

THE INVESTIGATION
A Crime in Ten Acts

Based on *The Investigation into Russian Interference in the 2016 Election*

By Robert Schenkkan

Represented by:
Mark Subias/Rachel Viola
UTA
888 7th Avenue
NYC, NY 10106

LIGHTS UP on Stage. The ACTORS sit or stand, very much like a jury. Perhaps there are music stands in front of them. Maybe not. Behind them, a SCREEN for projections. On the screen is an enormous AMERICAN FLAG.

Three Characters stand Center: ROBERT MUELLER, DONALD TRUMP, and The NARRATOR .

Screen changes to COVER PAGE OF THE MUELLER REPORT. Subtitles read: **THE MUELLER REPORT.**

NARRATOR

The Mueller Report is the findings and conclusions of Special Counsel Robert Mueller's investigation into Russian efforts to interfere in the 2016 United States presidential election, allegations of conspiracy or coordination between Donald Trump's presidential campaign and Russia, and allegations of obstruction of justice. The report was publicly released on April 18, 2019. It is divided into two volumes.

Subtitles: **RUSSIAN INTERFERENCE.**

NARRATOR

Volume I focused on Russian interference in the 2016 presidential election and concludes it occurred "in sweeping and systematic fashion" and "violated U.S. criminal law".

SPOT on ROBERT MUELLER [Here on, whenever a Character speaks, they are lit with a spot and when they finish speaking or their scene ends, their light goes out. These transitions should flow quickly. The Action should never stop except to make a point]

ROBERT MUELLER

There were multiple, systematic efforts to interfere in our election. That allegation deserves the attention of every American.

Subtitles: **OBSTRUCTION OF JUSTICE**

NARRATOR

Volume II focuses on Obstruction of Justice.

ROBERT MUELLER

Obstruction of Justice is the crime of willfully interfering with the process of justice and law especially by influencing, threatening, harming, or impeding a witness, potential witness, legal officer or by furnishing false information or otherwise impeding an investigation or legal process.

A Moment.

NARRATOR

Robert Mueller's investigation found ten - ten possible acts of Obstruction of Justice.

Subtitles on Screen: **TEN ACTS OF
OBSTRUCTION OF JUSTICE**

NARRATOR

Let us examine what Mueller discovered, in his own words, as laid down by the report.

NARRATOR

ACT ONE. President Trump Asked The FBI Director To Shut Down The Investigation Into National Security Advisor Michael Flynn.

Every time the NARRATOR announces a new ACT, the NUMBER and TITLE of that ACT OF OBSTRUCTION are displayed on the Screen and then added to the growing list which remains throughout. By the end of the evening, all Ten Acts of Obstruction should now be listed on the screen.

ROBERT MUELLER

On January 12, 2017, a Washington Post columnist reported that Michael Flynn and Sergei Kislyak, a senior Russian Diplomat, communicated on the day the Obama Administration announced the Russia sanctions - President-Elect Trump called Priebus after the story was published and expressed anger about it.

PRESIDENT TRUMP

"What the hell is this all about?!"

REINCE PRIEBUS

White House Chief of Staff, Reince Priebus, called Flynn and told him that the President was angry about the reporting on Flynn's conversations with Kislyak.

MIKE FLYNN

Flynn recalled that he felt a lot of pressure because Priebus had spoken to the "boss" and said Flynn needed to

REINCE PRIEBUS

"Kill the story!"

ROBERT MUELLER

January 27, the President called FBI Director James Comey and invited him to dinner that evening.

REINCE PRIEBUS

Priebus recalled that before the dinner, he told the President something like, "don't talk about Russia, whatever you do,"

PRESIDENT TRUMP

And the President promised he would not talk about Russia at the dinner.

DON MCGAHN

Don McGahn, White House Counsel, had previously advised the President that he should not communicate directly with the Department of Justice to avoid the perception or reality of political interference in law enforcement.

STEVE BANNON

When Steve Bannon, White House Chief Strategist, learned about the President's planned dinner with Comey, he suggested that he or Priebus also attend,

PRESIDENT TRUMP

But the President stated that he wanted to dine with Comey alone.

NARRATOR

According to Comey's account, at one point during the dinner the President stated,

PRESIDENT TRUMP

"I need loyalty, I expect loyalty."

JAMES COMEY

Comey did not respond and the conversation moved on to other topics,

PRESIDENT TRUMP

But the President returned to the subject of Comey's job at the end of the dinner and repeated, "I need loyalty."

JAMES COMEY

"You will always get honesty from me."

PRESIDENT TRUMP

"That's what I want, honest loyalty."

JAMES COMEY

"You will get that from me."

REINCE PRIEBUS

February 13, 2017, Priebus told Flynn he had to resign.

MIKE FLYNN

Flynn said he wanted to say goodbye to the President, so Priebus brought him to the Oval Office.

REINCE PRIEBUS

Priebus recalled that the President hugged Flynn, shook his hand, and said,

PRESIDENT TRUMP

"We'll give you a good recommendation. You're a good guy. We'll take care of you."

ROBERT MUELLER

February 14, 2017, the day after Flynn's resignation, the President had lunch at the White House with New Jersey Governor Chris Christie.

PRESIDENT TRUMP

"Now that we fired Flynn, the Russia thing is over."

GOV CHRIS CHRISTIE

(laughs)

"No way." "This Russia thing is far from over" "We'll be here on Valentine's Day 2018 talking about this."

PRESIDENT TRUMP

"What do you mean? Flynn met with the Russians. That was the problem. I fired Flynn. It's over."

GOV CHRIS CHRISTIE

Christie also told the President that he would never be able to get rid of Flynn, "like gum on the bottom of your shoe."

PRESIDENT TRUMP

Towards the end of the lunch, the President brought up Comey and asked if Christie was still friendly with him.

GOV CHRIS CHRISTIE

Christie said he was.

PRESIDENT TRUMP

Tell him that the President "really likes him. Tell him he's part of the team." At the end of the lunch, the President repeated his request that Christie reach out to Comey.

GOV CHRIS CHRISTIE

Christie had no intention of complying with the President's request that he contact Comey. He thought the President's request was "nonsensical" and Christie did not want to put Comey in the position of having to receive such a phone call. Christie thought it would have been uncomfortable to pass on that message.

ROBERT MUELLER

[Later that day] the President met with Comey, Sessions, and other officials for a homeland security briefing At the end of the briefing,

PRESIDENT TRUMP

The President dismissed the other attendees and stated that he wanted to speak to Comey alone. Once they were alone, the President began the conversation by saying, "I want to talk about Mike Flynn." The President stated that Flynn had not done anything wrong in speaking with the Russians, but had to be terminated because he had misled the Vice President.

JAMES COMEY

The conversation turned to the topic of leaks of classified information,

PRESIDENT TRUMP

but the President returned to Flynn. "He is a good guy and has been through a lot." "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."

JAMES COMEY

Comey agreed that Flynn "is a good guy," but did not commit to ending the investigation of Flynn

ROBERT MUELLER

February 15, 2017, the President told reporters,

PRESIDENT TRUMP

"General Flynn is a wonderful man. I think he's been treated very, very unfairly by the media."...

ROBERT MUELLER

The President said he did not direct Flynn to discuss sanctions with Kislyak, but -

PRESIDENT TRUMP

"It certainly would have been okay with me if he did. I would have directed him to do it if I thought he wasn't doing it. I didn't direct him, but I would have directed him because that's his job."

