II

Introduction

Executive Summary

**PART I**

Background Legal and Evidentiary Principles

**PART II**

Sections A, B, & C

# MUELLER LIVE!

*part*  
**4 / 6**

## TONIGHT'S READERS

**DAVID HIGGINS (host)**

**SARAH CLOUGH**

**A. WHITNEY BROWN**

**LAUREN HOUGH**

**CHAD NICHOLS**

**JENNYMARIE JEMISON**

**JASON ROMERO**

# VOL. II INTRODUCTION



# Considerations That Guided the Investigation

---

## First

The Special Counsel determined to NOT make a traditional prosecutorial judgment, due to the OLC's opinion that:

*"[T]he indictment or criminal prosecution of a sitting President would impermissibly undermine the capacity of the executive branch to perform its constitutionally assigned functions" in violation of "the constitutional separation of powers."*

# Considerations That Guided the Investigation

---

## **Second**

Though a sitting president may not be prosecuted, the OLC opinion also recognizes:

- A criminal investigation is permissible.
- A president does NOT have immunity after he leaves office.
- Individuals other than the president may be prosecuted at this time if they have committed an offense.

# Considerations That Guided the Investigation

---

## Third

The Special Counsel determined NOT to apply an investigative approach that could potentially result in a judgment that the President committed crimes, because:

- No charges could be brought against the President (due to the OLC opinion)
- Therefore, the President would have no opportunity for “public name-clearing” before an impartial adjudicator.
- It would be very difficult to preserve a sealed indictment’s secrecy until the end of the term.
- Therefore, it could “imperil the President’s ability to govern.”

# Considerations That Guided the Investigation

---

## Fourth

"[I]f we had confidence after a thorough investigation of the facts that the President clearly did not commit obstruction of justice, **we would so state**. Based on the facts and the applicable legal standards, however, we are unable to reach that judgment. The evidence we obtained about the President's actions and intent presents difficult issues that prevent us from conclusively determining that no criminal conduct occurred. Accordingly, while this report does not conclude that the President committed a crime, **it also does not exonerate him.**" (Emphasis added.)

VOL. II  
**EXECUTIVE SUMMARY**



# **FACTUAL RESULTS OF THE OBSTRUCTION INVESTIGATION**

#### EXECUTIVE SUMMARY TO VOLUME II

Our obstruction-of-justice inquiry focused on a series of actions by the President that related to the Russian-interference investigations, including the President's conduct towards the law enforcement officials overseeing the investigations and the witnesses to relevant events.

#### FACTUAL RESULTS OF THE OBSTRUCTION INVESTIGATION

The key issues and events we examined include the following:

***The Campaign's response to reports about Russian support for Trump.*** During the 2016 presidential campaign, questions arose about the Russian government's apparent support for candidate Trump. After WikiLeaks released politically damaging Democratic Party emails that were reported to have been hacked by Russia, Trump publicly expressed skepticism that Russia was responsible for the hacks at the same time that he and other Campaign officials privately sought information **Harm to Ongoing Matter** about any further planned WikiLeaks releases. Trump also denied having any business or connections to Russia, even though as late as June 2016 the Trump Organization had been pursuing a licensing deal for a skyscraper to be built in Russia called Trump Tower Moscow. After the election, the President expressed concerns to advisors that reports of Russia's election interference might lead the public to question the legitimacy of his election.

***Conduct involving FBI Director Comey and Michael Flynn.*** In mid-January 2017, incoming National Security Advisor Michael Flynn falsely denied to the Vice President, other administration officials, and FBI agents that he had talked to Russian Ambassador Sergey Kislyak about Russia's response to U.S. sanctions on Russia for its election interference. On January 27, the day after the President was told that Flynn had lied to the Vice President and had made similar statements to the FBI, the President invited FBI Director Comey to a private dinner at the White House and told Comey that he needed loyalty. On February 14, the day after the President requested Flynn's resignation, the President told an outside advisor, "Now that we fired Flynn, the Russia thing is over." The advisor disagreed and said the investigations would continue.

