

February 10, 2020

The Honorable William Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Barr,

I write with serious concern regarding the Department of Justice's establishment of a so-called "intake process" to receive information from the President's personal attorney, Rudolph Giuliani. Yesterday, in a live interview, Senator Lindsey Graham stated that you informed him such a process exists, whereby Mr. Giuliani "could give information" and DOJ would "see if it's verified." [1] At a press conference this morning, you confirmed that DOJ has in fact established such a process to receive information concerning Ukraine, including "anything Mr. Giuliani might provide." [2]

As you know, the Department has formal, established channels by which to receive information and begin investigations. [3] This new channel to Mr. Giuliani would seem to be a significant departure from those traditional channels.

Your announcement also represents a significant departure from your past statements about Mr. Giuliani. On September 25, the Department confirmed it had not been asked by the President to "contact Ukraine—on this or any other matter. The attorney general has not communicated with Ukraine—on this or any other subject. **Nor has the attorney general discussed this matter, or anything relating to Ukraine, with Rudy Giuliani.**" [4]

To the extent that statement is no longer accurate, any official relationship between Mr. Giuliani and the Department raises serious questions about conflicts of interest—both for the Department, generally, and for you, specifically. As you know, the U.S. Attorney for the Southern District of New York has indicted two of Mr. Giuliani's close associates—Lev Parnas and Igor Fruman. Mr. Parnas has confirmed that, as part of the scheme underlying those charges, he and Mr. Giuliani struck a deal with a Ukrainian oligarch who would provide information about former Vice President Joe Biden for the Trump campaign and, in exchange, his case would be "dropped at the DOJ." [5] He elaborated that this "was all connected. At the end of the day, the agenda was to make sure that the Ukrainians announced the Biden investigation." Importantly, Mr. Parnas stated that you, Attorney General Barr, "had to have known everything" and "was basically on the team." [6]

On January 20, Mr. Parnas submitted an official letter requesting your recusal from his case, in light of an alleged conflict of interest based on your personal involvement. [7]

Mr. Parnas's allegations are confirmed, at least in part, by multiple witnesses who have testified that Mr. Giuliani ran his own influence campaign in Ukraine on behalf of the President. Mr. Giuliani's own statements seem to confirm this, as well. On May 9, 2019, for example, Mr.

Giuliani stated that his requests to Ukraine for an investigation of the Bidens were not part of U.S. “foreign policy,” but would be information “very, very helpful to [his] client,” President Trump.[8]

Whether or not you are in league with Mr. Giuliani and his associates, DOJ guidelines and regulations exist to protect you and the Department from even the appearance of a conflict of interest or any impropriety. Given your creation of a new “intake process” for Mr. Giuliani, it is all the more important that you provide a complete explanation for your decision to sidestep standard Department practice.

Accordingly, we ask that you answer the following questions by February 25, 2020:

- (1) Please describe the exact “intake process” by which any information from Mr. Giuliani or others may be received, documented, and reviewed.
- (2) Under what official guidelines or procedures was this intake process established? Who has reviewed this process? Has the Department’s legal counsel reviewed whether this process conflicts with any of the Department’s established guidelines, ethics rules, or internal procedures?
- (3) Have the Department’s ethics officials reviewed the process to ensure it does not create conflicts of interest?
- (4) You stated in your press conference this morning that any information received from Mr. Giuliani will be carefully scrutinized “by the Department and its intelligence community partners.” Please state which specific “intelligence community partners” will receive the information submitted to the intake process, and please confirm that *all* information received in the process will be provided to those partners.
- (5) What is the process for assessing the credibility of information received through the intake process?
- (6) In light of the allegations by Mr. Parnas against the Department and you personally, do you intend to recuse yourself from any and all communications relating to Ukraine? Have you done so already?
- (7) Mr. Parnas has suggested that you had at least multiple conversations with Mr. Giuliani prior to September 25. On September 25, the Department stated that you have not “discussed [any investigations], or anything relating to Ukraine, with Rudy Giuliani.” Please confirm whether the Department’s September 25 statement is accurate.
- (8) Please state the dates of any communications between the Department and Mr. Giuliani regarding information relating to Ukraine or investigations of the Bidens. Please state who else, if anyone, participated in those communications.

(9) Has the Department shared any information it has received from Mr. Giuliani with President Trump or any other White House official? If so, please state the dates of any such communications, the participants in any such communications, and the nature of the information conveyed to the White House.

(10) Have you discussed the intake process with President Trump or any other White House official? If so, please state the dates of any such communications, the participants in any such communications, and the nature of the discussion.

(11) Has the Department initiated any informal or formal investigations as a result of the information Mr. Giuliani has provided?

Thank you for your prompt attention to this matter.

Sincerely,

Jerrold Nadler
Chairman
House Committee on the Judiciary

[1] *Face The Nation Interviews Senator Lindsey Graham*, CBS News (Feb. 9, 2019) (transcript at <https://www.cbsnews.com/news/lindsey-graham-ukraine-bidens-rudy-giuliani-face-the-nation-2020-02-09/>) (hereinafter, “Graham Feb. 9 Interview”).

[2] *Remarks by Attorney General William Barr at Press Conference*, Fox News (Feb. 10, 2019) (online at <https://www.axios.com/bill-barr-justice-department-ukraine-giuliani-bidens-275f0649-925e-4d73-a117-4c588a2c573c.html>) (hereinafter, “Barr Feb. 10 Interview”).

[3] *See, e.g.*, U.S. Dep’t of Justice Policy and Responsibilities, 9-1.000 (2018) (online at <https://www.justice.gov/jm/jm-9-1000-department-justice-policy-and-responsibilities>).

[4] Department of Justice, *Ukraine Statement* (Sept. 25, 2019) (emphasis added).

[5] *Rachel Maddow Interviews Lev Parnas*, MSNBC News (Jan. 15, 2020) (transcript at <http://www.msnbc.com/transcripts/rachel-maddow-show/2020-01-15>) (hereinafter “Parnas Jan. 15 Interview”).

[6] *Id.*

[7] Letter from Joseph A. Bondy, The Law Offices of Joseph A. Bondy, to William P. Barr, Attorney General, United States (Jan. 20, 2020).

[8] Kenneth P. Vogel, *Rudy Giuliani Plans Ukraine Trip to Push for Inquiries That Could Help Trump*, N.Y. Times, (May 9, 2019) (online at www.nytimes.com/2019/05/09/us/politics/giuliani-ukraine-trump.html).