ROBERT MUELLER

February 22, 2017, Priebus and Bannon told Deputy National Security Advisor, K.T. McFarland, that the President wanted her to resign, but they suggested to her that the Administration could make her the ambassador to Singapore.

K.T.MCFARLAND

McFarland reached out to [White House legal staff John] Eisenberg. McFarland told him that she had been fired from her job - and offered the ambassadorship in Singapore but that the President and Priebus wanted a letter from her denying that the President directed Flynn to discuss sanctions with Kislyak.

JOHN EISENBERG

Eisenberg advised McFarland not to write the requested letter.

ROBERT MUELLER

As documented by McFarland in a contemporaneous "Memorandum for the Record" that she wrote because she was concerned by the President's request:

K.T. MCFARLAND

"Eisenberg ... thought the requested email and letter would be a bad idea - from my side because the email would be awkward. Why would I be emailing Priebus to make a statement for the record? But it would also be a bad idea for the President because it looked as if my ambassadorial appointment was in some way a quid pro quo."

REINCE PRIEBUS

Later that evening, Priebus stopped by McFarland's office and told her not to write the email and to forget he even mentioned it.

NARRATOR

ACT TWO. President Trump Said He Fired FBI Director Comey Because Of The Russia Investigation.

ROBERT MUELLER

May 3, 2017: In the afternoon following Comey's testimony [before Congress], the President met with McGahn, Jeff Sessions, and Sessions's Chief of Staff Jody Hunt.

PRESIDENT TRUMP

"This is terrible Jeff. It's all because you recused. Attorney General is supposed to be most important appointment. Kennedy appointed his brother. Obama appointed Holder. I appointed you and you recused yourself. You left me on an island. I can't do anything." The President said that the recusal was unfair and that it was interfering with his ability to govern and undermining his authority with foreign leaders.

JEFF SESSIONS

Sessions responded that he had no choice but to recuse, and it was a mandatory rather than discretionary decision.

STEVE BANNON

Steve Bannon recalled that the President brought Comey up with him at least eight times on May 3 and May 4. The President said the same thing each time:

PRESIDENT TRUMP

"He told me three times I'm not under investigation. He's a showboater. He's a grandstander. I don't know any Russians. There was no collusion."

STEVE BANNON

Bannon told the President that he could not fire Comey because "that ship had sailed." He also told the President that firing Comey was not going to stop the investigation, cautioning him that he could fire the FBI director but could not fire the FBI

ROBERT MUELLER

At a dinner on Friday, May 5, attended by the President and various advisors and family members, including Jared Kushner and senior advisor Stephen Miller, the President stated that he wanted to remove Comey and had ideas for a letter that would be used to make the announcement. The President dictated arguments and specific language for the letter, and Miller took notes. As reflected in the notes, the President told Miller that the letter should start,

PRESIDENT TRUMP

"While I greatly appreciate you informing me that I am not under investigation concerning what I have often stated is a fabricated story on a Trump-Russia relationship - pertaining to the 2016 presidential election, please be informed that I, and I believe the American public - including Democrats and Republicans - have lost faith in you as Director of the FBI."

ROBERT MUELLER

Following the dinner, Miller prepared a termination letter based on those notes and research he conducted to support the President's arguments. On May 9, Jody Hunt (Chief of Staff for the Attorney General) delivered to the White House a letter from Sessions recommending Comey's removal and a memorandum from Rod Rosenstein (Deputy Attorney General) titled:

EVERYONE

"Restoring Public Confidence in the FBI."

DON MCGAHN

McGahn recalled that the President liked the Department of Justice letters and agreed that they should provide the foundation for a new cover letter from the President accepting the recommendation to terminate Comey.

ROBERT MUELLER

Notes taken by Annie Donaldson, White House lawyer, reflected the view of the White House Counsel's Office that the President's original termination letter -

ANNIE DONALDSON

Should "not see the light of day" and that it would be better to offer "no other rationales" for the firing than what was in Rosenstein's and Sessions's memoranda -

ROBERT MUELLER

Donaldson also wrote,

ANNIE DONALDSON

"Is this the beginning of the end?" Because she was worried that the decision to terminate Comey and the manner in which it was carried out would be the end of the presidency.

ROBERT MUELLER

That night, the White House Press Office called the Department of Justice and said the White House wanted to put out a statement saying that it was Rosenstein's idea to fire Comey.

ROD ROSENSTEIN

Rosenstein told other Department of Justice officials that he would not participate in putting out a "false story."

PRESIDENT TRUMP

The President then called Rosenstein directly and said he was watching Fox News, that the coverage had been great, and that he wanted Rosenstein to do a press conference.

ROD ROSENSTEIN

Rosenstein responded that this was not a good idea because if the press asked him, he would tell the truth that Comey's firing was not his idea.

PRESIDENT TRUMP

"May 9, 2017: The President - called Chris Christie and - said he was getting "killed" in the press over Comey's termination. The President asked what he should do.

GOV CHRIS CHRISTIE

"Did you fire [Comey] because of what Rod wrote in the memo?"

PRESIDENT TRUMP

"Yes."

GOV CHRIS CHRISTIE

"Get Rod out there" and have him defend the decision.

PRESIDENT TRUMP

The President told Christie that this was a "good idea" and said he was going to call Rosenstein right away.

ROBERT MUELLER

In the morning on May 10, 2017, President Trump met with Russian Foreign Minister Sergey Lavrov and Russian Ambassador Sergey Kislyak in the Oval Office. The media subsequently reported that during the May 10 meeting the President brought up his decision the prior day to terminate Comey, telling Lavrov and Kislyak:

PRESIDENT TRUMP

"I just fired the head of the F.B.I. He was crazy, a real nut job. I faced great pressure because of Russia. That's taken off. ... I'm not under investigation." ...

ROBERT MUELLER

The White House did not dispute the account, instead issuing a statement that said: "By grandstanding and politicizing the investigation into Russia's actions, James Comey created unnecessary pressure on our ability to engage and negotiate with Russia. The investigation would have always continued, and obviously, the termination of Comey would not have ended it. Once again, the real story is that our national security has been undermined by the leaking of private and highly classified information."

SARAH SANDERS

"In the afternoon of May 10, 2017, deputy press secretary Sarah Sanders spoke to the President about his decision to fire Comey and then spoke to reporters in a televised press conference. Sanders told reporters that the President, the Department of Justice, and bipartisan members of Congress had lost confidence in Comey, "and most importantly, the rank and file of the FBI had lost confidence in their director. Accordingly, the President accepted the recommendation of his Deputy Attorney General to remove James Comey from his position." In response to questions from reporters, Sanders said that Rosenstein decided "on his own" to review Comey's performance and that Rosenstein decided "on his own" to come to the President on Monday, May 8 to express his concerns about Comey.

NARRATOR

Just a little side note on Press Secretary Sarah Sanders.

ROBERT MUELLER

A year later, Sanders told this [Special Counsel's] Office that her reference to hearing from "countless members of the FBI" was a -

SARAH SANDERS

"Slip of the tongue."

ROBERT MUELLER

She also recalled that her statement in a separate press interview that rank-and-file FBI agents had lost confidence in Comey was a comment she made -

SARAH SANDERS

"In the heat of the moment" that was not founded on anything

NARRATOR

Back to our story.

ROBERT MUELLER

May 11, 2017, the President participated in an interview with Lester Holt.

PRESIDENT TRUMP

"I was going to fire [Comey] regardless of recommendation - [Rosenstein] made a recommendation. But regardless of recommendation, I was going to fire Comey knowing there was no good time to do it." "And in fact, when I decided to just do it, I said to myself - I said, you know, this Russia thing with Trump and Russia is a made-up story. It's an excuse by the Democrats for having lost an election that they should've won."