Later that afternoon, the President cleared the Oval Office to have a one-on-one meeting with Comey. Referring to the FBI's investigation of Flynn, the President said, "I hope you can see your way clear to letting this go, to letting Flynn go. He is a good guy. I hope you can let this go." Shortly after requesting Flynn's resignation and speaking privately to Comey, the President sought to have Deputy National Security Advisor K.T. McFarland draft an internal letter stating that the President had not directed Flynn to discuss sanctions with Kislyak. McFarland declined because she did not know whether that was true, and a White House Counsel's Office attorney thought that the request would look like a quid pro quo for an ambassadorship she had been offered.

***The President's reaction to the continuing Russia investigation.*** In February 2017, Attorney General Jeff Sessions began to assess whether he had to recuse himself from campaign-related investigations because of his role in the Trump Campaign. In early March, the President told White House Counsel Donald McGahn to stop Sessions from recusing. And after Sessions announced his recusal on March 2, the President expressed anger at the decision and told advisors that he should have an Attorney General who would protect him. That weekend, the President took Sessions aside at an event and urged him to "unrecuse." Later in March, Comey publicly

# Key Issues & Events Examined in the Investigation

---

- The Campaign's response to reports about Russian support for Trump
- Conduct involving FBI Director Comey and Michael Flynn
- The President's reaction to the continuing Russia investigation
- The President's termination of Comey
- The appointment of a Special Counsel and efforts to remove him
- Efforts to curtail the Special Counsel's investigation
- Efforts to prevent public disclosure of evidence
- Further efforts to have the Attorney General take control of the investigation
- Efforts to have McGahn deny that the President had ordered him to have the Special Counsel removed
- Conduct towards Flynn, Manafort, *harm to ongoing matter*
- Conduct involving Michael Cohen

have the Special Counsel removed in June 2017 and that McGahn had threatened to resign rather than carry out the order. The President reacted to the news stories by directing White House officials to tell McGahn to dispute the story and create a record stating he had not been ordered to have the Special Counsel removed. McGahn told those officials that the media reports were accurate in stating that the President had directed McGahn to have the Special Counsel removed. The President then met with McGahn in the Oval Office and again pressured him to deny the reports. In the same meeting, the President also asked McGahn why he had told the Special Counsel about the President's effort to remove the Special Counsel and why McGahn took notes of his conversations with the President. McGahn refused to back away from what he remembered happening and perceived the President to be testing his mettle.

*Conduct towards Flynn, Manafort, HOM* After Flynn withdrew from a joint defense agreement with the President and began cooperating with the government, the President's personal counsel left a message for Flynn's attorneys reminding them of the President's warm feelings towards Flynn, which he said "still remains," and asking for a "heads up" if Flynn knew "information that implicates the President." When Flynn's counsel reiterated that Flynn could no longer share information pursuant to a joint defense agreement, the President's personal counsel said he would make sure that the President knew that Flynn's actions reflected "hostility" towards the President. During Manafort's prosecution and when the jury in his criminal trial was deliberating, the President praised Manafort in public, said that Manafort was being treated unfairly, and declined to rule out a pardon. After Manafort was convicted, the President called Manafort "a brave man" for refusing to "break" and said that "flipping" "almost ought to be outlawed." Harm to Ongoing Matter [REDACTED]

