The Epstein Files Transparency Law Will Not Result In Real Transparency

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Dimitri Lascaris (DL): Good day, this is Dimitri Lascaris coming to you from Montreal for Reason2Resist on December 6th, 2025. Last month, after blasting Republicans who had demanded the release of the Jeffrey Epstein Files, Donald Trump did a sudden about face. He called on Republicans to support legislation requiring that the Epstein Files be released. Within days of Trump's flip-flop, the 119th US Congress passed the Epstein Files Transparency Act and did so by a huge margin of 427 to one. The only scoundrel who opposed this legislation was Republican Clay Higgins. Donald Trump signed the legislation into law on November 19th. The Act requires the disclosure of the Epstein Files within 30 days of it becoming law, so the files are expected to be made public on or around December 19th of this year. So within less than two weeks. That's also, by the way, December 19th, just a few days before Christmas, when it's likely that most Americans are likely to be less focused on the news than they normally would be. But I digress.

Much of the credit for forcing Trump to accept this legislation has gone to representatives Thomas Massie, Republican of Kentucky, and Ro Khanna, Democrat of California. They introduced the legislation and they fought doggedly for its passage. But how much credit do they really deserve? Will their legislation finally achieve real transparency in the Epstein scandal? And will Jeffrey Epstein's many victims finally be on the path to real justice? In this report, I'll take a closer look at this legislation. I'm going to argue that it is doomed to fail to achieve its stated objectives and will not result in real transparency and accountability. The holes in the act are simply so huge that Donald Trump himself could drive a truck through them. Given Trump's personal exposure in this scandal and the exposure of people close to him, it's inevitable that the Trump regime will exploit the flaws in this legislation to withhold from the public the most explosive and embarrassing Epstein files.

So let's get into it. The part of the Epstein Files Transparency Act that has attracted the most praise is Section 2A, which I put up here on the screen. And I'm going to highlight for you

how broadly it is drafted. Let's start with section 2A's introductory clause. "Not later than 30 days", this is at the top of the screen, "after the date of the enactment of this Act, the Attorney General shall: Subject to subsection B, make publicly available in a searchable and downloadable format all unclassified records, documents, communications, and investigative materials in the possession of the DOJ, including the FBI and the US Attorney's Office that relate to", and then it lists nine categories of documents.

Now, before I talk about those nine categories of documents, I want to reiterate that this disclosure requirement relates only to unclassified records. So already at the very beginning, it is carving out records that are classified, and we know how aggressive the US government is in using the status of a classified document to withhold vitally important information, including information relating to government wrongdoing from the American people. Now, as subject to those concerns and others that I'm going to express in a moment, I do readily acknowledge that these are very broadly worded categories.

So number one, records relating to Jeffrey Epstein, including all investigations, prosecutions, or custodial matters. Then Ghislaine Maxwell, records relating to 3) flight logs or travel records, including but not limited to manifests, itineraries, pilot records, and so forth. Clause 4) Individuals, including government officials, named or referenced in connection with Epstein's criminal activities, civil settlements, immunity or plea agreements, or investigatory proceedings. Clause 5) entities. Corporate nonprofit, academic, or governmental with known or alleged ties to Epstein's trafficking or financial networks. 6) Any immunity deals, non-prosecution agreements, plea bargains, or sealed settlements involving Epstein or his associates. I'm going to come back to that particular category in a moment because it played an important role in a just concluded legal proceeding in Florida. And then category 7) Records relating to internal DOJ communications. Clause 8) all communications, memoranda directives, logs, or metadata concerning the destruction, deletion, alteration, misplacement, or concealment of documents, recordings, or electronic data related to Epstein. And the ninth category of documents to be disclosed is documentation of Epstein's detention or death, including incident reports, witness interviews, medical examiner files.

So this is indeed a broad, expansive list of documents, but it is subject from the get go to the requirement that only non-classified documentation be released. Now I just highlighted for you clause six of paragraph 2A, which refers to immunity deals, nonprosecution agreements, plea bargains, or sealed settlements. So it just was revealed that a Florida judge has ordered the release of grand jury transcripts relating to the 2005 and 2007 investigation into the convicted pedophile. Here you can see a BBC article about this order from the Florida judge. This article was published yesterday, December 5th. And the article explains that the judge granted the DOJ's request. So this was not a victim who sought this or some member of the public but rather the DOJ itself. It requested that material relating to those grand jury investigations be unsealed and therefore made available to the public. And the article notes that a similar DOJ request was rejected in August because it violated a federal rule on grand jury materials which the newly signed law overrides.

