



Special counsel Robert Mueller speaks at the Department of Justice.

AP Photo/Carolyn Kaster

Mueller: Russia report did not exonerate Trump

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Associated Press

WASHINGTON — Special counsel Robert Mueller said Wednesday that charging President Donald Trump with a crime was “not an option” because of federal rules, but he used his first public remarks on the Russia investigation to emphasize that he did not exonerate the president.

“If we had had confidence that the president clearly did not commit a crime, we would have said so,” Mueller declared.

The special counsel’s remarks stood as a pointed rebuttal to Trump’s repeated claims that he was cleared and that the two-year inquiry was merely a “witch hunt.” They also marked a counter to criticism, including by Attorney General William Barr, that Mueller should have reached a determination on whether the president illegally tried to obstruct the probe by taking actions such as firing his FBI director.

Mueller made clear that his team never considered indicting Trump because the Justice Department prohibits the prosecution of a sitting president.

“Charging the president with a crime was therefore not an option we could consider,” Mueller said. He said he believed such an action would be unconstitutional.

Mueller did not use the word “impeachment,” but said it was the job of Congress — not the criminal justice system — to hold the president accountable for any wrongdoing.

The special counsel’s statement largely echoed the central points of his 448-page report, which was released last month with some redactions. But his remarks, just under 10 minutes long and delivered from a Justice Department podium, were extraordinary given that he had never before

discussed or characterized his findings and had stayed mute during two years of feverish public speculation.

Mueller, a former FBI director, said Wednesday that his work was complete and he was resigning to return to private life.

His remarks underscored the unsettled resolution, and revelations of behind-the-scenes discontent, that accompanied the end of his investigation. His refusal to reach a conclusion on criminal obstruction opened the door for Barr to clear the president, who in turn has cited the attorney general’s finding as proof of his innocence.

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Trump, given notice Tuesday evening that Mueller would speak the next morning, watched on television. For weeks, he had been nervous about the possibility about the special counsel testifying before Congress, worried about the visual power of such a public appearance.

Shortly after Mueller concluded, the president who has repeatedly and falsely claimed that the report cleared him of obstruction of justice, tweeted a subdued yet still somewhat inaccurate reaction: “Nothing changes from the Mueller Report. There was insufficient evidence and therefore, in our Country, a person is innocent. The case is closed! Thank you”

While claiming victory, the tone of the president’s tweet was a far cry from the refrain of “total exoneration” that has dominated his declarations.

Mueller has privately vented to Barr about the attorney general’s handling of the report, while Barr has publicly said he was taken aback by the special counsel’s decision to neither exonerate nor incriminate the president.

Under pressure to testify before Congress, Mueller did not rule it out. But he seemed to warn lawmakers that they would not be pulling more detail out of him. His report is his testimony, he said.

“So beyond what I have said here today and what is contained in our written work,” Mueller said, “I do not believe it is appropriate for me to speak further about the investigation or to comment on the actions of the Justice Department or Congress.”

Mueller’s comments, one month after the public release of his report on Russian efforts to help Trump defeat Democrat Hillary Clinton, appeared intended to both justify the legitimacy of his investigation against complaints by the president and to explain his decision to not reach a conclusion on whether Trump had obstructed justice in the probe.

He described wide-ranging and criminal Russian efforts to interfere in the election, including by hacking and spreading disinformation — interference that Trump has said Putin rejected to his face in an “extremely strong and powerful” denial.

And Mueller called the question of later obstruction by Trump and his campaign a matter of “paramount importance.”

Mueller said the absence of a conclusion on obstruction should not be mistaken for exoneration.

A Justice Department legal opinion “says the Constitution requires a process other than the criminal justice system to formally accuse a sit-

ting president of wrongdoing,” Mueller said. That would shift the next move, if any, to Congress, and the Democratic chairman of the House Judiciary Committee, which would investigate further or begin any impeachment effort, commented quickly.

New York Rep. Jerrold Nadler said it falls to Congress to respond to the “crimes, lies and other wrongdoing of President Trump — and we will do so.” House Speaker Nancy Pelosi has so far discouraged members of her caucus from demanding impeachment, believing it would only help Trump win re-election and arguing that Democrats need to follow a methodical, step by step approach to investigating the president. But she hasn’t ruled it out.

