

FBI:

11/21

(b) (6), (b) (7)(C), - per FBI

Peter Strzok DAD

(b) (6), (b) (7)(C), - per FBI

SSA

(b) (5), (b) (7)(A), - per FBI

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Sunday, June 24, 2018 11:07 AM
To: O'Callaghan, Edward C. (ODAG); Boyd, Stephen E. (OLA); Lasseter, David F. (OLA)
Subject: Fwd: Face the Nation (CBS) – Rep. Jim Jordan (Immigration, Peter Strzok)

Begin forwarded message:

From: RNC War Room <Warroom@gop.com>
Date: June 24, 2018 at 10:58:00 AM EDT
To: undisclosed-recipients;;
Subject: **Face the Nation (CBS) – Rep. Jim Jordan (Immigration, Peter Strzok)**

Face the Nation (CBS) – Rep. Jim Jordan (Immigration, Peter Strzok)

<http://mms.tveyes.com/transcript.asp?PlayClip=FALSE&DTSearch=TRUE&DateTime=06%2F24%2F2018+10%3A40%3A44&market=m101&StationID=270>

MARGARET BRENNAN: we turn now to ohio republican congressman jim jordan. he's a member of the conservative house freedom caucus. he's just outside columbus this morning. congressman, thank you for joining us.

REP. JIM JORDAN: you bet.

BRENNAN: thank you. how should americans view those fleeing across the border? should they view them as victims or as criminals?

REP. JORDAN: i think we should – america's the most welcoming country on the planet. but you got to follow the law. secretary nielsen has been real clear, you show up to a port of entry, your family will be kept together, you'll go through the process and we'll see if you're a legitimate asylum seeker. when i was in our office a week and a half ago they told me 80% of the folks seeking asylum are not actually eligible for it. we want to do that, consistent with the law –

BRENNAN: – narrowed the definition for claiming asylum, as well. you can no longer claim you're –

REP. JORDAN: 80%. 80%, this is straight from the folks at immigration and customs enforcement. so they're telling me the number, 80% aren't actually legitimate asylum seekers. we need to sort that out. but yeah we want to welcome folks who come here for legitimate reasons. we want to do it by the rule of law, who follow the law. we want to welcome them here. but mostly what we want to do, margaret, is the mandate from the 2016 election was real clear. the american people made donald trump president, made republicans the majority in the house and the senate, to build the border security wall, stop chain migration, end the advantage uary city policy, reform our asylum laws, get rid of the visa lottery and deal with the daca population. that legislation consistent with that

mandate and the promise he made to the american people was on the floor just three days ago, and fell a few votes short of passing. got 193 votes. that's the focus –

BRENNAN: well it failed.

REP. JORDAN: that should be the legislation that should be passed –

BRENNAN: the president now has this compromise bill is kind of a waste of time. what are you going to vote on that?

REP. JORDAN: well, the compromise bill was pulled because it was going to get a lot less votes. if our leadership had put the same whip effort behind that immigration legislation, chairman good lot's legislation, it would have passed.

BRENNAN: do you know something we don't about that vote on the compromise bill being canceled?

REP. JORDAN: it hasn't been canceled. it was supposed to happen thursday night.

BRENNAN: right.

REP. JORDAN: then it was supposed to happen friday and it still hasn't happened.

BRENNAN: right.

REP. JORDAN: and the reason it hasn't

BRENNAN: right.

REP. JORDAN: happened because it would have got a lot less votes than the conservative bill, the one that is consistent with the mandate of the election, consistent with what we told the american people we would do if they put us in office, that bill got 193 votes and was just 19 votes short of passing on last thursday.

BRENNAN: but when it comes to that question of a narrow issue, that senator corker was talking about, simply allowing families to be detained together, and getting rid of this 20-day limit that affected this separation policy, would you support something like that in the house –

REP. JORDAN: we're all –

BRENNAN: – in the senate?

REP. JORDAN: yes, but chuck schumer is the problem. my colleague mark meadows has a bill that would address the situation, keep families together but do it in a way where we could find out and follow the rule of law. senator cruz has a bill but chuck schumer says no, no, no, we're not going to bring it up because the democrats deep down what they care about is catch and release, what they want is open borders and the political issue. they don't want to keep families together and adjudicate this and have it go through the hearing process and do it in a way that's consistent

with the rule of law. chuck schumer was clear, he said we're not going to support mr. meadows' legislation or senator cruz's legislation. so yeah i'm for fixing that –

BRENNAN: do you think the administration –

REP. JORDAN: – introduced the bill.

BRENNAN: administration's handled this family separation issue well? should there be an investigation into how this was carried out?

REP. JORDAN: the president has issued his executive order. the problem –

BRENNAN: it's a temporary fix as you just said.

REP. JORDAN: the problem is the 20-day rule. the decision and now that is in conflict with keeping families together for a longer period of time because the rule says you can only detain children for 20 days. we want to do that in a way that keeps the families together, so we have legislation to address that. but again, as i said, senator schumer doesn't want to support any legislation to fix the problem.

BRENNAN: well i want to – there's so much more we could talk about on this topic but i want to ask you about one of the committees you're on, and deposition this week, or some testimony this week from the fbi agent peter strzok who, for our viewers, was removed from the special counsel investigation for some disparaging text messages he had sent authe president. what do you want to know from him?

REP. JORDAN: well we're going to have a lot of questions for him. but i think some of the things are, who did he talk to in the course of the russia investigation? things, margaret. because remember a couple of key on july 31st, 2016, peter strzok opens the russia investigation. he was the lead agent on that investigation after being the lead agent on the clinton investigation, as well. he opens that investigation, eight days later there's a text message that says we'll stop one week after that on august trump. says we have an insurance policy. so obviously we want to dwig into that. we want to know who were you talking to at the time? how many times did you travel overseas? did he talk to key people? for example do you think peter strzok may have talked to glen simpson or christopher steele? those are the kind of questions that need to be asked. i look forward to this deposition scheduled for wednesday of this week.

BRENNAN: we'll be watching for that. congressman, thank you.

REP. JORDAN: you bet, thank you.

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From: Flores, Sarah Isgur (OPA)
Sent: Thursday, June 14, 2018 5:39 PM
To: Schools, Scott (ODAG)
Subject: BO text references

The FBI's Document Blackouts

The bureau is redacting documents without credible justification.

https://images-wsj-net.cdn.ampproject.org/i/s/images.wsj.net/im-14087?width=620&aspect_ratio=1.5

FBI Director Christopher Wray in Washington, D.C. on May 16. PHOTO: TOM WILLIAMS/CONGRESSIONAL QUARTERLY/NEWSCOM VIA ZUMA PRESS

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- <mailto:?subject=The%20FBI%E2%80%99s%20Document%20Blackouts&body=https://www.wsj.com/articles/the-fbis-document-blackouts-1528931262>
- <whatsapp://send?text=https://www.wsj.com/articles/the-fbis-document-blackouts-1528931262>

By

[The Editorial Board](#)

June 13, 2018 7:07 p.m. ET

Deputy Attorney General Rod Rosenstein and FBI Director Christopher Wray want Congress to trust them about the FBI's actions in 2016. That would be easier if not for daily proof that they continue to play games when redacting documents.

Senate oversight Chairman Ron Johnson exposed the latest unjustified blackouts in a June 8 letter to Mr. Wray. The Wisconsin Republican is one of several Chairmen objecting to the FBI's excessive

redactions and its refusal to even supply the standard “log” with justifications for each redaction. Under pressure, Justice grudgingly invited Johnson staffers to review some documents in late May.

Those sessions revealed that the bureau is redacting in a way that stymies Congress’s ability to run down leads in its oversight of the Hillary Clinton and Donald Trump investigations. Notably, Justice and the FBI have been redacting names or initials of employees involved in handling those cases. This frustrates Congress’s ability to seek more information or interviews with those individuals.

One initial batch of documents contained an Oct. 11, 2016 text message from FBI official Peter Strzok to his FBI paramour Lisa Page. It read: “Currently fighting with” while the rest was redacted. The unredacted version reads: “Currently fighting with Stu for this FISA,” which may be a reference to the warrant the FBI obtained to surveil Trump campaign adviser Carter Page. Who is Stu and what was that fight? Congress has a right to know.

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The initials “BO” are also redacted from several messages. An unredacted version shows a Strzok text on Oct. 7, 2016: “Jesus. More BO leaks in the NYT.” Another from Oct. 25, 2016 reads: “Just cranky at them for bad choices about BO.” Investigators aren’t certain who BO is, but one possibility is Bruce Ohr, the DOJ employee who was demoted after it emerged that he’d held undisclosed meetings with anti-Trump dossier author Christopher Steele, and whose wife worked for Fusion GPS, the firm that hired Mr. Steele.

Another less-redacted text shows someone blacked out a Strzok explanation for why the FBI didn’t pursue some Clinton leads. “Clinton, Mills, and Abedin all said they felt the server was permitted and did not receive information that it was not. To the extent there was objection down the line in IRM, we did not pursue that as State OIG did, because it was not a key question behind our investigation.”

Why not? An important issue regarding Mrs. Clinton’s private email server was whether she and aides Cheryl Mills and Huma Abedin intentionally violated State Department rules in setting it up, and if this increased her mishandling of classified information.

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Redactions are supposed to be limited to guarding national security, attorney-client privilege, individual privacy or criminal investigations. These blackouts appear motivated to withhold pertinent information from Congress or spare the FBI political embarrassment.

Meanwhile, the FBI is refusing to answer a May 11 letter from Sen. Johnson seeking the names of employees who are doing the redacting. Mr. Johnson is concerned that some of the employees involved in this investigation might also be overseeing the redacting.

As retired FBI special agent Thomas Baker wrote on these pages last month (“[The FBI’s Shocking Disrespect for Congress](#),” May 11), the FBI has damaged its credibility by flouting subpoenas and slow-rolling or hiding information. This behavior is why Congress must continue to pry out the truth.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, June 13, 2018 3:02 PM
To: O'Callaghan, Edward C. (ODAG); Schools, Scott (ODAG); Boyd, Stephen E. (OLA); Bolitho, Zachary (ODAG)
Subject: Fwd: Rod Rosenstein's Subpoena Threat: He's Conflicted, and He's Acting Like It

(b)(5)

Begin forwarded message:

From: DoJ Real Time News Clips <alert-doj@rendon.com>
Date: June 13, 2018 at 12:35:27 PM EDT
To: "Sarah Isgur Flores; Director, Office of Public Affairs, DOJ" <sarah.isgur.flores@usdoj.gov>
Subject: Rod Rosenstein's Subpoena Threat: He's Conflicted, and He's Acting Like It
Reply-To: Rendon Alert Desk <alert@rendon.com>

Rod Rosenstein's Subpoena Threat: He's Conflicted, and He's Acting Like It

Media: National Review
Byline: Andrew C. McCarthy
Date: 13 June 2018

Hyperlink: <https://www.nationalreview.com/2018/06/rod-rosenstein-subpoena-threat-shows-conflict-of-interest/>

The House Intelligence Committee is investigating whether the government has used the Justice Department's awesome investigative authorities as a weapon against political adversaries. We learned yesterday that, in response to this very investigation, Deputy Attorney General Rod Rosenstein . . . threatened to use the Justice Department's awesome investigative authorities as a weapon against political adversaries.

That Rosenstein threatened to subpoena the committee's records does not seem to be in serious dispute. There are differing accounts about why. House investigators say that Rosenstein was trying to bully his way out of compliance with oversight demands; the Justice Department offers the lawyerly counter that Rosenstein was merely foreshadowing his litigating position if the House were to try to hold him in contempt for obstructing its investigations. Either way, the best explanation for the outburst is that Rosenstein is beset by profound conflicts of interest, and he's acting like it.

The first thing to bear in mind about the news reported Tuesday by Fox News's Catherine Herridge is that the dispute in question — which is just one of many during a year of Justice Department stonewalling — happened five months ago, on January 10.

So, what was going on back then?

Among other things, the House Intelligence Committee and senior Republicans on the Senate Judiciary Committee were pressing for disclosure of the applications the Justice Department submitted to the Foreign Intelligence Surveillance Court (“FISA court”) for warrants to eavesdrop on Carter Page, a former Trump-campaign adviser. (The Nunes memo is dated just eight days after Rosenstein’s reported subpoena threat; the Grassley-Graham memo is dated just four days before; both prompted bitter disclosure fights.)

Back then, we were being told that the FBI and Justice Department would never provide the FISA court with unverified allegations from third- and fourth-hand anonymous foreign sources, purveyed by a foreign former spy whose partisan work — including the planting of media stories at the height of the election race — had been paid for by the Democratic presidential candidate. We were being told that if the sources of information presented to the FISA court had any potential biases, those would be candidly disclosed to the FISA court. And we were being told that information in FISA applications is so highly classified that disclosing it would reveal methods and sources of information, almost certainly putting lives and national security in jeopardy.

What, then, did we learn when Congress, after knock-down-drag-out fights like the one in January, finally managed to force some public disclosure?

We learned that the Justice Department and FBI had, in fact, submitted to the FISA court the Steele dossier’s allegations from Russian sources, on the untenable theory that the foreign purveyor of these claims, Christopher Steele, was trustworthy — notwithstanding that he was not making the allegations himself, but instead was only relaying the claims of others.

We learned that the FBI had not been able to verify the dossier’s claims (and that even Steele does not stand behind them), but that the Justice Department presented them to the court anyway.

We learned that the Justice Department failed to tell the FISA court that Steele’s reports were an anti-Trump opposition-research project paid for by the Clinton campaign — i.e., paid for by the political candidate endorsed by the president, paid for by the party of the incumbent administration that had applied for the FISA warrant against its political opponent.

We learned that the Justice Department failed to tell the FISA court that Steele — on whose credibility it was relying — had been discontinued by the FBI as a source because he had lied about his contacts with the media.

We learned that one of those contacts with the media (specifically, with Michael Isikoff of Yahoo News) had generated a news story that the Justice Department actually offered as corroboration for Steele — on the false theory that someone other than Steele was the source for the story.

We learned that the revelation of these facts posed no danger to national security or to methods and sources of intelligence-gathering. Instead, the Justice Department and FBI had fought tooth-and-nail against disclosure because these facts are embarrassing and indicative of an abuse of power.

And we learned that, after the initial 90-day FISA warrant was authorized in October 2016 (about three weeks before the election), it was reauthorized three times — well into the first year of the Trump administration. Meaning: The last FISA-warrant application was approved at the Justice Department by none other than Deputy Attorney General Rod Rosenstein.

Note that the required sign-off by the Justice Department's top official (which Rosenstein was due to Attorney General Jeff Sessions's recusal) is a key element of FISA's elaborate statutory process. The process is in place because, unlike criminal-law wiretaps, which are disclosed to the defense and fully litigated prior to trial, national-security wiretaps under FISA are classified and are never disclosed to the targets. Because Congress was concerned that this could lead to abuse, it mandated that warrant applications be approved at the highest levels of the FBI and Justice Department before submission to the FISA court. This is supposed to give the court confidence that the application has been carefully reviewed and that the surveillance sought is a high national-security priority.

To recap: In January 2018, Congress was investigating whether the Justice Department had abused the FISA process. The top Justice Department official for purposes of responding to this congressional investigation was resisting it; this included fighting the disclosure of the last warrant relevant to that investigation, which he had personally approved — a warrant that relied on the unverified Steele dossier (flouting FBI guidelines holding that unverified information is not to be presented to the FISA court), and that failed to disclose both that the dossier was a Clinton-campaign product and that Steele had been booted from the investigation for lying.

Meanwhile, on May 17, 2017, Rosenstein appointed Robert Mueller as special counsel to take over the so-called Russia investigation. The incident that proximately triggered this appointment was President Trump's firing of FBI director James Comey. From the start of his tenure, Special Counsel Mueller has been investigating the Comey dismissal as a potential criminal offense — specifically, obstruction of justice. Mueller has done this with Rosenstein's apparent approval, even though there are significant legal questions about whether a president may properly be accused of obstruction based on an act that is both lawful and a constitutional prerogative of the chief executive.

Even more significantly for present purposes, Rosenstein has clung to his role as Mueller's ostensible supervisor in the investigation notwithstanding that he is a central witness in Comey's dismissal. He authored a memorandum that, ironically, posits that a troubled official's removal was necessary "to restore public confidence" in a vital institution. The Trump administration used Rosenstein's memo to justify Comey's firing even though there are salient questions about whether it states the true rationale for the firing — precisely the questions Mueller is investigating.

Conflicts of interests can be tough to analyze because some are contingent and hypothetical. Others, however, are obvious and straightforward. In the latter category are "actor on the stage" conflicts: If a lawyer is an important participant in the facts that form the subject matter of a controversy, he is a witness (at the very least) whose actions and motives are at issue. Therefore, he is too conflicted to act as an attorney representing an interested party in the controversy.

To point this out is not to attack Mr. Rosenstein's integrity. I do not know the deputy attorney general personally, but people I do know and trust regard him as a scrupulous

attorney general personally, but people I do know and trust regard him as a scrupulous person and professional. That's good enough for me. And indeed, while I disagree with his appointment of Mueller (because it was outside DOJ regulations), his impulse to appoint a special counsel suggests that he perceived an ethical problem in directing an investigation that would have to scrutinize his own conduct. That is to his credit.

Nevertheless, it is not to his credit to threaten members of Congress with Justice Department subpoenas for their emails and phone records. It suggests that the conflicts under which he labors are distorting his judgment. And in any event, to point out that a lawyer has a conflict is not to assert that he is acting unethically. A conflicted lawyer recuses himself not because he is incapable of performing competently but because his participation undermines the appearance of impartiality and integrity. In legal proceedings, the appearance that things are on the up and up is nearly as important as the reality that they are.

This is not a symmetrical conflict in which one side's investigative demands can properly be reciprocated by the other — "if you subpoena me, I'll subpoena you," etc. The Justice Department is a creature of statute. While part of the executive branch, it has no independent constitutional standing; it exists because it was established by Congress (as, by the way, was Rosenstein's office). If the House Intelligence Committee were to issue a subpoena demanding, say, President Obama's communications with members of his White House staff, that would be objectionable. By contrast, Congress has not only the authority but the responsibility to conduct oversight of the operations of executive departments it has established and funds, and whose operations it defines and restricts by statute.

The Justice Department is not the sovereign in this equation. If it has legal or policy reservations about a disclosure demand from the people's representatives, it should respectfully raise them; but it is ultimately up to Congress to decide what the people have a right to inquire into. The Justice Department has no business impeding that inquiry. And while people can lose their temper in the heat of the moment (like most of us, I am no stranger to that phenomenon), it is outrageous for a Justice Department official to threaten Congress with subpoenas. If the deputy attorney general did that in a fit of pique, I hope he has apologized.

The Justice Department's spin on this is ill-conceived. Apparently, the idea is that if the House tried to hold Rosenstein in contempt for defying its subpoenas, he would be permitted to mount a defense and could issue his own subpoenas in that vein. Maybe so (at least, if there were a court prosecution); but he wouldn't be able to subpoena anything he pleased. Congress has the power and duty to conduct oversight of the Justice Department; it does not need a reason, and its reasons are permitted to be (and no doubt frequently are) political. It would violate separation-of-powers principles for an executive official to attempt to use law-enforcement powers to infringe on the constitutionally protected power of lawmakers to consult and deliberate over legislative activity.

In any event, I assume this is all water under the bridge. It happened five months ago (which is eons ago in the Age of Trump). What matters is the disclosure dispute as it stands in the here and now: On what basis is the Justice Department still withholding some documents and massively redacting others; and when will President Trump, instead of blowing off Twitter steam, finally order his subordinates to comply with lawful congressional demands for information? If there were credible allegations that a

Republican administration had spied on a Democratic campaign, we would not be hearing precious concerns about the viability of the Justice Department and FBI as critical American institutions; in unison, the media and the political class would be demanding transparency.

Finally, note that Attorney General Sessions was counseled by Justice Department officials (none of them Trump appointees) to recuse himself under circumstances in which (a) there was no criminal investigation (which the regulations call for in recusal situations); (b) his contacts with Russian officials were not improper; (c) there was scant evidence of criminally actionable collusion between the Trump campaign and Russia; and (d) Sessions apparently had no involvement in approving FISA surveillance of Trump officials, and had less involvement than Rosenstein did in Comey's firing.

On what planet is it necessary for Jeff Sessions to recuse himself but perfectly appropriate for Rod Rosenstein to continue as acting attorney general for purposes of both the Mueller investigation and Congress's probe of Justice Department investigative irregularities?

END

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, May 23, 2018 6:22 PM
To: O'Callaghan, Edward C. (ODAG); Boyd, Stephen E. (OLA)
Subject: presumably from nunes

A question he is going to be talking about after the meeting I'd assume:

When Carter Page Met Stefan Halper

A timeline that contradicts claims by Justice and the FBI.



Carter Page, a former foreign policy adviser of President Donald Trump, speaks at a news conference at RIA Novosti news agency in Moscow, Dec. 12, 2016. PHOTO: PAVEL GOLOVKIN/ASSOCIATED PRESS

By

The Editorial Board

May 22, 2018 6:59 p.m. ET

[1022 COMMENTS](#)

Multiple media sources have now confirmed that American academic Stefan Halper is the “top secret” informant the FBI asked to sidle up to Trump campaign officials in 2016. Some questions follow: Who asked Mr. Halper to keep tabs on the Trump officials, and when and why?

The answers go to the credibility of the Federal Bureau of Investigation's claim that it didn't open an official counterintelligence probe into Trump-Russia collusion until July 31, 2016. The answers might also show if Obama Administration officials knew about this mission, or if political actors working for the Clinton campaign such as Fusion GPS played a role.

One mystery concerns Mr. Halper's interaction with Trump aide Carter Page. The New York Times reported on Friday that Mr. Halper's contact with Trump officials happened only after the July 31 launch of the probe. The story notes that Mr. Halper reached out to campaign adviser George Papadopoulos "late that summer" and then to Mr. Page "in the ensuing months." A Washington Post story adds that Mr. Halper sat down with Trump official Sam Clovis on either "August 31 or Sept. 1."

Potomac Watch Podcast

But Mr. Page tells us he actually met Mr. Halper in mid-July, at a symposium at England's University of Cambridge, where Mr. Halper is an emeritus professor. Mr. Page says the invitation to that event came much earlier—the end of May or early June. Mr. Page declined to say who invited him but says it was someone other than Mr. Halper.

Mr. Halper had a central role in the symposium. The event was hosted by the Centre for Research in the Arts, Social Sciences and Humanities (CRASSH), a Cambridge research institute. And the official organizer was another American academic and alumnus of Republican administrations named Steven Schrage. In a [Facebook](#) post at the time, Mr. Schrage explained that the event was supported by Cambridge's Department of Politics and International Studies—Mr. Halper's department. CRASSH and Mr. Halper's department share a building where the symposium took place.

The event was titled "2016's Race to Change the World," and headlined the dueling perspectives of former Secretary of State Madeleine Albright and former GOP Congressman Vin Weber. According to the program, Mr. Halper kicked off the opening session on July 11. Mr. Page confirms he met Mr. Halper for the first time at the symposium.

Another noteworthy participant was Sir Richard Dearlove. Sir Richard, a Cambridge alumnus, spent a near-40-year career at the British intelligence service, MI6, rising to its chief from 1999 to 2004. As such he overlapped with anti-Trump dossier author Christopher Steele, who was recruited by MI6 after graduating from Cambridge in the late 1980s, and who later ran the Russia desk. Sir Richard told the Washington Post in February that Mr. Steele's reputation was "superb."

Sir Richard is also friendly with Mr. Halper. The two men were part of a small group that ran the

Cambridge Intelligence Seminar, an academic forum for researchers and one-time practitioners of spycraft. At least one of these sessions in 2014 featured eventual Trump National Security Adviser Michael Flynn. The duo made headlines in the United Kingdom in 2016 when they resigned from the organization, which Mr. Halper told the Financial Times was due to “unacceptable Russian influence on the group.”

For the record, Mr. Page says he had never interacted with the CRASSH program at Cambridge before that early summer 2016 invitation. And while he did not speak at the event, he says the organizers paid his round-trip airfare from New York.

Perhaps all of this is a crazy coincidence, but House Intelligence Chairman Devin Nunes is right to investigate. President Trump on Monday tasked Chief of Staff John Kelly with ensuring that Justice Department officials let congressional leaders review “classified and other information they have requested.” There’s no excuse for refusing to cooperate.

xxx

Sarah Isgur Flores
Director of Public Affairs
202.305.5808

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, May 22, 2018 4:36 PM
To: O'Callaghan, Edward C. (ODAG); Boyd, Stephen E. (OLA)
Subject: Fwd: The Lead (CNN) – Rep. Matt Gaetz (DOJ Investigation, Russia Investigation)

The Lead (CNN) – Rep. Matt Gaetz (DOJ Investigation, Russia Investigation)

<http://mms.tveyes.com/transcript.asp?PlayClip=FALSE&DTSearch=TRUE&Date=05%2F22%2F2018+16%3A17%3A16&market=m1&StationID=100>

JAKE TAPPER: joining me is one of the house republicans, congressman matt gates of florida and thanks for joining us.

REP. MATT GAETZ: thanks for having me, jake.

TAPPER: and you spend time investigating the investigators. you agree with the premise of the original counter intelligence investigation that russia interfered in the election and it is worth getting to the bottom of any possible american assistance.

REP. GAETZ: absolutely. russia engaged in a malign influence campaign all around the world. they seek to undermine democracy by undermining democratic institutions and they will continue to do that in the united states and there are a number of ways that our supervisors of elections and heads of our departments of state around the country are fighting to ensure that we're sufficiently resilient to combat that threat.

TAPPER: i want to know what you thought about. that today you demanded a second special counsel be appointed. just – point of fact, independent council are for violation of law. what crime are you suggesting might have taken place here?

REP. GAETZ: well here we see the potential collection of intelligence on the trump campaign and we also see the misrepresentation of information before the fisa court which would violate woods procedures and something that we would absolutely want to get to the bottom of it and we've seen a number of personnel changes at the fbi and the department of justice that seem to indicate something is not right. when have you to demote and reassign the top of intelligence and top lawyers in lisa page and andrew mccabe fired and bruce orr not disclosing his own wife was working for fusion gps and all of a sudden he goes from a counter narcotics professional to working on counter intelligence, it seems like a lot of information that could lead to hopefully some good bipartisan reform of these entities.

TAPPER: so i wondered if you would bring up the issue of what was presented before the fisa court because i don't know how you know that you're not on the house intelligence committee.

sure, because i don't know how you know that you're not on the house intelligence committee and you haven't seen the underlying intelligence. how do you know that anything improper was done in the fisa court.

REP. GAETZ: we have received information and read the memo from the house intelligence committee that all – their entire house voted to find that laid out clearly that the principle piece of evidence laid out was thomas doerflinger that was paid for by –

TAPPER: no, that memo – that memo made it very clear that it was papadopoulos' meeting with the australian diplomat in which he acknowledged that he had talked to somebody with kremlin connections about dirt on hillary clinton and hillary clinton e-mails –

REP. GAETZ: that is one element.

TAPPER: they said that –

REP. GAETZ: the first piece of evidence.

TAPPER: the devin Nunes memo said that is the reason the investigation was launched.

