

February 10, 2020

**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 two categories of documents. First, CREW has requested all communications between Attorney General William Barr and Sen. Lindsey Graham (R-SC), from September 1, 2019 to the date the search is conducted, related to or mentioning Ukraine, Hunter Biden, Joe Biden, Rudy Giuliani, and/or Burisma. Second, CREW has requested all records related to the creation and execution of any “process” through which the Department of Justice accepts, assesses, and/or verifies information provided by Mr. Giuliani, or anyone acting on his behalf, including but not limited to any information related to Ukraine, Hunter Biden, Joe Biden, and/or Burisma; any assessment of that information by the Department of Justice; and any related communications with Mr. Giuliani or anyone acting on his behalf.

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. Efforts by Mr. Giuliani, who serves as a private attorney to President Donald Trump, to dig up and distribute questionable information from Ukraine about former Vice President Joe Biden, and his son, Hunter, were a significant factor in the impeachment of President Trump, which centered on President Trump’s efforts to solicit the government of Ukraine “to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States presidential election to his advantage.”<sup>1</sup> Sen. Graham said recently on a television news show that the “Department of Justice is receiving information coming out of Ukraine” from Mr. Giuliani and that Attorney General Barr had informed him that told that the Justice Department had “created a process that Rudy could give information and they would see if it’s

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<sup>1</sup> House Resolution 755, 116<sup>th</sup> Congress, First Session, Articles of Impeachment Against Donald John Trump, December 18, 2019, available at <https://bit.ly/2UFjVbH>; U.S. House of Representatives Permanent Select Committee on Intelligence, The Trump-Ukraine Impeachment Inquiry Report, December 2019, available at <https://bit.ly/2UzmUSX>.

verified.”<sup>2</sup> Attorney General Barr subsequently acknowledged that the Justice Department had set up an “intake process” to receive information from Ukraine, including from Mr. Giuliani.<sup>3</sup> “We had established an intake process in the field so that any information coming in about Ukraine could be carefully scrutinized by the department and its intelligence community partners, so that we could assess its provenance and its credibility,” Attorney General Barr said. “And that is true for all information that comes to the department relating to the Ukraine, including anything Mr. Giuliani might provide.”<sup>4</sup>

The Justice Department has previously sought to distance itself and Attorney General Barr from Mr. Giuliani’s efforts in Ukraine on behalf of President Trump, distributing a statement in July 2019 that Attorney General Barr had not “discussed this matter, or anything relating to Ukraine, with Rudy Giuliani.”<sup>5</sup> After associates of Mr. Giuliani were indicted by the U.S. Attorney’s office in the Southern District of New York and it was revealed that senior Justice Department officials had recently met with Mr. Giuliani on a separate matter, a spokesperson said the lawyers would not have met with Mr. Giuliani “had they known” about the investigation into his associates.<sup>6</sup> According to news reports, the Southern District of New York is also investigating Mr. Giuliani himself, including for whether his Ukraine dealings ran afoul of lobbying laws.<sup>7</sup>

The public has a strong interest in learning about the Justice Department’s handling of high-profile but questionable information from the president’s personal attorney that relates to one of the president’s political rivals, involves allegations that were a significant factor in the House’s impeachment of the president, and may become a further point of contention in the 2020 election. The records are also important for the public’s understanding of how the Justice Department and Attorney General Barr interact with individuals who are reportedly under investigation by the Department and whom the Department has publicly sought to distance itself from. 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.

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<sup>2</sup> Transcript: Lindsey Graham on “Face the Nation,” February 9, 2020, *CBS News*, February 9, 2020, available at <https://cbsn.ws/2OExjsA>.

<sup>3</sup> Michael Balsamo, Barr: Justice has process to take Ukraine info from Giuliani, *Associated Press*, February 10, 2020, available at <https://wapo.st/39p1ZpQ>.

<sup>4</sup> *Id.*

<sup>5</sup> Sean Collins, 5 questions Attorney General William Barr should answer about Trump’s call with President Volodymyr Zelensky, *Vox*, September 25, 2019, available at <https://bit.ly/31HSE9P>.

<sup>6</sup> Katie Benner, Justice Department Distances Itself From Giuliani, *New York Times*, October 20, 2019, available at <https://nyti.ms/2OITRZr>.

<sup>7</sup> Michael S. Schmidt, Ben Protess, Kenneth P. Vogel, and William K. Rashbaum, Giuliani Is Said to Be Under Investigation for Ukraine Work, *New York Times*, October 11, 2019, available at <https://nyti.ms/31HFXM6>.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matthew Corley', with a stylized, flowing script.

Matthew Corley  
Chief Investigator

Encl.