NARRATOR

ACT THREE. President Trump Ordered White House Counsel Don McGahn to Fire Robert Mueller.

ROD ROSENSTEIN

"May 17, 2017, Acting Attorney General Rosenstein appointed Robert S. Mueller, III as Special Counsel and authorized him to conduct the Russia investigation *and matters that arose from the investigation.*

JEFF SESSIONS

When Sessions told the President that a Special Counsel had been appointed, the President slumped back in his chair and said -

PRESIDENT TRUMP

"Oh my God. This is terrible. This is the end of my Presidency. I'm fucked." The President became angry and lambasted the Attorney General for his decision to recuse from the investigation, stating, "How could you let this happen, Jeff?" The President said the position of Attorney General was his most important appointment and that Sessions had "let him down," contrasting him to Eric Holder and Robert Kennedy. "You were supposed to protect me," "Everyone tells me if you get one of these independent counsels it ruins your presidency. It takes years and years and I won't be able to do anything. This is the worst thing that ever happened to me." "The President then told Sessions he should resign as Attorney General.

JEFF SESSIONS

Sessions agreed to submit his resignation and left the Oval Office.

HOPE HICKS

Hope Hicks, White House Communications Director, saw the President shortly after Sessions departed and described the President as being extremely upset by the Special Counsel's appointment. Hicks said that she had only seen the President like that one other time, when the Access Hollywood tape came out during the campaign.

ROBERT MUELLER

The next day, May 18, 2017, FBI agents delivered to McGahn a preservation notice that discussed an investigation related to Comey's termination and directed the White House to preserve all relevant documents.

DON MCGAHN

When he received the letter, McGahn issued a document hold to White House staff and instructed them not to send out any burn bags over the weekend while he sorted things out.

ROBERT MUELLER

Also on May 18, Sessions finalized a resignation letter.

JEFF SESSIONS

"Pursuant to our conversation of yesterday, and at your request, I hereby offer my resignation." Sessions, accompanied by Hunt, brought the letter to the White House and handed it to the President.

PRESIDENT TRUMP

The President put the resignation letter in his pocket and asked Sessions several times whether he wanted to continue serving as Attorney General.

JEFF SESSIONS

Sessions ultimately told the President he wanted to stay, but it was up to the President.

PRESIDENT TRUMP

The President said he wanted Sessions to stay.

ROBERT MUELLER

At the conclusion of the meeting, the President shook Sessions's hand -

PRESIDENT TRUMP

But he did not return the resignation letter.

ROBERT MUELLER

"May 18, 2017: When Priebus and Bannon learned that the President was holding onto Sessions's resignation letter, they became concerned that it could be used to influence the Department of Justice.

REINCE PRIEBUS

Priebus told Sessions it was not good for the President to have the letter because it would function as a kind of "shock collar" that the President could use any time he wanted; Priebus said the President had "the Department of Justice by the throat."

STEVE BANNON

Priebus and Bannon told Sessions they would attempt to get the letter back from the President with a notation that he was not accepting Sessions's resignation.

ROBERT MUELLER

May 19, 2017, the President left for a trip to the Middle East.

HOPE HICKS

Hicks recalled that on the President's flight from Saudi Arabia to Tel Aviv, the President pulled Sessions's resignation letter from his pocket, showed it to a group of senior advisors, and asked them what he should do about it.

REINCE PRIEBUS

During the trip, Priebus asked about the resignation letter so he could return it to Sessions, but the President told him that the letter was back at the White House.

ROBERT MUELLER

It was not until May 30, three days after the President returned from the trip, that the President returned the letter to Sessions with a notation saying,

PRESIDENT TRUMP

"Not accepted."

ROBERT MUELLER

In the days following the Special Counsel's appointment, the President repeatedly told advisors - that Special Counsel Mueller had conflicts of interest: that Mueller had interviewed for the FBI Director position shortly before being appointed as Special Counsel, that he had worked for a law firm that represented people affiliated with the President, and that Mueller had disputed certain fees relating to his membership in a Trump golf course in Northern Virginia.

STEVE BANNON

Bannon recalled telling the President that the purported conflicts were "ridiculous" and that none of them was real or could come close to justifying precluding Mueller from serving as Special Counsel.

DON MCGAHN

May 23, 2017 McGahn told the President that he would not call Rosenstein [about Mueller] and that he would suggest that the President not make such a call either. McGahn advised that the President could discuss the issue with his personal attorney but it would "look like still trying to meddle in the investigation" and "knocking out Mueller" would be "another fact used to claim obstruction of justice." McGahn told the President that his "biggest exposure" was not his act of firing Comey but his "other contacts" and "calls," and his "ask regarding Flynn."

ROBERT MUELLER

Saturday, June 17, 2017, the President called McGahn and directed him to have the Special Counsel Mueller removed.

DON MCGAHN

The President called McGahn at home twice and on both occasions directed him to call Rosenstein and say that Mueller had conflicts that precluded him from serving as Special Counsel. On the first call he said,

PRESIDENT TRUMP

"You gotta do this. You gotta call Rod."

DON MCGAHN

McGahn said he told the President that he would see what he could do. McGahn was perturbed by the call and did not intend to act on the request. He and other advisors believed the asserted conflicts were "silly" and "not real," and they had previously communicated that view to the President. McGahn also had made clear to the President that the White House Counsel's Office should not be involved in any effort to press the issue of conflicts. When the President called McGahn a second time to follow up on the order to call the Department of Justice, McGahn recalled that the President was more direct,

PRESIDENT TRUMP

"Call Rod, tell Rod that Mueller has conflicts and can't be the Special Counsel." "Mueller has to go." "Call me back when you do it."

DON MCGAHN

That evening, McGahn called both Priebus and Bannon and told them that he intended to resign.

REINCE PRIEBUS

McGahn said that the President had asked him to "do crazy shit," but he thought McGahn did not tell him the specifics of the President's request because McGahn was trying to protect Priebus from what he did not need to know.

SARAH SANDERS

On June 13, 2017, Sanders asked the President for guidance on how to respond to press inquiries about the possible firing of the Special Counsel." The President dictated an answer, which Sanders delivered, saying that "While the president has every right to" fire the Special Counsel, "he has no intention to do so."

ROBERT MUELLER

June 15 & 16, the President issued a series of tweets acknowledging the existence of the obstruction investigation and criticizing it.

PRESIDENT TRUMP

"They made up a phony collusion with the Russians story, found zero proof, so now they go for obstruction of justice on the phony story. Nice". "You are witnessing the single greatest WITCH HUNT in American political history - led by some very bad and conflicted people!", "Crooked H destroyed phones w/ hammer, 'bleached' emails, & had husband meet w/AG days before she was cleared - & they talk about obstruction?" "After 7 months of investigations & committee hearings about my 'collusion with the Russians,' nobody has been able to show any proof. Sad!", and "I am being investigated for firing the FBI Director by the man who told me to fire the FBI Director! Witch Hunt."

NARRATOR

ACT FOUR. President Trump Attempted to Curtail The Special Counsel Investigation.

ROBERT MUELLER

"June 19, 2017: After some small talk, the President brought up Sessions and criticized his recusal from the Russia investigation. The President told former campaign manager, Corey Lewandowski, that Sessions was weak and that if the President had known about the likelihood of recusal in advance, he would not have appointed Sessions.

PRESIDENT TRUMP

The President then asked Lewandowski to deliver a message to Sessions and said "write this down."