*Conduct involving Michael Cohen.* The President's conduct towards Michael Cohen, a former Trump Organization executive, changed from praise for Cohen when he falsely minimized the President's involvement in the Trump Tower Moscow project, to castigation of Cohen when he became a cooperating witness. From September 2015 to June 2016, Cohen had pursued the Trump Tower Moscow project on behalf of the Trump Organization and had briefed candidate Trump on the project numerous times, including discussing whether Trump should travel to Russia to advance the deal. In 2017, Cohen provided false testimony to Congress about the project, including stating that he had only briefed Trump on the project three times and never discussed travel to Russia with him, in an effort to adhere to a "party line" that Cohen said was developed to minimize the President's connections to Russia. While preparing for his congressional testimony, Cohen had extensive discussions with the President's personal counsel, who, according to Cohen, said that Cohen should "stay on message" and not contradict the President. After the FBI searched Cohen's home and office in April 2018, the President publicly asserted that Cohen would not "flip," contacted him directly to tell him to "stay strong," and privately passed messages of support to him. Cohen also discussed pardons with the President's personal counsel and believed that if he stayed on message he would be taken care of. But after Cohen began cooperating with the government in the summer of 2018, the President publicly criticized him, called him a "rat," and suggested that his family members had committed crimes.



Donald J. Trump



Michael Flynn



K.T.  
McFarland



Jeff Sessions



Corey  
Lewandowski



Michael Cohen



Donald  
Trump Jr.

# **Statutory and Constitutional Defenses**

---

**“We concluded that none of those legal defenses provided a basis for declining to investigate the facts.”**

## **Statutory Defenses:**

- 18 U.S.C. §§ 1503, 1505, 1512(b)(3), 1512(c)(2)

## **Constitutional Defenses:**

“The separation-of-powers doctrine authorizes Congress to protect official proceedings, including those of courts and grand juries, from corrupt, obstructive acts regardless of their source.”

## CONCLUSION

Because we determined not to make a traditional prosecutorial judgment, we did not draw ultimate conclusions about the President's conduct. The evidence we obtained about the President's actions and intent presents difficult issues that would need to be resolved if we were making a traditional prosecutorial judgment. At the same time, if we had confidence after a thorough investigation of the facts that the President clearly did not commit obstruction of justice, we would so state. Based on the facts and the applicable legal standards, we are unable to reach that judgment. Accordingly, while this report does not conclude that the President committed a crime, it also does not exonerate him.

# PART I

## BACKGROUND LEGAL AND EVIDENTIARY PRINCIPLES



# 3 Elements Common to Obstruction Statutes

---

## An Obstructive Act

*“Reaches all corrupt conduct capable of producing an effect that prevents justice from being duly administered, regardless of the means employed.”*

# 3 Elements Common to Obstruction Statutes

---

## Nexus to a Pending or Contemplated Official Proceeding

i.e., some connection to an official proceeding.

The government must demonstrate “a relationship in time, causation, or logic” between the obstructive act and the proceeding or inquiry to be obstructed.

# 3 Elements Common to Obstruction Statutes

---

## Corrupt Intent

Acting “knowingly and dishonestly” or “with an improper motive.”

# **Additional Statute Considered**

---

## **Witness Tampering**

To “knowingly use intimidation … or corruptly persuade another person,” with the intent to “influence, delay, or prevent the testimony of any person in an official proceeding.”

# Investigative and Evidentiary Considerations

---

Events relating to potential issues of Obstruction of Justice:

- January 27, 2017 dinner w/ James Comey where President asked for his “loyalty.”
- February 14, 2017 meeting w/ James Comey where President asked him to not pursue investigation of Michael Flynn.
- The President’s private request to Comey to state publicly he was not the subject of an FBI investigation.
- The President’s outreach to directors of security agencies about the FBI Russia investigation.
- The President’s stated rationale for firing James Comey.
- The President’s involvement in the statement about the Trump Tower Meeting that omitted the offer of “dirt” about HRC.

voluntary basis when possible, and used legal process where appropriate. These investigative steps allowed us to gather a substantial amount of evidence.

We also sought a voluntary interview with the President. After more than a year of discussion, the President declined to be interviewed. [Grand Jury  
[REDACTED]

During the course of our discussions, the President did agree to answer written questions on certain Russia-related topics, and he provided us with answers. He did not similarly agree to provide written answers to questions on obstruction topics or questions on events during the transition. Ultimately, while we believed that we had the authority and legal justification to issue a grand jury subpoena to obtain the President's testimony, we chose not to do so. We made that decision in view of the substantial delay that such an investigative step would likely produce at a late stage in our investigation. We also assessed that based on the significant body of evidence we had already obtained of the President's actions and his public and private statements describing or explaining those actions, we had sufficient evidence to understand relevant events and to make certain assessments without the President's testimony. The Office's decision-making process on this issue is described in more detail in Appendix C, *infra*, in a note that precedes the President's written responses.

