

**Gauhar, Tashina (ODAG)**

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**From:** Gauhar, Tashina (ODAG)  
**Sent:** Monday, April 23, 2018 2:24 PM  
**To:** JCC (JMD)  
**Subject:** Scan into TS system  
**Attachments:** Pages from Binder1\_KMF.PDF

Howard -- thanks for taking just now. As discussed, I need these emails scanned onto the TS system and emailed to me. Can you let me know when completed and I will go into the SCIF.

Thanks for your help,  
Tash

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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

February 9, 2018

**VIA ELECTRONIC TRANSMISSION**

Paul E. Hauser, Esq.  
Partner  
Bryan Cave  
88 Wood Street  
London, EC2V 7AJ UK

Dear Mr. Hauser:

The United States Senate Committee on the Judiciary has been investigating issues relating to the Russian government's disinformation efforts targeting the 2016 Presidential election, as well as the nature of the FBI's relationship with Christopher Steele. Part of that inquiry involves examining the connections between those involved and Russian interests.

In light of this, by February 23, 2018, please answer the following questions:

1. Public reports and court documents indicate that you are an attorney for Mr. Oleg Deripaska. Do you serve, or have you served, as legal counsel for Mr. Deripaska or any business associated with him?
2. Have you ever hired or otherwise worked with Mr. Christopher Steele, Orbis Business Intelligence Limited, Orbis Business International Limited, Walsingham Training Limited, or Walsingham Partners Limited? If so, when, and what was the nature of the arrangement?
3. Is it the case that Mr. Steele, through you, works or has worked on behalf of Mr. Deripaska or businesses associated with him? If so, when has such work occurred?
4. Are you otherwise aware of any business or financial relationships between Mr. Steele and Russian government officials, Russian oligarchs, or Russian businesses?

Thank you for your prompt attention to this matter. Please contact Patrick Davis of my staff at (202) 224-5225 if you have any questions.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary  
United States Senate

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate

**Schools, Scott (ODAG)**

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**From:** Schools, Scott (ODAG)  
**Sent:** Tuesday, January 23, 2018 9:17 AM  
**To:** (b)(6) (NSD)  
**Subject:** FW: House GOP won't show secret Russia memo to Justice Department

icymi

**From:** Boyd, Stephen E. (OLA)  
**Sent:** Monday, January 22, 2018 11:35 PM  
**To:** Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Rosenstein, Rod (ODAG) <rrosenstein@jmd.usdoj.gov>; Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>  
**Subject:** House GOP won't show secret Russia memo to Justice Department

**House GOP won't show secret Russia memo to Justice Department**

Claiming abuses by Justice Department and FBI officials, Republicans say they should not be shown the document.

By KYLE CHENEY 01/22/2018 07:52 PM EST

(b)(5)



(b)(5)



(b)(5)



**Stephen E. Boyd**  
Assistant Attorney General  
U.S. Department of Justice  
Washington, D.C.

(b)(6)



**Boyd, Stephen E. (OLA)**

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**From:** Boyd, Stephen E. (OLA)  
**Sent:** Saturday, January 20, 2018 5:17 PM  
**To:** Schools, Scott (ODAG)  
**Subject:** DOJ Accommodation Efforts  
**Attachments:** Draft - SEB Letter to Congress.docx

Scott:

Attached is an extremely rough draft of (b)(5)

[REDACTED]

[REDACTED]

Thanks,

Stephen

**Lasseter, David F. (OLA)**

---

**From:** Lasseter, David F. (OLA)  
**Sent:** Monday, January 8, 2018 3:22 PM  
**To:** Schools, Scott (ODAG)  
**Subject:** Re: Bruce Ohr

Rgr

David F. Lasseter

> On Jan 8, 2018, at 13:59, Schools, Scott (ODAG) <sschools@jmd.usdoj.gov> wrote:

>

> David, please call me so we can conference in Josh. Thanks. My direct is 202-305-7848.

>

> \_\_\_\_\_ > From: Lasseter, David F. (OLA) > Sent:  
Monday, January 8, 2018 12:22 PM > To: Schools, Scott (ODAG) <sschools@jmd.usdoj.gov<mailto:sschools@jmd.usdoj.gov>> > Cc: Joshua.Berman@CliffordChance.com<mailto:Joshua.Berman@CliffordChance.com>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov<mailto:pfescalona@jmd.usdoj.gov>> > Subject: Re: Bruce Ohr

>

> Works

>

> David F. Lasseter

>

> On Jan 8, 2018, at 12:18, Schools, Scott (ODAG) <sschools@jmd.usdoj.gov<mailto:sschools@jmd.usdoj.gov>> wrote:

> Works for me.

>

> From: Joshua.Berman@CliffordChance.com<mailto:Joshua.Berman@CliffordChance.com>  
[mailto:Joshua.Berman@CliffordChance.com]

> Sent: Monday, January 8, 2018 12:09 PM

> To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov<mailto:dlasseter@jmd.usdoj.gov>>;  
Schools, Scott (ODAG) <sschools@jmd.usdoj.gov<mailto:sschools@jmd.usdoj.gov>>

> Cc: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov<mailto:pfescalona@jmd.usdoj.gov>>

> Subject: RE: Bruce Ohr

>

> I free up while David's on his flight, so perhaps we can talk at 4:15?

>

>

> Joshua C. Berman



> Joshua G. Berman  
> Clifford Chance US LLP  
> 2001 K. Street, NW  
> Suite 900  
> Washington, D.C. 20006-1001  
> Direct Dial: +1 202 912 5174  
> Fax: +1 202 912 6000  
> joshua.berman@cliffordchance.com<mailto:joshua.berman@cliffordchance.com> >  
> <http://www.cliffordchance.com><<http://www.cliffordchance.com>/>  
>  
> From: Lasseter, David F. (OLA) [mailto:David.F.Lasseter@usdoj.gov]  
> Sent: Monday, January 8, 2018 12:08 PM  
> To: Schools, Scott (ODAG) <Scott.Schools@usdoj.gov<mailto:Scott.Schools@usdoj.gov>>  
> Cc: Berman, Joshua (Litigation-WAS) <Joshua.Berman@CliffordChance.com<mailto:Joshua.Berman@CliffordChance.com>>; Escalona, Prim F. (OLA) <Prim.F.Escalona@usdoj.gov<mailto:Prim.F.Escalona@usdoj.gov>>  
> Subject: Re: Bruce Ohr  
>  
> I am available until 1pm and then again around 3:30. Boarding a flight at 1.  
>  
> David F. Lasseter  
>  
> On Jan 8, 2018, at 11:43, Schools, Scott (ODAG) <sschools@jmd.usdoj.gov<mailto:sschools@jmd.usdoj.gov>> wrote:  
> Sure. I am available any time this afternoon.  
>  
> From: Joshua.Berman@CliffordChance.com<mailto:Joshua.Berman@CliffordChance.com>  
> [mailto:Joshua.Berman@CliffordChance.com]  
> Sent: Monday, January 8, 2018 10:51 AM  
> To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov<mailto:dlasseter@jmd.usdoj.gov>>;  
> Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov<mailto:pfescalona@jmd.usdoj.gov>>; Schools,  
> Scott (ODAG) <sschools@jmd.usdoj.gov<mailto:sschools@jmd.usdoj.gov>>  
> Subject: Bruce Ohr  
>  
> Joint Defense Communication. Privileged. Confidential. Work Product.  
>  
> David, Prim & Scott -  
>  
> Happy New Year. Apologies for writing all three of you, but I didn't know who was point at this  
> moment in time. As you know, Bruce's HPSCI interview is scheduled for January 17. Kash Patel, from  
> the Committee staff, has raised a question with me. Specifically, he believes that Bruce  
> contemporaneously took handwritten notes as he had certain conversations (ex. Call/meeting with  
> Chris Steele; call to FBI). He has asked: (1) were such notes taken?; and (2) if so, can Bruce provide  
> them? Can we have a call to discuss? Thank you.  
>

> Josh  
>  
> Joshua G. Berman  
> Clifford Chance US LLP  
> 2001 K. Street, NW  
> Suite 900  
> Washington, D.C. 20006-1001  
> Direct Dial: +1 202 912 5174  
> Fax: +1 202 912 6000  
> [joshua.berman@cliffordchance.com](mailto:joshua.berman@cliffordchance.com)<<mailto:joshua.berman@cliffordchance.com>> >  
> <http://www.cliffordchance.com><<http://www.cliffordchance.com>>  
>  
>  
> \*\*\*\*\*  
>  
> This message and any attachment are confidential and may be privileged or otherwise protected from disclosure. If you are not the intended recipient, please telephone or email the sender and delete this message and any attachment from your system. If you are not the intended recipient you must not copy this message or attachment or disclose the contents to any other person.  
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> Clifford Chance as a global firm regularly shares client and/or matter-related data among its different offices and support entities in strict compliance with internal control policies and statutory requirements.  
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> For further information about Clifford Chance please see our website at <http://www.cliffordchance.com> or refer to any Clifford Chance office.  
>  
> [CC]New[/CC]  
> <meeting.ics>

## Schools, Scott (ODAG)

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**From:** Schools, Scott (ODAG)  
**Sent:** Tuesday, December 5, 2017 11:00 AM  
**To:** Ohr, Bruce (ODAG); Crowell, James (ODAG)  
**Subject:** Meeting

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**From:** Ohr, Bruce (ODAG)  
**Sent:** Tuesday, December 5, 2017 10:35 AM  
**To:** Schools, Scott (ODAG) <[sschools@jmd.usdoj.gov](mailto:sschools@jmd.usdoj.gov)>  
**Subject:** Re: Quick chat

Scott -

Of course. Can we do 1 pm?

Bruce

Sent from my iPhone

On Dec 5, 2017, at 10:31 AM, Schools, Scott (ODAG) <[sschools@jmd.usdoj.gov](mailto:sschools@jmd.usdoj.gov)> wrote:

Do you have time to meet with Crowell and me between 1 and 3:30? Probably fifteen minutes is all we need. Topic is Chris Steele. Thanks.

## Schools, Scott (ODAG)

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**From:** Schools, Scott (ODAG)  
**Sent:** Tuesday, December 5, 2017 11:00 AM  
**To:** Walczak, Debra (OCDETF); Simms, Donna Y. (ODAG); Mchich, Lisa (OCDETF); Heckler, Tracy P (OCDETF); Cardwell, Christine (ODAG)  
**Subject:** Meeting

---

**From:** Ohr, Bruce (ODAG)  
**Sent:** Tuesday, December 5, 2017 10:35 AM  
**To:** Schools, Scott (ODAG) <[sschools@jmd.usdoj.gov](mailto:sschools@jmd.usdoj.gov)>  
**Subject:** Re: Quick chat

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Bruce

Sent from my iPhone

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## Schools, Scott (ODAG)

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**From:** Schools, Scott (ODAG)  
**Sent:** Tuesday, December 5, 2017 11:00 AM  
**To:** Simms, Donna Y. (ODAG); Henderson, Charles V (ODAG)  
**Subject:** Meeting

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**From:** Ohr, Bruce (ODAG)  
**Sent:** Tuesday, December 5, 2017 10:35 AM  
**To:** Schools, Scott (ODAG) <[sschools@jmd.usdoj.gov](mailto:sschools@jmd.usdoj.gov)>  
**Subject:** Re: Quick chat

Scott -

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Bruce

Sent from my iPhone

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## UNITED STATES SENATE

November 15, 2017

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Rod J. Rosenstein  
Deputy Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Sessions and Deputy Attorney General Rosenstein:

I am writing to urge you to appoint a special counsel to look into the Uranium One controversy surrounding former Secretary of State Hillary Clinton as well as the relationship between Fusion GPS, the Democratic National Committee (DNC), the Clinton campaign, and Russian actors.

I believe a special counsel is warranted to ensure that there is no conflict of interest between your office and these investigations, and that both matters deserve to be looked at in terms of violations of the law and potential Russian influence on the 2016 campaign as well as the operation of our government. In light of the contentious environment in which we live, I believe a credible in-house investigation will be hard to achieve. It is necessary to avoid even the appearance of conflicts of interest with all things Russia.

I have supported Mr. Mueller's investigation into the Trump campaign and all things Russia, and I expect that investigation to proceed unencumbered. However, given all of the activity between Fusion GPS and the DNC, the hiring of a former foreign intelligence officer to gather information against then-candidate Trump cries out for a special counsel. I believe it is inappropriate for an American political party to fund an operation where a former foreign intelligence officer is used to gather information against a political rival from Russian sources, as everything in Russia is monitored and controlled by Russian intelligence services.

Additionally, I believe a special counsel is needed to investigate the Uranium One controversy in light of the specter of a quid pro quo among Secretary Clinton, the State Department, Rosatom, Uranium One, and the Clinton Foundation. Recent news reports indicate that prior to the approval of the Uranium One-Rosatom deal, the FBI had gathered evidence that Russian officials were engaged in a racketeering scheme designed to grow Vladimir Putin's atomic energy business inside the United States.<sup>1</sup> Further, a female Russian spy posing as an American

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<sup>1</sup> "FBI uncovered Russian bribery plot before Obama administration approved controversial nuclear deal with Moscow," THE HILL, Oct. 17, 2017, *available at* <http://thehill.com/policy/national-security/355749-fbi-uncovered-russian-bribery-plot-before-obama-administration>.

reportedly attempted to grow close to a major Democratic donor in hopes of gaining intelligence on Secretary Clinton's State Department.<sup>2</sup> The FBI had also reportedly obtained evidence that Russian officials had donated millions of dollars to the Clinton Foundation, and news sources indicate that former President Bill Clinton received \$500,000 for a single Moscow speech from a Kremlin-tied Russian bank that was promoting Uranium One stock<sup>3</sup>—all while the State Department under Secretary Clinton's leadership was deciding to approve Rosatom's purchase of Uranium One.

I hope you will take this request seriously and appoint a special counsel as soon as practicable.

Sincerely,



Lindsey O. Graham  
United States Senator

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<sup>2</sup> "FBI watched, then acted as Russian spy moved closer to Hillary Clinton," THE HILL, Oct. 22, 2017, *available at* <http://thehill.com/policy/national-security/356630-fbi-watched-then-acted-as-russian-spy-moved-closer-to-hillary>.

<sup>3</sup> "Cash Flowed to Clinton Foundation Amid Russian Uranium Deal," NEW YORK TIMES, April 23, 2015, *available at* <https://www.nytimes.com/2015/04/24/us/cash-flowed-to-clinton-foundation-as-russians-pressed-for-control-of-uranium-company.html>.

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ONE HUNDRED FIFTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

July 27, 2017

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
Washington, D.C.

The Honorable Rod J. Rosenstein  
Deputy Attorney General  
U.S. Department of Justice  
Washington, D.C.

Dear Attorney General Sessions and Deputy Attorney General Rosenstein:

We are writing to you to request assistance in restoring public confidence in our nation's justice system and its investigators, specifically the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). We need to enable these agencies to perform their necessary and important law enforcement and intelligence functions fully unhindered by politics. While we presume that the FBI's investigation into Russian influence has been subsumed into Special Counsel Robert Mueller's investigation, we are not confident that other matters related to the 2016 election and aftermath are similarly under investigation by Special Counsel Mueller. The unbalanced, uncertain, and seemingly unlimited focus of the special counsel's investigation has led many of our constituents to see a dual standard of justice that benefits only the powerful and politically well-connected. For this reason, we call on you to appoint a second special counsel<sup>1</sup> to investigate a plethora of matters connected to the 2016 election and its aftermath, including actions taken by previously public figures like Attorney General Loretta Lynch, FBI Director James Comey, and former Secretary of State Hillary Clinton.

