

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 10/11/2022

TIMOTHY J. HEAPHY (hereafter "HEAPHY"), a/k/a TIM HEAPHY, Senior Investigative Counsel for the United States House of Representatives' Select Committee to Investigate the January 6th Attack on the United States Capitol (hereafter "Select Committee"), was interviewed on 10/07/2022 by Special Agent Frank G. D'Amico of the Federal Bureau of Investigation (FBI) and Assistant United States Attorney Joseph P. Cooney of the United States Attorney's Office for the District of Columbia in furtherance of captioned investigation. This interview occurred virtually via Microsoft TEAMS video-conferencing system. Also present during the course of this interview was Douglas N. Letter, General Counsel for the United States House of Representatives' Office of General Counsel; and Brooks Hanner, Associate General Counsel for United States House of Representatives' Office of General Counsel.

The aforementioned interview began at approximately 11:00 a.m. and concluded at approximately 11:25 a.m. After being reminded of the identities of the interviewing agent and federal prosecutor, HEAPHY voluntarily provided the following information:

Through media reporting, HEAPHY knew M. EVAN CORCORAN (hereafter "CORCORAN") to be retained legal counsel for STEPHEN K. BANNON (hereafter "BANNON"). HEAPHY also knew CORCORAN to be actively representing BANNON in his 07/18/2022 criminal trial for Contempt of Congress.

HEAPHY stated he was friendly with CORCORAN as they were former professional colleagues. However, they had not spoken in a very long time. HEAPHY had worked with CORCORAN several years ago at the United States Attorney's Office in Washington, D.C. where they both previously served as Assistant United States Attorneys.

A few days prior to the start of BANNON's criminal trial, HEAPHY received a text message from CORCORAN asking HEAPHY to speak with him. HEAPHY was hesitant to respond to CORCORAN in light of CORCORAN's legal representation of BANNON in BANNON's upcoming trial.

Investigation on 10/07/2022 at Washington, District Of Columbia, United States (, Other (Microsoft TEAMS Video Conferencing))

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by SA FRANK G. DAMICO

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HEAPHY subsequently informed KRISTEN AMERLING (hereafter "AMERLING") of CORCORAN's text message and his request to speak with HEAPHY. HEAPHY also advised AMERLING of his initial concerns about speaking with CORCORAN. After discussing the matter, AMERLING told HEAPHY that he should call CORCORAN back in order to determine exactly what CORCORAN wanted.

HEAPHY explained the Select Committee sent a letter to BANNON on 07/14/2022 affirming the Select Committee's continued interest in obtaining BANNON's witness testimony. This letter was sent in response to public statements made by BANNON to the media prior to the start of his trial. In his public statements, BANNON expressed a willingness to testify before the Select Committee. As such, it was unknown if CORCORAN's purpose for contacting HEAPHY was to discuss arranging BANNON's possible appearance before the Select Committee.

HEAPHY telephonically spoke with CORCORAN on 07/15/2022. This call was very short in duration. JOE MAHER (hereafter "MAHER") was also on this call to serve as a potential witness, but did not participate in the conversation. HEAPHY identified MAHER as the Deputy Counsel to the the Select Committee's Vice-Chairperson. MAHER is employed as the Principal Deputy General Counsel for the United States Department of Homeland Security (DHS) and currently on detail assignment to the Select Committee.

CORCORAN started the conversation by stating he chose to reach out to HEAPHY as opposed to AMERLING because CORCORAN knew HEAPHY was not listed as a witness in BANNON's upcoming criminal trial. CORCORAN continued by representing BANNON would consider testifying before the Select Committee if the Select Committee would support not pursuing the criminal case against BANNON.

HEAPHY informed CORCORAN that the Select Committee could not do that since the Select Committee had nothing to do with the criminal charges pending against BANNON. As such, CORCORAN would need to discuss any such proposal with the United States Department of Justice. As such, HEAPHY recommended CORCORAN contact Assistant United States Attorney Molly Gaston. HEAPHY made this recommendation because HEAPHY knew Assistant United States Attorney Molly Gaston to be the lead federal prosecutor for the BANNON trial.

CORCORAN subsequently asked HEAPHY if the Select Committee would be willing to join defense counsel's request to the United States Department of Justice to dismiss the charges against BANNON in exchange for BANNON's testimony before the Select Committee. HEAPHY told CORCORAN that the Select Committee could not take any such position one way or another.

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HEAPHY described the overall "vibe" of his conversation with CORCORAN as defense counsel's attempt to solicit the Select Committee's assistance in their effort to delay BANNON's criminal trial and obtain a dismissal of the Contempt of Congress charges pending against him.

HEAPHY reported taking contemporaneous notes memorializing the details of his 07/15/2022 telephone conversation with CORCORAN. HEAPHY documented his contemporaneous notes in an internal Email which HEAPHY agreed to voluntarily provide to the FBI through the United States House of Representatives' Office of General Counsel.

HEAPHY has not had any additional contact, telephonic or otherwise, with CORCORAN and/or any other member of BANNON's defense team since 07/15/2022.

HEAPHY does not believe CORCORAN and/or any member of BANNON's defense team has attempted to re-contact the Select Committee since CORCORAN's telephone call to HEAPHY on 07/15/2022. However, HEAPHY would need to confirm same with this colleagues out of an abundance of caution.

To date, BANNON has made no effort to respond to the Select Committee's previously issued subpoena which seeks the production of documents and witness testimony.

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