REP. GAETZ: that is a memo from peter struck that did launch the investigation. but that didn't lead to the application before the fisa court. my allegation is that the woods procedures were not followed before the fisa court there wouldn't have been any preparation of the fisa court in the absence of that very dossier and that is not – don't take my word for it, that is the testimony of andrew mccabe.

TAPPER: i have talked to people at the justice department and say you keep saying this and you don't know what you are talking about because you are you're not on the – you're not on the house intelligence –

REP. GAETZ: and they are briefing the house judiciary committee and they have oversight over the fisa process. that is not exclusively the purview of the intelligence committee, frankly i wish the judiciary would be more active in interviewing witnesses regarding the procedures that were followed and the efts that wasn't presented. these prosecutors before a fisa court did not have a defense attorney in the room. they had an obligation to present the evidence favorable to their position but the evidence that wasn't favorable and gave no indication that the dnc was involved in paying for this and no indication that christopher steele was involved only a vague reference to glenn simpson.

TAPPER: they said it was paid for by political political opponents of the –

REP. GAETZ: and that was christopher steele who the fbi deemed incredible because he lied to the fbi about other disclosure to the media.

TAPPER: let's step back to the issue to talk about this call for – for a second special counsel. to investigate the justice department. have you spoken directly with president trump or any officials inside of the white house about this legislation, are they on board?

REP. GAETZ: i have not spoken to any of them about this legislation

REP. GAETZ: have not spoken to any of them about the resolution.

TAPPER: has anyone else in your group of members of congress who introduced this legislation, meadows or desantis, have they talked to anybody in the white house? i'm looking to find out in f the white house supported this.

REP. GAETZ: mr. zeldin was the principal author and he said at a press conference he's not spoken to the white house and mr. meadows indicated he's not spoken to the white house about this resolution and i've not spoken about the resolution so i don't know if other members of congress have but the principle author of the work product filed today have not spoken with the president or the white house about the specifics. obviously there is a lot of information referenced regarding the status of the hillary clinton e-mail investigation, the double standard at the fbi and the level of bias at the fbi and over time i've had discussions with the white house with b those issues but not about this today.

TAPPER: and you slammed jeff sessions over a decision to recuse himself, rooted in justice department guidelines. you said this before mr. sessions. let's roll the tape.

REP. GAETZ (CLIP): over in the department of justice, he's got stockholm syndrome and –

TAPPER: and the entire justice department and intelligence apparatus and leadership was appointed by president trump. so who is the deep state you're referring to? is it the fbi director christopher wray or coats.

REP. GAETZ: my concern is with rod rosenstein. i think mr. rod rosenstein is deeply conflicted and that in many cases he is playing jeff sessions and i think jeff sessions is functionally set off into a corner at the justice department on these critical issues or a legal or factual basis for his recusal and i think it has hurt the country.

TAPPER: you said the white house is not yetormed about the extent of the – of the trump campaign and what information do you know that the white house and president do not.

REP. GAETZ: i cannot talk about that in an unclassified setting. but there is an additional fact pattern nothing to do with the individual been talked about in the media regarding the collection of intelligence on the trump campaign and that is in the possession of some congressional investigators and not others and it is my hope to have greater transparency about the facts.

TAPPER: and you learned about this how?

REP. GAETZ: i'm not getting into that because it could disclose classified information.

TAPPER: take a listen to the former republican governor of new jersey, chris christie, a former u.s. attorney continually advised president trump on the mueller investigation. take a listen.

CHRIS CHRISTIE (CLIP): bob mueller himself is not a partisan. he's an onnest and hard working guy and he's smart and you can't argue the investigation is not effective so far. a number of guilty pleas and a couple of– of indictments in a year and that's pretty good work.

TAPPER: is he wrong?

Mr. Tapper is asking:

REP. GAETZ: i don't agree with that assessment. when you look at the indictments against the russian entities, this is information in response to your first question that it is widely none around the world there is an effort for russia interfering in democracy and this is not ground breaking endeavor and the team that robert mueller has assembled there is great bias against the president and tools used, that aren't fair, if the collection of evidence influenced the mueller investigation and we don't know that to be true but i want to find out more and that is why i support the appointment of a second special counsel.

TAPPER: congressman gaetz, thank you.

REP. GAETZ: thank you.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, May 16, 2018 3:20 PM
To: Schools, Scott (ODAG); Boyd, Stephen E. (OLA); O'Callaghan, Edward C. (ODAG)
Subject: long read

A Secret Mission, a Code Name and Anxiety: Inside the Early Days of the F.B.I.'s Trump Investigation

New York Times

Matt Apuzzo, Adam Goldman, & Nicholas Fandos

May 16, 2018

<https://www.nytimes.com/2018/05/16/us/politics/crossfire-hurricane-trump-russia-fbi-mueller-investigation.html>

WASHINGTON — Within hours of opening an investigation into the Trump campaign's ties to Russia in the summer of 2016, the F.B.I. dispatched a pair of agents to London on a mission so secretive that all but a handful of officials were kept in the dark.

Their assignment, which has not been previously reported, was to meet the Australian ambassador, who had evidence that one of Donald J. Trump's advisers knew in advance about Russian election meddling. After tense deliberations between Washington and Canberra, top Australian officials broke with diplomatic protocol and allowed the ambassador, Alexander Downer, to sit for an F.B.I. interview to describe his meeting with the campaign adviser, George Papadopoulos.

The agents summarized their highly unusual interview and sent word to Washington on Aug. 2, 2016, two days after the investigation was opened. Their report helped provide the foundation for a case that, a year ago Thursday, became the special counsel investigation. But at the time, a small group of F.B.I. officials knew it by its code name: Crossfire Hurricane.

The name, a reference to the Rolling Stones lyric "I was born in a crossfire hurricane," was an apt prediction of a political storm that continues to tear shingles off the bureau. Days after they closed their investigation into Hillary Clinton's use of a private email server, agents began scrutinizing the campaign of her Republican rival. The two cases have become inextricably linked in one of the most consequential periods in the history of the F.B.I.

This month, the Justice Department inspector general is expected to release the findings of its lengthy review of the F.B.I.'s conduct in the Clinton case. The results are certain to renew debate over decisions by the F.B.I. director at the time, James B. Comey, to publicly chastise Mrs. Clinton in a news conference, and then announce the reopening of the investigation days before Election Day. Mrs. Clinton has said those actions buried her presidential hopes.

Those decisions stand in contrast to the F.B.I.'s handling of Crossfire Hurricane. Not only did agents in that case fall back to their typical policy of silence, but interviews with a dozen current and former government officials and a review of documents show that the F.B.I. was even more circumspect in that case than has been previously known. Many of the officials spoke on condition of anonymity because they were not authorized to discuss the investigation publicly.

Agents considered, then rejected, interviewing key Trump associates, which might have sped up the investigation but risked revealing the existence of the case. Top officials quickly became convinced that they would not solve the case before Election Day, which made them only more hesitant to act. When agents did take bold investigative steps, like interviewing the ambassador, they were shrouded in secrecy.

Fearful of leaks, they kept details from political appointees across the street at the Justice Department. Peter Strzok, a senior F.B.I. agent, explained in a text that Justice Department officials would find it too “tasty” to resist sharing. “I’m not worried about our side,” he wrote.

Only about five Justice Department officials knew the full scope of the case, officials said, not the dozen or more who might normally be briefed on a major national security case.

The facts, had they surfaced, might have devastated the Trump campaign: Mr. Trump’s future national security adviser was under investigation, as was his campaign chairman. One adviser appeared to have Russian intelligence contacts. Another was suspected of being a Russian agent himself.

In the Clinton case, Mr. Comey has said he erred on the side of transparency. But in the face of questions from Congress about the Trump campaign, the F.B.I. declined to tip its hand. And when The New York Times tried to assess the state of the investigation in October 2016, law enforcement officials cautioned against drawing any conclusions, resulting in a story that significantly played down the case.

Mr. Comey has said it is unfair to compare the Clinton case, which was winding down in the summer of 2016, with the Russia case, which was in its earliest stages. He said he did not make political considerations about who would benefit from each decision.

But underpinning both cases was one political calculation: that Mrs. Clinton would win and Mr. Trump would lose. Agents feared being seen as withholding information or going too easy on her. And they worried that any overt actions against Mr. Trump’s campaign would only reinforce his claims that the election was being rigged against him.

The F.B.I. now faces those very criticisms and more. Mr. Trump says he is the victim of a politicized F.B.I. He says senior agents tried to rig the election by declining to prosecute Mrs. Clinton, then drummed up the Russia investigation to undermine his presidency. He has declared that a deeply rooted cabal — including his own appointees — is working against him.

That argument is the heart of Mr. Trump’s grievances with the federal investigation. In the face of bipartisan support for the special counsel, Robert S. Mueller III, Mr. Trump and his allies have made a priority of questioning how the investigation was conducted in late 2016 and trying to discredit it.

“It’s a witch hunt,” Mr. Trump said last month on Fox News. “And they know that, and I’ve been able to message it.”

Congressional Republicans, led by Representative Devin Nunes of California, have begun to dig into F.B.I. files, looking for evidence that could undermine the investigation. Much remains unknown and classified. But those who saw the investigation up close, and many of those who have reviewed case files in the past year, say that far from gunning for Mr. Trump, the F.B.I. could actually have done more in the final months of 2016 to scrutinize his campaign’s Russia ties.

“I never saw anything that resembled a witch hunt or suggested that the bureau’s approach to the investigation was politically driven,” said Mary McCord, a 20-year Justice Department veteran and the top national security prosecutor during much of the investigation’s first nine months.

Crossfire Hurricane spawned a case that has brought charges against former Trump campaign officials and more than a dozen Russians. But in the final months of 2016, agents faced great uncertainty — about the facts, and how to respond.

Anxiety at the Bureau

Anxiety at the Bureau

Crossfire Hurricane began exactly 100 days before the presidential election, but if agents were eager to investigate Mr. Trump's campaign, as the president has suggested, the messages do not reveal it. "I cannot believe we are seriously looking at these allegations and the pervasive connections," Mr. Strzok wrote soon after returning from London.

The mood in early meetings was anxious, former officials recalled. Agents had just closed the Clinton investigation, and they braced for months of Republican-led hearings over why she was not charged. Crossfire Hurricane was built around the same core of agents and analysts who had investigated Mrs. Clinton. None was eager to re-enter presidential politics, former officials said, especially when agents did not know what would come of the Australian information.

The question they confronted still persists: Was anyone in the Trump campaign tied to Russian efforts to undermine the election?

The F.B.I. investigated four unidentified Trump campaign aides in those early months, congressional investigators revealed in February. The four men were Michael T. Flynn, Paul Manafort, Carter Page and Mr. Papadopoulos, current and former officials said. Each was scrutinized because of his obvious or suspected Russian ties.

Mr. Flynn, a top adviser, was paid \$45,000 by the Russian government's media arm for a 2015 speech and dined at the arm of the Russian president, Vladimir V. Putin. Mr. Manafort, the campaign chairman, had lobbied for pro-Russia interests in Ukraine and worked with an associate who has been identified as having connections to Russian intelligence.

Mr. Page, a foreign policy adviser, was well known to the F.B.I. He had previously been recruited by Russian spies and was suspected of meeting one in Moscow during the campaign.

Lastly, there was Mr. Papadopoulos, the young and inexperienced campaign aide whose wine-fueled conversation with the Australian ambassador set off the investigation. Before hacked Democratic emails appeared online, he had seemed to know that Russia had political dirt on Mrs. Clinton. But even if the F.B.I. had wanted to read his emails or intercept his calls, that evidence was not enough to allow it. Many months passed, former officials said, before the F.B.I. uncovered emails linking Mr. Papadopoulos to a Russian intelligence operation.

Mr. Trump was not under investigation, but his actions perplexed the agents. Days after the stolen Democratic emails became public, he called on Russia to uncover more. Then news broke that Mr. Trump's campaign had pushed to change the Republican platform's stance on Ukraine in ways favorable to Russia.

The F.B.I.'s thinking crystallized by mid-August, after the C.I.A. director at the time, John O. Brennan, shared intelligence with Mr. Comey showing that the Russian government was behind an attack on the 2016 presidential election. Intelligence agencies began collaborating to investigate that operation. The Crossfire Hurricane team was part of that group but largely operated independently, three officials said.

Senator Marco Rubio, Republican of Florida, said that after studying the investigation as a member the Senate Intelligence Committee, he saw no evidence of political motivation in the opening of the investigation.

"There was a growing body of evidence that a foreign government was attempting to interfere in both the process and the debate surrounding our elections, and their job is to investigate counterintelligence," he said in an interview. "That's what they did."

Abounding Criticism

Looking back, some inside the F.B.I. and the Justice Department say that Mr. Comey should have seen the political storm coming and better sheltered the bureau. They question why he consolidated the Clinton and Trump investigations at headquarters, rather than in a field office. And they say he should not have relied on the same team for both cases. That put a bull's-eye on the heart of the F.B.I. Any misstep in either investigation made both cases, and the entire bureau, vulnerable to criticism.

And there were missteps. Andrew G. McCabe, the former deputy F.B.I. director, was cited by internal investigators for dishonesty about his conversations with reporters about Mrs. Clinton. That gave ammunition for Mr. Trump's claims that the F.B.I. cannot be trusted. And Mr. Strzok and Lisa Page, an F.B.I. lawyer, exchanged texts criticizing Mr. Trump, allowing the president to point to evidence of bias when they became public.

The messages were unsparing. They questioned Mr. Trump's intelligence, believed he promoted intolerance and feared he would damage the bureau.

The inspector general's upcoming report is expected to criticize those messages for giving the appearance of bias. It is not clear, however, whether inspectors found evidence supporting Mr. Trump's assertion that agents tried to protect Mrs. Clinton, a claim the F.B.I. has adamantly denied.

Mr. Rubio, who has reviewed many of the texts and case files, said he saw no signs that the F.B.I. wanted to undermine Mr. Trump. "There might have been individual agents that had views that, in hindsight, have been problematic for those agents," Mr. Rubio said. "But whether that was a systemic effort, I've seen no evidence of it."

Mr. Trump's daily Twitter posts, though, offer sound-bite-sized accusations — witch hunt, hoax, deep state, rigged system — that fan the flames of conspiracy. Capitol Hill allies reliably echo those comments.

"It's like the deep state all got together to try to orchestrate a palace coup," Representative Matt Gaetz, Republican of Florida, said in January on Fox Business Network.

Cautious Intelligence Gathering

Counterintelligence investigations can take years, but if the Russian government had influence over the Trump campaign, the F.B.I. wanted to know quickly. One option was the most direct: interview the campaign officials about their Russian contacts.

That was discussed but not acted on, two former officials said, because interviewing witnesses or subpoenaing documents might thrust the investigation into public view, exactly what F.B.I. officials were trying to avoid during the heat of the presidential race.

"You do not take actions that will unnecessarily impact an election," Sally Q. Yates, the former deputy attorney general, said in an interview. She would not discuss details, but added, "Folks were very careful to make sure that actions that were being taken in connection with that investigation did not become public."

Mr. Comey was briefed regularly on the Russia investigation, but one official said those briefings focused mostly on hacking and election interference. The Crossfire Hurricane team did not present many crucial decisions for Mr. Comey to make.

Top officials became convinced that there was almost no chance they would answer the question of collusion before Election Day. And that made agents even more cautious.

The F.B.I. obtained phone records and other documents using national security letters — a secret type of subpoena — officials said. And at least one government informant met several times with Mr. Page and Mr. Papadopoulos, current and former officials said. That has become a politically contentious point, with Mr. Trump's allies questioning whether the F.B.I. was spying on the Trump campaign or trying to entrap campaign officials.

Looking back, some at the Justice Department and the F.B.I. now believe that agents could have been more aggressive. They ultimately interviewed Mr. Papadopoulos in January 2017 and managed to keep it a secret, suggesting they could have done so much earlier.

"There is always a high degree of caution before taking overt steps in a counterintelligence investigation," said Ms. McCord, who would not discuss details of the case. "And that could have worked to the president's benefit here."

Such tactical discussions are reflected in one of Mr. Strzok's most controversial texts, sent on Aug. 15, 2016, after a meeting in Mr. McCabe's office.

"I want to believe the path you threw out for consideration in Andy's office — that there's no way he gets elected," Mr. Strzok wrote, "but I'm afraid we can't take that risk. It's like an insurance policy in the unlikely event you die before you're 40."

Mr. Trump says that message revealed a secret F.B.I. plan to respond to his election. "We'll go to Phase 2 and we'll get this guy out of office," he told The Wall Street Journal. "This is the F.B.I. we're talking about — that is treason."

But officials have told the inspector general something quite different. They said Ms. Page and others advocated a slower, circumspect pace, especially because polls predicted Mr. Trump's defeat. They said that anything the F.B.I. did publicly would only give fodder to Mr. Trump's claims on the campaign trail that the election was rigged.

Mr. Strzok countered that even if Mr. Trump's chances of victory were low — like dying before 40 — the stakes were too high to justify inaction.

Mr. Strzok had similarly argued for a more aggressive path during the Clinton investigation, according to four current and former officials. He opposed the Justice Department's decision to offer Mrs. Clinton's lawyers immunity and negotiate access to her hard drives, the officials said. Mr. Strzok favored using search warrants or subpoenas instead.

In both cases, his argument lost.

Policy and Tradition

The F.B.I. bureaucracy did agents no favors. In July, a retired British spy named Christopher Steele approached a friend in the F.B.I. overseas and provided reports linking Trump campaign officials to Russia. But the documents meandered around the F.B.I. organizational chart, former officials said. Only in mid-September, congressional investigators say, did the records reach the Crossfire Hurricane team.

Mr. Steele was gathering information about Mr. Trump as a private investigator for Fusion GPS, a firm paid by Democrats. But he was also considered highly credible, having helped agents unravel complicated cases.

In October, agents flew to Europe to interview him. But Mr. Steele had become frustrated by the F.B.I.'s slow response. He began sharing his findings in September and October with journalists at The New York Times, The Washington Post, The New Yorker and elsewhere, according to congressional testimony.

So as agents tried to corroborate Mr. Steele's information, reporters began calling the bureau, asking about his findings. If the F.B.I. was working against Mr. Trump, as he asserts, this was an opportunity to push embarrassing information into the news media shortly before the election.

That did not happen. News organizations did not publish Mr. Steele's reports or reveal the F.B.I.'s interest in them until after Election Day.

Congress was also increasingly asking questions. Mr. Brennan, the C.I.A. director, had briefed top lawmakers that summer about Russian election interference and intelligence that Moscow supported the Trump campaign — a finding that would not become public for months. Lawmakers clamored for information from Mr. Comey, who refused to answer public questions.

Many Democrats see rueful irony in this moment. Mr. Comey, after all, broke with policy and twice publicly discussed the Clinton investigation. Yet he refused repeated requests to discuss the Trump investigation.

Mr. Comey has said he regrets his decision to chastise Mrs. Clinton as "extremely careless," even as he announced that she should not be charged. But he stands by his decision to alert Congress, days before the election, that the F.B.I. was reopening the Clinton inquiry.

The result, though, is that Mr. Comey broke with both policy and tradition in Mrs. Clinton's case, but hewed closely to the rules for Mr. Trump. Representative Adam B. Schiff of California, the top Democrat on the House Intelligence Committee, said that alone proves Mr. Trump's claims of unfairness to be "both deeply at odds with the facts, and damaging to our democracy."

Spying in Question

Crossfire Hurricane began with a focus on four campaign officials. But by mid-fall 2016, Mr. Page's inquiry had progressed the furthest. Agents had known Mr. Page for years. Russian spies tried to recruit him in 2013, and he was dismissive when agents warned him about it, a half-dozen current and former officials said. That warning even made its way back to Russian intelligence, leaving agents suspecting that Mr. Page had reported their efforts to Moscow.

Relying on F.B.I. information and Mr. Steele's, prosecutors obtained court approval to eavesdrop on Mr. Page, who was no longer with the Trump campaign.

That warrant has become deeply contentious and is crucial to Republican arguments that intelligence agencies improperly used Democratic research to help justify spying on the Trump campaign. The inspector general is reviewing that claim.

Ms. Yates, the deputy attorney general under President Barack Obama, signed the first warrant application. But subsequent filings were approved by members of Mr. Trump's own administration: the acting attorney general, Dana J. Boente, and then Rod J. Rosenstein, the deputy attorney general.

"Folks are very, very careful and serious about that process," Ms. Yates said. "I don't know of anything that gives me any concerns."

After months of investigation, Mr. Papadopoulos remained largely a puzzle. And agents were nearly ready to close their investigation of Mr. Flynn, according to three current and former officials. (Mr. Flynn rekindled the F.B.I.'s interest in November 2016 by signing an op-ed article that appeared to be written on behalf of the Turkish government, and then

November 2016 by signing an op-ed article that appeared to be written on behalf of the Turkish government, and then making phone calls to the Russian ambassador that December.)

In late October, in response to questions from The Times, law enforcement officials acknowledged the investigation but urged restraint. They said they had scrutinized some of Mr. Trump's advisers but had found no proof of any involvement with Russian hacking. The resulting article, on Oct. 31, reflected that caution and said that agents had uncovered no "conclusive or direct link between Mr. Trump and the Russian government."

The key fact of the article — that the F.B.I. had opened a broad investigation into possible links between the Russian government and the Trump campaign — was published in the 10th paragraph.

A year and a half later, no public evidence has surfaced connecting Mr. Trump's advisers to the hacking or linking Mr. Trump himself to the Russian government's disruptive efforts. But the article's tone and headline — "Investigating Donald Trump, F.B.I. Sees No Clear Link to Russia" — gave an air of finality to an investigation that was just beginning.

Democrats say that article pre-emptively exonerated Mr. Trump, dousing chances to raise questions about the campaign's Russian ties before Election Day.

Just as the F.B.I. has been criticized for its handling of the Trump investigation, so too has The Times.

For Mr. Steele, it dashed his confidence in American law enforcement. "He didn't know what was happening inside the F.B.I.," Glenn R. Simpson, the founder of Fusion GPS, testified this year. "And there was a concern that the F.B.I. was being manipulated for political ends by the Trump people."

Assurances Amid Doubt

Two weeks before Mr. Trump's inauguration, senior American intelligence officials briefed him at Trump Tower in Manhattan on Russian hacking and deception. They reported that Mr. Putin had tried to sow chaos in the election, undermine Mrs. Clinton and ultimately help Mr. Trump win.

Then Mr. Comey met with Mr. Trump privately, revealing the Steele reports and warning that journalists had obtained them. Mr. Comey has said he feared making this conversation a "J. Edgar Hoover-type situation," with the F.B.I. presenting embarrassing information to lord over a president-elect.

In a contemporaneous memo, Mr. Comey wrote that he assured Mr. Trump that the F.B.I. intended to protect him on this point. "I said media like CNN had them and were looking for a news hook," Mr. Comey wrote of Mr. Steele's documents. "I said it was important that we not give them the excuse to write that the F.B.I. had the material."

Mr. Trump was not convinced — either by the Russia briefing or by Mr. Comey's assurances. He made up his mind before Mr. Comey even walked in the door. Hours earlier, Mr. Trump told The Times that stories about Russian election interference were being pushed by his adversaries to distract from his victory.

And he debuted what would quickly become a favorite phrase: "This is a political witch hunt."

xxx

Sarah Isgur Flores
Director of Public Affairs
202.305.5808

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Tuesday, May 15, 2018 9:28 AM
To: Flores, Sarah Isgur (OPA)
Cc: Boyd, Stephen E. (OLA); Lasseter, David F. (OLA)
Subject: Re: Fox & Friends (FNC) – Rep. Devin Nunes (Russia Investigation)

(b)(5)

Edward C. O'Callaghan
202-514-2105

On May 15, 2018, at 8:36 AM, Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov> wrote:

Begin forwarded message:

From: Sarah Isgur Flores <sarahmisgur@gmail.com>
Date: May 15, 2018 at 8:34:52 AM EDT
To: "Flores, Sarah Isgur (OPA)" <sarah.isgur.flores@usdoj.gov>
Subject: Fwd: Fox & Friends (FNC) – Rep. Devin Nunes (Russia Investigation)

From: Comms Alert <CommsAlert@gop.com>
Sent: Tuesday, May 15, 2018 8:11:25 AM
Subject: Fox & Friends (FNC) – Rep. Devin Nunes (Russia Investigation)

Fox & Friends (FNC) – Rep. Devin Nunes (Russia Investigation)
[http://mms.tveyes.com/transcript.asp?StationID=130&DateTime=5/15/2018%207:16:57%20AM&playclip=true&pbcc=search%3a%2b\(nunes\)](http://mms.tveyes.com/transcript.asp?StationID=130&DateTime=5/15/2018%207:16:57%20AM&playclip=true&pbcc=search%3a%2b(nunes))

AINSLEY EARHARDT: this morning the house intel committee demanding answers about the possibility that someone inside president trump's campaign was spying and secretly feeding information to the fbi.

STEVE DOOCY: or somebody close to the campaign. house intel committee chairman devin nunes joins us now. good morning, chairman.
good morning a lot easier than live hookup.

BRIAN KILMEADE: why is it important to find out who was possibly on the inside of the trump camp informing people on the outside?

REP. DEVIN NUNES: let's talk about how did this get started? you hratic party and the clinton campaign to draw up a dossier on the president as the president was running for president. what happened with that is that in his testimony he mentioned that there was a source within the campaign.

KILMEADE: glenn simpson runs fusion gps.

REP. NUNES: glenn simpson said that in closed testimony and became public he confirmed he was telling congress the truth which is probably a good idea. we believe he was telling the truth. what we are trying to do is get the documents to figure out did they actually have what methods were used to open this counter intelligence investigation?

EARHARDT: if that is true.

REP. NUNES: we don't normally believe is he telling the truth. but in this case.

KILMEADE: you have a problem with his veracity?

REP. NUNES: if you look at what he said and how he tried to walk it back and plant a story in the "the washington post" to walk it back.

EARHARDT: makes it look like really was a spy. if there was a spy though, what does that mean for fusion gps? or for christopher steele?

REP. NUNES: i think what it really means, i think it will look badly on the department of justice and the fbi on how they conducted this investigation.

DOOCY: right.

REP. NUNES: that's what we are trying to get to the bottom of. we are trying to put clarity and sunlight for the american people so they know everything that happened on how this investigation began.

DOOCY: it kind of sounds as if your congressional investigators got the information regarding this secret source, it sounds like this might call into question the narrative we have heard so far it's like oh, really? it didn't happen like that at all.

REP. NUNES: i think if the campaign was somehow set up, i think that would be a problem. right? if they were somehow meetings that occurred and all of this was a setup. we have yet to see any credible evidence or intelligence that led to the opening of this investigation.

DOOCY: by you saying that, it makes it sound like you believe donald trump was framed.

REP. NUNES: look, i believe that they didn't have – well, first of all, i believe they never should have opened a counter intelligence investigation into a political party.

counter intelligence very rarely do they happen and when they do happen, you have to be very careful because you're using the tools of our intelligence services and relationships with other countries in order to spy on a political campaign probably not a good idea. brian.

KILMEADE: along with the fact that you could be influencing an election. last week you were asked to go. you asked and you got permission to go over because you had a subpoena to go over and view these documents with troy gowdy. what happened last week? what's going to happen tomorrow?