Many Democrats and members of the Washington media previously called for a "special prosecutor" to investigate Russian influence on the election and connections with the Trump campaign. Not surprisingly, once you actually made the decision to appoint a special counsel, the calls for further investigations by congressional committees continued, focused on allegations that have heretofore produced no evidence of criminality, despite the fact that over a year has passed since the opening of the original FBI investigation. Political gamesmanship continues to

<sup>1</sup> See 28 CFR Part 600 – General Powers of Special Counsel.



saturate anything and everything associated with reactions to President Trump's executive decisions, and reveals the hypocrisy of those who refuse to allow the Special Counsel's investigation to proceed without undue political influence. It is an unfortunate state of affairs.

Your stated rationale for recommending Director Comey's termination as FBI Director was his mishandling of former Secretary Clinton's email investigation and associated public disclosures concerning the investigation's findings. We believe this was the correct decision. It is clear that Director Comey contributed to the politicization of the FBI's investigations by issuing his public statement, nominating himself as judge and jury, rather than permitting career DOJ prosecutors to make the final decision. But many other questions remain unanswered, due to Mr. Comey's premature and inappropriate decision, as well as the Obama Justice Department's refusal to respond to legitimate Congressional oversight. Last week, the Republican Members of this Committee sent a letter to the Justice Department, asking for responses to those unanswered inquiries.<sup>2</sup> These questions cannot, for history's sake and for the preservation of an impartial system of justice, be allowed to die on the vine.

It is therefore incumbent on this Committee, in our oversight capacity, to ensure that the agencies we oversee are above reproach and that the Justice Department, in particular, remains immune to accusations of politicization. Many Congressional entities have been engaged in oversight of Russian influence on the election, but a comprehensive investigation into the 2016 Presidential campaign and its aftermath must, similarly, be free of even the suggestion of political interference. The very core of our justice system demands as much. A second, newly-appointed special counsel will not be encumbered by these considerations, and will provide real value to the American people in offering an independent perspective on these extremely sensitive matters.

Our call for a special counsel is not made lightly. We have no interest in engendering more bad feelings and less confidence in the process or governmental institutions by the American people. Rather, our call is made on their behalf. It is meant to determine whether the criminal prosecution of any individual is warranted based on the solemn obligation to follow the facts wherever they lead and applying the law to those facts.

As we referenced above, Democrats and the mainstream media called for a special counsel to be appointed to investigate any Russian influence on President Trump's campaign. Their pleas were answered, but there are many questions that may be outside the scope of Special Counsel Mueller's investigation. This was clear following Mr. Comey's recent testimony to the Senate Intelligence Committee on June 8, 2017, which ignited renewed scrutiny of former

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<sup>2</sup> See House Judiciary Committee letter of July 21, 2017 to Attorney General Sessions, requesting answers to multiple questions which remain unanswered or inadequately answered from the Obama Administration, available at [https://judiciary.house.gov/wp-content/uploads/2017/07/072117\\_Letter-to-AG-Sessions.pdf?utm\\_source=House+Judiciary+Committee+Press+Releases&utm\\_campaign=fcab593157-EMAIL\\_CAMPAIGN\\_2017\\_07\\_21&utm\\_medium=email&utm\\_term=0\\_df41eba8fd-fcab593157-101865997](https://judiciary.house.gov/wp-content/uploads/2017/07/072117_Letter-to-AG-Sessions.pdf?utm_source=House+Judiciary+Committee+Press+Releases&utm_campaign=fcab593157-EMAIL_CAMPAIGN_2017_07_21&utm_medium=email&utm_term=0_df41eba8fd-fcab593157-101865997).

Attorney General Loretta Lynch, and the actions she took to mislead the public concerning the investigation into the Clinton email investigation. Last year, this Committee inquired repeatedly about the circumstances surrounding that and other matters, but our inquiries were largely ignored.<sup>3</sup>

During his testimony, Mr. Comey referenced a meeting on the Phoenix airport tarmac between Ms. Lynch and former President Bill Clinton. Mr. Comey raised concerns about Ms. Lynch's conduct, and questioned her independence, stating:

At one point, the attorney general had directed me not to call it an investigation, but instead to call it a matter, which confused me and concerned me. That was one of the bricks in the load that led me to conclude, 'I have to step away from the department if we're to close this case credibly.'<sup>4</sup>

In addition, in preparing to testify in front of Congress for a September 2015 hearing, Mr. Comey asked Ms. Lynch at the time whether she was prepared to refer to the Clinton investigation as just that, an "investigation." Mr. Comey testified that Ms. Lynch said, "Yes, but don't call it that, call it a matter." Mr. Comey retorted, "Why would I do that?" Ms. Lynch answered, "Just call it a matter."<sup>5</sup> Mr. Comey stated that he acquiesced, but it gave him "a queasy feeling," since it gave him the "impression that the attorney general was trying to align how we describe our work" with how the Clinton campaign was talking about it.<sup>6</sup>

Notwithstanding the fact that the FBI is the Federal Bureau of Investigation, and not the Federal Bureau of Matters, one is hard-pressed to understand why Ms. Lynch directed then-Director Comey to call the Clinton investigation a "matter" unless she intended to use such deceptive language to help wrongly persuade the American people that former Secretary Clinton was not, in fact, the subject of a full-scale FBI investigation, or to otherwise undermine the integrity of the investigation.

Following Director Comey's Senate Intelligence Committee testimony, Senator Dianne Feinstein was asked about the testimony while appearing on CNN's "State of the Union." Senator Feinstein stated, "I would have a queasy feeling too, though, to be candid with you, I think we need to know more about that, and there's only one way to know about it, and that's to have the Judiciary Committee take a look at that."<sup>7</sup>

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<sup>3</sup> *Id.*

<sup>4</sup> Peter Baker, *The New York Times*, June 8, 2017, available at <https://www.nytimes.com/2017/06/08/us/politics/comey-testimony-loretta-lynch.html>.

<sup>5</sup> *Id.*

<sup>6</sup> Ed O'Keefe, *The Washington Post*, June 8, 2017, available at [https://www.washingtonpost.com/politics/2017/live-updates/trump-white-house/james-comey-testimony-what-we-learn/comey-repeats-that-lynch-asked-him-to-describe-clinton-investigations-as-a-matter/?utm\\_term=.ccb1c193f596](https://www.washingtonpost.com/politics/2017/live-updates/trump-white-house/james-comey-testimony-what-we-learn/comey-repeats-that-lynch-asked-him-to-describe-clinton-investigations-as-a-matter/?utm_term=.ccb1c193f596).

<sup>7</sup> Eli Watkins, "Feinstein: Judiciary Committee must 'step up and carry its weight'," *CNN.com*, June 11, 2017, available at <http://www.cnn.com/2017/06/11/politics/dianne-feinstein-james-comey/index.html>.

We share Senator Feinstein’s and Mr. Comey’s concerns – specifically, that during the midst of a contentious Presidential election, which was already rife with scandal arising from Secretary Clinton’s mishandling of classified information, that our nation’s chief law enforcement officer would instruct the FBI Director, her subordinate, to mislead the American public about the nature of the investigation. Following Ms. Lynch’s directive to downplay the Clinton investigation as a “matter,” Director Comey infamously terminated the Clinton investigation, stating, “[a]lthough there is evidence of potential violations of the statutes regarding the handling of classified information, our judgment is that no reasonable prosecutor would bring such a case.”<sup>8</sup>

Mr. Comey’s testimony has provided new evidence that Ms. Lynch may have used her position of authority to undermine the Clinton investigation. At any other point in history this accusation would entail a shock to the conscience of law abiding Americans who expect a DOJ free of political influence. We only have, however, an investigation into Russian influence on the 2016 election, including any ties to the Trump campaign. To limit our nation’s insight into just this single component of the 2016 election will only cause the special counsel’s work to be derided as one-sided and incomplete. The special counsel’s work must begin and end unimpeded by political motivations on either side of the aisle. For these reasons, the following points must also be fully investigated – ideally, via a second special counsel. This is imperative to regain the cherished trust and confidence in our undoubtedly distressed law enforcement and political institutions.

We call on a newly appointed special counsel to investigate, consistent with appropriate regulations, the following questions, many of which were previously posed by this Committee and remain unanswered:

- 1) Then-Attorney General Loretta Lynch directing Mr. Comey to mislead the American people on the nature of the Clinton investigation;
- 2) The shadow cast over our system of justice concerning Secretary Clinton and her involvement in mishandling classified information;
- 3) FBI and DOJ’s investigative decisions related to former Secretary Clinton’s email investigation, including the propriety and consequence of immunity deals given to potential Clinton co-conspirators Cheryl Mills, Heather Samuelson, John Bentel and possibly others;
- 4) The apparent failure of DOJ to empanel a grand jury to investigate allegations of mishandling of classified information by Hillary Clinton and her associates;
- 5) The Department of State and its employees’ involvement in determining which communications of Secretary Clinton’s and her associates to turn over for public scrutiny;

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<sup>8</sup> Statement by FBI Director James B. Comey on the Investigation of Secretary Hillary Clinton’s Use of a Personal E-Mail System, July 5, 2016, available at <https://www.fbi.gov/news/pressrel/press-releases/statement-by-fbi-director-james-b-comey-on-the-investigation-of-secretary-hillary-clinton2019s-use-of-a-personal-e-mail-system>.

- 6) WikiLeaks disclosures concerning the Clinton Foundation and its potentially unlawful international dealings;
- 7) Connections between the Clinton campaign, or the Clinton Foundation, and foreign entities, including those from Russia and Ukraine;
- 8) Mr. Comey's knowledge of the purchase of Uranium One by the company Rosatom, whether the approval of the sale was connected to any donations made to the Clinton Foundation, and what role Secretary Clinton played in the approval of that sale that had national security ramifications;
- 9) Disclosures arising from unlawful access to the Democratic National Committee's (DNC) computer systems, including inappropriate collusion between the DNC and the Clinton campaign to undermine Senator Bernie Sanders' presidential campaign;
- 10) Post-election accusations by the President that he was wiretapped by the previous Administration, and whether Mr. Comey and Ms. Lynch had any knowledge of efforts made by any federal agency to unlawfully monitor communications of then-candidate Trump or his associates;
- 11) Selected leaks of classified information related to the unmasking of U.S. person identities incidentally collected upon by the intelligence community, including an assessment of whether anyone in the Obama Administration, including Mr. Comey, Ms. Lynch, Ms. Susan Rice, Ms. Samantha Power, or others, had any knowledge about the "unmasking" of individuals on then candidate-Trump's campaign team, transition team, or both;
- 12) Admitted leaks by Mr. Comey to Columbia University law professor, Daniel Richman, regarding conversations between Mr. Comey and President Trump, how the leaked information was purposefully released to lead to the appointment of a special counsel, and whether any classified information was included in the now infamous "Comey memos";
- 13) Mr. Comey's and the FBI's apparent reliance on "Fusion GPS" in its investigation of the Trump campaign, including the company's creation of a "dossier" of information about Mr. Trump, that dossier's commission and dissemination in the months before and after the 2016 election, whether the FBI paid anyone connected to the dossier, and the intelligence sources of Fusion GPS or any person or company working for Fusion GPS and its affiliates; and
- 14) Any and all potential leaks originated by Mr. Comey and provide to author Michael Schmidt dating back to 1993.

You have the ability now to right the ship for the American people so these investigations may proceed independently and impartially. The American public has a right to know the facts – all of them – surrounding the election and its aftermath. We urge you to appoint a second special counsel to ensure these troubling, unanswered questions are not relegated to the dustbin of history.

Sincerely,

Bob Goodlatte

Jo Jordan

Lamar Smith

Matt Gaetz

Tom Marino

Steve Chalot

Blake Farentsoid

Steve King

Ross Spitzer

AMM

D. Calk Raul R. Labrador

Mr. O'D Andy Biggs

MIKE JOHNSON

John Sutherland

Matthew Kelly

John Ratchiffe

Scott Stankis

Karen C. Handel

**Boyd, Stephen E. (OLA)**

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**From:** Boyd, Stephen E. (OLA)  
**Sent:** Thursday, October 26, 2017 12:07 PM  
**To:** Schools, Scott (ODAG)  
**Cc:** Ramer, Sam (OLA)  
**Subject:** TP - SPEAKER RYAN - DAG - HPSCI INVESTIGATION  
**Attachments:** TP - SPEAKER RYAN - DAG - HPSCI INVESTIGATION.docx

See draft attached. (b)(5) I'm talking with DAG at 12:30. SB

## John Dowd

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**From:** John Dowd  
**Sent:** Sunday, October 15, 2017 6:44 AM  
**To:** Schools, Scott (ODAG)  
**Subject:** FW: The Rest of the Russia Story

Opinion  
| Review & Outlook

### The Rest of the Russia Story

Justice shouldn't protect the FBI and Fusion GPS from House subpoenas.

By

The Editorial Board

Oct. 13, 2017 6:50 p.m. ET

229 COMMENTS

The Beltway media move in a pack, and that means ignoring some stories while leaping on others. Consider the pack's lack of interest in the story of GPS Fusion and the "dossier" from former spook Christopher Steele.

The House Intelligence Committee recently issued subpoenas to Fusion GPS, the opposition research firm that paid for the dossier that contained allegations against then-candidate Donald Trump and ties to Russia. The dossier's details have been either discredited or are unverified, but the document nonetheless framed the political narrative about Trump-Russian collusion that led to special counsel Robert Mueller.

Democrats and Fusion seem to care mostly that House Intelligence Chairman Devin Nunes issued the subpoenas, given that he officially recused himself from the Russia probe in April. But only the chairman is allowed to issue subpoenas, and Mr. Nunes did so at the request of Republican Mike Conaway, who is officially leading the probe.

The real question is why Democrats and Fusion seem not to want to tell the public who requested the dossier or what ties Fusion GPS boss Glenn Simpson had with the Russians in 2016. All the more so because congressional investigators have learned that Mr. Simpson was working for Russian clients at the same time he was working with Mr. Steele.

Americans deserve to know who paid Mr. Simpson for this work and if the Kremlin influenced the project. They also deserve to know if former FBI director James Comey relied on the dossier to obtain warrants to monitor the Trump campaign. If the Russians used disinformation to spur a federal investigation into a presidential candidate, that would certainly qualify as influencing an



federal investigation into a presidential candidate, that would certainly qualify as influencing an election.

The House committee also subpoenaed FBI documents about wiretap warrants more than a month ago but has been stonewalled. There is no plausible reason that senior leaders of Congress—who have top-level security clearance—can't see files directly relevant to the question of Russian election interference.

Justice Department excuses about interfering with Mr. Mueller's investigation don't wash. Mr. Mueller is conducting a criminal probe, while Congress has a duty to oversee the executive branch. Both investigations can proceed simultaneously. Deputy Attorney General Rod Rosenstein, who supervises Mr. Mueller, needs to deputize specific Justice officials to handle Congress's requests.