So superficially it appears that the Epstein Files Transparency Act has already had a salutary effect by persuading this judge to unseal documents relating to Epstein or grand jury proceedings involving Epstein that were previously ordered by the court to be withheld. However, I would question whether or not this is actually going to result in meaningful transparency. Although I am a lawyer but I'm not a criminal lawyer, I don't have direct experience with grand jury proceedings, it's my understanding that the prosecutor exercises a tremendous amount of discretion about the type of evidence that is put before the grand jury. And in this case we're talking here about the 2005 and 2007 grand jury proceedings relating to Epstein. It is now known that the prosecution was extraordinarily kind to Jeffrey Epstein, to put it mildly. And I don't think it would be a stretch to say that those grand jury proceedings were in certain important respects a rigged game, one that was intended to be favorable and unduly lenient to Jeffrey Epstein and to conceal to the maximum possible degree the involvement of prominent third parties in Jeffrey Epstein's criminal and depraved activities.

So I wonder whether the reason why the DOJ sought this information back in August and tried again to obtain it, the Trump DOJ, was because it knew that the transcripts would support its narrative that the only person who was engaged in pedophilia in this sordid tale or the only persons were Epstein and Ghislaine Maxwell and that there was no basis to implicate anybody else. So whether or not the unsealing of these court records will actually bring meaningful new information to the public or simply provide support to Donald Trump's propagandistic narrative that there isn't much, if anything, left to be revealed, that remains to be seen at this stage.

Now, I also want to highlight for you Section 2B of the Epstein Files Transparency Act. This is certainly a laudable provision and one which may be the heart and soul of the legislation. It says: "Prohibited grounds for withholding – no record shall be withheld, delayed, or redacted on the basis of embarrassment, reputational harm, or political sensitivity, including to any government official, public figure, or foreign dignity". But as we shall see, there are plenty of opportunities under this legislation for withholding potentially embarrassing reputationally harmful or politically sensitive material, despite Section 2B of the legislation.

And so that brings us to Section 2C, which is the part of the legislation that contains the real nasty shit. Here it is up on the screen. And I'm going to start just by going over Subsection 1 of Section 2C of this legislation, just very quickly summarizing it for you, and then I'll get into the nitty-gritty of it. It states: "The attorney general may withhold or redact the segregable portions of records that" – so this is a carve out from the disclosure requirement – "that A) contain personally identifiable information of victims or victims' personal and medical files, and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. B) depict or contain child sexual abuse materials. C) would jeopardize an active federal investigation or ongoing prosecution, provided that such withholding is narrowly tailored and temporary". That Clause C is important. I'm going to come back to it in a moment. "D) depict or contain images of death, physical abuse, or injury of any person. E)" – and this too is very important – "contain information specifically

authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy, and are in fact properly classified pursuant to such executive order."

So, let's just start with a big picture comment about this section – two concerns that I have about it. In my view, the introductory clause is problematic, the introductory clause of this section, because the way it's drafted would permit the attorney general to withhold an entire document where it would be possible to maintain in confidence the sensitive parts of the document by using redaction. So, in other words, by judiciously redacting out those parts of the document that Congress considered to be too sensitive for disclosure, the AG would then disclose the balance of the rest of the document. This clause, Section 2C, does not explicitly impose on the attorney general an obligation to use redaction and to disclose the balance of the document, but in fact confers upon the attorney general a discretion, at least implicitly, to withhold the entire document, if any part of it is problematic from the perspective of Congress.

The other thing that is not stated here explicitly is that in cases where the attorney general deems it necessary to redact information contained in one of these five categories, the attorney general would have an obligation to redact to the minimum degree necessary to protect that information. That is something that this clause should have explicitly required, but it's silent about that. So, again, one can imagine that the attorney general will claim to have a broad discretion to redact and will do so aggressively for purposes of withholding embarrassing or scandalous information.

But the real problem with Section 2C comes in the categories of documents or information that can be withheld from the public. Let's start with clause A) records that contain personally identifiable information of victims or victims' personal and medical files and so forth, that would constitute a clearly unwarranted invasion of personal privacy. Now, in principle I have certainly no objection to this, but I have a question about why we would require this information to be withheld, information of this nature, if the victim herself consents to its disclosure. There's nothing in here about a situation where a victim says, Well, yes, normally I would consider this to be an invasion of my privacy, but I want the world to know what these monsters did to me. And so, as traumatic as it may be for me, I'm going to consent to the disclosure of this personal information. There's just nothing in here which would you know authorize the disclosure of that information with the consent of the victim.

