

COMMITTEE SENSITIVE

EXECUTIVE SESSION
COMMITTEE ON THE JUDICIARY,
JOINT WITH THE
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: JAMES A. BAKER

Wednesday, October 3, 2018

Washington, D.C.

The interview in the above matter was held in Room 2141, Rayburn House Office Building, commencing at 10:02 a.m.

Present: Representatives Meadows, Jordan, and Raskin.

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GOVERNMENT EXHIBIT

0057

21-CR-582 CRC

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[11:22 a.m.]

EXAMINATION

BY MS. SHEN:

Q Good morning, Mr. Baker.

A Good morning.

Q My name is Valerie Shen. I am the chief national security counsel. Thank you very much for coming. National security counsel for the House Oversight and Government Reform Committee, and I will be helping lead some of the democratic staff questioning today.

And I have with me Congressman Raskin, who will do some lines of questioning. But first I just wanted to revisit something that was discussed in the last round. And I forgot to mention it, but I believe the time was 11:21 when we began.

So in the last round, the majority discussed evidence that Michael Sussen from Perkins Coie.

A Sussman.

Q Sussman.

A S-u-s-s-m-a-n.

Q And Mr. Sussman was an -- or still is, I think -- an attorney at Perkins Coie, is that correct?

A That is correct.

Q And how do you know Mr. Sussman?

A I can't remember when I first met Michael, but he and I both worked in the criminal division together at the Department of Justice, and we knew each other there and then had mutual friends. And so we

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have just, our paths have crossed repeatedly over the years.

Q And what kinds of issues did he work on at the Department of Justice?

A I think he worked in the computer crime area.

Q Okay. And I believe last round it was mentioned that Perkins Coie, his firm, had represented the DNC and the Hillary Clinton campaign, is that your understanding as well?

A That is what they said. I have never confirmed that. I think I read that in the press.

Q Okay. So when Mr. Sussman came to you to provide some evidence, you were not specifically aware that he was representing the DNC or the Hillary Clinton campaign at the time?

A I don't recall, I don't recall him specifically saying that at that time.

Q Okay. When Mr. Sussman did provide you this evidence, did you react in any -- in any way with concern. Were you alarmed? Were you -- did you believe that it was inappropriate for him to come to you with this information?

A No, I did not believe it was inappropriate. It was a citizen providing information to the FBI about a matter that they thought had either to do with a crime or some national security threat. And so it did not seem inappropriate to me.

Q Okay. So I guess it is just my interpretation, but I believe last round it was somewhat implied that if he did have an association to the Democratic National Committee and the Hillary Clinton campaign

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that that might lead someone to believe that something improper was done. And I wonder if you could just explain to me, you know, why your view is that it was not improper because, just the mere notion that someone who is a Democrat or Republican, you know, comes to you with information, should that information somehow be discounted or considered less credible because of, you know, partisan affiliation?

A Well, the FBI is responsible for protecting everybody in this country. Period, full stop. And we do that, without regard to who they are or what their political background is or anything else. If they believe they have evidence of a crime or believe they have been a victim of a crime, we will do what we can within our lawful authorities to protect them.

And so when a citizen comes with evidence, we accept it. That is my, just general understanding over many, many years. We, the Bureau, we, the Department of Justice. And so that is how I construed what Michael was doing. It was, he believed he had evidence, again, either of a crime or of a national security threat, and he believed it was appropriate to provide it to us. When he did, I didn't think there was anything improper about it whatsoever.

As I said, I recognized that I was obtaining evidence and I wanted to get it out of my hands into the hands of agents as quickly as possible. And that is what I did.

Q Okay. Thank you.

Mr. Raskin. Thank you, Mr. Baker.

In March of 2017, Director Comey disclosed in public testimony

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