The media attacks on Mr. Nunes for issuing the subpoenas are a sign that he is onto something. He recused himself in April after complaints about his role bringing to light Obama Administration officials who "unmasked" and leaked the names of secretly wiretapped Trump officials. Mr. Nunes has since been vindicated as we've learned that former National Security Adviser Susan Rice and former U.N. Ambassador Samantha Power did the unmasking. Yet Democrats on the House Ethics Committee have refused to clear Mr. Nunes—trying to keep him sidelined from the Russia probe.

Senate Judiciary Chairman Chuck Grassley has also pursued the Fusion GPS trail, but he could use House backup. Speaker Paul Ryan needs to call on the Ethics Committee to render a quick decision on Mr. Nunes or allow him to resume his Russia investigation. Mr. Ryan should also prepare to have the House vote on a contempt citation if the Justice Department doesn't supply subpoenaed documents.

Mr. Mueller will grind away at the Trump-Russia angle, but the story of Democrats, the Steele dossier and Jim Comey's FBI also needs telling. Americans don't need a Justice Department coverup abetted by Glenn Simpson's media buddies.

**Crowell, James (ODAG)**

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**From:** Crowell, James (ODAG)  
**Sent:** Thursday, September 28, 2017 9:59 AM  
**To:** Rosenstein, Rod (ODAG)  
**Cc:** Hur, Robert (ODAG)  
**Subject:** RE: Prep Materials for NUNES Meeting

(b)(5)

**From:** Rosenstein, Rod (ODAG)  
**Sent:** Thursday, September 28, 2017 9:53 AM  
**To:** Crowell, James (ODAG) <jcrowell@jmd.usdoj.gov>  
**Cc:** Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>  
**Subject:** Re: Prep Materials for NUNES Meeting

OK

On Sep 28, 2017, at 9:40 AM, Crowell, James (ODAG) <jcrowell@jmd.usdoj.gov> wrote:

(b)(5)

**From:** Rosenstein, Rod (ODAG)  
**Sent:** Thursday, September 28, 2017 9:29 AM  
**To:** Crowell, James (ODAG) <jcrowell@jmd.usdoj.gov>; Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>  
**Subject:** Re: Prep Materials for NUNES Meeting

(b)(5)

On Sep 27, 2017, at 7:15 PM, Boyd, Stephen E. (OLA) (b)(6) wrote:

DAG:

Please find below information regarding your meeting with Chairman NUNES tomorrow. We will have hard copies and supporting documentation ready for you in advance of the meeting.

Welcome back.

Stephen

(b)(5)

(b)(5)



(b)(5)



(b)(5)



(b)(5)

# # #

**Stephen E. Boyd**  
Assistant Attorney General  
U.S. Department of Justice  
Washington, D.C.

(b)(6)


**Crowell, James (ODAG)**

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**From:** Crowell, James (ODAG)  
**Sent:** Thursday, September 28, 2017 10:13 AM  
**To:** Schools, Scott (ODAG)  
**Subject:** FW: Prep Materials for NUNES Meeting

**From:** Rosenstein, Rod (ODAG)  
**Sent:** Thursday, September 28, 2017 9:29 AM  
**To:** Crowell, James (ODAG) <jcrowell@jmd.usdoj.gov>; Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>  
**Subject:** Re: Prep Materials for NUNES Meeting

Duplicative Material



**Rosenstein, Rod (ODAG)**

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**From:** Rosenstein, Rod (ODAG)  
**Sent:** Thursday, September 28, 2017 8:57 AM  
**To:** Boyd, Stephen E. (OLA)  
**Cc:** Crowell, James (ODAG)  
**Subject:** Re: Prep Materials for NUNES Meeting

Please put together (b)(5)

[REDACTED]

On Sep 27, 2017, at 7:15 PM, Boyd, Stephen E. (OLA) (b)(6) wrote:

Duplicative Material

[REDACTED]



**McKay, Shirley A (OLA)**

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**From:** McKay, Shirley A (OLA)  
**Sent:** Friday, September 22, 2017 4:37 PM  
**To:** Brooks, Roshelle (OLA)  
**Cc:** Gamble, Nathaniel (ODAG); Boyd, Stephen E. (OLA); Hur, Robert (ODAG);  
Murphy, Marcia (ODAG); Tolson, Kimberly G (JMD)  
**Subject:** FW: Signed Letter by DAG Rosenstein:  
**Attachments:** StreamDownloader.aspx.pdf; DevinNunes1.pdf; scanned-  
image\_9\_22\_2017\_8\_58\_37.pdf  
**Importance:** High

Hi Roshelle

Nathaniel from ODAG is bringing the original DAG resp dtd 9/22/2017, to OLA Front Office for dispatch to the Hill. Thanks.

Shirley McKay  
Correspondence Management Analyst  
Office of Legislative Affairs  
U.S. Department of Justice  
Washington, DC 20530  
(202) 514-5305 –direct no.

**From:** Gamble, Nathaniel (ODAG)  
**Sent:** Friday, September 22, 2017 1:42 PM  
**To:** Boyd, Stephen E. (OLA) (b)(6)  
**Cc:** Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>; Murphy, Marcia (ODAG) <mmurphy@jmd.usdoj.gov>; McKay, Shirley A (OLA) <smckay@jmd.usdoj.gov>; Tolson, Kimberly G (JMD) <ktolson@jmd.usdoj.gov>  
**Subject:** RE: Signed Letter by DAG Rosenstein:

Good Afternoon:

Per the attachments, is the DAG's response letter regarding the 2 incoming attached letters?

Thanks in advance,

Nathaniel Gamble II  
Office of the Deputy Attorney General  
# (202) 514-2101

**From:** Gamble, Nathaniel (ODAG)  
**Sent:** Friday, September 22, 2017 9:00 AM  
**To:** Boyd, Stephen E. (OLA) (b)(6)  
**Cc:** Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>; Murphy, Marcia (ODAG) <mmurphy@jmd.usdoj.gov>

---

**Subject:** Signed Letter by DAG Rosenstein:

Nathaniel Gamble II  
Office of the Deputy Attorney General  
# (202) 514-2101



Office of the Deputy Attorney General  
Washington, D.C. 20530

September 22, 2017

The Honorable Devin Nunes  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Nunes:

Our Legislative Affairs Office has been consulting with your staff in an effort to arrange for me to meet with you to discuss the Committee's inquiries. I understand that you have been on foreign travel this week. I will be on foreign travel for the next five days. I therefore request that you extend the deadline stated in your September 15 letter to the Attorney General and the FBI Director, so that we can arrange to address your requests without unduly damaging national security and disrupting any ongoing criminal investigation.

I appreciated our brief telephone conversation last week. I know that you understand that the executive branch's obligation to safeguard intelligence sources and methods and protect the integrity of investigations sometimes warrants accommodation.


This is not a novel issue, and it is not a partisan issue. Law enforcement and national security matters are kept confidential for good reasons.

Wise legislative and executive branch officials have worked together for many decades to defend our nation's long-term interests by protecting the confidentiality of Department of Justice investigations and preserving the Department's independence from the political arena.

I hope that longstanding tradition will continue on our watch.

Thank you for your continuing courtesies.

Sincerely,



Rod J. Rosenstein  
Deputy Attorney General

# READ: Michael Cohen's statement to the Senate intelligence committee

Updated 10:01 AM ET, Tue September 19, 2017

## **(CNN) — Statement of Michael D. Cohen, Esq. to the U.S. Senate Select Committee on Intelligence on September 19, 2017**

Thank you for inviting me to speak with you today.

As part of this statement, I would like to accomplish two things.

First, I want to comment briefly but clearly on the presumed subject of this morning's interview. Second, I want to address what I believe are the implications of it.

Let me be totally clear that I am innocent of the allegations raised against me in the public square, which are based upon misinformation and unnamed or unverifiable sources.

I have never engaged with, been paid by, paid for, or conversed with any member of the Russian Federation or anyone else to hack anyone or any organization.

I have never engaged with, been paid by, paid for, or conversed with any member of the Russian Federation or anyone else to hack or interfere with the election.

I have never engaged with, been paid by, paid for, or conversed with any member of the Russian Federation or anyone else to hack Democratic Party computers; and I have never engaged with, been paid by, paid for, or conversed with any member of the Russian Federation or anyone else to create fake news stories to assist the Trump campaign or to damage the Clinton campaign.

Given my own proximity to the President of the United States as a candidate, let me also say that I never saw anything not a hint of anything that demonstrated his involvement in Russian interference in our election or any form of Russian collusion.

I emphatically state that I had nothing to do with any Russian involvement in our electoral process.

In fact, I find the activities attributed to the Russian Federation, if found to be true, to be an offense to our democracy.

As an attorney, I believe justice ought not to be politicized in the United States of America neither in this Senate office nor in the courts. I'm certain that the evidence at the conclusion of this investigation will reinforce the fact that there was no collusion between Russia, President Trump or me.

I'm also certain that there are some in this country who do not care about the facts, but simply want to politicize this issue, choosing to presume guilt rather than presuming innocence so as to discredit our lawfully elected President in the public eye and shame his supporters in the public square ... this is un-American.

I am here today to reiterate my own innocence regarding the false allegations raised against me. What I seek is the Committee making a public conclusion about the truth or falsity of the allegations that follow.

My reputation was damaged in December 2016 when BuzzFeed published an unverified dossier prepared by a retired British spy Christopher Steele that was riddled with total falsehoods and intentionally salacious accusations.

In my opinion, the hired spy didn't find anything factual, so he threw together a shoddily written and totally fabricated report filled with lies and rumors. The New York Post recently noted that much of the information in the dossier appeared at points to be copied from the internet; with typographical errors included.

My name is mentioned more than a dozen times in the lie filled dossier and so within moments of BuzzFeed's publication, false allegations about me were plastered all over the national and international press. The accusations are entirely and totally false.

A core accusation was that I had traveled to Prague to meet with Russians regarding interfering with the election.

I have never in my life been to Prague or to anywhere in the Czech Republic. I might also add that I only have one passport (a United States Passport). I have to say that to you today that I only have one passport because another media outlet suggested that as a Jew I must also have an Israeli passport!

Aside from such an allegation being incredibly offensive, it is also totally wrong.

Let me tell you where I was on the day the dossier said I was in Prague.

I was in Los Angeles with my son who dreams of playing division 1 baseball next year at a prestigious university like USC. We were visiting the campus, meeting with various coaches, and discussing his future. Media sources have been able to confirm these facts and I can provide you with proof.

My wife and I have been married for 23 years, and are now entering into the season of our lives when we get to watch our children become adults themselves. My daughter, who is at an Ivy League school, and my wife, who is of Ukrainian descent, have especially been subjected to harassment, insults and threats ... some so severe I cannot share them in mixed company.

You might say that the experiences I am living through are the cost of being in the public eye, but they shouldn't be as I am not a government official. Many Trump supporting Americans are also paying this cost, like the twelve year old child in Missouri who was beaten up for wearing a Make America Great Again hat.

You can oppose the President's points of view and his policies, but not raise false issues about the validity of his victory.

I assume we will discuss the rejected proposal to build a Trump property in Moscow that was terminated in January of 2016; which occurred before the Iowa caucus and months before the very first primary. This was solely a real estate deal and nothing more. I was doing my job. I would ask that the two page statement about the Moscow proposal that I sent to the Committee in August be incorporated into and attached to this transcript.

I'm very proud to have served Donald J. Trump for all these years, and I'll continue to support him.

If we really are concerned about a Russian attempt to divide our country and discredit our political system then the best thing we can do is put aside our infighting, stop presuming guilt rather than innocence of American citizens, and address this national security threat as a united people at its source.

Otherwise, the priorities of the American people will continue to be neglected, and the Russians will use our distraction to continue to harm us from the shadows while we harm each other in front of the camera lights.

I look forward to answering all of your questions today.



## The best things to do in Goa



A father's cry: Why did you have to shoot?



Donald Trump's unpresidential presidency keeps hitting new lows



How Obamacare repeal came back with a fury

The New York Times

| <https://nyti.ms/2pOUzpX>

# Comey Tried to Shield the F.B.I. From Politics. Then He Shaped an Election.

As the F.B.I. investigated Hillary Clinton and the Trump campaign, James B. Comey tried to keep the bureau out of politics but plunged it into the center of a bitter election.

By MATT APUZZO, MICHAEL S. SCHMIDT, ADAM GOLDMAN and ERIC LICHTBLAU APRIL 22, 2017

WASHINGTON — The day before he upended the 2016 election, James B. Comey, the director of the Federal Bureau of Investigation, summoned agents and lawyers to his conference room. They had been debating all day, and it was time for a decision.

Mr. Comey's plan was to tell Congress that the F.B.I. had received new evidence and was reopening its investigation into Hillary Clinton, the presidential front-runner. The move would violate the policies of an agency that does not reveal its investigations or do anything that may influence an election. But Mr. Comey had declared the case closed, and he believed he was obligated to tell Congress that had changed.

“Should you consider what you're about to do may help elect Donald Trump president?” an adviser asked him, Mr. Comey recalled recently at a closed meeting with F.B.I. agents.

He could not let politics affect his decision, he replied. "If we ever start considering who might be affected, and in what way, by what we do, we're done," he told the agents.

But with polls showing Mrs. Clinton holding a comfortable lead, Mr. Comey ended up plunging the F.B.I. into the molten center of a bitter election. Fearing the backlash that would come if it were revealed after the election that the F.B.I. had been investigating the next president and had kept it a secret, Mr. Comey sent a letter informing Congress that the case was reopened.

What he did not say was that the F.B.I. was also investigating the campaign of Donald J. Trump. Just weeks before, Mr. Comey had declined to answer a question from Congress about whether there was such an investigation. Only in March, long after the election, did Mr. Comey confirm that there was one.

For Mr. Comey, keeping the F.B.I. out of politics is such a preoccupation that he once said he would never play basketball with President Barack Obama because of the appearance of being chummy with the man who appointed him. But in the final months of the presidential campaign, the leader of the nation's pre-eminent law enforcement agency shaped the contours, if not the outcome, of the presidential race by his handling of the Clinton and Trump-related investigations.

An examination by The New York Times, based on interviews with more than 30 current and former law enforcement, congressional and other government officials, found that while partisanship was not a factor in Mr. Comey's approach to the two investigations, he handled them in starkly different ways. In the case of Mrs. Clinton, he rewrote the script, partly based on the F.B.I.'s expectation that she would win and fearing the bureau would be accused of helping her. In the case of Mr. Trump, he conducted the investigation by the book, with the F.B.I.'s traditional secrecy. Many of the officials discussed the investigations on the condition of anonymity because they were not authorized to speak to reporters.

Mr. Comey made those decisions with the supreme self-confidence of a former prosecutor who, in a distinguished career, has cultivated a reputation for what supporters see as fierce independence, and detractors view as media-savvy arrogance.



The Times found that this go-it-alone strategy was shaped by his distrust of senior officials at the Justice Department, who he and other F.B.I. officials felt had provided Mrs. Clinton with political cover. The distrust extended to his boss, Loretta E. Lynch, the attorney general, who Mr. Comey believed had subtly helped play down the Clinton investigation.

