

**DECLARATION OF G. BRADLEY WEINSHEIMER**

I, G. Bradley Weinsheimer, declare the following to be true and correct:

(1) I am an Associate Deputy Attorney General for the Department of Justice (Department). I serve as the highest ranking career official in the Department. I have held this position since July 2018. Prior to that time, I served in the Department's National Security Division, from March 2016 to July 2018, serving as Acting Chief of Staff to the Assistant Attorney General from May 2016 until approximately February 2018. I have worked at the Department since 1991, including twenty years as an Assistant United States Attorney ("AUSA") in Washington, D.C. As an AUSA, I handled a wide variety of narcotics, violent crime, and public corruption cases, and held numerous supervisory positions, including Chief of the Superior Court Division and Chief of the Grand Jury Section.

(2) The attorneys who served on the senior management team in the Special Counsel's Office have left the Department. I did not directly work on or supervise the Department's investigation into Russia's interference in the 2016 presidential election and related matters ("Russia Investigation").<sup>1</sup> I do, however, work on issues relating to disclosure of Russia Investigation documents both to Congress and pursuant to Freedom of Information Act ("FOIA") requests. I also participated in the review of Special Counsel Robert S. Mueller III's March 22, 2019 confidential report to the Attorney General ("Mueller Report") to determine what material should be redacted. From this work, I generally am familiar with the investigatory documents that were prepared during the Russia Investigation and with the Mueller Report's contents and redactions.

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<sup>1</sup> The parameters of the Russia Investigation are described in DOJ Order No. 3915-2017.

(3) In the course of my official duties, I have become familiar with the litigation surrounding FOIA requests related to the Russia Investigation, as well as the existence of similar requests. I also have seen two statements the President made on Twitter on October 6, 2020, relating to Russia Investigation documents.<sup>2</sup> This declaration is based upon personal knowledge as well as information provided to me in the course of my official duties.

(4) As concerns the above-referenced tweets from the President, the Department has not received a declassification order from the President related to the materials at issue in this or any other FOIA case. After the President issued his statements on Twitter, I and other Department officials consulted with the White House Counsel's Office about the matters discussed in those statements, including potential declassification of documents related to the Russia Investigation and Hillary Clinton's emails, and whether the Twitter statements were meant as an order to alter any redactions that have already been taken on any materials in this case and other FOIA cases. The purpose of this consultation was to obtain the official position of the White House regarding the meaning and effect of the President's statements.

(5) The White House Counsel's Office informed the Department that there is no order requiring wholesale declassification or disclosure of documents at issue in this matter. The Department was further informed that the President's statements on Twitter were not self-executing declassification orders and do not require the declassification of any particular documents. Instead, the President has authorized the Attorney General to declassify documents as part of his ongoing review of intelligence activities relating to the 2016 Presidential election and certain related matters. The Attorney General has not ordered the declassification and release of any of the redacted material in this case based on the President's tweets. The


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<sup>2</sup> See <https://twitter.com/realDonaldTrump/status/1313640512025513984>; <https://twitter.com/realDonaldTrump/status/1313650640699224069>.

Department was further informed that the President's statements on Twitter do not require altering any redactions on any record at issue in this case, including, but not limited to, any redactions taken pursuant to any discretionary FOIA exemptions. Nor do the President's statements on Twitter prevent the Department from taking appropriate exemptions and redacting documents consistent with law and the positions the Department takes in FOIA matters.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13<sup>th</sup> day of October, 2020.

  
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G. Bradley Weinsheimer