REP. NUNES: well, i think we had a productive meeting last week. and really the solution here is to get the department of justice to just come clean with everything. provide all the documents in a timely manner. so tomorrow, we're going to go back hopefully to the department of justice. they have questions that we left for them to answer for us this week. and i think we'll have another productive session. and hopefully you begin to shine some light on this whole situation.

EARHARDT: we a statement from the doj. they say deputy attorney general ron rosenstein has said repeatedly we don't put a lot of stock in anorthern must sources over here. we are committed to continuing to work chairman gowdy and nunes to accommodate their requests. are they working with you?

REP. NUNES: yeah. i think that rod rosenstein the deputy attorney general has a real chance here to clean this mess up for the american people. he really can step in and clean it all up. i think, you can make sure. nobody is asking for sources, right? nobody is asking for sources. nobody is asking for methods. let's lay all the cards out on the table. here is what happened and how this counter intelligence investigation was opened.

KILMEADE: two years a president, whether you voted for him or not, has been hamstrung by a process that's making it impossible for him to move forward.

REP. NUNES: they never had any evidence of colluding with russians then you have to ask yourself why did they open this investigation.

DOOCY: great question. that's why you want to hear about the source.

REP. NUNES: nice to be here in person.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, April 11, 2018 10:23 PM
To: Rosenstein, Rod (ODAG); Terwilliger, Zachary (ODAG); Boyd, Stephen E. (OLA); Schools, Scott (ODAG); Lasseeter, David F. (OLA); O'Callaghan, Edward C. (ODAG)
Subject: Fwd: The Ingraham Angle (FNC) – Rep. Jim Jordan (Russia Investigation, FBI)

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<http://mms.tveyes.com/transcript.asp?StationID=130&DateTime=4/11/2018%2010:04:09%20PM&playclip=true>

LAURA INGRAHAM: republican congressman jim jordan of ohio. congressman, all is well, right? they coughed up the electronic communication, the two-page document after the comment last night by nunes on the show.

REP. JIM JORDAN: a step in the right direction direction. there were still redactions in it. sometimes i go to the fundamental, why is it that folks in the department of justice get to see unredacted things but members of congress elected by the people of this great country can't save – can't see them?

INGRAHAM: if you do because they say that you leaked.

REP. JORDAN: what i know is the american people want answers and you can't get answers to important questions that deal with their fundamental liberties if you don't have access to that documents.

INGRAHAM: why does christopher wray, excuse me, peter strzok and lisa page still have their security clearance?

REP. JORDAN: same issue. they are so compromised bob mueller shook them off his team. but they still have security clearance and members of congress can't see documents. we had a new point person of the department of justice. john lausch is the new point person. to give documents to congress that we are entitled to. he comes in to talk to mr. meadows and i yesterday along with other lawyers, asking four simple questions. once the number of documents? i said what is the standard for determining how the reductions are done and what are the steps and how the process works? i don't know. i don't know. leads the important question, when are we going to the documents? i don't know. my attitude is like devin nunes. if things don't change dramatically, i am talking days, not weeks or months. if they don't change dramatically t impeachment and contempt and resignations should all be on the table because we are tired of it. more important, the american people are tired of it.

INGRAHAM: when you say impeachment resignation firing who are we talking about about?

INGRAHAM: when you say impeachment, resignation, firing, are we talking about about...

REP. JORDAN: talking about the guys were supposed to be running the department of justice. jeff sessions and rod rosenstein. they are supposed to be in charge. they are supposed to give us information. never forget the underlying issue. they took an opposition research document, dressed it up and made it look like legitimate intelligence, took it to a secret court to get a secret warrant test by a fellow citizen associate with the trim campaign and they didn't tell the court who paid for the document and more importantly in those renewals and the fisa court, they didn't tell the court that the author of the document, christopher steele, had his relationship terminated with the fbi because he went and linked to the press.

INGRAHAM: according to what you've seen, it looks like actually strzok wrote it or significantly contributed. people understand, we are talking about the two-page document that was the basis for beginning the surveillance.

REP. JORDAN: the two-page document that nunes and trey gowdy launched it. i think it is associated with papadopoulos.

INGRAHAM: strzok wrote the document or significantly directed the writing of it.

REP. JORDAN: his deputy had a counterintelligence – involved in that.

INGRAHAM: and writing about insurance policies and so forth.

REP. JORDAN: also likely had a big influence on the dossier even though he may not have signed it, he had big influence.

INGRAHAM: what is the time frame? throwing around words like impeachment, resignation firing.

REP. JORDAN: it should all be on the table. if they're not going to improve, we have been asking this information for five months. we do jeff sessions' says he is serious about complying. he says he hears you. special councils councils. but we need a second special counsel.

INGRAHAM: you are not getting one.

REP. JORDAN: can the fbi investigate themselves? john lausch, seems like a nice guy but, who do they answer to? rod rosenstein. the employees are going to investigate their boss? that's how this is going to work?

INGRAHAM: if you were the president, would you fire rosenstein?

REP. JORDAN: i think those things should be on the table. resignation, impeachment, contempt.

INGRAHAM: mark warner gave a comment. he says he is fed up with the complaints about this.

SEN. MARK WARNER (CLIP): it's fairly typical of the way the house majority has operated. frankly outside the boundaries of what most of us would be a would be appropriate. obviously not in any sense bipartisan.

REP. JORDAN: when i talk to folks back home, they are fed up with the double standard, the idea that there is one set of rules for regular people and different rules for clinton, comey, lynch.

INGRAHAM: congressman jordan, thank you.

Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Thursday, March 8, 2018 10:51 AM
To: Schools, Scott (ODAG)
Subject: Christopher Steele, the Man Behind the Trump Dossier _ The New Yorker.pdf
Attachments: Christopher Steele, the Man Behind the Trump Dossier _ The New Yorker.pdf

THE
NEW YORKER

CHRISTOPHER STEELE, THE MAN BEHIND THE TRUMP DOSSIER

How the ex-spy tried to warn the world about Trump's ties to Russia.

By Jane Mayer



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In January, after a long day at his London office, Christopher Steele, the former spy turned private investigator, was stepping off a commuter train in Farnham, where he lives, when one of his two phones rang. He'd been looking forward to dinner at home with his wife, and perhaps a glass of wine. It had been their dream to live in Farnham, a town in Surrey with a beautiful Georgian high street, where they could afford a house big enough to accommodate their four children, on nearly an acre of land. Steele, who is fifty-three, looked much like the other businessmen heading home, except for the fact that he kept his phones in a Faraday bag—a pouch, of military-tested double-grade fabric, designed to block signal detection.

A friend in Washington, D.C., was calling with bad news: two Republican senators, Lindsey Graham and Charles Grassley, had just referred Steele's name to the Department of Justice, for a possible criminal investigation. They were accusing Steele—the author of a secret dossier that helped trigger the current federal investigation into President Donald Trump's possible ties to Russia—of having lied to the very F.B.I. officers he'd alerted about his findings. The details of the criminal referral were classified, so Steele could not know the nature of the allegations, let alone rebut them, but they had something to do with his having misled the Bureau about contacts that he'd had with the press. For nearly thirty years, Steele had worked as a close ally of the United States, and he couldn't imagine why anyone would believe that he had been deceptive. But lying to an F.B.I. officer is a felony, an offense that can be punished by up to five years in prison.

The accusations would only increase doubts about Steele's reputation that had clung to him since BuzzFeed published the dossier, in January, 2017. The dossier painted a damning picture of collusion between Trump and Russia, suggesting that his campaign had “accepted a regular flow of intelligence from the Kremlin, including on his Democratic and other political rivals.” It also alleged that Russian officials had been “cultivating” Trump as an asset for five years, and had

obtained leverage over him, in part by recording videos of him while he engaged in compromising sexual acts, including consorting with Moscow prostitutes who, at his request, urinated on a bed.

In the spring of 2016, Orbis Business Intelligence—a small investigative-research firm that Steele and a partner had founded, in 2009, after leaving M.I.6, Britain’s Secret Intelligence Service—had agreed to do opposition research on Trump’s murky relationship with Russia. Under the arrangement, Orbis was a subcontractor working for Fusion GPS, a private research firm in Washington. Fusion, in turn, had been contracted by a law firm, Perkins Coie, which represented both Hillary Clinton’s Presidential campaign and the Democratic National Committee. Several months after Steele signed the deal, he learned that, through this chain, his research was being jointly subsidized by the Clinton campaign and the D.N.C. In all, Steele was paid a hundred and sixty-eight thousand dollars for his work.

Steele had spent more than twenty years in M.I.6, most of it focussing on Russia. For three years, in the nineties, he spied in Moscow under diplomatic cover. Between 2006 and 2009, he ran the service’s Russia desk, at its headquarters, in London. He was fluent in Russian, and widely considered to be an expert on the country. He’d also advised on nation-building in Iraq. As a British citizen, however, he was not especially knowledgeable about American politics. Peter Fritsch, a co-founder at Fusion who has worked closely with Steele, said of him, “He’s a career public-service officer, and in England civil servants haven’t been drawn into politics in quite the same way they have here. He’s a little naïve about the public square.”

And so Steele, on that January night, was stunned to learn that U.S. politicians were calling him a criminal. He told Christopher Burrows, with whom he co-founded Orbis, that the sensation was “a feeling like vertigo.” Burrows, in his first public interview on the dossier controversy, recalled Steele telling him, “You have this thudding headache—you can’t think straight, you have no appetite, you feel ill.” Steele compared it to the disorientation that he had felt in 2009, when his first wife, Laura, had died, after a long illness, leaving him to care for their three young children.

That night, Burrows said, Steele and his second wife, Katherine, who have been married since 2012, sat in their living room, wondering what would become of them. Would they be financially ruined by legal costs? (In addition to the criminal referral in the U.S., a Russian businessman, Aleksej Gubarev, had filed a libel lawsuit against Steele, saying that the dossier had falsely accused his company of helping the Russian government hack into the Democratic Party’s internal e-mail system.) Would Steele end up in a U.S. federal penitentiary? Would a Putin emissary knife him in a dark alley somewhere?

In conversations with friends, Steele said he hoped that in five years he’d look back and laugh at the whole experience. But he tended toward pessimism. No matter how the drama turned out, “I will take this to my grave,” he often predicted. A longtime friend of Steele’s pointed out to me

that Steele was in a singularly unenviable predicament. The dossier had infuriated both Vladimir Putin and Donald Trump by divulging allegedly corrupt dealings between them. “You’ve got oligarchs running both superpowers,” the friend said. “And, incredibly, they both hate this same guy.”

Legal experts soon assured Steele that the criminal referral was merely a political stunt. Nevertheless, it marked a tense new phase in the investigation into Trump’s alleged ties to Russia. The initial bipartisan support in Congress for a serious inquiry into foreign meddling in America’s democracy had given way to a partisan brawl. Trump’s defenders argued that Steele was not a whistle-blower but a villain—a dishonest Clinton apparatchik who had collaborated with American intelligence and law-enforcement officials to fabricate false charges against Trump and his associates, in a dastardly attempt to nullify the 2016 election. According to this story line, it was not the President who needed to be investigated but the investigators themselves, starting with Steele. “They’re trying to take down the whole intelligence community!” Steele exclaimed one day to friends. “And they’re using me as the battering ram to do it.”

VIDEO FROM THE NEW YORKER

Putin, Russia, and Trump

It was not the first time that a congressional investigation had been used as a tool for destroying someone’s reputation. Whenever a scandal hit Washington, opponents used subpoenas, classified evidence, and theatrical public hearings to spread innuendo, confusion, and

lies. Senators Grassley and Graham declined to be interviewed for this article, but in January Grassley, the chairman of the Senate Judiciary Committee, gave a speech on the Senate floor defending the criminal referral. He noted that Steele had drawn on Russian contacts to amass the dossier. “Who was *actually* colluding with Russians?” Grassley asked. “It’s becoming more clear.”

Democratic members of the committee, who had not been consulted by Republicans about the criminal referral against Steele, were enraged. The California senator Dianne Feinstein, the ranking minority member on the committee, declared that the Republicans’ goals were “undermining the F.B.I. and Special Counsel Mueller’s investigation” and “deflecting attention” from it. Feinstein said that the criminal referral provided no evidence that Steele had lied, and, she added, “not a single revelation in the Steele dossier has been refuted.”

Sheldon Whitehouse, a Democratic senator from Rhode Island, is a former prosecutor who also serves on the Judiciary Committee. “To impeach Steele’s dossier is to impeach Mueller’s investigation,” he told me. “It’s to recast the focus back on Hillary.” The Republicans’ aim, he believed, was to “create a false narrative saying this is all a political witch hunt.”

Indeed, on January 18th, the staff of Devin Nunes, the Republican chairman of the House Intelligence Committee, produced a report purporting to show that the real conspiracy revolved around Hillary Clinton. “The truth,” Nunes said, is that Clinton “colluded with the Russians to get dirt on Trump, to feed it to the F.B.I. to open up an investigation into the other campaign.” Glenn Kessler, who writes the nonpartisan Fact Checker blog at the *Washington Post*, awarded Nunes’s statement four Pinocchios—his rating for an outright lie. “There is no evidence that Clinton was involved in Steele’s reports or worked with Russian entities to feed information to Steele,” Kessler wrote.

Nonetheless, conservative talk-show hosts amplified Nunes’s message. On Fox News, Tucker Carlson denounced Steele as “an intense partisan with passionately left-wing views about American politics,” and said, inaccurately, that his “sloppy and reckless” research “appears to form the basis” of the entire Mueller investigation. Sean Hannity charged that Steele’s dossier was “claptrap” filled with “Russian lies” that were intended to poison “our own intelligence and law-enforcement network” against Trump. The editorial page of the *Wall Street Journal* accused Steele of turning the F.B.I. into “a tool of anti-Trump political actors.” Rush Limbaugh warned his radio listeners, “The battle is between people like us and the Deep State who are trying to keep hidden what they did.”

President Trump had mocked “the dirty dossier,” suggesting that a “failed spy” had relied on “made-up facts by sleazebag political operatives.” But on February 8th the President denounced Steele by name for the first time. “Steele of fraudulent Dossier fame,” he tweeted, was “all tied into Crooked Hillary.”

Two days later, Burrows, of Orbis, was at his home, in Winchester, southwest of London, struggling to express to me how odd and disturbing it was to have his business partner targeted by the President of the United States. A tight-lipped fifty-nine-year-old who is conservative in politics and in manner, Burrows, like Steele, had spent decades as a British intelligence officer. “This whole thing has been quite surreal,” he said. “We are being made into a political football, in U.S. terms, which we really regret. Chris is being accused of being the heart of some Deep State conspiracy, and he’s not even in your state.”

Steele’s lawyers have advised him not to speak publicly about the controversy, and, because he is a former intelligence officer, much of his life must remain secret. His accusers know this, and, as Senator Whitehouse explained, “they are using selective declassification as a tactic—they use declassified information to tell their side, and then the rebuttal is classified.” Both the criminal referral and Nunes’s report used secret evidence to malign Steele while providing no means for his defenders to respond without breaching national-security secrets. But interviews with Steele’s friends, colleagues, and business associates tell a very different story about how a British citizen became enmeshed in one of America’s most consequential political battles.

Steele was born in 1964 in Aden, then the capital of Yemen. His father worked for the U.K.’s national weather service, and had postings overseas and in Great Britain. Steele’s family was middle class, but its roots were blue-collar: one of Steele’s grandfathers was a Welsh coal miner. An outstanding student, Steele was accepted at Cambridge University in 1982. He soon set his sights on becoming the president of the Cambridge Union, the prestigious debating society. It is such a common path for ambitious future leaders that, according to one former member, its motto should be “The Egos Have Landed.” Getting elected president requires shrewd political skills, and Steele secured the position, in part, by muscling the university newspaper, for which he had been writing, into endorsing his candidacy. His jockeying created enemies. One anonymous rival recently told the *Daily Mail* that Steele used to be a “little creep.”

Steele was a middle-of-the-road Labour Party supporter, and at the Cambridge Union his allies, known as the Anti-Establishment Faction, were state-schooled, middle-class students. Steele’s camp competed against a blue-blooded Establishment Faction and a right-wing Libertarian Faction. His longtime friend, who was part of a like-minded society at Oxford, said, “Almost all of us had come from less posh families, and suffered a bit from the impostor syndrome that made us doubt we belonged there, so we worked many times harder to prove ourselves.” He recalled Steele as an “astoundingly diligent” student with “huge integrity,” adding, “He just puts the bit in his teeth and charges the hill. He’s almost like a cyborg.”

Graham Davies, now a well-known public-speaking coach in the U.K., became friends with Steele in the Cambridge Union. He described him as “ultra low-key but ultra high-intensity,” adding, “He’s a very quiet guy who listens more than he talks, which made him stand out.” Davies

went on, “Most of us like a bit of the spotlight, but Chris has always been the opposite. That’s been part of his integrity. He’s quietly in control.” Davies, who is a conservative, told me that Steele has many conservative friends. (Steele supported the Labour government of Tony Blair until the Iraq War, but he voted for a local Conservative official in his home county.) “He’s not an ideologue,” Davies said. “He’s got his political views, but he’s a pragmatic thinker. Fairness, integrity, and truth, for him, trump any ideology.”

Steele is said to be the first president of the Cambridge Union to invite a member of the Palestine Liberation Organization to speak. And he presided over numerous high-profile political debates, including one in which the proposition that President Ronald Reagan’s foreign policies had hurt the U.K. carried the house.

Tellingly, none of Steele’s old friends seem to remember the first time they met him. Of average height and build, with pleasant features, a clean-cut style of dress, and a cool, neutral gaze, he didn’t draw attention to himself. He was a natural candidate to become professionally unnoticeable. Davies, who dines several times a year with Steele and other schoolmates, said, “He’s more low-key than Smiley”—the John le Carré character. But, he noted, whenever Steele took on a task “he was like a terrier with a bone—when something needs investigating, he applies the most intense intellect I’ve ever seen.”

Steele graduated in 1986, with a degree in social and political science, and initially thought that he might go into journalism or the law. One day, though, he answered a newspaper ad seeking people interested in working abroad. The advertiser turned out to be M I.6, which, after a battery of tests, recruited Steele into its Russian-language program. By the time he was in his mid-twenties he was living in Moscow.

Steele worked out of the British Embassy for M I.6, under diplomatic cover. His years in Moscow, 1990 to 1993, were among the most dramatic in Russian history, a period that included the collapse of the Communist Party; nationalist uprisings in Ukraine, the Caucasus, and the Baltic states; and the dissolution of the Soviet Union. Boris Yeltsin gained ultimate power in Russia, and a moment of democratic promise faded as the K.G.B.—now called the F.S.B.—reasserted its influence, oligarchs snapped up state assets, and nationalist political forces began to emerge. Vladimir Putin, a K.G.B. operative returning from East Germany, reinvented himself in the shadowy world of St. Petersburg politics. By the time Steele left the country, optimism was souring, and a politics of resentment—against the oligarchs, against an increasing gap between rich and poor, and against the West—was taking hold.

After leaving Moscow, Steele was assigned an undercover posting with the British Embassy in Paris, but he and a hundred and sixteen other British spies had their cover blown by an anonymously published list. Steele came in from the cold and returned to London, and in 2006

he began running its Russia desk, growing increasingly pessimistic about the direction of the Russian Federation.

Steele's already dim view of the Kremlin darkened in November, 2006, when Alexander Litvinenko, a former Russian K.G.B. officer and a Putin critic who had been recruited by M.I.6, suffered an agonizing death in a London hospital, after drinking a cup of tea poisoned with radioactive polonium-210. Moscow had evidently sanctioned a brazen murder in his own country. Steele was put in charge of M I.6's investigation. Authorities initially planned to indict one suspect in the murder, but Steele's investigative work persuaded them to indict a second suspect as well. Nine years later, the U.K.'s official inquiry report was finally released, and it confirmed Steele's view: the murder was an operation by the F.S.B., and it was "probably approved" by Vladimir Putin.

Steele has never commented on the case, or on any other aspect of his intelligence work, but Richard Dearlove, who led M.I.6 from 1999 to 2004, has described his reputation as "superb." A former senior officer recalls him as "a Russia-area expert whose knowledge I and others respected—he was very careful, and very savvy." Another former M I.6 officer described him as having a "Marmite" personality—a reference to the salty British spread, which people either love or hate. He suggested that Steele didn't appear to be "going places in the service," noting that, after the Cold War, Russia had become a backwater at M.I.6. But he acknowledged that Steele "knew Russia well," and that running the Russia desk was "a proper job that you don't give to an idiot."

The British Secret Intelligence Service is highly regarded by the United States, particularly for its ability to harvest information from face-to-face sources, rather than from signals intelligence, such as electronic surveillance, as the U.S. often does. British and American intelligence services work closely together, and, while Steele was at M.I.6, British intelligence was often included in the U.S. President's daily-briefing reports. In 2008, Michael Hayden, the C.I.A. director, visited the U.K., and Steele briefed him on Russian developments. The following year, President Obama visited the U.K., and was briefed on a report that Steele had written about Russia. Steve Hall, a former chief of the C I.A.'s Central Eurasia Division, which includes Russia, the former Soviet states, and the Balkans, told me, "M.I.6 is second only perhaps to the U.S. in its ability to collect intelligence from Russia." He added, "We've always coordinated closely with them because they did such a great job. We're playing in the Yankee Stadium of espionage here. This isn't Guatemala."

In 2008, Steele informed M I.6 that he planned to leave the service and open a commercial intelligence firm with Burrows. He left in good standing, but his exit was hastened, because M.I.6 regarded his plans as a potential conflict of interest. Launching the business was a risky move: London was filled with companies run by former intelligence officers selling their contacts and inside knowledge. To differentiate itself, Orbis, which opened its office in Mayfair, attempted to

exploit Steele's Russian expertise. The strategy appears to have paid off. According to people with knowledge of the company, Orbis grossed approximately twenty million dollars in its first nine years. Steele now drives a Land Rover Discovery Sport, and belongs to a golf club. He also runs a bit, but the feats that kept him in shape while he was a spy—he ran six marathons and twenty-five half-marathons, and competed in a dozen Olympic-length triathlon events—have been replaced by the carrying of a briefcase. His free time is devoted largely to his family, which includes three cats, one of whom not long ago replicated the most infamous allegation in the Steele dossier by peeing on a family member's bed.

Orbis's clients are mostly businesses or law firms representing corporations. Burrows said that although the company has fewer than ten full-time employees, "we're a bit like the bridge on the Starship Enterprise—we're a small group but we manage an enormous ship." To serve its clients, Orbis employs dozens of confidential "collectors" around the world, whom it pays as contract associates. Some of the collectors are private investigators at smaller firms; others are investigative reporters or highly placed experts in strategically useful jobs. Depending on the task and the length of engagement, the fee for collectors can be as much as two thousand dollars a day. The collectors harvest intelligence from a much larger network of unpaid sources, some of whom don't even realize they are being treated as informants. These sources occasionally receive favors—such as help in getting their children into Western schools—but money doesn't change hands, because it could risk violating laws against, say, bribing government officials or insider trading. Paying sources might also encourage them to embellish.

Steele has not been to Russia, or visited any former Soviet states, since 2009. Unlike some of his former M.I.6 colleagues, he has not been declared *persona non grata* by Putin's regime, but, in 2012, an Orbis informant quoted an F.S.B. agent describing him as "an enemy of Mother Russia." Steele concluded that it would be difficult for him to work in the country unnoticed. The firm guards the identities of its sources, but it's clear that many Russian contacts can be interviewed elsewhere, and London is the center of the post-Soviet Russian diaspora.

Orbis often performs anti-corruption investigations for clients attempting internal reviews, and helps hedge funds and other financial companies perform due diligence or obtain strategic information. One Orbis client who agreed to talk to me, a Western businessman with interests in Russia and Ukraine, described Steele to me as "very efficient, very professional, and very credible." He said that his company had successfully cross-checked Steele's research with other people, adding, "I don't know anyone who's been critical of his work. His reports are very good. It's an absolute no-brainer that he's just a political target. They're trying to shoot the messenger."

Orbis promises confidentiality, and releases no information on its clientele. Some of its purported clients, such as a major Western oil company, are conventional corporations. Others are controversial, including a London law firm representing the interests of Oleg Deripaska, the

billionaire victor of Russia's aluminum wars, a notoriously violent battle. He has been described as Putin's favorite oligarch. Steele's possible financial ties to Deripaska recently prompted Senator Grassley to demand more information from the London law firm. If a financial trail between Deripaska and Orbis can be established, it is likely to raise even more questions about Steele, because Deripaska has already figured in the Russia investigation, in an unsavory light. Paul Manafort, Trump's former campaign manager, has been accused of defrauding Deripaska's company while working for it in Ukraine. (Manafort has been indicted by Special Counsel Robert Mueller on charges of money laundering and other financial crimes. He has pleaded not guilty.) Even if Steele's rumored work for Deripaska is aboveboard, it illustrates the transition that he has made from the world of government service to the ethically gray world of commerce. Oligarchs battling other oligarchs provide some of the most lucrative work for investigators with expertise in Russia. Orbis maintains that, as long as its activities are limited to providing litigation support for Western law firms acting in Western courts, it is helping to settle disputes in a more civilized way than they would be in Russia. But Steele stepped into a murkier realm when he left M.I.6.

Republican claims to the contrary, Steele's interest in Trump did not spring from his work for the Clinton campaign. He ran across Trump's name almost as soon as he went into private business, many years before the 2016 election. Two of his earliest cases at Orbis involved investigating international crime rings whose leaders, coincidentally, were based in New York's Trump Tower.

Steele's first client after leaving M.I.6 was England's Football Association, which hoped to host the World Cup in 2018, but suspected dirty dealings by the governing body, FIFA. England lost out in its bid to Russia, and Steele determined that the Kremlin had rigged the process with bribes. According to Ken Bensinger's "Red Card," an upcoming book about the scandal, "one of Steele's best sources" informed him that the Deputy Prime Minister, Igor Sechin—now the C.E.O. of the Russian state-controlled oil giant Rosneft—is suspected of having travelled to Qatar "to swap World Cup votes."

Steele appears to have spoken anonymously to the *Sunday Times* of London about the case. An "ex-M.I.6 source" who investigated the bidding process told the paper, "The key thing with Russia was six months before the bid, it got to the point where the country feared the humiliation of being beaten and had to do something . . . Putin dragged in all sorts of capabilities." He added, "Don't expect me or anyone else to produce a document with Putin's signature saying 'Please, X, bribe Y with this amount in this way.' He's not going to do that."

Steele might have been expected to move on once his investigation of the bidding was concluded. But he had discovered that the corruption at FIFA was global, and he felt that it should be addressed. The only organization that could handle an investigation of such scope, he felt, was the

F.B.I. In 2011, Steele contacted an American agent he'd met who headed the Bureau's division for serious crimes in Eurasia. Steele introduced him to his sources, who proved essential to the ensuing investigation. In 2015, the Justice Department indicted fourteen people in connection with a hundred and fifty million dollars in bribes and kickbacks. One of them was Chuck Blazer, a top FIFA official who had embezzled a fortune from the organization and became an informant for the F.B.I. Blazer had an eighteen-thousand-dollar-per-month apartment in Trump Tower, a few floors down from Trump's residence.