His misgivings were only fueled by the discovery last year of a document written by a Democratic operative that seemed — at least in the eyes of Mr. Comey and his aides — to raise questions about her independence. In a bizarre example of how tangled the F.B.I. investigations had become, the document had been stolen by Russian hackers.

The examination also showed that at one point, President Obama himself was reluctant to disclose the suspected Russian influence in the election last summer, for fear his administration would be accused of meddling.

Mr. Comey, the highest-profile F.B.I. director since J. Edgar Hoover, has not squarely addressed his decisions last year. He has touched on them only obliquely, asserting that the F.B.I. is blind to partisan considerations. “We’re not considering whose ox will be gored by this action or that action, whose fortune will be helped,” he said at a public event recently. “We just don’t care. We can’t care. We only ask: ‘What are the facts? What is the law?’”

But circumstances and choices landed him in uncharted and perhaps unwanted territory, as he made what he thought were the least damaging choices from even less desirable alternatives.

“This was unique in the history of the F.B.I.,” said Michael B. Steinbach, the former senior national security official at the F.B.I., who worked closely with Mr. Comey, describing the circumstances the agency faced last year while investigating both the Republican and Democratic candidates for president. “People say, ‘This has never been done before.’ Well, there never was a before. Or ‘That’s not normally how you do it.’ There wasn’t anything normal about this.”

## ‘Federal Bureau of Matters’

Mr. Comey owes his job and his reputation to the night in 2004 when he rushed to the Washington hospital room of John Ashcroft, the attorney general, and prevented Bush administration officials from persuading him to reauthorize a classified program that had been ruled unconstitutional. At the time, Mr. Comey, a Republican, was the deputy attorney general.

Years later, when Mr. Obama was looking for a new F.B.I. director, Mr. Comey seemed an inspired bipartisan choice. But his style eventually grated on his bosses at the Justice Department.

In 2015, as prosecutors pushed for greater accountability for police misconduct, Mr. Comey embraced the controversial theory that scrutiny of police officers led to increases in crime — the so-called Ferguson effect. “We were really caught off guard,” said Vanita Gupta, the Justice Department’s top civil rights prosecutor at the time. “He lobbed a fairly inflammatory statement, without data to back it up, and walked away.”

On other issues, Mr. Comey bucked the administration but won praise from his agents, who saw him as someone who did what he believed was right, regardless of the political ramifications.

“Jim sees his role as apolitical and independent,” said Daniel C. Richman, a longtime confidant and friend of Mr. Comey’s. “The F.B.I. director, even as he reports to the attorney general, often has to stand apart from his boss.”

The F.B.I.’s involvement with Mrs. Clinton’s emails began in July 2015 when it received a letter from the inspector general for the intelligence community.

The letter said that classified information had been found on Mrs. Clinton’s home email server, which she had used as secretary of state. The secret email setup was already proving to be a damaging issue in her presidential campaign.

Mr. Comey’s deputies quickly concluded that there was reasonable evidence that a crime may have occurred in the way classified materials were handled, and that the F.B.I. had to investigate. “We knew as an organization that we didn’t have a choice,”

said John Giacalone, a former mob investigator who had risen to become the F.B.I.'s top national security official.

On July 10, 2015, the F.B.I. opened a criminal investigation, code-named "Midyear," into Mrs. Clinton's handling of classified information. The Midyear team included two dozen investigators led by a senior analyst and by an experienced F.B.I. supervisor, Peter Strzok, a former Army officer who had worked on some of the most secretive investigations in recent years involving Russian and Chinese espionage.

There was controversy almost immediately.

Responding to questions from The Times, the Justice Department confirmed that it had received a criminal referral — the first step toward a criminal investigation — over Mrs. Clinton's handling of classified information.

But the next morning, the department revised its statement.

"The department has received a referral related to the potential compromise of classified information," the new statement read. "It is not a criminal referral."

At the F.B.I., this was a distinction without a difference: Despite what officials said in public, agents had been alerted to mishandled classified information and in response, records show, had opened a full criminal investigation.

The Justice Department knew a criminal investigation was underway, but officials said they were being technically accurate about the nature of the referral. Some at the F.B.I. suspected that Democratic appointees were playing semantic games to help Mrs. Clinton, who immediately seized on the statement to play down the issue. "It is not a criminal investigation," she said, incorrectly. "It is a security review."

In September of that year, as Mr. Comey prepared for his first public questions about the case at congressional hearings and press briefings, he went across the street to the Justice Department to meet with Ms. Lynch and her staff.

Both had been federal prosecutors in New York — Mr. Comey in the Manhattan limelight, Ms. Lynch in the lower-wattage Brooklyn office. The 6-foot-8 Mr. Comey

commanded a room and the spotlight. Ms. Lynch, 5 feet tall, was known for being cautious and relentlessly on message. In her five months as attorney general, she had shown no sign of changing her style.

At the meeting, everyone agreed that Mr. Comey should not reveal details about the Clinton investigation. But Ms. Lynch told him to be even more circumspect: Do not even call it an investigation, she said, according to three people who attended the meeting. Call it a “matter.”

Ms. Lynch reasoned that the word “investigation” would raise other questions: What charges were being investigated? Who was the target? But most important, she believed that the department should stick by its policy of not confirming investigations.

It was a by-the-book decision. But Mr. Comey and other F.B.I. officials regarded it as disingenuous in an investigation that was so widely known. And Mr. Comey was concerned that a Democratic attorney general was asking him to be misleading and line up his talking points with Mrs. Clinton’s campaign, according to people who spoke with him afterward.

As the meeting broke up, George Z. Toscas, a national security prosecutor, ribbed Mr. Comey. “I guess you’re the Federal Bureau of Matters now,” Mr. Toscas said, according to two people who were there.

Despite his concerns, Mr. Comey avoided calling it an investigation. “I am confident we have the resources and the personnel assigned to the matter,” Mr. Comey told reporters days after the meeting.

The F.B.I. investigation into Mrs. Clinton’s email server was the biggest political story in the country in the fall of 2015. But something much bigger was happening in Washington. And nobody recognized it.

While agents were investigating Mrs. Clinton, the Democratic National Committee’s computer system was compromised. It appeared to have been the work of Russian hackers.

The significance of this moment is obvious now, but it did not immediately cause alarm at the F.B.I. or the Justice Department.

Over the previous year, dozens of think tanks, universities and political organizations associated with both parties had fallen prey to Russian spear phishing — emails that tricked victims into clicking on malicious links. The D.N.C. intrusion was a concern, but no more than the others.

Months passed before the D.N.C. and the F.B.I. met to address the hacks. And it would take more than a year for the government to conclude that the Russian president, Vladimir V. Putin, had an audacious plan to steer the outcome of an American election.

## Missing Emails

Despite moments of tension between leaders of the F.B.I. and the Justice Department, agents and prosecutors working on the case made progress. “The investigative team did a thorough job,” Mr. Giacalone said. “They left no stone unturned.”

They knew it would not be enough to prove that Mrs. Clinton was sloppy or careless. To bring charges, they needed evidence that she knowingly received classified information or set up her server for that purpose.

That was especially important after a deal the Justice Department had made with David H. Petraeus, the retired general and former director of the Central Intelligence Agency. Mr. Petraeus had passed classified information to his biographer, with whom he was having an affair, and the evidence was damning: He revealed the names of covert agents and other secrets, he was recorded saying that he knew it was wrong, and he lied to the F.B.I.

But over Mr. Comey’s objections, the Justice Department let Mr. Petraeus plead guilty in April 2015 to a misdemeanor count of mishandling classified information. Charging Mrs. Clinton with the same crime, without evidence of intent, would be difficult.

One nagging issue was that Mrs. Clinton had deleted an unknown number of emails from her early months at the State Department — before she installed the home server. Agents believed that those emails, sent from a BlackBerry account, might be their best hope of assessing Mrs. Clinton's intentions when she moved to the server. If only they could find them.

In spring last year, Mr. Strzok, the counterintelligence supervisor, reported to Mr. Comey that Mrs. Clinton had clearly been careless, but agents and prosecutors agreed that they had no proof of intent. Agents had not yet interviewed Mrs. Clinton or her aides, but the outcome was coming into focus.

Nine months into the investigation, it became clear to Mr. Comey that Mrs. Clinton was almost certainly not going to face charges. He quietly began work on talking points, toying with the notion that in the midst of a bitter presidential campaign, a Justice Department led by Democrats may not have the credibility to close the case, and that he alone should explain that decision to the public.

## A Suspicious Document

A document obtained by the F.B.I. reinforced that idea.

During Russia's hacking campaign against the United States, intelligence agencies could peer, at times, into Russian networks and see what had been taken. Early last year, F.B.I. agents received a batch of hacked documents, and one caught their attention.

The document, which has been described as both a memo and an email, was written by a Democratic operative who expressed confidence that Ms. Lynch would keep the Clinton investigation from going too far, according to several former officials familiar with the document.

Read one way, it was standard Washington political chatter. Read another way, it suggested that a political operative might have insight into Ms. Lynch's thinking.

Normally, when the F.B.I. recommends closing a case, the Justice Department agrees and nobody says anything. The consensus in both places was that the typical procedure would not suffice in this instance, but who would be the spokesman?

The document complicated that calculation, according to officials. If Ms. Lynch announced that the case was closed, and Russia leaked the document, Mr. Comey believed it would raise doubts about the independence of the investigation.

Mr. Comey sought advice from someone he has trusted for many years. He dispatched his deputy to meet with David Margolis, who had served at the Justice Department since the Johnson administration and who, at 76, was dubbed the Yoda of the department.

What exactly was said is not known. Mr. Margolis died of heart problems a few months later. But some time after that meeting, Mr. Comey began talking to his advisers about announcing the end of the Clinton investigation himself, according to a former official.

“When you looked at the totality of the situation, we were leaning toward: This is something that makes sense to be done alone,” said Mr. Steinbach, who would not confirm the existence of the Russian document.

Former Justice Department officials are deeply skeptical of this account. If Mr. Comey believed that Ms. Lynch were compromised, they say, why did he not seek her recusal? Mr. Comey never raised this issue with Ms. Lynch or the deputy attorney general, Sally Q. Yates, former officials said.

Mr. Comey’s defenders regard this as one of the untold stories of the Clinton investigation, one they say helps explain his decision-making. But former Justice Department officials say the F.B.I. never uncovered evidence tying Ms. Lynch to the document’s author, and are convinced that Mr. Comey wanted an excuse to put himself in the spotlight.

As the Clinton investigation headed into its final months, there were two very different ideas about how the case would end. Ms. Lynch and her advisers thought a

short statement would suffice, probably on behalf of both the Justice Department and the F.B.I.

Mr. Comey was making his own plans.

## A Hot Tarmac

A chance encounter set those plans in motion.

In late June, Ms. Lynch's plane touched down at Phoenix Sky Harbor International Airport as part of her nationwide tour of police departments. Former President Bill Clinton was also in Phoenix that day, leaving from the same tarmac.

Ms. Lynch's staff loaded into vans, leaving the attorney general and her husband on board. Mr. Clinton's Secret Service agents mingled with her security team. When the former president learned who was on the plane, his aides say, he asked to say hello.

Mr. Clinton's aides say he intended only to greet Ms. Lynch as she disembarked. But Ms. Lynch later told colleagues that the message she received — relayed from one security team to another — was that Mr. Clinton wanted to come aboard, and she agreed.

When Ms. Lynch's staff members noticed Mr. Clinton boarding the plane, a press aide hurriedly called the Justice Department's communications director, Melanie Newman, who said to break up the meeting immediately. A staff member rushed to stop it, but by the time the conversation ended, Mr. Clinton had been on the plane for about 20 minutes.

The meeting made the local news the next day and was soon the talk of Washington. Ms. Lynch said they had only exchanged pleasantries about golf and grandchildren, but Republicans called for her to recuse herself and appoint a special prosecutor.

Ms. Lynch said she would not step aside but would accept whatever career prosecutors and the F.B.I. recommended on the Clinton case — something she had planned to do all along.



Mr. Comey never suggested that she recuse herself. But at that moment, he knew for sure that when there was something to say about the case, he alone would say it.

## Calling a Conference

Agents interviewed Mrs. Clinton for more than three and a half hours in Washington the next day, and the interview did not change the unanimous conclusion among agents and prosecutors that she should not be charged.

Two days later, on the morning of July 5, Mr. Comey called Ms. Lynch to say that he was about to hold a news conference. He did not tell her what he planned to say, and Ms. Lynch did not demand to know.

On short notice, the F.B.I. summoned reporters to its headquarters for the briefing.

A few blocks away, Mrs. Clinton was about to give a speech. At her campaign offices in Brooklyn, staff members hurried in front of televisions. And at the Justice Department and the F.B.I., prosecutors and agents watched anxiously.

“We were very much aware what was about to happen,” said Mr. Steinbach, who had taken over as the F.B.I.’s top national security official earlier that year. “This was going to be hotly contested.”

With a black binder in hand, Mr. Comey walked into a large room on the ground floor of the F.B.I.’s headquarters. Standing in front of two American flags and two royal-blue F.B.I. flags, he read from a script.

He said the F.B.I. had reviewed 30,000 emails and discovered 110 that contained classified information. He said computer hackers may have compromised Mrs. Clinton’s emails. And he criticized the State Department’s lax security culture and Mrs. Clinton directly.

“Any reasonable person in Secretary Clinton’s position” should have known better, Mr. Comey said. He called her “extremely careless.”

The criticism was so blistering that it sounded as if he were recommending criminal charges. Only in the final two minutes did Mr. Comey say that “no charges are appropriate in this case.”

The script had been edited and revised several times, former officials said. Mr. Strzok, Mr. Steinbach, lawyers and others debated every phrase. Speaking so openly about a closed case is rare, and the decision to do so was not unanimous, officials said. But the team ultimately agreed that there was an obligation to inform American voters.

“We didn’t want anyone to say, ‘If I just knew that, I wouldn’t have voted that way,’” Mr. Steinbach said. “You can argue that’s not the F.B.I.’s job, but there was no playbook for this. This is somebody who’s going to be president of the United States.”

Mr. Comey’s criticism — his description of her carelessness — was the most controversial part of the speech. Agents and prosecutors have been reprimanded for injecting their legal conclusions with personal opinions. But those close to Mr. Comey say he has no regrets.

By scolding Mrs. Clinton, Mr. Comey was speaking not only to voters but to his own agents. While they agreed that Mrs. Clinton should not face charges, many viewed her conduct as inexcusable. Mr. Comey’s remarks made clear that the F.B.I. did not approve.

Former agents and others close to Mr. Comey acknowledge that his reproach was also intended to insulate the F.B.I. from Republican criticism that it was too lenient toward a Democrat.

At the Justice Department, frustrated prosecutors said Mr. Comey should have consulted with them first. Mrs. Clinton’s supporters said that Mr. Comey’s condemnations seemed to make an oblique case for charging her, undermining the effect of his decision.

“He came up with a Rube Goldberg-type solution that caused him more problems than if he had just played it straight,” said Brian Fallon, the Clinton campaign press secretary and a former Justice Department spokesman.

Furious Republicans saw the legal cloud over Mrs. Clinton lifting and tore into Mr. Comey.

In the days after the announcement, Mr. Comey and Ms. Lynch each testified before Congress, with different results. Neither the F.B.I. nor the Justice Department normally gives Congress a fact-by-fact recounting of its investigations, and Ms. Lynch spent five hours avoiding doing so.

