

SEN. MAZIE HIRONO (D-HI): A lot of respected nonpartisan legal experts and elected officials were surprised by your efforts to protect the president. But I wasn't surprised. You did exactly what I thought you'd do. It's why I voted against your confirmation. I expected you would try to protect the president and indeed you did.

In 1989, this isn't something you hadn't done before, in 1989 when you refused to show Congress and OLC opinion that led to the arrest of Manuel Noriega. In 1992, when you recommended pardons for the subjects of the Iran Contra Scandal. And last year when you wrote the 19 page memo telling Donald Trump as president can't be guilty of obstruction of justice and then didn't recuse yourself from the matter.

From the beginning you were addressing an audience of one, that person being Donald Trump. That's why before the bombshell news of yesterday evening, 11 of my Senate colleagues and I called on the Department of Justice Inspector General an office of profession responsibility to investigate the way you have handled the Mueller report.

I wanted them to determine whether your actions complied with the Department's policies and practices and whether you have demonstrated sufficient impartiality to continue to oversee the 14 other criminal matters that the special counsel referred in other parts -- to other parts of the Department of Justice.

But now, we know more about your deep involvement in trying to cover up for Donald Trump. Being Attorney General of the United States is a sacred trust. You have betrayed that trust, America deserves better. You should resign. I have some questions for you.

Is the White House exerting any influence on your decision whether to allow Special Counsel Mueller to testify in Congress and when?

BARR: No.

HIRONO: Now you've been clear today that you don't think that any of the 10 episodes of possible obstruction that the special counsel outlined is a crime. I disagree. But you seem to think that if it's not a crime then there's no problem, nothing to see here, nothing to worry about.

So, with apologies to Adam Schiff, do you think all of the things that President Trump did are OK? Are they what the President of the United States should be doing? For example, do you think it's OK for a president to fire a FBI Director to stop him from investigating links between his campaign and Russia? It may not be crime, but do you think it's OK?

BARR: Well, I think the report is clear that ...

HIRONO: No, I'm not talking about the report and the analysis of whether a crime occurred. I'm asking you. This is not a crime, but do you think it's OK for the president to do what he did, to fire the special counsel to keep them from investigating.

BARR: I do think it's OK for the president to do what he did and I don't think the evidence supports the proposition to get it -- to stop the investigation.

HIRONO: So, I guess you think it's OK? Do you think it's OK for our president to ask his White House Counsel to lie?

BARR: Well, I'm willing to talk about what's criminal.

HIRONO: No, we've already acknowledged that you think it was not a crime. I'm just asking whether you think it's OK, even if it's not a crime, do you think it's OK for the president to ask his White House Counsel to lie?

BARR: Which ...

HIRONO: Look, if you're just going to go back to whether or not it's a crime ...

BARR: No, which event are you talking about? Which event are you talking about?

HIRONO: ... you're telling me that it's OK. Let me ask you the last question that I have in 17 seconds. Do you think it's OK for our president to offer pardons to people who don't testify against him? To threaten the family of someone who does? Is that OK?

BARR: What -- when did he -- well for a pardon to someone ...

HIRONO: I think you know what I'm talking about. Please, please Mr. Attorney General, give us some credit for knowing what the hell is going on around here with you.

GRAHAM: Not really. To this line of questioning. We're going ...

HIRONO: So ...

GRAHAM: Listen, you've slandered this man every way you can ...

BARR: Yes, what is sort of want to know is how get to this point?

GRAHAM: Yes.

HIRONO: I do not think that I am slandering anyone.

BARR: So, how do we get to the point where the ...

GRAHAM: All I can say ... HIRONO: Mr. Chairman, I am done. Thank you very much.

GRAHAM: And you slandered this man from top to bottom. So if you want more of this you're not going to get it. If you want to ask him question you can.

HIRONO: You certainly have your opinion and I have mine.

BLACKBURN: Thank you Mr. Chairman. Thank you General Barr for being here today, we really appreciate your time. I want to talk with you just a little bit about some of your bottom line conclusions because I think there's one that we need to kind of circle back to a little bit.

And I've listened to a lot of the conversation here today, one of the things we've not discussed is what seems to be the culture at DOJ and the FBI, and I know there are a lot of good people that work there and we're grateful for their service.

[14:05:00] But every organization has a culture, and whether it's a corporate culture or a church or schools or whatever, and what seems to have happened at the FBI is there is a CD, cynical, political culture within a group that developed, and these individuals collectively seem to think that they could work within the power of their jobs and their roles with the federal government.