In assessing the evidence we obtained, we relied on common principles that apply in any investigation. The issue of criminal intent is often inferred from circumstantial evidence. *See, e.g., United States v. Croteau*, 819 F.3d 1293, 1305 (11th Cir. 2016) ("[G]uilty knowledge can rarely be established by direct evidence. . . . Therefore, mens rea elements such as knowledge or intent may be proved by circumstantial evidence.") (internal quotation marks omitted); *United States v. Robinson*, 702 F.3d 22, 36 (2d Cir. 2012) ("The government's case rested on circumstantial evidence, but the *mens rea* elements of knowledge and intent can often be proved through circumstantial evidence and the reasonable inferences drawn therefrom.") (internal quotation marks omitted). The principle that intent can be inferred from circumstantial evidence is a necessity in criminal cases, given the right of a subject to assert his privilege against compelled self-incrimination under the Fifth Amendment and therefore decline to testify. Accordingly, determinations on intent are frequently reached without the opportunity to interview an investigatory subject.

Obstruction-of-justice cases are consistent with this rule. *See, e.g., Edlind*, 887 F.3d at 174, 176 (relying on "significant circumstantial evidence that [the defendant] was conscious of her wrongdoing" in an obstruction case; "[b]ecause evidence of intent will almost always be circumstantial, a defendant may be found culpable where the reasonable and foreseeable consequences of her acts are the obstruction of justice") (internal quotation marks, ellipses, and punctuation omitted); *Quattrone*, 441 F.3d at 173-174. Circumstantial evidence that illuminates intent may include a pattern of potentially obstructive acts. Fed. R. Evid. 404(b) ("Evidence of a crime, wrong, or other act . . . may be admissible . . . [t]o prov[e] motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident."); *see, e.g., United States v. Frankhauser*, 80 F.3d 641, 648-650 (1st Cir. 1996); *United States v. Arnold*, 773 F.2d 823, 832-834 (7th Cir. 1985); *Cintolo*, 818 F.2d at 1000.

Credibility judgments may also be made based on objective facts and circumstantial evidence. Standard jury instructions highlight a variety of factors that are often relevant in

PART II

# FACTUAL RESULTS OF THE OBSTRUCTION INVESTIGATION



# Section A

## The Campaign's Response to Reports About Russian Support for Trump

### Key Events:

- **July 22, 2016:** WikiLeaks posts thousands of hacked DNC documents the day before the convention. The Trump Campaign is enthusiastic.
- **July 27, 2016:** Trump says, "Russia , if you're listening , I hope you're able to find the 30,000 emails that are missing."
- **October 7, 2016:** WikiLeaks releases first set of emails stolen from Clinton Campaign chairman John Podesta.
- **December 29, 2016:** The Obama Administration announces sanctions in response to Russian cyber operations aimed at the U.S. election.

## II. FACTUAL RESULTS OF THE OBSTRUCTION INVESTIGATION

This section of the report details the evidence we obtained. We first provide an overview of how Russia became an issue in the 2016 presidential campaign, and how candidate Trump responded. We then turn to the key events that we investigated: the President's conduct concerning the FBI investigation of Michael Flynn; the President's reaction to public confirmation of the FBI's Russia investigation; events leading up to and surrounding the termination of FBI Director Comey; efforts to terminate the Special Counsel; efforts to curtail the scope of the Special Counsel's investigation; efforts to prevent disclosure of information about the June 9, 2016 Trump Tower meeting between Russians and senior campaign officials; efforts to have the Attorney General unrecuse; and conduct towards McGahn, Cohen, and other witnesses.