Nobody had alleged that Trump knew of any FIFA crimes, but Steele soon came across Trump Tower again. Several years ago, the F.B.I. hired Steele to help crack an international gambling and money-laundering ring purportedly run by a suspected Russian organized-crime figure named Alimzhan Tokhtakhounov. The syndicate was based in an apartment in Trump Tower. Eventually, federal officials indicted more than thirty co-conspirators for financial crimes. Tokhtakhounov, though, eluded arrest, becoming a fugitive. Interpol issued a "red notice" calling for his arrest. But, in the fall of 2013, he showed up at the Miss Universe contest in Moscow—and sat near the pageant's owner, Donald Trump.

"It was as if all criminal roads led to Trump Tower," Steele told friends.

Burrows told me that he and Steele made a pact when they left M I.6: "We both agreed it was a duty to alert U.K. and allied authorities if we came across anything with national-security dimensions. It comes from a very long government service. We still have that ethos of wanting to do the right thing by our authorities."

By working with law-enforcement authorities on investigations, Steele has kept a foot in his former life. Some critics have questioned the propriety of this. Lindsey Graham recently argued, in the *Washington Post*, "You can be an F.B.I. informant. You can be a political operative. But you can't be both, particularly at the same time."

Burrows said that on several occasions Orbis had warned authorities about major security threats. Three years ago, a trusted Middle Eastern source told Orbis that a group of ISIS militants were using the flow of refugees from Syria to infiltrate Europe. Orbis shared the information with associates who relayed the intelligence to German security officials. Several months later, when a concert hall in Paris, the Bataclan, was attacked by terrorists, Burrows and Steele felt remorse at not having notified French authorities as well. When Steele took his suspicions about Trump to the F.B.I. in the summer of 2016, it was in keeping with Orbis protocol, rather than a politically driven aberration.

Even before Steele became involved in the U.S. Presidential campaign, he was convinced that the Kremlin was interfering in Western elections. In April of 2016, not long before he took on the

Fusion assignment, he finished a secret investigation, which he called Project Charlemagne, for a private client. It involved a survey of Russian interference in the politics of four members of the European Union—France, Italy, the United Kingdom, and Germany—along with Turkey, a candidate for membership. The report chronicles persistent, aggressive political interference by the Kremlin: social-media warfare aimed at inflaming fear and prejudice, and “opaque financial support” given to favored politicians in the form of bank loans, gifts, and other kinds of support. The report discusses the Kremlin’s entanglement with the former Italian Prime Minister Silvio Berlusconi and the French right-wing leader Marine Le Pen. (Le Pen and Berlusconi deny having had such ties.) It also suggests that Russian aid was likely given to lesser-known right-wing nationalists in the United Kingdom and elsewhere. The Kremlin’s long-term aim, the report concludes, was to boost extremist groups and politicians at the expense of Europe’s liberal democracies. The more immediate goal was to “destroy” the E.U., in order to end the punishing economic sanctions that the E.U. and the U.S. had imposed on Russia after its 2014 political and military interference in Ukraine.

Although the report’s language was dry, and many of the details familiar to anyone who had been watching Russia closely, Project Charlemagne was the equivalent of a flashing red light. It warned that Russian intelligence services were becoming more strategic and increasingly disruptive. Russian interference in foreign elections, it cautioned, was only “likely to grow in size and reach over time.”

In the spring of 2016, Steele got a call from Glenn Simpson, a former investigative reporter for the *Wall Street Journal* who, in 2011, had left journalism to co-found Fusion GPS. Simpson was hoping that Steele could help Fusion follow some difficult leads on Trump’s ties to Russia. Simpson said that he was working for a law firm, but didn’t name the ultimate client.

The funding for the project originally came from an organization financed by the New York investor Paul Singer, a Republican who disliked Trump. But, after it became clear that Trump would win the Republican nomination, Singer dropped out. At that point, Fusion persuaded Marc Elias, the general counsel for the Clinton campaign, to subsidize the unfinished research. This bipartisan funding history belies the argument that the research was corrupted by its sponsorship.

Steele and Simpson had previously worked together, and they shared a mutual fascination with Russian oligarchs and international organized crime. They had symbiotic approaches. Fusion focussed on open-source research—mind-numbing dives into the fine print of public records. Steele’s specialty was gathering intelligence from informed sources, many of them Russian.

The dossier alleges that Putin backed Donald Trump over Hillary Clinton in order to “sow discord and disunity” in America.

One question particularly gnawed at Simpson. Why had Trump repeatedly gone to Russia in search of business, yet returned empty-handed? Steele was tantalized, and took the job, thinking that he'd find evidence of a few dodgy deals, and not much else. He evidently didn't consider the danger of poking into a Presidential candidate's darkest secrets. "He's just got blinkers," Steele's longtime friend told me. "He doesn't put his head in the oven so much as not see the oven."

Within a few weeks, two or three of Steele's long-standing collectors came back with reports drawn from Orbis's larger network of sources. Steele looked at the material and, according to people familiar with the matter, asked himself, "Oh, my God—what *is* this?" He called in Burrows, who was normally unflappable. Burrows realized that they had a problem. As Simpson later put it, "We threw out a line in the water, and Moby-Dick came back."

Steele's sources claimed that the F.S.B. could easily blackmail Trump, in part because it had videos of him engaging in "perverted sexual acts" in Russia. The sources said that when Trump had stayed in the Presidential suite of Moscow's Ritz-Carlton hotel, in 2013, he had paid "a number of prostitutes to perform a 'golden showers' (urination) show in front of him," thereby defiling a bed that Barack and Michelle Obama had slept in during a state visit. The allegation was attributed to four sources, but their reports were secondhand—nobody had witnessed the event or tracked down a prostitute, and one spoke generally about "embarrassing material." Two sources were unconnected to the others, but the remaining two could have spoken to each other. In the reports Steele had collected, the names of the sources were omitted, but they were described as "a former top-level Russian intelligence officer still active inside the Kremlin," a "member of the staff at the hotel," a "female staffer at the hotel when TRUMP had stayed there," and "a close associate of TRUMP who had organized and managed his recent trips to Moscow."

More significant, in hindsight, than the sexual details were claims that the Kremlin and Trump were politically colluding in the 2016 campaign. The Russians were described as having cultivated Trump and traded favors with him "for at least 5 years." Putin was described as backing Trump in order to "sow discord and disunity both within the U.S." and within the transatlantic alliance. The report claimed that, although Trump had not signed any real-estate-development deals, he and his top associates had repeatedly accepted intelligence from the Kremlin on Hillary Clinton and other political rivals. The allegations were astounding—and improbable. They could constitute treason even if they were only partly true.

According to people familiar with the matter, as Steele began to assemble the first of seventeen memos, which became the dossier, Burrows expressed reservations about including the golden-showers allegation. He had a cautious temperament, and worried about the impact that the

sensational item might have. But Steele argued that it would be dishonest and distorting to cherry-pick details, and that the possibility of a potential American President being subject to blackmail was too important to hide. “That’s classic Steele,” his longtime friend told me. “He’s so straight.”

In a fateful decision, Steele chose to include everything. People familiar with the matter say that Steele knew he could either shred the incendiary information or carry on. If he kept investigating, and then alerted officials who he thought should know about his findings, he feared that his life—and, indeed, the life of anyone who touched the dossier—would never be the same.

At the time, Steele figured that almost nobody would ever see the raw intelligence. The credibility of Steele’s dossier has been much debated, but few realize that it was a compilation of contemporaneous interviews rather than a finished product. Orbis was just a subcontractor, and Steele and Burrows reasoned that Fusion could, if it wished, process the findings into an edited report for the ultimate client. So Orbis left it up to Fusion to make the judgment calls about what to leave in, and to decide whether to add caveats and source notes of the kind that accompany most government intelligence reports.

John Sipher spent twenty-eight years as a clandestine officer in the C.I.A., and ran the agency’s Russia program before retiring, in 2014. He said of Steele’s memos, “This is source material, *not* expert opinion.” Sipher has described the dossier as “generally credible,” although not correct in every detail. He said, “People have misunderstood that it’s a collection of dots, not a connecting of the dots. But it provided the first narrative saying what Russia might be up to.” Alexander Vershbow, a U.S. Ambassador to Russia under George W. Bush, told me, “In intelligence, you evaluate your sources as best you can, but it’s not like journalism, where you try to get more than one source to confirm something. In the intelligence business, you don’t pretend you’re a hundred per cent accurate. If you’re seventy or eighty per cent accurate, that makes you one of the best.”

On June 24, 2016, Steele’s fifty-second birthday, Simpson called, asking him to submit the dossier. The previous day, the U.K. had voted to withdraw from the E.U., and Steele was feeling wretched about it. Few had thought that Brexit was possible. An upset victory by Trump no longer seemed out of the question. Steele was so nervous about maintaining secrecy and protecting his sources that he sent a courier by plane to Washington to hand-deliver a copy of the dossier. The courier’s copy left the sources redacted, providing instead descriptions of them that enabled Fusion to assess their basic credibility. Steele feared that, for some of his Russian sources, exposure would be a death sentence.

Steele also felt a duty to get the information to the F.B.I. Although Trump has tweeted that the dossier was “all cooked up by Hillary Clinton,” Steele approached the Bureau on his own. According to Simpson’s sworn testimony to the House Intelligence Committee, Steele told him

in June, 2016, that he wanted to alert the U.S. government, and explained, “I’m a former intelligence officer, and we’re your closest ally.” Simpson testified that he asked to think about it for a few days; when Steele brought it up again, Simpson relented. As Simpson told the Senate Judiciary Committee, “Let’s be clear. This was not considered by me to be part of the work we were doing. This was like you’re driving to work and you see something happen and you call 911.” Steele, he said, felt “professionally obligated to do it.” Simpson went along, he testified, because Steele was the “national-security expert,” whereas he was merely “an ex-journalist.”

The Pulitzer Prize-winning historian David Garrow has questioned Steele’s motives in the *Wall Street Journal*, calling him a “paid operative” spreading “partisan gossip.” He told me that Steele’s whistle-blowing seemed “self-dramatizing,” adding, “We see Steele viewing himself as a historically important person. He believes he has unique knowledge that he must warn the world about.” As a historian who has written critically about the F.B.I.’s persecution of Martin Luther King, Jr., Garrow is troubled by Steele’s zealotry. “In this secret-agent world, there’s a desire to maximize their importance,” Garrow said. “It’s as if all these guys wanted to play themselves in the movies.”

But Mark Medish, a former director of Russian affairs at the National Security Council, told me that “if Steele had not shared his findings, he might have been accused of dereliction or a coverup.” He added, “It takes courage to deliver bad news, particularly when the stakes are so high.” And Senator Whitehouse described Steele’s actions as akin to warning the F.B.I. about a “physical detonation of some sort,” noting, “If it had gone off, and he or the F.B.I. had ignored it, heads would roll.”

Regardless of what others might think, it’s clear that Steele believed that his dossier was filled with important intelligence. Otherwise, he would never have subjected it, his firm, and his reputation to the harsh scrutiny of the F.B.I. “I’m impressed that he was willing to share it with the F.B.I.,” Sipher said. “That gives him real credibility to me, the notion that he’d give it to the best intelligence professionals in the world.”

On July 5, 2016, Steele went to his London office and met with the F.B.I. agent with whom he’d worked on the FIFA case. The agent responded to the first memo in the dossier, Steele has said, with “shock and horror.” Simpson knew that Steele had informed the F.B.I., but he has said that, amid the tumult of the 2016 campaign, it more or less slipped his mind. (In testimony before the Senate Judiciary Committee, he recalled asking himself, “I wonder what the F.B.I. did? Whoops—haven’t heard from them.”) As the summer went on, there was little indication that the F.B.I. was paying much attention, either.

For all the Republicans’ talk of a top-down Democratic plot, Steele and Simpson appear never to have told their ultimate client—the Clinton campaign’s law firm—that Steele had gone to the

F.B.I. Clinton's campaign spent much of the summer of 2016 fending off stories about the Bureau's investigation into her e-mails, without knowing that the F.B.I. had launched a counter-intelligence investigation into the Trump team's ties to Russia—one fuelled, in part, by the Clinton campaign's own opposition research. As a top Clinton-campaign official told me, "If I'd *known* the F.B.I. was investigating Trump, I would have been shouting it from the rooftops!"

At virtually the same time that Steele told the F.B.I. about Russia's interference in the 2016 Presidential campaign, the Kremlin was engaged—without his knowledge—in at least two other schemes to pass compromising information about Hillary Clinton to Trump's inner circle.

The first scheme involved the Trump foreign-policy adviser George Papadopoulos. In April, 2016, over drinks with an Australian diplomat at a London bar, he divulged that Russia had access to thousands of Clinton e-mails. The diplomat informed his supervisors of this bizarre-sounding claim, but Papadopoulos was young and inexperienced, and the Australians didn't give it much weight.

The second scheme unfolded at Trump Tower in New York. On June 9, 2016, top members of Trump's campaign—including Donald Trump, Jr., Paul Manafort, and Jared Kushner—had a private meeting on the twenty-fifth floor with Natalia Veselnitskaya, a Russian lawyer. The attendees had been promised that she would present them with dirt Moscow had collected on Hillary Clinton. The meeting was set up after Donald, Jr., was approached by an emissary close to the Agalarov family—Azerbaijani oligarchs with whom Trump had partnered on the 2013 Miss Universe pageant, in Moscow. In an e-mail, the emissary promised Donald, Jr., that the documents "would incriminate Hillary and her dealings with Russia and would be very useful to your father," and described this gift as "part of Russia and its government's support for Mr. Trump." Instead of going to the F.B.I., as Steele had, Trump's older son responded giddily to the e-mail: "If it's what you say I love it especially later in the summer."

Donald, Jr., and the other participants insist that nothing of consequence happened at the Trump Tower meeting: Veselnitskaya expressed frustration with U.S. sanctions on Russia, but offered no information on Clinton. A number of former intelligence officers, however, believe that the meeting, which happened soon after Papadopoulos's encounter with the Australian diplomat, enhances the dossier's credibility. John McLaughlin, the deputy director of the C.I.A. from 2000 until 2004, told me, "I haven't formed a final thought, but clearly parts of it are starting to resonate with what we know to be true about the Russians' willingness to deliver information harmful to Hillary Clinton."

Furthermore, Steele's dossier had highlighted the Agalarov family's connection with Trump. Ten months before the *Times* reported on the Trump Tower meeting, exposing the role of the Agalarov family's emissary in setting it up, one of Steele's memos had suggested that an "Azeri

business associate of Trump, Araz AGALAROV, will know the details” of “bribes” and “sexual activities” that Trump had allegedly engaged in while visiting St. Petersburg. (A lawyer for the Agalarovs denies these claims.)

On June 14, 2016, five days after the Trump Tower meeting, the *Washington Post* broke the news that the Russians were believed to have hacked into the Democratic National Committee’s e-mail system. The first reports were remarkably blasé. D.N.C. officials admitted that they had learned about the hack months earlier. (It later surfaced that in November of 2014 Dutch intelligence officials had provided U.S. authorities with evidence that the Russians had broken into the Democratic Party’s computer system. U.S. officials reportedly thanked the Dutch for the tip, sending cake and flowers, but took little action.) When the infiltration of the D.N.C. finally became public, various officials were quoted as saying that the Russians were always trying to penetrate U.S. government systems, and were likely just trying to understand American politics better.

The attitudes of Democratic officials changed drastically when, three days before the start of the Democratic National Convention in Philadelphia, WikiLeaks dumped twenty thousand stolen D.N.C. e-mails onto the Internet. The e-mails had been weaponized: what had seemed a passive form of spying was now “an active measure,” in the parlance of espionage. The leaked e-mails, some of which suggested that the D.N.C. had secretly favored Clinton’s candidacy over that of Bernie Sanders, appeared just when the Party was trying to unify its supporters. The Party’s chair, Debbie Wasserman Schultz, was forced to resign, and recriminations and demonstrations disrupted the Convention.

Trump’s response was exultant. He said, “If it is Russia—which it’s probably not, nobody knows who it is—but if it is . . . Russia, if you’re listening, I hope you’re able to find the thirty thousand e-mails that are missing. I think you will probably be rewarded mightily by our press.” His campaign later described these comments as a joke.

At this point, a Clinton foreign-policy adviser, Laura Rosenberger, who had held various positions at the National Security Council and at the State Department during the Bush and Obama Administrations, grew seriously alarmed. She’d already noticed that Trump had pro-Russian positions on many issues, which seemed to her to be inexplicably outside the Republican mainstream. She’d also been struck by Trump’s hiring of Paul Manafort, who had worked as a political consultant for pro-Kremlin forces in Ukraine. Trump’s team then appeared to play a role in modifying the G.O.P. platform so that it better reflected Russia’s position on Ukraine policy. “It was all beginning to snowball,” she told me. “And then, with the e-mail leaks, it was, like, ‘Oh, fuck’—excuse my French—‘we are under attack!’ That was the moment when, as a national-security adviser, you break into sweats.”

Rosenberger, meanwhile, had no idea that the Clinton campaign had indirectly employed a Russia expert: Steele. Orbis's work was sealed off, behind a legal barrier. Marc Elias, the attorney at Perkins Coie who was serving as the Clinton campaign's general counsel, acted as a firewall between the campaign and the private investigators digging up information on Trump. It's a common practice for law firms to hire investigators on behalf of clients, so that any details can be protected by attorney-client privilege. Fusion briefed only Elias on the reports. Simpson sent Elias nothing on paper—he was briefed orally. Elias, according to people familiar with the matter, was flabbergasted by the dossier but wasn't sure what to do with the allegations. "Sex stuff is kind of worthless in a campaign," Simpson told me. In the absence of live accusers or documentary evidence, such material is easy to dismiss, and can make the purveyor look sleazy.

At the same time, the financial machinations described in Steele's reports were complex, and difficult to confirm: "YANUKOVYCH had confided in PUTIN that he did authorise and order substantial kick-back payments to MANAFORT as alleged but sought to reassure him that there was no documentary trail left behind." (Manafort has denied this.) Elias broadly summarized some of the information to top campaign officials, including the campaign manager, Robby Mook, but Elias found much of the Kremlinology abstruse. He was more interested in finding actionable intelligence on the people who had exfiltrated the Democrats' internal e-mails, and how to stop them.

Mook told me, "The problem with the Russia story is that people just weren't buying it. Today, it's, like, 'Of course!' But back then people thought that we were just desperately peddling conspiracy theories." After the D.N.C.'s e-mails were hacked, Mook went on TV talk shows and pointed the finger at Russia, but, he says, his comments were often dismissed as "spin." On Jake Tapper's "State of the Union," he declared, "What's disturbing to us is that experts are telling us that Russian state actors broke into the D.N.C., stole these e-mails, and other experts are now saying that the Russians are releasing these e-mails for the purpose of actually helping Donald Trump." Tapper then interviewed Donald Trump, Jr., who ridiculed Mook's accusation as "disgusting" and "phony"—even though it's now known that, just a few weeks earlier, he had met at Trump Tower with a Russian offering dirt on Clinton.

That summer, Steele noticed a few small news items further connecting Trump's circle to Russia. On July 7, 2016, two days after Steele met in London with the F.B.I., Carter Page, a Trump foreign-policy adviser, travelled to Moscow, on a campaign-approved visit, and delivered a lecture at the prestigious New Economic School. Page's remarks were head-turning. He criticized "Washington and other Western capitals" for "their often hypocritical focus on ideas such as democratization, inequality, corruption, and regime change."

Page was an odd choice for Trump. In New York in 2013, two Russian intelligence operatives had attempted to recruit Page, an oil-industry consultant, although wiretaps revealed that one of the

operatives had described him as an “idiot.” The F.B.I. later indicted the two Russian spies, and warned Page that the Kremlin was trying to recruit him, but he continued to pursue oil-and-gas deals in Russia. Ian Bremmer, the president of the Eurasia Group, a risk-consulting firm where Page had previously worked, said that Page had become a pro-Kremlin “wackadoodle.”

Steele didn’t know it, but U.S. authorities were independently monitoring Page. According to the recently released report by the Democratic minority on the House Intelligence Committee, the F.B.I. had interviewed Page about his contacts with Russian officials in March, 2016—the same month that Trump named him an adviser.

When Page gave his Moscow lecture, he declined to answer questions from the audience about whether he would be meeting Russian officials. Soon afterward, Steele filed another memo to Fusion, alleging that Page had indeed met with Russians close to Putin, as part of an ongoing effort by the Russians to cultivate sympathetic Trump aides. Steele’s sources claimed that one person Page had met with was Igor Sechin, the C.E.O. of the oil giant Rosneft. Sechin had purportedly proposed to Page increasing U.S.-Russian energy cooperation in exchange for lifting the Ukraine-related sanctions on Russia. Page, the dossier said, had “reacted positively” but had been “non-committal.” (Rosneft declined to comment. Page told me, “Steele got everything wrong as it relates to me.”)

A subsequent Steele memo claimed that Sechin was so eager to get U.S. sanctions lifted that, as an incentive, he offered Page the opportunity to help sell a stake of Rosneft to investors. Steele’s memo also alleged that while Page was in Russia he met with a top Kremlin official, Igor Diveykin, who floated the idea of leaking Russian *kompromat* on Clinton, in order to boost Trump’s candidacy. According to Steele’s memos, the damaging material on Clinton was political, not personal, and had been gathered partly from Russian intercepts.

Page has denied any wrongdoing. In a congressional interview in November, 2017, he initially said that he had not met with any Russian officials during his July trip. But, according to the Democrats’ recent Intelligence Committee report, when Page was confronted with evidence he was “forced to admit” that he had met with a top Kremlin official, after all, as well as with a Rosneft executive—Sechin’s close associate Andrey Baranov. The dossier may or may not have erred in its naming of specific officials, but it was clearly prescient in its revelation that during the Presidential campaign a covert relationship had been established between Page and powerful Russians who wanted U.S. sanctions lifted. Trump and his advisers have repeatedly denied having colluded with Russians. But, in Steele’s telling, the Russians were clearly offering Trump secret political help.

Steele’s memos describe two other Trump advisers as sympathetic to Russia: Paul Manafort, then the campaign manager, and Michael Flynn, an adviser whom Trump later appointed his national-

security adviser. Flynn resigned from that post almost immediately, after it was revealed that he had engaged in conversations with the Russian Ambassador, Sergey Kislyak, about U.S. sanctions that Obama had imposed before leaving office. Flynn has become a central figure in Mueller's investigation, having pleaded guilty to lying to the F.B.I. about his conversations with Kislyak.

On July 26, 2016, after WikiLeaks disseminated the D.N.C. e-mails, Steele filed yet another memo, this time claiming that the Kremlin was “behind” the hacking, which was part of a Russian cyber war against Hillary Clinton's campaign. Many of the details seemed far-fetched: Steele's sources claimed that the digital attack involved agents “within the Democratic Party structure itself,” as well as Russian émigrés in the U.S. and “associated offensive cyber operators.”

Neither of these claims has been substantiated, and it's hard to imagine that they will be. But one of the dossier's other seemingly outlandish assertions—that the hack involved “state-sponsored cyber operatives working in Russia”—has been buttressed. According to Special Counsel Mueller's recent indictment of thirteen Russian nationals, Kremlin-backed operatives, hiding behind fake and stolen identities, posed as Americans on Facebook and Twitter, spreading lies and fanning ethnic and religious hatred with the aim of damaging Clinton and helping Trump. The Kremlin apparently spent about a million dollars a month to fund Internet trolls working round-the-clock shifts in a run-down office building in St. Petersburg. Their tactics were similar to those outlined in Steele's Charlemagne investigation, including spreading falsehoods designed to turn voters toward extremism. The Russian operation also involved political activism inside the U.S., including the organizing of bogus pro-Trump rallies.

In England, Steele kept cranking out memos, but he was growing anxious about the lack of response from the F.B.I. As the summer wore on, he confided in an American friend, Jonathan Winer, a Democratic lawyer and foreign-policy specialist who was working at the State Department. Steele told him that Orbis sources had come across unsettling information about Trump's ties to Russia. Winer recalls Steele saying that he “was more certain of it than about any information he'd gotten before in his life.” Winer told me, “Chris was deeply disturbed that the Kremlin was infecting our country. By hacking our computers and using WikiLeaks to disseminate the information—it was an infection. He thought it would have really bad consequences for the U.S. and the U.K., for starters. He thought it would destabilize these countries. He wanted the U.S. government to know. He's a very institution-oriented person.”

During the previous two years, Steele had been sending Winer informal reports, gratis, about raw intelligence that he'd picked up on Ukraine and related areas while working for commercial clients. Winer, who encouraged Steele to keep sending the reports, estimated that he had received more than a hundred and twenty of them by 2016. He and others at the State Department found the research full of insights. Winer recalls Victoria Nuland, the top official overseeing U.S. policy on Russia, expressing surprise at how timely Steele's reports were. A former top State

Department official who read them said, “We found the reports about eighty per cent consistent with other sources we had. Occasionally, his sources appeared to exaggerate their knowledge or influence. But Steele also highlighted some players and back channels between Russia and Ukraine who became important later. So the reports had value.”

In September, 2016, Steele briefed Winer on the dossier at a Washington hotel. Winer prepared a two-page summary and shared it with a few senior State Department officials. Among them were Nuland and Jon Finer, the director of policy planning and the chief of staff to Secretary of State John Kerry. For several days, Finer weighed whether or not to burden Kerry with the information. He’d found the summary highly disturbing, but he didn’t know how to assess its claims. Eventually, he decided that, since others knew, his boss should know, too.

When Kerry was briefed, though, he didn’t think there was any action that he could take. He asked if F.B.I. agents knew about the dossier, and, after being assured that they did, that was apparently the end of it. Finer agreed with Kerry’s assessment, and put the summary in his safe, and never took it out again. Nuland’s reaction was much the same. She told Winer to tell Steele to take his dossier to the F.B.I. The so-called Deep State, it seems, hardly jumped into action against Trump.

“No one wanted to touch it,” Winer said. Obama Administration officials were mindful of the Hatch Act, which forbids government employees to use their positions to influence political elections. The State Department officials didn’t know who was funding Steele’s research, but they could see how politically explosive it was. So they backed away.

Steele believed that the Russians were engaged in the biggest electoral crime in U.S. history, and wondered why the F.B.I. and the State Department didn’t seem to be taking the threat seriously. Likening it to the attack on Pearl Harbor, he felt that President Obama needed to make a speech to alert the country. He also thought that Obama should privately warn Putin that unless he stopped meddling the U.S. would retaliate with a cyberattack so devastating it would shut Russia down.

Steele wasn’t aware that by August, 2016, a similar debate was taking place inside the Obama White House and the U.S. intelligence agencies. According to an article by the *Washington Post*, that month the C.I.A. sent what the paper described as “an intelligence bombshell” to President Obama, warning him that Putin was directly involved in a Russian cyber campaign aimed at disrupting the Presidential election—and helping Trump win. Robert Hannigan, then the head of the U.K.’s intelligence service the G.C.H.Q., had recently flown to Washington and briefed the C.I.A.’s director, John Brennan, on a stream of illicit communications between Trump’s team and Moscow that had been intercepted. (The content of these intercepts has not become public.) But, as the *Post* noted, the C.I.A.’s assessment that the Russians were interfering specifically to boost

Trump was not yet accepted by other intelligence agencies, and it wasn't until days before the Inauguration that major U.S. intelligence agencies had unanimously endorsed this view.