COREY LEWANDOWSKI

This was the first time the President had asked Lewandowski to take dictation, and Lewandowski wrote as fast as possible to make sure he captured the content correctly.

PRESIDENT TRUMP

The President directed that Sessions should give a speech publicly announcing: I know that I recused myself from certain things having to do with specific areas. But our POTUS - is being treated very unfairly. He shouldn't have a Special Prosecutor/Counsel because he hasn't done anything wrong. I was on the campaign with him for nine months, there were no Russians involved with him. I know it for a fact because I was there. He didn't do anything wrong except he ran the greatest campaign in American history - Now a group of people want to subvert the Constitution of the United States. I am going to meet with the Special Prosecutor to explain this is very unfair and let the Special Prosecutor move forward with investigating election meddling for future elections so that nothing can happen in future elections.

ROBERT MUELLER

Within hours of the President's meeting with Lewandowski, the President gave an unplanned interview to the New York Times in which he criticized Sessions's decision to recuse from the Russia investigation.

PRESIDENT TRUMP

"Sessions should have never recused himself, and if he was going to recuse himself, he should have told me before he took the job, and I would have picked somebody else." Sessions's recusal, the President said, was very unfair to the president. How do you take a job and then recuse yourself? If he would have recused himself before the job, I would have said, "Thanks, Jeff, but I can't, you know, I'm not going to take you." It's extremely unfair, and that's a mild word, to the president."

HOPE HICKS

Hope Hicks, who was present for the interview, recalled trying to "throw [herself] between the reporters and the President" to stop parts of the interview, but the President "loved the interview."

REINCE PRIEBUS

"July 22, 2017: The President told Priebus to say [to Sessions] that he "needed a letter of resignation on his desk immediately" and that Sessions had no choice" but "must immediately resign. Priebus replied that if they fired Sessions, they would never get a new Attorney General confirmed and that the Department of Justice and Congress would turn their backs on the President, but the President suggested he could make a recess appointment to replace Sessions. Priebus believed that the President's request was a problem, so he called McGahn and asked for advice, explaining that he did not want to pull the trigger on something that was "all wrong."

ROBERT MUELLER

That afternoon, the President followed up with Priebus about demanding Sessions's resignation

PRESIDENT TRUMP

"Did you get it? Are you working on it?"

REINCE PRIEBUS

Priebus believed that his job depended on whether he followed the order to remove Sessions, although the President did not directly say so.

ROBERT MUELLER

July 25, the President tweeted:

PRESIDENT TRUMP

"Attorney General Jeff Sessions has taken a VERY weak position on Hilary Clinton crimes (where are Emails & DNC server) & Intel leakers!"

ROBERT MUELLER

The following day -

PRESIDENT TRUMP

"Why didn't A.G. Sessions replace Acting FBI Director Andrew McCabe, a Comey friend who was in charge of Clinton investigation?"

JEFF SESSIONS

In light of the President's frequent public attacks, Sessions prepared another resignation letter and for the rest of the year carried it with him in his pocket every time he went to the White House.

NARRATOR

ACT FIVE. President Trump Prevented The Public Disclosure Of Evidence. We begin before the Election.

ROBERT MUELLER

June 3, 2016: Shortly after his phone call with Russian pop star, Emin Agalarov, Rob Goldstone, a NY publicist emailed Trump Jr.

ROB GOLDSTONE

Emin just called and asked me to contact you with something very interesting. The Crown prosecutor of Russia met with his father Aras this morning and in their meeting offered to provide the Trump campaign with some official documents and information that would incriminate Hilary and her dealings with Russia and would be very useful to your father. This is obviously very high level and sensitive information but is part of Russia and its government's support for Mr. Trump - helped along by Aras and Emin. What do you think is the best way to handle this information and would you be able to speak to Emin about it directly? I can also send this info to your father via Rhona, but it is ultra sensitive so wanted to send to you first.

ROBERT MUELLER

Within minutes of this email, Trump Jr. responded, emailing back:

TRUMP, JR.

"Thanks Rob I appreciate that. I am on the road at the moment but perhaps I just speak to Emin first. Seems we have some time and if it's what you say I love it especially later in the summer. Could we do a call first thing next week when I am back?"

ROB GOLDSTONE

Goldstone conveyed Trump Jr.'s interest to Emin Agalarov, emailing that Trump Jr.

TRUMP, JR.

"Wants to speak personally on the issue."

NARRATOR

We jump ahead, a year later, July 7, 2017. Trump is now President.

ROBERT MUELLER

The following week, the President departed on an overseas trip for the G20 summit in Hamburg, Germany, accompanied by Hope Hicks, Jared Kushner, and Ivanka Trump, among others. While the President was overseas, Hicks learned that the New York Times was working on a story about the June 9 meeting.

HOPE HICKS

The next day, Hicks told the President about the story and he directed her not to comment. Hicks thought the President's reaction was odd because he usually considered not responding to the press to be the ultimate sin. Later that day, Hicks and the President again spoke about the story. Hicks recalled that the President asked her what the meeting had been about, and she said that she had been told the meeting was about Russian adoption.

PRESIDENT TRUMP

"Then just say that."

HOPE HICKS

On the flight home Hicks obtained a draft statement about the meeting to be released by Trump Jr. and brought it to the President. The draft statement began with a reference to the information that was offered by the Russians in setting up the meeting

TRUMP, JR.

"I was asked to have a meeting by an acquaintance I knew from the 2013 Miss Universe pageant with an individual who I was told might have information helpful to the campaign."

HOPE HICKS

Hicks again wanted to disclose the entire story, but the President directed that the statement not be issued because it said too much. The President told Hicks to say

PRESIDENT TRUMP

Only that Trump Jr. took a brief meeting and it was about Russian adoption.

HOPE HICKS

Hicks texted Trump Jr. a revised statement - that read:

TRUMP, JR.

It was a short meeting. I asked Jared and Paul to stop by. We discussed a program about the adoption of Russian children that was active and popular with American families years ago and was since ended by the Russian government, but it was not a campaign issue at that time and there was no follow up.

HOPE HICKS

"Are you OK with this? Attributed to you."

TRUMP, JR.

Trump Jr. responded by text message that he wanted to add the word "primarily" before "discussed" so that the statement would read, "We primarily discussed a program about the adoption of Russian children." Trump Jr. texted that he wanted the change because, "They started with some Hilary thing which was BS and some other nonsense which we shot down fast."

HOPE HICKS

"I think that's right, too, but boss man worried it invites a lot of questions. Ultimately defer to you and your attorney on that word because I know it's important and I think the mention of a campaign issue adds something to it in case we have to go further."

TRUMP, JR.

"If I don't have it in there it appears as though I'm lying later when they inevitably leak something."

ROBERT MUELLER

Trump Jr.'s statement - adding the word "primarily" and making other minor additions - was then provided to the New York Times. The full statement provided to the Times stated:

TRUMP, JR.

It was a short introductory meeting. I asked Jared and Paul to stop by. We primarily discussed a program about the adoption of Russian children that was active and popular with American families years ago and was since ended by the Russian government, but it was not a campaign issue at the time and there was no follow up. I was asked to attend the meeting by an acquaintance, but was not told the name of the person I would be meeting with beforehand.

ROBERT MUELLER

The statement *did not mention* the offer of derogatory information about Clinton or any discussion of the Magnitsky Act or U.S. sanctions, which were the principal subjects of the meeting.