And in fact, I would go further and I would say that this legislation should have required the attorney general to seek the consent of the victim. And if the victim declined to offer to give her consent, then of course you could withhold the information. But if the attorney general doesn't have an obligation to seek the consent of the victim in cases where the victim might be willing to give that consent, and we're talking about information that is explosive and very embarrassing to people in positions of power, one would expect that the attorney general will not even bother trying to obtain the consent of the victim and will studiously avoid doing so. So that is I think a significant flaw in this legislation.

But that's by no means my biggest concern. I have far greater concerns, as should we all, about these carve-outs. And in particular, I'm going to talk about Section C) records that would jeopardize an active federal investigation or ongoing prosecution, provided that such withholding is narrowly tailored and temporary. Well, this brings me to an announcement that the Trump regime made on November 14th, only five days before Trump signed the legislation into law. On that day, the DOJ magically announced that it had launched an investigation into Democrats and bankers who allegedly had ties to the disgraced pedophile Jeffrey Epstein. This is a BBC article published on the 14th of November: US Justice Department investigates Epstein's alleged ties to Clinton and banks after Trump request. And the article states: "The US Justice Department has confirmed it will investigate pedophile financier Epstein's alleged links to major banks and several prominent Democrats, including former President Bill Clinton. US President Donald Trump said he would ask Attorney General Pam Bondi and the FBI to look into Epstein's involvement and relationship with Clinton and others".

Well, why in the hell would such an investigation be confined to Democrats and bankers when we know beyond a shadow of a doubt that Epstein had extensive dealings with Republicans, including Donald Trump himself, and with the titans of big business from outside of the banking sector. For example, people in the tech sector. Why the hell would this be an investigation focused on one particular political faction or one narrow segment of the economy? It should be far broader than that and should have been undertaken by the Trump administration from day one when he returned to the White House. In fact, this should have been done back under the first Trump administration. But the timing of this, frankly, stinks to high heaven, only a few days before the legislation, which contained a carve out for the disclosure of information that would potentially jeopardize an investigation by the DOJ.

But quite apart from that, this announcement on November 14th was radically inconsistent with a statement put out by the Department of Justice and by the FBI in July of this year. And I'm putting up the operative part of that statement on the screen. In July, the DOJ and the Federal Bureau of Investigation basically declared that there's nothing to see here, move along, folks. So here's the statement, or at least the most important part of the statement, the two page statement they put out on that day. It's unsigned. And the first two paragraphs, or most of the first two paragraphs, are clearly designed to convince us that no stone was left unturned. And so you can see in the second paragraph, in the third line, it says: "Teams of agents, analysts, attorneys, and privacy and civil liberties experts combed through the digital and documentary evidence with the aim of providing as much information as possible to the public while simultaneously protecting the victims". And then in the last sentence of that same paragraph, they write: "Through this review, we found no basis to revisit the disclosure of those materials and will not release or permit the release of child pornography. This systematic review revealed no incriminating client list. There was also no credible evidence found that Epstein blackmailed prominent individuals as part of his actions. We did not uncover evidence that could predicate an investigation against uncharged third parties". I

repeat, "we did not uncover evidence that could predicate an investigation against uncharged third parties".

And that's absolute. This is just after they told us how much material they reviewed and how many people, experts, investigators were involved in the review of that material, that the investigation was exhaustive. And despite noting as they do in the second last paragraph up on the screen that there were over 1,000 victims, they say there's no basis to continue or pursue any further investigations. And then magically, on November 14th, just a few months later and five days before Trump signed this legislation into law, the DOJ says, in fact, we do have grounds to pursue an investigation, thereby potentially triggering Clause 2CC of the Epstein Files Transparency Act. But that investigation is going to be confined to Democrats and bankers for some inexplicable reason. Now I think it can fairly be said at this stage that Donald Trump truly does take us for fools. No one should be incapable of understanding or grasping here that the reason why this investigation was announced five days before this legislation came into force on November 19th was so that the Trump regime would have a pretext for withholding information that it considered to be too embarrassing or explosive.