In the meantime, the White House was unsure how to respond. Earlier this year, at the Council on Foreign Relations, former Vice-President Joe Biden revealed that, after Presidential daily briefings, he and Obama “would sit there” and ask each other, “What the hell are we going to do?” The U.S. eventually sent a series of stern messages to the Russians, the most pointed of which took place when Obama pulled Putin aside on September 5th, at a G20 summit in China, and reportedly warned him, “Better stop, or else.”

But Obama and his top advisers did not want to take any action against Russia that might provoke a cyber war. And because it was so close to the election, they were wary about doing anything that could be construed as a ploy to help Clinton. All along, Trump had dismissed talk of Russian interference as a hoax, claiming that no one really knew who had hacked the D.N.C.: it could have been China, he said, or a guy from New Jersey, or “somebody sitting on their bed that weighs four hundred pounds.” Trump had also warned his supporters that the election would be rigged against him, and Obama and his top aides were loath to further undermine the public's faith.

In early September, 2016, Obama tried to get congressional leaders to issue a bipartisan statement condemning Russia's meddling in the election. He reasoned that if both parties signed on the statement couldn't be attacked as political. The intelligence community had recently informed the Gang of Eight—the leaders of both parties and the ranking representatives on the Senate and House Intelligence Committees—that Russia was acting on behalf of Trump. But one Gang of Eight member, Senate Majority Leader Mitch McConnell, expressed skepticism about the Russians' role, and refused to sign a bipartisan statement condemning Russia. After that, Obama, instead of issuing a statement himself, said nothing.

Steele anxiously asked his American counterparts what else could be done to alert the country. One option was to go to the press. Simpson wasn't all that worried, though. As he recalled in his subsequent congressional testimony, “We were operating under the assumption at that time that Hillary Clinton was going to win the election, and so there was no urgency to it.”

Contemporaneous F.B.I. text messages disclosed recently by the *Wall Street Journal* reflect a similar complacency. In August, 2016, two F.B.I. employees, Lisa Page and Peter Strzok, texted about investigating possible collusion between Trump and the Russians. “OMG I CANNOT BELIEVE WE ARE SERIOUSLY LOOKING AT THESE ALLEGATIONS AND THE PERVASIVE CONNECTIONS,” Strzok wrote. Page suggested that they could take their time, because there was little reason to worry that Clinton would lose. But Strzok disagreed, warning that they should push ahead, anyway, as

“an insurance policy” in case Trump was elected—like “the unlikely event you die before you’re 40.”

When excerpts of these texts first became public, Trump defenders such as Trey Gowdy seized on them as proof that the F.B.I. had schemed to devise “an insurance policy” to keep Trump from getting elected. But a reading of the full text chain makes it clear that the agents were discussing whether or not they needed to focus urgently on investigating collusion.

In late summer, Fusion set up a series of meetings, at the Tabard Inn, in Washington, between Steele and a handful of national-security reporters. These encounters were surely sanctioned in some way by Fusion’s client, the Clinton campaign. The sessions were off the record, but because Steele has since disclosed having participated in them I can confirm that I attended one of them. Despite Steele’s generally cool manner, he seemed distraught about the Russians’ role in the election. He did not distribute his dossier, provided no documentary evidence, and was so careful about guarding his sources that there was virtually no way to follow up. At the time, neither *The New Yorker* nor any other news organization ran a story about the allegations.

Inevitably, though, word of the dossier began to spread through Washington. A former State Department official recalls a social gathering where he danced around the subject with the British Ambassador, Sir Kim Darroch. After exchanging cryptic hints, to make sure that they were both in the know, he asked the Ambassador, “Is this guy Steele legit?” The Ambassador replied, “Absolutely.” Brennan, then the C.I.A. director, also heard the rumors. (Nunes reportedly plans to examine Steele’s interactions with the C.I.A. and the State Department next.) But Brennan said recently, on “Meet the Press,” that he heard just “snippets” about the dossier “in press circles,” emphasizing that he didn’t see the dossier until well after the election, and said that “it did not play any role whatsoever” in the intelligence community’s appraisal of Russian election meddling. Brennan said of the dossier, “It was up to the F.B.I. to see whether or not they could verify any of it.”

It wasn’t until October 7, 2016, that anyone in the Obama Administration spoke publicly about Russia’s interference. James Clapper, Obama’s director of National Intelligence, and Jeh Johnson, the head of the Department of Homeland Security, issued a joint statement saying that the U.S. intelligence community was “confident” that Russia had directed the hacking of the Democratic National Committee’s e-mails. James Comey, then the F.B.I. director, had reportedly changed his mind about issuing a public statement, deciding that it was too close to the election to make such a politically charged assertion.

In a normal political climate, the U.S. government’s announcement that a foreign power had attacked one of the two dominant parties in the midst of a Presidential election would have received enormous attention. But it was almost instantly buried by two other shocking news

events. Thirty minutes after the statement was released, the *Washington Post* brought to light the “Access Hollywood” tape, in which Trump describes how his celebrity status had allowed him to “grab” women “by the pussy.” A few hours after that, WikiLeaks, evidently in an effort to bail out Trump by changing the subject, started posting the private e-mails of John Podesta, Clinton’s campaign chairman. The intelligence community’s assessment was barely noticed.

Steele finally met again with the F.B.I. in early October of 2016. This time, he went to Rome to speak with a team of agents, who avidly asked him for everything he had. The news generated by the publication of the D.N.C. e-mails had triggered the change. It had led the Australians to reconsider the importance of George Papadopoulos’s claims, and to alert American authorities. On July 31, 2016, the F.B.I. had launched a formal investigation.

The agents asked Steele about Papadopoulos, and he said that he hadn’t heard anything about him. After the meeting, Steele told Simpson that the Bureau had been amassing “other intelligence” about Russia’s scheme. As Simpson later told the Senate Judiciary Committee, F.B.I. agents now “believed Chris’s information might be credible.” Although the Bureau had paid Steele for past work, he was not paid for his help on the Trump investigation. Orbis remained under contract to Fusion, and Steele helped the F.B.I. voluntarily. (He did request compensation for travelling to Rome, but he never received any.)

Soon after the meeting in Rome, the F.B.I. successfully petitioned the Foreign Intelligence Surveillance Court for a warrant to spy on Carter Page. Trump’s defenders have accused the Bureau of relying on politically motivated smears to spy on Trump’s campaign, but by then Page was no longer an adviser to Trump, and the F.B.I. had collected information in addition to what had been supplied by Steele.

The Bureau encouraged Steele to send any relevant information he came across, and that October he passed on a questionable item—a bit of amateur sleuthing that had been done by someone he’d never met, a former journalist and self-styled investigator named Cody Shearer. Jonathan Winer, Steele’s friend at the State Department, had shared with him an unfinished memo written by Shearer. Not only did it claim that the F.S.B. had incriminating videotapes of Trump having sex in Moscow; it also made wild allegations that leaders of former Soviet states had given huge payments to Trump family members. Steele wasn’t aware that Shearer had longtime ties to the Clintons, as did Sidney Blumenthal, a Clinton ally, who had given Shearer’s report to Winer. Steele had never met Blumenthal, either, but he dutifully jotted down the chain of custody on the cover of the report before sending it on to the F.B.I., with the caveat that he couldn’t vouch for its credibility. He noted, though, that some of the findings were “remarkably similar” to Orbis’s.

Trump’s defenders have seized on the Shearer memo, which Steele didn’t write, using it to argue that Steele’s research was politically tainted by the Clintons. Sean Hannity’s official Web site

carried the inaccurate headline “CHRISTOPHER STEELE AUTHORED ANOTHER DOSSIER, USED CLINTON CONTACTS.”

As the election approached, the relationship between Steele and the F.B.I. grew increasingly tense. He couldn't understand why the government wasn't publicizing Trump's ties to Russia. He was anguished that the American voting public remained in the dark. Steele confided in a longtime friend at the Justice Department, an Associate Deputy Attorney General, Bruce Ohr (whose wife, Nellie Ohr, was briefly a contractor for Fusion). In a memo to the F.B.I., Bruce Ohr recalled Steele saying that, given what he had discovered, he “was desperate that Donald Trump not get elected and was passionate about him not being President.” According to people familiar with the matter, Ohr and other officials urged Steele not to be so upset about the F.B.I.'s secrecy, assuring him that, in the U.S., potentially prejudicial investigations of political figures were always kept quiet, especially when an election was imminent.

Steele was therefore shocked when, on October 28, 2016, Comey sent a letter to congressional leaders: the F.B.I. had come across new e-mails bearing on its previously closed investigation into Hillary Clinton's use of a private server as Secretary of State. He said that these e-mails required immediate review. The announcement plunged Clinton's campaign into chaos. Two days before the election, Comey made a second announcement, clearing her of wrongdoing, but by that point her campaign's momentum had stalled.

To Steele, the F.B.I., by making an incriminating statement so close to Election Day, seemed to be breaking a rule that he'd been told was inviolable. And, given what he—and very few others—knew about the F.B.I.'s Trump investigation, it also seemed that the Bureau had one standard for Clinton and another for her opponent. “Chris was concerned that something was happening at the F.B.I.,” Simpson later told the House Intelligence Committee. “We were very concerned that the information that we had about the Russians trying to interfere in the election was going to be covered up.” Simpson and Steele thought that “it would only be fair if the world knew that both candidates were under investigation.”

At Fusion's urging, Steele decided to speak, on background, to the press. Identified only as a “former Western intelligence officer,” he told David Corn, of *Mother Jones*, that he had provided information to the F.B.I. as part of a “pretty substantial inquiry” into Trump's ties to Russia. He noted, “This is something of huge significance, way above party politics.”

The F.B.I., which had hoped to protect its ongoing probe from public view, was furious. Nunes, in his memo, claimed that Steele was “suspended and then terminated” as a source. In reality, the break was mutual, precipitated by Steele's act of conscience.

Inside the Clinton campaign, John Podesta, the chairman, was stunned by the news that the F.B.I. had launched a full-blown investigation into Trump, especially one that was informed by research underwritten by the Clinton campaign. Podesta had authorized Robby Mook, the campaign manager, to handle budget matters, and Mook had approved Perkins Coie's budget request for opposition research without knowing who was producing it. Podesta and Mook have maintained that they had no idea a former foreign intelligence officer was on the Democrats' payroll until the *Mother Jones* article appeared, and that they didn't read the dossier until BuzzFeed posted it online. Far from a secret campaign weapon, Steele turned out to be a secret kept from the campaign.

On November 8, 2016, Steele stayed up all night, watching the U.S. election returns. Trump's surprise victory hit Orbis hard. A staff memo went out forgiving anyone who wanted to stay home and hide under his duvet. The news had one immediate consequence for Steele. He believed that Trump now posed a national-security threat to his country, too. He soon shared his research with a senior British official. The official carefully went through the details with Steele, but it isn't clear whether the British government acted on his information.

The election was over, but Steele kept trying to alert American authorities. Later that November, he authorized a trusted mentor—Sir Andrew Wood, a former British Ambassador to Moscow—to inform Senator John McCain of the existence of his dossier. Wood, an unpaid informal adviser to Orbis, and Steele agreed that McCain, the hawkish chair of the Senate Armed Services Committee, should know what was going on. Wood told me, “It was simply a matter of duty.” Steele had gone to him before the election for counsel. They'd discussed the possibility that Steele's sources in Russia were wrong, or spreading disinformation, but concluded that none of them had a motive to lie; moreover, they had taken considerable risks to themselves to get the truth out. “I sensed he was distinctly alarmed,” Wood told me. “I don't doubt his good faith at all. It's absurd for anyone to suggest he was engaged in political tricks.”

The week before Thanksgiving, Wood briefed McCain at the Halifax International Security Forum. McCain was deeply concerned. He asked a former aide, David Kramer, to go to England to meet Steele. Kramer, a Russia expert who had served at the State Department, went over the dossier with Steele for hours. After Kramer promised to share the document only with McCain, Steele arranged for Kramer to receive a copy in Washington. But a former national-security official who spoke with Kramer at the time told me that one of Kramer's ideas was to have McCain confront Trump with the evidence, in the hope that Trump would resign. “He would tell Trump, ‘The Russians have got you,’ ” the former official told me. (A lawyer for Kramer maintains that Kramer never considered getting Trump to resign and never promised to show the dossier only to McCain.) Ultimately, though, McCain and Kramer agreed that McCain should take the dossier to the head of the F.B.I. On December 9th, McCain handed Comey a copy of

the dossier. The meeting lasted less than ten minutes, because, to McCain's surprise, the F.B.I. had possessed a copy since the summer. According to the former national-security official, when Kramer learned about the meeting his reaction was "Shit, if they've had it all this time, why didn't they *do* something?" Kramer then heard that the dossier was an open secret among journalists, too. He asked, "Is there anyone in Washington who *doesn't* know about this?"

On January 5, 2017, it became clear that at least two Washingtonians remained in the dark about the dossier: the President and the Vice-President. That day, in a top-secret Oval Office meeting, the chiefs of the nation's top intelligence agencies briefed Obama and Biden and some national-security officials for the first time about the dossier's allegation that Trump's campaign team may have colluded with the Russians. As one person present later told me, "No one understands that at the White House we weren't briefed about the F.B.I.'s investigations. We had no information on collusion. All we saw was what the Russians were doing. The F.B.I. puts anything about Americans in a lockbox."

The main purpose of the Oval Office meeting was to run through a startling report that the U.S. intelligence chiefs were about to release to the public. It contained the agencies' unanimous conclusion that, during the Presidential campaign, Putin had directed a cyber campaign aimed at getting Trump elected. But, before releasing the report, the intelligence chiefs—James Clapper, the director of National Intelligence; Admiral Mike Rogers, the N.S.A. director; Brennan; and Comey—shared a highly classified version with Obama, Biden, and the other officials.

The highly classified report included a two-page appendix about the dossier. Comey briefed the group on it. According to three former government officials familiar with the meeting, he didn't name Steele but said that the appendix summarized information obtained by a former intelligence officer who had previously worked with the F.B.I. and had come forward with troubling information. Comey laid out the dossier's allegations that there had been numerous contacts between the Trump campaign and Russian officials, and that there may have been deals struck between them. Comey also mentioned some of the sexual details in the dossier, including the alleged golden-showers *kompromat*.

"It was chilling," the meeting participant recalls.

Obama stayed silent. All through the campaign, he and others in his Administration had insisted on playing by the rules, and not interfering unduly in the election, to the point that, after Trump's victory, some critics accused them of political negligence. The Democrats, far from being engaged in a political conspiracy with Steele, had been politically paralyzed by their high-mindedness.

Biden asked, "How seriously should we take this?" Comey responded that the F.B.I. had not corroborated the details in the dossier, but he said that portions of it were "consistent" with what

the U.S. intelligence community had obtained from other channels. He also said that the F.B.I. had “confidence” in the dossier’s author—a careful but definite endorsement—because it had worked not only with him but with many of his sources and sub-sources, whose identities the Bureau knew. “He’s proven credible in the past, and so has his network,” Comey said.

“If this is true, this is huge!” Biden exclaimed.

Someone asked how intelligence officials planned to handle the dossier with Trump. Comey explained that he’d decided to brief the President-elect about it the next day. He would do it on his own, he said, to avoid unnecessary embarrassment. But he thought that Trump needed to know about the dossier, even if the allegations were false, for two reasons: it could prove “impactful” if the dossier became public, and the dossier could be used as leverage over the President-elect. Trump later suggested that Comey had actually used the dossier to get leverage over him, but, according to the officials familiar with the meeting, Comey’s motive was to protect the President-elect. In fact, if Comey had wanted to use the dossier as leverage, he could have done so months earlier, before Trump was elected, since it had been in the F.B.I.’s possession.

Comey’s meeting with the President-elect, in a conference room at Trump Tower, did not go well. Neither he nor Trump has disclosed details of their exchange, but Comey later released a public statement in which he said that as soon as he left the building he “felt compelled” to memorialize in writing what had occurred. He’d never felt the need to take such a legal step during the Obama years. Later, when he was questioned by a Senate panel, Comey explained that he had done so because of the “nature of the person,” adding, “I was honestly concerned he might lie about the nature of our meeting.” The briefing established a rocky dynamic that culminated in Trump’s dismissing Comey, and with Trump adopting a hostile posture toward the intelligence and law-enforcement agencies investigating him.

Republican critics have accused the intelligence agencies of having blended Steele’s work with their own investigations. But the F.B.I., by relegating the dossier to an appendix, deliberately separated it from the larger intelligence-community report. Steele has told friends that this approach left him exposed. The F.B.I. never asked his permission to do this. “They threw me under the bus,” Steele has complained to friends.

Unsurprisingly, the salacious news leaked in no time. Four days after Comey briefed Trump, CNN reported that the President-elect had been briefed on a scandalous dossier supplied by a former British intelligence operative. Almost instantly, BuzzFeed posted a copy of Steele’s dossier online, arguing that the high-level briefing made it a matter of public interest. BuzzFeed has declined to reveal its source for the dossier, but both Orbis and Fusion have denied supplying it. By a process of elimination, speculation has centered on McCain’s aide, Kramer, who has not responded to inquiries about it, and whose congressional testimony is sealed.

Trump immediately denounced CNN's report as "fake news," and BuzzFeed as "a failing pile of garbage." He called the document "crap" compiled by "sick people," and at a news conference at Trump Tower he insisted that the golden-showers episode couldn't be true, because he was "very much of a germophobe."

The day after BuzzFeed posted the dossier, the *Wall Street Journal* identified Steele as its author. In England, reporters peered in his windows and tracked down his relatives, including the siblings of his deceased wife. Two reporters from RT, a Russian state news agency, seemed especially aggressive in staking out his house. In response, Steele and his family went into hiding. They reportedly left their three cats with neighbors, and Steele grew a beard.

The dossier's publication caused a series of repercussions. Aleksey Gubarev, the Russian Internet entrepreneur, sued Steele and Orbis, and also BuzzFeed, for libel. He said the dossier falsely claimed that his companies, Webzilla and XBT Holding, had aided the Russian hacking of the D.N.C. (Steele's lawyers have said that the dossier's publication was unforeseen, so he shouldn't be held responsible. BuzzFeed has argued that the content was not libelous.) Pretrial maneuvering in the libel case has resulted in a court ordering Gubarev to disclose whether he or his companies are under criminal investigation. His answer may shed some light on the dossier's depiction of him as a questionable character.

In Russia, there were rumors of a more primitive kind of justice taking place. During Glenn Simpson's testimony to the Senate Judiciary Committee, his lawyer asserted that "somebody's already been killed as a result of the publication of this dossier." Who that could be has been the subject of much media speculation. One possibility that has been mentioned is Oleg Erovinkin, a former F.S.B. officer and top aide to Igor Sechin, the Rosneft president. On December 26, 2016, Erovinkin was found dead in his car. No official cause of death has been cited. No evidence has emerged that Erovinkin was a Steele source, and in fact Special Counsel Mueller is believed to be investigating a different death that is possibly related to the dossier. (A representative for Mueller declined to answer questions for this article.) Meanwhile, around the same time that Erovinkin died, Russian authorities charged a cybersecurity expert and two F.S.B. officers with treason.

In the spring of 2017, after eight weeks in hiding, Steele gave a brief statement to the media, announcing his intention of getting back to work. On the advice of his lawyers, he hasn't spoken publicly since. But Steele talked at length with Mueller's investigators in September. It isn't known what they discussed, but, given the seriousness with which Steele views the subject, those who know him suspect that he shared many of his sources, and much else, with the Mueller team.

One subject that Steele is believed to have discussed with Mueller's investigators is a memo that he wrote in late November, 2016, after his contract with Fusion had ended. This memo, which did not surface publicly with the others, is shorter than the rest, and is based on one source,

described as “a senior Russian official.” The official said that he was merely relaying talk circulating in the Russian Ministry of Foreign Affairs, but what he’d heard was astonishing: people were saying that the Kremlin had intervened to block Trump’s initial choice for Secretary of State, Mitt Romney. (During Romney’s run for the White House in 2012, he was notably hawkish on Russia, calling it the single greatest threat to the U.S.) The memo said that the Kremlin, through unspecified channels, had asked Trump to appoint someone who would be prepared to lift Ukraine-related sanctions, and who would cooperate on security issues of interest to Russia, such as the conflict in Syria. If what the source heard was true, then a foreign power was exercising pivotal influence over U.S. foreign policy—and an incoming President.

As fantastical as the memo sounds, subsequent events could be said to support it. In a humiliating public spectacle, Trump dangled the post before Romney until early December, then rejected him. There are plenty of domestic political reasons that Trump may have turned against Romney. Trump loyalists, for instance, noted Romney’s public opposition to Trump during the campaign. Roger Stone, the longtime Trump aide, has suggested that Trump was vengefully tormenting Romney, and had never seriously considered him. (Romney declined to comment. The White House said that he was never a first choice for the role and declined to comment about any communications that the Trump team may have had with Russia on the subject.) In any case, on December 13, 2016, Trump gave Rex Tillerson, the C.E.O. of ExxonMobil, the job. The choice was a surprise to most, and a happy one in Moscow, because Tillerson’s business ties with the Kremlin were long-standing and warm. (In 2011, he brokered a historic partnership between ExxonMobil and Rosneft.) After the election, Congress imposed additional sanctions on Russia, in retaliation for its interference, but Trump and Tillerson have resisted enacting them.

Eighteen months after the dossier’s publication, Steele has impassioned detractors on both the left and the right. On the left, Stephen Cohen, a Russia scholar and *Nation* contributor, has denied the existence of any collusion between Trump and Russia, and has accused Steele of being part of a powerful “fourth branch of government,” comprising intelligence agencies whose anti-Russia and anti-Trump biases have run amok. On the right, the *Washington Examiner’s* Byron York has championed Grassley and Graham’s criminal referral, arguing that Steele has a “credibility issue,” because he purportedly lied to the F.B.I. about talking to the press. But did Steele lie? The Justice Department has not filed charges against him. The most serious accusation these critics make is that the F.B.I. tricked the FISA Court into granting a warrant to spy on Trump associates on the basis of false and politically motivated opposition research. If true, this would be a major abuse of power. But the Bureau didn’t trick the court—it openly disclosed that Steele’s funding was political. Moreover, Steele’s dossier was only part of what the FISA warrant rested on. According to the Democrats’ Intelligence Committee report, the Justice Department obtained information “that corroborated Steele’s reporting” through “multiple independent sources.”

It's too early to make a final judgment about how much of Steele's dossier will be proved wrong, but a number of Steele's major claims have been backed up by subsequent disclosures. His allegation that the Kremlin favored Trump in 2016 and was offering his campaign dirt on Hillary has been borne out. So has his claim that the Kremlin and WikiLeaks were working together to release the D.N.C.'s e-mails. Key elements of Steele's memos on Carter Page have held up, too, including the claim that Page had secret meetings in Moscow with Rosneft and Kremlin officials. Steele may have named the wrong oil-company official, but, according to recent congressional disclosures, he was correct that a top Rosneft executive talked to Page about a payoff. According to the Democrats' report, when Page was asked if a Rosneft executive had offered him a "potential sale of a significant percentage of Rosneft," Page said, "He may have briefly mentioned it."

And, just as the Kremlin allegedly feared, damaging financial details have surfaced about Manafort's dealings with Ukraine officials. Further, his suggestion that Trump had "agreed to sideline Russian intervention in Ukraine as a campaign issue" seems to have been confirmed by the pro-Russia changes that Trump associates made to the Republican platform. Special Counsel Mueller's various indictments of Manafort have also strengthened aspects of the dossier.

Indeed, it's getting harder every day to claim that Steele was simply spreading lies, now that three former Trump campaign officials—Flynn, Papadopoulos, and Rick Gates, who served as deputy campaign chairman—have all pleaded guilty to criminal charges, and appear to be cooperating with the investigation. And, of course, Mueller has indicted thirteen Russian nationals for waging the kind of digital warfare that Steele had warned about.

On January 9th, Trump's personal attorney, Michael Cohen, filed a hundred-million-dollar defamation lawsuit against Fusion. He also sued BuzzFeed. Cohen tweeted, "Enough is enough of the #fake #RussianDossier." Steele mentioned Cohen several times in the dossier, and claimed that Cohen met with Russian operatives in Prague, in the late summer of 2016, to pay them off and cover up the Russian hacking operation. Cohen denies that he's ever set foot in Prague, and has produced his passport to prove it. A congressional official has told Politico, however, that an inquiry into the allegation is "still active." And, since the dossier was published, several examples have surfaced of Cohen making secretive payments to cover up other potentially damaging stories. Cohen recently acknowledged to the *Times* that he personally paid Stephanie Clifford, a porn star who goes by the name Stormy Daniels, a hundred and thirty thousand dollars; it is widely believed that Trump and Clifford had a secret sexual relationship.

In London, Steele is back at work, attending to other cases. Orbis has landed several new clients as a result of the publicity surrounding the dossier. The week after it became public, the company received two thousand job applications.

John Sipher, the former C.I.A. officer, predicts that Mueller’s probe will render the final verdict on Steele’s dossier. “People who say it’s all garbage, or all true, are being politically biased,” Sipher said. “There’s enough there to be worthy of further study. Professionals need to look at travel records, phone records, bank records, foreign police-service cameras, and check it all out. It will take professional investigators to run it to ground.” He believes that Mueller, whose F.B.I. he worked with, “is a hundred per cent doing that.”

Until then, Sipher said, Steele, as a former English spook, is the perfect political foil: “The Trump supporters can attack the messenger, because no one knows him or understands him, so you can paint him any way you want.” Strobe Talbott, a Russia expert who served as Deputy Secretary of State in the Clinton Administration, and who has known Steele professionally for ten years, has watched the spectacle in Washington with regret. Talbott regards Steele as a “smart, careful, professional, and congenial” colleague who “knows the post-Soviet space, and is exactly what he says he is.” Yet, Talbott said, “they’re trying to turn him into political polonium—touch him and you die.” ♦

This article appears in the print edition of the March 12, 2018, issue, with the headline “The Man Behind the Dossier.”



Jane Mayer has been a New Yorker staff writer since 1995. [Read more »](#)

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Hornbuckle, Wyn (OPA)

From: Hornbuckle, Wyn (OPA)
Sent: Monday, February 26, 2018 9:55 PM
To: Gauhar, Tashina (ODAG)
Subject: RE: sorry - another WSJ request

FISA Abuses Are a Special Threat to Privacy and Due Process

The standard for obtaining an intelligence surveillance warrant is lower than that in a criminal investigation.

By David B. Rivkin Jr. and Lee A. Casey

Feb. 26, 2018 6:57 p.m. ET

The House Democratic surveillance memo is out, and it should worry Americans who care about privacy and due process. The memo defends the conduct of the Justice Department and Federal Bureau of Investigation in obtaining a series of warrants under the Foreign Intelligence Surveillance Act to wiretap former Trump campaign adviser Carter Page.

The Democrats argue that Christopher Steele, the British former spy who compiled the Trump “dossier” on which the government’s initial warrant application was grounded, was credible. They also claim the FISA court had the information it needed about the dossier’s provenance. And they do not dispute former FBI Deputy Director Andrew McCabe’s acknowledgment that the FBI would not have sought a FISA order without the Steele dossier.

The most troubling issue is that the surveillance orders were obtained by withholding critical information about Mr. Steele from the FISA court. The court was not informed that Mr. Steele was personally opposed to Mr. Trump’s election, that his efforts were funded by Hillary Clinton’s campaign, or that he was the source of media reports that the FBI said corroborated his dossier. These facts are essential to any judicial assessment of Mr. Steele’s veracity and the applications’ merits.