HOPE HICKS

A short while later, while still on Air Force One, Hicks learned that Priebus knew about the emails, which further convinced her that additional information about the June 9 meeting would leak and the White House should be proactive and get in front of the story. Hicks recalled again going to the President to urge him that they should be fully transparent about the June 9 meeting, but he again said no, telling Hicks,

PRESIDENT TRUMP

"You've given a statement. We're done."

HOPE HICKS

Later on the flight home, Hicks went to the President's cabin, where the President was on the phone with one of his personal attorneys. At one point the President handed the phone to Hicks,

ROBERT MUELLER

The attorney told Hicks that he had been working with Circa News on a separate story, and that she should not talk to the New York Times. On July 19, 2017, the President met with reporters for the New York Times. In addition to criticizing Sessions in his Times interview, the President addressed the June 9, 2016 meeting and said he

PRESIDENT TRUMP

"Didn't know anything about the meeting" at the time. "As I've said - most other people, you know, when they call up and say, 'By the way, we have information on your opponent,' I think most politicians - I was just with a lot of people, they said ..., 'Who wouldn't have taken a meeting like that?'"

NARRATOR

In other words, what American politician wouldn't take compromising information on their opponent from a foreign power, in this case, one whose hostility to America dates back 71 years? *Back to the Report.*

ROBERT MUELLER

After consulting with the President on the issue, White House Press Secretary Sarah Sanders told the media

SARAH SANDERS

The President "certainly didn't dictate" the statement, but that "he weighed in, offered suggestions like any father would do."

ROBERT MUELLER

Several months later, the President's personal counsel stated in a private communication to the Special Counsel's Office that "the President dictated a short but accurate response to the New York Times article on behalf of his son, Donald Trump, Jr."

NARRATOR

ACT SIX. President Trump Wanted Attorney General Sessions To Unrecuse From The Russia Investigation.

ROBERT MUELLER

At some point after the appointment of the Special Counsel Robert Mueller, the President called Sessions at home and asked if Sessions would "unrecuse" himself. According to Sessions -

PRESIDENT TRUMP

The President asked him to reverse his recusal so that Sessions could direct the Department of Justice to investigate and prosecute Hilary Clinton, and the "gist" of the conversation was that the President wanted Sessions to unrecuse from "all of it," including the Special Counsel's Russia investigation."

JEFF SESSIONS

Sessions listened but did not respond, and he did not reverse his recusal or order an investigation of Clinton.

ROBERT MUELLER

December 6, 2017, five days after Flynn pleaded guilty to lying about his contacts with the Russian government, the President asked to speak with Sessions in the Oval Office at the end of a cabinet meeting. During that Oval Office meeting, which Rob Porter, White House Staff Secretary attended,

PRESIDENT TRUMP

The President again suggested that Sessions could "unrecuse,"

ROB PORTER

Which Porter linked to taking back supervision of the Russia investigation and directing an investigation of Hilary Clinton. According to contemporaneous notes taken by Porter, the President said,

PRESIDENT TRUMP

"I don't know if you could un-recuse yourself. You'd be a hero. Not telling you to do anything. Dershowitz says POTUS can get involved. Can order Attorney General to investigate. I don't want to get involved. I'm not going to get involved. I'm not going to do anything or direct you to do anything. I just want to be treated fairly."

JEFF SESSIONS

"We are taking steps; whole new leadership team. Professionals; will operate according to the law." Sessions also said, "I never saw anything that was improper,"

ROB PORTER

Which Porter thought was noteworthy because it did not fit with the previous discussion about Clinton.

ROBERT MUELLER

At the end of December, the President told the New York Times -

PRESIDENT TRUMP

It was "too bad" that Sessions had recused himself from the Russia investigation.

ROBERT MUELLER

When asked whether Holder had been a more loyal Attorney General to President Obama than Sessions was to him, the President said,

PRESIDENT TRUMP

"I don't want to get into loyalty, but I will tell you that, I will say this: Holder protected President Obama. Totally protected him. When you look at the things that they did, and Holder protected the president. And I have great respect for that, I'll be honest."

ROB PORTER

Later in January, the President brought up the idea of replacing Sessions and told Porter that he wanted to "clean house" at the Department of Justice. In a meeting in the White House residence on January 27, 2018, Porter recalled that -

PRESIDENT TRUMP

The President talked about the great attorneys he had in the past with successful win records, such as Roy Cohn and Jay Goldberg, and said that one of his biggest failings as President was that he had not surrounded himself with good attorneys, citing Sessions as an example. The President raised Sessions's recusal and brought up and criticized the Special Counsel's investigation.

ROBERT MUELLER

August 1, 2018, the President tweeted that -

PRESIDENT TRUMP

"Attorney General Jeff Sessions should stop this Rigged Witch Hunt right now."

ROBERT MUELLER

August 23, 2018, the President publicly criticized Sessions in a press interview and suggested that prosecutions at the Department of Justice were politically motivated because Paul Manafort had been prosecuted but Democrats had not.

PRESIDENT TRUMP

"I put in an Attorney General that never took control of the Justice Department, Jeff Sessions."

ROBERT MUELLER

That day, Sessions issued a press statement,

JEFF SESSIONS

"I took control of the Department of Justice the day I was sworn in - While I am Attorney General, the actions of the Department of Justice will not be improperly influenced by political considerations."

ROBERT MUELLER

The next day, the President tweeted a response:

PRESIDENT TRUMP

"Department of Justice will not be improperly influenced by political considerations.' Jeff, this is GREAT, what everyone wants, so look into all of the corruption on the other side including deleted Emails, Comey lies & leaks, Mueller conflicts, McCabe, Strzok, Page, Ohr, FISA abuse, Christopher Steele & his phony and corrupt Dossier, the Clinton Foundation, illegal surveillance of Trump campaign, Russian collusion by Dems - and so much more. Open up the papers & documents without redaction? Come on Jeff, you can do it, the country is waiting!"

ROB PORTER

In early July 2017, the President asked Staff Secretary Rob Porter what he thought of Associate Attorney General Rachel Brand. Porter recalled that -

PRESIDENT TRUMP

The President asked him if Brand was good, tough, and "on the team." The President also asked if Porter thought Brand was interested in being responsible for the Special Counsel's investigation and whether she would want to be Attorney General one day. Because Porter knew Brand, the President asked him to sound her out about taking responsibility for the investigation and being Attorney General. - "Keep in touch with your friend,"

NARRATOR

ACT SEVEN. President Trump Directed White House Counsel Don McGahn To Create False Documents That Covered Up The Truth From Investigators.

ROBERT MUELLER

January 26, 2018, the President's personal counsel called McGahn's attorney and said that the President wanted McGahn to -

PRESIDENT TRUMP

Put out a statement denying that he had been asked to fire the Special Counsel and that he had threatened to quit in protest.

DON MCGAHN

McGahn's attorney spoke with McGahn about that request and then called the President's personal counsel to relay that McGahn would not make a statement.

ROBERT MUELLER

The next day, the President complained about the Times article to Rob Porter.

PRESIDENT TRUMP

The President told Porter that the article was "bullshit" and he had not sought to terminate the Special Counsel. The President said that McGahn leaked to the media to make himself look good. The President then directed Porter to tell McGahn to create a record to make clear that the President never directed McGahn to fire the Special Counsel.

ROB PORTER

Porter thought the matter should be handled by the White House communications office,

PRESIDENT TRUMP

But the President said he wanted McGahn to write a letter to the file "for our records" and wanted something beyond a press statement to demonstrate that the reporting was inaccurate. The President referred to McGahn as a "lying bastard" and said that he wanted a record from him. "If he doesn't write a letter, then maybe I'll have to get rid of him."