There was an elitism and an arrogance there, and it speaks to a very unhealthy work culture within that agency. And I will tell you this. When I talk to Tennesseans, they talk a lot about what they want to see with the Department of Justice and the FBI post all of this and a restoration of trust and integrity and accountability.

And really in Tennessee, they'll talk to me about four - four things. They talk a lot about healthcare, jobs in the economy, they're going to talk about getting federal judges confirmed, and about reigning in government and holding it accountable.

And there's been a lot of hysteria this is something that grew within the ranks of the FBI. What are you doing and what is your plan for rebuilding the trust and integrity so that the American people can say, "when the FBI does its job, when the DOJ does its job, we know that it's a job done right"?

BARR: I don't think there - there is a bad culture in the FBI and I don't think the problems that manifested themselves during the 2016 election are

endemic to the institution. I think the FBI is doing its job. I mean, just this recent case out in California where they interdicted this, you now, would-be bomber, they do great work around the country every day, and I agree with Senator Kennedy who said, you know, it's the premiere law enforcement institution in the world.

I believe that - and I say to the extent there was overreach I don't want to judge people's motives and come to conclusion on that, but to the extent there was overreach what we have to be concerned about is, you know, a few people at the top getting it into their heads that they know better than the American people and...

BLACKBURN: And that is the problem, and that is what we hope that you are...

BARR: Yes.

BLACKBURN: ... you're addressing. Let's go back to this because to repeat - to the report to produce it I think that Mr. Mueller assembled what would be called a dream team, 19 all-star lawyers - a Watergate prosecutor, a deputy solicitor general, a fluent Russian speaker who cloaked (ph) for two Supreme Court Justices, former head of the Imran Investigative Task Force, Chief of the Public Corruption Unit in the Manhattan U.S. Attorneys Office, federal prosecutors who have taken down mob bosses, the mafia, and ISIS terrorists. Do you consider these lawyers to be the best and the brightest in the field?

BARR: Not necessarily.

BLACKBURN: Are they the warriors you would want on your side in the courtroom?

BARR: I mean, you know, there are a lot of great lawyers in the Department of Justice. You know, he assembled a very competent team.

BLACKBURN: Are they meticulous investigators who will hunt down every witness and every piece of evidence?

BARR: I think they are tenacious investigators.

BLACKBURN: Are they devoted to finding the truth?

BARR: Yes.

BLACKBURN: Are they masters at taking down hardened criminals foreign and domestic?

BARR: Yes.

BLACKBURN: If there were evidence to warrant a recommendation for collusion charges against the president, do you believe that the special counsel team would have found it?

BARR: Yes.

BLACKBURN: And if there were evidence to warrant your recommendation for obstruction of justice charges against the president, do you believe the Mueller team would have found it?

BARR: I think they had a exhaust that canvassed the evidence exhaustively. They didn't reach a decision on. But the question you've (ph) just been asking raises a point I wanted to say when Senator Hirono was talking, which is how did we get to the point here where the evidence is now that the president was falsely accused of colluding with the Russians and accused of being treasonous and accused of being a Russian agent? And the evidence now is that was without a basis. And two years of his administration have been dominated by allegations that have now been proven false. And, you know, to listen to some of the rhetoric, you would think that the Mueller Report had found the opposite. [14:10:00]

BLACKBURN: And, you know, Mr. Attorney General, I will tell you that is what Tennesseans say. They say, "how did we get here? How is there this allowance and acceptedness (ph) of saying, "that's OK," because it's not. And people want to see government held accountable. They want agencies to

act with accountability to the American people and they don't want to ever see this happen again.

It doesn't matter if a candidate is a democrat, a republican, or an independent. They never want to see this happen again because they know that this was pointed at using the power that they had to try to tilt an election or to achieve a different outcome. And the American people want equal justice, they want respect for the rule of law, and they want fairness from the system.

I have one other question dealing with social media. Tennessee republic party had a ten\_gop account that was set up by the Russians, and, you know, either I think as we look at social media, either they were willing to turn a blind eye and allow these accounts to go up because they knew they were being paid in rubles on some of these accounts and/or there was just negligence.

So my hope is that with all the bad actor states, whether it is Russia or Iran or North Korea or China that you all have a game plan for dealing with these platforms in a way that you're going to reign them in for the 2020 election. I yield back.

GRAHAM: Thank you. Senator Booker.

