

CREW | citizens for responsibility and ethics in washington

September 26, 2019

By Email

Kerri Kupec
Director, Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Re: Request for Expedition of Freedom of Information Act Request

Dear Ms. Kupec;

Pursuant to Department of Justice (“DOJ”) regulations, 28 C.F.R. § 16.5(e)(2), Citizens for Responsibility and Ethics in Washington (“CREW”) requests that you authorize the expedition of a Freedom of Information Act (“FOIA”) request CREW made today to the Office of Information Policy. I have enclosed a copy of this request.

The FOIA request seeks three categories of documents. First, CREW has requested all communications between Attorney General William Barr, or anyone acting on behalf of Attorney General Barr, and Rudolph (“Rudy”) Giuliani, or anyone acting on Mr. Giuliani’s behalf, from February 14, 2019, to the present. Second, CREW has requested all communications between Attorney General William Barr, or anyone acting on behalf of Attorney General Barr, and Ukrainian President Volodymyr Zelensky, or anyone acting on President Zelensky’s behalf, from April 21, 2019, to the present. And third, CREW has requested all communications between DOJ and Ukrainian President Volodymyr Zelensky, or anyone acting on President Zelensky’s behalf, from April 21, 2019, to the present.

CREW seeks expedition because the subject matter of the request is of widespread and exceptional media interest and the requested information involves possible questions about the government’s integrity, which clearly affect public confidence. The nation has been rocked by revelations that President Trump in at least one phone call with the newly elected president of Ukraine pressured the Ukrainian government to investigate Hunter Biden, the son of one of his political rivals. Yesterday, the White House released what it said was a transcript of a July 25, 2019 telephone conversation between Presidents Trump and Zelensky. At several points during that conversation President Trump noted he was going to ask Attorney General Barr to call President Zelensky as part of President Trump’s request that the Ukraine government open an investigation into former Vice President Joe Biden and Mr. Biden’s son.¹ This follows reporting in May that President Trump wanted Attorney General Barr “to look into the material gathered by the Ukrainian prosecutors,” referring to Hunter Biden’s involvement in a Ukrainian owned

¹ See, e.g., Rebecca Ballhaus and Sadie Gurman, Rough Transcript Shows Trump Pressed Ukraine to Look Into Joe Biden’s Son, *Wall Street Journal*, Sept. 25, 2019, available at https://www.wsj.com/articles/white-house-to-release-transcript-of-trumps-ukraine-call-as-impeachment-efforts-begin-11569403803?mod=article_inline.

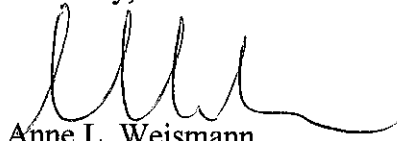
gas company.² Earlier today, the House Intelligence Committee released an unclassified version of a complaint filed with the Inspector General of the Intelligence Community in August 2019 that regarding concerns that President Trump was using the power of his office to encourage a foreign country to interfere in the 2020 election. The whistleblower complaint, which extensively discussed the July 25 phone call between Presidents Trump and Zelensky, raised concerns that “Attorney General Barr appears to be involved as well.”³

The public has a strong interest in learning about the extent to which the Attorney General has been involved with and/or acted at the request of President Trump in the President’s effort to use the power of his office to pressure Ukraine into digging up or fabricating negative information on a political rival. Attorney General Barr and DOJ have come under heightened public scrutiny given their role in preventing the Acting Director of the ODNI from disclosing to Congress a complaint from the whistleblower related to these events as well as the analysis of that complaint by the Inspector General of the Intelligence Community. CREW’s request will ensure the public’s right to this information is fully realized by the American public.

CREW’s primary purpose is to inform and educate the public about the activities of government officials and those who influence public officials. Toward that end, CREW uses statutes like the FOIA to gather information the public needs to hold public officials accountable. The requests for which CREW seeks expedition will further those goals.

I certify the following is true and correct.

Sincerely,



Anne L. Weismann
Chief FOIA Counsel

Encl.

² Kenneth P. Vogel, Rudy Giuliani Cancels His Trip to Ukraine, Blaming Democrats’ ‘Spin’, *New York Times*, May 11, 2019, available at <https://www.nytimes.com/2019/05/11/us/politics/rudy-giuliani-ukraine.html>.

³ See, e.g., Sam Brodey and Allison Quinn, Bombshell Whistleblower Complaint Released: White House Covered Up Trump’s Ukraine Call, *The Daily Beast*, Sept. 26, 2019, available at <https://www.thedailybeast.com/trump-impeachment-redacted-whistleblower-complaint-at-center-of-inquiry-is-released>.