ROB PORTER

Later that day, Porter spoke to McGahn to deliver the President's message. Porter told McGahn that he had to write a letter to dispute that he was ever ordered to terminate the Special Counsel.

DON MCGAHN

McGahn shrugged off the request, explaining that the media reports were true. McGahn told Porter that the President had been insistent on firing the Special Counsel and that McGahn had planned to resign rather than carry out the order, although he had not personally told the President he intended to quit.

ROBERT MUELLER

"February 6, 2018: The President began the Oval Office meeting by telling McGahn that -

PRESIDENT TRUMP

The New York Times story did not "look good" and McGahn needed to correct it. "I never said to fire Mueller. I never said 'fire.' This story doesn't look good. You need to correct this. You're the White House counsel."

DON MCGAHN

McGahn acknowledged that he had not told the President directly that he planned to resign, but said that the story was otherwise accurate.

PRESIDENT TRUMP

"Did I say the word 'fire'?"

DON MCGAHN

"What you said is, 'Call Rod (Rosenstein), tell Rod that Mueller has conflicts and can't be the Special Counsel.'"

PRESIDENT TRUMP

"I never said that." The President said he merely wanted McGahn to raise the conflicts issue with Rosenstein and leave it to him to decide what to do.

DON MCGAHN

McGahn told the President he did not understand the conversation that way and instead had heard, "Call Rod. There are conflicts. Mueller has to go."

PRESIDENT TRUMP

The President asked McGahn whether he would "do a correction,"

DON MCGAHN

No.

PRESIDENT TRUMP

The President also asked McGahn in the meeting why he had told Special Counsel's Office investigators that the President had told him to have the Special Counsel removed.

DON MCGAHN

McGahn responded that he had to and that his conversations with the President were not protected by attorney-client privilege.

PRESIDENT TRUMP

"What about these notes? Why do you take notes? Lawyers don't take notes. I never had a lawyer who took notes."

DON MCGAHN

McGahn responded that he keeps notes because he is a "real lawyer" and explained that notes create a record and are not a bad thing.

PRESIDENT TRUMP

"I've had a lot of great lawyers, like Roy Cohn. He did not take notes."

NARRATOR

ACT EIGHT. President Trump Tried To Discourage Campaign Chairman Paul Manafort And National Security Advisor Michael Flynn From Cooperating With The Mueller Investigation.

ROBERT MUELLER

The President's actions towards witnesses in the Special Counsel's investigation would qualify as obstructive if they had the natural tendency to prevent particular witnesses from testifying truthfully, or otherwise would have the probable effect of influencing, delaying, or preventing their testimony to law enforcement... With regard to Flynn, the President sent private and public messages to Flynn encouraging him to stay strong and conveying that the President still cared about him before he began to cooperate with the government... With respect to Paul Manafort, there is evidence that the President's actions had the potential to influence Manafort's decision whether to cooperate with the government.

PRESIDENT TRUMP

Following Flynn's resignation, the President made positive public comments about Flynn, describing him as a "wonderful man," "a fine person," and a "very good person." The President also privately asked advisors to pass messages to Flynn conveying that the President still cared about him and encouraging him to stay strong.

GOV CHRIS CHRISTIE

February 2017: Christie... describing a phone conversation between Jared Kushner and Flynn the day after Flynn was fired where Kushner said,

JARED KUSHNER

"You know the President respects you. The President cares about you. I'll get the President to send out a positive tweet about you later,"

PRESIDENT TRUMP

And the President nodded his assent to Kushner's comment promising a tweet.

ROBERT MUELLER

December 1, 2017, Flynn pleaded guilty to making false statements pursuant to a cooperation agreement.

PRESIDENT TRUMP

The next day, the President told the press that he was not concerned about what Flynn might tell the Special Counsel.

ROBERT MUELLER

In response to a question about whether the President still stood behind Flynn,

PRESIDENT TRUMP

"We'll see what happens."

ROBERT MUELLER

Over the next several days, the President made public statements expressing sympathy for Flynn and indicating he had not been treated fairly. On December 15, 2017, the President responded to a press inquiry about whether he was considering a pardon for Flynn

PRESIDENT TRUMP

"I don't want to talk about pardons for Michael Flynn yet. We'll see what happens. Let's see. I can say this: When you look at what's gone on with the FBI and with the Justice Department, people are very, very angry."

PAUL MANAFORT

January 2018, Paul Manafort, former Campaign Manager, told Rick Gates, political consultant, that he had talked to the President's personal counsel and they were "going to take care of us." Manafort told Gates it was stupid to plead, saying that he had been in touch with the President's personal counsel and repeating that they should "sit tight" and "we'll be taken care of."

RICK GATES

Gates asked Manafort outright if anyone mentioned pardons

PAUL MANAFORT

Manafort said no one used that word.

ROBERT MUELLER

"June 15, 2018: In public, the President made statements criticizing the prosecution and suggesting that Manafort was being treated unfairly. On June 15, 2018, before a scheduled court hearing that day on whether Manafort's bail should be revoked based on new charges that Manafort had tampered with witnesses while out on bail, the President told the press,

PRESIDENT TRUMP

"I feel badly about a lot of them because I think a lot of it is very unfair. I mean, I look at some of them where they go back 12 years. Like Manafort has nothing to do with our campaign. But I feel so I tell you, I feel a little badly about it. They went back 12 years to get things that he did 12 years ago? ... I feel badly for some people, because they've gone back 12 years to find things about somebody, and I don't think it's right."

ROBERT MUELLER

In response to a question about whether he was considering a pardon for Manafort or other individuals involved in the Special Counsel's investigation

PRESIDENT TRUMP

"I don't want to talk about that. No, I don't want to talk about that.... But look, I do want to see people treated fairly. That's what it's all about."

ROBERT MUELLER

"June 15, 2018: Immediately following the revocation of Manafort's bail, the President's personal lawyer, Rudolph Giuliani, gave a series of interviews in which he raised the possibility of a pardon for Manafort..."

RUDOLPH GIULIANI

"I guess I should clarify this once and for all. ... The president has issued no pardons in this investigation. The president is not going to issue pardons in this investigation. ... When it's over, hey, he's the president of the United States. He retains his pardon power. Nobody is taking that away from him."...

ROBERT MUELLER

Giuliani said the comments only acknowledged that -

RUDOLPH GIULIANI

An individual involved in the investigation would not be "excluded from a pardon, if in fact the president and his advisors - come to the conclusion that you have been treated unfairly."

ROBERT MUELLER

August 17, 2018, as jury deliberations continued, the President commented on the trial from the South Lawn of the White House... When asked whether he would pardon Manafort if he was convicted -

PRESIDENT TRUMP

"I don't talk about that now. I don't talk about that." "I think the whole Manafort trial is very sad when you look at what's going on there. I think it's a very sad day for our country. He worked for me for a very short period of time. But you know what, he happens to be a very good person. And I think it's very sad what they've done to Paul Manafort."

ROBERT MUELLER

In a Fox News interview on August 22, 2018, the President said:

PRESIDENT TRUMP

"Cohen makes a better deal when he uses me, like everybody else. And one of the reasons I respect Paul Manafort so much is he went through that trial - you know they make up stories. People make up stories. This whole thing about flipping, they call it, I know all about flipping." The President said that flipping was "not fair" and "almost ought to be outlawed."