“I know that this is a frustrating exercise for you,” she told the House Judiciary Committee.

Mr. Comey discussed his decision to close the investigation and renewed his criticism of Mrs. Clinton.

By midsummer, as Mrs. Clinton was about to accept her party’s nomination for president, the F.B.I. director had seemingly succeeded in everything he had set out to do. The investigation was over well before the election. He had explained his decision to the public.

And with both parties angry at him, he had proved yet again that he was willing to speak his mind, regardless of the blowback. He seemed to have safely piloted the F.B.I. through the storm of a presidential election.

But as Mr. Comey moved past one tumultuous investigation, another was about to heat up.

## Russia Rising

Days after Mr. Comey’s news conference, Carter Page, an American businessman, gave a speech in Moscow criticizing American foreign policy. Such a trip would typically be unremarkable, but Mr. Page had previously been under F.B.I. scrutiny years earlier, as he was believed to have been marked for recruitment by Russian spies. And he was now a foreign policy adviser to Mr. Trump.

Mr. Page has not said whom he met during his July visit to Moscow, describing them as “mostly scholars.” But the F.B.I. took notice. Mr. Page later traveled to Moscow again, raising new concerns among counterintelligence agents. A former senior American intelligence official said that Mr. Page met with a suspected intelligence officer on one of those trips and there was information that the Russians were still very interested in recruiting him.

Later that month, the website WikiLeaks began releasing hacked emails from the D.N.C. Roger J. Stone Jr., another Trump adviser, boasted publicly about his contact with WikiLeaks and suggested he had inside knowledge about forthcoming leaks. And Mr. Trump himself fueled the F.B.I.’s suspicions, showering Mr. Putin with praise and calling for more hacking of Mrs. Clinton’s emails.

“Russia, if you’re listening,” he said, “I hope you’ll be able to find the 30,000 emails that are missing.”

In late July, the F.B.I. opened an investigation into possible collusion between members of Mr. Trump’s campaign and Russian operatives. Besides Mr. Comey and a small team of agents, officials said, only a dozen or so people at the F.B.I. knew about the investigation. Mr. Strzok, just days removed from the Clinton case, was selected to supervise it.

It was a worrisome time at the F.B.I. Agents saw increased activity by Russian intelligence officers in the United States, and a former senior American intelligence official said there were attempts by Russian intelligence officers to talk to people involved in the campaign. Russian hackers had also been detected trying to break into voter registration systems, and intelligence intercepts indicated some sort of plan to interfere with the election.

In late August, Mr. Comey and his deputies were briefed on a provocative set of documents about purported dealings between shadowy Russian figures and Mr. Trump’s campaign. One report, filled with references to secret meetings, spoke ominously of Mr. Trump’s “compromising relationship with the Kremlin” and threats of “blackmail.”

The reports came from a former British intelligence agent named Christopher Steele, who was working as a private investigator hired by a firm working for a Trump opponent. He provided the documents to an F.B.I. contact in Europe on the same day as Mr. Comey's news conference about Mrs. Clinton. It took weeks for this information to land with Mr. Strzok and his team.

Mr. Steele had been a covert agent for MI6 in Moscow, maintained deep ties with Russians and worked with the F.B.I., but his claims were largely unverified. It was increasingly clear at the F.B.I. that Russia was trying to interfere with the election.

As the F.B.I. plunged deeper into that investigation, Mr. Comey became convinced that the American public needed to understand the scope of the foreign interference and be "inoculated" against it.

He proposed writing an op-ed piece to appear in The Times or The Washington Post, and showed the White House a draft his staff had prepared, according to two former officials. (After the Times story was published online on Saturday, a former White House official said the text of the op-ed had not been given to the White House.) The op-ed did not mention the investigation of the Trump campaign, but it laid out how Russia was trying to undermine the vote.

The president replied that going public would play right into Russia's hands by sowing doubts about the election's legitimacy. Mr. Trump was already saying the system was "rigged," and if the Obama administration accused Russia of interference, Republicans could accuse the White House of stoking national security fears to help Mrs. Clinton.

Mr. Comey argued that he had unique credibility to call out the Russians and avoid that criticism. After all, he said, he had just chastised Mrs. Clinton at his news conference.

The White House decided it would be odd for Mr. Comey to make such an accusation on his own, in a newspaper, before American security agencies had produced a formal intelligence assessment. The op-ed idea was quashed. When the

administration had something to say about Russia, it would do so in one voice, through the proper channels.

But John O. Brennan, the C.I.A. director, was so concerned about the Russian threat that he gave an unusual private briefing in the late summer to Harry Reid, then the Senate Democratic leader.

Top congressional officials had already received briefings on Russia's meddling, but the one for Mr. Reid appears to have gone further. In a public letter to Mr. Comey several weeks later, Mr. Reid said that "it has become clear that you possess explosive information about close ties and coordination between Donald Trump, his top advisors, and the Russian government — a foreign interest openly hostile to the United States."

Mr. Comey knew the investigation of the Trump campaign was just underway, and keeping with policy, he said nothing about it.

### 'Exceptional Circumstances'

Mr. Reid's letter sparked frenzied speculation about what the F.B.I. was doing. At a congressional hearing in September, Representative Jerrold Nadler, Democrat of New York, pressed Mr. Comey for an explanation, citing his willingness to give details about his investigation of Mrs. Clinton.

"After you investigated Secretary Clinton, you made a decision to explain publicly who you interviewed and why," Mr. Nadler said. "You also disclosed documents, including those from those interviews. Why shouldn't the American people have the same level of information about your investigation with those associated with Mr. Trump?"

But Mr. Comey never considered disclosing the case. Doing so, he believed, would have undermined an active investigation and cast public suspicion on people the F.B.I. could not be sure were implicated.

"I'm not confirming that we're investigating people associated with Mr. Trump," Mr. Comey said to Mr. Nadler. "In the matter of the email investigation, it was our

judgment — my judgment and the rest of the F.B.I.'s judgment — that those were exceptional circumstances.”

Even in classified briefings with House and Senate intelligence committee members, Mr. Comey repeatedly declined to answer questions about whether there was an investigation of the Trump campaign.

To Mr. Comey's allies, the two investigations were totally different. One was closed when he spoke about it. The other was continuing, highly classified and in its earliest stages. Much of the debate over Mr. Comey's actions over the last seven months can be distilled into whether people make that same distinction.

Just a few weeks later, in late September, Mr. Steele, the former British agent, finally heard back from his contact at the F.B.I. It had been months, but the agency wanted to see the material he had collected “right away,” according to a person with knowledge of the conversation. What prompted this message remains unclear.

Mr. Steele met his F.B.I. contact in Rome in early October, bringing a stack of new intelligence reports. One, dated Sept. 14, said that Mr. Putin was facing “fallout” over his apparent involvement in the D.N.C. hack and was receiving “conflicting advice” on what to do.

The agent said that if Mr. Steele could get solid corroboration of his reports, the F.B.I. would pay him \$50,000 for his efforts, according to two people familiar with the offer. Ultimately, he was not paid.

Around the same time, the F.B.I. began examining a mysterious data connection between Alfa Bank, one of Russia's biggest, and a Trump Organization email server. Some private computer scientists said it could represent a secret link between the Trump Organization and Moscow.

Agents concluded that the computer activity, while odd, probably did not represent a covert channel.

But by fall, the gravity of the Russian effort to affect the presidential election had become clear.

The D.N.C. hack and others like it had once appeared to be standard Russian tactics to tarnish a Western democracy. After the WikiLeaks disclosures and subsequent leaks by a Russian group using the name DCLeaks, agents and analysts began to realize that Moscow was not just meddling. It was trying to tip the election away from Mrs. Clinton and toward Mr. Trump.

Mr. Comey and other senior administration officials met twice in the White House Situation Room in early October to again discuss a public statement about Russian meddling. But the roles were reversed: Susan Rice, the national security adviser, wanted to move ahead. Mr. Comey was less interested in being involved.

At their second meeting, Mr. Comey argued that it would look too political for the F.B.I. to comment so close to the election, according to several people in attendance. Officials in the room felt whiplashed. Two months earlier, Mr. Comey had been willing to put his name on a newspaper article; now he was refusing to sign on to an official assessment of the intelligence community.

Mr. Comey said that in the intervening time, Russian meddling had become the subject of news stories and a topic of national discussion. He felt it was no longer necessary for him to speak publicly about it. So when Jeh Johnson, the Homeland Security secretary, and James R. Clapper Jr., the national intelligence director, accused "Russia's senior-most officials" on Oct. 7 of a cyber operation to disrupt the election, the F.B.I. was conspicuously silent.

That night, WikiLeaks began posting thousands of hacked emails from another source: the private email account of John D. Podesta, chairman of the Clinton campaign.

The emails included embarrassing messages between campaign staff members and excerpts from Mrs. Clinton's speeches to Wall Street. The disclosure further convinced the F.B.I. that it had initially misread Russia's intentions.

Two days later, Mr. Podesta heard from the F.B.I. for the first time, he said in an interview.

"You may be aware that your emails have been hacked," an agent told him.



Mr. Podesta laughed. The same agency that had so thoroughly investigated Mrs. Clinton, he said, seemed painfully slow at responding to Russian hacking.

“Yes,” he answered. “I’m aware.”

## Supplementing the Record

The Daily Mail, a British tabloid, was first with the salacious story: Anthony D. Weiner, the former New York congressman, had exchanged sexually charged messages with a 15-year-old girl.

The article, appearing in late September, raised the possibility that Mr. Weiner had violated child pornography laws. Within days, prosecutors in Manhattan sought a search warrant for Mr. Weiner’s computer.

Even with his notoriety, this would have had little impact on national politics but for one coincidence. Mr. Weiner’s wife, Huma Abedin, was one of Mrs. Clinton’s closest confidantes, and had used an email account on her server.

F.B.I. agents in New York seized Mr. Weiner’s laptop in early October. The investigation was just one of many in the New York office and was not treated with great urgency, officials said. Further slowing the investigation, the F.B.I. software used to catalog the computer files kept crashing.

Eventually, investigators realized that they had hundreds of thousands of emails, many of which belonged to Ms. Abedin and had been backed up to her husband’s computer.

Neither Mr. Comey nor Ms. Lynch was concerned. Agents had discovered devices before in the Clinton investigation (old cellphones, for example) that turned up no new evidence.

Then, agents in New York who were searching image files on Mr. Weiner’s computer discovered a State Department document containing the initials H.R.C. — Hillary Rodham Clinton. They found messages linked to Mrs. Clinton’s home server.

And they made another surprising discovery: evidence that some of the emails had moved through Mrs. Clinton's old BlackBerry server, the one she used before moving to her home server. If Mrs. Clinton had intended to conceal something, agents had always believed, the evidence might be in those emails. But reading them would require another search warrant, essentially reopening the Clinton investigation.

The election was two weeks away.

Mr. Comey learned of the Clinton emails on the evening of Oct. 26 and gathered his team the next morning to discuss the development.

Seeking a new warrant was an easy decision. He had a thornier issue on his mind.

Back in July, he told Congress that the Clinton investigation was closed. What was his obligation, he asked, to acknowledge that this was no longer true?

It was a perilous idea. It would push the F.B.I. back into the political arena, weeks after refusing to confirm the active investigation of the Trump campaign and declining to accuse Russia of hacking.

The question consumed hours of conference calls and meetings. Agents felt they had two options: Tell Congress about the search, which everyone acknowledged would create a political furor, or keep it quiet, which followed policy and tradition but carried its own risk, especially if the F.B.I. found new evidence in the emails.

"In my mind at the time, Clinton is likely to win," Mr. Steinbach said. "It's pretty apparent. So what happens after the election, in November or December? How do we say to the American public: 'Hey, we found some things that might be problematic. But we didn't tell you about it before you voted'? The damage to our organization would have been irreparable."

Conservative news outlets had already branded Mr. Comey a Clinton toady. That same week, the cover of National Review featured a story on "James Comey's Dereliction," and a cartoon of a hapless Mr. Comey shrugging as Mrs. Clinton smashed her laptop with a sledgehammer.

Congressional Republicans were preparing for years of hearings during a Clinton presidency. If Mr. Comey became the subject of those hearings, F.B.I. officials feared, it would hobble the agency and harm its reputation. “I don’t think the organization would have survived that,” Mr. Steinbach said.

The assumption was that the email review would take many weeks or months. “If we thought we could be done in a week,” Mr. Steinbach said, “we wouldn’t say anything.”

The spirited debate continued when Mr. Comey reassembled his team later that day. F.B.I. lawyers raised concerns, former officials said. But in the end, Mr. Comey said he felt obligated to tell Congress.

“I went back and forth, changing my mind several times,” Mr. Steinbach recalled. “Ultimately, it was the right call.”

That afternoon, Mr. Comey’s chief of staff called the office of Ms. Yates, the deputy attorney general, and revealed the plan.

When Ms. Lynch was told, she was both stunned and confused. While the Justice Department’s rules on “election year sensitivities” do not expressly forbid making comments close to an election, administrations of both parties have interpreted them as a broad prohibition against anything that may influence a political outcome.

Ms. Lynch understood Mr. Comey’s predicament, but not his hurry. In a series of phone calls, her aides told Mr. Comey’s deputies that there was no need to tell Congress anything until agents knew what the emails contained.

Either Ms. Lynch or Ms. Yates could have ordered Mr. Comey not to send the letter, but their aides argued against it. If Ms. Lynch issued the order and Mr. Comey obeyed, she risked the same fate that Mr. Comey feared: accusations of political interference and favoritism by a Democratic attorney general.

If Mr. Comey disregarded her order and sent the letter — a real possibility, her aides thought — it would be an act of insubordination that would force her to consider firing him, aggravating the situation.

So the debate ended at the staff level, with the Justice Department imploring the F.B.I. to follow protocol and stay out of the campaign's final days. Ms. Lynch never called Mr. Comey herself.

The next morning, Friday, Oct. 28, Mr. Comey wrote to Congress, "In connection with an unrelated case, the F.B.I. has learned of the existence of emails that appear to be pertinent to the investigation."

His letter became public within minutes. Representative Jason Chaffetz of Utah, a Republican and a leading antagonist of Mrs. Clinton's, jubilantly announced on Twitter, "Case reopened."

## 'This Changes Everything'

The Clinton team was outraged. Even at the F.B.I., agents who supported their high-profile director were stunned. They knew the letter would call into question the F.B.I.'s political independence.

Mr. Trump immediately mentioned it on the campaign trail. "As you might have heard," Mr. Trump told supporters in Maine, "earlier today, the F.B.I. ..." The crowd interrupted with a roar. Everyone had heard.

Polls almost immediately showed Mrs. Clinton's support declining. Presidential races nearly always tighten in the final days, but some political scientists reported a measurable "Comey effect."

"This changes everything," Mr. Trump said.

Mr. Comey explained in an email to his agents that Congress needed to be notified. "It would be misleading to the American people were we not to supplement the record," he wrote.

But many agents were not satisfied.

At the Justice Department, career prosecutors and political appointees privately criticized not only Mr. Comey for sending the letter but also Ms. Lynch and Ms.

Yates for not stopping him. Many saw the letter as the logical result of years of not reining him in.