We summarize the evidence we found and then analyze it by reference to the three statutory obstruction-of-justice elements: obstructive act, nexus to a proceeding, and intent. We focus on elements because, by regulation, the Special Counsel has "jurisdiction . . . to investigate . . . federal crimes committed in the course of, and with intent to interfere with, the Special Counsel's investigation, such as perjury, obstruction of justice, destruction of evidence, and intimidation of witnesses." 28 C.F.R. § 600.4(a). Consistent with our jurisdiction to investigate federal obstruction crimes, we gathered evidence that is relevant to the elements of those crimes and analyzed them within an elements framework—while refraining from reaching ultimate conclusions about whether crimes were committed, for the reasons explained above. This section also does not address legal and constitutional defenses raised by counsel for the President; those defenses are analyzed in Volume II, Section III, *infra*.

### A. The Campaign's Response to Reports About Russian Support for Trump

During the 2016 campaign, the media raised questions about a possible connection between the Trump Campaign and Russia.<sup>7</sup> The questions intensified after WikiLeaks released politically damaging Democratic Party emails that were reported to have been hacked by Russia. Trump responded to questions about possible connections to Russia by denying any business involvement in Russia—even though the Trump Organization had pursued a business project in Russia as late as June 2016. Trump also expressed skepticism that Russia had hacked the emails at the same time as he and other Campaign advisors privately sought information HOM about any further planned WikiLeaks releases. After the election, when questions persisted about possible links between Russia and the Trump Campaign, the President-Elect continued to deny any connections to Russia and privately expressed concerns that reports of Russian election interference might lead the public to question the legitimacy of his election.<sup>8</sup>

---

<sup>7</sup> This section summarizes and cites various news stories not for the truth of the information contained in the stories, but rather to place candidate Trump's response to those stories in context. Volume I of this report analyzes the underlying facts of several relevant events that were reported on by the media during the campaign.

<sup>8</sup> As discussed in Volume I, while the investigation identified numerous links between individuals with ties to the Russian government and individuals associated with the Trump Campaign, the evidence was not sufficient to charge that any member of the Trump Campaign conspired or coordinated with representatives of the Russian government to interfere in the 2016 election.

National Convention about the Trump Campaign's involvement in changing the Republican platform's stance on giving "weapons to Ukraine to fight Russian and rebel forces."<sup>18</sup>

## 2. The Trump Campaign Reacts to WikiLeaks's Release of Hacked Emails

On June 14, 2016, a cybersecurity firm that had conducted in-house analysis for the Democratic National Committee (DNC) posted an announcement that Russian government hackers had infiltrated the DNC's computer and obtained access to documents.<sup>19</sup>

On July 22, 2016, the day before the Democratic National Convention, WikiLeaks posted thousands of hacked DNC documents revealing sensitive internal deliberations.<sup>20</sup> Soon thereafter, Hillary Clinton's campaign manager publicly contended that Russia had hacked the DNC emails and arranged their release in order to help candidate Trump.<sup>21</sup> On July 26, 2016, the New York Times reported that U.S. "intelligence agencies ha[d] told the White House they now have 'high confidence' that the Russian government was behind the theft of emails and documents from the Democratic National Committee."<sup>22</sup>

Within the Trump Campaign, aides reacted with enthusiasm to reports of the hacks.<sup>23</sup> Harm to Ongoing Matter discussed with Campaign officials that WikiLeaks would release the hacked material.<sup>24</sup> Some witnesses said that Trump himself discussed the possibility of upcoming releases HOM. Michael Cohen, then-executive vice president of the Trump Organization and special counsel to Trump, recalled hearing Harm to Ongoing Matter.<sup>25</sup> Cohen recalled that Trump responded, "oh good, alright,"

<sup>18</sup> Josh Rogin, *Trump campaign guts GOP's anti-Russia stance on Ukraine*, Washington Post, Opinions (July 18, 2016). The Republican Platform events are described in Volume I, Section IV.A.6, *supra*.