The FBI should have been especially wary of privately produced Russia-related dossiers. As the Washington Post and CNN reported in May 2017, Russian disinformation about Mrs. Clinton and Attorney General Loretta Lynch evidently prompted former FBI Director James Comey to announce publicly the close of the investigation of the Clinton email server, for fear that the disinformation might be released and undermine the bureau’s credibility.

In addition, even assuming the dossier was accurate regarding Mr. Page, its allegations are thin. Mr. Page was said to have met in Moscow with Russian officials, who raised the potential for cooperation if Trump was elected; Mr. Page was noncommittal. The most significant claim—that those officials offered Mr. Page a bribe in the form of Russian business opportunities—suggests he was not a Russian agent. Existing operatives don’t need to be bribed.

There was no good reason to withhold from the FISA court any information regarding Mr. Steele, his anti-Trump biases, or the dossier’s origin as opposition research. The court operates in secret, so there was no danger of revealing intelligence sources and methods. The inescapable conclusion is that the information was withheld because the court would have been unlikely to issue the order if it knew the whole truth.

That’s a problem because following the rules and being absolutely candid with the court is even more essential in the FISA context than in ordinary criminal investigations. Congress enacted FISA in 1978 to create a judicial process through which counterintelligence surveillance could take place within the U.S. even when directed at

process through which counterintelligence surveillance could take place within the U.S., even when directed at American citizens, consistent with “this Nation’s commitment to privacy and individual rights.”

Because the purpose of counterintelligence is to gather information, not necessarily to prosecute criminals, the standards required for issuance of a FISA order are less demanding than those governing warrant requests in criminal cases. In both contexts a finding of “probable cause” is required. But an application for a criminal warrant must show, among other things, that “there is probable cause for belief that an individual is committing, has committed, or is about to commit a particular offense” under federal law. Under FISA, it’s enough to show probable cause that the targeted U.S. person’s “activities may involve a violation of the criminal statutes of the United States” (emphasis ours).

This difference is subtle but crucial. The FISA standard is far easier to meet; and in the past, the FISA court has criticized the government for taking advantage of the lower standard to obtain FISA warrants for use in criminal investigations. The lower standard makes it imperative that the responsible officials be extra careful when validating the information on which the order is based, in ensuring that the statutory standards are met, and in keeping the FISA court fully informed.

Slipshod and duplicitous FISA order applications also necessarily raise constitutional issues. FISA has been generally considered permissible under the Fourth Amendment, even though its probable-cause standard is “more flexible,” as one court noted, because of the statute’s procedural safeguards. But those protections mean very little if investigators withhold material information from the court. Moreover, in an ordinary criminal case, the target of surveillance has full due-process rights in a public trial. If a FISA order is obtained improperly, the target’s privacy is still invaded, but there is no opportunity for vindication. The perpetrators of the abuse, and even the abuse itself, will likely never be exposed.

Congress must consider carefully the actions of the FBI and Justice Department, with a determination to hold the responsible parties to account and to ask whether these abuses, which nearly went undetected, demand significant changes to the FISA process itself to protect the privacy and due-process rights of Americans.

Messrs. Rivkin and Casey practice appellate and constitutional law in Washington. They served in the White House Counsel’s Office and Justice Department in the Reagan and George H.W. Bush administrations.

From: Gauhar, Tashina (ODAG)
Sent: Monday, February 26, 2018 9:50 PM
To: Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Subject: sorry - another WSJ request

(b)(5)

Thanks.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, February 8, 2018 8:56 AM
To: Boyd, Stephen E. (OLA); Schools, Scott (ODAG); Hur, Robert (ODAG)
Subject: Fwd: WSJ: Editorial: More Doubts About Mr. Steele

Begin forwarded message:

From: RNC War Room <Warroom@gop.com>
Date: February 7, 2018 at 10:13:34 PM EST
To: undisclosed-recipients;;
Subject: **WSJ: Editorial: More Doubts About Mr. Steele**

More Doubts About Mr. Steele

Wall Street Journal

Editorial Board

February 7, 2018 – 7:09 PM

<https://www.wsj.com/articles/more-doubts-about-mr-steele-1518048549>

Including an appearance by none other than Sidney Blumenthal.

The case of the FBI and Christopher Steele gets curiouser and curiouser. In the latest news, GOP Senators Chuck Grassley and Lindsey Graham late Tuesday released a less redacted version of their criminal referral letter to the Justice Department concerning Mr. Steele, who wrote the now famous dossier alleging Russian collusion with Donald Trump. The letter supports the recent House Intelligence Committee claims of surveillance abuse and offers new evidence that the Clinton campaign may have been more involved than previously known.

Democrats claim the House Intel memo distorts the FBI's actions in obtaining in October 2016 an order from the Foreign Intelligence Surveillance Court to monitor former Trump aide Carter Page. But the Grassley-Graham referral makes public for the first time actual text from the FBI's FISA application, as well as classified testimony the FBI gave the Senate Judiciary Committee about the dossier and FISA application.

In particular, the referral rebuts the Democratic claim that the FBI told the FISA court about the partisan nature of the Steele dossier. "The FBI noted to a vaguely limited extent the political origins of the dossier," says the letter. And "the FBI stated that the dossier information was compiled pursuant to the direction of a law firm who had hired an 'identified U.S. person'—now known as Glenn Simpson of Fusion GPS," the firm that hired Mr. Steele.

But, adds the referral letter, "the application failed to disclose that the identities of Mr. Simpson's ultimate clients were the Clinton campaign and the DNC [Democratic National Committee]." That's

not being honest with the judges who sign off on an eavesdrop order.

The referral also confirms the House memo's finding that the FBI "relied heavily" on Mr. Steele's dossier claims, as well as on a Yahoo News article for which Mr. Steele was the main source. And the letter notes that "the application appears to contain no additional information corroborating the dossier allegations against Mr. Page."

James Comey, who was running the FBI at the time of the FISA fiasco, told the Senate Judiciary Committee as much in March 2017. According to the referral, when Mr. Comey was asked "why the FBI relied on the dossier in the FISA applications absent meaningful corroboration," he said this was "because Mr. Steele himself was considered reliable due to his past work with the Bureau."

In other words, the FBI rested its wiretap application on the credibility of a source who was working at the direction of the Clinton campaign. The FBI also seems to have closed its eyes to evidence that Mr. Steele wasn't honest. The FBI acknowledges that it told Mr. Steele not to speak to the media about the dossier. Yet in September 2016 the ex-British spy briefed reporters about the FBI's investigation and the dossier, which resulted in the Yahoo News article. The Clinton campaign cited that article on TV and social media to attack the Trump campaign. This was about a month prior to the FBI filing its first FISA application.

Yet the FBI's October application told the FISA court that, "The FBI does not believe that [Steele] directly provided this information to the press." Whether Mr. Steele lied to the FBI, or the FBI was too incompetent to verify that he was the source of the Yahoo News story, the result is the same: The FISA court issued a surveillance order on the basis of false information about the credibility of the FBI's main source.

Even after Mr. Steele said under oath in court filings in London that he had briefed Yahoo News, and this fact was reported by U.S. media in April 2017, the FBI didn't tell the FISA court in any subsequent wiretap application.

The Grassley-Graham referral also drops the stunning news that Mr. Steele received at least some of the information for his dossier from the Obama State Department. The letter redacts the names involved. But the press is now reporting, and our sources confirm, that one of the generators of this information was none other than Sidney Blumenthal. GOP Rep. Trey Gowdy, who has seen the documents, told Fox News "that would be really warm" when asked if Mr. Blumenthal is one of the redacted names.

Mr. Blumenthal has declined comment to several media outlets. But our readers will recall that he is a long-time Hillary Clinton operative whom President Obama barred from an official role at State but was later discovered to have sent her policy and political advice via her private email server. This revelation raises questions about the degree to which the Clinton team was involved in the Steele-Fusion effort from the beginning.

Some of our media friends are so invested in the Steele dossier, or in protecting their Fusion pals, or in Donald Trump's perfidy, that they want to ignore all this. But journalists ought to tell the complete story.

The best way to learn what's true and false in the Russian influence story is radical transparency,

and the Trump Administration should declassify all four FISA applications on Mr. Page and all of the documents behind them. Meanwhile, thanks to the two Senators for helping get closer to the truth.

Disclaimer: The Republican National Committee provided the above article as a service to its employees and other selected individuals. Any opinions expressed therein are those of the article's author and do not necessarily reflect the views and opinions of the RNC.

Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Wednesday, February 7, 2018 9:21 PM
To: Boyd, Stephen E. (OLA); Schools, Scott (ODAG)
Subject: Nadler/HJC rebuttal of Nunes memo
Attachments: Nadler_Letter re Nunes HPSCI Memo.pdf

Haven't reviewed in detail – (b)(5)

Article about the attached here:

<https://www.cnn.com/2018/02/03/politics/nadler-democratic-rebuttal-nunes-memo/index.html>

Thanks,
Rob

Robert K. Hur
Principal Associate Deputy Attorney General
Office of the Deputy Attorney General
(202) 514-2105 desk
(b)(6) cell
Robert.Hur@usdoj.gov

To Democratic Subscribers

House Judiciary Committee Analysis of the Nunes Memo

Sending Office: Committee on the Judiciary - Minority Staff

Sent B (b)(6) Congressional Email

February 3, 2018

Dear Democratic Colleague:

On Friday, House Republicans released the so-called “Nunes memo,” a set of deeply misleading talking points drafted by the Republican staff of the House Permanent Select Committee on Intelligence. House Republicans did so over the objections of the Department of Justice, the Director of the FBI, the Director of National Intelligence, and several Senate Republicans, among others.

You may have heard President Trump describe the allegations in the Nunes memo as a “disgrace.” He thinks “a lot of people should be ashamed.” President Trump is right, in his way. This embarrassingly flawed memo is a disgrace. House Republicans should be ashamed.

Although I have had the benefit of reading the materials that form the basis for the Nunes memo, most members have not—including, reportedly, Chairman Nunes. Accordingly, I am forwarding the legal analysis below for use by your office based on my review the Nunes memo and on outside sources.

Please let my staff know if we can provide your office with any additional guidance.

Sincerely,

Jerrold Nadler

Ranking Member

House Committee on the Judiciary

I. The FISA court found probable cause to believe that Carter Page is an agent of a foreign power. Nothing in the Nunes memo rules out the possibility that considerable evidence beyond the Steele dossier helped the court reach that conclusion.

We should not lose sight of a critical and undisputed fact: the Foreign Intelligence Surveillance Court found probable cause to believe that Carter Page—a member of the Trump campaign’s foreign policy team—was an agent of the Russian government.

The Nunes memo states that, “[o]n October 21, 2016, DOJ and FBI sought and received a FISA probable cause order . . . authorizing electronic surveillance on Carter Page.” To obtain an order to conduct surveillance under Title I of the Foreign Intelligence Surveillance Act, the government must provide “a statement of the facts and circumstances” demonstrating probable cause that “the target of the electronic surveillance is . . . an agent of a foreign power.”

The central allegation of the Nunes memo is that the government committed a fraud when it obtained an order to conduct surveillance of Carter Page, a member of President Trump’s foreign policy team during the campaign. The memo claims that “[t]he ‘dossier’ compiled by Christopher Steele . . . formed an essential part of the Carter Page FISA application,” but that the government failed to disclose “the role of the DNC, Clinton campaign, or any party/campaign in funding Steele’s efforts.”

If not for this misrepresentation to the court, the story goes, there never would have been a Russia investigation. **This claim is deliberately misleading and deeply wrong on the law.**

First, the Nunes memo appears to concede that the investigation into the Trump campaign’s ties to the Russian government was well underway before the government applied for an order to conduct surveillance of Carter Page. In its final paragraph, the Nunes memo states: “[t]he Papadopoulos information triggered the opening of an FBI counterintelligence investigation in late July 2016.” The statement refers to George Papadopoulos, another member of the Trump campaign’s foreign policy team. There is no reason to dispute the Nunes memo’s assertion that the FBI was actively investigating the Trump campaign months before they approached the court about Carter Page.

Second, there is already a well-established body of law dealing with allegations that “material and relevant information was omitted” from the application to the court—and, in the case of Carter Page, that law appears to fall almost entirely on the side of the government. In *Franks v. Delaware* (1978), the U.S. Supreme Court held that a court may only void a search warrant if the government “knowingly and intentionally, or with reckless disregard for the truth,” included false information or excluded true information that was or would have been critical to the court’s determination of probable cause. **The Nunes memo alleges nothing that would even come close to meeting this standard.** Indeed, we have every indication that the government made its application to the court in good faith.

So, to be clear: Carter Page was, more likely than not, an agent of a foreign power. The Department of Justice thought so. A federal judge agreed. That consensus, supported by the facts, forms the basis for the warrant issued by the FISA court. The Russian government waged a massive campaign to discredit our election. Carter Page appears to have played a role in that effort. The FBI has a responsibility to follow these facts where they lead. The Nunes memo would have us sweep this all under the rug. And for what, exactly?

II. Christopher Steele is a recognized expert on Russia and organized crime.

Through several acts of willful omission, the Nunes memo alleges the FISA application is tainted because Christopher Steele “was a longtime FBI source who was paid over \$160,000 by the DNC and the Clinton campaign . . . to obtain derogatory information on Donald Trump’s ties to Russia.” The Nunes memo would have us believe the Russia investigation was a Democratic plot from the outset. That is simply ridiculous.

The Nunes memo does not show that the government relied solely, or even substantially, on the information provided to the FBI by Christopher Steele when it made its application to the court. It does not show that Steele’s work was compromised by the source of funding. It does not show that Fusion GPS—the firm that hired Steele to do this work—was any more or less diligent when it worked for Democratic clients than when it worked for Republicans. And, amazingly, **the Nunes memo does not provide a single shred of evidence that any aspect of the Steele dossier is false or inaccurate in any way.**

We have no idea if Christopher Steele even knew the source of his funding when Fusion GPS first hired him to research Donald Trump’s connections to the Russian government. In fact, Fusion GPS initiated the project on behalf of the conservative *Washington Free Beacon*, not the DNC. The firm’s task was to provide credible research, and they hired an expert for the job—a retired British intelligence officer, experienced in Russian affairs and well-known to the FBI as a useful source of valuable intelligence in earlier investigations.

Nothing about the source of Steele’s funding or his later opinions about Donald Trump speak to the credibility of his work, or its inclusion in the FISA application. The Nunes memo gives us no reason to doubt the court’s determination of probable cause to believe that Carter Page was an agent of the Russian government—particularly given Page’s later admissions to the press about his interactions with Russian officials.

And nothing about the payment from the DNC is unethical or improper. Christopher Steele is one of the world’s leading experts on Russian organized crime. His job was to uncover the facts. Many feared during the election that the Trump campaign had been compromised by the Russian government. Two guilty pleas and two indictments later, those fears seem well justified.

III. The Nunes memo provides no credible basis whatsoever for removing Rod Rosenstein as Deputy Attorney General.

The Nunes memo makes a point of stating that a number of officials, including Deputy Attorney General, “signed one or more FISA applications on behalf of DOJ.” Because Attorney General Jeff Sessions is recused from any investigation related to the 2016 campaigns, Deputy Attorney General Rosenstein directly oversees the Special Counsel’s investigation. The Deputy Attorney General has become a target for those attempting to interfere with that investigation. President Trump has refused to rule out using the Nunes Memo as pretext for dismissing the DAG. “You figure that one out,” he said when asked about the Deputy Attorney General on Friday.

Whatever one thinks of the merits of the Nunes memo—and it is clearly not a serious document—the memo provides no basis whatsoever to justify the removal of Rod Rosenstein as Deputy Attorney General from his critical and trusted position. The Nunes memo focuses largely on process that transpired before the Deputy Attorney General took office. There is no reason to believe that he reviewed or approved any FISA application for submission to the court except according to normal process and procedures.

The Nunes memo leaves out a critical point in this area as well. Under the Foreign Intelligence Surveillance Act, when seeking a renewal of a surveillance order, the government is required to provide the court “a statement of the facts concerning all previous applications . . . involving any of the persons, facilities, or places specified in the application.” That requirement includes a description of the intelligence received so far and its value to the underlying case. Although he was not involved in the initial application, the Deputy Attorney General could not have signed an application to renew surveillance on Carter Page if the government was unable to show that it had already gathered valuable evidence under existing orders and expected that collection to continue. Under these circumstances, any decision *not* to approve the renewal would have appeared to have been politically motivated.

If the President is looking to fire Mr. Rosenstein, he will have to look outside the Nunes memo for his pretext.

IV. The Nunes memo shows that House Republicans are now part and parcel to an organized effort to obstruct the Special Counsel’s investigation.

On January 24, 2018, the Department of Justice wrote to warn the House Intelligence Committee that releasing the memo would be “extraordinarily reckless.” On January 29, the FBI issued a statement citing “grave concerns” with inaccuracies and omissions in that document. On January 30, the Majority twice blocked our request to move the House Judiciary Committee into closed session, where we would have been free to discuss our own concerns with the plan to make

this information public without context, without meaningful input from the FBI, and without providing Members with access to the source materials. On February 1, I wrote to Chairman Goodlatte asking for him to call the FBI Director and other officials from the Department of Justice to brief us on an emergency basis—before the Nunes memo was made public—but my request was again ignored.

House Republicans do not speak up when President Trump attacks the press, smears career investigators by name, or demands loyalty from the leadership of the Department of Justice and the FBI. They have taken no significant steps to understand how the Russian government worked to undermine our last election. They show little interest in protecting our next election from foreign attack—even though President Trump’s hand-picked intelligence chiefs warn us that the threat is very real.

Until now, we could only really accuse House Republicans of ignoring the President’s open attempts to block the Russia investigation.

But with the release of the Nunes memo—a backhanded attempt to cast doubt on the origins of the Special Counsel’s investigation—we can only conclude that House Republicans are complicit in the effort to help the President avoid accountability for his actions and for the actions of his campaign.

In the end, who could possibly benefit from the release of this shoddy work?

Only Donald Trump, who will use these half-truths to further interfere with the Special Counsel, and Vladimir Putin, who now has a clear view of how our intelligence community attempted to interrupt his operations in the United States.

Additional Background

Christopher Steele served as an intelligence officer with British intelligence service MI6 from 1987 until his retirement in 2009. From 1990 to 1992, he [worked under diplomatic cover](#) as an MI6 agent in the Embassy of the United Kingdom to Russia. By 2006, Steele headed the Russia Desk at MI6. He remains one of the world’s foremost experts on Russia—and, in particular, connections between the Russian government and organized crime.

In September 2015, the conservative [Washington Free Beacon](#) retained the services of Fusion GPS to conduct opposition research on Donald Trump. When President Trump emerged as the Republican candidate, the Clinton Campaign and the Democratic National Committee hired Fusion GPS for the same services. As part of this project, Christopher Steel produced what became known as the Steele dossier.

Carter Page was known to the United States government for his [involvement with the Russian government](#) long before he joined the Trump campaign. [Court documents](#) show that Russian intelligence operatives attempted to recruit Page in 2013. One spy thought that Page was “an idiot” who wants to “rise up” and “earn lots of money.”

Then-candidate Donald Trump named Page a part of the [Trump campaign’s foreign policy team](#) on March 21, 2016. In July 2016, with the [explicit approval](#) of the Trump campaign, Page traveled to Moscow to give a speech on “the future of the world economy” and to [meet with Russian officials](#). Despite several public accounts of these meetings, Page would later [deny any contact](#) with the Russian government. By August 2016—when it had become apparent that the Russian government was working to [undermine the election](#)—the Trump campaign began to [distance itself](#) from Carter Page.

Later reports show that, in testimony before the House Intelligence Committee, Page admitted to meeting with Russian officials and to briefing at least one “[senior person](#)” on the Trump campaign about those meetings.

None of this information relies upon the Steele dossier.

The **relevant legal standard** for evaluating the FISA application is laid out in [Franks v. Delaware](#). “[T]here is, of course, a presumption of validity with respect to the affidavit supporting the search warrant.” 438 U.S. 154, 171.

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, February 5, 2018 11:06 AM
To: Boyd, Stephen E. (OLA); Hur, Robert (ODAG); Schools, Scott (ODAG); Terwilliger, Zachary (ODAG)
Subject: more from grassley

Dossier author Steele wrote another anti-Trump memo; was fed info by Clinton-connected contact, Obama State Department

Washington Examiner

Byron York

February 5, 2018 – 10:39 AM

<http://www.washingtonexaminer.com/dossier-author-steele-wrote-another-anti-trump-memo-was-fed-info-by-clinton-connected-contact-obama-state-department/article/2648099?platform=hootsuite>

A newly released document from the Senate Judiciary Committee says Christopher Steele, the former British spy who compiled the Trump dossier, wrote an additional memo on the subject of Donald Trump and Russia that was not among those published by BuzzFeed in January 2017.

The newly-released document is an unclassified and heavily redacted version of the criminal referral targeting Steele filed on Jan. 4 by Republican Sens. Chuck Grassley, of Iowa, and Lindsey Graham, of South Carolina. It appears to confirm some level of coordination between the extended Clinton circle and the Obama administration in the effort to seek damaging information about then-candidate Trump.

According to the referral, Steele wrote the additional memo based on anti-Trump information that originated with a foreign source. In a convoluted scheme outlined in the referral, the foreign source gave the information to an unnamed associate of Hillary and Bill Clinton, who then gave the information to an unnamed official in the Obama State Department, who then gave the information to Steele. Steele wrote a report based on the information, but the redacted version of the referral does not say what Steele did with the report after that.

Published accounts in [the Guardian](#) and [the Washington Post](#) have indicated that Clinton associate Cody Shearer was in contact with Steele about anti-Trump research, and Obama State Department official Jonathan Winer was a connection between Steele and the State Department during the 2016 campaign.

When Grassley and Graham filed the referral with the Justice Department on Jan. 4, the document was classified (although the two senators released an unclassified cover letter announcing the referral). What followed was a month of haggling with the Justice Department over what material in the referral could be made public. The result is the version of the referral released this morning. It has whole paragraphs and keywords blacked out, making it hard to discern its full meaning.

For example, a press release accompanying the referral said the referral "contains verbatim quotes from the [Carter Page surveillance] application that are not included in the [House Intelligence Committee] memo. Specifically, the referral quotes the application's descriptions of Steele's statements to the FBI about his contacts with the media." Lest anyone get too excited, the press release went on to say that the quotes "remain redacted" in the version of the referral released Monday.

Also redacted is information related to the key allegation of the Grassley-Graham referral: that Steele was untruthful with the FBI and Justice Department over the issue of his many contacts with the press. If Steele was acting as a trusted source for the FBI on the highly confidential Trump-Russia investigation, it would have been improper for him to share his information with the press at the same time.

Some of the redacted passages also relate to the question of statements about Steele's press contacts that the FBI made to the Foreign Intelligence Surveillance Court in applying for the Page surveillance warrant that was the subject of the [House Intelligence Committee memo](#) released Friday.

It's a lot to digest. But further details will have to wait until the rest of the referral is declassified. Senate sources say they hope that will be soon.

xxx

Sarah Isgur Flores
Director of Public Affairs
202.305.5808

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, February 5, 2018 10:52 AM
To: Boyd, Stephen E. (OLA); Hur, Robert (ODAG); Schools, Scott (ODAG); Terwilliger, Zachary (ODAG)
Subject: FW: After House GOP Memo, FBI OKs Release of Unclassified Steele Referral

And this

Sarah Isgur Flores
Director of Public Affairs
202.305.5808

From: Elana Schor [mailto:eschor@politico.com]
Sent: Monday, February 5, 2018 10:47 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Fw: After House GOP Memo, FBI OKs Release of Unclassified Steele Referral

Hi Sarah - Looking for any comment DOJ can make in response to the below request letter sent this morning about updating the classification on this referral.

thanks,

Elana Schor
POLITICO
646-295-6261
eschor@politico.com
Twitter: @eschor

From: Chairman Grassley (Judiciary-Rep) <ChairmanGrassley@judiciary-rep.senate.gov>
Sent: Monday, February 5, 2018 10:33 AM
To: Foy, Taylor (Judiciary-Rep); Hartmann, George (Judiciary-Rep)
Subject: After House GOP Memo, FBI OKs Release of Unclassified Steele Referral



COMMITTEE *on the* **JUDICIARY**
CHAIRMAN CHUCK GRASSLEY WWW.JUDICIARY.SENATE.GOV

FOR IMMEDIATE RELEASE
Monday, February 5, 2018

After House GOP Memo, FBI OKs Release of Unclassified Steele Referral

FBI Required Redactions of Unclassified Material; Grassley Seeks Full Declassification Review

WASHINGTON – The Federal Bureau of Investigation signed off on an [unclassified version of the criminal referral](#) by Senate Judiciary Committee Chairman Chuck Grassley and Crime and Terrorism Subcommittee Chairman Lindsey Graham only after the White House declassified a House Intelligence Committee (HPSCI) Majority memo largely based on the same underlying documents. Grassley is now calling on the FBI to update the classification of the referral to allow complete disclosure of important context from the documents on which it is based.

“Seeking transparency and cooperation should not be this challenging. The government should not be blotting out information that it admits isn’t secret, and it should not take dramatic steps by Congress and the White House to get answers that the American people are demanding. There are still many questions that can only be answered by complete transparency. That means declassifying as much of the underlying documents as possible,” Grassley said.

On January 4, Grassley and Graham [referred Christopher Steele](#), the author of an unverified “Trump dossier,” to the FBI for further investigation after reviewing Justice Department documents that conflicted with Steele’s sworn statements in British court about the distribution of his research. At the time of the referral, the existence of the Foreign Intelligence Surveillance Act (FISA) warrant applications described in the HPSCI memo was still classified. Grassley had sought the FBI’s cooperation to confirm that portions of the referral derived from sources other than the applications were unclassified. Following weeks of consultation, the [FBI asked the committee to redact additional material](#) despite confirming that it was, in fact, not classified, and only approved the release of the unclassified, heavily-redacted version of the referral after the White House formally declassified the House memo.

While the HPSCI Majority memo is no longer classified, the underlying text of the FISA applications that it references is still controlled by the Executive Branch. The Grassley-Graham referral contains verbatim quotes from the FISA applications that are not included in the HPSCI memo. Specifically, the referral quotes the government’s description of Steele’s statements to the FBI about his contacts with the media. Those quotes remain redacted in the version currently approved for public release. Friday evening, [Grassley formally requested the FBI to update the classification](#) of the referral and remove the extensive redactions to allow a more complete understanding and better inform the public debate. That letter follows:

February 2, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

The Honorable Rod J. Rosenstein
Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

Dear Director Wray and Deputy Attorney General Rosenstein:

Pursuant to Section 3.5 of Executive Order 13526, I am writing to formally demand a Mandatory Declassification Review of the classified criminal referral Chairman Graham and I sent to the FBI and Justice Department regarding Christopher Steele's potential violations of 18 U.S.C. § 1001.^[1]

On January 4, 2018, Senator Graham and I sent a classified memo to the Justice Department and the FBI. The eight-page memo referred for further investigation materially inconsistent statements reportedly made by Christopher Steele, the author of the anti-Trump dossier funded by the Democratic National Committee and the Clinton campaign during the 2016 Presidential election. On January 19, 2018, an FBI Congressional liaison, Greg Brower, sent a letter claiming that a few of the paragraphs marked as unclassified in our memo contained classified information. A redacted copy of Mr. Brower's letter is attached for reference.