Mr. Comey told Congress that he had no idea how long the email review would take, but Ms. Lynch promised every resource needed to complete it before Election Day.

At the F.B.I., the Clinton investigative team was reassembled, and the Justice Department obtained a warrant to read emails to or from Mrs. Clinton during her time at the State Department. As it turned out, only about 50,000 emails met those criteria, far fewer than anticipated, officials said, and the F.B.I. had already seen many of them.

Mr. Comey was again under fire. Former Justice Department officials from both parties wrote a Washington Post op-ed piece titled "James Comey Is Damaging Our Democracy."

At a Justice Department memorial for Mr. Margolis, organizers removed all the chairs from the stage, avoiding the awkward scene of Mr. Comey sitting beside some of his sharpest critics.

Jamie S. Gorelick, a deputy attorney general during the Clinton administration, eulogized Mr. Margolis for unfailingly following the rules, even when facing unpopular options. Audience members heard it as a veiled critique of both Mr. Comey and Ms. Lynch.

On Nov. 5, three days before Election Day, Mr. Strzok and his team had 3,000 emails left to review. That night, they ordered pizza and dug in. At about 2 a.m., Mr. Strzok wrote an email to Mr. Comey and scheduled it to send at 6 a.m. They were finished.

A few hours later, Mr. Strzok and his team were back in Mr. Comey's conference room for a final briefing: Only about 3,000 emails had been potentially work-related. A dozen or so email chains contained classified information, but the F.B.I. had already seen it.

And agents had found no emails from the BlackBerry server during the crucial period when Mrs. Clinton was at the State Department.

Nothing had changed what Mr. Comey had said in July.

That conclusion was met with a mixture of relief and angst. Everyone at the meeting knew that the question would quickly turn to whether Mr. Comey's letter had been necessary.

That afternoon, Mr. Comey sent a second letter to Congress. "Based on our review," he wrote, "we have not changed our conclusions."

## Political Consequences

Mr. Comey did not vote on Election Day, records show, the first time he skipped a national election, according to friends. But the director of the F.B.I. was a central story line on every television station as Mr. Trump swept to an upset victory.

Many factors explained Mr. Trump's success, but Mrs. Clinton blamed just one. "Our analysis is that Comey's letter — raising doubts that were groundless, baseless, proven to be — stopped our momentum," she told donors a few days after the election. She pointed to polling data showing that late-deciding voters chose Mr. Trump in unusually large numbers.

Even many Democrats believe that this analysis ignores other factors, but at the F.B.I., the accusation stung. Agents are used to criticism and second-guessing. Rarely has the agency been accused of political favoritism or, worse, tipping an election.

For all the attention on Mrs. Clinton's emails, history is likely to see Russian influence as the more significant story of the 2016 election. Questions about Russian meddling and possible collusion have marred Mr. Trump's first 100 days in the White House, cost him his national security adviser and triggered two congressional investigations. Despite Mr. Trump's assertions that "Russia is fake news," the White House has been unable to escape its shadow.

Mr. Comey has told friends that he has no regrets, about either the July news conference or the October letter or his handling of the Russia investigation. Confidants like Mr. Richman say he was constrained by circumstance while “navigating waters in which every move has political consequences.”

But officials and others close to him also acknowledge that Mr. Comey has been changed by the tumultuous year.

Early on Saturday, March 4, the president accused Mr. Obama on Twitter of illegally wiretapping Trump Tower in Manhattan. Mr. Comey believed the government should forcefully denounce that claim. But this time he took a different approach. He asked the Justice Department to correct the record. When officials there refused, Mr. Comey followed orders and said nothing publicly.

“Comey should say this on the record,” said Tommy Vietor, a National Security Council spokesman in the Obama administration. “He’s already shattered all norms about commenting on ongoing investigations.”

Mr. Richman sees no conflict, but rather “a consistent pattern of someone trying to act with independence and integrity, but within established channels.”

“His approach to the Russia investigation fits this pattern,” he added.

But perhaps the most telling sign that Mr. Comey may have had enough of being Washington’s Lone Ranger occurred last month before the House Intelligence Committee.

Early in the hearing, Mr. Comey acknowledged for the first time what had been widely reported: The F.B.I. was investigating members of the Trump campaign for possible collusion with Russia.

Yet the independent-minded F.B.I. director struck a collaborative tone. “I have been authorized by the Department of Justice to confirm,” he began, ushering in the next phase of his extraordinary moment in national politics.

Mr. Comey was still in the spotlight, but no longer alone.

Emily Baumgaertner and Mark Landler contributed reporting. Kitty Bennett contributed research.

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## Hermitage Capital Management

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Heather H. Hunt, Chief  
FARA Registration Unit  
Counterintelligence and Export Control Section  
National Security Division  
U.S Department of Justice

By Email: [REDACTED]@usdoj.gov

15 July 2016

Dear Ms. Hunt,

**Complaint regarding the violation of US Lobbying Laws by the Human Rights Accountability Global Initiative Foundation and others by Hermitage Capital Management (“Hermitage”)**

Further to our recent call, on information and belief, we write to set out in more detail several violations of US lobbying laws by lobbyists and entities acting under the direction/control/influence of the Russian Government.

### **I. Executive Summary**

1. There is an ongoing lobbying campaign to repeal the Magnitsky Act (the “Campaign”) and rewrite the history of the Magnitsky story. This campaign has been conducted by the following entities
  - A. Prevezon Holdings Limited (“Prevezon”) - a Russian owned Cyprus registered company
  - B. The Human Rights Accountability Global Initiative Foundation (“HRAGIF”) - a Delaware NGO created on 18 February 2016.
2. To assist them in the Campaign, based on information and belief, the following people have been hired to lobby on their behalf:
  - A. **Rinat Akhmetshin** – Russian national living in Washington D.C.
  - B. **Robert Arakelian**
  - C. **Chris Cooper** – CEO Potomac Square Group
  - D. **Glenn Simpson** - SNS Global and Fusion GPS
  - E. **Mark Cymrot** – Partner, Baker Hostetler
  - F. **Ron Dellums** - Former Republican Congressman
  - G. **Howard Schweitzer** – Managing Partner of Cozen O’Connor Public Strategies

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3. The Campaign's three objectives are:
  - A. To repeal the 2012 Magnitsky Act.
  - B. To remove the name "Magnitsky" from the Global Magnitsky Bill, which is currently passing through Congress.
  - C. To discredit the established version of events regarding the theft of \$230 million from the Russian Treasury and the death of Sergei Magnitsky as told by William Browder, CEO of Hermitage ("Mr. Browder"), so as to assist the Campaign in meeting its objectives in relation to repealing the Magnitsky Law.
  
4. In conducting these lobbying activities, those involved in the Campaign are in violation of their filing requirements under the Lobbying Disclosure Act 1995 ("LDA") and the Foreign Agents Registration Act 1938 ("FARA"), for the following reasons:
  - A. The lobbyists involved have failed to file their lobbying activities with the relevant authorities.
  - B. The entity involved, HRAGIF, has filed inaccurate information in its LDA filings.
  - C. Both HRAGIF and Prevezon are being controlled/directed/influenced by the Russian Government in respect of the lobbying activity (see Section III), and therefore filings are required to be made under FARA.
  
5. Taking this information into consideration, we urge you to commence an investigation into the lobbying activities of the individuals and entities mentioned herein.

## **II. Lobbying Activities by the Campaign in Violation of FARA and LDA**

Through the creation of a new NGO which appears to be disguising its lobbying activities, the lobbying of Congress, and the screening of a film intended to spread misinformation about the history of Sergei Magnitsky, the individuals and lobbyists identified below are in breach of various statutory lobbying requirements under FARA and the LDA 1995.

### **1. Creation of the Human Rights Accountability Global Initiative Foundation ("HRAGIF")**

- A. HRAGIF was established on 18 February 2016 in Delaware. Its registered address is Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware, 19801. The address on its LDA filing is 1050 Connecticut NW #500, Washington DC, 20036.



- B. HRAGIF's stated objective on its website is "*overturning the Russian adoption ban.*"<sup>1</sup>
- C. The following people were involved in HRAGIF's lobbying activities, and are listed as in-house lobbyists on HRAGIF's LDA filings:<sup>2</sup>
- i. Rinat Akhmetshin
    - a. Mr Akhmetshin is a former member of the Russian military intelligence services (GRU). He is now based in Washington DC as a lobbyist.
    - b. He was previously hired by clients with the mandate to generate negative publicity. He was paid by a previous client to derail the US asylum application of a Russian citizen using false allegations of anti-Semitism.<sup>3</sup>
    - c. He has been accused of organizing, on behalf of Russian oligarch Andrey Melnichenko, for the computers of International Mineral Resources to be hacked to steal "*confidential, personal and otherwise sensitive information*" so that it could be disseminated.<sup>4</sup>
  - ii. Robert Arakelian
- D. The following people have been involved in HRAGIF's lobbying activities, but are not listed in their LDA filings:
- i. Chris Cooper, CEO Potomac Square Group
  - ii. Natalia Veselnitskaya, the Russian lawyer for Prevezon
  - iii. Anatoly Samochornov, Russian born professional interpreter and project manager for the US State Department
- E. Email evidence from Mr. Samochornov to Thomas Klosowicz confirms Samochornov and Veselnitskaya's connection to HRAGIF.<sup>5</sup>
- F. In its registration forms that were filed on 11, 16 and 20 June 2016, HRAGIF states that its current and anticipated specific lobbying issues are "*foreign adoption issues.*"<sup>6</sup> This statement is false. It has been confirmed that Rinat Akhmetshin has been lobbying to attack the Magnitsky Act.

<sup>1</sup> <http://hragi.org/>

<sup>2</sup> Please see HRAGIF's LDA 1995 filings:

<http://disclosures.house.gov/ld/ldxmlrelease/2016/RR/300805895.xml>

<http://disclosures.house.gov/ld/ldxmlrelease/2016/RA/300805978.xml>

<http://disclosures.house.gov/ld/ldxmlrelease/2016/RA/300806062.xml>

<sup>3</sup> <http://www.nytimes.com/2015/02/12/nyregion/russia-time-warner-center-andrey-vavilov.html>

<sup>4</sup> <http://www.leagle.com/decision/In%20FDCO%2020150729B50/In%20re%20Application%20of%20International%20Mineral%20Resources%20B.V> ; <http://www.forbes.ru/news/305971-byvshii-podryadchik-obvinil-melnichenko-v-organizatsii-khakerskoi-ataki>

<sup>5</sup> See email from A Samochornov to Thomas Klosowicz dated 26 April 2016 confirming Samochornov and Veselnitskaya's connection to HRAGIF, Appendix 1

<sup>6</sup> Please see HRAGIF's LDA 1995 filings:

<http://disclosures.house.gov/ld/ldxmlrelease/2016/RR/300805895.xml>

<http://disclosures.house.gov/ld/ldxmlrelease/2016/RA/300805978.xml>

<http://disclosures.house.gov/ld/ldxmlrelease/2016/RA/300806062.xml>



- i. He was responsible for organising the screening of the anti-Magnitsky documentary in Washington DC (see Section II.2.D.ii). He attended the aborted European Parliament screening in Brussels of the same film (see Section II.3.C), and he also attended a screening of the film in Moscow.
  - ii. He actively lobbied Congress on behalf of Prevezon prior to the House markup of the Global Magnitsky Bill on 18 May 2016 (see Section II.2.C.i).
- G. Furthermore, HRAGIF states at section 14 of the forms that it has no relationship with a foreign entity that would require disclosure under the LDA. This statement is false.
  - i. Natalia Veselnitskaya is the lawyer to Prevezon and the Katsyv family. Prevezon is a Cyprus company owned by a Russian national, which makes it a foreign entity under the LDA. Furthermore, on information and belief, both HRAGIF and Prevezon are being controlled/directed/influenced by the Russian Government (see Section III), and therefore should be considered as foreign principals under FARA.
  - ii. Natalia Veselnitskaya played a key role in organising screenings of the film intended to rewrite the history of Sergei Magnitsky (see Section II.3.C.). On information and belief, in doing so she is being directed by the Russian Government (see Section III), and therefore should be required to file under FARA.
- H. Because HRAGIF has filed false LDA registration filings with regards to both lobbying issues and a relationship with foreign entities, they are in direct violation of the LDA and the filing requirements under FARA.

## **2. Lobbying of Congress to remove “Magnitsky” from the Global Magnitsky Human Rights Accountability Bill**

- A. On 17 December 2015 the Global Magnitsky Human Rights Accountability Bill (“Global Magnitsky Bill”) was passed in the Senate.
- B. On 18 May 2016 the Global Magnitsky Bill was scheduled for markup by the House Foreign Affairs Committee. Republican Congressman Dana Rohrabacher tabled an amendment seeking the removal of Sergei Magnitsky’s name from the title of the Bill.<sup>7</sup>
- C. The following individuals lobbied for the removal of the name “Magnitsky” from the title:
  - i. Rinat Akhmetshin
    - a. According to the Daily Beast, a US Congressional Staffer said that Rinat Akhmetshin arrived at Congress with Ron Dellums (a

<sup>7</sup> See copy of Dana Rohrabacher’s letter to members of the House of Foreign Affairs Committee and accompanying articles, Appendix 2



- former Congressman) without an appointment to discuss the Global Magnitsky Bill, which was due for markup the following day.<sup>8</sup>
- b. The Staffer stated that, “*They said they were lobbying on behalf of a Russian company called Prevezon and asked us to delay the Global Magnitsky Act or at least remove Magnitsky from the name.*”<sup>9</sup>
- ii. Former Congressman Ron Dellums
    - a. Attended Congress with Rinat Akhemtshin the day before the markup.
  - iii. Mark Cymrot of Baker Hostetler
    - a. Mark Cymrot is a Partner at Baker Hostetler, and is one of the lawyers instructed by Prevezon in the asset forfeiture case in New York.
    - b. Mark Cymrot was in phone and email contact with Congressional staff members Doug Seay and Paul Behrends, briefing them as part of the anti-Magnitsky push to have Magnitsky’s name removed from the bill.<sup>10</sup>
  - iv. Howard Schweitzer, Managing Partner of Cozen O’Connor Public Strategies
    - a. On information and belief, he lobbied for the removal of Magnitsky’s name from the Global Magnitsky Bill.
- D. None of the individuals listed above filed any LDA filings with respect to their lobbying activities surrounding the Global Magnitsky Bill. Therefore they are acting in direct violation of LDA 1995.
- i. Rinat Akhemtshin is listed as an in-house lobbyist employed by HRAGIF for the purposes of its LDA filing. He has not filed any LDA filing in respect of lobbying work for Prevezon. Prevezon is also not mentioned in HRAGIF’s LDA filings as an affiliated organisation or foreign entity under sections 13 and 14 of its LDA filing.
  - ii. Furthermore, even if Rinat Akhemtshin was on this occasion lobbying for HRAGIF rather than Prevezon, this activity would not be in accordance with their stated objective in their LDA filing, as it did not relate to “*foreign adoption issues.*”
- E. On information and belief, efforts to rename the Global Magnitsky Bill are under the control/influence/direction of the Russian Government (see Section III.3). Therefore any lobbying with respect to this Bill should be filed under FARA. None of the individuals above made any filings under FARA, and are therefore in violation of these requirements.