<sup>19</sup> Bears in the Midst: Intrusion into the Democratic National Committee, CrowdStrike (June 15, 2016) (post originally appearing on June 14, 2016, according to records of the timing provided by CrowdStrike); Ellen Nakashima, *Russian government hackers penetrated DNC, stole opposition research on Trump*, Washington Post (June 14, 2016).

<sup>20</sup> Tom Hamburger and Karen Tumulty, *WikiLeaks releases thousands of documents about Clinton and internal deliberations*, Washington Post (July 22, 2016).

<sup>21</sup> Amber Phillips, *Clinton campaign manager: Russians leaked Democrats' emails to help Donald Trump*, Washington Post (July 24, 2016).

<sup>22</sup> David E. Sanger and Eric Schmitt, *Spy Agency Consensus Grows That Russia Hacked D.N.C.*, New York Times (July 26, 2016).

<sup>23</sup> Gates 4/10/18 302, at 5; Newman 8/23/18 302, at 1.

<sup>24</sup> Gates 4/11/18 302, at 2-3 (SM-2180998); Gates 10/25/18 302, at 2; see also Volume I, Section III.D.1, *supra*.

<sup>25</sup> Cohen 8/7/18 302, at 8; see also Volume I, Section III.D.1, *supra*. According to Cohen, after WikiLeaks's subsequent release of stolen DNC emails on July 22, 2016, Trump said to Cohen words to the effect of, HOM Cohen 9/18/18 302, at 10. Cohen's role in the candidate's and later

and Harm to Ongoing Matter.<sup>26</sup> Manafort said that shortly after WikiLeaks's July 22, 2016 release of hacked documents, he spoke to Trump Harm to Ongoing Matter; Manafort recalled that Trump responded that Manafort should HOM keep Trump updated.<sup>27</sup> Deputy campaign manager Rick Gates said that Manafort was getting pressure about HOM information and that Manafort instructed Gates HOM status updates on upcoming releases.<sup>28</sup> Around the same time, Gates was with Trump on a trip to an airport HOM, and shortly after the call ended, Trump told Gates that more releases of damaging information would be coming.<sup>29</sup> Harm to Ongoing Matter were discussed within the Campaign,<sup>30</sup> and in the summer of 2016, the Campaign was planning a communications strategy based on the possible release of Clinton emails by WikiLeaks.<sup>31</sup>

## 3. The Trump Campaign Reacts to Allegations That Russia was Seeking to Aid Candidate Trump

In the days that followed WikiLeaks's July 22, 2016 release of hacked DNC emails, the Trump Campaign publicly rejected suggestions that Russia was seeking to aid candidate Trump. On July 26, 2016, Trump tweeted that it was "[c]razy" to suggest that Russia was "dealing with Trump"<sup>32</sup> and that "[f]or the record," he had "ZERO investments in Russia."<sup>33</sup>

In a press conference the next day, July 27, 2016, Trump characterized "this whole thing with Russia" as "a total defection" and stated that it was "farfetched" and "ridiculous."<sup>34</sup> Trump said that the assertion that Russia had hacked the emails was unproven, but stated that it would give him "no pause" if Russia had Clinton's emails.<sup>35</sup> Trump added, "Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing. I think you will probably be rewarded

President's activities, and his own criminal conduct, is described in Volume II, Section II.K, *infra*, and in Volume I, Section IV.A.1, *supra*.

<sup>26</sup> Cohen 8/7/18 302, at 8.

<sup>27</sup> Grand Jury. As explained in footnote 197 of Volume I, Section III.D.1.b, *supra*, this Office has included Manafort's account of these events because it aligns with those of other witnesses and is corroborated to that extent.

<sup>28</sup> Gates 10/25/18 302, at 4.

<sup>29</sup> Gates 10/25/18 302, at 4.

<sup>30</sup> Bannon 1/19/18 302, at 3.