BOOKER: Thank you, Mr. Chairman. Mr. Barr, as I take a step back at this, I just really think we're at a very sobering moment in American history that there is a considerable amount going on when you actually take time and read this whole report that shows that we're sort of at a crossroad and I fear that we're descending into a new normal that is dangerous for our democracy on a number of levels. And I fear, unfortunately and I hope we have a chance to discuss this, that you've not only put your own credibility into question but seem to be giving sanction to behavior through the language you used in that press conference you held, the language used in your summary that stimulated Mueller to write such a strong rebuking letter.

I fear that you're adding normalcy to a point where we should be sounding alarms as opposed to saying that there's nothing to see here. And so one - this 448 page report that has a deep litany of lies and deceit and misconduct of the President of the United States instructing people to lie and be deceitful, evidence of people trying to cover up behavior that on its face is morally wrong, whatever the legal standard is. I - I found it number one, b saying that this kind of obstructive conduct was acceptable, not only acceptable but you're sentence literally saying that the American people should be grateful for it, that is beginning of normalization that I want to explore.

But the second thing I want to explore, and we'll explore this but I want to make my two statements at the top, one that's problematic and in general the second problem I have is that you seem to be excusing a campaign that literally had hundreds of contacts with a foreign adversary that I think there is a conclusion amongst - a bipartisan conclusion that there was a failure to even report those contacts, that we engaged in behaviors that the folks knew that were wrong that they tried to actively hide.

They seemed, seemed to capitalize on this foreign interference. I mean in our country we know it is illegal for a campaign and wrong for a campaign to share polling data with an American super PAC but we have here documented a level of coordination with a foreign adversary sharing polling data And - and we're seem to be and your conduct seems to be trying to normalize that behavior and that's why I think we are in such a serious moment that could - that is eroding the cultures of this democracy and the security of this democracy. So let's just get into some of this specifically.

[14:15:00]

You said, quote, "We know that the Russian operatives that perpetrated these schemes did not have the cooperation of President Trump or the Trump campaign. That is something that all Americans can and should be grateful to have confirmed." The things I just mentioned, a willingness to meet with Russian operatives in order to capitalize on information. I don't think that's something that should be grateful. I - I find your choice of words alarming. I think it calls into question your objectivity when you look at the actual context of the report.

And so should the American people really be grateful that a candidate for president sought to benefit from material and information that was stolen by a foreign power in an effort to influence an election?

BARR: Well I'm not sure what you mean by "seek to benefit." There's - there's no indication that they engaged in either the conspiracy to act or that they engaged in the action with the respect to the dissemination that was criminal.

BOOKER: Well again, sir, you're using the word conspiracy which is a legal term. In that press conference you used President Trump's words, obstruction over and over again.



BARR: Obstruction is a legal term.

BOOKER: Well - well sir, you pulled into his words and I'm asking you specifically - I'm sorry, collusion was the word I was looking for. You used the word, "no collusion" over and over again. And you said the American people should be grateful that the president sought to benefit from material and information, but you know that he did seek to benefit from that material. Donald Trump, Jr., in his own email seemed to celebrate that he might have access to information from a foreign adversary. Is that correct? Is that something the American people should be grateful for?

BARR: Apparently according to the report he was -yes, apparently he was interested in seeing what this Russian woman had in the way of, quote, "dirt."

BOOKER: And did not report it as I think everybody who is in politics knows it's something you should do. Should the American people be grateful that in the face of our attack on our democracy by a foreign adversary that the President of the United States made several documented attempts to thwart an investigation into the links between his campaigns and Russia? You use that word, "grateful" again that the American people should be grateful. Is that something we should be grateful for?

BARR: I'm not sure what - what you're talking about.

BOOKER: Sir, I'm talking about the attempts that this president made, that Mueller pointed to at least 10 attempts to thwart an investigation into the links between his campaign and Russia. Should we be grateful for those 10 well documented attempts by Mueller?

BARR: Are you talking about the obstruction part of the report?

BOOKER: I'm talking about the second volume but let me continue. Should the American people be grateful that Trump had more than 215 documented contacts between Russian-linked operatives and then lied about them and tried to hide them? Is that something the American people should be grateful for, any president - this one or any down the road?

BARR: As I mentioned earlier, during the campaign foreign governments make and foreign citizens frequently make a lot of attempts to contact different campaigns. If we were right now to go and look at for example Hillary Clinton's campaign during the same time frame, then you would see a lot of foreign governments like China trying to establish...

BOOKER: And that's I guess what I'm trying to say to you, sir, is that we right now have a new normal in our country. We have a document that shows over 200 attempt - connections between a presidential campaign and a foreign adversary. Sharing information that would be illegal if you did it with a super PAC, we know that.

BARR: What information was shared?

BOOKER: Polling data was shared, sir. It's in the report. I can cite you the page.