<sup>8</sup> <http://www.thedailybeast.com/articles/2016/05/18/putin-s-dirty-game-in-the-u-s-congress.html>

<sup>9</sup> Ibid.

<sup>10</sup> See Appendix 3 email from Mark Cymrot to Doug Seay and Paul Behrends



- i. While lawyers representing foreign principals are exempt from filing under FARA, this is only true if the attorney does not try to influence policy at the behest of his client.<sup>11</sup> Mark Cymrot cannot rely on the lawyers exemption under FARA, as in this instance he was trying to influence policy.

### 3. Screening of the Documentary “The Magnitsky Act” in Washington

- A. A documentary by Russian filmmaker Andrei Nekrasov entitled, “The Magnitsky Act” (the “Film”) was screened in Washington DC on 13 June 2016, at the Newseum.
- B. The Film attempts to claim that the Magnitsky story as told by Mr Browder is untrue and that the Magnitsky Act was passed on the basis of an untrue story. The Film also seeks to exonerate the Russian Government officials who committed the \$230 million fraud.
- C. The Film was originally due to be premiered in the European Parliament in April 2016, but the screening was cancelled due to its controversial content. Natalia Veselnitskaya was reported in the Russian press as being one of the organisers of the screening, and a contributor to the film.<sup>12</sup> Several lobbyists connected to HRAGIF travelled to Europe for the screening, including Natalia Veselnitskaya, Anatoly Samochornov, and Rinat Akhmetshin.<sup>13</sup> Rinat Akhmetshin was also seen talking to Andrei Pavlov and Pavel Karpov, both of whom played a key role in the \$230 million Russian Treasury fraud which led to the passage of the Magnitsky Act (see Section III about Russian Government interests, below). Natalia Veselnitskaya also identifies herself as a Facebook friend of Pavel Karpov, who played a key role in the \$230 million Russian Treasury fraud.<sup>14</sup>
- D. The following individuals were involved with the promotion of the documentary in Washington:
  - i. Chris Cooper of Potomac Square Group was responsible for organising the screening.<sup>15</sup>
  - ii. Rinat Akhmetshin was also involved in organising the screening.<sup>16</sup>

<sup>11</sup> [https://www.fara.gov/fara\\_faq.html#9](https://www.fara.gov/fara_faq.html#9)

<sup>12</sup> [https://ruposters.ru/news/27\\_04\\_2016/evroparlament\\_film\\_o\\_magnitskom](https://ruposters.ru/news/27_04_2016/evroparlament_film_o_magnitskom)

<sup>13</sup> Natalia Veselnitskaya was interviewed by several journalists after the event. Anatoly Samochornov and Rinat Akhmetshin can be seen in the background during those interviews. <http://www.ntv.ru/video/1278965/>; [http://5\\_tv.ru/news/106468/](http://5_tv.ru/news/106468/). See Appendix 4.

<sup>14</sup> For a screen shot of Veselnitskaya’s Facebook page, see Appendix 8

<sup>15</sup> “In the United States, Mr Nekrasov has retained the Potomac Square Group, a small public affairs and lobbying firm ....It is run by Chris Cooper, a former Wall Street Journal reporter. Mr Cooper rented the theatre in the Newseum and declined to say who was paying his company. “I’m putting this event together for the director” [http://www.nytimes.com/2016/06/10/world/europe/sergei\\_magnitsky\\_russia\\_vladimir\\_putin.html?\\_r=1](http://www.nytimes.com/2016/06/10/world/europe/sergei_magnitsky_russia_vladimir_putin.html?_r=1)

<sup>16</sup> “Akhmetshin told RFE/RL the showing was private due to copyright issues and that invitees included congressional staffers, as well as representatives from the U.S. State Department, the White House’s National Security Council, and members of the media” [http://www.rferl.org/content/nekrasov\\_browder\\_film\\_screening/27787150.html](http://www.rferl.org/content/nekrasov_browder_film_screening/27787150.html)



- E. The invitation to the screening advised that the event complied with congressional gift rules so that Members and staff of the U.S. Senate and House of Representatives may attend.<sup>17</sup>
- F. The screening was attended by the following members of the US executive and legislative branches:
  - i. Kyle Parker (Staff member of the House of Foreign Affairs Committee)
  - ii. Paul Behrends (Staff member of the House of Foreign Affairs Committee)
  - iii. Jessica Roxburgh (Congressional Staff member to Republican Congressman Dana Rohrabacher)
  - iv. David Whiddon (US State Department)
  - v. Danielle Bayer (US State Department)
- G. The purpose of screening the Film in Washington DC in the presence of Congressional Staff members is a clear lobbying exercise to disseminate misinformation about Sergei Magnitsky, with a view to having the Magnitsky Act repealed and influence the outcome of the Prevezon case in New York.
- H. Through their involvement in the Film's screening and promotion in Washington DC, both Chris Cooper and Rinat Akhmetshin acted in violation of the LDA and FARA.
  - i. Neither Chris Cooper nor Rinat Akhmetshin filed LDA registrations in respect of this event.
    - a. When Chris Cooper was asked by a reporter who was paying his company he refused to answer the question.<sup>18</sup>
  - ii. The screening of the film is linked to the interests of the Russian Government and also Prevezon (see Section III.4), and is an attempt by the lobbyists to influence public opinion and policy issues by the control/direction/influence of the Russian Government, and therefore FARA filings are required. Neither individual filed registrations under FARA.

#### 4. Lobbying Surrounding Russia Relations Hearing

- A. On 14 June 2016, the day after the Newseum event, Congressman Royce chaired a House Foreign Affairs Committee hearing on U.S. policy towards Putin's Russia.
- B. The hearing was attended by Andrei Nekrasov, Natalia Veselnitskaya and Rinat Akhmetshin.<sup>19</sup>

<sup>17</sup> Please see Appendix 5 for a copy of the invitation.

<sup>18</sup> "It's the director's event and the movie people" Cooper said. "I'm not gonna talk about who's paying for what and all that" [https://www.buzzfeed.com/rosiegray/newseum\\_will\\_host\\_controversial\\_magnitsky\\_film\\_screening\\_des?utm\\_term=.pgJyKLJ0Om#.vmgk21JVv](https://www.buzzfeed.com/rosiegray/newseum_will_host_controversial_magnitsky_film_screening_des?utm_term=.pgJyKLJ0Om#.vmgk21JVv)

<sup>19</sup> Please see Appendix 6 for photos of these individuals attending the Congressional Hearing



- C. Following that hearing, it was reported in the Russian press that Natalia Veselnitskaya filed a report with Congress containing evidence that the grounds for the Magnitsky Act were based on lies. She said, “*I am qualified to talk about it as a lawyer, and I am stating that I know the facts that can help the Congress to figure out this complicated story.*”<sup>20</sup>
- D. Andrei Nekrasov also provided Dana Rohrabacher with a written statement to be entered on the record, in which he repeated the false allegations that he makes in the Film.<sup>21</sup>
- E. Neither Natalia Veselnitskaya nor Rinat Akhmetshin filed any FARA or LDA filings with regards to this hearing. On information and belief, they are acting under the control/direction/influence of the Russian Government (see Section III), a FARA filing is required.
- i. While lawyers representing foreign principals are exempt from filing under FARA, this is only true if the attorney does not try to influence policy at the behest of his client.<sup>22</sup> By disseminating anti-Magnitsky material to Congress, Ms. Veselnitskaya is clearly trying to influence policy and is therefore in violation of her filing requirements under FARA.
  - ii. Furthermore, if Ms. Veselnitskaya was lobbying as a representative of HRAGIF, the organisation is in breach of its LDA filing for:
    - a. Failing to list her as a lobbyist
    - b. The lobbying was not in accordance with its stated objective of “*Foreign Adoption Issues.*”

## 5. Further Lobbyists Involved

### A. Glenn Simpson

- i. Glenn Simpson is a former Wall Street Journal correspondent who co-founded firms, SNS Global and Fusion GPS, which specialize in generating negative press against their clients’ opponents.
- ii. Four different journalists at the Financial Times, New York Times and the Wall Street Journal have all confirmed to Hermitage that Glenn Simpson has been hired by Prevezon to lobby for the anti-Magnitsky Campaign.
- iii. Neither Glenn Simpson, SNS Global or Fusion GPS has submitted any LDA or FARA filing in respect of its lobbying activities in relation to the anti-Magnitsky campaign, which is clearly seeking to influence U.S. public opinion on policy issues (namely to repeal the Magnitsky Act and de-rail the Global Magnitsky Act).

<sup>20</sup> [http://m.sputniknews.com/us/20160615/1041346419/veselnitskaya\\_congress\\_magnitsky.html](http://m.sputniknews.com/us/20160615/1041346419/veselnitskaya_congress_magnitsky.html)

<sup>21</sup> Please see Appendix 7 for Andrei Nekrasov’s Statement

<sup>22</sup> [https://www.fara.gov/fara\\_faq.html#9](https://www.fara.gov/fara_faq.html#9)





### III. The Russian Government Interest in Lobbying Activities by the Campaign

The Russian Government has a significant vested interest in repealing the 2012 Magnitsky Act and derailing the passage through Congress of the proposed Global Magnitsky Bill. As a result, there is reason to believe that the lobbying activities connected to the repealing of the Magnitsky Act are in the interests of the Russian Government, and should be declared pursuant to FARA.

#### 1. Historical evidence of the Russian Government interest in repealing the Magnitsky Act

- A. Shortly after beginning his third term as President, President Vladimir Putin made it his primary foreign policy objective to prevent the passage of the Magnitsky Act.
  - i. The *Signed Decree on Measures to Implement Foreign Policy*, published on 7 May 2012, stated that, with regard to relations with the United States of America, the primary objective is “**to work actively in prohibiting imposition of unilateral extraterritorial sanctions of the United States of America against Russian legal entities and individuals,**”<sup>23</sup>
- B. The initial reaction by the Russian Government to the 2012 passage of the Magnitsky Act was one of hostility.
  - i. During a press conference on 20 December 2012, following the passage of the Magnitsky Act, Russian President Vladimir Putin stated that, “*“This is undoubtedly an unfriendly act towards the Russian Federation...it is outrageous to use [problems in Russia] as a pretext to adopt anti-Russian laws, when our side has done nothing to warrant such a response.”*”<sup>24</sup>
  - ii. As an immediate retaliation to the Magnitsky Act the Russian Duma passed its own Anti-Magnitsky Law. On 28 December 2012, Vladimir Putin signed the law into effect which banned the adoption of Russian Children by Americans. It was also known as the “Law of Dima Yakovlev.”<sup>25</sup> The new law immediately halted adoption by American families of Russian children. In total 300 adoptions that were in progress were stopped.
  - iii. On 12 April 2013 the United States published its initial Magnitsky sanctions list, naming 18 individuals who would face visa bans and asset

<sup>23</sup> <http://www.kremlin.ru/events/president/news/15256>

<sup>24</sup> <http://thesantosrepublic.com/2012/12/22/president-putins-complete-news-conference-on-2012-highlights-u-s-magnitsky-act-human-rights-etc-full-text-and-video/>

<sup>25</sup> <http://www.metronews.ru/novosti/putin-schitaet-adekvatnym-otvet-gosdumy-na-akt-magnitskogo/Tpollt-QitiM3ypHIKs/>; <http://www.voanews.com/content/story-of-one-american-family-russian-adoption-told-in-documentary/1799234.html>



freezes pursuant to the Magnitsky Act. The following day, on 13 April 2013, the Russian Government retaliated by publishing its own list of 18 US Citizens that would be denied entry into the Russian Federation.<sup>26</sup>

**2. The animosity by the Russian Government towards the Magnitsky Act has not diminished over time, and in fact seems to have increased in the last 6 months.**

- A. On 3 December 2015 Russia's General Prosecutor Yuri Chaika provided a letter of reply to the newspaper Kommersant, in which he stated that; the adoption of the Magnitsky Act was the result of a large scale, deceitful PR campaign orchestrated by Mr. Browder to shift the blame for his crimes to Russian officials; and that the passage of the Magnitsky Act was based on emotions and anti-Russian sentiment rather than objective evidence.<sup>27</sup>
- B. Chaika's statements were part of a significant escalation in Russian Government Anti-Magnitsky propaganda since December 2015.
  - i. On 13 April 2016, Russian State-owned channel Russia-1 TV aired a 30 minute film called "The Browder Effect," accusing Mr. Browder of being a CIA spy recruited in the 1980's to bring down the USSR, of killing Sergei Magnitsky, and of committing the \$230 million Russian Treasury fraud.
  - ii. In April 2016, Andrei Nekrasov's documentary was due to be premiered in the European Parliament. While the screening was aborted, there were several former Russian government officials present, such as Pavel Karpov, who played an instrumental role in the fraud.
- C. On 31 May 2016, Russia's Foreign Minister Sergey Lavrov stated that the Magnitsky Act was an attempt by the US to contain Russia.<sup>28</sup>

**3. Russian Government officials are openly supporting the lobbying campaign to derail the Global Magnitsky Bill and repeal the Magnitsky Act**

- A. In April 2016, a 4-person US Congressional delegation to Russia which included Dana Rohrabacher were given a confidential letter by the Russian government, containing a series of allegations which mirrored the allegations being advanced by the anti-Magnitsky campaign.<sup>29</sup>
  - i. The author of the letter offered to bring the evidence to substantiate the allegations before the House Subcommittee on Oversight and Investigations.