<sup>31</sup> Gates 4/11/18 302, at 1-2 (SM-2180998); Gates 10/25/18 302, at 2 (messaging strategy was being formed in June/July timeframe based on claims by Assange on June 12, 2016, Harm to Ongoing Matter).

<sup>32</sup> @realDonaldTrump 7/26/16 (6:47 p.m. ET) Tweet.

<sup>33</sup> @realDonaldTrump 7/26/16 (6:50 p.m. ET) Tweet.

<sup>34</sup> Donald Trump News Conference, Doral, Florida, C-SPAN (July 27, 2016).

<sup>35</sup> Donald Trump News Conference, Doral, Florida, C-SPAN (July 27, 2016).

## Section B

### The President's Conduct Concerning the Investigation of Michael Flynn

---

#### Key Events:

- **January 12, 2017:** The Washington Post reports that Flynn and Kislyak communicated on the day the Obama Administration announced the Russia sanctions.
- **January 26, 2017:** Acting Attorney General Sally Yates informs White House Counsel Donald McGahn that the public statements made by the Vice President denying that Flynn and Kislyak discussed sanctions were not true.
- **January 27, 2017:** President Trump tells Comey, "I need loyalty, I expect loyalty."

## Section B

### The President's Conduct Concerning the Investigation of Michael Flynn

---

#### Key Events (cont):

- **February 9, 2017:** The Washington Post reports that Flynn discussed sanctions with Kislyak the month before the President took office.
- **February 12, 2017:** Flynn tells President Trump he may have forgotten details, but did not lie to the Vice President.
- **February 13, 2017:** Priebus tells Flynn he has to resign.
- **February 14, 2017:** The President tells Comey, "I hope you can see your way clear to letting this go, to letting Flynn go."



**James Comey**  
Director of FBI  
(2013-2017)



**Michael Flynn**  
National Security Advisor  
(Jan. 23, 2017 - Feb. 13, 2017)



**Reince Priebus**  
White House Chief of Staff  
(Jan. 20, 2017 - July 31, 2017)



**Sergey Kislyak**  
Russian Ambassador to the United States (2008 - 2017)



**K.T. McFarland**  
Deputy National Security Advisor  
(May 2017- Feb. 2018)



**Donald McGahn**  
White House Counsel for U.S. President Trump (2017-2018)

# THE LOGAN ACT

---

18 U.S.C § 953

A United States federal law that criminalizes negotiation by unauthorized persons with foreign governments having a dispute with the United States.

The intent behind the Act is to prevent unauthorized negotiations from undermining the government's position.

# **18 U.S.C. § 1001**

---

## **Making False Statements**

Prohibits knowingly and willfully making false or fraudulent statements, or concealing information, in "any matter within the jurisdiction" of the federal government of the United States, even by merely denying guilt when asked by a federal agent.

## Section C

### The President's Reaction to Public Confirmation of the FBI's Russia Investigation

#### Key Events:

- **March 2, 2017:** Sessions recuses himself from the investigation.
- **March 9, 2017:** Comey briefing attendee notes, "Need binders to put in front of POTUS. (1) All things related to Russia."
- **March 20, 2017:** Comey publicly discloses the existence of the FBI's Russia investigation, but does not explicitly state that the president is not under investigation.
- **March 30 and April 11:** Against the advice of White House advisors, the President personally reaches out to Comey asking him to "lift the cloud" of the Russia investigation.



**Jeff Sessions**  
Attorney General of the U.S.  
(2017 - 2018)



**Donald McGahn**  
White House Counsel for U.S. President  
Trump (2017-2018)



**James Comey**  
Director of FBI (2013-2017)



**Dana Boente**  
Acting Attorney General for Russia  
investigation (2017)



**Mike Pompeo**  
Director of CIA (2017-2018)

**END OF TONIGHT'S READING!**

**NEXT TIME...**

**Sunday, August 4th 5:30pm - 9pm**

**VOL. II**

--

**Part II  
Sections D - J**

--