BARR: With who?

BOOKER: And I - and I guess my point is that your willingness to seem to brush over this and - and use words like "the American people should be grateful," what's in this report, nobody should be grateful. Concerted efforts for deception for misleading inappropriate action after inappropriate action that - that is clear and then on top of that at a time when we all recognize that we had a foreign power trying to undermine our election, you the chief law enforcement officer not only undermines your own credibility as an independent actor when there's ongoing investigations still, using the words - the president's own words, having it criticized by Mueller himself. But the challenge we now have is that we are going into an area where you seem to not even be willing to be in the least bit critical in your summarizations. I - I believe that calls in your credibility and again, my time is up.

GRAHAM: Senator Tillis.

[14:20:00] TILLIS: Thank you Mr. Chairman. Attorney General Barr, thank you for being here. In the last sentence on page one of your four-page memo it states that the special counsel issued more than 2,800 subpoenas, executed nearly 500 search warrants, obtained more than 230 orders for communication records, issued almost 50 orders authorizing the use of pen registers, made 13 requests of foreign governments for evidence and

interviewed approximately 500 people. That seems like a pretty extensive investigation to me. It took about 22 months, right?

BARR: Right.

TILLIS: And it was summarized in about a little over a 400 page document. Volume 2 was just under 200 pages as I recall. I've read volume 2 word for word and I've read most of volume 1. The new normal that seems to be created here is even after all of this investigation and you haven't found any conduct worthy of indictment that you can just bounce back for political reasons and indict somebody. That's a rhetorical statement or a question not a statement.

Now I want to go back to the other part that I find interesting here. The "New Times" already issued a headline that says, "Mueller Pushed in Letter for Barr to Release the Report's Summary." So now the narrative, because I've had a lot of people in the press coming out and the narrative is, "well doesn't this undermine the - the attorney general because Mueller wanted the executive summaries issued?"

Now I want to go back to what you said in your opening statement. You said that I believe using your words, the body politic was - it was unrestful. You had gotten the report. You didn't get the 6(e) information. You had to do the redacting. You knew that that was going to take time. It would have been helpful if you'd gotten that when the report was transmitted to you and it took however long it took.

You issued the summary; you used the analogy of - of announcing the verdict and waiting for the transcript. Did you ever at any point say, "You know what I really want to do is issue this letter and then let the news media play with it for three or four weeks and then we'll get the redacted version out?" Did that ever cross your mind?

BARR: No, we were pushing ...

TILLIS: To get it done as soon as possible?

BARR: ... to get the report out as soon as possible.

TILLIS: At - at any point in time when the president had the opportunity to issue their own advice on redactions or assert executive privilege over the course of the weeks that you were doing the review of the report, did you ever get advice from the president or from anybody in the White House to assert executive privilege or to redact any portion of the document?

BARR: No. TILLIS: None. And so the narrative between the letter and the redaction process was we're going to get a report that's 80 percent redacted. Now would you give me the numbers again on the version that's available to the leadership of Congress - the numbers again? I think you said 1/10 of 1 percent - we're skipping over volume 1 and we're spending time on volume 2.

BARR: Yes.

TILLIS: Did I hear you say that the legislative leaders have access to all but 1/10 of 1 percent of the entire report?

BARR: Approximately, yes.

TILLIS: So guys, you can go out and spin this any way you want to but the data is there. There was no underlying crime and there was insufficient evidence to indict the president on obstruction of justice. You said something else that's interesting me in the report about that we found no evidence that was sufficient to indict. But then they went on to say nor can we exonerate.

And what is the special counsel in the business of exonerating a subject of an investigation?

BARR: They're not.

TILLIS: They're not. So why would somebody put something like that in the report?

BARR: I don't know.

TILLIS: And so would it - it would follow if that's uncommon that you would not have actually have included that in a summary before the full context of the report could be produced. Is that a fair statement?

BARR: That's a fair statement but I did put in the sentence about not - I did put in the sentence about non exoneration.

TILLIS: Yes. I - I think that - that the thing that frustrates me, number one, I should have started by saying this the vast majority of people in the Department of Justice and FBI are extraordinary people. The Chairman is right. Starting with Strzok and Page and everybody else leading up before the investigation, I hope they're being investigated. I have a - I have a question for you. The scope of the OIG, where does - do you understand or do you know what the scope of that report will be? Will it be purely on this investigation or would it extend to other acts that may have in some way influenced this investigation?