As I explained in a speech on the Senate floor, the FBI's claims mischaracterize and misstate what those paragraphs actually say. Nonetheless, on January 29, I wrote to Director Wray and Inspector General Horowitz, raising my objections to the FBI's classification claims, but attaching a further redacted version of the referral that addressed FBI's concerns. On February 2, 2018, Mr. Brower stated that the FBI had no concerns with the public release of that further redacted version, which is attached to this letter.

Today, the President formally declassified a memorandum drafted by the majority staff of the House Permanent Select Committee on Intelligence (HPSCI).^[2] Much of the information in the declassified HPSCI memorandum overlaps with the information in the criminal referral made by Senator Graham and me. That information has now been declassified and can no longer properly be deemed as classified in our criminal referral. Accordingly, I ask that you immediately review the classified referral in light of today's declassification and provide a declassified version of it to the Committee with the declassified version by no later than February 6, 2018.

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

Enclosures: As stated.

cc: The Honorable Michael E. Horowitz
Inspector General
United States Department of Justice

The Honorable Dianne Feinstein
Ranking Member

Committee on the Judiciary

Director, Office of Information Policy
United States Department of Justice
1425 New York Ave, NW
Suite 11050
Washington, DC 20530

-30-



Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, February 2, 2018 10:49 PM
To: Rosenstein, Rod (ODAG); Boyd, Stephen E. (OLA); Schools, Scott (ODAG)
Subject: Fwd: NYT: Kashyap Patel, Main Author of Secret Memo, Is No Stranger to Quarrels

Kashyap Patel, Main Author of Secret Memo, Is No Stranger to Quarrels

New York Times

Katie Rogers & Matthew Rosenberg

February 2, 2018

<https://www.nytimes.com/2018/02/02/us/politics/kashyap-patel-nunes-memo.html>

Kashyap Patel is a lawyer who has sometimes run afoul of the rules.

As a lawyer in Florida, Mr. Patel, 37, entered and then dropped out of a charity bachelor auction featuring some colleagues after a blogger pointed out that his license to practice in the state appeared out of date. In 2016, as a counterterrorism prosecutor for the Justice Department, he was berated by a federal judge who then issued an "Order on Ineptitude" directed at the entire agency. And over the summer, in a trip arranged outside official channels, he traveled to London, where he tried unsuccessfully to meet with Christopher Steele, the author of the dossier that purported to details links between the Trump campaign and Russia, according to multiple people with knowledge of the trip.

After less than a year as a Republican staff member on the House Intelligence Committee, Mr. Patel has found himself in the middle of another controversy. According to congressional sources, he is the primary author of the politically charged memo, released on Friday by the committee chairman, Representative Devin Nunes, over the opposition of the F.B.I. and the intelligence community, that accuses federal officials of bias against President Trump.

Democrats, led by Representative Adam B. Schiff, the top Democrat on the committee, were scathing in their criticism of both the report and the decision to release it to the public.

"The President's decision to publicly release a misleading memo attacking DOJ & FBI is a transparent attempt to discredit these institutions and undermine Mueller's probe," Mr. Schiff said on Twitter on Friday, referring to Robert S. Mueller III, the special counsel investigating Russia's involvement in the 2016 presidential election.

Damon Nelson, the committee's staff director, said in an emailed statement that no single member was responsible for the memo and that its creation was a "team effort" that involved investigators who had access to source material

.....

"The clamor to identify 'an author' is indicative of an alarming trend by opponents of our investigation," Mr. Nelson said, "which is to promote spurious allegations against committee embers and staff. They will not impact the committee's focus and commitment to continue this investigation."

But he praised Mr. Patel, saying, "We value Kash's dedication and his contributions to the committee's oversight efforts."

Mr. Patel, who did not respond to a request for comment for this article, grew up in Garden City, N.Y., and graduated from the University of Richmond in 2002. He earned a certificate in international law from the University College London Faculty of Laws, according to his Facebook page, and graduated from Pace University's law school in 2005.

He spent part of his career in the Miami area as a federal public defender in Florida before surprising his co-workers there by taking a job at the Justice Department in 2014, according to his Facebook profile.

In early 2016, during a court appearance in Houston, Mr. Patel found himself in the cross hairs of Judge Lynn N. Hughes of Federal District Court, who became incensed that Mr. Patel had used the internet credentials of another lawyer to give notice that he would be involved in a terrorism case, and then did not like how he was dressed.

"The last thing I need here, Mr. Patel," the judge said, according to a transcript of the hearing, "is a bureaucrat who flies down here at great expense and causes trouble rather than actually is a productive member of the team."

After working on counterterrorism cases at the Justice Department, Mr. Patel joined the Intelligence Committee last spring as a senior staff member, and has been at the forefront of Mr. Nunes's inquiry into whether the F.B.I. and the Justice Department abused the Foreign Intelligence Surveillance Act.

Over the summer, Mr. Nunes dispatched Mr. Patel and another member of the committee's Republican staff to London, where they showed up unannounced at the offices of Mr. Steele, a former British intelligence official.

Told Mr. Steele was not there, Mr. Patel and Douglas E. Presley, a professional staff member, managed to track him down at the offices of his lawyers. There, they said they were seeking only to establish contact with Mr. Steele, but were rebuffed and left without meeting him, according to two people with knowledge of the encounter.

A senior official for the Republican majority on the Intelligence Committee, who spoke on the condition of anonymity because he was not authorized to speak about the matter, said the purpose of the visit had been to make contact with Mr. Steele's lawyers, not Mr. Steele. Still, the visit was highly unusual and appeared to violate protocol, because they were trying to meet with Mr. Steele outside official channels.

Ordinarily, such a visit would be coordinated through lawyers, conducted with knowledge of the

House Democrats, who were not informed and the American Embassy.

In the months since, Mr. Patel has apparently forged connections at the White House. In November, he posted a series of photos to Facebook of him and several friends wearing matching shirts at the White House bowling alley. "The Dons hit the lanes at 1600 Pennsylvania," Mr. Patelh wrote under the photos.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, February 2, 2018 4:38 PM
To: Terwilliger, Zachary (ODAG); Hur, Robert (ODAG); Boyd, Stephen E. (OLA); Schools, Scott (ODAG)
Subject: NYT story on memo

But the memo falls well short of providing the material promised by some Republicans: namely, that the evidence it contained would cast doubt on the origins of the Russia investigation and possibly undermine the inquiry, which has been taken over by the special counsel, Robert S. Mueller III.

House Republicans Release Secret Memo Accusing Russia Investigators of Bias

New York Times

Adam Goldman, Nicholas Fandos & Charlie Savage

February 2, 2018

<https://www.nytimes.com/2018/02/02/us/politics/trump-fbi-memo.html?smid=pl-share>

House Republicans released a disputed memo on Friday compiled by congressional aides that accused the F.B.I. and Justice Department of abusing their surveillance powers to spy on a former Trump campaign adviser, Carter Page.

The memo, which has prompted a political firestorm, also criticizes information used by law enforcement officials in their application for a warrant to wiretap Mr. Page, and names the senior F.B.I. and Justice Department officials who approved the highly classified warrant.

But the memo falls well short of providing the material promised by some Republicans: namely, that the evidence it contained would cast doubt on the origins of the Russia investigation and possibly undermine the inquiry, which has been taken over by the special counsel, Robert S. Mueller III.

Instead, the document confirms that actions taken by another former Trump foreign policy adviser, George Papadopoulos, were a factor in the opening of the investigation.

The F.B.I. and House Democrats have both said the memo is misleading because it contains both omissions and inaccuracies. The memo does not provide the full scope of evidence the F.B.I. and Justice Department used to obtain the warrant to surveil Mr. Page.

The outlines of the memo were widely detailed in news reports in recent days. Several details from the complete memo show that it reflects a line of attack circulating for weeks in conservative media outlets, which have been amplifying a narrative that the Russia investigation is the illegitimate handiwork of a cabal of senior Justice Department and F.B.I. officials who were biased against President Trump and set out to sabotage him.

One of its chief accusations centers on investigators' inclusion in the FISA warrant application of material from a former British spy, Christopher Steele. Mr. Steele was researching possible ties between Russia's election interference and Trump associates, but the application did not explain that he was financed by the Democratic National Committee and lawyers for Hillary Clinton's campaign.

lawyers for Hillary Clinton's campaign.

But a Democratic memo written to rebut the Republican document says that the F.B.I. was more forthcoming with the surveillance court than the Republicans say. The F.B.I. told the court that the information it received from Mr. Steele was politically motivated, although the agency did not specifically identify the information as financed by Democrats, according to two people familiar with the Democratic memo.

It is not clear to what extent the FISA application hinges on the material provided by Mr. Steele. In December 2017, the Republican memo said, Andrew G. McCabe, then the deputy director of the F.B.I., told the House Intelligence Committee that no surveillance would have been sought without Mr. Steele's information.

But the people familiar with the Democratic memo said that Republicans had distorted what Mr. McCabe told the intelligence committee about the importance of the information from Mr. Steele. Mr. McCabe presented the material as part of a constellation of compelling evidence that raised serious suspicions about Mr. Page, the two people said. The evidence included contacts Mr. Page had in 2013 with a Russian intelligence operative.

Mr. Page's contacts with the Russian operative led to an investigation of Mr. Page that year, including a wiretap on him, another person familiar with the matter said.

Mr. McCabe told the committee that the decision to seek a FISA warrant was also prompted by Russian attempts to target Mr. Papadopoulos, a trip Mr. Page took to Moscow in July 2016 and the Russian hacking of Democratic emails that appeared to be aimed at harming the presidential campaign of Hillary Clinton, the two people familiar with the Democratic memo said.

The Democratic memo also says that when the F.B.I. returned to court to renew the wiretap on Mr. Page, bureau officials told the judge that the agency had cut ties with Mr. Steele because he was talking to reporters about the investigation. The judge extended the warrant anyway.

The Republicans' assertion that investigators were not forthcoming about Mr. Steele is "potentially problematic," said David Kris, a FISA expert and former head of the Justice Department's National Security Division in the first term of the Obama administration.

If the warrant applications did disclose that Mr. Steele's research was funded by people who were opposed to Mr. Trump's campaign, even if it did not name the D.N.C. or the Clinton campaign, then the applications "would be fine," he said, and the author of the memo and those who backed its release are trying to mislead the American people.

"To me, that appears to be the lens through which we should evaluate the honesty, decency, and integrity of the two sides here," Mr. Kris said. "Not having seen the FISA applications, my money is on D.O.J. and the F.B.I., but presumably time will tell."

Among the handful of details revealed by the publication of the memo was that the application also cited a September 2016 article published by Yahoo News. Written by the veteran investigative reporter Michael Isikoff, it cited unnamed sources saying that government investigators were scrutinizing Mr. Page's ties to Russia.

Mr. Steele was later revealed to be a source for the article, and the memo suggests that law enforcement officials' inclusion of it in their warrant application means they were using the same source twice but presenting it as separate sources.

"This article does not corroborate the Steele dossier because it is derived from information leaked by Steele himself to

This article does not corroborate the Steele dossier because it is derived from information leaked by Steele himself to Yahoo News," the memo said, underlining the assertion.

But it is unlikely that such an article would have been submitted to the court for the purpose of corroborating that a suspect was an agent of a foreign power, said Mr. Kris.

"The idea that they would cite a newspaper article as affirmative evidence of information contained in the article strikes me as very far-fetched," he said. "It is much more likely that they would include an article to show that the investigation had become public, and that the target therefore might take steps to destroy evidence or cover his tracks."

In an extraordinary move, the president declassified the identities of the people who had authorized the warrant. Republican committee staff members said the initial FISA warrant for surveillance of Mr. Page was approved by James B. Comey, the former F.B.I. director, and Sally Q. Yates, then the deputy attorney general. The date of the original application was Oct. 21, 2016.

The warrant was renewed three times, meaning Mr. Page was under surveillance for about a year. At various points in renewals of the warrant, required every 90 days, other law enforcement officials who signed off included Rod J. Rosenstein, the deputy attorney general; Dana J. Boente, now the general counsel of the F.B.I.; and Andrew G. McCabe, the former F.B.I. deputy director who resigned under pressure this week.

Mr. McCabe has been a frequent target of Republicans and of the president. Mr. Trump is also said to be unhappy with Mr. Rosenstein, who appointed Mr. Mueller as special counsel to oversee the Russia investigation.

Asked at the White House on Friday whether he would fire Mr. Rosenstein, the president cocked his head suggestively and said: "You figure that one out."

Pressed on whether he had confidence in Mr. Rosenstein, Mr. Trump would not answer. Also on Friday, Attorney General Jeff Sessions said in a statement that he would evaluate the Republican's criticism.

"I am determined that we will fully and fairly ascertain the truth," he said.

The F.B.I., which would have publicly clashed with the president over the memo's release, had so far held its fire.

The memo has set off partisan fury in Congress and protests within the executive branch. Law enforcement officials have warned that they have concerns that it jeopardizes sensitive national security information.

Led by Representative Devin Nunes of California, the chairman of the Intelligence Committee, Republicans have portrayed the memo as revealing a scandalous abuse of surveillance powers by the executive branch as it launched the investigation into Russia's interference in the 2016 election and ties to the Trump campaign.

"The committee has discovered serious violations of the public trust, and the American people have a right to know when officials in crucial institutions are abusing their authority for political purposes," Mr. Nunes said in a statement, portraying the memo as recounting an "alarming series of events" in which intelligence and law enforcement agencies were "exploited to target one group on behalf of another."

The memo also highlights Bruce Ohr, then an associate deputy attorney general, whose wife worked as a contractor with FusionGPS, the opposition research firm that hired Mr. Steele.

Mr. Ohr's wife, Nellie Ohr, worked on contract for Fusion in 2016 doing translations of Russian media reports and other

Mr. Ohr's wife, Nicole Ohr, worked on contract for Fusion in 2016 doing translations of Russian media reports and other open-source research. Her role was relatively minor, a person familiar with her effort said. Ms. Ohr was not fully briefed on the work that Fusion was doing with Mr. Steele's research, the person said.

Ms. Ohr's background was in open-source intelligence — information that is publicly available — and she worked previously at the Open Source Center at the Central Intelligence Agency. The center does not handle classified information, and Ms. Ohr would not have had access to highly classified secrets or programs during her time there.

The memo also notes that the FISA application mentions Mr. Papadopoulos, who pleaded guilty last year to lying to the F.B.I. about his contacts with people connected to the Russian government. The memo said there is no evidence Mr. Papadopoulos conspired with Mr. Page.

Top officials and investigators at the F.B.I. and Justice Department have "politicized the sacred investigative process," Mr. Trump said earlier on Friday.

Mr. Page was on the radar of intelligence agencies for years when Mr. Trump named him to be one of his foreign policy advisers in 2016. He had visited Moscow in July 2016 and was preparing to return there that December when investigators obtained the warrant. White House officials have described Mr. Page as a gadfly who had been "put on notice" by the campaign and whom Mr. Trump did not know.

xxx

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202.305.5808

Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Wednesday, January 31, 2018 9:27 PM
To: Rosenstein, Rod (ODAG)
Subject: FW: some editorial coverage

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 31, 2018 2:07 PM
To: Boyd, Stephen E. (OLA) (b)(6); Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>; Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>
Subject: some editorial coverage

Fix the F.B.I. Don't Politicize It.

By **JOHN YOOJAN**. 30, 2018

From left, President Trump, Attorney General Jeff Sessions and the F.B.I. director, Christopher A. Wray, in December. Credit Tom Brenner/The New York Times

The F.B.I. director, Christopher Wray, has begun clearing the Augean stables at the Federal Bureau of Investigation, which should prompt a broader — and long overdue — cleanup of the government's sloppy intelligence operations.

But he and Attorney General Jeff Sessions may face their greatest obstacle in the form of their president. Donald Trump's impulse to transform every activity of government into a partisan conflict undermines the difficult task of repairing a Justice Department that sorely needs it.

On Monday, Mr. Wray's reform effort took an important step forward with [the resignation of Andrew McCabe](#), the F.B.I.'s deputy director. Mr. McCabe had worked on the F.B.I.'s investigation into Hillary Clinton's unsecured private computer network even though his wife, as a candidate for a Virginia State Senate seat, had received \$500,000 in campaign contributions from a Clinton friend.

That conflict of interest was one of many during the 2016 election that seemed to afflict Main Justice, as the Justice Department headquarters is known (and where I worked in the George W. Bush administration with Mr. Wray, whom I have known since law school). Attorney General Loretta Lynch's tarmac meeting with former President Bill Clinton in June 2016, while his wife was under investigation, created another appearance of a conflict of interest. Ms. Lynch's recusal led to the July news conference where James Comey announced that he would not seek charges against Hillary Clinton.

In doing so, Mr. Comey violated longstanding department practice against publicly discussing the targets of investigations, and he seized authority from prosecutors on whether to indict Mrs. Clinton. To compound these errors, Mr. Comey announced he

had reopened and then shut down again the investigation just a few weeks before the election.

Justice Department alumni of both parties expressed shock at the politicization of law enforcement during the election. "This whole mess was the Justice Department's worst episode since Watergate," Laurence Silberman, a federal appeals court judge, wrote in *The Wall Street Journal*. "I doubt," he added, "the bureau will ever completely recover."

But leave it to Mr. Trump to shoot himself and his administration, which is trying to clean things up, in the foot. He has taunted Mr. McCabe for months on Twitter. And in a phone conversation with him, the president reportedly called Mr. McCabe's wife "a loser" in an apparent dig about the Virginia race.

By attacking Mr. McCabe and by continuing to attack the F.B.I., Mr. Trump has clouded an overdue changing of the guard and has provoked resistance to reform efforts. Democrats can now fairly characterize his actions as politically motivated.

Another opportunity for departmental reform comes in the debate over whether to release a Republican congressional memo that outlines abuses in electronic surveillance.

In the memo, drawn from classified material, the staff of the House Intelligence Committee under Devin Nunes, Republican of California, apparently alleges that the Obama Justice Department sought a warrant for an electronic wiretap based on a dossier financed by the Clinton campaign and produced by Fusion GPS with information surreptitiously provided by Russian intelligence. If descriptions of its contents are true, the memo details a shocking collapse of standards in one of the government's most important jobs: collecting foreign intelligence to stop terrorist attacks and enemy spies.

The president has the constitutional authority to classify and declassify secrets. President Trump could allow the Justice Department to negotiate with the House over release of the Nunes memo, so as to protect intelligence sources and methods. An agreement could also provide the starting point for review and restructuring of the department's national security division and its management of electronic surveillance.

But again, the president seems unable to allow good government to proceed freely. Instead, he has claimed for months that the Obama administration hatched a conspiracy to illegally eavesdrop on him and, according to reports, has decided to approve release of the Nunes memo even before reviewing it. Again, Mr. Trump risks the prospects for departmental reform to score political points against Mr. Obama.

These episodes reveal a shortcoming in Mr. Trump's understanding of the presidency. He has the constitutional power to push out Mr. McCabe and to release the Nunes memo. Yet doing so is a serious political misuse of that power.

Machiavelli, the father of modern thinking about executive power, described ideal princes as quick to execute the law and able to act "at a stroke." In *Federalist 70*, Alexander Hamilton extended the insight to argue that the executive should act with "decision, activity, secrecy and dispatch." The founders believed that presidents advance the public good when they draw upon their undefined powers to

respond to emergencies.

Mr. Trump acts at odds with the founders' vision. Rather than conserving his authority for true crises, he seems intent on creating and prolonging false ones. This may appeal to his base, but he is eroding the presidency's constitutional power and political authority. He may not find them there when necessity forces him to confront a real challenge, as when surely one comes.

John Yoo is a law professor at the University of California, Berkeley, and a visiting scholar at the American Enterprise Institute.

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 31, 2018 2:07 PM
To: Hur, Robert (ODAG); Terwilliger, Zachary (ODAG); Schools, Scott (ODAG); Boyd, Stephen E. (OLA)
Subject: WSJ

The House Memo, the FBI and FISA

Progressives suddenly don't care about wiretap applications.

Rep. Devin Nunes (R-CA), Chairman of the House Permanent Select Committee on Intelligence on Capitol Hill Jan. 30, 2018 PHOTO: MARK WILSON/GETTY IMAGES

By

[The Editorial Board](#)

Jan. 30, 2018 7:15 p.m. ET

[714 COMMENTS](#)

The House Intelligence Committee voted Monday night to release a Republican memo that by most accounts reveals how the FBI handled, or mishandled, federal wiretap requests during the 2016 presidential campaign. The White House should now approve its public disclosure as the first of several to help the country understand what really happened.

Democrats are objecting to the release, claiming partisanship and violations of national security. None of this is persuasive. Republican Intelligence Chairman Devin Nunes has followed a long and deliberative process that follows House protocol.

When the FBI finally agreed after months of resisting to answer a committee subpoena for documents, Mr. Nunes deputized former prosecutor and South Carolina Rep. Trey Gowdy to investigate. The subsequent memo was vetted for security concerns, provided to the entire House committee, then made available to the entire House, then shown to the director of the FBI, and is now undergoing White House review. This is hardly a Chelsea Manning-to-WikiLeaks-to-New York Times leak.

Another false claim is that Republicans are “censoring” a rival Democratic memo. The same Democrats howling about national security wanted the committee on Monday instantly to approve the public disclosure of their counter-memo that hasn't gone through the equivalent reviews that the majority memo has. Committee Republicans voted to start that process by making the Democratic memo available to the full House, and by all means let's see that memo too.

The House memo is not about “attacking the FBI” or “our law enforcement professionals,” as Democrat Adam Schiff insists. This is about restoring confidence in a law enforcement agency that played an unprecedented role in a U.S. presidential election regarding both the Trump and Clinton campaigns.

Americans deserve to know whether accusations that the Kremlin infiltrated the Trump campaign have any basis, and prosecutors and Congressional committees are investigating. The FBI might well have had cause to believe Russians were targeting the Trump campaign when they sought a Foreign Intelligence Surveillance Court warrant. But Washington also should be able to investigate if and how law enforcement agencies exceeded their remit in seeking wiretaps.

The memo also concerns the integrity of the FISA process. Democrats created FISA in the 1970s to protect against wiretap abuses during the Cold War. We opposed it on grounds that it would dilute political accountability, and what do you know here we are. FISA is supposed to provide a measure of legal assurance against abuse, and FBI and Justice officials appear *ex parte* before the FISA judges with no competing claimants.

The public should know if as part of its warrant application the FBI used the Christopher Steele dossier that we now know was financed by the Hillary Clinton campaign. The House intelligence memo may answer that question, as well as whether the FBI made other misrepresentations or omissions in its FISA application. In June 2017 former FBI director Jim Comey referred in Senate testimony to the dossier as containing “salacious and unverified” material. Is that what the FBI told the FISA court in 2016?

If the FISA judges weren’t told about the partisan provenance and doubts about the veracity of the memo in the middle of a presidential election campaign, then what is FISA for? To serve as a potted plant so the FBI can get whatever warrants it wants? Are they genuine Article III judges with an independent writ or merely another arm of the executive branch that can be rolled like some deputy assistant secretary of State?

The same progressives who demanded accountability for FISA courts after Edward Snowden exposed federal snooping now want President Trump to shut down the House’s limited attempt at transparency. Don’t buy it, Mr. President. Let it all out—the two House Intelligence memos, Senator Chuck Grassley’s referral letter for a criminal investigation of Mr. Steele, and all other relevant FBI or Justice documents that won’t undermine U.S. security. Our democracy can take the transparency, and after the 2016 fiasco it deserves it.

xxx

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Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Thursday, January 25, 2018 8:07 PM
To: Rosenstein, Rod (ODAG)
Subject: FW: whip count

FYSA

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 25, 2018 8:06 PM
To: Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>; Boyd, Stephen E. (OLA) (b)(6); Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>; Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Subject: whip count

Defiant Republicans ready to send secret Russia memo to Trump

Politico

Kyle Cheney

January 25, 2018 – 7:06 PM

<https://www.politico.com/story/2018/01/25/russia-memo-trump-republicans-369541>

A review of the House Intelligence Committee's 13 GOP members shows firm support for what a top Justice Department official calls an 'extraordinarily reckless' move.

Republicans on the House Intelligence Committee are on the verge of defying the Department of Justice and voting to release a classified memo they say will reveal misconduct by senior FBI officials involved in investigating President Donald Trump's campaign.

POLITICO contacted or reviewed statements by the committee's 13 Republicans, and found near-unanimous support for making public the memo, which Democrats call a misleading effort to discredit special counsel Robert Mueller's probe into Trump's ties to Russia.

A vote by the committee—expected as soon as Wednesday—to release the controversial document would put its fate into the hands of President Donald Trump, who has not taken a clear position on its public disclosure.

The committee sentiment suggests that House Republicans are unfazed by a top Justice Department official's warning that doing so without consulting the department first would be "extraordinarily reckless," underscores the GOP's determination to shift attention from Russian election influence onto alleged anti-Trump bias among federal Russia investigators.

The memo, drafted by Republican House Intelligence Committee staffers, has become a cause celebre in conservative media and on Twitter, where its most active cheerleaders include the president's son, Donald Trump Jr. It alleges that FBI agents seeking a fall 2016 warrant to surveil Trump campaign adviser Carter Page concealed the role a controversial private dossier alleging Kremlin influence over Trump played in their decision, according to sources who have read it.

Democrats charge that Republicans are making an unprecedented push to declassify material for partisan gain, noting that the panel has never before voted to reveal classified information.

"It would represent a new low for the majority, the politicization of the classification process to selectively release information in a distorted way," said Rep. Adam Schiff, the committee's top Democrat, in a phone interview.

So far, those protests are falling on deaf ears — at least among the Republicans who will decide the document's fate.

"I am in favor of releasing the memo," said Rep. Ileana Ros-Lehtinen (R-Fla.), one of 13 GOP members on the committee. "After not cooperating with the Intelligence Committee's investigation for months in order to prevent the disclosure of the information contained in the memo, it's not surprising that some would try to keep the information a secret."

Justice Department and FBI officials have implored committee Republicans to show them the memo before publicly alleging misconduct and potentially exposing sensitive national security information.

"We believe it would be extraordinarily reckless for the Committee to disclose such information publicly without giving the Department and the FBI the opportunity to review the memorandum and to advise the [committee] of the risk of harm to national security and to ongoing investigations that could come for public release," assistant attorney general Stephen Boyd wrote in a Wednesday letter to committee Chairman Devin Nunes (R-Calif.)

Six of the panel's 13 Republicans told POLITICO they support taking that step. Four others — Nunes and Reps. Mike Conaway (R-Texas), Peter King (R-N.Y.) and Tom Rooney (R-Fla.) — have openly backed the memo's public release.

Two other GOP members of the committee — Mike Turner (R-Ohio) and Will Hurd (R-Texas), a former CIA officer — declined multiple requests for comment and have not made public statements in recent days. A third, Rep. Mike Turner, declined to indicate how he'll vote but strongly suggested in a Fox News interview Thursday that he's leaning toward supporting the release.

"Let's make sure we do it right and in the proper time get it to the American people because they deserve to be able to know what their government's doing," he said.

With all nine committee Democrats opposed to releasing the memo, two of the three Republicans who haven't finalized their positions would need to oppose its release to stop the effort from moving forward. But they've shown no sign of doing so and their committee colleagues expressed confidence the votes are in hand.