<sup>26</sup>[http://www.mk.ru/politics/2013/04/13/841062\\_moskva\\_obnarodovala\\_quotantimagnitskiy\\_spisokquot.html](http://www.mk.ru/politics/2013/04/13/841062_moskva_obnarodovala_quotantimagnitskiy_spisokquot.html)

<sup>27</sup><http://www.kommersant.ru/doc/2876887>

<sup>28</sup>[http://www.mid.ru/foreign\\_policy/news/asset\\_publisher/cKNonkJE02Bw/content/id/2298019?p\\_p\\_id=101\\_INSTANCE\\_cKNonkJE02Bw&\\_101\\_INSTANCE\\_cKNonkJE02Bw\\_languageId=en\\_GB](http://www.mid.ru/foreign_policy/news/asset_publisher/cKNonkJE02Bw/content/id/2298019?p_p_id=101_INSTANCE_cKNonkJE02Bw&_101_INSTANCE_cKNonkJE02Bw_languageId=en_GB)

<sup>29</sup>[http://www.thedailybeast.com/articles/2016/05/18/putin\\_s\\_dirty\\_game\\_in\\_the\\_u\\_s\\_congress.html](http://www.thedailybeast.com/articles/2016/05/18/putin_s_dirty_game_in_the_u_s_congress.html)



- ii. The letter ended with the following political enticement *“Changing attitudes to the Magnitsky story in the Congress, obtaining reliable knowledge about real events and personal motives of those behind the lobbying of this destructive Act, taking into account the pre-election political situation may change the current climate in interstate relations. Such a situation could have a very favourable response from the Russian side on many key controversial issues and disagreements with the United States, including matters concerning the adoption procedures”*.
  - iii. Ken Grubbs, Dana Rohrabacher’s press secretary, confirmed that not only had the letter been provided by the Russian Government, but that *“most of the information from Russia comes from the government itself.”*<sup>30</sup>
  - iv. Following receipt of the letter, Dana Rohrabacher sought to temporarily delay the markup of the Global Magnitsky Bill. The deferral more or less coincided with the scheduled premiere of the film at the European Parliament, which repeats many of the allegations made in the letter.<sup>31</sup>
- B. Russian Government officials have commented extensively in the press in support of Nekrasov’s documentary.
- i. At least five Russian State TV channels sent representatives and camera crews to the aborted European Parliament screening of the Film in April 2016.
  - ii. Following the Film’s Washington screening, Sergei Lavrov, Russia’s Foreign Minister, told a Moscow newspaper that *“A great number of facts have appeared-including documentary films which, by the way, are forbidden from being shown in Europe for some reason – confirming that the death of Sergei Magnitsky was all the result of enormous trickery by this....Browder, who is an unscrupulous swindler”*<sup>32</sup> On 31 May 2016 he stated to a different paper that, *“Sergei Magnitsky’s death is the result of a huge scam by William Browder who is nothing but a sleazy crook.”*<sup>33</sup>
  - iii. On 15 June 2015, General Prosecutor Yuri Chaika stated *“Yesterday, you know, in Washington, the film was shown in a closed directed mode, the director Andrei Nekrasov, which, in principle, cannot be blamed for the love of Russia. He really made a few TV shows, movies, where, in principle, on the negative side was illuminated Russia. But he made a film about Magnitsky; but he found the courage, when shooting a film about Magnitsky, and saw what was happening and made a film-truth.*

<sup>30</sup> <http://www.thedailybeast.com/articles/2016/05/18/putin-s-dirty-game-in-the-u-s-congress.html>

<sup>31</sup> <http://www.thedailybeast.com/articles/2016/05/18/putin-s-dirty-game-in-the-u-s-congress.html>

<sup>32</sup> <https://next.ft.com/content/1eb38914-2ca4-11e6-a18d-a96ab29e3c95>

<sup>33</sup> [http://www.mid.ru/foreign\\_policy/news/\\_asset\\_publisher/cKNonkJE02Bw/content/id/2298019?p\\_p\\_id=101\\_INSTANCE\\_cKNonkJE02Bw&\\_101\\_INSTANCE\\_cKNonkJE02Bw\\_languageId=en\\_GB](http://www.mid.ru/foreign_policy/news/_asset_publisher/cKNonkJE02Bw/content/id/2298019?p_p_id=101_INSTANCE_cKNonkJE02Bw&_101_INSTANCE_cKNonkJE02Bw_languageId=en_GB)



*This film is a guilty verdict Browder, I think this film will be released here*<sup>34</sup>

**4. The Russian Government also has a vested interested in ensuring that Prevezon Holdings Limited and its affiliated companies successfully defend asset forfeiture proceedings brought against them by the United States Government in New York, in which Prevezon is accused of laundering proceeds of the \$230 million fraud.**

- A. Prevezon is owned by Denis Katsyv, the son of a Russian government official, Piotr Katsyv. Denis Katsyv currently has \$7million frozen by the Swiss General Prosecutor, pursuant to a criminal investigation by the Swiss authorities into the laundering of proceeds from the \$230 million fraud.
- B. If the United States Government is successful in its civil forfeiture action against Prevezon, the ramifications for the Russian Government would be extremely significant. A judgment against Prevezon from a New York court would be the first judicial finding, globally, to find an entity guilty of laundering proceeds from the \$230 million fraud.
- C. Such a decision would galvanise efforts in other countries that are already investigating the laundering of the proceeds, and would assist in encouraging other jurisdictions that have not yet opened up investigations to do so. Therefore it is in the Russian Government's interests to do everything in its power to assist Prevezon in successfully defending these proceedings.
- D. This concern was vocalised by General Prosecutor Yuri Chaika's December 2015 statements in Kommersant magazine, in which he refers to the Prevezon case and states that if Prevezon are found guilty, the decision will legally validate Browder's version of the entire story – from the embezzlement of Russian Treasury funds to the murder of Sergei Magnitsky. He also states that, *"the judgment undoubtedly would have precedential value in many countries."*<sup>35</sup>

In summary, the recent lobbying and events which took place in Washington and Europe must be seen in the wider context of a sustained anti-Magnitsky campaign by the Russian Government. On the evidence above, on information and belief the Russian Government,

<sup>34</sup> <http://tass.ru/politika/3364968>

<sup>35</sup> *"Browder and his curators have decided to reinforce these vulnerable position by going to court in the United States. Russian businessman was charged. And now we are by watching with interest the process. There is no doubt that the calculation was the fact that under the powerful pressure of the US legal state machine will be concluded a settlement agreement with the defendant. Thereby held legally significant decision, and without examining the evidence by the court. And this decision, firstly, to be legalized version Browder that budget money is not he kidnapped and Russian officials, and secondly, underpinned by the court the way the theft of these funds, allegedly uncovered Magnitsky and put in the rationale for the adoption of the law, then named after him. In addition, the judgment undoubtedly would have precedential value in many countries."* Russian General Prosecutor Yuri Chaika's interview with Kommersant Magazine, 3<sup>rd</sup> December 2015.

<http://www.kommersant.ru/doc/2876887>



through Prevezon, HRAGIF and Andrei Nekrasov, was behind all the lobbying activities outlined herein, and therefore should have been declared under FARA.

#### **IV. Conclusion**

1. With respect to the activities of the HRAGIF, we believe it filed inaccurate information in its LDA filings, and it failed to file FARA filings when it was required to do so.
  - A. In its LDA filings, the HRAGIF stated that its current and anticipated lobbying purpose is “foreign adoption issues;” however; the entity, its in-house lobbyists, and close associates were involved in the screening of the Nekrasov documentary in Washington and Europe, Congressional lobbying prior to the Global Magnitsky Bill markup, and Congressional lobbying surrounding the Putin hearing. These activities do not fall under the remit of “foreign adoption issues,” and therefore the information in HRAGIF’s LDA filings is inaccurate.
  - B. In its LDA filings, the HRAGIF stated that it had no relationship with a foreign entity that would require disclosure under the LDA. However, Natalia Veselnitskaya, a close associate of HRAGIF, is also the lawyer to Prevezon (a foreign entity). Therefore HRAGIF’s statement in their LDA filing is false.
2. With respect to the lobbying of Congress to remove “Magnitsky” from the Global Magnitsky Bill, the following lobbyists involved have failed to file their lobbying activities with the relevant authorities, and are therefore in violation of their filing requirements under the LDA.
  - A. Rinat Akhmetshin (lobbying on behalf of Prevezon)
  - B. Ron Dellums
  - C. Mark Cymrot
  - D. Howard Schweitzer
3. With respect to the promotion of the Film in Washington DC and Europe, the following lobbyists are in violation of their LDA requirements:
  - A. Chris Cooper
  - B. Rinat Akhmetshin
4. Glenn Simpson also conducted lobbying activities for the Campaign, and failed to file a lobbying registration under the LDA.
5. None of the entities or individuals above has filed under FARA. We believe that these lobbyists are attempting to influence U.S. public opinion on policy issues, specifically the repeal of the Magnitsky Act and the removal of “Magnitsky” from the Global Magnitsky Bill, and are working under the direction of the Russian Government.



6. As shown in Section III, there is a vested Russian Government interest in all the anti-Magnitsky lobbying activities outlined herein. Hermitage believes that both Prevezon and HRAGIF are being funded by and directed by the Russian Government to push its anti-Magnitsky agenda and influence US public policy, its objective being the repeal of the 2012 Magnitsky Act and the derailment of the proposed Global Magnitsky Act.
7. Taking this information into consideration, we urge you to commence a thorough investigation into the lobbying activities of the individuals and entities mentioned herein.

We remain available to provide you with any assistance you require.

Yours sincerely,

Hermitage Capital Management

A handwritten signature in cursive script that reads "Hermitage Capital Management".

#### APPENDIX

- Appendix 1:** Email from A Samochornov to Thomas Klosowicz dated 26 April 2016 confirming Samochornov and Veselnitskaya's connection to HRAGIF
- Appendix 2:** Dana Rohrabacher's letter to members of the House of Foreign Affairs Committee
- Appendix 3:** Email from Mark Cymrot to Doug Seay and Paul Behrends
- Appendix 4:** Photographs of Natalia Veselnitskaya, Anatoly Samochronov, Rinat Akhmetshin, Pavel Karpov and Andrei Nekrasov at aborted Brussels premiere of "The Magnitsky Act."
- Appendix 5:** Copy of the invitation to the Newseum screening of the Magnitsky Act in Washington DC
- Appendix 6:** Photograph of individuals attending Congressional hearing on 14 June 2016
- Appendix 7:** Andrei Nekrasov's statement submitted to Dana Rohrabacher after Congressional Hearing on 14 June 2016
- Appendix 8:** Screenshot of Natalia Veselnitskaya's Facebook page

## Hickey, Adam (NSD)

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**From:** Hickey, Adam (NSD)  
**Sent:** Wednesday, July 19, 2017 6:38 PM  
**To:** Gauhar, Tashina (ODAG)  
**Subject:** FW: update on FARA Hearing

**From:** Buchwald, Mike (NSD)  
**Sent:** Wednesday, July 19, 2017 6:11 PM  
**To:** Johnson, Joanne E. (OLA) <jojohnson@jmd.usdoj.gov>; Hickey, Adam (NSD) <ahickey@jmd.usdoj.gov>; Weinsheimer, Bradley (NSD) <braweinsheimer@jmd.usdoj.gov>; Laufman, David (NSD) <dlaufman@jmd.usdoj.gov>; Bratt, Jay (NSD) <jbratt@jmd.usdoj.gov>; Hunt, Heather H. (NSD) <hhunt@jmd.usdoj.gov>; Hardee, Christopher (NSD) <cnhardee@jmd.usdoj.gov>; (b)(6) (NSD)  
(b)(6)  
**Cc:** (b)(6) (NSD) (b)(6)  
**Subject:** update on FARA Hearing

FYI if you haven't seen the new Jud Cmte hearing notice yet:

<https://www.judiciary.senate.gov/meetings/oversight-of-the-foreign-agents-registration-act-and-attempts-to-influence-us-elections-lessons-learned-from-current-and-prior-administrations>

### **POLITICO BREAKING NEWS: Senate Judiciary schedules hearing with Trump Jr., Manafort**

The Senate Judiciary Committee intends to call Donald Trump Jr. and former Trump campaign chairman Paul Manafort to testify next week on [a panel](#) about foreign influence in elections.

The panel is also scheduled to include Glenn Simpson, the co-founder of the firm that commissioned the salacious dossier on President Donald Trump's connections to Russia.

Should he attend the July 26 hearing, Trump Jr. is certain to be asked about his role in arranging a meeting at Trump Tower in June 2016 with officials connected to the Russian government, which he says he had hoped would result in the delivery of incriminating information about Hillary Clinton.

Read more: <http://www.politico.com/story/2017/07/19/senate-judiciary-schedules-hearing-with-trump-jr-manafort-240732>

## **Panel I**

1. Mr. Adam Hickey  
Deputy Assistant Attorney General  
National Security Division  
U.S. Department of Justice  
Washington, DC
2. Mr. E.W. "Bill" Priestap  
Assistant Director  
Counterintelligence Division  
Federal Bureau of Investigations  
Washington, DC
3. The Honorable Michael Horowitz  
Inspector General

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U.S. Department of Justice  
Washington, DC

## Panel II

1. Mr. William Browder  
Chief Executive Officer  
Hermitage Capital Management  
London, United Kingdom
2. Mr. Glenn R. Simpson  
Fusion GPS  
Washington, DC
3. Mr. Paul J. Manafort  
DMP International, LLC  
Palm Beach Gardens , FL
4. Mr. Donald J. Trump, Jr.  
Trump Organization LLC  
New York , NY

**From:** Johnson, Joanne E. (OLA)

**Sent:** Tuesday, July 18, 2017 4:57 PM

**To:** Hickey, Adam (NSD) <[ahickey@jmd.usdoj.gov](mailto:ahickey@jmd.usdoj.gov)>; Weinsheimer, Bradley (NSD) <[braweinsheimer@jmd.usdoj.gov](mailto:braweinsheimer@jmd.usdoj.gov)>; Laufman, David (NSD) <[dlaufman@jmd.usdoj.gov](mailto:dlaufman@jmd.usdoj.gov)>; Bratt, Jay (NSD) <[jbratt@jmd.usdoj.gov](mailto:jbratt@jmd.usdoj.gov)>; Hunt, Heather H. (NSD) <[hhunt@jmd.usdoj.gov](mailto:hhunt@jmd.usdoj.gov)>; Hardee, Christopher (NSD) <[cnhardee@jmd.usdoj.gov](mailto:cnhardee@jmd.usdoj.gov)>; (b)(6) (NSD) (b)(6) (NSD) (b)(6) (NSD) (b)(6)

**Cc:** Lasseter, David F. (OLA) <[dlasseter@jmd.usdoj.gov](mailto:dlasseter@jmd.usdoj.gov)>; Ramer, Sam (OLA) <[sramer@jmd.usdoj.gov](mailto:sramer@jmd.usdoj.gov)>

**Subject:** Official notice of FARA Hearing Postponement

All: Official notice that FARA hearing has been postponed is now on SJC website. See below. Rescheduled date has not been officially noticed yet. We will contact SJC to determine if July 26 is still the proposed rescheduled date. SJC had said that obtaining witnesses for the second panel was the reason for the postponement.

**POSTPONED: Oversight of the Justice Department's (Non) Enforcement of the Foreign Agents Registration Act: Lessons from the Obama Administration and Current Compliance Practices**

Full Committee

Date: Wednesday, July 19, 2017

Time: 10:00 AM

Location: Dirksen Senate Office Building 226

Presiding: Chairman Grassley

Status: POSTPONED

Agenda

July 18, 2017



## NOTICE OF COMMITTEE HEARING POSTPONEMENT

The Senate Committee on the Judiciary hearing entitled: "Oversight of the Justice Department's (Non) Enforcement of the Foreign Agents Registration Act: Lessons from the Obama Administration and Current Compliance Practices" scheduled for Wednesday, July 19, 2017 at 10:00 a.m. in Room 226 of the Dirksen Senate Office Building has been postponed subject to the call of the chair.

By order of the Chairman.

**Gauhar, Tashina (ODAG)**

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**From:** Gauhar, Tashina (ODAG)  
**Sent:** Saturday, April 01, 2017 5:52 PM  
**To:** Ramer, Sam (OLA)  
**Subject:** RE: letter from Sen. Grassley

Thanks!

**From:** Ramer, Sam (OLA)  
**Sent:** Saturday, April 01, 2017 5:51 PM  
**To:** Gauhar, Tashina (ODAG) <[tagauhar@jmd.usdoj.gov](mailto:tagauhar@jmd.usdoj.gov)>  
**Subject:** Re: letter from Sen. Grassley

Yes we received it late yesterday. I will send it to you.

Sent from my iPhone

On Apr 1, 2017, at 5:50 PM, Gauhar, Tashina (ODAG) <[tagauhar@jmd.usdoj.gov](mailto:tagauhar@jmd.usdoj.gov)> wrote:

Hi – Do you know if DOJ received another letter from Sen. Grassley regarding FARA and Fusion GPS? There is press reporting about this letter, but I don't think I have seen it.

Thanks.