So now let's go back to Section 2C because that's not the only massive hole in this legislation. There is also section or clause E of Section 2C. I'm going to read it to you again: "The Attorney General may withhold or redact the segregable portions of records that E) contain information specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy, and are in fact properly classified pursuant to such executive order". Folks, I can't imagine what possible justification you could have on security grounds or national defense to withhold records of the activities of a notorious pedophile. If your foreign policy or national security would be jeopardized by disclosure of the information or activities of a notorious pedophile who victimized over 1,000 girls, then there is something very rotten in the kingdom of Denmark. There should have been absolutely no carve out for the disclosure of this information. If in fact this would be problematic, disclosing Epstein's activities fully, for purposes of national security or foreign policy, is exactly a reason why the information should be disclosed to the public. Because that means that your security establishment and your foreign diplomatic corps are engaged in some extremely unseemly activities.

What is particularly troublesome about this particular carve out is that we know beyond a shadow of a doubt that Jeffrey Epstein had deep, deep ties to the Israeli security establishment and defense industry, and may well have been an outright agent of the Mossad. And in fact, I think that's likely to have been the case. But whether or not he was formerly an agent of the Mossad, he clearly had very deep ties to the Israeli political security and military establishment. And you don't have to take my word for it. All you have to do is look at the publicly available information. And here I'm going to share with you one piece in a large body of evidence of those ties that Epstein had to the Israeli political security and military elite. This is a November 11th article from Drop Site News by Ryan Grim and Murtaza Hussain. They've done stellar reporting on Epstein's ties to the Israeli political, military, and security elite. And they disclose here that if you look at the third paragraph, the House panel

also released a new cache of documents from Epstein's estate containing direct evidence of Epstein's links to Israeli intelligence. Epstein's personal calendars reveal that a senior Israeli intelligence officer with personal ties to former CIA director Leon Panetta lived at Epstein's Manhattan apartment for multiple stretches between 2013 and 2016. This is after Epstein had been convicted in Florida for a small part of his pedophilia activities, but he was a known pedophile at that point. He was a guilty man.

And in fact, due to some fine reporting by the Miami Herald, it was well known at that stage that the prosecutors in Florida had only focused on a very small part of his criminal activities and had given him a sweetheart deal. That was all well known to the Israelis. And yet you have this powerful spy who was apparently the right hand man of former Israeli prime minister and defense minister and war criminal Ehud Barak, you know, staying at Epstein's place repeatedly in Manhattan for long stretches. And that's just one piece of evidence relating to Epstein's deep ties to Israel's military security and political elite.

So it is a virtual certainty, my friends, that – and let's just put it back up on the screen here so that you can see what it says – that the Donald and his administration are going to make liberal use of section 2C1E, which relates to information that in the executive's opinion should be kept secret in the interest of national defense or foreign policy. He's going to make very liberal use of that to protect his favorite genocidal regime, and to do everything that he can in order to avoid further damage to its standing amongst Republicans and the broader American electorate. And so again, I go back to what I said at the outset. The holes in this legislation are so big that the Donald himself could drive a truck through them.

And they're in fact so significant, the flaws in this legislation, that I have a question in my mind about whether this legislation is going to do even more harm than good. Why do I say that? Well, I don't doubt, and I expect that on or before December 19th, there is going to be significant additional disclosure, and that some people are going to be quite embarrassed by that disclosure. It may even cause some heads to roll. I don't think that the Trump regime is going to release between now and then additional documentation which has no negative repercussions for any person in the elite, because if it were to do that, then everybody would know beyond a shadow of a doubt that there is a full-blown cover-up going on. So he's going to have to feed the public enough crumbs of disclosure to satisfy them or to have at least a shot at satisfying them that the government has finally come clean.

And that's exactly how Donald Trump will attempt to use this legislation. He's going to make some piecemeal, limited disclosure, leaving out the most explosive disclosures, particularly but limited to those relating to Epstein's ties with Israel. And then he's going to squawk that there's nothing more to be done, the public has all the information it could reasonably require, and it's time for us to stop talking about this depraved individual and to move on and to celebrate how the United States has once again again become the greatest country in the history of humanity. This is going to be the narrative we're going to hear. And my concern is that a considerable portion of the public may believe it. And if that happens, and as a result, pressure on the US government to release all of this information is dissipated, and they end

up succeeding in their attempt to cover up the most explosive information, then I would say that this legislation will have actually done more harm than good.

I hope that's not the case. I certainly would love to see fulsome disclosure, but I think we can say with a high level of confidence whether or not at the end of the day, this flawed legislation is more beneficial than harmful to the overall cause of transparency and accountability in the sordid tale of Jeffrey Epstein, that remains to be seen. But of this have no doubt: come December 19th, we will not have anywhere close to full transparency on Jeffrey Epstein's crimes and those of his associates. This is Dimitri Lascaris coming to you from Montreal on December 6th, 2025.

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