BARR: Well I don't want to be too specific. I talked to Mike Horowitz a few weeks ago about it and it's focused on the FISA, the basis for the FISA and the handling of the FISA applications but by necessity it looks back a little bit earlier than that. The people I have helping me with my review will be working very closely with Mr. Horowitz. [14:25:00] TILLIS: Now I want to go back again because we have other people talking and I'm sure it's going to come up again. I'm clear in this report there was no underlying crime. Is that correct?

BARR: Yes, that's the conclusion of the report.

TILLIS: And there was insufficient evidence or - or insufficient evidence to assert that the president obstructed justice and a lot of that evidence was in the public eye because we talked about tweets and public statements and a number of other things that we're trying to use to assert for evidence for obstruction of justice.

It seems odd to me that people on this committee that pound and pound over and over again that you're innocent until proven guilty, with the extent of this report, with the number of resources nearly \$30 million when the facts don't lead to the outcome that you wanted, the one the marketing department wanted to use this as a political tool for the next 20 months, it seems odd to me that we'd go down the path of saying that well in spite of

all the work, we're going to indict him anyway and if we can't indict him then we're going to impugn your integrity and call you a liar. I find that behavior on this committee despicable. Thank you.

GRAHAM: Senator Harris.

HARRIS: Thank you Mr. Chairman: Attorney General Barr, has the president or anyone at the White House ever asked or suggested that you open an investigation of anyone?

BARR: I wouldn't - I wouldn't ...

HARRIS: Yes or no?

BARR: Could you repeat that question?

HARRIS: I will repeat it. Has the president or anyone at the White House ever asked or suggested that you open an investigation of anyone? Yes or no please, sir.

BARR: The president or anybody else?

HARRIS: Seems you'd remember something like that and be able to tell us.

BARR: Yes, but I'm trying to grapple with the word suggest. I mean there have been discussion of - of matters out there that they've not asked me open an investigation, but...

HARRIS: Perhaps they've suggested?

BARR: I don't know, I wouldn't say suggest.

HARRIS: Hinted?

BARR: I don't know. HARRIS: Inferred? You don't know. OK. In your March 24th summary, you wrote that, quote, "after reviewing the special counsel's final report...

BARR: I will say no...

HARRIS: Sir, I'm asking a question. In your March 24th summary you wrote that, quote, "after reviewing the special counsel's final report, Deputy Attorney General Rosenstein and I have concluded that the evidence is not sufficient to establish that the president committed an obstruction of justice offense. Now the special counsel's investigation produced a great deal of evidence. I'm lead to believe it included witness's notes and emails, witness's Congressional testimony, witness's interviews which were summarized in the FBI 302 forms, former FBI Director Comey's memos and the president's public statements. My question is in reaching your conclusion did you personally review all of the underlying evidence?

BARR: No we took - we accepted statements ...

HARRIS: Did Mr. Rosenstein?

BARR: We accepted the statements in the report as factual record. We did not go underneath it to see whether or not they were accurate. We accepted it as accurate and made our...

HARRIS: So you accepted the report as the evidence?

BARR: Yes.

HARRIS: You did not question or look at the underlying evidence that supports the conclusions in the report?

BARR: No.

HARRIS: Did Mr. Rosenstein review the evidence that underlines and supports the conclusions in the report, to your knowledge?

BARR: Not to my knowledge, we accepted the statements in the report...

HARRIS: Did anyone in your --

BARR: -- characterization of the evidence is true.

HARRIS: Did anyone in your executive office review the evidence supporting the report?

BARR: No.

HARRIS: No. Yet you represented to the American public that the evidence was not quote "sufficient" to support an obstruction of justice of facts...

BARR: The evidence presented in the report -- this was not -- this was not a mysterious process, in the Department of Justice we have pros memos (ph) and declination memos everyday coming up, and we don't go and look at the underlying evidence --

(CROSSTALK)

HARRIS: Sir, would you support--

BARR: -- to take (ph) the characterization of the evidence as true.



HARRIS: As the Attorney General of the United States, you run the United States Department of Justice, if in any U.S. attorneys office around the country, the head of that office when being asked to make a critical decision about -- in this case, the person who holds the highest office in the land and whether or not that person committed a crime, would you accept them recommending a charging decision to you if they had not reviewed the evidence?

BARR: Well, that's a question for Bob Mueller. He's the U.S. Attorney, he's the one who presents the report.

HARRIS: But it was you who made the charging decision, sir. You made the decision not to charge the President.

BARR: No. In a pros memo (ph) and then a declination memo--

HARRIS: You said it was your baby -- what did you mean by that?

BARR: It was my baby to -- to decide whether or not to disclose it to the public.