ROBERT MUELLER

In an interview on November 28, 2018, the President suggested that it was "very brave" that Manafort did not "flip"

PRESIDENT TRUMP

If you told the truth, you go to jail. You know this flipping stuff is terrible. You flip and you lie and you get - the prosecutors will tell you 99 percent of the time they can get people to flip. It's rare that they can't. But I had three people: Manafort, Jerome Corsi - I don't know Corsi, but he refuses to say what they demanded. Manafort, Corsi

ROBERT MUELLER

[REDACTED]

PRESIDENT TRUMP

It's actually very brave.

ROBERT MUELLER

In response to a question about a potential pardon for Manafort

PRESIDENT TRUMP

"It was never discussed, but I wouldn't take it off the table. Why would I take it off the table?"

NARRATOR

ACT NINE. President Trump Encouraged Michael Cohen To Lie About Trump Tower Moscow.

ROBERT MUELLER

"According to Michael Cohen, [personal lawyer to Donald Trump] in approximately September 2015 he obtained internal approval from Trump to negotiate on behalf of the Trump Organization to have a Russian corporation build a tower in Moscow that licensed the Trump name and brand. Cohen thereafter had numerous brief conversations with Trump about the project.

MICHAEL COHEN

Cohen recalled that Trump wanted to be updated on any developments with Trump Tower Moscow and on several occasions brought the project up with Cohen to ask what was happening on it... Trump signed a Letter of Intent for the project that specified highly lucrative terms for the Trump Organization.

ROBERT MUELLER

November 3, 2015, the day after the Trump Organization transmitted the [letter of intent], Felix Sater

NARRATOR

- Russian-American Mobster, convicted felon, and real estate developer -

ROBERT MUELLER

Emailed Cohen suggesting that the Trump Moscow project could be used to increase candidate Trump's chances at being elected:

FELIX SATER

Buddy our boy can become President of the USA and we can engineer it. I will get all of Putin's team to buy in on this, I will manage this process. ... Michael, Putin gets on stage with Donald for a ribbon cutting for Trump Moscow, and Donald owns the republican nomination. And possibly beats Hillary and our boy is in. ... We will manage this process better than anyone. You and I will get Donald and Vladimir on a stage together very shortly. That the game changer

ROBERT MUELLER

"Sater and Cohen continued to discuss a trip to Moscow. On May 4, 2016, Sater followed up:

FELIX SATER

I had a chat with Moscow. ASSUMING the trip does happen the question is before or after the convention. I said I believe, but don't know for sure, that's it's probably after the convention. Obviously the pre-meeting trip (you only) can happen anytime you want but the 2 big guys where [sic] the question.

MICHAEL COHEN

"My trip before Cleveland. Trump once he becomes the nominee after the convention."

ROBERT MUELLER

May 5, 2016, Sater followed up with a text that Cohen thought he probably read to Trump:

FELIX SATER

Peskov would like to invite you as his guest to the St. Petersburg Forum which is Russia's Davos it's June 16-19. He wants to meet there with you and possibly introduce you to either Putin or [Russian Prime Minister Dimitry] Medvedev.... This is perfect. The entire business class of Russia will be there as well. He said anything you want to discuss including dates and subjects are on the table to discuss.

MICHAEL COHEN

Cohen recalled discussing the invitation with candidate Trump and saying that Putin or Medvedev might be there.

PRESIDENT TRUMP

Trump said that he would be willing to travel to Russia if Cohen could "lock and load" on the deal "

MICHAEL COHEN

August 2017: Cohen recalled telling Jay Sekulow, the President's personal counsel, who did not have first-hand knowledge of the project, that there was more detail on Trump Tower Moscow that was not in the [*his written*] statement [*to the Senate Intelligence Committee*], including that there were more communications with Russia and more communications with candidate Trump than the statement reflected. Cohen stated that Jay Sekulow responded

JAY SEKULOW

It was not necessary to elaborate or include those details because the project did not progress and that Cohen should keep his statement short and "tight" and the matter would soon come to an end. "His client" appreciated Cohen, that Cohen should stay on message and not contradict the President, that there was no need to muddy the water, and that it was time to move on.

ROBERT MUELLER

September 17, 2018, this Office submitted written questions to the President that included questions about the Trump Tower Moscow project and attached Cohen's written statement to Congress and the Letter of Intent signed by the President. Among other issues, the questions asked the President to describe the timing and substance of discussions he had with Cohen about the project, whether they discussed a potential trip to Russia, and whether the President "at any time directed or suggested that discussions about the Trump Moscow project should cease," or whether the President was "informed at any time that the project had been abandoned." November 20, 2018, the President submitted written responses that did not answer those questions about Trump Tower Moscow directly and did not provide any information about the timing of the candidate's discussions with Cohen about the project or whether he participated in any discussions about the project being abandoned or no longer pursued. Instead, the President's answers stated in relevant part:

PRESIDENT TRUMP

I had few conversations with Mr. Cohen on this subject. As I recall, they were brief, and they were not memorable. I was not enthused about the proposal, and I do not recall any discussion of travel to Russia in connection with it. I do not remember discussing it with anyone else at the Trump Organization, although it is possible. I do not recall being aware at the time of any communications between Mr. Cohen and Felix Sater and any Russian government official regarding the Letter of Intent.

ROBERT MUELLER

November 29, after Cohen's guilty plea had become public, the President spoke to reporters about the Trump Tower Moscow project.

PRESIDENT TRUMP

I decided not to do the project - I decided ultimately not to do it. There would have been nothing wrong if I did do it. If I did do it, there would have been nothing wrong. That was my business - It was an option that I decided not to do - I decided not to do it. The primary reason - I was focused on running for President - I was running my business while I was campaigning. There was a good chance that I wouldn't have won, in which case I would've gone back into the business. And why should I lose lots of opportunities?

ROBERT MUELLER

The President also said that Cohen was -

PRESIDENT TRUMP

"A weak person. And by being weak, unlike other people that you watch - he is a weak person. And what he's trying to do is get a reduced sentence. So he's lying about a project that everybody knew about." - "Even if [Cohen] was right, it doesn't matter because I was allowed to do whatever I wanted during the campaign.

NARRATOR

ACT TEN. President Trump Tried To Get Longtime Lawyer Michael Cohen Not To Cooperate With The Investigation

ROBERT MUELLER

The evidence concerning this sequence of events could support an inference that the President used inducements in the form of positive messages in an effort to get Cohen not to cooperate, and then turned to attacks and intimidation to deter the provision of information or undermine Cohen's credibility once Cohen began cooperating.

MICHAEL COHEN

Cohen said that the President's personal counsel also conveyed that, as part of the [Joint Defense Agreement], Cohen was protected, which he would not be if he "went rogue." Cohen recalled that Jay Sekulow, the President's personal counsel, reminded him that

JAY SEKULOW

"The President loves you" and told him that if he stayed on message, the President had his back.

MICHAEL COHEN

"August 2017: Cohen said that his "agenda" in submitting the [his] statement to Congress with false representations about the Trump Tower Moscow project was to minimize links between the project and the President, give the false impression that the project had ended before the first presidential primaries, and shut down further inquiry into Trump Tower Moscow, with the aim of limiting the ongoing Russia investigations. Cohen said he wanted to protect the President and be loyal to him by not contradicting anything the President had said. Cohen recalled he was concerned that if he told the truth about getting a response from the Kremlin or speaking to candidate Trump about travel to Russia to pursue the project, he would contradict the message that no connection existed between Trump and Russia, and he rationalized his decision to provide false testimony because the deal never happened -

ROBERT MUELLER

Between August 18, 2017, when the statement was in an initial draft stage, and August 28, 2017, when the statement was submitted to Congress, phone records reflect that Cohen spoke with Jay Sekulow almost daily.