In the interview, King accused the Justice Department of seeking access to the memo in order to "tear it down before it even gets out there."

"We're not going to show it to the Justice Department," King said. "[Nunes] fully intends to go ahead."

The committee's ability to reveal classified intelligence is set out in a House rule that has never been used. It dictates that if the committee votes to publicly release the memo, its fate moves into the hands of Trump, who would have five days to weigh the request. Trump can approve its immediate release or, if he takes no action, the committee can release it. Should he object, the committee can forward the request to the full House, which would meet in a closed-door session for a vote on its release.

White House Press Secretary Sarah Huckabee Sanders said earlier this week that Trump supports "full transparency" but stopped short of saying he'd approve any request to release the memo. She indicated that the White House was aware that if Trump allowed five days to lapse, the committee could produce the memo on its own.

The GOP memo was compiled by Nunes' staff under the guidance of Rep. Trey Gowdy (R-S.C.), who, according to the Justice Department, was the only member of the committee to view some of the underlying intelligence. Democrats who have seen the memo say it wildly mischaracterizes the underlying intelligence and that most lawmakers urging the memo's release aren't familiar with the intelligence it's based on.

Asked why some members of the committee who aren't closely aligned with Trump — like Ros-Lehtinen — backed releasing the memo, Schiff suggested they were doing it out of loyalty to Nunes.

"I think they all feel they need to do this for Nunes," he said. He added that he's working to craft a Democratic memo that he says "reveals all of the inaccuracies and distortions in the Nunes spin document" that he hopes will be approved by the committee to be shared with other House members.

The dossier that the memo alleges helped drive the decision to seek a FISA — or Foreign Intelligence Surveillance Act — warrant on Page was compiled in 2016 by former British spy Christopher Steele, a trusted FBI partner in previous investigations, who had been commissioned by the private research firm Fusion GPS to investigate Trump's business ties to Russia. Fusion's work was funded at that time by a lawyer who represented Hillary Clinton's presidential campaign and the Democratic National Committee. It's unclear if Steele's relationship to the campaign was disclosed in the FISA application.

Trump has railed against the FBI for its behavior, with particular ire aimed at two top officials — senior counterintelligence agent Peter Strzok and bureau attorney Lisa Page. Strzok was central to the FBI's Russia investigation, which began in 2016, as well as the probe that ultimately exonerated Hillary Clinton for her handling of classified information.

Text messages between Strzok and Page, turned over to Congress by DOJ late last year, revealed deep hostility toward Trump — among other political figures on both sides of the aisle. Republicans have pointed to those messages, as well others in which they make cryptic references to the federal Russia probe, as evidence that their political views tainted the investigation. But there's been no evidence that either took official actions based on their personal opinions.

Still, Trump has highlighted the messages to suggest the FBI has been out to get him in what he's commonly referred to as a "witch hunt" about his campaign's ties to Russia.

xxx
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Schools, Scott (ODAG)

From: Schools, Scott (ODAG)
Sent: Thursday, January 11, 2018 7:35 PM
To: Hur, Robert (ODAG); Gauhar, Tashina (ODAG)
Subject: FW: Andrew Weissmann met with AP reporters to discuss Paul Manafort case before joining special counsel

FYSA.

From: AMZ
Sent: Thursday, January 11, 2018 7:30 PM
To: Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Subject: FW: Andrew Weissmann met with AP reporters to discuss Paul Manafort case before joining special counsel

Andrew Weissmann met with AP reporters to discuss Paul Manafort case before joining special counsel

<https://saraacarter.com/2018/01/11/andrew-weissmann-met-with-ap-reporters-to-discuss-paul-manafort-case-before-joining-special-counsel/>

January 11, 2018

A senior Justice Department prosecutor in Robert Mueller's Special Counsel office held a meeting with Associated Press journalists last spring to discuss an investigation into Paul Manafort's financial record, a day before the wire service published a major expose disclosing alleged money laundering made by the former and now embattled Trump campaign chairman.

Federal prosecutor Andrew Weissmann, now a senior attorney in the special counsel's office, met with AP journalists on April 11 after reporters informed him of their own investigation into Manafort's dealings with Ukrainian officials. The reporters had reached out to Weissman on a different story earlier in the year and it was during that conversation, that the AP team told Weissmann of their investigation into Manafort, stated the sources. The AP published the [explosive expose](#) on April 12, a day after their meeting with Weissmann. According to sources familiar with the meeting, the reporters had promised to share documents and other information gleaned from the own investigation with the Justice Department.

AP spokeswoman Lauren Easton said Thursday, "we refrain from discussing our sources."

"Associated Press journalists meet with a range of people in the course of reporting stories, and we refrain from discussing relationships with sources. However, the suggestion that AP would voluntarily serve as the source of

information for a government agency is categorically untrue,” added Easton.

At the time of the meeting, Weissmann was head of the Justice Department’s fraud division. He was the most senior member of the Justice Department to join the special counsel in May.

Sources said Weissmann, had notified his superiors about the arranged meeting with the AP and at the time of the meeting he was not assigned to the Manafort probe and had no knowledge of the state of the investigation. Weissmann didn’t have access to grand jury materials, didn’t have access to reports and his role was solely to facilitate the meeting because the AP reached out to him, the officials added.

The officials noted that no commitment was made to assist the reporters with their investigation into Manafort’s life or activity.

The AP meeting arranged by Weissmann came to light in a letter sent to Justice Department Deputy Attorney General Rod Rosenstein from House Intelligence Committee Chairman Devin Nunes, R-CA, late last year, requesting specific FBI and DOJ documentation related to the controversial Fusion GPS dossier that alleged collusion between the Trump campaign and Russia.

Rosenstein not only agreed to provide all the documents requested, which include unredacted FBI interviews with witnesses, as well as access to eight key FBI and DOJ witnesses but said they would provide the committee with information on Weissmann, as [reported last week](#).

The committee letter noted that the Justice Department is “researching records related to the details of an April 2017 meeting between DOJ Attorney Andrew Weissmann (now the senior attorney for Special Counsel Robert Mueller) and the media, which will also be provided to this Committee by close of business on Thursday, January 11, 2018.”

That meeting with the AP was attended by three different litigating offices. Two employees from the U.S. Justice Department and the other representative was from the U.S. Attorney’s office, according to the sources. FBI agents also attended the meeting, law enforcement sources confirmed.

Peter Carr, a spokesman for Mueller, declined to comment. Chief Justice Department spokeswoman Sarah Isgur Flores also declined to comment.

However, the Justice Department and FBI have [specific guidelines](#) that must be followed when obtaining documents or information from the media, according to the DOJ website.

“Members of the Department may not employ the use of the investigative tool at issue until the Criminal Division has responded in writing,” the guideline states. “Accordingly, to ensure appropriate consideration, members of

the Department should submit requests for authorization or consultation pursuant to this policy at least 30 days before the anticipated use of the covered law enforcement tool.”

Carr declined to comment on whether the AP shared documentation or information with Weissmann. He also declined to comment on whether Weissmann followed appropriate DOJ procedures for the meeting to obtain documentation.

And Weissmann’s role in arranging the meeting did not go over well with FBI officials, who issued a complaint to the Justice Department suggesting Weissmann didn’t follow normal procedures for dealing with journalists. The FBI was concerned the meeting with the journalists could harm the ongoing probe into Russia’s involvement in the 2016 presidential election, according to sources with knowledge of the information.

The news organization published the [Manafort story](#) a day after the meeting on April 12. The story revealed that roughly \$1.2 million in payments listed for Manafort in a handwritten ledger in Ukraine had been deposited into his U.S. bank accounts.

After the AP published a series of investigative stories, Manafort was forced to file a numerous late lobbying reports. Those reports showed he was paid millions by pro-Russian interests in Ukraine. Manafort has pleaded innocent to the felony charges and last week filed a lawsuit trying to remove Mueller as the special prosecutor in the case.

Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Thursday, January 4, 2018 10:16 PM
To: Rosenstein, Rod (ODAG)
Subject: Fwd: CNN: Ryan backed Nunes in spat with Justice Dept. over Russia documents, sources say

Sent from my iPhone

Begin forwarded message:

From: "Flores, Sarah Isgur (OPA)" <siflores@jmd.usdoj.gov>
Date: January 4, 2018 at 10:08:58 PM EST
To: "Hur, Robert (ODAG)" <rhur@jmd.usdoj.gov>, "Terwilliger, Zachary (ODAG)" <zterwilliger@jmd.usdoj.gov>, "Boyd, Stephen E. (OLA)" <(b)(6)>, "Schools, Scott (ODAG)" <sschools@jmd.usdoj.gov>, "Bolitho, Zachary (ODAG)" <zbolitho@jmd.usdoj.gov>
Subject: Fwd: CNN: Ryan backed Nunes in spat with Justice Dept. over Russia documents, sources say

Ryan backed Nunes in spat with Justice Dept. over Russia documents, sources say
CNN

Laura Jarrett, Evan Perez, & Manu Raju
January 4, 2018 – 8:56 PM

<http://www.cnn.com/2018/01/04/politics/paul-ryan-nunes-justice-department/index.html?sr=twCNNp010418paul-ryan-nunes-justice-department0902PMStory&CNNPolitics=Tw>

(CNN) – House Speaker Paul Ryan backed his fellow congressional Republican, House Intelligence Chairman Devin Nunes, during a meeting over the Russia investigation Wednesday, capping off a months-long dispute between the committee and the Justice Department, multiple sources with the knowledge of the situation told CNN.

CNN reported Wednesday that Ryan met with Deputy Attorney General Rod Rosenstein and FBI head Christopher Wray in his Capitol Hill office, but details emerged Thursday providing new insight into how a nasty inter-branch dispute has quietly subsided – at least for now.

Over the summer Nunes served subpoenas seeking a broad range of documents connected to the dossier of compromising allegations about President Donald

connected to the dossier or compromising allegations about President Donald Trump's connections to the Kremlin, including those related to payments the FBI made to fund it (if any), efforts to corroborate any information contained in it and whether the FBI used information from the dossier to apply for warrants to conduct surveillance under the Foreign Intelligence Surveillance Act on Trump associates. The Justice Department has already allowed Intelligence Committee members and staff to review a number of highly classified materials at a secure location at the department, but last month Nunes escalated the feud, threatening top officials at Justice and the FBI with contempt of Congress if they did not meet all of his subpoena demands.

At Wednesday's meeting – initiated at Rosenstein's request – Rosenstein and Wray tried to gauge where they stood with the House speaker in light of the looming potential contempt of Congress showdown and Nunes' outstanding subpoena demands, sources said. CNN is told the discussion did not involve details of the separate Russia investigation being led by special counsel Robert Mueller.

While Ryan had already been in contact with Rosenstein for months about the dispute over documents, Rosenstein and Wray wanted to make one last effort to persuade him to support their position. The documents in dispute were mostly FBI investigative documents that are considered law enforcement sensitive and are rarely released or shared outside the bureau.

During the meeting, however, it became clear that Ryan wasn't moved and the officials wouldn't have his support if they proceeded to resist Nunes' remaining highly classified requests, according to multiple sources with knowledge of the meeting.

Sources also told CNN that the Justice Department and the FBI also had learned recently that the White House wasn't going to assert executive privilege or otherwise intervene to try to stop Nunes.

Ryan spokeswoman AshLee Strong told CNN on Thursday, "The speaker always expects the administration to comply with the House's oversight requests," but would not address the details of the discussion.

A compromise was reached later Wednesday that allows House Intelligence Committee members to go to a Justice Department facility to view the documents, sources said. Nunes said in a statement Wednesday night that he was being given "access" to the materials he had requested. Normally congressional committees want documents turned over to them. In this case, the documents can be reviewed but not taken from FBI and Justice Department possession.

The Justice Department has also approved a slew of Justice and FBI officials to be interviewed by the committee in January, including former Associate Deputy Attorney General Bruce Ohr, an official with ties to Fusion GPS, the opposition research firm behind the Trump dossier; embattled FBI Special Agent Peter Strzok, whose text messages trashing the President became cannon fodder for congressional Republicans last month; and recently reassigned FBI General Counsel James Baker. The committee will also be permitted to interview FBI Attorney Lisa Page (who

exchanged the texts with Strzok, FBI Attorney Sally Moyer, FBI Assistant Director for the Office of Congressional Affairs Greg Brower, FBI Assistant Director Bill Priestap and FBI Chief of Staff James Rybicki.

CNN has also learned from a source with knowledge of the negotiations that a second batch of Strzok's text messages is expected to be produced for the committee next week.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 4, 2018 10:22 AM
To: Whitaker, Matthew (OAG); Cutrona, Danielle (OAG); Boyd, Stephen E. (OLA); Terwilliger, Zachary (ODAG); Hur, Robert (ODAG); Bolitho, Zachary (ODAG); Schools, Scott (ODAG)
Subject: Fw: Reps. Mark Meadows and Jim Jordan: It's time for Jeff Sessions to go, as shown by the latest FBI leak

Reps. Mark Meadows and Jim Jordan: It's time for Jeff Sessions to go, as shown by the latest FBI leak

Washington Examiner

Op-Ed

Rep. Mark Meadows and Rep. Jim Jordan

January 4, 2018 – 9:00 AM

<http://www.washingtonexaminer.com/rep-mark-meadows-and-jim-jordan-its-time-for-jeff-sessions-to-go-as-shown-by-the-latest-fbi-leak/article/2644934>

As the first year of the Trump administration comes to a close, one can't help but look back on how allegations of "Russian collusion" dominated the headlines of almost every news agency. Hearings, leaks, and so-called "bombshells" saturated the mainstream media coverage almost immediately after the 2016 presidential campaign concluded.

Sadly, manufactured hysteria on this issue throughout 2017 has frequently masked the substantial accomplishments of President Trump's administration — some that qualify as historic. The stock market has surged at levels not seen in nearly a decade. The Islamic State has been decimated in the Middle East. Our embassy in Israel is moving to Jerusalem, Israel's undivided capital. Trump delivered on the largest tax cuts and overhaul to the tax code since the Reagan administration. These are just a few examples.

Yet, in spite of the constant headlines, rampant speculation, and overshadowing of accomplishments, a simple truth remains: There is no evidence of any collusion between the Trump campaign and the Russians.

And let's be clear: The absence of evidence is not due to a lack of examination. There have been some six different investigations spent on the collusion narrative — more than the investigative efforts on former President Barack Obama's IRS targeting of conservatives, the 30,000 missing Hillary Clinton emails, and Benghazi. And through all of that, there is zero (yes, zero) evidence of collusion.

Even with the complete dearth of evidence Congressional hearings have produced, the narrative machine continues to mobilize. Last week, the New York Times published an article using four current and former anonymous intelligence officials to suggest that George Papadopoulos, a Trump campaign volunteer, was a "driving factor" who triggered the FBI's spying on the Trump campaign. These anonymous sources claim that Papadopoulos, during a night of drinking at a bar in Europe, tipped off Australian diplomats about Russian collusion efforts, which ultimately led to the FBI opening an investigation.

Now, even if we put aside what should be an automatic mistrust of the motives behind anonymous intelligence officials sharing details about an ongoing investigation, there are two critical problems with the story. First, belief in this narrative at face value requires one to blatantly disregard a series of fundamental questions:

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Question 1: If George Papadopoulos was central to the FBI's investigation of the Trump campaign, why did the FBI wait more than 6 months to interview him in late January and again in February? And even if they were trying to keep the probe quiet during the 2016 election, why wait more than 2 months after Election Day?

Question 2: If Papadopoulos was so critical to the investigation, why did the FBI get a Foreign Intelligence Surveillance Act, or FISA, warrant on Carter Page in the summer of 2016 but not on Papadopoulos, the alleged central player?

Question 3: If Papadopoulos was key to a collusion investigation and evidence existed supporting that claim, why would Bruce Ohr, the former DOJ official married to Fusion GPS' investigator, meet with Christopher Steele, author of the so-called "Trump dossier" hired by the Clinton campaign, before and after the election?

Question 4: Why would former FBI Director James Comey brief President Obama and President-Elect Trump on the contents of the Russian dossier, but not do the same thing on this campaign staffer's alleged collusion?

Question 5: Why won't the FBI answer questions from Congress on this very topic? Why do they continue to refuse transparency on whether they paid Christopher Steele for the Russian Dossier? We in Congress have asked them repeatedly to tell us what was in the application they took to the FISA Court to get a warrant for spying on the Trump campaign. Did they use the dossier in their application? This demands an answer.

Perhaps all of these questions have answers that could help bring this Russian collusion drama to a close. But it seems remarkably odd that instead of the FBI answering the critical questions that Congress has repeatedly asked, they instead leak a far-fetched and ill-supported story to the New York Times. If this is the truth, then give us the documentation we've asked for to prove it.

The second problem deals with a recurring issue that must be addressed immediately. The alarming number of FBI agents and DOJ officials sharing information with reporters is in clear violation of the investigative standards that Americans expect and should demand. How would New York Times reporters know any of this information when the FBI and DOJ are prohibited from talking about ongoing investigations? How many FBI agents and DOJ officials have illegally discussed aspects of an ongoing investigation with reporters? When will it stop?

It's apparent that Comey has never had a problem sharing information with reporters, and he allowed his team to "follow the leader" in that regard—but it is time for this practice to come to an immediate end.

Attorney General Jeff Sessions has recused himself from the Russia investigation, but it would appear he has no control at all of the premier law enforcement agency in the world. It is time for Sessions to start managing in a spirit of transparency to bring all of this improper behavior to light and stop further violations. If Sessions can't address this issue immediately, then we have one final question needing an answer: When is it time for a new attorney general?

Sadly, it seems the answer is now.

Rep. Mark Meadows, R-N.C., represents North Carolina's 11th district in Congress. He is chair of the House Freedom Caucus. Rep. Jim Jordan, R-Ohio, represents Ohio's 4th district in Congress. He is a member of the House Freedom Caucus and served as its first chairman.

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Sarah Isgur Flores

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 3, 2018 12:43 AM
To: Boyd, Stephen E. (OLA); Schools, Scott (ODAG)
Subject: Fwd: NYT: Simpson & Fritsch: The Republicans' Fake Investigations

The Republicans' Fake Investigations

New York Times

Op-Ed

Glenn R. Simpson & Peter Fritsch

January 2, 2018

https://www.nytimes.com/2018/01/02/opinion/republicans-investigation-fusion-gps.html?ref=collection%2Fsectioncollection%2Fopinion-contributors&action=click&contentCollection=contributors®ion=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=sectionfront

A generation ago, Republicans sought to protect President Richard Nixon by urging the Senate Watergate committee to look at supposed wrongdoing by Democrats in previous elections. The committee chairman, Sam Ervin, a Democrat, said that would be “as foolish as the man who went bear hunting and stopped to chase rabbits.”

Today, amid a growing criminal inquiry into Russian meddling in the 2016 election, congressional Republicans are again chasing rabbits. We know because we’re their favorite quarry.

In the year since the publication of the so-called Steele dossier — the collection of intelligence reports we commissioned about Donald Trump’s ties to Russia — the president has repeatedly attacked us on Twitter. His allies in Congress have dug through our bank records and sought to tarnish our firm to punish us for highlighting his links to Russia. Conservative news outlets and even our former employer, The Wall Street Journal, have spun a succession of mendacious conspiracy theories about our motives and backers.

We are happy to correct the record. In fact, we already have.

Three congressional committees have heard over 21 hours of testimony from our firm, Fusion GPS. In those sessions, we toppled the far right's conspiracy theories and explained how The Washington Free Beacon and the Clinton campaign — the Republican and Democratic funders of our Trump research — separately came to hire us in the first place.

We walked investigators through our yearlong effort to decipher Mr. Trump's complex business past, of which the Steele dossier is but one chapter. And we handed over our relevant bank records — while drawing the line at a fishing expedition for the records of companies we work for that have nothing to do with the Trump case.

Republicans have refused to release full transcripts of our firm's testimony, even as they selectively leak details to media outlets on the far right. It's time to share what our company told investigators.

We don't believe the Steele dossier was the trigger for the F.B.I.'s investigation into Russian meddling. As we told the Senate Judiciary Committee in August, our sources said the dossier was taken so seriously because it corroborated reports the bureau had received from other sources, including one inside the Trump camp.

The intelligence committees have known for months that credible allegations of collusion between the Trump camp and Russia were pouring in from independent sources during the campaign. Yet lawmakers in the thrall of the president continue to wage a cynical campaign to portray us as the unwitting victims of Kremlin disinformation.

We suggested investigators look into the bank records of Deutsche Bank and others that were funding Mr. Trump's businesses. Congress appears uninterested in that tip: Reportedly, ours are the only bank records the House Intelligence Committee has subpoenaed.

We told Congress that from Manhattan to Sunny Isles Beach, Fla., and from Toronto to Panama, we found widespread evidence that Mr. Trump and his organization had worked with a wide array of dubious Russians in arrangements that often raised questions about money laundering. Likewise, those deals don't seem to interest Congress.

We explained how, from our past journalistic work in Europe, we were deeply familiar with the political operative Paul Manafort's coziness with Moscow and his financial ties to Russian oligarchs close to Vladimir Putin.

Finally, we debunked the biggest canard being pushed by the president's men — the notion that we somehow knew of the June 9, 2016, meeting in Trump Tower between some Russians and the Trump brain trust. We first learned of that meeting from news reports last year — and the committees know it. They also know that these Russians were unaware of the former British intelligence officer Christopher Steele's work for us and were not sources for his reports.

Yes, we hired Mr. Steele, a highly respected Russia expert. But we did so without informing him whom we were working for and gave him no specific marching orders beyond this basic question: Why did Mr. Trump repeatedly seek to do deals in a notoriously corrupt police state that most serious investors shun?

What came back shocked us. Mr. Steele's sources in Russia (who were not paid) reported on an extensive — and now confirmed — effort by the Kremlin to help elect Mr. Trump president. Mr. Steele saw this as a crime in progress and decided he needed to report it to the F.B.I.

We did not discuss that decision with our clients, or anyone else. Instead, we deferred to Mr. Steele, a trusted friend and intelligence professional with a long history of working with law enforcement. We did not speak to the F.B.I. and haven't since.

After the election, Mr. Steele decided to share his intelligence with Senator John McCain via an emissary. We helped him do that. The goal was to alert the United States national security community to an attack on our country by a hostile foreign power. We did not, however, share the dossier with BuzzFeed, which to our dismay published it last January.

We're extremely proud of our work to highlight Mr. Trump's Russia ties. To have done so is our right under the First Amendment.

It is time to stop chasing rabbits. The public still has much to learn about a man with the most

troubling business past of any United States president. Congress should release transcripts of our firm's testimony, so that the American people can learn the truth about our work and most important, what happened to our democracy.

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Sarah Isgur Flores

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, December 22, 2017 6:16 PM
To: Schools, Scott (ODAG); Hur, Robert (ODAG); Terwilliger, Zachary (ODAG); Boyd, Stephen E. (OLA); Whitaker, Matthew (OAG)
Subject: Fwd: Politico: Top FBI official linked to reporter who broke Trump dossier story

Top FBI official linked to reporter who broke Trump dossier story

Politico

Kyle Cheney & Rachael Bade

December 22, 2017

<https://www.politico.com/story/2017/12/22/trump-dossier-fbi-james-baker-david-corn-mother-jones-316157>

House Republicans are investigating contact between the FBI's top lawyer and a Mother Jones reporter in the weeks before the left-leaning outlet broke the first news story about the existence of a disputed dossier alleging ties between President Donald Trump and the Kremlin, according to two congressional GOP sources who described documents linking the two men.

The GOP sources said the documents - made available recently to lawmakers by the Department of Justice - revealed that James Baker, the FBI's general counsel, communicated with Mother Jones reporter David Corn in the weeks leading up to the November 2016 election. Corn was the [first to report](#) the existence of the dossier on Oct. 31 and that it was compiled by a former, high-level western spy.

The Washington Post [reported](#) Thursday that Baker had been reassigned within the FBI, though the reason for the move was unclear.

Corn denied that Baker was a source for his story on the dossier.

"I'm not going to discuss my sources. But in order to prevent the dissemination of inaccurate information, I will say that James Baker was not my source for this story," he said in a statement to POLITICO.

The congressional sources said there's no conclusive evidence that Baker aided Corn's reporting or acted as a source. But Republicans are pointing to the connection to cast suspicion about whether FBI officials had a hand in directing the details of the dossier to reporters, and the two sources said they expect it to be a focus of GOP investigators' upcoming lines of inquiry.

Baker's connection to Corn comes as Republicans in Congress have been raising questions about the FBI's handling of the now-famous Steele dossier, named for Christopher Steele, the agent subsequently identified as the author of the document

subsequently returned to the author of the document.

The FBI declined to comment on the matter.

Corn's story indicated direct contact with Steele: "[A] former senior intelligence officer for a Western country who specialized in Russian counterintelligence tells Mother Jones that in recent months he provided the bureau with memos, based on his recent interactions with Russian sources, contending the Russian government has for years tried to co-opt and assist Trump-and that the FBI requested more information from him," he reported.

Corn then added that a "senior US government official not involved in this case but familiar with the former spy," told him that the agent "has been a credible source with a proven record of providing reliable, sensitive, and important information to the US government."

The news of Baker's reassignment came just days after congressional Republicans began asking questions about his contacts with media.

Baker was on Capitol Hill on Tuesday as counsel for Andrew McCabe, deputy director of the FBI, who testified to the House intelligence committee in the panel's ongoing Russia probe.

During the closed-door session, Republicans grilled McCabe about who at the department was authorized to talk to the media. One Republican at Tuesday's intelligence committee interview with McCabe laid out a "hypothetical" example of the FBI's general counsel meeting with a Mother Jones reporter.

McCabe, according to a source familiar with the exchange, said such a meeting would be unauthorized, according to the source.

Sources familiar with the congressional investigations said Baker did not return Thursday when McCabe came back to testify before the Judiciary and Oversight Committees in their related inquiries.

Republicans left the Tuesday interview intent on revisiting contacts between top FBI officials and the media. FBI officials declined to comment on Baker's reassignment or his connection to Corn, the sources said.

Despite the suggestion, there are other ways reporters may have obtained the Steele Dossier in the months leading up to and after the election.

Steele compiled the document for Fusion GPS, a firm hired by Hillary Clinton's campaign to do opposition research on Trump. Fusion GPS, too, reportedly shared details of the dossier with reporters. BuzzFeed published the full document online in January.

Fusion's connection to Democrats, too, has added to GOP suspicion about the document's veracity, though congressional investigators and the FBI have attempted to corroborate its contents. Republicans have raised questions about whether the FBI used the document to obtain surveillance warrants against Trump campaign officials, and they're beginning to examine how the dossier made its way into the hands of news media.

Baker has spent more than 17 years as a senior Department of Justice and FBI official, including a six-year stint as DOJ's counsel for intelligence policy. A bio from Harvard Law School, where Baker lectured this past fall, described him as "a former federal prosecutor [who] worked on all aspects of national security investigations and prosecutions, including in particular the Foreign Intelligence Surveillance Act."

Republicans have been frustrated by what they say is FBI foot-dragging in providing documents relevant to their investigations. The documents that revealed Baker's contact with Corn were first requested six months ago, the congressional sources said.

The Post reported that Baker's reassignment came amid moves by newly appointed FBI director Christopher Wray to assemble his own senior staff. The paper reported that Baker had been caught in an interagency dispute.