Waterfront: ‘There are so many variables’

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“So to me the issue is not necessarily height,” he said.

City staff will need to figure out how to apply Moore’s idea to the mix of lots found in Bridge Vista, but said there is precedent for this approach elsewhere in city codes.

Moore had been against restricting new building height in Bridge Vista to 28 feet. The concept was popular among people concerned about large hotel proposals and preserving river access and views, but Moore said he saw little support for the idea in the city’s existing codes.

All of the planning commissioners were interested in plan districts, a concept requested by the Port of Astoria and representatives of Astoria Warehousing in April. The waterfront property owners have urged for more flexibility within Bridge Vista. They believe a plan district, which delineates particular areas within Bridge Vista and requires a separate master plan, could provide more options for future development.

Between them, the Port and Astoria Warehousing control the properties where substantial new development would most likely occur.

On Tuesday, planning commissioners differed in their opinions on whether the plan districts would be able to construct taller buildings than what would be allowed in the rest of Bridge Vista.

In a presentation to the Planning Commission, Jim Knight, the Port’s executive director, discussed the need for a community vision ahead of any master plan for a plan district.

He did not drill into

specifics of what he hoped could be developed at individual properties or why less stringent codes were necessary for future development at the Port. Instead, he focused on the possibility of creating large open spaces and holding more events on the waterfront.

Price told Knight she needed to “address the elephant in the room.” Open spaces and waterfront access are all things the Port could undertake now, she said. Also, she asked, referencing the Port’s dire financial circumstances, given the internal turmoil and other issues, when the agency would get around to a master plan for the type of community amenities highlighted in Knight’s presentation?

The Port would take it one step at a time, Knight responded.

The city is in the middle of developing a vision for the Uniontown neighborhood. The Port is wrapping up work on a five-year strategic plan.

“There are so many variables and such important decisions to make that a vision for what this would look like in the future is far more important than contesting individual building codes,” Knight said outside of the meeting.

People who attended the meeting also questioned what will happen at the Port or properties included in the plan districts that may be in the hands of other developers.

Chris Farrar, of Astoria, a county planning commissioner, said he liked what Knight showed the group.

“I just really question if that will happen,” he said.

Staff will present the Planning Commission with draft codes for the plan districts and the amendments to Bridge Vista at a meeting in June.

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Port: Faces more than \$20M in maintenance

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Port staff estimates \$480,000 is spent each year maintaining Pier 1, where the Coast Guard periodically orders ships in need of repair. The \$300 fee was calculated based on the cost of maintaining the pier divided by an average of 1,500 ships per year passing upriver.

The fee would be the largest single increase in revenue next year for a Port strapped for cash, suffering a loss of log export revenue during a protracted trade war between the U.S. and China and facing more than \$20 million in deferred maintenance.

Michael Haglund, a maritime attorney contracted by the Port to research the fee, has couched its legitimacy

in a previous U.S. Supreme Court case in which the Alabama State Docks Commission was allowed to charge passing ships near Mobile a fee for policing.

Haglund estimates an appeal of the Port’s fee all the way to the Supreme Court would cost \$75,000, said Jim Knight, the Port’s executive director, at a recent budget hearing.

The Port would be also allowed to recoup the legal costs from shippers through higher fees, Knight said.

The steamship operators’ governing board recently invited Knight to a meeting at the law offices of Schwabe Williamson & Wyatt in Portland to begin discussions on an alternative to the fee. The association asked him to postpone the

fee until alternative sources of revenue could be found, but Knight said he countered with imposing the fee until a viable alternative arose.

“There could be an action taken against the Port, but the (association’s) board of directors seems hesitant to want to take that step,” Knight said.

John Lansing, chairman of the Port’s budget committee, disagreed with Knight’s assessment.

“The conversations I’ve had with director Mickelson seem to not quite coexist with what you’re saying right now,” Lansing said at the budget hearing. “I think our attorney’s going to be going up against Schwabe Williamson & Wyatt, and we’re going to get our heads handed to us.”