MICHAEL COHEN

Cohen also recalled speaking with Jay Sekulow about pardons after the searches of his home and office had occurred, at a time when the media had reported that pardon discussions were occurring at the White House. Cohen told Sekulow he had been a loyal lawyer and servant, and he said that after the searches he was in an uncomfortable position and wanted to know what was in it for him.

JAY SEKULOW

Cohen should stay on message, the investigation was a witch hunt, and everything would be fine.

ROBERT MUELLER

February 13, 2018, Cohen released a statement to news organizations that stated,

MICHAEL COHEN

"In a private transaction in 2016, I used my own personal funds to facilitate a payment of \$130,000 to Stormy Daniels.

NARRATOR

A porn star with whom Trump had an affair while his wife was in the hospital.

MICHAEL COHEN

Neither the Trump Organization nor the Trump campaign was a party to the transaction with Stormy Daniels, and neither reimbursed me for the payment, either directly or indirectly."

ROBERT MUELLER

In congressional testimony on February 27, 2019, Cohen testified -

MICHAEL COHEN

That he had discussed what to say about the payment with the President and that the President had directed Cohen to say that the President "was not knowledgeable - of [Cohen's] actions" in making the payment."

ROBERT MUELLER

February 19, 2018, the day after the New York Times wrote a detailed story attributing the payment to Cohen and describing Cohen as the President's "fixer," Cohen received a text message from Jay Sekulow, the President's personal counsel

JAY SEKULOW

"Client says thanks for what you do."

ROBERT MUELLER

January 12, 2019: In an interview on Fox the President was asked whether he was worried about Cohen's testimony.

PRESIDENT TRUMP

In order to get his sentence reduced, Cohen says "I have an idea, I'll ah, tell - I'll give you some information on the president." Well, there is no information. But he should give information maybe on his father-in-law because that's the one that people want to look at because where does that money - that's the money in the family. And I guess he didn't want to talk about his father-in-law, he's trying to get his sentence reduced. So it's ah, pretty sad. You know, it's weak and it's very sad to watch a thing like that.

LIGHTS shift. The NARRATOR looks at the Projection of the Ten Acts of Obstruction and then back to the audience.

NARRATOR

Ten.

EVERYONE

Ten Acts of Obstruction.

ACTOR#1

ACT ONE. President Trump Asked The FBI Director To Shut Down The Investigation Into National Security Advisor Michael Flynn.

ACTOR#2

ACT TWO. President Trump Said He Fired FBI Director Comey Because Of The Russia Investigation.

ACTOR#3

ACT THREE. President Trump Ordered White House Counsel Don McGahn to Fire Robert Mueller.

ACTOR#4

ACT FOUR. President Trump Attempted to Curtail The Special Counsel Investigation.

ACTOR#5

ACT FIVE. President Trump Prevented The Public Disclosure Of Evidence.

ACTOR#6

ACT SIX. President Trump Wanted Attorney General Sessions To Unrecuse From The Russia Investigation.

ACTOR#7

ACT SEVEN. President Trump Directed White House Counsel Don McGahn To Create False Documents That Covered Up The Truth From Investigators.

ACTOR#8

ACT EIGHT. President Trump Tried to Discourage Campaign Chairman Paul Manafort And National Security Advisor Michael Flynn From Cooperating With The Mueller Investigation.

ACTOR#9

ACT NINE. President Trump Encouraged his personal lawyer, Michael Cohen, To Lie About Trump Tower Moscow.

ACTOR#10

ACT TEN. President Trump Tried to Get Michael Cohen Not To Cooperate With The Investigation.

NARRATOR

Ten Acts of Obstruction. Some people came to a different conclusion, like Attorney General Bill Barr.

ATTORNEY GENERAL BARR

“The President took no act that in fact deprived the Special Counsel of the documents and witnesses necessary to complete his investigation. Apart from whether the acts were obstructive, this evidence of non-corrupt motives weighs heavily against any allegation that the President had a corrupt intent to obstruct the investigation.”

EVERYONE on stage looks at BARR. He shrugs. SPOT out on BARR.

NARRATOR

Some people jumped on the fact that Mueller did not say that Trump was guilty. Let's look at what he actually said. On May 29th, for the very first time, Robert Mueller spoke directly to the press.

ROBERT MUELLER

The order appointing me Special Counsel authorized us to investigate actions that could obstruct the investigation. We conducted that investigation and we kept the office of the Acting Attorney General apprised of the progress of our work.

(PAUSE)

As set forth in our report, after that investigation, *if we had confidence that the President clearly did not commit a crime, we would have said that.*

NARRATOR

"If we had confidence that the President clearly did not commit a crime, we would have said that." *They did not have confidence he was innocent.* But if they thought he was guilty and had committed any one or all ten acts of obstruction, why didn't they charge him? As if anticipating that very question, Mueller told the Press in his statement -

ROBERT MUELLER

Under long-standing Department policy, a President cannot be charged with a federal crime while he is in office. That is unconstitutional. Even if the charge is kept under seal and hidden from public view that too is prohibited. The Special Counsel's Office is part of the Department of Justice and, by regulation, it was bound by that Department policy. Charging the President with a crime was therefore not an option we could consider.

NARRATOR

If he wanted to charge the President, he couldn't. Mueller's hands were tied by regulation.

ROBERT MUELLER

The Department's written opinion explaining the policy against charging a President makes several important points that further informed our handling of the obstruction investigation. Those points are summarized in our report. I will describe two of them: First, the opinion explicitly permits the investigation of a sitting President because it is important to preserve evidence while memories are fresh and documents are available. Among other things, that evidence could be used if there were co-conspirators who could now be charged.

(A MOMENT)

And second, the opinion says that the Constitution requires a process other than the criminal justice system to formally accuse a sitting President of wrongdoing.

NARRATOR

Fortunately, the Constitution provides for just such a situation.

Image on Screen changes to the famous FIRST PAGE OF THE CONSTITUTION which begins with the words, **“We the People.”** That fades to a close-up of SECTION 4. Subtitles on screen read: **“IMPEACHMENT”**

NARRATOR

Impeachment is the only Constitutional process by which Congress can bring charges - Treason, Bribery, or other High Crimes or Misdemeanors - against a President, a Vice President and all civil Officers of the United States. It is a charging process, like an indictment in criminal law. And, as in the criminal justice system, it does not presume guilt. Impeachment is a search for the truth.

If, after a thorough investigation of the facts, a federal official is impeached by a majority vote of the House of Representatives, he or she stands trial in the Senate, presided over by the Chief Justice of the United States. The presumption of innocence still remains. In our country's history, no president has ever been convicted by the Senate. Only two presidents have ever been impeached and gone to trial: Andrew Johnson and Bill Clinton; both were later acquitted by the Senate. Richard Nixon resigned from office rather than face almost certain conviction from three articles of impeachment passed by the House Judiciary Committee. The charges were Abuse of Power, Contempt of Congress and...Obstruction of Justice.

Image on Screen changes to the FIRST PAGE OF THE CONSTITUTION.

NARRATOR

Our forefathers fought a bloody war against a tyrannical king. When they framed the Constitution, they did so fully aware of the potential dangers of a powerful Executive.

Image on Screen changes to the LIST OF TEN ACTS OF OBSTRUCTION.

NARRATOR

What do you do when the individual charged with administering the Law, the President, is himself a law-breaker? The framers of the Constitution gave us the tools to handle such an event. They did their job. Robert Mueller did his job. The question, is, will we do ours?

FADE TO BLACK